

MICHIGAN CODE OF MILITARY JUSTICE OF 1980 (EXCERPT)
Act 523 of 1980

32.1026 General or special court-martial; military judge; requirements; powers and duties.

Sec. 26.

(1) Subject to this section, a military judge must be detailed to each general or special court-martial.

(2) A military judge must be a commissioned officer who is licensed to practice law in this state and who is certified to be qualified, by reason of education, training, experience, and judicial temperament, for duty as a military judge by the state staff judge advocate.

(3) A military judge must be detailed by the state staff judge advocate.

(4) The convening authority and any member of the staff of the convening authority shall not prepare or review any report concerning the effectiveness, fitness, or efficiency of the military judge detailed under subsection (1) that relates to the military judge's performance of duty as a military judge.

(5) An individual is not eligible to act as military judge in a case if that individual is the accuser, is a witness for the prosecution, or has acted as investigating officer or as a counsel in that same case.

(6) A military judge shall not consult with the members of the court except in the presence of the accused, trial counsel, and defense counsel, and shall not vote with the members of the court.

(7) A military judge shall rule finally on all matters of law, rule finally on all motions, and except as otherwise provided, decide all other questions raised at the trial of the accused.

History: 1980, Act 523, Eff. Mar. 31, 1981 ;-- Am. 2005, Act 186, Imd. Eff. Oct. 27, 2005 ;-- Am. 2024, Act 77, Imd. Eff. July 8, 2024