



LEGAL REFRESHER TRAINING

INVOLUNTARY ADMINISTRATIVE SEPARATIONS

*Administrative Law Section, LSST
Camp Pendleton, CA*



OVERVIEW

- ADSEPS DEFINED
- TYPES OF DISCHARGE/ BENEFITS
- BASIS
- APPROPRIATE DOCUMENTATION
- RESPONSIBILITIES AT THE UNIT LEVEL
- PROCESS UPON RECEIPT
- PROCESSING TIMELINE GOALS
- DELAYS AND COMMON TRENDS
- EFFECT OF DELAYS ON PROCESS
- ADDITIONAL PROCESSING INFO



ADSEPS DEFINED

- MILITARY EQUIVALENT OF BEING FIRED
- TERMINATION OF CONTRACT PRIOR TO SCHEDULED EXPIRATION
- **PURPOSE**
 - QUALITY CONTROL
 - ENSURE CONSISTENT STANDARDS
 - ENCOURAGE HONORABLE SERVICE



TYPES OF DISCHARGES

- **ADMINISTRATIVE DISCHARGES:** GIVEN THROUGH ADMINISTRATIVE ACTION
 - HONORABLE
 - GENERAL (UNDER HONORABLE CONDITIONS)
 - UNDER OTHER THAN HONORABLE
 - TABLE 6-1, MARCORSEPSMAN: GUIDE FOR CHARACTERIZATION OF SERVICE
- **PUNITIVE CHARGES:** AWARDED AT SPCM OR GCM
 - BAD CONDUCT DISCHARGE
 - DISHONORABLE DISCHARGE



HONORABLE

- REFERENCE: PARA. 1004.2(A)(2)
- DEFINITION: APPROPRIATE ONLY IF THE MARINE'S SERVICE IS OTHERWISE SO MERITORIOUS THAT ANY OTHER CHARACTERIZATION WOULD CLEARLY BE INAPPROPRIATE.



GENERAL

- REFERENCE: PARA. 1004.2B
- DEFINITION: APPROPRIATE IF THE MEMBER'S SERVICE HAS BEEN HONEST AND FAITHFUL BUT SIGNIFICANT NEGATIVE ASPECTS OF THE MEMBER'S CONDUCT OR PERFORMANCE OUTWEIGH POSITIVE ASPECTS OF THE MEMBER'S MILITARY RECORD.



OTHER THAN HONORABLE (OTH)

- REFERENCE: PARA. 1004.C(2)
- DEFINITION: APPROPRIATE WHEN THE BASIS FOR SEPARATION IS COMMISSION OR OMISSION OF AN ACT THAT CONSTITUTES A SIGNIFICANT DEPARTURE FROM THE CONDUCT EXPECTED OF A MARINE.
- OTH CHARACTERIZATION IS AUTHORIZED ONLY IF THE MEMBER HAS BEEN AFFORDED THE OPPORTUNITY TO REQUEST AN ADMINISTRATIVE BOARD.



Benefits at Separation

	<u>HON</u>	<u>GEN</u>	<u>OTH</u>	<u>BCD</u>
<u>Service Administered</u>				
<u>Payment for Accrued Leave</u>	YES	YES	NO	NO
<u>Death Gratuity</u>	YES	YES	YES	YES
<u>Wearing of Military Uniform</u>	YES	YES	NO	NO
<u>Admission to Naval Home</u>	TBD	NO	NO	NO
<u>Burial in National Cemeteries</u>	YES	YES	NO	NO
<u>Burial in Army Post Cemeteries</u>	YES	NO	NO	NO
<u>Navy Board for Correction of Military Records</u>	YES	YES	YES	YES
<u>Navy Discharge Review Board</u>	YES	YES	YES	YES
<u>Transportation to Home</u>	YES	YES	YES	YES
<u>Transportation of Dependants and Household Goods</u>	YES	YES	TBD	TBD

