

**39-6-109 Military court -- Authority -- Processes and mandates.**

- (1) A military court may issue all processes and mandates necessary to carry into effect the court's authority. The court may issue subpoenas duces tecum and enforce by attachment the attendance of witnesses and production of books and records, when they are in the state, and the courts are sitting in the state.
- (2) The processes and mandates:
  - (a) may be issued by a military court judge or the president of other military courts;
  - (b) may be directed to and executed by the military police assigned to the court, or any peace officer; and
  - (c) shall be in a form prescribed by regulations issued under this chapter.
- (3)
  - (a) All officers to whom the processes or mandates are directed shall execute them and make return of their acts according to the requirements of the documents.
  - (b) Except where otherwise provided under this chapter, an officer may not demand or require payment of any fee or charge for receiving, executing, or returning a process or mandate, or for any service in connection with either document.

Enacted by Chapter 210, 1988 General Session