

Military Justice II Practice Test (Sample)

Study Guide



Everything you need from our exam experts!

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Introduction

Preparing for a certification exam can feel overwhelming, but with the right tools, it becomes an opportunity to build confidence, sharpen your skills, and move one step closer to your goals. At Examzify, we believe that effective exam preparation isn't just about memorization, it's about understanding the material, identifying knowledge gaps, and building the test-taking strategies that lead to success.

This guide was designed to help you do exactly that.

Whether you're preparing for a licensing exam, professional certification, or entry-level qualification, this book offers structured practice to reinforce key concepts. You'll find a wide range of multiple-choice questions, each followed by clear explanations to help you understand not just the right answer, but why it's correct.

The content in this guide is based on real-world exam objectives and aligned with the types of questions and topics commonly found on official tests. It's ideal for learners who want to:

- Practice answering questions under realistic conditions,
- Improve accuracy and speed,
- Review explanations to strengthen weak areas, and
- Approach the exam with greater confidence.

We recommend using this book not as a stand-alone study tool, but alongside other resources like flashcards, textbooks, or hands-on training. For best results, we recommend working through each question, reflecting on the explanation provided, and revisiting the topics that challenge you most.

Remember: successful test preparation isn't about getting every question right the first time, it's about learning from your mistakes and improving over time. Stay focused, trust the process, and know that every page you turn brings you closer to success.

Let's begin.

How to Use This Guide

This guide is designed to help you study more effectively and approach your exam with confidence. Whether you're reviewing for the first time or doing a final refresh, here's how to get the most out of your Examzify study guide:

1. Start with a Diagnostic Review

Skim through the questions to get a sense of what you know and what you need to focus on. Your goal is to identify knowledge gaps early.

2. Study in Short, Focused Sessions

Break your study time into manageable blocks (e.g. 30 – 45 minutes). Review a handful of questions, reflect on the explanations.

3. Learn from the Explanations

After answering a question, always read the explanation, even if you got it right. It reinforces key points, corrects misunderstandings, and teaches subtle distinctions between similar answers.

4. Track Your Progress

Use bookmarks or notes (if reading digitally) to mark difficult questions. Revisit these regularly and track improvements over time.

5. Simulate the Real Exam

Once you're comfortable, try taking a full set of questions without pausing. Set a timer and simulate test-day conditions to build confidence and time management skills.

6. Repeat and Review

Don't just study once, repetition builds retention. Re-attempt questions after a few days and revisit explanations to reinforce learning. Pair this guide with other Examzify tools like flashcards, and digital practice tests to strengthen your preparation across formats.

There's no single right way to study, but consistent, thoughtful effort always wins. Use this guide flexibly, adapt the tips above to fit your pace and learning style. You've got this!

Questions

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- 1. During preferral, who signs off on the affidavit?**
 - A. ASJA or STC
 - B. ACC
 - C. SJA
 - D. SCMCA
- 2. Pre-referral investigative subpoenas do not extend to witnesses. Which item would they not cover?**
 - A. Documents
 - B. Electronic Records
 - C. Bank Records
 - D. Witnesses
- 3. Which statement about conclusions included in GCM pretrial advice is accurate?**
 - A. The conclusion must state there is no probable cause
 - B. The conclusions must include whether each spec alleges an offense, whether there is probable cause to believe the ACC committed the offense, and whether a CM would have jurisdiction
 - C. The conclusions include only the form of charges
 - D. The conclusions include only the recommended disposition
- 4. Who signs the MOA for government experts?**
 - A. Defense Counsel/Deputy Prosecutor
 - B. Staff Judge Advocate/Trial Counsel
 - C. Trial Counsel and the expert witness
 - D. Judge Advocate and the expert witness
- 5. What is included in the potential witnesses section of a proof analysis?**
 - A. A Schedule Of Witness Fees
 - B. A List Of Potential Witnesses
 - C. A Summary Of Testimonies
 - D. A List Of Anticipated Cross-Examination Questions

6. What is DD Form 458?

- A. Charge Sheet
- B. The ROT in a SCM
- C. Initial Information for Victims & Witnesses of Crime
- D. Court-Martial Information for Victims & Witnesses of Crime

7. What does PCRO stand for?

- A. Pretrial Court Reporter Officer
- B. Public Court Review Office
- C. Pretrial Confinement Review Officer
- D. Personal Conduct Review Officer

8. What is vicarious trauma?

- A. A temporary stress reaction after witnessing trauma
- B. The process of change that happens because you care about other people who have been hurt and feel responsible to care for or help them, which causes changes in your psychological, emotional, and spiritual well-being
- C. Burnout due to long hours
- D. A fictional psychological condition

9. Who may release a prisoner from PTC before referral?

- A. Any CC in the ACC's chain of command and the PRCO.
- B. The assigned MJ.
- C. The SPCMCA.
- D. The ACC's CC only.

