

**39-6-34 Military court -- Challenge for cause -- Peremptory challenge.**

- (1) The military judge and members of a military court may be challenged by the accused or the trial counsel for cause stated to the court. The military judge of the court shall determine the relevancy and validity of challenges for cause, and may not receive a challenge to more than one person at a time. Challenges by the trial counsel shall be presented and decided before those by the accused are offered, unless the judge determines otherwise.
- (2) Each accused and the trial counsel are entitled to one peremptory challenge, but the military judge may not be challenged except for cause. The military judge in his discretion may grant additional peremptory challenges where appropriate.

Enacted by Chapter 210, 1988 General Session