



LEGAL PROCESSING

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Overview



In this lesson we will cover:

1. References & Authoritative guidance
2. Restricted Access in eCRM
3. UA & Deserter
4. NJP
5. NAVPERS 1626/7
6. Authorized punishments affecting pay
7. Suspension, Remission, Set Aside, Mitigation, and Vacate
8. Appeals
9. Legal Hold, Brig, and Appellate Leave
10. Court Martial
11. Additional Resources

References:



UA/Deserter – MPM 1600-010 thru 1600-120

Officer Discipline – MPM 1611-010

E-6 – E-9 Discipline – MPM 1616-040

Confinement – MPM 1640 thru 1640-150

GCM Re-Start – SECNAVINST 1650.1H

UA Stoppage of Pay – DODFMR Vol. 7A Chap 01

Court Martial Forfeitures of Pay – DODFMR Vol. 7A Chap 48

NJP Forfeitures of Pay – DODFMR Vol. 7A Chap 49

NJP/Court Martial – MPM 1626-010 thru 1626-030

NJP/Court Martial Events – Manual for Court Martial Part V.

Authoritative Guidance



- The pay policies and requirements established by the DoD are derived primarily from and prepared in accordance with the United States Code (U.S.C.), including Title 10.
- DOD FMR 7A CH-49 (NJP) Process & Procedure

Restricted eCRM Case Access



Must have a “**Legal Permission Set**” on e-CRM log-on to submit legal cases.

To request this permission set:

- your CO/OIC/Director, XO/AOIC/Deputy, AO, Legal Officer, Personnel Officer
- sends an email to TSC AOIC/XO
- With subject line: REQUEST eCRM LEGAL PERMISSION SET FOR UIC _____
- in the body, “*Due to the nature of legal cases, request to add the Legal Permission Set to the following CPPA's eCRM log on, so they may submit legal cases on behalf of our command:*”
- list the CPPA's name and rank

Legal Queue in eCRM



New Case: PersPay Legal Restricted

Description

Internal Comments

Case Status Comment

* Subject **LAST, FIRST-TYPE OF CASE-DATE OF ACTION**

* Description **LIST THE PUNISHMENTS OR ACTION NEEDED TO BE PROCESSED**

Related Users

Supervisor

Clerk

CPPA

Case Hierarchy

Parent Case

System Information

Web Email

* Contact Name

PLEASE PUT THE MEMBER WHO WE ARE PROCESSING IN THE CONTACT-IT WILL LIST THEIR SSN AND DOD ID FOR PROCESSING

Case Information

Date Submitted

Case Number

Case Origin

Priority

Needed By

* Section Category

* Routed PSD

Suppress CPPA Notifications ☐

* Effective Date

* Request Type

* Problem Code

* Status

* CPPA UIC

Status: Please do not forget to put your cases in "Submitted" status. We cannot see them in "Initiated"

Effective Date= date of action (NJP, Court-martial, UA, ect.)

Commanding Officer's NJP



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§815. Art. 15. Commanding officer's non-judicial punishment

(a) Under such regulations as the President may prescribe, and under such additional regulations as may be prescribed by the Secretary concerned, limitations may be placed on the powers granted by this article with respect to the kind and amount of punishment authorized, the categories of commanding officers and warrant officers exercising command authorized to exercise those powers, the applicability of this article to an accused who demands trial by court-martial, and the kinds of courts-martial to which the case may be referred upon such a demand. However, except in the case of a member attached to or embarked in a vessel, punishment may not be imposed upon any member of the armed forces under this article if the member has, before the imposition of such punishment, demanded trial by court-martial in lieu of such punishment. Under similar regulations, rules may be prescribed with respect to the suspension of punishments authorized hereunder. If authorized by regulations of the Secretary concerned, a commanding officer exercising general court-martial jurisdiction or an officer of general or flag rank in command may delegate his powers under this article to a principal assistant.

