

SB229 INTRODUCED



1 SB229

2 84IU32F-1

3 By Senator Givhan

4 RFD: Veterans, Military Affairs and Public Safety

5 First Read: 29-Jan-26



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4 SYNOPSIS:

5 Existing law provides the duties of various
6 positions within the Legal Services Office of the
7 Alabama National Guard.

8 This bill would revise and further provide for
9 the duties of certain positions, including the State
10 Staff Judge Advocates, General Counsel, Deputy General
11 Counsel, Military Justice Associate General Counsel,
12 Contract and Fiscal Law Associate General Counsel,
13 Administrative and Civil Law Associate General Counsel,
14 Operational Law Associate General Counsel, Legal
15 Assistance Associate General Counsel, and certain other
16 Judge Advocates.

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19 A BILL

20 TO BE ENTITLED

21 AN ACT

22
23 Relating to the Alabama National Guard, to amend
24 Sections 31-2B-4, 31-2B-5, 31-2B-6, 31-2B-7, 31-2B-8, 31-2B-9,
25 31-2B-10, 31-2B-11, 31-2B-12, and 31-2B-13, as added by Act
26 2025-104, 2025 Regular Session, Code of Alabama 1975, to
27 revise and further provide for the duties of certain positions
28 within the Legal Services Office.



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29 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

30 Section 1. Sections 31-2B-4, 31-2B-5, 31-2B-6, 31-2B-7,
31 31-2B-8, 31-2B-9, 31-2B-10, 31-2B-11, 31-2B-12, and 31-2B-13,
32 as added by Act 2025-104, 2025 Regular Session, Code of
33 Alabama 1975, are amended to read as follows:

34 "§31-2B-4

35 (a) The Legal Services Office shall be a joint office
36 shared by the Alabama Army and Air National Guard. There shall
37 be a State Staff Judge Advocate for both the Army National
38 Guard and the Air National Guard.

39 (b) Each State Staff Judge Advocate shall do all of the
40 following:

41 (1) Perform the duties as prescribed by the Adjutant
42 General and state and federal law.

43 (2) Serve as the primary legal adviser to ~~the Adjutant~~
44 ~~General regarding the State Military Department and all~~
45 ~~officers and agencies of the department his or her respective~~
46 military service component commander.

47 (3) Provide independent legal advice ~~in coordination~~
48 ~~with the Office of General Counsel and directly, when~~
49 ~~requested, to the Director of the Joint Staff, his or her~~
50 ~~respective~~ chief of staff ~~of each~~ for his or her service,
51 ~~joint staff, and to~~ members of ~~the~~ his or her respective
52 military service component within the Alabama National Guard,
53 generally.

54 (4) Provide legal advice in the following areas:

55 a. Military justice.

56 b. Administration and operation of ~~the State Military~~



57 Department his or her respective military service component's
58 Judge Advocate General's Corps within the Alabama Army or the
59 Air National Guard.

60 c. Business, property, and financial operations under
61 the jurisdiction and authority of the State Military
62 Department and the Armory Commission for his or her respective
63 military service component.

64 d. Administration, control, discipline, status, civil
65 relations, and activities of all ~~State Military Department~~
66 personnel within his or her respective military service
67 component.

68 (5) Provide legal advice to ~~the~~ his or her respective
69 military component commander and, when requested, to the
70 Adjutant General, Director of the Joint Staff, chief of staff
71 of each service, and joint staff in~~all~~ legal matters
72 concerning~~the State Military Department, including~~
73 ~~environmental law, labor and civilian personnel law, contract~~
74 ~~law, and fiscal and tax law~~ his or her respective military
75 component.

76 (6) Develop legal office management policies and
77 procedures for his or her respective military service
78 component to accomplish~~all~~ legal services within the Alabama
79 National Guard.

80 (7) Direct~~the~~ his or her respective military service
81 component members of the Alabama National Guard Judge Advocate
82 General Corps in the performance of their duties, including
83 leading and managing all aspects of the ~~Legal Service Office~~
84 service component's legal services.



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(8) Exercise technical supervision over the delivery of legal services in his or her respective military service component of the Alabama Army ~~and or~~ Air National Guard and all legal services personnel under the authority of ~~the Adjutant General~~ his or her component commander.

(9) Certify that all judge advocates within his or her respective military service component are professionally qualified and maintain the highest levels of ethical and moral behavior and professional proficiency to perform legal duties.

(10) Manage the professional legal training within ~~the~~ Alabama National Guard his or her respective military service component.

(11) Determine the requirements for the his or her
respective military service component, and the Alabama
National Guard's acquisition of legal research materials,
software, applications, and programs.

(12) Provide legal services to ~~the Alabama National Guard~~ his or her respective military service component through the Legal Services Office ~~and the~~ in coordination with the Office of General Counsel.

(13) Direct the delivery of Alabama Army and Air National Guard legal services across a broad spectrum of legal disciplines, including military justice, international and operational law, administrative and civil law, contract and fiscal law, claims, and legal assistance.

