

A Guide to the Office of the Attorney General Historical Files, 1938-1960

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Descriptive Summary

Accession Number

44655

Language

English

Creator

Virginia Office of the Attorney General

Extent

2 cu. ft. (5 boxes)

Repository

The Library of Virginia

Administrative Information

Access Restrictions

Privacy protected and confidential information is restricted from public access for 75 years (Code of Virginia 42.1-78). Restricted records in this collection have been sealed but not removed. Types of restricted may include, but is not limited to: administrative investigation records, attorney-client privileged documents, criminal records, mediation documents, and personnel records.

As of September 11, 2019, medical records will be open 125 years after the date of creation or after date closed, whichever is later. The Health Insurance Portability and Accountability Act (HIPAA) requires that individually identifiable health information of a decedent be protected for 50 years following the date of death of the individual (45 CFR 164.502(f)).

Use Restrictions

There are no restrictions.

Acquisition Information

Acquisition information unavailable.

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Historical Information

The Office of the Attorney General originated in medieval England. While representing the king in his courts, the Attorney General gradually assumed the role of legal advisor to the government and all its agencies. In Virginia, the first Attorney General was commissioned in 1643. The Declaration of Independence in 1776 ended the Attorney General's connection with royal authority, but the state constitution adopted that year continued the office under the auspices of the General Assembly. The constitution adopted in 1851 provided for the popular election of the Attorney General, rendering him independent of all three branches of government. The Attorney General is elected to a four-year term in office and is eligible for reelection.

On April 27, 1927, the General Assembly passed a state government reorganization act that created the Department of Law, with the Attorney General serving as the chief executive officer. The Office represents the interests of the Commonwealth in civil cases in which the Commonwealth or any of its agencies or officials is named as a party, and in criminal cases on appeal to the Court of Appeals of Virginia and the Supreme Court of Virginia. In cases involving federal law, the Attorney General also represents the Commonwealth's interests. The Office also defends the constitutionality of state laws when they are challenged in court, represents consumers in utility matters before the State Corporation Commission, and collects debts owed to state agencies, hospitals and universities. Additionally, the Attorney General serves as the legal advisor to the Governor and more than 200 state agencies, boards, commissions and institutions. He renders official opinions upon the written request of the Governor, members of the General Assembly, members of the judiciary, state officials, and local constitutional officers.

Scope and Content

Restricted: Files pertaining to accounts in collection for DeJarnette State Sanatorium and Western State Hospital that are less than 75 years old. Due to the presence of restricted patient information, these records may require review by an archivist and/or redaction (if it is possible) before they are served. Contains subject files created and maintained by the Office of the Attorney General. The files were created by several different administrations, including those of Abram P. Staples, Harvey B. Apperson, J. Lindsay Almond, Jr., and Albertis S. Harrison. The files were kept and maintained because of their historical significance. Topics include a gasoline price fixing investigation conducted by the Attorney General's office, the Medical College of Virginia Hospital building, accounts in collection for DeJarnette State Sanatorium and Western State Hospital, various bills and legislation introduced in the General Assembly, civil rights legislation related to voting and the poll tax, pornography and obscenity legislation, and an amicus curiae brief filed in the Supreme Court case *United States of America v. Appalachian Electric Power Company*.

Arrangement

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- Series I. Historical Files, 1938-1960

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