(b) Subject to subsection (a), any commanding officer may, in addition to or in lieu of admonition or reprimand, impose one or more of the following disciplinary punishments for minor offenses without the intervention of a court-martial-

(1) upon officers of his command-

(A) restriction to certain specified limits, with or without suspension from duty, for not more than 30 consecutive days;

(B) if imposed by an officer exercising general court-martial jurisdiction or an officer of general or flag rank in command-

(i) arrest in quarters for not more than 30 consecutive days;

(ii) forfeiture of not more than one-half of one month's pay per month for two months;

(iii) restriction to certain specified limits, with or without suspension from duty, for not more than 60 consecutive days;

(iv) detention of not more than one-half of one month's pay per month for three months;

(2) upon other personnel of his command-

(A) if imposed upon a person attached to or embarked in a vessel, confinement for not more than three consecutive days;

(B) correctional custody for not more than seven consecutive days;

(C) forfeiture of not more than seven days' pay;

(D) reduction to the next inferior pay grade, if the grade from which demoted is within the promotion authority of the officer imposing the reduction or any officer subordinate to the one who imposes the reduction.

Written out on next pages

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Detention of pay shall be for a stated period of not more than one year but if the offender's term of service expires earlier, the detention shall terminate upon that expiration. No two or more of the punishments of arrest in quarters, confinement, correctional custody, extra duties, and restriction may be combined to run consecutively in the maximum amount imposable for each. Whenever any of those punishments are combined to run consecutively, there must be an apportionment. In addition, forfeiture of pay may not be combined with detention of pay without an apportionment. For the purposes of this subsection, "correctional custody" is the physical restraint of a person during duty or nonduty hours and may include extra duties, fatigue duties, or hard labor. If practicable, correctional custody will not be served in immediate association with persons awaiting trial or held in confinement pursuant to trial by court-martial.

(c) An officer in charge may impose upon enlisted members assigned to the unit of which he is in charge such of the punishments authorized under subsection (b)(2)(A)-(G) as the Secretary concerned may specifically prescribe by regulation.

(d) The officer who imposes the punishment authorized in subsection (b), or his successor in command, may, at any time, suspend probationally any part or amount of the unexecuted punishment imposed and may suspend probationally a reduction in grade or a forfeiture imposed under subsection (b), whether or not executed. In addition, he may, at any time, remit or mitigate any part or amount of the unexecuted punishment imposed and may set aside in whole or in part the punishment, whether executed or unexecuted, and restore all rights, privileges, and property affected. He may also mitigate reduction in grade to forfeiture or detention of pay. When mitigating-

(1) arrest in quarters to restriction;

(2) confinement to correctional custody;

(3) correctional custody or confinement to extra duties or restriction, or both; or

(4) extra duties to restriction;

the mitigated punishment shall not be for a greater period than the punishment mitigated. When mitigating forfeiture of pay to detention of pay, the amount of the detention shall not be greater than the amount of the forfeiture. When mitigating reduction in grade to forfeiture or detention of pay, the amount of the forfeiture or detention shall not be greater than the amount that could have been imposed initially under this article by the officer who imposed the punishment mitigated.

(e) A person punished under this article who considers his punishment unjust or disproportionate to the offense may, through the proper channel, appeal to the next superior authority. The appeal shall be promptly forwarded and decided, but the person punished may in the meantime be required to undergo the punishment adjudged. The superior authority may exercise the same powers with respect to the punishment imposed as may be exercised under subsection (d) by the officer who imposed the punishment. Before acting on an appeal from a punishment of-

(1) arrest in quarters for more than seven days;

(2) correctional custody for more than seven days;

(3) forfeiture of more than seven days' pay;

Commanding Officer's NJP



(b) Subject to subsection (a), any commanding officer may, in addition to or in lieu of admonition or reprimand, impose one or more of the following disciplinary punishments for minor offenses without the intervention of a court-martial—

(1) upon officers of his command—

(A) restriction to certain specified limits, with or without suspension from duty, for not more than 30 consecutive days;

(B) if imposed by an officer exercising general court-martial jurisdiction or an officer of general or flag rank in command—

(i) arrest in quarters for not more than 30 consecutive days;

(ii) forfeiture of not more than one-half of one month's pay per month for two months;