SEE APPENDIX K



Benefits at Separation

	<u>HON</u>	<u>GEN</u>	<u>OTH</u>	<u>BCD</u>
<u>Transitional Benefits & Services</u>				
<u>Pre-separation Counseling</u>	YES	YES	YES	YES
<u>Employment Assistance</u>	YES	YES	YES	YES
<u>Health Benefits</u>	YES	YES	NO	NO
<u>Commissary/Exchange</u>	YES	YES	NO	NO
<u>Military Family Housing</u>	YES	YES	NO	NO
<u>Overseas Relocation Assistance</u>	TBD	TBD	TBD	TBD
<u>Excess Leave</u>	YES	YES	YES	YES
<u>Permissive TAD</u>	YES	YES	NO	NO
<u>Preference for USMCR</u>	YES	YES	NO	NO
<u>Montgomery G.I. Bill</u>	YES	NO	NO	NO
<u>Post 9-11 G.I. Bill</u>	YES	NO	NO	NO



Benefits at Separation

	<u>HON</u>	<u>GEN</u>	<u>OTH</u>	<u>BCD</u>
<u>Department of Veterans Affairs</u>				
<u>Dependency and Indemnity Compensation</u>	YES	YES	YES	YES
<u>Pension for Non-Service Connected Disability or Death</u>	YES	YES	TBD	TBD
<u>Medal of Honor Pension</u>	YES	YES	TBD	TBD
<u>Insurance</u>	YES	YES	TBD	TBD
<u>Vocational Rehabilitation (Disabled Veteran)</u>	YES	YES	TBD	TBD
<u>Educational Assistance</u>	YES	NO	NO	NO
<u>Survivors & Dependents Educational Assistance</u>	YES	YES	TBD	TBD
<u>Home and Other Loans</u>	YES	YES	TBD	TBD
<u>Hospitalization & Domiciliary Care</u>	YES	YES	TBD	TBD
<u>Medical and Dental Services</u>	YES	YES	TBD	TBD
<u>Prosthetic Appliances</u>	YES	YES	TBD	TBD
<u>Guide Dogs & Equipment for Blindness</u>	YES	YES	TBD	TBD
<u>Special Housing</u>	YES	YES	TBD	TBD
<u>Automobiles</u>	YES	YES	TBD	TBD
<u>Funeral and Burial Expenses</u>	YES	YES	TBD	TBD
<u>Burial Flag</u>	YES	YES	TBD	TBD
<u>Burial in National Cemeteries</u>	YES	YES	TBD	TBD
<u>Headstone Marker</u>	YES	YES	TBD	TBD



Benefits at Separation

	<u>HON</u>	<u>GEN</u>	<u>OTH</u>	<u>BCD</u>
<u>Administered by Other Federal Agencies</u>				
<u>Preference for Farm Loans</u>	YES	YES	TBD	TBD
<u>Preference for Farm & Other Rural Housing Loans</u>	YES	YES	YES	YES
<u>Civil Service Preference</u>	YES	YES	NO	NO
<u>Civil Service Retirement</u>	YES	NO	NO	NO
<u>Reemployment Rights (DOL)</u>	YES	YES	NO	NO
<u>Job Counseling & Employment Placement (DOL)</u>	YES	YES	YES	YES
<u>Unemployment Compensation for Ex-Service Members (DOL)</u>	YES	YES	NO	NO
<u>Naturalization Benefits (DOJ, INS)</u>	YES	YES	NO	NO
<u>Old Age, Survivors & Disability Insurance (SSA)</u>	YES	YES	TBD	TBD
<u>Job Preference, Public Works Projects (DOC)</u>	YES	YES	TBD	TBD



DO YOU NEED TO PROCESS FOR SEPARATION?

- MANDATORY PROCESSING
 - THE COMMANDER MUST INITIATE THE INVOLUNTARY SEPARATION PROCESS TO THE SEPARATION AUTHORITY.
- DOES NOT MEAN THAT A BOARD HEARING IS MANDATORY OR THAT SEPARATION OF THE RESPONDENT IS MANDATED.



