

What is a Special Victims' Counsel (SVC)?

A SVC is a military attorney who specializes in representing victims of sexual assault, sexual misconduct, stalking, and other similar crimes.

How is a SVC different from the base legal office or area defense counsel (ADC)?

The base legal office has attorneys who work for the government of the Air Force while the area defense counsel (ADC) works for Air Force members charged or accused of crimes. In contrast, *a SVC works for victims* including Air Force members or their dependents. A SVC has a separate office and different chain of command from the base legal office and ADC. The Chief of the SVC Program is located in Washington, DC.

What is the role of the SVC?

The SVC has 3 main roles: (1) Advocate - to provide victims zealous advocacy by protecting their rights; (2) Advise - to provide legal advice – by developing victims' understanding of the often complex investigatory and military justice system; (3) Empower - by removing barriers to their full participation in the military justice process

When did the SVC Program begin?

It started in January 2013 as a test program in the Air Force. It was the first program in the DoD to offer victims free legal representation. Due to its success, all military branches now have their own special victims' counsel-type programs.

Who is eligible for a SVC?

Eligibility is initially determined by statute. The statute authorizes services for active duty, dependents, Guard, Reserve, and certain other individuals. There are also clients that we take on as an exception. The reasons for exceptions vary and not every request is granted, but if a victim was eligible for an SVC at the time of the offense, especially if they reported, and they want an SVC, they can contact the SVC office directly and request consideration.

Do SVCs represent minors?

Yes, SVCs represent children of active-duty members or Guard/Reserve on Title 10 orders.

What if a victim doesn't know who the perpetrator is or the perpetrator was a civilian?

If the victim is active duty, it doesn't matter if the perpetrator is known or unknown, civilian or military. For everyone else, the status of the perpetrator being subject to the Uniform Code of Military Justice is required.

How much does a SVC cost?

SVC services are free.

What if I meet with a SVC and then determine I don't want one?

That is completely fine. The client/victim who meets with the SVC has absolutely no obligation to retain the SVC. So, if you or someone you know would like to learn more about the SVC's services, you are welcome to set up an appointment.

What do SVCs do for their clients?

SVCs do many things for their clients such as: offer consultation and advice; advise them of their rights; offer referrals for numerous types of services; attend any and all interviews with them; speak to others on the clients' behalf including with trial counsel, area defense counsel, military judges, Office of Special Investigations (OSI), Security Forces Squadron (SFS), commanders, and others; represent the client in courts or discharge boards; assist in cases involving retaliation against victims for reporting a crime; and work through and explain the numerous legal processes, procedures, evidence, and other issues that may arise for courts-martial, discharge boards, or other legal matters.

If the offense happened off-base by a civilian, can the SVC represent a victim in South Carolina state court?

While SVCs can still offer those victims confidential consultation, advice, and other services related to the offense, they are not authorized to represent victims in civilian court.

Is the victim's communication to the SVC protected?

Absolutely! Everything told by a victim to a SVC is confidential and protected by attorney-client privilege. This means the SVC cannot tell anyone what a victim says unless the victim gives permission to do so. There are only a few limited exceptions where a SVC could tell someone about their conversations such as if the victim told the SVC that he or she was going to commit a crime or the SVC has to defend a claim made by the victim against the SVC. The same attorney-client privilege applies to any communications a victim may make to the Special Victims' Paralegal (SVP) as well.

If a victim doesn't want anyone to know about the crime, can a victim talk to a SVC through a restricted report?

Yes, victims can speak to SVCs through a restricted report without letting anyone else know.

If a victim wants to leave the unit, squadron or base, can the SVC assist with this?

Yes. Depending on the victim's status, nature of the case, and whereabouts of the offender the SVC can assist with applying for a transfer of either the victim or perpetrator to another unit, squadron, or base.

How long does SVC representation last?

Once the SVC enters into an ongoing attorney-client relationship that SVC remains the counsel for the victim for all matters relating to the sex-related offense, unless released by the client or terminated for good cause, including but not limited to separation or retirement.

What is the role of the Special Victims' Paralegal (SVP) at Shaw AFB?

The paralegal is an extension of that attorney-client team for victims. They maintain the privileged communication just as the SVC does. The paralegal conducts the administrative tasks involved and manages initial requests. The paralegal is also that other point of contact when the attorney may not be available. The paralegal will likely be the first contact you have with the SVC office and they can answer questions you may have and ensure that you receive the services needed. Simply put, they handle everything behind the scenes and will be just as involved as the attorneys on a case so don't hesitate to utilize them as well.