**Tip: Tab 6--Article 32 Hearing Starter**

- Review Chapter 8 of the PHO Guide, which sets out applicable (and inapplicable) MREs and privileges, as well as guidance on conducting the hearing

-- Most MREs do not apply, make sure you understand this and defense objections

-- Generally, privileges do apply

- The Preliminary Hearing Officer’s Guide link is in the MJ Deskbook, Chapter 6

<https://aflsa.jag.af.mil/apps/jade/collaborate/course/view.php?id=1142>

- The script is found in the PHO Guide at Section II

-- Request the script from the PHO, or take charge of this and provide a copy to the PHO and defense counsel

- The Art 32 is a probable cause hearing and not a discovery tool

- Ensure you present evidence to cover each of the elements

-- The IO is not responsible for calling witnesses; the hearing is limited to what the government presents

- Determine whether you need to call a witness

--If something is technical or contradictory, may want a witness to clarify the matter

- Provide all of the evidence to defense early enough to prepare

- If there an SVC, coordinate early

- Spend a few minutes and outline key points to an opening statement or closing argument

-- PHOs will occasionally offer counsel the opportunity for opening/closing

-- These are brief summations…target between 1 and 4 minutes

- References found in AFI 51-201, Section 4a; the PHO Guide (especially Chapter 8); and Article 32, UMCJ