BASES FOR ADMINISTRATIVE SEPARATIONS

- 6203.3 – Personality Disorder
- 6206 – Unsatisfactory Performance
- 6209 – Alcohol Rehab Failure
- 6210.2 – Minor Disciplinary Infractions
- 6210.3 – Pattern of Misconduct
- 6210.5 – Drug Abuse
- 6210.6 – Commission of a Serious Offense
- 6210.7 – Civilian Conviction
- 6210.8 – Sexual Harassment
- 6210.9 – Participation in Supremacist or Extremist Organization or Activities
- 6210.10 – Driving Under the Influence
- 6214 – Separation in the Best Interest of the Service
- 6215 – Weight Control / Body Composition Failure



General (Under Honorable Conditions) Bases



6215 – WEIGHT CONTROL/BODY COMP FAILURE

- Least favorable characterization of service is GEN.
- Basis used if **sole** reason for separation is failure to meet standards, but conduct otherwise conforms to standards
 - If weight is medical issue: separate via medical separation
 - If weight is non-medical issue, these prerequisites must be met:
 - Marine unqualified for future service due to weight
 - Marine failed to meet weight standards under MCO 6100.3K
 - Marine has no medically diagnosed condition preventing weight-loss
 - Marine made reasonable effort, adhering to regiment provided by a credentialed HCP (diet and PT included)
 - Failure to make a reasonable effort, should be separated under unsat performance of duties
- Authorized only if no other basis applies



6215 – WEIGHT CONTROL/BODY COMP FAILURE

- Documentation required to support separation:
 - Enclosures (1) through (5) of MCO 6110.3 W CH1 (medical evaluation documents). An appropriately credentialed health care provider must sign (5).
 - Weigh in/body composition progress chart. If extension granted, a statement from medical officer including the date and length of extension included. Marine must be medically re-evaluated 30 days prior to the end of extension.
 - COUNSELINGS
 - 6105 given the same day as assignment to program
 - Pg. 11 given during the 4th month of assignment, on progress
 - Re-evaluated at the end of 6 month assignment
 - Marine is either given extension (2nd assignment), removed if meeting standards, or given processing 6105 if CO chooses to process for separation
 - NAVMC 11621 MUST BE FILLED OUT COMPLETELY



6206 – UNSATISFACTORY PERFORMANCE

- Least favorable characterization of service is GEN
- 6206.1 Unqualified for further service due to unsatisfactory performance
 - Performance of assigned tasks and duties in a fashion not contributory to unit readiness and/or mission accomplishment, or
 - Failure to maintain proficiency in grade.
- MUST have a 6105 counseling entry before processing
- 6206.5
 - 6206.5.a Unsanitary Habits:
 - Ex. Repeated occurrence of VD
 - 6206.5.b Unsatisfactory Performance of Duties
 - May also be separated for failure to conform to weight and/or body composition standards as a result of apathy or lack of self-discipline.



6203.2 CONDITION NOT A DISABILITY

- MUST HAVE A 6105 DOCUMENTING HOW PERFORMANCE IS AFFECTED OR ADVERSE EFFECT ON OTHERS IN THE UNIT
 - REHABILITATION TIME/ WARNING
- IMMEDIATELY AFTER 6105 SEND TO MEDICAL/MENTAL HEALTH FOR EVALUATION
- EXAMPLES:
 - SLEEP WALKING
 - ADHD
 - UNSANITARY HABITS
 - STUTTERING



6209 – ALCOHOL REHAB FAILURE

- Least favorable characterization of service is GEN
- Any Marine who:
 - Refuses
 - Fails to participate in,
 - Does not successfully complete a prescribed alcohol abuse or dependency treatment/aftercare program; or
 - Is deemed a treatment failure by a credentialed and privileged physician or psychologist.
- Any Marine who incurs a subsequent alcohol related incident after entering a prescribed alcohol abuse or dependency treatment/aftercare program precipitated by a prior alcohol related incident.



6210.2 – MINOR DISCIPLINARY INFRACTIONS

- A **DOCUMENTED** series of at least 3 minor disciplinary infractions, during current enlistment, of a nature which have been or would have been disciplined at NJP.
- If multiple offenses were the subject of 1 NJP, they remain separate offenses for the eligibility of separation for MDI.
- Separation processing may not be initiated until the Marine has been counseled per paragraph 6105.



