

WEST VIRGINIA CODE: §15-1E-70

§15-1E-70. Appellate counsel.

- (a) The senior force judge advocate shall detail a judge advocate as appellate government counsel to represent the state in the review or appeal of cases specified in section sixty-seven-a of this article and before any federal court when requested to do so by the state Attorney General. Appellate government counsel must be a member in good standing of the bar of the highest court of the state to which the appeal is taken.
- (b) Upon an appeal by the state, an accused has the right to be represented by detailed military counsel before any reviewing authority and before any appellate court.
- (c) Upon the appeal by an accused, the accused has the right to be represented by military counsel before any reviewing authority.
- (d) Upon the request of an accused entitled to be so represented, the senior force judge advocate shall appoint a judge advocate to represent the accused in the review or appeal of cases specified in subsections (b) and (c) of this section.
- (e) An accused may be represented by civilian appellate counsel at no expense to the state.