

SEC. 2-607. COMMISSIONERS.

(A) NUMBER AND APPOINTMENT.

THE ADMINISTRATIVE JUDGE OF EACH DISTRICT, WITH THE APPROVAL OF THE CHIEF JUDGE OF THE DISTRICT COURT, MAY APPOINT THE NUMBER OF COMMISSIONERS NECESSARY TO PERFORM THE FUNCTIONS OF THE OFFICE WITHIN EACH COUNTY. IN MULTIPLE-COUNTY DISTRICTS, THE ADMINISTRATIVE JUDGE SHALL OBTAIN THE RECOMMENDATION OF THE RESIDENT JUDGE IN EACH COUNTY AS TO THE NUMBER OF COMMISSIONERS REQUIRED IN THE COUNTY AND AS TO THE PERSONS TO BE APPOINTED.

(B) QUALIFICATIONS AND TENURE.

COMMISSIONERS SHALL BE ADULT RESIDENTS OF THE COUNTIES IN WHICH THEY SERVE, BUT THEY NEED NOT BE LAWYERS. EACH COMMISSIONER SHALL BE PAID THE COMPENSATION FIXED BY LAW, HOLD OFFICE AT THE PLEASURE OF THE CHIEF JUDGE OF THE DISTRICT COURT, AND HAS THE POWERS AND DUTIES PRESCRIBED BY LAW.

(C) DUTIES.

A COMMISSIONER SHALL RECEIVE APPLICATIONS AND DETERMINE PROBABLE CAUSE FOR ARREST WARRANTS AND CRIMINAL SUMMONSES. HE SHALL ADVISE ARRESTED PERSONS OF THEIR CONSTITUTIONAL RIGHTS, SET BOND OR COMMIT PERSONS TO JAIL IN DEFAULT OF BOND OR RELEASE THEM ON PERSONAL RECOGNIZANCE IF CIRCUMSTANCES WARRANT, AND CONDUCT INVESTIGATIONS AND INQUIRIES INTO THE CIRCUMSTANCES OF ANY MATTER PRESENTED TO HIM IN ORDER TO DETERMINE IF PROBABLE CAUSE EXISTS FOR THE ISSUANCE OF A WARRANT OR CRIMINAL SUMMONS AND, IN GENERAL, PERFORM ALL THE FUNCTIONS OF COMMITTING MAGISTRATES AS EXERCISED BY THE JUSTICES OF THE PEACE PRIOR TO [[THE]] [[EFFECTIVE DATE OF THIS SECTION AND]] JULY 5, 1971 THERE SHALL BE IN EACH COUNTY, AT ALL TIMES, ONE OR MORE COMMISSIONERS AVAILABLE FOR THE CONVENIENCE OF THE PUBLIC AND POLICE IN OBTAINING WARRANTS OR CRIMINAL SUMMONSES AND TO ADVISE ARRESTED PERSONS OF THEIR RIGHTS AS REQUIRED BY LAW.

REVISOR'S NOTE: This section presently appears as Art. 26, §154. The oath taken by a commissioner as prescribed by Art. 1, §6 of the Constitution appears in §2-104. The only other changes made are in style.