(iii) restriction to certain specified limits, with or without suspension from duty, for not more than 60 consecutive days;

(iv) detention of not more than one-half of one month's pay per month for three months;

Commanding Officer's NJP



(d) The officer who imposes the punishment authorized in subsection (b), or his successor in command, may, at any time, suspend probationally any part or amount of the unexecuted punishment imposed and may suspend probationally a reduction in grade or a forfeiture imposed under subsection (b), whether or not executed. In addition, he may, at any time, remit or mitigate any part or amount of the unexecuted punishment imposed and may set aside in whole or in part the punishment, whether executed or unexecuted, and restore all rights, privileges, and property affected. He may also mitigate reduction in grade to forfeiture or detention of pay. When mitigating—

- (1) arrest in quarters to restriction;
- (2) confinement to correctional custody;
- (3) correctional custody or confinement to extra duties or restriction, or both; or
- (4) extra duties to restriction;

the mitigated punishment shall not be for a greater period than the punishment mitigated. When mitigating forfeiture of pay to detention of pay, the amount of the detention shall not be greater than the amount of the forfeiture. When mitigating reduction in grade to forfeiture or detention of pay, the amount of the forfeiture or detention shall not be greater than the amount that could have been imposed initially under this article by the officer who imposed the punishment mitigated.

Effective Dates for Forfeiture of Pay, NJP



As reference JAG Instruction 5800.7G Ch. 2

0113 Effective Date and Execution of Nonjudicial Punishments

a. Forfeiture of pay and reduction in grade. These punishments, if unsuspended, take effect when imposed at the NJP proceedings. If suspended, and the suspension is later vacated, these punishments take effect on the date the suspension is vacated. After the imposition of a punishment of forfeiture of pay and before the execution of this punishment, if an accused absents himself or herself without authority, that period of absence will interrupt the service of this punishment and will be excluded in computing the service of this punishment. If a forfeiture of pay is imposed, however, while a prior punishment of forfeiture of pay is still in effect, the prior punishment must be completed before the latter begins. Reduction in rate may be executed in the accused's absence.



Unauthorized Absence

MILPERSMAN 1626(series)

Unauthorized Absence Status



If Member is UA less than 24 hours:

- Make permanent NAVPERS 1070/613 entry
- Verify and e-sub

If Member is UA for more than 24 hours:

- Create NAVPERS 1070/606 in NSIPS
- After 5 days of UA submit UA FID to stop pay

If Member is UA for more than 24 hours, but less than 29 days:

- Update and close NAVPERS 1070/606
- Submit UA FID to re-start pay

Unauthorized Absence Status



Unauthorized Absence (UA) KSDs

- UA memo-signed by the CO:
 - Memo should state the date and time of UA
 - If member confined by civilian authorities, submit a confinement memo
- Muster reports for entire period as applicable

Unauthorized Absence (UA) KSDs

Return from UA memo-signed by the CO:

- Should state the date and time of the members return
- If the UA was excused
- If the member surrendered or was apprehended

UA Memo



CUI
DEPARTMENT OF THE NAVY
COMMANDING OFFICER
NAVY REGION SOUTHWEST
TRANSIENT PERSONNEL UNIT
2475 MCKEAN STREET SAN DIEGO CA 92136-5308

IN REPLY REFER TO
1600
10B
7 Sep 22

Many different variants
Here is one example:

From: Commanding Officer, Navy Region Southwest Transient Personnel Unit
To: Officer in Charge, Personnel Support Activity Detachment, Naval Base San Diego

Subj: REPORT OF UNAUTHORIZED ABSENCE STATUS

Ref: (a) NAVPERS 15560D

Encl: (1) NRSW TPU San Diego Muster Report

1. Per reference (a), the following information is submitted concerning the Service member's report of unauthorized absence status:

- a. Name:
- b. Rate
- c. SSN Last Four:
- d. Status: Administrative Separation
- e. Command: Navy Region Southwest Transient Personnel Unit
- f. UIC:
- g. Date/Time/Location: 1 September 2022 / 0815 / NRSW TPU Courtyard

2. was required to muster at 0815 on 1 September 2022.

