

COURTS, LAWYERS AND THE ADMINISTRATION OF JUSTICE SECTION



The District of Columbia Bar

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25 January 1988

The Honorable Frank Carlucci
Secretary of Defense
The Pentagon
Washington, D.C. 20301

Dear Mr. Secretary:

The Section on Courts, Lawyers and the Administration of Justice of the District of Columbia Bar and its Committee on Court Rules respectfully urge you to review an issue now pending in your Department, *i.e.*, whether the U.S. Court of Military Appeals should be changed in status from a court that exists pursuant to Article I of the U.S. Constitution to a court established under Article III of the Constitution.

In August 1987, the American Bar Association House of Delegates adopted a resolution urging the establishment of a study group on this topic which would include ABA representation. We understand that the Department has established an internal study group to examine this matter, but that membership is limited solely to Department representatives.

Our Section takes no position on whether the status of the Court of Military Appeals should in fact be changed, but we do believe that the Department's deliberations would be enhanced if they included representatives of private organizations with experience and expertise in military law, as the ABA proposed.

We appreciate very much your consideration of this matter and look forward to hearing from you.

Very truly yours,

Cornish F. Hitchcock

Robert N. Weiner
Co-chairs

The views expressed herein represent only those of the Section on Courts, Lawyers and the Administration of Justice of the District of Columbia Bar and not those of the District of Columbia Bar or of its Board of Governors.