

### **35.022 Judge advocates.**

- (1) The Governor, on the recommendation of the adjutant general, shall appoint an officer of the National Guard or active militia as state judge advocate. To be eligible for appointment, an officer must be a member of the bar of the highest court of the state and must have been a member of the bar of the state for at least five (5) years.
- (2) The adjutant general may appoint as many assistant state judge advocates as he considers necessary. To be eligible for appointment, assistant state judge advocates must be officers of the National Guard or active militia and members of the bar of the highest court of the state.
- (3) Convening authorities shall at all times communicate directly with their staff judge advocates in matters relating to the administration of military justice; and the staff judge advocate of any command is entitled to communicate directly with the staff judge advocate of a superior or subordinate command, or with the state judge advocate.
- (4) No person who has acted as 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 in any case, may later act as staff judge advocate to any reviewing authority upon the same case.

**History:** Created 1970 Ky. Acts ch. 56, sec. 5.