**Section 400.800 Unlawfully Influencing Action of the Court**

a) *No authority convening a general, special or summary court-martial, nor any other commanding officer, or officer serving on the staff* of the commanding officer*, may censure, reprimand or admonish the court or any member, the military judge, or counsel* of the court*, with respect to the findings or sentence adjudged by the court or with respect to any other exercise of its or their functions in the conduct of the proceedings. No person subject to* the *Code may attempt to coerce or, by any unauthorized means, influence the action of a court-martial or court of inquiry or any member of these bodies, in reaching the findings or sentence in any case, or the action of any convening, approving or reviewing authority with respect to their judicial acts. This subsection (a) shall not apply with respect to:*

1) *general instructional or informational courses in military justice if those courses are designed solely for the purpose of instructing members of a command in the substantive and procedural aspects of courts-martial; or*

2) *statements and instructions given in open court by the military judge, summary court-martial officer, or counsel.*

b) *In the preparation of an effectiveness, fitness or efficiency report, or any other report or document used in whole or in part for the purpose of determining whether a member of the SMF is qualified to be advanced in grade, or in determining the assignment or transfer of a member of the SMF, or in determining whether a member of the SMF should be retained on active status, no person subject to* *the* *Code may, in preparing any such report:*

1) *consider or evaluate the performance of duty of any SMF member as a member of a court-martial or witness in a court-martial; or*

2) *give a less favorable rating or evaluation of any counsel of the accused because of zealous representation before a court-martial*. (Code Section 37)

c) Code Section 37 does not extend to protection from prosecution of crimes such as perjury or false official statement.