

Unclas C PROG 3763 271200Z FEB 08

FROM NDHQ C PROG OTTAWA//DDSM//
TO AIG 1702
CMJ OTTAWA//ZEN//
CFSU OTTAWA//COMPT//ZEN//
INFO NDHQ JAG OTTAWA//ZEN//

SIC CNA

BILINGUAL MESSAGE/MESSAGE BILINGUE

SUBJ: CANADIAN FORCES ORGANIZATION ORDER 3763 - OFFICE OF THE CHIEF MILITARY JUDGE (OFFICE OF THE CMJ)

1. THIS ORDER, EFFECTIVE ON THE DATE OF ISSUE, SUPERSEDES CANADIAN FORCES ORGANIZATION ORDER 3763 DATED 20 FEB 02

INTENTION

2. THIS IS AN ORGANIZATIONAL DOCUMENT AND IS NOT INTENDED FOR USE AS AN AUTHORITY FOR OTHER THAN ORGANIZATIONAL PURPOSES

EXECUTION

3. IN ACCORDANCE WITH MINISTERIAL ORGANIZATION ORDER 2000007, THE MINISTER OF NATIONAL DEFENCE HAS AUTHORIZED THE ORGANIZATION OF THE OFFICE OF THE CMJ, DEPT ID 3763, AS A UNIT OF THE CANADIAN FORCES EMBODIED IN THE REGULAR FORCE.

ROLE

4. THE ROLE OF THE OFFICE OF THE CMJ IS TO:

A. APPOINT MILITARY TRIAL JUDGES TO PRESIDE AS PRESIDENTS OR PRESIDING JUDGES AT STANDING COURTS MARTIAL AND SPECIAL GENERAL COURTS MARTIAL;

B. APPOINT MILITARY TRIAL JUDGES TO OFFICIATE AS JUDGE ADVOCATES AT DISCIPLINARY AND GENERAL COURTS MARTIAL;

C. APPOINT PRESIDENTS AND MEMBERS OF DISCIPLINARY AND GENERAL COURTS MARTIAL; AND

D. PROVIDE COURT REPORTING SERVICES AND TRANSCRIPTS OF THE PROCEEDINGS OF COURTS MARTIAL COMMAND AND CONTROL

5. THE OFFICER WHO HOLDS THE APPOINTMENT OF CMJ IS THE COMMANDING OFFICER OF THE OFFICE OF THE CMJ. THE COMMANDING OFFICER OF THE OFFICE OF THE CMJ IS DESIGNATED AS AN OFFICER HAVING THE POWER AND JURISDICTION OF AN OFFICER COMMANDING A COMMAND WITH RESPECT TO PERSONNEL ON THE STRENGTH OF THE OFFICE OF THE CMJ, EXCEPT IN RESPECT OF APPLICATIONS FOR REDRESS OF GRIEVANCE AND ANY DISCIPLINARY MATTER

6. AFTER ADJUDICATION OF A GRIEVANCE BY THE COMMANDING OFFICER OF THE OFFICE OF THE CMJ IN HIS CAPACITY AS A COMMANDING OFFICER, THE NEXT SENIOR AUTHORITY FOR THE GRIEVANCE IS THE CDS

LINGUISTIC DESIGNATION

7. THE OFFICE OF THE CMJ IS DESIGNATED A BILINGUAL UNIT DISCIPLINE

8. THE COMMANDING OFFICER OF THE OFFICE OF THE CMJ SHALL NOT EXERCISE THE POWERS OR JURISDICTION OF A COMMANDING OFFICER OR OFFICER COMMANDING A COMMAND WITH RESPECT TO ANY DISCIPLINARY MATTER

9. MILITARY PERSONNEL IN THE OFFICE OF THE CMJ ARE CONSIDERED TO BE ON STRENGTH AT NDHQ AND WILL BE DISCIPLINED IAW CFSU (OTTAWA) CFOO

SPECIAL INSTRUCTIONS

10. THE OFFICE OF THE CMJ SHALL BE SUPPORTED BY THOSE ELEMENTS AS SHOWN IN THE HUMAN RESOURCE MANAGEMENT SYSTEM AND HAS DETACHMENTS AS SHOWN IN THAT SYSTEM

11. THE COMMANDING OFFICER OF THE OFFICE OF THE CMJ IS AUTHORIZED TO COMMUNICATE DIRECTLY WITH SUCH AUTHORITIES AS ARE REQUIRED IN ORDER TO FULFILL THE ROLE AND FUNCTIONS OF HIS OFFICE. THE COMMANDING OFFICER IS AUTHORIZED TO COMMUNICATE DIRECTLY WITH SUPPORTING UNITS ON MATTERS PERTAINING TO SUPPORT SERVICES

