

29B.15 Courts-martial classified.

1. In the state military forces there are general, special, and summary courts-martial constituted like similar courts of the armed forces of the United States. They have the jurisdiction and powers, except as to punishments, and shall follow the forms and procedures provided for those courts.

2. The three kinds of courts-martial are:

a. General courts-martial, consisting of either of the following:

(1) A military judge and not less than five members.

(2) Only a military judge, if before the court is assembled the accused, knowing the identity of the military judge, and after consultation with defense counsel, requests in writing a court composed only of a military judge and the military judge approves.

b. Special courts-martial, consisting of any of the following:

(1) Not less than three members.

(2) A military judge and not less than three members.

(3) Only a military judge, if one has been detailed to the court, and the accused requests only a military judge under the same conditions as prescribed in subsection 2, paragraph "a", subparagraph (2).

c. Summary courts-martial, consisting of one commissioned officer.

[C35, §467-f33, -f61; C39, §467.35, 467.63; C46, 50, §29.35, 29.63; C54, 58, 62, §29.69; C66, 71, 73, 75, 77, 79, 81, §29B.15; 82 Acts, ch 1042, §6]

2008 Acts, ch 1032, §201