"§31-2B-5

(a) Under the direction of the Adjutant General and in coordination with the State Staff Judge Advocates, the General

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113 Counsel shall do all of the following:

114 (1) Advise and support the State Staff Judge Advocates
115 on all judge advocate legal service matters.

116 (2) Advise the Adjutant General, State Military
117 Department, Governor, chief of staff of each service, and
118 Director of the Joint Staff, as necessary.

119 (3) Serve as Chief Information Officer for the ~~Judge~~
120 Advocate Office of General Counsel.

121 (4) Inspect, supervise, and manage judge advocate
122 activities as directed by the State Staff Judge Advocates
123 consistently with the Adjutant General's policies and
124 directives.

125 (5) Supervise all Alabama National Guard and State
126 Military Department litigation ~~and appeals.~~

127 (6) Supervise and provide advice on all contract and
128 fiscal issues.

129 (7) Supervise and provide technical guidance regarding
130 military justice and administrative law.

131 (8) Supervise the Office of General Counsel, including
132 employment, professional responsibility, and office management
133 matters.

134 (9) Establish policy and operational guidance for all
135 aspects of the Alabama National Guard and State Military
136 Department Legal Services Office.

137 (10) Supervise the Deputy General Counsel, associate
138 general counsels, deputy staff judge advocates, judge
139 advocates, all legal services personnel, and others who are
140 members of the Judge Advocate Legal Services Office to assist

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141 the Office of General Counsel in supporting the Adjutant
142 General, State Military Department, and State Staff Judge
143 Advocates, when not in conflict.

144 (b) The Office of General Counsel full-time staff shall
145 include a general counsel, deputy general counsel, chief
146 paralegal, and associate general counsels."

147 "§31-2B-6

148 The Deputy General Counsel shall do all of the
149 following:

150 (1) Serve as director for the Legal Services Office,
151 including military justice, legal assistance, administrative
152 law, contract and fiscal law, and any other services as
153 determined and delegated by a State Staff Judge Advocate or
154 the Office of General Counsel.

155 (2) Coordinate and provide support for all legal
156 services throughout the Alabama National Guard and the State
157 Military Department under the direction of the State Staff
158 Judge Advocates and the Office of General Counsel.

159 (3) Coordinate and support the Alabama National Guard
160 Army Soldier Readiness Program.

161 (4) Coordinate and provide support for all legal
162 services training in the Alabama National Guard.

163 (5) Coordinate and supervise all Alabama National Guard
164 preventative law publications.

165 (6) Provide advice and counsel to Alabama National
166 Guard SAPR/IPP Offices.

167 (7) Compile and publish the Alabama National Guard
168 Legal Services Manual upon approval by the State Staff Judge



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169 Advocates and the Office of General Counsel.

170 "§31-2B-7

171 The Military Justice Associate General Counsel shall do
172 all of the following:

173 (1) Serve as coordinator of all military justice
174 matters under the direction of the State Staff Judge Advocates
175 and as delegated to the Office of General Counsel.

176 (2) Coordinate and provide support to the Chief of
177 Military Justice and all trial counsels and supporting staff.

178 (3) Provide and supervise all military justice training
179 throughout the Alabama National Guard.

180 (4) Compile and publish the Alabama Manual for
181 Courts-Martial and any supporting state regulations and
182 manuals with advice and consent of the State Staff Judge
183 Advocates L~~and~~ the Chief of Military Justice, and the Office
184 of General Counsel.

185 "§31-2B-8

186 The Contract and Fiscal Law Associate General Counsel
187 shall do all of the following:

188 (1) Serve as coordinator of all contract and fiscal law
189 matters under the direction of the State Staff Judge Advocates
190 and as delegated to the Office of General Counsel.

191 (2) Coordinate and provide support to the military
192 judge advocates assigned to contract and fiscal law sections.

193 (3) Provide and supervise all contract and fiscal law
194 training throughout the Alabama National Guard and State
195 Military Department.

196 (4) Compile and publish the Alabama Manual for Contract

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197 and Fiscal Law and any supporting rules and manuals with
198 advice and consent of the Adjutant General, State Staff Judge
199 Advocates, and the Office of General Counsel.

200 "§31-2B-9

201 The Administrative and Civil Law Associate General
202 Counsel shall do all of the following:

203 (1) Serve as coordinator for the Office of General
204 Counsel of all administrative and civil law matters under the
205 direction of the Adjutant General and State Military
206 Department and in coordination with the State Staff Judge
207 Advocates ~~and as delegated to the Office of General Counsel as~~
208 necessary.

209 (2) Coordinate and provide support to the military
210 judge advocates assigned to administrative and civil law
211 sections.

212 (3) Provide and supervise all administrative and civil
213 law training throughout the Alabama National Guard.

214 (4) Compile and publish the Alabama Manual for
215 Administrative and Civil Law and any supporting rules and
216 manuals with advice and consent of the Adjutant General, State
217 Staff Judge Advocates, and the Office of General Counsel.

