

§ 127A-47. Courts-martial for National Guard.

(a) Courts-martial for military personnel of the North Carolina National Guard not in the service of the United States shall be of three kinds, namely, general courts-martial, special courts-martial, and summary courts-martial. They shall be constituted, have cognizance of the same subjects, and possess like powers as similar courts provided for by the Uniform Code of Military Justice and Manual for Courts-Martial, United States. The proceedings of courts-martial of the North Carolina National Guard shall follow the forms and modes of procedure prescribed for such similar courts.

(b) Notwithstanding any other provision of law, no provision in the Uniform Code of Military Justice and Manual for Courts-Martial, United States, concerning the special trial counsel shall apply to courts-martial convened under this Article, nor shall any such provision be construed as imposing additional or alternative procedural requirements upon the Governor of North Carolina or the North Carolina National Guard as to any "covered offense" under 10 U.S.C. § 801. (1917, c. 200, s. 55; C.S., s. 6825; 1963, c. 1018, s. 1; 1975, c. 604, s. 2; 2009-281, s. 1; 2010-193, s. 1; 2011-195, s. 1(a); 2023-86, s. 6(a).)