3. Request suspension of Service member's pay be executed immediately.

4. Point of contact/location of command/telephone (DSN/COMM)/e-mail:

Controlled by: Legal
CUI Categories: PRIVCY
Distribution/Dissemination Controls: None
POC: Marisol.bouillon.mil@navy.mil

CUI



Procedures For Unauthorized Absence/Deserters

MILPERSMAN 1600(series)

Deserter Status KSDs



After 30 days of UA:

- Start NAVPERS 1070/606 declared deserter
- Create UA FID for deserter (HK)
- DD form 553:
 - Submit to Navy Absentee Collection and Information Center (NACIC)
www.Mynavyhr.Navy.Mil/support-services/corrections-programs/nacic/ and submit to applicable TSC
(Form shown on next slide)

Deserter



DD Form 553

- Blocks 5A-J:
 - SVM appearance description
- Blocks 6-12:
 - Enlistment info
- Blocks 13-15:
 - Vehicle/DL info

Prescribed by: [DoDI 1325.02](#) CUI (when filled in)

DESERTER/ABSENTEE WANTED BY THE ARMED FORCES (When completed, this form is protected by the Privacy Act of 1974, as amended.)				1. DATE PREPARED (YYYYMMDD)
2. TO (Installation DES or Military Deserter Information Point)		3. FROM (Organization or activity and place from which absent. If unauthorized absence occurs in transit, list old and new unit in Remarks)		4. DISTRIBUTION
5. SERVICE MEMBER'S IDENTIFICATION (X applicable designation) <input type="checkbox"/> DESERTER <input type="checkbox"/> AWOL/UA ABSENTEE				
a. FULL NAME (Last, First, Middle)		b. GRADE/RANK/RATE	c. SEX <input type="checkbox"/> Male <input type="checkbox"/> Female	
d. RACE (X one) <input type="checkbox"/> AMERICAN INDIAN OR ALASKA NATIVE <input type="checkbox"/> ASIAN OR PACIFIC ISLANDER <input type="checkbox"/> BLACK <input type="checkbox"/> WHITE <input type="checkbox"/> UNKNOWN		e. ETHNICITY (X one) <input type="checkbox"/> HISPANIC OR LATINO <input type="checkbox"/> NOT HISPANIC OR LATINO		
f. ADDITIONAL PHYSICAL DESCRIPTION				
g. PLACE OF BIRTH (City, State, Country)		h. DATE OF BIRTH (YYYYMMDD)	i. HEIGHT (inches)	
j. EYE COLOR (X one) <input type="checkbox"/> BROWN <input type="checkbox"/> GRAY <input type="checkbox"/> OTHER <input type="checkbox"/> BLACK <input type="checkbox"/> HAZEL		k. HAIR COLOR (X one) <input type="checkbox"/> BLONDE <input type="checkbox"/> RED <input type="checkbox"/> BALD <input type="checkbox"/> AUBURN <input type="checkbox"/> BROWN <input type="checkbox"/> SILVER		
l. DIP CONTROL NUMBER/OCA		m. NCIC NUMBER	n. LE CASE NUMBER	
o. BRANCH OF SERVICE		p. SOCIAL SECURITY NO.	q. EDIPI NUMBER	
r. MILITARY OCCUPATION		s. PERMANENT RESIDENCE ADDRESS (Include ZIP Code)		
t. IS THE OFFENDER FROM AN FBOP FACILITY?		u. NAME OF FBOP FACILITY		
6. CURRENT ENLISTMENT				8. ATTACH PHOTOGRAPH (If available) (In addition to a photo attached here, it is also best to provide the photo in its full format (JPEG) as an attachment if transmitted via email, or a print out on its own page)
a. DATE (YYYYMMDD)		b. PLACE (City and State)		
7. ENTRY INTO SERVICE				
a. DATE (YYYYMMDD)		b. PLACE (City and State)		
9. TIME OF ABSENCE				10. ADMINISTRATIVE DATE OF DESERTION (YYYYMMDD) (X as applicable) <input type="checkbox"/> MANIFEST INTENT
a. DATE (YYYYMMDD)		b. HOUR		
11. PENDING CHARGES/INVESTIGATIONS				12. DISCHARGE STATUS (If applicable)
a. NO <input type="checkbox"/> UCMJ <input type="checkbox"/> CIVILIAN <input type="checkbox"/> OTHER <input type="checkbox"/>				
b. SUSPENDED <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>				Add View Remove
13. DRIVER'S LICENSE				
a. NUMBER	b. STATE	c. EXP. DATE (YYYYMMDD)	14. VEHICLE REGISTRATION	
a. PLATE NO.	b. STATE	c. EXP. DATE (YYYYMMDD)	d. TYPE	
15. VEHICLE				
a. VEHICLE IDENTIFICATION NUMBER	b. YEAR	c. MAKE	d. MODEL	e. STYLE
f. COLOR				

