

**39-6-6 State judge advocate -- Appointment -- Qualifications -- Duties -- Assistants.**

- (1) The adjutant general shall appoint an officer of the National Guard as the state judge advocate. The officer shall be a member of the Utah State Bar, a United States federal court, branch qualified, and designated as a staff judge advocate officer.
- (2) The state judge advocate is the principal military legal advisor and shall, in connection with rendering legal advice to the adjutant general, prepare pretrial advice, a post-trial review, and act as legal advisor to the adjutant general on all matters involving military justice, the Utah Manual for Military Courts, and the Utah Code of Military Justice.
- (3) The adjutant general may appoint assistant state judge advocates as considered necessary. They shall be officers of the National Guard, members of the Utah State Bar, branch qualified, and designated as staff judge advocate officers.
- (4) The SJA or an assistant shall make frequent inspections of military units throughout the state to supervise the administration of military justice.
- (5) The convening authority shall review directly with the SJA all matters relating to the administration of military justice and administrative actions. The assistant state judge advocate or legal officer of any command may communicate directly with the assistant state judge advocate or legal officer of a superior or subordinate command, or with the SJA.
- (6) A person who has acted as a member, military judge, trial counsel, assistant trial counsel, defense counsel, assistant defense counsel, or investigating officer, or who has been a witness for either the prosecution or defense, may not subsequently act as assistant state judge advocate, SJA, or legal officer to any reviewing authority upon the same case.

Amended by Chapter 287, 2008 General Session