



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

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WHAT IS "PEOPLE'S COUNSEL?"

The position of People's Counsel was created by the citizens of Baltimore County when they amended the Baltimore County Charter in 1974. Originally, People's Counsel was to defend the comprehensive zoning maps, but in 1978 the voters expanded the function to include defense of the master plan and protection of the air, land and water resources of Baltimore County.

People's Counsel is an experienced attorney, a Baltimore County resident, and a member of the Maryland Bar. The Charter intends that the position be free from political influence, and to act on behalf of the general public interest. In this connection, after appointment, People's Counsel has tenure, and there is no need for reappointment.

WHAT DOES PEOPLE'S COUNSEL DO?

People's Counsel may appear as a party before local, state, and federal administrative agencies and courts, on behalf of the public in general in land use and environmental cases. People's Counsel's standing in these cases is equal to that of other parties. This means that the office can pursue appeals to the Circuit Court and to the Appellate courts.

In addition, while the office cannot represent any individual person or association, in

the cases in which the office is involved, it frequently helps to facilitate the presentation of land use cases before the Administrative Law Judge or the County Board of Appeals by persons or groups without attorneys.

In accordance with the Charter mandate, People's Counsel also investigates special situations dealing with land use. This may take the form of site visits, consultations with various experts in or out of the county, legal or other research. The County Charter empowers People's Counsel to "have full access to the records of all county agencies," to "be entitled to call upon the assistance of county employees," and to "have the benefit of all other facilities or information of the county in carrying out his duties."

WHAT MATTERS DOES PEOPLE'S COUNSEL ENTER?

People's Counsel enters an appearance in all cases involving reclassifications, petitions for variances, special exceptions, and special hearings; as well as other land use related matters, to determine if legal involvement is appropriate. Standards for involvement are based on the possibility of broad public impact; adverse effect on the public health, safety, and welfare; establishment of important precedent for the future; and the existence of significant legal issues.

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