

COURT-MARTIAL DATA SHEET

SECTION A - PRETRIAL AND TRIAL PROCEDURE (Continued)	TC		SPCMCA		GCM or JA		OJAG	
	YES	NO	YES	NO	YES	NO	YES	NO
21. a. Was each accused extended the right to challenge military judge (if any), and any member of the court for cause and to exercise one peremptory challenge?								
b. Was action by court upon challenges proper (RCM 902 and RCM 912)?								
c. Does the record show that a member excused as result of a challenge withdrew from the court?								
22. a. Was the accused properly arraigned (RCM 904)?								
b. Do the following appear in the record: the charges and specifications, the name, rank and unit/command name of the person signing the charges, the affidavit, and the order of reference for the trial?								
c. Except in time of war, was the accused brought to trial (which includes an Article 39a, UCMJ session) by general court-martial within five days (by special court-martial within three days) subsequent to service of charges upon him/her (RCM 602)?								
d. If so, did the accused object to trial?								
23. a. Were any charges or specifications affected by the statute of limitations (RCM 907(b))?								
b. If so, was accused advised of his/her right to assert the statute and was his/her response recorded (RCM 907(b))?								
24. Did the court take proper action with respect to motions raising defenses and objections (RCM 905-907)?								
25. a. Were pleas of accused regularly entered (RCM 910(a))?								
b. Were pleas of guilty properly explained, and accused's responses recorded (RCM 910(c))?								
26. Does the record show that all witnesses were sworn?								
27. Did the military judge or president advise the court concerning the elements of each offense, each lesser-included offense reasonably raised by the evidence, and the presumption of innocence, reasonable doubt, and burden of proof, pursuant to Article 51(c), UCMJ (RCM 920(e))?								
28. a. If trial was by military judge alone, did the military judge announce the findings (RCM 922)?								
b. If the trial was with members, did the president announce the findings (RCM 922)?								
c. If special findings were requested, were they made a part of the record?								
29. Were the findings in proper form (A10)?								
30. a. Was the evidence, if any, of previous convictions admissible and properly introduced in evidence (RCM 1001(b)(3))?								
b. Was the information from personnel records of the accused properly admitted (RCM 1001(b)(2))?								
c. Was the defense permitted to introduce evidence in extenuation and mitigation after the court announced findings of guilty (RCM 1001(c))?								
31. a. In a trial with members, did the president announce the sentence (RCM 1007)?								
b. If trial was by military judge alone, did the military judge announce the sentence (RCM 1007)?								

COURT-MARTIAL DATA SHEET

SECTION A - PRETRIAL AND TRIAL PROCEDURE (Concluded)	TC		SPCMCA		GCM or JA		OJAG	
	YES	NO	YES	NO	YES	NO	YES	NO
32. Was the sentence in proper form (A11)?								
33. Is the record properly authenticated (RCM 1104)?								
34. a. Did all members who participated in proceedings in revision vote on original findings and sentence (RCM 1102(e)(1))?								
b. At proceedings in revision, were a military judge (if one was present at the trial), the accused, and counsel for the prosecution and defense present (RCM 1102(e)(1))?								
35. Was each accused furnished a copy of the record or substitute service made on defense counsel (RCM 1104(b))?								
36. Was clemency recommended by the court or military judge?								
SECTION B - PROCEDURE AFTER TRIAL	TC		SPCMCA		GCM or JA		OJAG	
	YES	NO	YES	NO	YES	NO	YES	NO
37. Was the court convened by proper authority (RCM 504(b))?								
38. Did the court have jurisdiction of person and offense (RCM 202 & 203)?								
39. Does each specification state an offense under the code (RCM 907(b))?								
40. Did the accused have the requisite mental capacity at the time of trial and the requisite mental responsibility at the time of the commission of each offense (RCM 909 and RCM 916(k))?								
41. Is the evidence sufficient to support the findings?								
42. Is the sentence within legal limits (RCM 1112(d))?								
43. Is the action of the convening authority properly entered in the record and signed (RCM 1107(f))?								
44. If appropriate, is a proper place of confinement designated (RCM 1107(f)(4)(c))?								
45. a. Was the staff judge advocate's post-trial recommendation served on the defense counsel for comment (RCM 1106(f))?								
b. If the addendum to the recommendation contained new matters, was it served on the defense counsel for comment (RCM 1106(f)(7))?								
c. Did the accused submit matters for the convening authority's consideration in a timely manner (RCM 1105)?								
d. If yes, was the convening authority's action subsequent to the submission of the matters?								
e. If no, did the accused waive in writing the right to submit matters and was the action taken subsequent to the written waiver or did the time periods provided in RCM 1105(c) expire before the convening authority's action?								
46. a. Does the record indicate that the accused was advised of his/her appellate rights (RCM 1010)?								
b. Do the allied papers contain a statement indicating the desires of the accused with respect to appellate representation in the event his/her case is referred to a court of military review?								
c. Did the accused waive or withdraw appellate review and is the waiver or withdrawal in proper form and attached to the record of trial (RCM 1110, A19 & 20)?								