

A convening authority may refer charges to a special court-martial consisting of a military judge alone if the accused does not object.



Several punitive articles in the UCMJ have been renumbered to group related offenses together.



A fixed size panel of eight members for a non-capital general court-martial and four members for a special court-martial was established and conviction requires a 3/4 vote in all non-capital cases.



The trial proceeding now generally ends with entry of judgment by the military judge. Previously, the approval of the sentence by the convening authority generally ended the trial proceeding.



The accused may file an appeal for Service Court of Criminal Appeals review in a court-martial result that includes a sentence of confinement of more than six months and is not subject to automatic review.



Retaliation against a person for reporting or planning to report a crime is a crime.

## UCMJ CHANGES

Effective Jan. 1, 2019

The Military Justice Act of 2016 was enacted by Congress and signed by former President Barack Obama on Dec. 23, 2016, enabling the most significant changes to the military justice system since the Military Justice Act of 1983.

If the accused is convicted by a panel, the accused may elect to be sentenced by either the same panel or elect to be sentenced by a military judge alone.



There is automatic review by the Service Court of Criminal Appeals of all courtsmartial including a sentence of death, punitive discharge, or confinement of two years or more.



A military judge has pre-referral authority to issue a pre-referral investigative subpoena, issue a pre-referral warrant or order for electronic communications, enforce certain victim's rights, or conduct a hearing as directed by a Service Court of Criminal Appeals.



The government may ask The Judge Advocate General to approve appeal of an illegal or plainly unreasonable sentence.



Fraudulent use of credit cards, debit cards, and other access devices is prohibited.



Sexual activity between a person in a position of trust (officer, non-commissioned officer, recruiter or instructor) and a specially protected junior member (recruit or trainee) is a crime.

