

192A.25 OPPORTUNITY TO OBTAIN WITNESSES AND OTHER EVIDENCE.

Subdivision 1. **Equal opportunity.** The trial counsel, the defense counsel, and the court-martial shall have equal opportunity to obtain witnesses and other evidence in accordance with such rules as the governor may prescribe.

Subd. 2. **Powers of military judge.** The military judge of a court-martial may:

- (1) issue a warrant for the arrest of any accused person who having been served with a warrant and a copy of the charges disobeys a written order by the convening authority to appear before the court;
- (2) issue subpoenas duces tecum and other subpoenas;
- (3) enforce by attachment the attendance of witnesses and the production of books and papers; and
- (4) sentence for refusal to be sworn or to answer, as provided in actions before civil courts of the state.

Subd. 3. **Service of process.** Process issued in court-martial cases to compel witnesses to appear and testify and to compel the production of other evidence may be executed and served in any part of the state as prescribed by law.

History: 1963 c 661 s 192A.25; 1978 c 552 s 29; 1979 c 50 s 21; 1985 c 248 s 70; 2002 c 308 s 32