



2025-2026 General Assembly

SENATE BILL 710: Department of Public Safety Agency Changes, Part VIII: Military Judges of the North Carolina National Guard Modifications

Analysis of: S.L. 2025-51, Part VIII

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Part VIII of S.L. 2025-51 (Senate Bill 710), does the following:

- Modifies the summary-courts martial process by providing that when a summary courts-martial officer is an appointed military judge, the summary courts-martial officer has the enhanced punishment authority to impose forfeitures of two-thirds pay for one month, to impose extra duty, and to reduce the rank of enlisted persons with limitations. This modification became effective June 26, 2025, and applies to summary courts martial initiated on or after that date.
- Modifies provisions related to military judges by:
 - For appointment as a military judge, removes the requirement for certification as a military judge by the Judge Advocate General of the United States Army, Air Force, Navy, Marines, or Coast Guard; and adds the requirements of being a member in good standing of the bar of the highest court of North Carolina and holding the rank of lieutenant colonel or above. This modification became effective June 26, 2025, and applies to military judges serving on or after that date.
 - Provides that the Adjutant General or the Staff Judge may detail military judges for all purposes in which they may be detailed, except that only those certified by the Judge Advocate General of the United States Army, Air Force, Navy, Marines, or Coast Guard may preside over a general or special court-martial.
 - Permits military judges for the Army National Guard and the Air National Guard to preside over court-martials of the other.
 - Allows military judges appointed by the Adjutant General to issue investigative subpoenas as authorized by the Uniform Code of Military Justice and pursuant to rules and regulation prescribed by the military judge's component of the Armed Forces of the United States and the Adjutant General.
 - These modifications became effective June 26, 2025, and applies to military judges serving on or after that date.
- Provides that in the North Carolina National Guard certain military judges detailed to courts-martial, rather than presidents of courts-martial and summary court officers, have the power to issue warrants and subpoenas. This provision became effective June 26, 2025, and applies to warrants and orders issued on or after that date.

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