10. Within 48 hours, the neutral and detached officer must believe all of the following statements are true.

- A. That an offense triable by CM has been committed; that the prisoner committed it; that confinement is necessary to ensure presence at trial or to prevent further misconduct; and that less severe forms of restraint are inadequate.
- B. That the prisoner committed an offense not triable by CM.
- C. That the prisoner is guilty beyond a reasonable doubt.
- D. That confinement is unnecessary.

Answers

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1. A
2. D
3. B
4. B
5. B
6. A
7. C
8. B
9. A
10. A

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Explanations

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1. During preferral, who signs off on the affidavit?

A. ASJA or STC

B. ACC

C. SJA

D. SCMCA

The person who signs the affidavit during preferral is the prosecuting attorney assigned to the case—the Assistant Staff Judge Advocate (ASJA) or the Staff Trial Counsel (STC). They are the ones responsible for preparing the affidavit in support of referral, certifying that the facts are accurate and that there is sufficient probable cause to move forward. The other roles don't fit this function: the convening authority (SCMCA) handles who will actually court-martial, and the general Staff Judge Advocate provides higher-level oversight rather than signing the preferral affidavit.

2. Pre-referral investigative subpoenas do not extend to witnesses. Which item would they not cover?

A. Documents

B. Electronic Records

C. Bank Records

D. Witnesses

Pre-referral investigative subpoenas are focused on obtaining documentary evidence rather than testimony. Their power is to compel production of records—documents, electronic records, and financial records like bank statements—so investigators can review information quickly and determine if there's enough basis for referral. They do not command a person to appear and testify, which would require a different kind of subpoena. So, the item that would not be covered is witnesses.

3. Which statement about conclusions included in GCM pretrial advice is accurate?

A. The conclusion must state there is no probable cause

B. The conclusions must include whether each spec alleges an offense, whether there is probable cause to believe the ACC committed the offense, and whether a CM would have jurisdiction

C. The conclusions include only the form of charges

D. The conclusions include only the recommended disposition

The essential idea here is that GCM pretrial advice must assess, for every specification, three things: whether the specification actually alleges an offense, whether there is probable cause to believe the accused committed that offense, and whether a court-martial would have jurisdiction over the matter. This comprehensive review helps the convening authority decide which charges to refer and ensures the referral is legally sound. If you only discussed the form of charges or only the disposition, you'd miss whether the charges themselves are legally supportable and whether the court-martial has authority to hear them. In practice, conclusions that for each specification spell out the offense allegation, probable cause, and jurisdiction provide the full, necessary foundation for referral decisions.

4. Who signs the MOA for government experts?

- A. Defense Counsel/Deputy Prosecutor
- B. Staff Judge Advocate/Trial Counsel**
- C. Trial Counsel and the expert witness
- D. Judge Advocate and the expert witness

The sign-off on an MOA for government experts comes from the government side's authorized legal leadership, because such an agreement binds the government to provide expert services and resources for a case. In military justice, that authority sits with the Staff Judge Advocate, who oversees installation legal services, and with the Trial Counsel who handles the prosecution in the case. Having both sign the MOA ensures proper authorization, budgeting, and compliance with legal rules governing expert use and disclosure. The defense has no authority to sign on behalf of the government, the judge does not bind the government to resource commitments, and while the expert may acknowledge terms, the formal agreement governing government provision of the expert rests with the prosecuting attorney under the SJA's supervision.

5. What is included in the potential witnesses section of a proof analysis?

- A. A Schedule Of Witness Fees
- B. A List Of Potential Witnesses**
- C. A Summary Of Testimonies
- D. A List Of Anticipated Cross-Examination Questions

In a proof analysis, the focus is on identifying who could provide the evidence needed to prove each element of the case. The potential witnesses section is where you list individuals who may be called to testify, and you outline what they would contribute, why their testimony matters, and any practicalities like availability or potential credibility issues. This helps the team plan the lineup of witnesses, determine what questions to prepare for each, and assess overall strength and gaps in the evidence. It is distinct from a schedule of witness fees (financial planning), a summary of testimonies (what has already been given or is anticipated), or a list of anticipated cross-examination questions (focused on cross-examinations rather than identifying who might testify).

6. What is DD Form 458?

- A. Charge Sheet**
- B. The ROT in a SCM
- C. Initial Information for Victims & Witnesses of Crime
- D. Court-Martial Information for Victims & Witnesses of Crime

DD Form 458 is the Charge Sheet—the official document used in a court-martial to list the charges and their specifications against a service member. It provides the formal notice of exactly what offenses are alleged, the applicable UCMJ articles, and the basic facts that support each charge, so the accused and the defense know the precise allegations and the trial can proceed. This form guides the military justice process by identifying what will be tried and by whom, informing both the accused and the convening authority who refers the charges to trial. The other options describe different information materials not used as the charge document for a court-martial.

