

trial preparation, trial and appeal of a person accused of a serious crime.

(h) "Serious crime" means:

(1) A felony;

(2) a misdemeanor or offense, the penalty for which involves the possibility of confinement for more than three months or a fine of more than \$500, or any other offense where, in the opinion of the court, either the complexity of the matter, or the youth, inexperience, or mental capacity of the accused, may require representation of the accused by an attorney; and

(3) an act which except for the age of the person involved, would otherwise be a serious crime.

3. The Office of Public Defender—Establishment and Qualifications.

(a) The Office of Public Defender is hereby established in the Executive Branch of the Government of the State of Maryland. The head of the office shall be the Public Defender, who shall be appointed by the Governor, with the advice and consent of the Senate, BOARD OF TRUSTEES, and who shall serve at the pleasure of the Governor, BOARD OF TRUSTEES. To be qualified for appointment as Public Defender, a person must be an attorney-at-law, admitted to practice law in the State of Maryland by the Court of Appeals of Maryland, and engaged in the practice of law for a period of five (5) years prior to his appointment. The Public Defender shall receive such salary as provided in the budget, AND SHALL NOT ENGAGE IN THE PRIVATE PRACTICE OF LAW.

(b) The Public Defender, with the approval of the Governor, BOARD OF TRUSTEES, shall appoint a Deputy Public Defender, and one (1) District Public Defender for each district of the District Court, who shall possess the same qualifications as the Public Defender to be eligible for appointment, who shall assist the Public Defender in the performance of the duties of his office, and who shall, subject to the supervision of the Public Defender, be in charge of the public defender offices in the district for which he is appointed. Assistant Public Defenders may be appointed by the Public Defender, with the advice of the District Public Defenders, in such number as authorized by the budget. To be qualified for appointment as an Assistant Public Defender, a person must be an attorney-at-law and admitted to practice law in the State of Maryland by the Court of Appeals of Maryland. The Deputy Public Defender, District Public Defenders, and Assistant Public Defenders, shall serve at the pleasure of the Public Defender, shall not engage in the private practice of criminal law, and shall receive such salaries as provided in the budget.

(c) The Public Defender shall appoint such investigators, stenographic and clerical assistants and other personnel to assist him and the District Public Defenders as may be required for the proper performance of the duties of the office, and as provided in the budget.

(d) The Public Defender shall establish and maintain suitable offices within the State; however, there shall be at least one such office in each district.