

JAG, Hollywood-Style



by Jonathan S. Ricketts

JAG is an action-adventure TV show, that in the words of Paramount Pictures, Inc., combines the excitement of military conflict and the suspense of a criminal investigation in one action-packed hour of television. Much to my wife's dismay, I like it!

JAG debuted on NBC in September of 1995. Since then it has switched to CBS and is in its seventh season, having aired well over 100 shows. Starring David James Elliot as Commander Harmon "Harm" Rabb, Jr. and Catherine Bell as Lieutenant Colonel Sarah "Mac" Mackenzie, his Marine Corps counterpart, JAG entertains audiences with stories revolving around the U.S. Navy, the Uniform Code of Military Justice (UCMJ), and its main characters.

JAG was created by Donald Bellasaro, the producer of Magnum PI. Throughout the seasons, JAG has had such distinguished guests as Rear Admiral (RADM) Donald Guter, the real JAG of the U.S. Navy, and Rudy Boesch from television's Survivor. I'm sure the JAG is honored to have been mentioned in context with Rudy.

But enough of the TV talk. JAG appeals to me as a JAG for a number of reasons, and the first is not F-14 envy. First, it accurately, albeit subtly and maybe unintentionally, portrays a JAG's multifaceted role in the U.S. Navy. Next, and equally as subtle, JAG reflects the fleet's feelings toward JAGs, from Seaman to Admiral. JAG's sideline stories also give some meaningful indication of the more day-to-day issues that first tour Lieutenants (LT 's or JO's, short for Junior Officers) encounter. And lastly, JAG illustrates, in a Hollywood way, that our practice is anything but common.

As a JAG, I was first impressed with the number of hats I would be wearing right out of law school. Not only would I prosecute or defend sailors or Marines, I was trained to conduct investigations, manage and direct a support staff, and provide legal assistance. Almost every episode of JAG that I have seen has in some way shown Harm or Mac representing a service member or conducting an investigation. For example, the pilot episode of JAG had Harm (then an LT) and his sidekick on board the aircraft carrier USS SEAHAWK investigating whether a female F-14 pilot was pushed or jumped off the carrier to her death while underway. Not stationed onboard, the JAG's were flown out to the carrier and conducted their investigation. In another episode, Dungaree Justice, Harm and his support team get to the bottom of a sexual assault on a female sailor perpetrated by her shipmate, as it plays out during an Article 32 investigation (a pre-requisite for a General Court-Martial referral). Both of these episodes show, to a certain degree, the range of issues the real-life JAG community is called upon to deal with for the fleet.

The TV series does not show, however, the less Hollywood-worthy legal services provided by JAGs for service members, retirees, and dependants, or the leadership roles we assume in our respective commands. By legal services, I mean the other half of a JO's first tour, outside the courtroom (and thus not worthy of TV airtime), where JAGs provide legal advice in the areas of estate planning, dissolutions, debtor/creditor law, landlord/tenant and property law, and tax law to name a few. In my opinion, this is where the JAG Corps earns its keep with the fleet. Our services allow sailors to focus on their mission without worrying, for example, about how their sudden deployment will affect their lease or whether their dependants will be cared for in the event of their untimely death. These episodes also do not reflect the leadership and management skills required of all Naval Officers, not just JAGs, on a daily basis.

Regarding how we are perceived throughout the Navy, it is safe to say that this part is no different than the civilian world. JAGs are loved and hated, but an indispensable part of our community. Whether serving as a legal adviser to a Commanding Officer (CO) on board a ship, like Lt. Pike in the episode Touch and Go, conducting an investigation, or trying a court-martial, like in the episode For the Good of the Service, JAGs are undoubtedly at the center of issues throughout the Navy, representing a variety of interests. For example, my CO served as a lead council in the USS GREENVILLE Board of Inquiry, an incident that undoubtedly was emotionally and internationally sensitive. On a lesser scale, I experienced

this firsthand when I was flown out to meet the USS JOHN C. STENNIS (CVN-74), underway off the coast of California to represent two Seamen. The sailors were delighted to see me, since at the time I was their only advocate onboard. On the other hand, the ship's command was less than enthusiastic about taking time to conduct a hearing for who they perceived as undesirable sailors. This is certainly not to say the command from the STENNIS hated me, but my clients' interests were adverse to those of the command, and that was sometimes obvious when I received a ribbing in the wardroom.

The sideline issues in the background of the episodes to a certain degree accurately reflect the day-to-day issues dealt with by JAG JOs. For example in *Full Engagement*, an episode that had virtually nothing to do with JAGs or the Navy, the side story was about one of Harm's clients who enlisted in the Navy by lying about his age. This "fraudulent enlistment" issue is one encountered, albeit infrequently, by JOs. Other episodes have Captain's Mast (or punishment pursuant to Article 15 of the UCMJ), Summary Court-Martials, or Special Court-Martials as sideline stories, which are things JOs deal with on a daily basis.

All the episodes, at least those remotely pertaining to law, show anything but the run-of-the-mill law practice, whatever that means. From the issues encountered by Harm and Mac, the audience gets an idea of the varied issues JAGs deal with. From criminal or administrative law, to legislative issues, international or operational law, or internal investigations, JAGs are called upon by the Navy to render opinions in areas with facts uncommon to the broader legal community. This is not because the law is different in the Navy, but because the issues and facts we encounter are unique to the Navy, our equipment, and our mission.

Bottom line: I don't watch JAG for its acting or for its story lines, no offense Mr. Elliot. I watch JAG because, to me, anything with courtrooms and aircraft carriers is exciting and entertaining. After all, like most JAGs, I am flattered to have a popular prime time TV show based on my career. I also watch JAG because it reminds me that the JAG Corps, in the words of my CO, "is the best law firm in the world." Truly, to be a Navy JAG is not just a job, it's an adventure!

By the way, if you're wondering, my wife doesn't like me watching JAG because the re-runs are shown during our baby's bath time.

Note: The views expressed in this article are those of the author, and in no way are intended to be those of the U.S. Navy, the U.S. Navy Judge Advocate General's Corps, the Naval Legal Service Office, Northwest, or the producers of JAG «or CBS.

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