OTHER THAN HONORABLE BASES



6210.3 – PATTERN OF MISCONDUCT

- At least 2 or more discreditable involvements with civilian/military authorities or instances of conduct prejudicial to good order and discipline.
- MUST have a 6105 counseling entry before processing for administrative separation.
- Must be same enlistment.

Example:

Confirming basis:

- First Incident: NJP/CM on 11 Jan 08
- “Proper” 6105 Counseling Warning Entry on 11 Jan 08
- Second Incident: NJP/CM on 5 Mar 08 and the infractions occurring after the 6105 entry
- Processing 6105 Counseling Entry on 6 Feb 08



6210.5 – DRUG ABUSE

- Illegal, wrongful, improper use, possession, sale, transfer, distribution, introduction of any controlled substance.
- “Unlawful” use of Other Substance Abuse are:
 - Analogues (designer drugs / spice)
 - Natural Substances (e.g. fungi, excretions)
 - Chemicals (e.g. chemicals wrongfully use as inhalants)
 - Propellants
 - Prescribed or over the counter drug or pharmaceutical compound
 - “WITH INTENT TO INDUCE INTOXICATION, EXCITEMENT, OR STUPEFACTION OF THE CENTRAL NERVIIOUS SYSTEM”



DRUG ABUSE: WRONGFULNESS

- ART 112A, UCMJ
 - USE IS NOT WRONGFUL IF DONE WITHOUT THE KNOWLEDGE OF THE CONTRABAND NATURE OF THE SUBSTANCE.
- I.E. PERSON WHO POSSESSES COCAINE, BUT ACTUALLY BELIEVES IT TO BE SUGAR, IS NOT GUILTY OF WRONGFUL POSSESSION OF COCAINE.



6210.5 – DRUG ABUSE

- **MANDATORY** processing
- SACC: Marines screened and offered treatment prior to referral to board or forwarding to separation authority.

Example:

- Page 11 Entry IAW IRAM
- SACC Screening and Treatment. Documentation; one of the 3 choices:
 - SACC Refusal Letter
 - SACC Treatment Completion
 - CO's VA Referral
- Drug Abuse
 - NJP/Page 13/Drug Message
- Initiate Admin Separation Proceedings



6210.6 – COMMISSION OF A SERIOUS OFFENSE

- Process under the following circumstances:
 - Circumstances warrant separation, and
 - Punitive discharge authorized for same/closely related offense under the UCMJ
- Conviction not required ...
- IHCA, Additional Requirements, per 6303.4a
 - 30 days to Respond to Notification
 - Detailed Defense Counsel
 - Inform Respondent of board date
 - Board can be held in absentia



6210.7 – CIVILIAN CONVICTION

- May process for separation when civilian authorities have convicted a Marine or taken action tantamount to a finding of guilty, including similar adjudication in juvenile proceedings, when:
 - The specific circumstances of offense warrant separation
 - Punitive discharge would be authorized for the same or similar offense
 - Sentence by civilian authorities includes confinement for 6 months or more without regard for suspension or probation
 - Separation may be initiated if Marine is appealing sentence, but may not be approved until appeal is approved or denied. Only SecNav has authority to separate before final action on appeal.



6210.10 – DRIVING UNDER THE INFLUENCE

- Substantiated incident: when there is a court-martial, NJP, civilian conviction, or an admin board determines DUI.
- Mandatory processing following 2nd incident in a career. (must have appropriate 6105 documentation for 1st incident)
- Basis of separation shall be under POM, COS, civilian conviction, or separation in the best interest of the service.
- Process:
 - Page 11 Entry IAW IRAM
 - Screened and provided SARP Treatment
 - Documentation: Confirmed DUI conviction
 - Disposition:
 - Initiate Admin Separation Proceedings for (COSO); or,
 - Issue a 6105 Warning for 1st Substantiated DUI
 - 2d DUI: Mandatory Process
 - SARP Documentation
 - Initiate Admin Separation Proceedings for (POM/COSO)