218 "§31-2B-10

219 The Operational Law Associate General Counsel shall do
220 all of the following:

221 (1) Serve as coordinator for the Office of General
222 Counsel of all operational law matters ~~under the direction of~~
223 in coordination with the State Staff Judge Advocates ~~and as~~
224 ~~delegated to the Office of General Counsel as necessary~~.



225 (2) Coordinate and provide support to military judge
226 advocates assigned to administrative and civil law sections.

227 (3) Provide and supervise all military justice training
228 throughout the Alabama National Guard.

229 (4) Compile and publish the Alabama Manual for
230 Operational Law and any supporting rules and manuals with
231 advice and consent of the Adjutant General, State Staff Judge
232 Advocates, and the Office of General Counsel."

233 "§31-2B-11

234 The Legal Assistance Associate General Counsel shall do
235 all of the following:

236 (1) Serve as coordinator for the Office of General
237 Counsel of all legal assistance matters ~~under the direction of~~
238 in coordination with the State Staff Judge Advocates ~~and~~ as
239 ~~delegated to the Office of General Counsel~~ necessary.

240 (2) Coordinate and provide support to military judge
241 advocates assigned to legal services sections.

242 (3) Provide and supervise all legal assistance training
243 throughout the Alabama National Guard.

244 (4) Compile and publish the Alabama Manual for Legal
245 Assistance and any supporting rules and manuals with the
246 advice and consent of the Adjutant General, State Staff Judge
247 Advocates, and the Office of General Counsel.

248 "§31-2B-12

249 (a) Command, Wing, and Brigade Judge Advocates shall
250 provide legal services to Major Military Commands, including
251 MACOM, MAJCOM, and Wing in this state through legal offices
252 and legal sections headed by judge advocates within each

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253 MACOM, MAJCOM, and Wing. Judge advocates shall be members of
254 MACOM, MAJCOM, and Wing Commanders' Staff and are designated
255 as supervisory judge advocates.

256 (b) A Supervisory Judge Advocate shall be a judge
257 advocate within an office or organization with authority over,
258 or responsibility for, the direction, coordination,
259 evaluation, or assignment of responsibilities and work of
260 subordinate lawyers, paralegals, and other non-lawyer
261 assistants within MACOM, MAJCOM, or Wing.

262 (c) The supervisory judge advocates shall include the
263 Command Judge Advocate, Staff Judge Advocate, and the Brigade
264 Judge Advocate as determined by the placement.

265 (d) The Command Judge Advocate, Staff Judge Advocate,
266 and Brigade Judge Advocate shall do all of the following:

267 (1) Advise the commander regarding legal matters and
268 assist the commander in exercising his or her duties as a part
269 of the commander's personal staff, all under the management
270 and supervision of the respective State Staff Judge Advocate.

271 (2) Assist the commander in identifying legal problems
272 and render legal advice in support of the commander's
273 decision-making process.

274 (3) Furnish legal advice, assistance, and support
275 across the broad spectrum of military, state, and federal
276 practice, including administrative law, claims, contract, and
277 fiscal law, international and operational law, and military
278 justice; provided, all legal assistance is reserved to the
279 Legal Services Office unless otherwise determined by a State
280 Staff Judge Advocate.



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281 (4) Be responsible for the efficient, effective, and
282 ethical delivery of legal services to his or her commanders
283 and commands.

284 (5) Create and maintain rating and supervisory chains
285 that comply with applicable Army standards and ensure
286 effective leadership of all legal personnel of the command
287 legal office.

288 (6) Ensure legal personnel are adequately trained to
289 accomplish the legal mission, including through local training
290 and through attendance at the Judge Advocate Center and School
291 courses, including that all judge advocate attorneys
292 accomplish continuing legal education required by the Alabama
293 State Bar.

294 (7) Appoint and assign duties of the chief paralegal,
295 trial counsel, and Deputy Command Judge Advocate, Deputy Staff
296 Judge Advocate, or Deputy Brigade Judge Advocate, as
297 appropriate, with consent of the State Staff Judge Advocate.

298 (8) Maintain written standard office procedures and
299 annex to [MACOM](#) Operation Order for Command.

300 (9) Maintain proper written reports regarding
301 investigations, separations, and military justice as directed
302 by the Office of General Counsel and State Staff Judge
303 Advocate.

304 (10) Publish an office SOP and OPORD Annex for their
305 respective commands.

306 "§31-2B-13

307 (a) In accordance with Army Regulation 27-1, all
308 paralegals and warrant officers are under the direction of a

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309 State Staff Judge Advocate with supervision delegated to each
310 Command Judge Advocate, Staff Judge Advocate, or Brigade Judge
311 Advocate, as appropriate, unless employed within the Office of
312 General Counsel. All paralegals and warrant officers employed
313 within the Office of General Counsel are under the direction
314 of the General Counsel.

315 (b) Unless directed otherwise by the State Staff Judge
316 Advocate, all paralegals and warrant officers shall perform
317 only legal professional duties as outlined in their respective
318 legal service regulations.

319 Section 2. This act shall become effective on October
320 1, 2026.