

Table 4.23
ATTORNEYS GENERAL: DUTIES TO ADMINISTRATIVE AGENCIES AND OTHER RESPONSIBILITIES

State or other jurisdiction	Serves as counsel for state	Appears for state in criminal appeals	Duties to administrative agencies							
			Issues official advice	Interprets statutes or regulations	Conducts litigation:		Prepares or reviews legal documents	Represents the public before the agency	Involved in rule-making	Reviews rules for legality
					On behalf of agency	Against agency				
Alabama.....	A,B,C (a)	★(a)	★	★	★	★	(b)	(b)	★	★
Alaska.....	A,B,C	★	★	★	★	★	★	★	★	★
Arizona.....	A,B,C	★	★	★	★	★	★	★	★	★
Arkansas.....	A,B,C	★	★	★	★	★	★	★	...	...
California.....	A,B,C	★	★	★	★	...	★	...	★	★
Colorado.....	A,B,C	★	★	★	★	★	★	★	★	★
Connecticut.....	A,B,C	(b)	★	★	★	★	★	★	★	★
Delaware (f).....	A,B,C	★	★	★	★	★(g)	★	★	★	★
Florida.....	A,B,C	★	★	★	★	...	★	...	...	...
Georgia.....	A,B,C	★	★	★	★	...	★	...	...	★
Hawaii.....	A,B,C	★	★	★	★	★	★	★	★	★
Idaho.....	A,B,C	★(a)	★	★	★	★	★	★	★	★
Illinois.....	A,B,C	★	...	★	★	...	★	...	...	...
Indiana.....	A,B,C	★	★	★	★	...	★	...	★	★
Iowa.....	A,B,C	★	★	★	★	★	★	★	★	★
Kansas.....	A,B,C	★	★	★	★	★	★	...	★	★
Kentucky.....	A,B,C	★	★	★	★	...	...	★	...	...
Louisiana.....	A,B,C	...	★	★	★	...	★	★	★	★
Maine.....	A,B,C	★	★	★	★	...	★	...	...	...
Maryland.....	A,B,C	★	★	★	★	(b)	★	★	★	★
Massachusetts.....	A,B,C	(b)(c)(d)	★	★	★	★	★	★	★	★
Michigan.....	A,B,C	★	★	★	★	★	★	★	★	★
Minnesota.....	A,B,C	(c)(d)	★	★	(a)	★	★	★	★	★
Mississippi.....	A,B,C	...	★	★	★	...	★	...	...	...
Missouri.....	A,B,C	★	★	★	★	...	★	...	★	...
Montana (h).....	A,B	...	★	★	★	...	★	...	...	...
Nebraska.....	A,B,C	★	★	★	★	★	★	...	★	...
Nevada.....	A,B,C	★	★	★	★	...	★	...	★	★
New Hampshire.....	A,B,C	★	★	★	★	...	★	★	★	...
New Jersey.....	A,B,C	★	★	★	★	...	★	...	★	★
New Mexico.....	A,B,C	★	★	★	★	★	★	★	★	★
New York.....	A,B,C	(b)	...	★	★	(b)	★	(b)	...	...
North Carolina.....	A,B,C	★	★	★	★	★	★	(b)	★	★
North Dakota.....	A,B,C	★	★	★	★	★	★	...	★	★
Ohio.....	A,B,C	★	★	...	★	...	★	...	...	...
Oklahoma.....	A,B,C	★	★	★	★	★	★	★	★	★
Oregon.....	A,B	★	★	★	★	...	★	...	...	★
Pennsylvania.....	A,B	...	...	...	★	...	★	...	...	★
Rhode Island.....	A,B,C	★	★	★	★	★	★	...	...	...
South Carolina.....	A,B,C	★(d)	(a)	★	★	(b)	★	...	★	★
South Dakota.....	A,B,C	★	★	★	★	★	★	...	...	...
Tennessee.....	A,B,C	★	★	★	★	...	★	(e)	(e)	★
Texas.....	A,B,C	★(i)	★	★	★	★	★	★	★	...
Utah.....	A,B,C	★(a)	★	★	★	★	★	(b)	★	★
Vermont.....	A,B,C	★	★	★	★	★	★	★	★	★
Virginia.....	A,B,C	★	★	★	★	★	★	★	★	★
Washington.....	A,B,C	★(k)	★	★	★	★	★	★	★	★
West Virginia.....	A,B,C	★	★	★	★	★	★	...	(l)	(l)
Wisconsin.....	A,B,C	★	★	★	★	(b)	(b)	(b)	(b)	(b)
Wyoming.....	A,B,C	★	★	★	★	★	★	...	★	★
Dist. of Columbia.....	A,B	★(j)	★	★	★	...	★	...	★	★
American Samoa.....	A,B,C	★(a)	★	★	★	...	★	...	★	★
Guam.....	A,B,C	★	★	★	(d)	★	★	(b)	★	★
No. Mariana Islands.....	A,B,C	★	★	★	★	★	★	...	★	★
Puerto Rico.....	A,B,C	★	★	★	★	...	★	...	★	★
U.S. Virgin Islands.....	A,B	★	★	★	★	★	★	...	★	★

See footnotes at end of table.

ATTORNEYS GENERAL

ATTORNEYS GENERAL: DUTIES TO ADMINISTRATIVE AGENCIES AND OTHER RESPONSIBILITIES — Continued

Source: The Council of State Governments' survey of attorneys general, state constitutions and statutes, Mar. 2013.

Key:

- A — Defend state law when challenged on federal constitutional grounds.
- B — Conduct litigation on behalf of state in federal and other states' courts.
- C — Prosecute actions against another state in U.S. Supreme Court.
- ★ — Has authority in area.
- ... — Does not have authority in area.
- (a) Attorney general has exclusive jurisdiction.
- (b) In certain cases only.
- (c) When assisting local prosecutor in the appeal.
- (d) Can appear on own discretion.
- (e) Consumer Advocate Division represents the public in utility rate making hearings and rule making proceedings.
- (f) Except as otherwise provided by statute, the Attorney General represents all state agencies and officials.
- (g) Rarely.
- (h) Most state agencies are represented by agency counsel who do not answer to the attorney general. The attorney general does provide representation for agencies in conflict situations and where the agency requires additional or specialized assistance.
- (i) Primarily federal habeas corpus appeals only.
- (j) However, OUSA handles felony cases and most major misdemeanors.
- (k) Limited to federal death penalty habeas corpus.
- (l) On request of agency. Office acts as legal counsel to any state agency on request and that can include reviewing legislation and drafting rules and regulations.