

Table 4.18
ATTORNEYS GENERAL: PROSECUTORIAL AND ADVISORY DUTIES

State or other jurisdiction	Authority in local prosecutions:				Issues advisory opinions:					Reviews legislation:	
	Authority to initiate local prosecutions	May intervene in local prosecutions	May assist local prosecutor	May supersede local prosecutor	To state executive officials	To legislators	To local prosecutors	On the interpretation of statutes	On the constitutionality of bills or ordinances	Prior to passage	Before signing
Alabama	A	A,D	A,D	A	★	★	★	★	...	★	...
Alaska	(a)	(a)	(a)	(a)	★	★	...	★	★	★	★
Arizona	A,B,C,D,F	B,D	B,D	B	★	★	★	★	★	★	★
Arkansas	...	D	D	...	★	★	★	★	★	...	...
California	A,B,D,E,F	A,B,D,E	A,B,D,E	A,B,D,E	★	★	★	★	★	★	★
Colorado	B,F	B	DF (b)	B	★	★	★	★	★	★	★
Connecticut	...	...	...	...	★	(c)	...	★	★	★	★
Delaware	A,B,C,E,F,G (k)	A,B,C,E,F,G (k)	A,B,C,E,F,G (k)	A,B,C,E,F,G (k)	★	★	★	★	★	★	★
Florida	F (b)(d)	D (b)(d)	D	D	★	★	★	★	...	★	★
Georgia	A,B,F	A,B,D,G	A,B,D,F	B	★	★	★	★	...	★	★
Hawaii	A,B,C,D,E,F	A,D,G	A,D	A,G	★	★	★	★	★	★	★
Idaho	B,D,F	...	D	...	★	★	★	★	★	★	★
Illinois	A,D,E,F,G (b)	A,D,E,G	D,E,F,G	A,D,E,F,G	★	★(f)	★	★	★	(g)	(g)
Indiana	F (b)	...	A,D,E	G	★	★	★	★	★	B	★
Iowa	DF	D	D	...	★	★	★	★	★	★	★
Kansas	A,B,C,D,F (b)	A,D	D	A,F	★	★	★	★	★	(g)	(g)
Kentucky	A,B,D,E,F,G	B,D,G	B,D,F	G	★	★	★	★	★	★	...
Louisiana	G	G	D	G	★	★	★	★	★	(g)	(g)
Maine	A	A	A	A	★	★	...	★	★	★	★
Maryland	B,C,F	B,C,D	B,C,D	B,C	★	★	★	★	★	★	★
Massachusetts	A	A	A,D	A	★	★(h)	★	★	★	(g)	(g)
Michigan	A	A	D	A	★	★	★	★	★	★	★
Minnesota	B,F	B,D,G	A,B,D,G	B	★	★(h)	★	★	...	...	(g)
Mississippi	B,D,E,F	D	B,D,F	E	★	★	★	★	...	(g)	(g)
Missouri	A,B,F,G	G	B	...	★	★	★	★	...	★	★
Montana	B,D,E,F	A,B,D,E	A,B,D,E,F	A,B,E	★	★(i)	★	★	...	(e)	(g)
Nebraska	A	A	A,D	A	★	★	★	★	...	...	...
Nevada	D,F,G (d)	D (d)	(d),(j)	H	★	...	★	★	...	...	...
New Hampshire	A	A	A	A	★	(i)	...	★	★	★	...
New Jersey	A	A,B,D,G	A,D	A,B,D,G	★	★	★	★	★	★	★
New Mexico	A,B,C,D,E,F(b)(j)	G	D	G	★	★	★	★	★	★	★
New York	B,F	B,D,F	D	B	★	★(h)	★	★	★	★	★
North Carolina	...	D	D	...	★	★	★	★	★	...	...
North Dakota	A,D,E,F,G	A,D,G	A,B,D,E,F,G	A,G	★	★	★	★	...	(f)	(g)
Ohio	B,C,F	B,F	D	B,C	★	(i)	★	★	...	...	...
Oklahoma	B,C,F	B,C	B,C	...	★	★	★	★	★(l)	...	★(g)
Oregon	B,F	B,D	B,D	B	★	★	★	★	★	(g)	(g)
Pennsylvania	A,D,F,G	D,G	D	G	★	...	...	...	...	★	★
Rhode Island	A	A	A	...	★	★	...	...	...	...	...
South Carolina	A,D,E,F (b)	A,B,C,D,E,F	A,D	A,E	★	(m)	A,D	B,C(c)	B,C	★C(n)	★C,B(g)
South Dakota	D,E,(b)(n)	A,D	A,D	A,E	★	★	★	★	...	...	...
Tennessee	D,F,G (b)	D,G (b)	D	...	★	★	★	★	★	(g)	(g)
Texas	F	...	D	...	★	★	★	★	★	★	★
Utah*	A,B,D,E,F,G	E,G	D,E	E	★	★(m)	★	★	★	(g)	(g)
Vermont	A	A	A	★	★	★	★	★	★	★	★
Virginia	B,F	B,D,F	B,D,F	B	★	★	★	★	★	★	★
Washington	B,D,G	B,D,G	D	B	★	★	★	★	★	★	★
West Virginia	...	...	D	...	★	(c)	★	★	★	(e)	(e)
Wisconsin	B,C,F	B,C,D	D	B	★	★	★	★	★(l)	(e)	(e)
Wyoming	B,D (d),F	B,D	B,D	...	★	★	★	★	★(l)	★	★
American Samoa*	A (k)	(k)	(k)	(k)	★	...	(k)	(e)	(e)	(g)	(g)
Guam*	A	A	A	A	★	★	★	★	★	(g)	B
No. Mariana Islands*	A	...	...	...	★	...	...	...	...	★	★
Puerto Rico*	A,B,E	A,B,E	A,E	A,B,E	★	★	...	...	...	★	★
U.S. Virgin Islands	A (k)	(k)	(k)	(k)	★	★	...	...	...	...	★

See footnotes at end of table.

ATTORNEYS GENERAL

ATTORNEYS GENERAL: PROSECUTORIAL AND ADVISORY DUTIES — Continued

Sources: The Council of State Governments' survey, January 2002, and state constitutions and statutes. Information indicated by an * is from *The Book of the States*, 2000-2001.

Key:

- A — On own initiative.
- B — On request of governor.
- C — On request of legislature.
- D — On request of local prosecutor.
- E — When in state's interest.
- F — Under certain statutes for specific crimes.
- G — On authorization of court or other body.
- ★ — Has authority in area.
- . . . — Does not have authority in area.
- (a) Local prosecutors serve at pleasure of attorney general.
- (b) Certain statutes provide for concurrent jurisdiction with local prosecutors.
- (c) To legislative leadership.
- (d) In connection with grand jury cases.
- (e) No legal authority, but sometimes informally reviews laws at request of legislature.
- (f) Opinion may be issued to officers of either branch of General Assembly or to chairman or minority spokesman of committees or commissions thereof.
- (g) Only when requested by governor or legislature.
- (h) To legislature as a whole not individual legislators.
- (i) To either house of legislature, not individual legislators.
- (j) Will prosecute as a matter of practice when requested.
- (k) The attorney general functions as the local prosecutor.
- (l) Bills, not ordinances.
- (m) Only when requested by legislature.
- (n) Has concurrent jurisdiction with states' attorneys.
- (o) The attorney general functions as the local prosecutor.