

11-532. Powers and duties; definition

A. The county attorney is the public prosecutor of the county and shall:

1. Attend the superior and other courts within the county and conduct, on behalf of the state, all prosecutions for public offenses.
2. Institute proceedings before magistrates for the arrest of persons charged with or reasonably suspected of public offenses when the county attorney has information that the offenses have been committed.
3. If not engaged in criminal proceedings in the superior court, attend on the magistrates in cases of arrest if required by them, and attend before and give advice to the grand jury.
4. Draw indictments and informations, defend actions brought against the county and prosecute actions to recover recognizances forfeited in courts of record and actions for recovery of debts, fines, penalties and forfeitures accruing to the state or county.
5. Deliver receipts for monies or property received in the county attorney's official capacity and file duplicate receipts with the clerk of the board.
6. On the first Monday of January, April, July and October in each year, file with the board of supervisors an account, verified by oath, of all monies received in the county attorney's official capacity during the preceding three months, and at the same time pay it to the county treasurer.
7. When required, give a written opinion to county officers on matters relating to the duties of their offices.
8. Keep a register of official business, and enter in the register every action prosecuted, criminal or civil, and of the proceedings of the action.
9. Act as the legal advisor to the board of supervisors, attend its meetings and oppose claims against the county that the county attorney deems unjust or illegal.
10. Act as attorney for school districts except as provided in section 15-343, or except in any lawsuits involving a conflict of interest with other county offices at which time the attorney general may represent the school district.
11. Act as attorney for the community college district except as provided in section 15-1448 or except in any lawsuits involving a conflict of interest with other county offices, at which time the attorney general may represent the community college district.
12. Defend all locally valued and assessed property tax appeals as provided in section 42-16208.

B. On receipt of an appellant's brief in a criminal appeal, the county attorney shall furnish the attorney general with a true statement of the facts in the case, together with the available authorities and citations that are responsive to the assignments or specifications of error.

C. The county attorney may represent a school district governing board member against whom an action is brought in the board member's individual capacity until it is established as a matter of law that the alleged activity or events that form the basis of the complaint were not performed, or not directed to be performed, within the scope or course of the member's duties.

D. Notwithstanding article 12 of this chapter, in connection with the investigation or prosecution of any matter involving the death of a person, the county attorney may request that the medical examiner, for the county in which the prosecution will take place, conduct the medical examination.

E. The county attorney may provide civil legal services to another county or other political subdivision of this state or an officer, employee or agency of a political subdivision of this state at the request of that county's or political subdivision's elected or appointed general counsel or pursuant to an intergovernmental agreement entered into by the county and the other political subdivision as provided in chapter 7, article 3 of this title at the request of the county attorney. Any intergovernmental agreement shall state any payment to be rendered for the services and the scope of the representation. The county attorney may also obtain civil legal services for the county or for an officer, employee or agency of the county, from the elected or appointed general counsel of another county or other political subdivision of this state by request or pursuant to an intergovernmental agreement.

F. For the purposes of this section "general counsel" means an elected or appointed county attorney, city attorney or town attorney.