

### **35.405 Process and mandates of military courts.**

- (1) Military courts are empowered to issue all process and mandates necessary and proper to carry into full effect the powers vested in said courts. Such courts shall have power to issue subpoenas and subpoenas duces tecum and to enforce by attachment attendance of witnesses and production of books and records.
- (2) Process and mandates may be issued by summary courts-martial, provost courts, and the president of other military courts and may be directed to and may be executed by the marshals of the military court or any peace officer as defined in KRS 61.310 and 446.010, and shall be in such form as may be prescribed by regulations issued pursuant to this chapter.
- (3) It shall be the duty of all officers to whom such process or mandate may be so directed to execute the same and make return of their acts thereunder according to the requirements of the same. Except as otherwise specifically provided in this chapter, no such officer shall demand or require payment of any fee or charge of any nature for receiving, executing or returning any such process or mandate or for any services in connection therewith.

**Effective:** July 1, 1954

**History:** Created 1954 Ky. Acts ch. 99, sec. 80, effective July 1, 1954.