6210.4- SEXUAL MISCONDUCT

- Sex Offender
 - Marines who are convicted of a sex offense under the guidelines of the Sex Offender Registration and Notification Act
- Sexual Misconduct
 - Conduct that could form the basis for violating the following UCMJ Articles:
 - Art. 120 (Rape & Sexual Assault Generally)
 - Art 120b (Rape & Sexual Assault of a Child)
 - Art 120c (Other Sexual Misconduct)
 - Art 125 (Forcible Sodomy)
 - Art 80 (Attempts for Above Offenses)



6210.4- SEXUAL MISCONDUCT

- Mandatory Processing following first substantiated incident/attempted incident of sexual misconduct
 - Determination made by SA-IDA or higher.
 - Must be documented IAW MCO 1752.5B
 - If Non-SA-IDA is convening board then the Appointing Order must specifically reference the SA-IDA memo or SADR.
- Will be processed under Commission of a Serious Offense or Civilian Conviction bases.
- Recorder must be a judge advocate certified under Art 27(b)



NAVY ADSEPS

- UTILIZE MILPERSMAN 1910
- ENSURE SAILOR IS PROPERLY NOTIFIED
 - BLOCK 4(a) HAS TO HAVE SPECIFICS
- 2 FORMS
 - NOTIFICATION
 - ADMINISTRATIVE BOARD PROCEDURES



WHAT IS CONSIDERED APPROPRIATE DOCUMENTATION?



SRB ENTRIES

- 6105 Counselings
 - Written notification concerning deficiencies or impairments
 - Include specific recommendations for corrective action, indicating any assistance available
 - Comprehensive explanation of the consequences of failure to successfully take the recommended corrective action
 - Reasonable opportunity for the Marine to undertake the recommended corrective action



REQUIRED VS. PROCESSING

- Required 6105: allows for a “second” chance, time for corrective action to be taken
- Processing 6105: notifies the Marine they are being processed for administrative separation. Use when you have already notified someone and they commit additional misconduct.



REQUIRED 6105 - WARNING

Date: Counseled this date concerning the following deficiencies:
_____. Specific recommendations for corrective action are _____.
Seek assistance, which is available through your chain of command and
_____. **Failure to take corrective action or any further violations of the UCMJ may result in judicial or adverse administrative action, including but not limited to administrative separation.** I was advised that within 5 working days after acknowledging this entry I may submit a written rebuttal which will be filed on the document side of the service record. I choose to/not to make such a statement.

Signature of Marine

Signature of Commanding Officer



PROCESSING 6105 - PROCESSING

Date: Counseled this date concerning the following deficiencies:

_____. Specific recommendations for corrective action are
_____. Seek assistance, which is available through the
chain of command and _____. I understand that I am being processed
for the following judicial or adverse administrative action:_____. I was
advised that within 5 working days after acknowledging this entry I may submit a
written rebuttal which will be filed on the document side of the service record. I
choose to/not to make such a statement.

Signature of Marine

Signature of Commanding Officer



DRUG & ALCOHOL – SRB ENTRY

- **CONFIRMED INCIDENTS OF ILLEGAL DRUG ABUSE OR POSSESSION.** RECORD IN THE SRB, ALL CONFIRMED INCIDENTS (CIVIL OR MILITARY) OF ILLEGAL INVOLVEMENT.
 - **REFERENCE:** IRAM
- **ALCOHOL ABUSE.** COMMANDERS WILL DIRECT A SRB ENTRY BE MADE AFTER COUNSELING A MARINE FOR ANY ALCOHOL-RELATED MISCONDUCT.
 - **REFERENCE - ALCOHOL RELATED INCIDENTS:**
MARADMIN 316/01, MCO P1700.24, AND SECNAVINST 5300.28D



SUBSTANCE ABUSE REHAB PROGRAM

- PARA. 6210.5D: MARINES SEPARATED FOR DRUG ABUSE WILL BE SCREENED FOR DRUG DEPENDENCY AT SACC AND, IF FOUND TO BE DRUG OR ALCOHOL DEPENDENT, ***PROVIDED TREATMENT PRIOR TO SEPARATION.***
- PARA. 6302.4E AND 6303.3: IF THERE IS EVIDENCE OF ALCOHOL OR DRUG ABUSE/DEPENDENCE, ***THE RESPONDENT MUST BE SCREENED AT A SACC AND OFFERED TREATMENT BEFORE THE CASE IS REFERRED TO A BOARD*** OR FORWARDED TO THE SEPARATION AUTHORITY.



