

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 2123

S. P. 711

In Senate, January 2, 1974

Referred to Committee on Judiciary. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Speers of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FOUR

**AN ACT to Require District Attorneys to Prosecute all Criminal Cases before
the District Courts.**

Be it enacted by the People of the State of Maine, as follows:

R. S., T. 30, § 502, amended. The first sentence of section 502 of Title 30 of the Revised Statutes, as amended by section 12 of chapter 567 of the public laws of 1973, is further amended to read as follows:

The district attorney shall attend all criminal terms held in the counties within the prosecutorial district for which he was elected and act for the State in all cases in which the State or county is a party or interested ~~and unless~~. Unless he makes an order of dismissal as provided, he shall diligently and without delay prosecute to final judgment and sentence all criminal cases before any District Court of which a judicial division or a part of a judicial division is within his prosecutorial district, or the Superior Court of any of the counties within his district, and in the absence of the Attorney General from a term in any of the said counties or judicial divisions, shall perform his duties in state cases, under directions from him, in any of the said counties or judicial divisions, and he shall appear and act for the State with the Attorney General in the law court in all state cases coming into said court from any of the said counties.

STATEMENT OF FACT

The purpose of this Act is to require that district attorneys prosecute all cases in which the State or county is a party or interested in the District Courts of their prosecutorial districts, as well as in the Superior Courts.