12. THIS ORDER IS ISSUED ON BEHALF OF THE CHIEF OF THE DEFENCE STAFF.

END OF ENGLISH TEXT/LE TEXTE FRANCAIS SUI

OBJET: ORDONNANCE D ORGANISATION DES FORCES CANADIENNES 3763 - CABINET DU JUGE MILITAIRE EN CHEF (CABINET DU JMC)

1. LA PRESENTE ORDONNANCE REMPLACE L ORDONNANCE D ORGANISATION DES FORCES CANADIENNES 3763 DU 20 FEV 02 ET ENTRE EN VIGUEUR LE JOUR DE SA PUBLICATION

BUT

2. LE BUT DE LA PRESENTE ORDONNANCE EST D ENONCER LE MODE D ORGANISATION DU CABINET DU JMC. CE DOCUMENT NE DOIT SERVIR QU A DES FINS D ORGANISATION

APPLICATION

3. CONFORMEMENT A L ARRETE MINISTERIEL D ORGANISATION 2000007, LE MINISTRE DE LA DEFENSE NATIONALE A AUTORISE LA CONSTITUTION DU CABINET DU JMC, ID SVC 3763, QUI EST ORGANISE COMME UNE UNITE DES FORCES CANADIENNES INCORPORE DANS LA FORCE REGULIERE.

ROLE

4. LE ROLE DU CABINET DU JMC EST:

A. DE NOMMER LES JUGES MILITAIRES QUI PRESIDENT EN TANT QUE PRESIDENT OU JUGE PRESIDANT LES COURS MARTIALES PERMANENTES ET LES COURS MARTIALES GENERALES SPECIALES;

B. DE NOMMER LES JUGES MILITAIRES QUI FONT FONCTION DE JUGE-AVOCAT DEVANT LES COURS MARTIALES DISCIPLINAIRES ET GENERALES;

C. DE NOMMER LES PRESIDENTS ET LES MEMBRES DES COURS MARTIALES DISCIPLINAIRES ET GENERALES;

D. DE FOURNIR DES SERVICES DE STENOGRAPHIE JUDICIAIRE ET LES TRANSCRIPTIONS DES DELIBERATIONS DES COURS MARTIALES

COMMANDEMENT ET CONTROLE

5. L OFFICIER QUI EST NOMME JMC EST LE COMMANDANT DU CABINET DU JMC. LE COMMANDANT DU CABINET DU JMC EST CONSIDERE COMME UN OFFICIER AYANT LE POUVOIR ET LA COMPETENCE D UN COMMANDANT DE COMMANDEMENT EN CE QUI CONCERNE LE PERSONNEL FAISANT PARTIE DE L EFFECTIF DU JMC, SAUF POUR CE QUI EST DES DEMANDES DE REGLEMENT DE GRIEFS ET DE TOUTE QUESTION DISCIPLINAIRE

6. APRES L ARBITRAGE D UN GRIEF PAR LE COMMANDANT DU CABINET DU JMC EN SA QUALITE DE COMMANDANT, L AUTORITE IMMEDIATEMENT SUPERIEURE A L EGARD DU GRIEF EST LE CEMD DESIGNATION LINGUISTIQUE

7. LE CABINET DU JMC EST DESIGNE UNITE BILINGUE DISCIPLINE

8. LE COMMANDANT DU CABINET DU JMC NE DOIT PAS EXERCER LES POUVOIRS NI LA COMPETENCE D UN COMMANDANT OU D UN COMMANDANT DE COMMANDEMENT A L EGARD DE TOUTE QUESTION DISCIPLINAIRE

9. LE PERSONNEL MILITAIRE DANS LE CABINET DU CMJ EST CONSIDERE PARMIS LES EFFECTIFS DU QGDN ET SERA DISCIPLINE SELON L OOFD DE L USFC (OTTAWA)

INSTRUCTIONS SPECIALES

10. LE CABINET DU JMC EST SOUTENU PAR LES ELEMENTS INDiques DANS LE SYSTEME DE GESTION DES RESSOURCES HUMAINES ET POSSEDE LES DETACHEMENTS ENUMERES PAR CE SYSTEME

11. LE COMMANDANT DU CABINET DU JMC EST AUTORISE A COMMUNIQUER DIRECTEMENT AVEC CES AUTORITES, LE CAS ECHEANT, AFIN D EXERCER LE ROLE ET LES FONCTIONS DE SON BUREAU. LE COMMANDANT EST AUTORISE A COMMUNIQUER DIRECTEMENT AVEC LES UNITES DE SOUTIEN EN CE QUI CONCERNE LES SERVICES DE SOUTIEN

12. CETTE ORDONNANCE EST PROMULGUEE AU NOM DU CHEF D ETAT-MAJOR DE LA DEFENSE.

Distribution List

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Drafted by: PA ROSS, DDSM 2-4, 992-5821

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