**I HAVE ALL NECESSARY
DOCUMENTATION FOR SPECIFIED
BASIS. NOW WHAT?**



INITIATING COMMAND ACTION

- Command should take 6 initial steps:
 - Step 1: Review limitations on separation (MARCORSEPSMAN para 6106). Lists all disqualifying basis/scenarios.
 - Step 2: Determine the Marine's status (can determine SA, rights, EAS, and nature of separation)
 - Step 3: Review limitations on characterization (prior and pre-service activities)
 - Step 4: Identify Separation Authority
 - Step 5: Drug and alcohol dependency (dependence requires pre-board evaluation)
 - Step 6: Notify Marine

TRS AND SEPS APPTS CAN BE DONE CONCURRENTLY WITH PROCESSING



TYPES OF NOTIFICATION PROCEEDINGS

- WHICH FORM DO I USE TO SEPARATE A MARINE?
 - NOTIFICATION PROCEDURE, FORM 6303 (SHORT FORM); OR,
 - ADMINISTRATIVE BOARD PROCEDURE, FORM 6304 (LONG FORM).



DOES THE RESPONDENT RATE A BOARD?

- Who rates a board?
 - All cases in which OTH is least favorable characterization of service
 - Marines with six or more years of active or inactive service
 - Marine eligible for board, notified of intent to process for separation, and...
 - Does not request board; then separation processed by unit w/o board. (i.e. Short Form)
- OR
- Requests board; then send package w/ RLS to Administrative Law section, LSSS and hold a board. (i.e. Long Form)



SHORT FORM

- NOTIFICATION PROCEDURE, FORM 6303 (SHORT FORM);
 - RESPONDENT DOES NOT HAVE RIGHTS TO AN ADMIN SEPARATION BOARD
 - LEAST FAVORABLE DISCHARGE IS GENERAL DISCHARGE
 - LESS THAN 6 YEARS OF ACTIVE AND INACTIVE SERVICE
- FIGURE 6-2, MARCORSEPMAN



LONG FORM

- Administrative Board Procedure, form 6304 (long form).
 - Rights to an admin separation board
 - Only if Marine has 6 or more years of active and inactive service
 - Other Than Honorable discharge is the least favorable characterization of service
- Figure 6-3, MARCORSEPMAN



NOTIFICATION FORM

- DO NOT ADD INFORMATION/PARAGRAPHS
- PARAGRAPH 1: “YOU ARE HEREBY NOTIFIED THAT I INTEND TO RECOMMEND PER PARAGRAPH 6210.5 (STATE PARAGRAPH NUMBER) OF THE REFERENCE BY REASON OF DRUG ABUSE (STATE PARAGRAPH TITLE).
- PARAGRAPH 2: “THE BASIS FOR THIS RECOMMENDATION IS YOUR POSITIVE URINALYSIS DATED 7 FEBRUARY 2014 FOR METHAMPHETAMINE.”
- TO CHECK THE LEAST FAVORABLE CHARACTERIZATION, UTILIZE TABLE 6-1 OF THE MARCORSEPSMAN



ACKNOWLEDGEMENT OF RIGHTS

- Response: Marine afforded a reasonable time to respond, no less than 2 working days.
 - Extension may be granted if Marine shows good cause
 - Marine leaves nothing unsigned
- If Marine declines to acknowledge rights, declination constitutes a waiver of rights
 - Appropriate notation must be made on form
 - Must be dated after notification



