

Effective 5/12/2015

39-6-2 Definitions.

As used in this chapter:

- (1) "Accuser" means a person who:
 - (a) signs and swears to charges;
 - (b) directs that charges nominally be signed and sworn to by another; or
 - (c) any other person who has an interest other than an official interest in the prosecution of the accused.
- (2) "Commanding officer" means both a commissioned officer and a warrant officer designated as a commander.
- (3) "Commissioned officer" includes a commissioned warrant officer.
- (4) "Convening authority" means the governor or the adjutant general.
- (5) "Duty status other than state active duty" means any other type of duty, and includes going to and returning from the duty.
- (6) "Enlisted member" means a person in an enlisted grade.
- (7) "Grade" means a step or degree in a graduated scale of office or military rank, established and designated as a grade by law or regulation.
- (8) "Legal officer" means any commissioned officer of the organized National Guard of the state designated to perform legal duties for a command.
- (9) "Major command" or "MACOM" means a major subdivision of the Utah National Guard.
- (10) "Military" means any or all of the armed forces of the United States.
- (11) "Military court" means a court-martial, a court of inquiry, or a provost court.
- (12) "Military judge" means a qualified staff judge advocate officer of a military court detailed under Section 39-6-20.
- (13) "National Guard" means the Utah Army and Air National Guard, including part-time and full-time active guard and reserve (AGR), and includes the Utah unorganized militia when called to active duty by the governor of the state.
- (14) "Officer" means commissioned or warrant officer.
- (15) "Rank" means the order of precedence among members of the armed forces.
- (16) "State active duty" means full-time duty in the active military service of the state under an order of the governor, issued pursuant to the governor's authority, and includes going to and returning from the duty.
- (17) "State judge advocate" or "SJA" means the commissioned judge advocate general's corps officer responsible for supervising the delivery of legal services in the National Guard.
- (18) "State staff judge advocate" or "SSJA" means the commissioned judge advocate general's corps officer appointed as the senior legal officer for the Utah National Guard.
- (19) "Superior commissioned officer" means a commissioned officer superior to another in rank or command.
- (20) "UtCMJ" means Title 39, Chapter 6, Utah Code of Military Justice.

Amended by Chapter 70, 2015 General Session

Amended by Chapter 83, 2015 General Session