

2-111. LEGAL COUNSEL FOR DEPARTMENT.

(A) ATTORNEY GENERAL AS LEGAL ADVISER.

THE ATTORNEY GENERAL IS LEGAL ADVISER TO THE DEPARTMENT.

(B) ASSIGNMENT OF ASSISTANTS.

THE ATTORNEY GENERAL SHALL ASSIGN TO THE DEPARTMENT THE NUMBER OF ASSISTANT ATTORNEYS GENERAL AUTHORIZED BY LAW FOR THE DEPARTMENT AND ITS UNITS.

(C) COUNSEL TO DEPARTMENT.

(1) THE ATTORNEY GENERAL SHALL DESIGNATE AN ASSISTANT ATTORNEY GENERAL ASSIGNED TO THE DEPARTMENT AS COUNSEL TO THE DEPARTMENT. AFTER THE ATTORNEY GENERAL DESIGNATES THE COUNSEL TO THE DEPARTMENT, THE ATTORNEY GENERAL MAY NOT REASSIGN THE COUNSEL WITHOUT CONSULTING THE SECRETARY.

(2) THE COUNSEL TO THE DEPARTMENT MAY HAVE NO DUTY OTHER THAN TO:

(I) GIVE THE LEGAL AID, ADVICE, AND COUNSEL REQUIRED BY THE SECRETARY OR ANOTHER OFFICIAL OF THE DEPARTMENT;

(II) SUPERVISE THE OTHER ASSISTANT ATTORNEYS GENERAL ASSIGNED TO THE DEPARTMENT; AND

(III) PERFORM FOR THE DEPARTMENT THE DUTIES THAT THE ATTORNEY GENERAL ASSIGNS.

(3) THE COUNSEL TO THE DEPARTMENT SHALL PERFORM THESE DUTIES SUBJECT TO THE DISCRETION AND CONTROL OF THE ATTORNEY GENERAL.

REVISOR'S NOTE: This section is new language derived without substantive change from the first through fifth sentences and, as it related to the counsel to the Department, the sixth sentence of former Art. 41, § 9-103.

The seventh sentence and, except as it related to the counsel, the sixth sentence of former Art. 41, § 9-103, which authorized the Attorney General to assign work to assistant attorneys general, required them to do the assigned work, required them to be lawyers, and provided for their salaries, are deleted as unnecessary in light of SG § 6-105.

The eighth sentence of former Art. 41, § 9-103 which excepted any unit that is authorized by law to employ its own counsel, is deleted as unnecessary because there are no units in the Department so authorized.

Defined terms: "Department" § 1-101

"Secretary" § 1-101