



State of New Jersey

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
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Governor
Commander-in-Chief

SHEILA OLIVER
Lieutenant Governor

☆
JEMAL J. BEALE
Brigadier General
The Adjutant General

TAG POLICY LETTER 20-06

20 February 2020

LEGAL REVIEW RESPONSIBILITIES

As the Adjutant General, I directly receive legal advice and counsel from certain attorneys. The Legal Advisor to the Adjutant General (TAG-JA) is my primary Federal resource and is responsible for the provision of counsel to me and my senior commanders and staff regarding Departmental matters in which a Federal interest exists. Internal legal counsel and the Attorney General of New Jersey provide legal counsel on all State matters and Departmental questions. Counsel serves as the Department's point of contact for legal assistance with State matters. Often, questions and situations will require the review of both TAG-JA and the Attorney General's Office, as both State and Federal interests may be involved.

Legal assistance is readily available to all when needed. However, many questions raised by Departmental staff are more of a policy nature than legal problems. I am the policymaker for this Department; my attorneys are tasked to provide me with counsel regarding the legal aspects of policy development and implementation. Additionally, TAG-JA, staff counsel and the Attorney General can provide assistance to my staff in resolving legal questions which arise as policies are procedurally implemented or particular situations surface which require a legal interpretation or advise on resolution. I must emphasize, however, that policy matters are to be addressed to the Federal and State lawyers by me or my designated representatives. As a State agency, this Department is bound to comply with all opinions rendered by internal legal counsel and the Attorney General. It is, therefore, critical that questions of policy be posed to the counsel by me or those specifically authorized to do so in my stead.

The broad range of policy issues makes essential effective and comprehensive coordination at the directorate level. I want to ensure that Division Directors, the Deputy Adjutant General, and the Deputy Commissioner for Veterans' Affairs are aware of policy issues within their areas of responsibility. Accordingly, all requests for legal advice must be coordinated at the directorate level. Requests for legal opinions regarding policy proposals will be made only by me or my designee.

By requiring our Division Directors to properly coordinate requests for legal advice and minimizing the number of personnel who deal directly with our attorneys, we can ensure the prudent utilization of our limited legal resources. More importantly, the development of policy, and legal counsel on same will be undertaken from my position as the Commander of the New Jersey National Guard and as a member of the Governor's Cabinet.

The proponent of this policy is the Office of Employee Relations.
Users are invited to submit comments and suggested improvements directly to:
NJ Department of Military and Veterans Affairs, ATTN: OER,
P.O. Box 340, Trenton, NJ 08625-0340.



JEMAL J. BEALE
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