

**NAVY-MARINE CORPS TRIAL JUDICIARY**  
**\_\_\_\_\_ JUDICIAL CIRCUIT**  
**SPECIAL/GENERAL COURT-MARTIAL**

**U N I T E D   S T A T E S**

**v.**

**XXXXXXXXXXXX**

**RATE/RANK      USN/USMC**

**APPOINTMENT OF DESIGNEE**

**IAW R.C.M. 801(a)(6)**

**DD MM YY**

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1. **Nature of Order.** Pursuant to Rule for Court-Martial 801(a)(6), the Court is required to appoint a designee to represent a victim of an offense under the UCMJ who is (under 18 years of age and not a member of the armed forces)( incompetent)( incapacitated)(deceased). In this case, [insert initials relevant victim] is the named victim of the offense(s) alleged in Specification(s) [ ] of/the Charge(s) [ ] and qualifies for a designee under the Rule. At an Article 39(a) session held on [ ] /by PTIR the parties nominated Mr./Ms. [ ] as the R.C.M. 801(a)(6) designee and addressed the factors provided in R.C.M. 801(a)(6).

2. **Findings of Fact:** The Court made the following findings of fact:

- a. The age and maturity of the victim;
- b. Relationship of the victim to the accused;
- c. Physical location of the victim and any proposed designee;
- d. Any costs associated with representation by the potential designee;
- e. The willingness of the potential designee to serve as designee;
- f. Any previous appointment of a guardian by another court;
- g. The preferences of the victim, if ascertainable;
- h. Any potential delay in that may be caused by a specific appointment; and,
- i. The recommendations of trial counsel and defense counsel:

3. **Rights of the Designee:** In addition to the rights conferred upon a victim under Article 6(b) of the UCMJ, the rights that a designee may exercise on behalf of a victim include:

- a. The right to receive notice of public hearings in the case;
- b. The right to be reasonably heard at such hearings, if permitted by law; and
- c. The right to confer with counsel representing the government at such hearings.

4. For purposes of this order, a public hearing or proceeding under this instruction shall include any hearing or procedure which is open to the public generally or which has not been closed by competent authority. Personal appearance by the victim is not necessary to satisfy the right to be

reasonably heard. The right to be reasonably heard may ordinarily be accomplished by telephonic, written or other means.

5. While all reasonable efforts shall be made to ensure these rights are afforded to the victim/designee, in no case shall the rights of the accused be infringed or the administration of justice be unduly prejudiced.

6. **Order.** The Court **ORDERS** that Ms./Mr. [ ] be appointed as [ ]'s designee within the meaning of R.C.M. 801(a)(6). Trial counsel shall provide a copy of this order to the designee and inform the military judge when delivery is accomplished.

So **ORDERED** this [ ] day of [ ].

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NAME  
RANK AND SERVICE  
Military Judge