

**§422. Counsel**

**1. Appointment.** For each court-martial, the authority convening the court shall detail trial counsel and defense counsel, and such assistants as the authority considers appropriate. No person who has acted as investigating officer, military judge or court member in any case may act later as trial counsel, assistant trial counsel, or unless expressly requested by the accused, as defense counsel or assistant defense counsel in the same case. No person who has acted for the prosecution may act later in the same case for the defense, nor may any person who has acted for the defense act later in the same case for the prosecution.

[RR 2019, c. 1, Pt. B, §31 (COR).]

**2. Qualifications.** Trial counsel or defense counsel detailed for a court-martial:

A. Shall be:

- (1) A graduate of an accredited law school; and
- (2) A member of:
  - (a) The bar of this State;
  - (b) The bar of a federal court; or
  - (c) The bar of the highest court of another state; and [PL 1983, c. 594, §27 (AMD).]

B. Shall be certified as competent to perform those duties by the state judge advocate. [PL 1983, c. 460, §3 (NEW).]

[PL 1983, c. 594, §27 (AMD).]

**SECTION HISTORY**

PL 1983, c. 460, §3 (NEW). PL 1983, c. 594, §27 (AMD). RR 2019, c. 1, Pt. B, §31 (COR).

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