

**RCW 38.38.004 [Art. 1] Definitions—Construction.** In this chapter, unless the context otherwise requires:

(1) "A month's pay" or fraction thereof shall be calculated based upon a member's basic pay entitlement as if the member were serving for a thirty-day period.

(2) "Accuser" means a person who signs and swears to charges, any person who directs that charges nominally be signed and sworn to by another, and any person who has an interest other than an official interest in the prosecution of the accused.

(3) "Code" means this chapter.

(4) "Commanding officer" includes only commissioned officers in command of a unit.

(5) "Commissioned officer" includes a commissioned warrant officer.

(6) "Convening authority" includes, in addition to the person who convened the court, a commissioned officer commanding for the time being, or a successor in command.

(7) "Enlisted member" means a person in an enlisted grade.

(8) "Grade" means a step or degree, in a graduated scale of office or military rank, that is established and designated as a grade by law or regulation.

(9) "Judge advocate" means an officer of the army or air national guard designated as a judge advocate by the judge advocate general of the army or the judge advocate general of the air force.

(10) "May" is used in a permissive sense. The words "no person may. . ." mean that no person is required, authorized, or permitted to do the act prescribed.

(11) "Military" refers to any or all of the armed forces.

(12) "Military court" means a court-martial or a court of inquiry.

(13) "Military judge" means the presiding officer of a general or special court-martial detailed in accordance with RCW 38.38.256.

(14) "Military offense" means those offenses listed in RCW 38.38.644 through 38.38.800, 38.38.762, and 38.38.782.

(15) "Nonmilitary offense" means any offense other than those listed in Title 38 RCW.

(16) "Officer" means commissioned or warrant officer.

(17) "Organized militia" means the national guard of the state, as defined in section 101(3) of Title 32, United States Code, and any other military force organized under the laws of the state of Washington.

(18) "Rank" means the order of precedence among members of the organized militia.

(19) "Shall" is used in an imperative sense.

(20) "State judge advocate" means the commissioned judge advocate officer responsible for supervising the administration of the military justice in the organized militia.

(21) "Superior commissioned officer" means a commissioned officer superior in rank or command. [2009 c 378 s 3; 1989 c 48 s 1; 1963 c 220 s 1.]

**Reviser's note:** The definitions in this section have been alphabetized pursuant to RCW 1.08.015(2)(k).

**Effective date—1963 c 220:** "This act shall take effect on July 1, 1963." [1963 c 220 s 140.] For codification of 1963 c 220, see Codification Tables.