DD FORM 553, FEB 2025 CUI (when filled in) Controlled by: OUSD/P&R CUI Category: PRVCY, CRIM LDC:FEDCON POC: osd.mc-alex.ousd-p-r.mbx.upr-legal-policy@mail.mil Page of

Deserter Status - Return



Submit the return memo per MILPERSMAN 1600-070

If Deserter has returned:

- NACIC reflects Member at parent command and ACC: 100
- Modify NAVPERS 1070/606 to reflect returned to duty and full unauthorized days charged
- Electronic submission (E-sub) NAVPERS 1070/606 to OMPF upon completion
- CPPA/Admin will submit naval message for return of deserted SVM, and re-start all allotments, especially dental insurance.
- Verify Lost Time in LOPG and MMPA, if absence is not excused.

Return of Deserter Naval Msg



Return of Deserter (Use proper message format.)

An example:

```
FM: (Originating activity)
TO: COMNAVPERSCOM DET NAVABSCOLLINFOCEN
MILLINGTON TN//001// (Member's parent command)
INFO: COMNAVPERSCOM MILLINGTON TN//PERS-00D1//
DFAS CENTER CLEVELAND OH//JJJ//
FISC CHEATHAM ANNEX WILLIAMSBURG VA//JJJ//
BT
UNCLAS//N01626//
SUBJ: REPORT CONTROL SYMBOL BUPERS 1600-2, RETURN OF DESERTER
NAVPERSCOM (PERS-00D1)//
MSGID/GENADMIN/(Originator)// POC/Name/Rate or Rank/Telephone//
RMKS/1. (Member's rate, full name, branch, SSN (XXX-XX-XXXX).
2. DESERTER FROM (command) SINCE (time and date).
3. (Apprehended/Surrender) BY/TO (military/civilian
authorities) AT (time and date) AT (location).
4. RETURNED MIL CONTROL (time and date) AT (location).
5. RETAINED ON BOARD FOR (disciplinary action/disposition/
pending return to parent command/or transfer to (activity)).
6. NOK/READINESS COMMAND STAFF CHAPLAIN HAS BEEN NOTIFIED OF
MEMBER'S RETURN TO MILITARY CONTROL. (If not, expected date of
notification or intentions, e.g., parent command to notify.)
7. REMARKS: (as appropriate)//
BT
```




Deserter NJP Procedures

MILPERSMAN 1626-020

NJP KSDs & Process



NAVPERS 1626/7:

- Completely filled out/signed (example on next slide)
- Uploaded as a separate document
- Labeled as LAST, FIRST, DOD ID, NAVPERS 1626/7

PAGE 13:

- Signed and uploaded as a separate document
- Labeled as LAST, FIRST, DOD ID, PG13

If Member awarded CO's NJP:

- Create NAVPERS 1070/607
- Submit to TSC for OMPF submission
(can upload directly if CPPA has OMPF submission access)
- Re-start GCA on date following latest offense

NAVPERS FORM 1626/7 (front)



DOD ID:

- This block is required for BOL E-Submission.
- The document will be rejected if the full social is not listed.

Forfeiture of Pay (FOP):

- List the monetary amount for 1/2 month's pay.
- Use military pay chart to verify base pay.