7. What does PCRO stand for?

- A. Pretrial Court Reporter Officer
- B. Public Court Review Office
- C. Pretrial Confinement Review Officer**
- D. Personal Conduct Review Officer

The key idea here is recognizing common military justice roles tied to detention before trial. PCRO stands for Pretrial Confinement Review Officer, the person who oversees and evaluates the necessity and continuation of pretrial detention. This role qui assesses whether confinement before trial remains justified, protects the service member's rights, and can recommend release or adjustments as appropriate. The other options don't fit because they describe roles or functions not aligned with reviewing detention: a court reporter documents proceedings, a public court review office isn't a standard pretrial confinement role, and a personal conduct review officer focuses on behavior rather than detention status.

8. What is vicarious trauma?

- A. A temporary stress reaction after witnessing trauma
- B. The process of change that happens because you care about other people who have been hurt and feel responsible to care for or help them, which causes changes in your psychological, emotional, and spiritual well-being**
- C. Burnout due to long hours
- D. A fictional psychological condition

Vicarious trauma is the cumulative transformation of a helper's inner life that comes from empathetic engagement with others' trauma and a sense of responsibility to help. It goes beyond a single stressful moment and can alter how you view safety, trust, control, and meaning, as well as your emotions and spirituality. This change happens through regular exposure to clients' traumatic experiences and the ongoing care you provide, leading to shifts in psychological, emotional, and spiritual well-being. It isn't just burnout from long hours, and it isn't a fictional condition. The description that emphasizes caring for others who have been hurt and the resulting changes in multiple aspects of your inner life best captures what vicarious trauma is.

9. Who may release a prisoner from PTC before referral?

- A. Any CC in the ACC's chain of command and the PRCO.**
- B. The assigned MJ.
- C. The SPCMCA.
- D. The ACC's CC only.

Authority to release a prisoner from pretrial confinement before referral rests with those who hold command responsibility within the ACC's chain of command, together with the designated Prisoner Release Coordination Officer (PRCO). This setup ensures that decisions about releasing someone in pretrial confinement are made by leaders who can balance security and discipline with the individual's rights, and that there is a designated, accountable process to handle releases. The assigned military judge is not the typical authority for this pretrial-release action, since their role centers on adjudication rather than managing pretrial confinement. The Special Court-Martial Convening Authority isn't the appropriate source for this management duty either. Limiting the authority to the ACC's commanding officer alone would be too narrow, while including the PRCO ensures there is a clear, specialized channel for coordinating releases.

10. Within 48 hours, the neutral and detached officer must believe all of the following statements are true.

- A. That an offense triable by CM has been committed; that the prisoner committed it; that confinement is necessary to ensure presence at trial or to prevent further misconduct; and that less severe forms of restraint are inadequate.**
- B. That the prisoner committed an offense not triable by CM.**
- C. That the prisoner is guilty beyond a reasonable doubt.**
- D. That confinement is unnecessary.**

The scenario tests the rules for pretrial confinement by a neutral and detached officer. The officer must conclude within 48 hours that there is probable cause to believe an offense triable by a court-martial has been committed, that the accused actually committed it, that confinement is necessary to ensure the accused's presence at trial or to prevent ongoing misconduct, and that less restrictive measures would be inadequate. This combination ensures confinement is justified, narrowly tailored, and not a step taken on mere suspicion. Why this set of beliefs fits best: Confine only when the offense could be tried in a court-martial and there is a reasonable belief the accused committed it, because the process is anchored in the military justice framework. Confinement must be necessary to secure attendance at trial or to prevent further risk, such as flight or interference with the investigation, not out of convenience or punishment. And before resorting to confinement, the officer must consider less restrictive options and determine they would be inadequate to achieve the same goals. Why the other statements don't fit: If the offense isn't triable by a court-martial, the rule governing this type of confinement doesn't apply. Requiring guilt beyond a reasonable doubt isn't correct at this stage—probable cause is the standard for pretrial confinement, not post-trial certainty. Claiming confinement is unnecessary contradicts the necessity element that justifies detaining someone pending trial or to prevent harm.

Next Steps

Congratulations on reaching the final section of this guide. You've taken a meaningful step toward passing your certification exam and advancing your career.

As you continue preparing, remember that consistent practice, review, and self-reflection are key to success. Make time to revisit difficult topics, simulate exam conditions, and track your progress along the way.

If you need help, have suggestions, or want to share feedback, we'd love to hear from you. Reach out to our team at hello@examzify.com.

Or visit your dedicated course page for more study tools and resources:

<https://militaryjustice2.examzify.com>

We wish you the very best on your exam journey. You've got this!

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