

(E) THE NUMBER OF POSITIONS, SALARIES AND EXPENSES FOR THE OFFICE OF PUBLIC DEFENDER SHALL BE AS PROVIDED IN THE EXECUTIVE BUDGET AS SPECIFIED IN ARTICLE 3, SECTION 52 (4) (B) OF THE CONSTITUTION OF THE STATE OF MARYLAND, WHICH SHALL BE SUBJECT TO APPROVAL BY THE GENERAL ASSEMBLY.

4. *Duty to Provide Legal Representation.*

(a) *It shall be the primary duty of the Public Defender to provide legal representation for any indigent defendant, eligible for services under this Article. Legal representation may be provided by the Public Defender, or, subject to the supervision of the Public Defender, by his Deputy, by District Public Defenders, by Assistant Public Defenders, or by panel attorneys as hereinafter provided for.*

(b) *Legal representation shall be provided indigent defendants in the following proceedings:*

(1) *In any criminal or juvenile proceeding constitutionally requiring the presence of counsel prior to presentment before a ~~magistrate~~ COMMISSIONER or judge.*

(2) *Criminal or juvenile proceedings, where the defendant is charged with a serious crime, before the District Court of Maryland, the Supreme Bench of Baltimore City, the various Circuit Courts within the State of Maryland, the Court of Special Appeals of Maryland, and the Court of Appeals of Maryland.*

(3) *Proceedings under the Defective Delinquents laws, Article 31B, Annotated Code of Maryland.*

(4) *Post-conviction proceedings under Article 27, Annotated Code of Maryland.*

(5) *Any other proceeding where possible incarceration pursuant to a judicial commitment of individuals in institutions of a public or private nature may result.*

(c) *This Article applies only to representation in or with respect to the courts of this State. It does not prohibit the Public Defender's Office from representing an indigent person in a Federal court of the United States at Federal expense, if the matter arises out of, or is related to, an action pending or recently pending in a court of criminal jurisdiction of this State. Any compensation paid by the Federal court to the Public Defender, his deputy, district public defenders, or assistant public defenders, shall be remitted to the general funds of the State.*

(d) *Representation by the Office of the Public Defender or by an attorney appointed by the Office of the Public Defender, shall extend to all stages in the proceedings, including custody, interrogation, preliminary hearing, arraignment, trial, and appeal, if any, and shall continue until the final disposition of the cause, or until the assigned attorney is relieved by the Public Defender or by Order of the Court in which the cause is pending.*

5. *Powers and Duties of the Public Defender.*

*The Public Defender*

(a) *Shall assume general responsibility for the operation of the Office of Public Defender and all district offices;*