

35.170 Advice of state judge advocate and reference for trial.

- (1) Before directing the trial of any charge by general court-martial, the convening authority shall refer it to the state judge advocate or his staff judge advocate, as may be appropriate, for consideration and advice. The convening authority shall not refer a charge to a general court-martial for trial unless he has found that the charge alleges an offense under this code and is warranted by evidence in the report of investigation.
- (2) If the charges or specifications are not formally correct or do not conform to the substance of the evidence contained in the report of the investigating officer, formal corrections and such changes in the charges and specifications as are needed to make them conform to the evidence may be made.

Effective: July 1, 1954

History: Created 1954 Ky. Acts ch. 99, sec. 33, effective July 1, 1954.