

Notices from the Trial Judiciary:

Effective 29 August 2013: Rule of Court 3.5h (Joining a Motion) is amended

New Rule:

h. Joinder: this occurs in a case with multiple accused, when one or more accused file a motion and one or more other accused joins the original motion. Accused not a signatory to any motions filed by another accused are presumed to have joined the motion. If an accused does not want to join a particular motion or a specific portion of a motion, a party must file a Motion to Decline Joinder within (7) seven calendar days from the day the underlying motion is filed. A party must file a Motion for Leave to File Out of Time a Motion to Decline Joinder if more than (7) seven calendar days have elapsed since the original motion was filed. No certificate of conference is required for a Motion to Decline Joinder or a Motion for Leave to File Out of Time a Motion to Decline Joinder. If a party wants to add new facts or law to the motion, the party must file a supplemental filing in accordance with RC 3-5e. If the party who originally files the motion withdraws the motion, it is considered moot, and another party may file a new motion.

Old rule:

h. Joining A Motion: in a case with multiple defendants, when one or more defendants file a motion and one or more other defendants join the original motion. Parties have (7) seven calendar days from the day a motion is filed to join the motion. A party must file a Motion to File Out of Time if more than (7) seven calendar days have elapsed since the original motion was filed. When joining an existing motion, the joining party(s) must adopt the issues advanced by the party originally filing the motion and may add new facts or law, but may not introduce new issues. The time for the opposing party to make a response begins anew after a new party joins an existing motion. If the party who originally files the motion withdraws the motion, it is considered moot, and parties that had joined the motion may file a new motion.

Effective 19 August 2013: Filing of Motions Due to Email Migration

In light of the recent migration to the enterprise email system, all emails sent to the Trial Judiciary should now be sent to:

osd.pentagon.omc.list.trial-judiciary@mail.mil

Emails should no longer be sent to our old address (MLAdd-OMCTrialJudiciary@osd.mil)

Additionally, all requests for Appellate Exhibit designations (Rule 3-10b), should be sent to our new address AND the following address:

osd.pentagon.omc.list.convening-authority-of-court-admin@mail.mil (this is the court reporters' email). The changes will be reflected in the next update of the rules.