APPOINTING MEMBERS

- Appointing Letter (Convening Order)
 - Convened in writing by a CO with SPCMCA; or any other CO authorized to do so by a superior authority who is a Marine commander with GCMCA
 - 3 members
 - O4 or above (senior member)
 - Company Grade Officer (W1 to O3)
 - E7 or above
 - Alternates
 - No direct chain-of-command / can utilize member from another unit
 - Uniform is utilities unless Senior Member/Commanding Officer requests otherwise.
 - If respondent active duty, senior member must be on active duty list of same service; if none reasonably available, CO may substitute a reserve officer designated for duty in the AR program, who has served on continuous active duty for more than 12 months
 - If respondent is reservist, 1 reserved commissioned officer will be member



APPOINTING MEMBERS

- Presiding officer
 - If frocked; cannot serve as senior member
 - Can grant continuance, recess, and adjourn board, set dates
 - Preside and rule on all matters of procedure and evidence
 - May call Legal Advisor during the board for guidance
 - Motions and objections pertaining to any matter other than to continuances, recesses or adjournments do not require ruling by the senior member



ADLAW BASIC PROCEDURES

- RECEIVE PACKAGES
 - CHECKLIST IS MANDATORY
- COPY TO DEFENSE FOR COUNSEL ASSIGNMENT
- SET BOARD DATES
- RESERVE BOARD LOCATION
- OBTAIN RECORDER
- NOTIFY UNIT, MEMBERS, RECORDER AND DEFENSE COUNSEL OF LOGISTICAL INFORMATION
- PREPARE EXHIBITS AND WITNESSES FOR BOARD



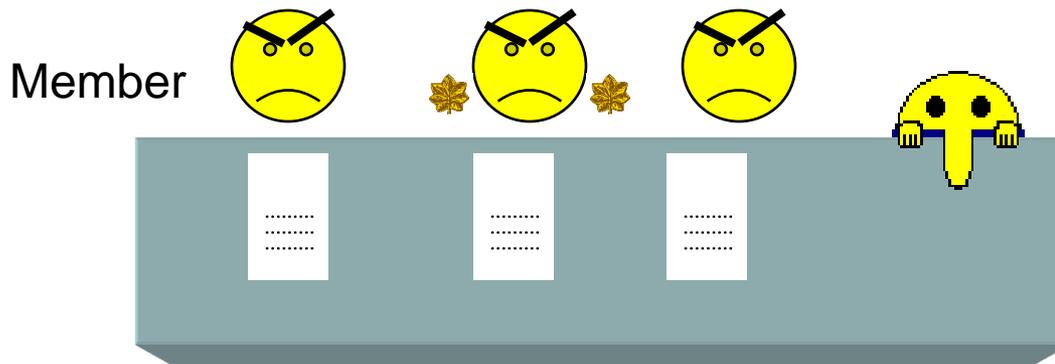
ADMIN BOARD



Senior Member

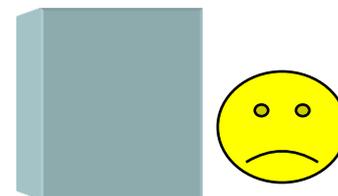
Member

Legal Advisor

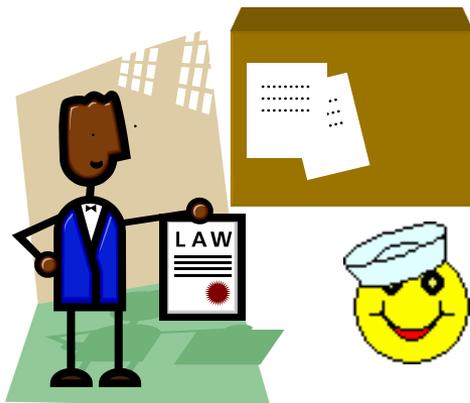


Member

Witnesses

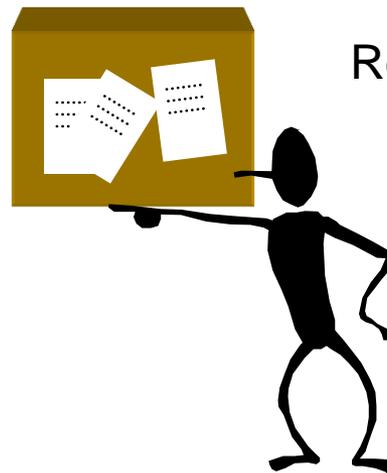


Counsel for Resp.