CUI - (when Filled In)

REPORT AND DISPOSITION OF OFFENSE(S) NAVPERS 1626/7 (Rev. 02-2025)				Supporting Directive JAGINST 5800.7	
To: Commanding Officer/Commander		Date of Report:			
Name of Accused:	DoD ID Number:	Rate/Grade:	Branch:	Div/Dept:	
Serial Number:	Place of Offense(s):	Date of Offense(s):			
Details of Offense(s) (Refer by article of UCMJ, if known. If unauthorized absence (UA), give the following information: time/date of commencement, whether over leave or liberty, time and date of apprehension or surrender, and return on board, loss of ID card and or liberty card, etc.):					
<div>Continue Offenses</div>					
Rate/Grade/Title of person submitting report			Signature of person submitting report		
I have been informed of the nature of the accusation(s) against me. I understand I do not have to answer any questions or make any statements regarding the offense(s) of which I am accused or suspected. However, I understand any statement made or questions answered by me may be used as evidence in the event of trial by courts-martial (Article 31, UCMJ).					
Signature of Accused			Signature of Witness		
<input type="checkbox"/> Pre-Trial Confinement You are restricted to the limits of _____ in lieu of arrest by order of the commanding officer (CO). Until your status as a restricted person is terminated by the CO, you may not leave the restricted limits except with the express permission of the CO or executive officer (XO). You have been informed of the times and places which you are required to muster.					
<input type="checkbox"/> Restricted					
<input type="checkbox"/> No Restriction					
Signature of Accused			Signature of Witness		
Information Concerning the Accused					
Current Enlistment Date:	Current Enlistment Expiration:	Total Active Service:	Education:	AFQT:	Age:
Marital Status:	Number of Dependents:	Contribution to Family or Quarters Allowance (amount required by law):			
Pay Per Month (Including sea or foreign pay if any):	Current Paygrade:	Current Pay Amount:	Current Pay 1/2 Month:		
	Reduced Paygrade:	Reduced Pay Amount:	Reduced Pay 1/2 Month:		
Record of Previous Offense(s) (if any) (Date, type action taken, etc. Non-judicial punishment incidents are to be included.):					

PREVIOUS EDITIONS ARE OBSOLETE Add Preliminary Report CUI - (when Filled In) Reset Form Print Form Page 1 of 2

NAVPERS 1626/7 (back)



CUI - (when Filled In)

REPORT AND DISPOSITION OF OFFENSE(S)
NAVPERS 1626/7 (Rev. 02-2025)

Supporting Directive JAGINST 5800.7

Action of Executive Officer (XO)

☐ Dismissed ☐ Referred to Captain's Mast Signature of XO: _____ Date: _____

Right to Court-Martial

Right to Demand Trial by Court-Martial (Not applicable to persons attached to or embarked in a vessel)
I understand that nonjudicial punishment may not be imposed on me if, before the imposition of such punishment, I demand, in lieu thereof, trial by court-martial. I therefore ☐ do ☐ do not demand trial by court-martial.

Signature of Accused _____ Signature of Witness _____

Entered Pleas and Findings

Article #:	Charge:	Specification:	Accused Plea:	Commanding Officer's Finding:
Article #:	Charge:	Specification:	Accused Plea:	Commanding Officer's Finding:
Article #:	Charge:	Specification:	Accused Plea:	Commanding Officer's Finding:
Article #:	Charge:	Specification:	Accused Plea:	Commanding Officer's Finding:
Article #:	Charge:	Specification:	Accused Plea:	Commanding Officer's Finding:

Action of Commanding Officer (CO)

☐ Dismissed with no punishment (Not considered NJP) ☐ Restriction to _____ for _____ days

☐ Dismissed with warning (Not considered NJP) ☐ Restriction to _____ for _____ days with suspension from duty (officers only)

☐ Admonition: Oral (enlisted only) ☐ Correctional Custody for _____ day(s) ☐ Confinement for _____ days (Embarked E-3 and below only)

☐ Admonition: In Writing _____ days ☐ Reduction to pay grade of _____ (E-6 and below only)

