



UNITED STATES MARINE CORPS
HEADQUARTERS AND HEADQUARTERS SQUADRON
MARINE CORPS AIR STATION
BOX 99160
YUMA, ARIZONA 85369-9160

IN REPLY REFER TO:
SqdnO 5800.2A
SQS1
23 Mar 11

SQUADRON ORDER 5800.2A

From: Commanding Officer
To: Distribution List

Subj: LEGAL HOLD STATUS FOR MARINES PENDING LEGAL OR ADMINISTRATIVE ACTION

Ref: (a) MCM 2008

1. Situation. Marines and Sailors pending legal action to include administrative separations are routinely needed by Headquarters with short notice in order to aid in the processing of their cases. Delays because a service member is unavailable reflect poorly on their unit and this command. In order to formally establish a standard operating procedure the following additional procedures and policies are mandated.

2. Cancellation. SqdnO 5800.2

3. Mission. To ensure Marines and Sailors pending legal or administrative action by this command are available to aid and expedite the processing of their cases.

4. Execution

a. Commander's Intent. All personnel assigned to this command, regardless of rank or position, that are pending legal or administrative action will be available to this command during normal duty hours until the completion of their cases.

b. Concept of Operations

(1) Once legal or administrative action is started on any member of this command their primary duty becomes the processing of their case. Appointments made by the legal section will be adhered to regardless of impact with normal duties, unless excused by the CO, XO or Legal Officer.

(2) All individuals in this command will be considered in a "Legal Hold" status effective immediately upon the following conditions:

(a) If this command determines that an individual will be processed for administrative separation, regardless of reason.

(b) A "Report of Offense" or charge sheet is submitted to the Squadron S-1 for any reason.

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(c) An individual is pending charges in civilian court for domestic disturbance, DUI, or any other case that may result in a misdemeanor or higher conviction.

(d) An individual is listed on the blotter as a suspect, victim, or witness to any incident or as part of an Alcohol Related Incident. In some instances the individual may be removed from "Legal Hold" status once their OIC or SNCOIC notifies the CO, via the chain of command or in person, of the situation and their intent not to file a report of offence.

(3) Individuals on "Legal Hold" will not be granted leave, special liberty, TAD or any other status that would preclude them from being available to this command without the written authorization of the CO, XO or Legal Officer.

(a) Individuals on "Legal Hold" will remain in that status until all proceedings are completed and this command has notified their chain of command that they have been released from "Legal Hold".

(b) Inquiries to the status of Marines on "Legal Hold" can be directed to the Legal Officer.

c. Tasks. All commissioned officers, warrant officers, or staff noncommissioned officers will ensure that that this policy is enforced in their sections. Violations of this policy will reflect poorly on the respective chain of command.

5. Administration and Logistics. Compliance with this Policy Letter is mandatory. Violation of these provisions may lead to disciplinary and/or adverse administrative action.

6. Command and Signal. This Policy Letter is applicable to all members of Headquarters and Headquarters Squadron, Marine Corps Air Station Yuma and is effective the date signed. The point of contact for this matter is the Legal Officer at (928) 269-5566.



E. K. COUCH

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