**Office of the Attorney General**

**Formal Opinions/Informal Advice**

**Topic Date Formal Opinion No.**

1. Capias warrants are civil process; 3-07-2000 2000-010

Officers who have authority to serve

1. State marshal oath; Scope of powers; 7-05-2001 2001-017

Peace officer status

1. Deceased marshal protocol 10-10-2001 Informal Advice

1. State marshal execution power ends with 12-06-2001 2001-025

resignation of appointment

1. SMC authority re: 12-20-2001 2001-028

restraining order assignment

1. State marshals cannot be state employees 1-08-2002 Informal Advice
2. Sanctions for failure to obtain 1-08-2002 Informal Advice

liability insurance

1. Attorney General comments on 1-11-2002 Informal Advice

Professional Standards of Conduct

1. Bar to marshal billing for work not done; 1-16-2002 Informal Advice

Fee sharing permissible;

Sequential service of bank executions

1. SMC authority re: 5-31-2002 2002-017

marshal misconduct prior to 2000

1. Statute sets maximum not minimum 10-22-2002 2002-035

number of state marshals

1. Sanctions for liability insurance lapsing 8-29-2003 Informal Advice

13. No indemnification for injury during capias; 5-10-2004 2004-005

No indemnification for marshal

mentor/trainers

**[abrogated by CGS 6-30a with**

**respect to certain capias executions]**

14. Permissible tax warrant fees 10-12-2004 2004-017

15. Deceased marshals 1-03-2005 2005-001

a) Pending executions must be completed

by a levying officer;

b) SMC authority to seek records

16. Ex-officios may attend executive sessions; 7-01-2005 2005-016

may not vote

17. Capias Warrants 2-02-2007 2007-02

a) Capias warrants are civil process;

b) SMC cannot mandate that all marshals

execute capias warrants;

c) Liability for injury; and

d) Sovereign immunity

18. Process must be directed to a marshal 9-21-2007 2007-019

not business entity; state marshal may not

be charged fee to obtain work

19. Calculation of mileage fees 6-16-2008 2008-011

20. Permissibility of joining labor union; 5-29-2009 Opinion from OPM No collective bargaining Office of Labor

Relations

21. State Marshal Business Organization 9-21-2009 2009-009

a) Fees for lis pendens;

**[fee bar for lis pendens abrogated**

**by P.A. 16-64]**

b) Marshals may not form LLC or

corporate business entities;

c) Marshals may not employ each other

or be controlled by any private entity;

d) Indifferent person work; and

e) Sharing administrative costs.

22. Fee negotiation between statutory 10-12-2009 2009-010

maximum and minimum fees permitted

23. Capias Protocol 3-22-2012 2012-003

24. Firearm/Qualified Retired

Law Enforcement Officer 4-24-2012 2012-004

25. Fees for service; E-filing; 3-30-2015 2015-02

Bar on charging fee for

recording lis pendens

**[fee bar for recording abrogated**

**by P.A. 16-64]**

Please Note: All formal opinions of the Attorney General are available on the website for the Office of the Attorney General. Copies of informal advice are available at the Commission office.