Resp

Recorder





POST BOARD PROCEEDINGS

- BOARD REPORT
- EXHIBIT ASSEMBLY
- TRANSCRIPT
- AUTHENTICATION
- FORWARD FINAL PACKAGE TO UNIT
 - UNITS SHOULD PICK UP WITHIN 24 HOURS OF BOARD COMPLETION
 - ENDORSE BOARD REPORT
 - RECOMMENDATIONS: CONCUR OR NOT
- CG' ACTION: 10 DAY LETTER OR SUSPENSION



PROCESSING TIMELINE GOALS

- CMC DIRECTED ALL ACTIONS COMPLETED WITHIN 50 WORKING DAYS FROM NOTIFICATION
- PACKAGE TO ADLAW WITHIN 5 DAYS OF NOTIFICATION
- BOARD CONDUCTED WITHIN 25 DAYS FROM RECEIPT



DELAYS

- EAS
- NOTIFICATION W/O PACKAGE
- HOLDING ON TO PACKAGES AFTER NOTIFICATION
- MEMBERS NOT AVAILABLE
- RESPONDENT ON LEAVE
- **TRANSITION APPOINTMENTS CAN BE SCHEDULED WHILE WE PROCESS**

ASK QUESTIONS IF YOU DON'T KNOW



EFFECT OF DELAYS

- REHABILITATION OCCURS
- WITNESSES PCS, DEPLOY, OR EAS
- UNIT'S CREDIBILITY QUESTIONED
- MARINE IS RETAINED
- RETAINED MARINE INVOLVED IN FURTHER MISCONDUCT
- EAS ISSUES... WOULD YOU THINK TWICE ABOUT SEPARATING A MARINE 2 DAYS FROM EAS?



EFFECT OF DELAY (CONT.)

- JULY 2015 BOARD HELD
- GEN RECOMMENDED
- WENT BACK TO UNIT
- WITHIN 38 DAYS
 - * 2 ASSAULTS ON OTHER MARINES
 - * ALCOHOL INVOLVED
 - * 2 WEEKS BEFORE HIS EAS



EFFECT OF DELAY (CONT.)

- 10 JUL 15 BOARD HELD
- OTH RECOMMENDED
- 11 DAYS LATER
 - PENDING COURTS-MARTIAL
 - DISRESPECT
 - UA
 - DRUGS



ADDITIONAL INFO

- New packages from units **must** have ADLAW checklist filled out and accompany package
- RLS is required
- Appointment letters must be with all new packages
- Marines cannot be held beyond EAS unless agreed to in PTA/SILT
- Once a Marine has been notified that he/she is being processed for Administrative Separation, send to medical for a separation physical and schedule TAMP classes.



ADDITIONAL INFO

- Processing is initiated on the date a command delivers a member notice of separation proceedings.
 - Separation without Board Action (Unit). Separation processing should be completed within 15 working days after the Marine received notification.
 - Separation with Board Action (LSSS). Separation processing should be completed within 50 working days after the Marine received notification.
- *Failure to complete action within the prescribed time does not bar separation.*
- *If basis is drug or alcohol related we need screening and treatment documents, certificate, aftercare plan, or letter from SACC stating Marine refused treatment in order to accept and process package*



REFERENCES

- MCO P1900.16 (MARCORSEPMAN) dtd 17 Aug 15
- MILSPERMAN – 1910 (NAVY)
- MCM 2012
- MCO P6101.11
- MCO P1700.24B (MC Personal Services Manual)
- SECNAVINST 5300.28D (Military Substance Abuse Prevention and Control)
- SECNAVINST 6320.24A (Mental Health Evaluations of Members of the Armed Forces)
- MCO P1070.12J (IRAM)



POINTS OF CONTACT

ADMINISTRATIVE LAW OIC/AOIC

CWO2 ZANETA SMITH

(760) 763-3804

ADMINISTRATIVE LAW CHIEF

GYSGT CHRISTOPHER SEWARD

(760) 763-8773

ADMINISTRATIVE LAW CLERKS

(760) 725-8772/3