

TITLE 1: GOVERNMENT
DIVISION 2: EXECUTIVE BRANCH

§ 2154. Attorney General: Staff.

(a) The Attorney General may employ staff, including one or more assistant attorneys general, as required to assist in performing the duties of the Attorney General, subject to budgetary appropriation. No person may be appointed as assistant attorney general unless the person has graduated from an accredited law school and is eligible to be admitted to practice before the Commonwealth Superior Court.

(b) There is hereby created within the office of the Attorney General the Division of Intergovernmental Relations. Such division shall be the chief depository of resources and information related to cases or controversies arising under the Covenant or the Commonwealth Constitution. The division shall be responsible for handling all cases or controversies arising under the Covenant or the Commonwealth Constitution, and shall be further responsible for the preparation of all legal opinions relating to the legal relationship between the United States and the Commonwealth. The responsibilities of the division shall be limited to these activities and shall not extend to other activities of the office of the Attorney General. Furthermore, the division may assist any body established by law that is directed to address issues arising under the Covenant or the Commonwealth Constitution. The division shall represent the Commonwealth in all cases or controversies whenever adjudicated under the Covenant or Commonwealth Constitution, and may, in that respect, initiate litigation to protect or enforce Commonwealth rights under the Covenant. The Attorney General, through his or her attorneys in the division, shall also have the statutory right to intervene, as a party, in any court action that calls for the interpretation of any part of the Covenant or the Commonwealth Constitution. Sixty days before the end of the fiscal year, the Attorney General shall issue an annual report to the Governor with copies to the Speaker of the Commonwealth House of Representatives and to the President of the Commonwealth Senate. Such annual report shall detail the activities, needs, and accomplishments of the division and shall make concrete recommendations for legislation needed in the areas of its responsibility.

(c) The first person to be chosen by the Attorney General for the Division of Intergovernmental Relations shall be the attorney nominated to be chief of the division. That person, or any other person thereafter nominated to be the chief of the division must be confirmed as chief of the division by majority vote of each house of the Commonwealth Legislature. No person shall serve as acting chief of the division for more than 60 days. No person nominated by the Attorney General for chief of the division who fails to be confirmed by the legislature shall serve as acting chief of the division.

Source: PL 1-8, tit. 1, ch. 3, § 4, modified; amended by PL 6-7, § 3.

Commission Comment: With respect to the reference to the “Division of Intergovernmental Relations,” see the comment to 1 CMC § 2151.