☐ Reprimand: Oral (enlisted only) ☐ Forfeiture: To Forfeit \$ _____ pay per month for _____ month(s)

☐ Reprimand: In Writing _____ Process for Court Martial

☐ Punishment of _____ suspended for _____ days ☐ Punishment of _____ suspended for _____ days

Commanding Officer's/Commander's comments:

Date of Mast: _____ Date Accused Informed of Above Action: _____ Signature of CO: _____

It has been explained to me and I understand that if I feel this imposition of non-judicial punishment to be unjust or disproportionate to the offenses charged against me, I have the right to immediately appeal my conviction to the next higher authority within 5 days.

Signature of Accused: _____ Date: _____

Signature of Witness: _____ Date: _____

Final Administrative Action

Date Appeal Submitted by Accused:	Date Appeal Forwarded for Decision:	Final Result of Appeal:	No Appeal Filed as of:

Appropriate entries made in service record and pay account adjusted where required:

Signature of Command Representative _____ Date: _____

Proceeding Recorded in the Unit Punishment Book:

Signature of Command Representative _____ Date: _____

PREVIOUS EDITIONS ARE OBSOLETE Add Preliminary Report CUI - (when Filled In) Reset Form Print Form Page 2 of 2

Pleas and findings:

- Ensure all applicable UCMJ articles and SVM plea (guilty/not guilty) is entered along with CO's findings.

Forfeiture of Pay (FOP):

- If a specific amount is listed and it's wrong, the document will be kicked back.
- If the forfeiture amount is less than 1/2 month's pay, list the specific amount.

Suspension of Punishment:

- Mark this block with an "X"
- List suspended punishment(s) on the "_____".
- If all punishments are suspended, then "ALL."

Common Errors on NAVPERS 1626/7



COMMON KICKBACKS:

- Date of MAST / NJP not correct
- Forfeiture of pay amount incorrect
- DOD ID missing all numbers / not filled out fully
- Punishment suspension not listed / missing
- Pleas and findings not completed
 - Missing COs Findings
 - Missing UCMJ articles
 - Missing SVM Pleas –guilty/not guilty

Authorized Punishments Affecting Pay



- Non-judicial punishments which affect pay:
 - Forfeiture of pay
 - Reduction in grade
 - A combination of the above
- Except as provided in this chapter, provisions of Chapter 48 relating to forfeiture of pay and reduction in grade by courts-martial also apply when such penalties are imposed as non-judicial punishment.
USC §815. Art. 15.

Suspension, Remission, Set Aside, and Mitigation - NJP



- Suspension – The temporary prevention of something from continuing or being in force or effect.
- Remission – The cancellation of a debt, charge, or penalty
- Setting aside – To forgo a debt, charge, or penalty
- Mitigation – The action of reducing the severity, seriousness, or painfulness of something

Vacate Suspended NJP Punishment Memo



VACATE KSD



DEPARTMENT OF THE NAVY
HELICOPTER MARITIME STRIKE SQUADRON SEVEN FIVE
PO BOX 357128
SAN DIEGO CA 92135-7128

5812
00
22 Dec 22

- NAVPERS
1626/7
- Vacate letter

From: Commanding Officer, [REDACTED] E
To: [REDACTED], USN

Subj: VACATION OF SUSPENDED NON-JUDICIAL PUNISHMENT

Ref: (a) Part V, MCM, 2019 Edition

1. On 8 November 2022, you were awarded Commanding Officer's Non-Judicial Punishment for violation of the Uniform Code of Military Justice, Article 92. You were awarded Reduction to paygrade E-2 (suspended for six months).
2. In accordance with the provision of reference (a), you are advised that I have decided to vacate the suspended portion of your punishment, which was the reduction to the next inferior pay grade. This action is based on a report of your continued misconduct.
3. You are advised that you have the right to submit any matters in extenuation and mitigation and to appear before the officer authorized to vacate the suspended punishment.
4. You are directed to immediately complete the endorsement and your desires in this matter.

