



# MANUAL FOR COURTS-MARTIAL UNITED STATES

(2024 EDITION)



# Manual For Courts Martial 2008 Xhtml

**Padhraic Smyth**



## **Manual For Courts Martial 2008 Xhtml:**

Manual for Courts Martial 2012 United States Department of Defense, 2012-01-02 The Manual for Courts Martial MCM United States 2012 Edition updates the MCM 2008 Edition It is a complete reprinting and incorporates the MCM 2008 Edition including all amendments to the Rules for Courts Martial Military Rules of Evidence Mil R Evid and Punitive Articles made by the President in Executive Orders EO from 1984 to present and specifically including EO 13468 24 July 2008 EO 13552 31 August 2010 and EO 13593 13 December 2011 See Appendix 25 This edition also contains amendments to the Uniform Code of Military Justice UCMJ made by the National Defense Authorization Acts for Fiscal Years 2009 through 2012 Volume Two of the MCM contains PART V NONJUDICIAL PUNISHMENT PROCEDURE1 General2 Who may impose nonjudicial punishment 3 Right to demand trial 4 Procedure 5 Punishments 6 Suspension mitigation remission and setting aside 7 Appeals 8 Records of nonjudicial punishment Appendices1 Constitution of the United States 1787 2 Uniform Code of Military Justice 3 DoD Directive 5525 73 1 Memorandum of Understanding Between the Departments of Justice and Transportation Coast Guard Relating to the Investigations and Prosecution of Crimes Over Which the Two Departments Have Concurrent Jurisdiction 4 Charge Sheet DD FORM 458 5 Investigating Officer Report DD FORM 457 6 Forms for Orders Convening Courts Martial 7 Subpoena DD FORM 453 8 Guide for General and Special Courts Martial 9 Guide for Summary Courts Martial 10 Forms of Findings 11 Forms of Sentences 12 Maximum Punishment Chart 13 Guide for Preparation of Record of Trial by General Court Martial and by Special Court Martial When a Verbatim Record is Not Required 14 Guide for Preparation of Record of Trial by General Court Martial and by Special Court Martial When a Verbatim Record is Required 15 Record of Trial by Summary Court Martial DD Form 2329 16 Forms for Action 17 Forms for Court Martial Orders 18 Report of Proceedings to Vacate Suspension of a General Court Martial or of a Special Court Martial Sentence Including a Bad Conduct Discharge or Confinement for One Year Under Article 72 UCMJ and R C M 1109 DD Form 455 19 Waiver Withdrawal of Appellate Rights in General and Special Courts Martial Subject to Review by a Court of Military Review DD Form 2330 20 Waiver Withdrawal of Appellate Rights in General Courts Martial Subject to Examination in the Office of the Judge Advocate General DD Form 2331 21 Analysis of Rules for Courts Martial 22 Analysis of the Military Rules of Evidence 23 Analysis of Punitive Articles 24 Analysis of Nonjudicial Punishment Procedure 25 Historical Executive Orders 26 The Joint Service Committee on Military Justice JSC 27 Punitive Articles Applicable to Sexual Assault Offenses Committed Prior to 1 October 2007 28 Punitive Articles Applicable to Sexual Assault Offenses Committed During the period 1 October 2007 through 27 June 2012

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2005 Edition Updates the 2002 edition Complete reprinting and incorporates the Manual for Courts Martial MCM 2002 edition the amendment to articles 43 and 111 of the Uniform Code of Military Justice UCMJ made by the National Defense Authorization Act for the Fiscal Year 2004 the addition of Article 119a of the UCMJ created by the Unborn Victims of Violence Act of 2004 1 April 2004 and the 2004 amendments to the MCM Rules for Courts Marital Military Rules of Evidence and Punitive Articles made by the President in Executive Order 13365 which can be found in Appendix 25      **2008 Manual for Courts-Martial** ,      **Manual for Courts Martial 2012** United States Department of Defense, 2012-01-02 The Manual for Courts Martial MCM United States 2012 Edition updates the MCM 2008 Edition It is a complete reprinting and incorporates the MCM 2008 Edition including all amendments to the Rules for Courts Martial Military Rules of Evidence Mil R Evid and Punitive Articles made by the President in Executive Orders EO from 1984 to present and specifically including EO 13468 24 July 2008 EO 13552 31 August 2010 and EO 13593 13 December 2011 See Appendix 25 This edition also contains amendments to the Uniform Code of Military Justice UCMJ made by the National Defense Authorization Acts for Fiscal Years 2009 through 2012 Volume One of the MCM contains PART I PREAMBLE Sources of military jurisdiction Exercise of military jurisdiction Nature and purpose of military law Structure and application of the Manual for Courts Martial PART II RULES FOR COURTS MARTIAL CHAPTER I GENERAL PROVISIONS Rule 101 Rule 109 CHAPTER II JURISDICTION Rule 201 Rule 204 CHAPTER III INITIATION OF CHARGES APPREHENSION PRETRIAL RESTRAINT RELATED MATTERS Rule 301 308 CHAPTER IV FORWARDING AND DISPOSITION OF CHARGES Rule 401 407 CHAPTER V COURT MARTIAL COMPOSITION AND PERSONNEL CONVENING COURTS MARTIAL Rule 501 506 CHAPTER VI REFERRAL SERVICE AMENDMENT AND WITHDRAWAL OF CHARGES Rule 601 604 CHAPTER VII PRETRIAL MATTERS Rule 701 707 CHAPTER VIII TRIAL PROCEDURE GENERALLY Rule 801 813 CHAPTER IX TRIAL PROCEDURES THROUGH FINDINGS Rule 901 924 CHAPTER X SENTENCING Rule 1001 1011 CHAPTER XI POST TRIAL PROCEDURE Rule 1101 1114 CHAPTER XII APPEALS AND REVIEW Rule 1201 1210 CHAPTER XIII SUMMARY COURTS MARTIAL Rule 1301 1306 PART III MILITARY RULES OF EVIDENCE SECTION I GENERAL PROVISIONS RULE 101 106 SECTION II JUDICIAL NOTICE RULE 201 201A SECTION III EXCLUSIONARY RULES AND RELATED MATTERS CONCERNING SELF INCRIMINATION SEARCH AND SEIZURE AND EYEWITNESS IDENTIFICATION RULE 301 321 SECTION IV RELEVANCY AND ITS LIMITS RULE 401 414 SECTION V PRIVILEGES RULE 501 514 SECTION VI WITNESSES RULE 601 615 SECTION VII OPINIONS AND EXPERT TESTIMONY RULE 701 707 SECTION VIII HEARSAY RULE 801 807 SECTION IX AUTHENTICATION AND IDENTIFICATION RULE 901 903 SECTIONS X CONTENTS OF WRITINGS RECORDINGS AND PHOTOGRAPHS RULE 1001 1008 SECTION XI MISCELLANEOUS RULES RULE 1101 1103 PART IV PUNITIVE ARTICLES

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