

39-6-47 Military court records.

- (1)
- (a) Each military court shall maintain a separate record of the proceedings in each case brought before it. The record shall be authenticated by the signature of the military judge.
 - (b) If the record cannot be authenticated by the military judge due to his death, disability, or absence, it shall be authenticated by the signature of the trial counsel. If the trial counsel is unable to authenticate due to his death, disability, or absence, a member of the court panel shall authenticate the record by his signature.
 - (c) In a court of only a military judge, the record shall be authenticated by the court reporter under the same conditions that a member of a court would authenticate under this section, if the proceedings have resulted in an acquittal of all charges and specifications or, if not affecting a general or flag officer, in a sentence not including discharge and not in excess of that which may be prescribed by regulations of the governor.
- (2) A copy of the record of the proceedings of each court shall be given to the accused as soon as it is authenticated. The expense in preparing and transmitting the record shall be by regulations prescribed by the governor or the adjutant general.

Enacted by Chapter 210, 1988 General Session