ESR after NJP (MPM 1626-020)



- If Member Awarded Court Martial:
 - Create NAVPERS 1070/607
 - Submit Good Conduct Award restart date for day AFTER following latest offense
 - E-submit NAVPERS 1070/607 to OMPF
- If CO's NJP or Court Martial does not affect pay:
 - Create permanent NAVPERS 1070/613 and e-submit to OMPF
 - Re-start Good Conduct Award date appropriately

General – can result in a full FOP

Special/Summary – can result in a 2/3rd FOP

Dependents allotment + **PTA** - for 6 months or more of confinement



Appeals, Legal Hold, Brig, Courts Martial Overview

Appeals



A person who considers their punishment unjust or disproportionate to the offense may, through the proper channel, appeal to the next superior authority.

The appeal shall be promptly forwarded and decided, but the person punished may, in the meantime, be required to undergo the punishment adjudged.

The superior authority may exercise the same powers with respect to the punishment imposed as may be exercised under subsection (d) by the officer who imposed the punishment.

Appeals



Before acting on an appeal from a punishment of:

- Arrest in quarters (can this be seven (or more) days)
- Correctional custody for more than seven days
- Forfeiture of more than seven days' pay
- Reduction of one or more pay grades from E-4 and above
- Extra duties for more than 14 days
- Restriction for more than 14 days
- Detention of more than 14 days' pay

Legal Hold



KSD: Legal Hold Memo-signed by CO

- Retain in Service (RIS) is submitted to TSC Naples
- Add as much information on the memo as possible such as:
- Reason for legal hold (e.g., Awaiting investigation due to court-martial)
 - Length of legal hold
 - Expected release date/end of service (if possible)
 - If the member is confined in military or civilian confinement
 - NOTE: Legal hold effective date = date of memo

Processing: Member will be placed in:

- ACC 390 (not confined)
- ACC 391 (confined-military)
- ACC 392 (confined-civilian) NOTE: memo from authorities will be required

BRIG



BRIG Confinement KSDs:

- Confinement Order
- Results of Trial
- Pre-trial Agreement (If Applicable)
- Release Order (When available)

BRIG Processing:

TSC will process the confinement status in MMPA (SK), punishments (i.e.: Forfeiture, fines, Reduced In Rank), stop pay (if applicable) and stop confinement status then post lost time (SK-when available)

Appellate Leave



APPELLATE LEAVE KSD

- Appellate Leave Package (Typically from TPU CPPAs)

APPELLATE LEAVE Process

- TSC will fill out the check out sheet / ID form and supply it to CPPA
- Member checks out
- TPU sends TSC stamped orders with date and time
- TSC places member in SB status (type R) and processes admin loss
 - TPU must wait until TSC completes process before sending gain package to TSC legal clerk.
 - *If sent early:
 - Clerk will force gain member
 - TSC will **NOT** be able to process the SB status or admin loss.

Courts-Martial



Courts-Martial KSDs:

- Record of Trial
- Pre-Trial Agreement (Plea Agreement-If Applicable)
- Pre-Trial Confinement (If Applicable)
- Confinement Order DD2707 (If Applicable)
- Release Order DD2718
- Convening Authority (If Applicable)

Additional Resources



For more information

- KSD Matrix:
CPPA-Resources page under “Resources”
- SOP:
CPPA-Resources page under “SOP-Library”

MILPERSMAN 1626-020 References:

- JAGINST 5800.7F, Manual of the Judge Advocate General (JAGMAN)
- Manual for Courts-Martial United States of 2019
- Defense Joint Military Pay System (DJMS) Procedures Training Guide (PTG)
- BUPERSINST 1430.16G (Advancement Manual)
- SECNAVINST 1650.1J (Awards Manual)

Summary and Review



In this lesson we covered:

1. References & Authoritative guidance
2. Restricted Access in eCRM
3. UA & Deserter
4. NJP
5. NAVPERS 1626/7
6. Authorized punishments affecting pay
7. Suspension, Remission, Set Aside, Mitigation, and Vacate
8. Appeals
9. Legal Hold, Brig, and Appellate Leave
10. Courts-Martial
11. Additional Resources



Questions?