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procedures to ensure the security and integrity of the bar examination before, during, and after it is administered.

(c) Each applicant shall, by taking the examination, be deemed to have sworn the following with respect to each question:

"I solemnly swear or affirm that I have no previous information as to the contents of the questions upon which I have been examined and that I have not received directly or indirectly, from any source whatever, any assistance, but that I wrote the answer exclusively from my knowledge."

The applicants may also be required to write or type out the above oath and sign their signatures attesting to the truth of their statement during any part of the bar examination.

(d) If, during an examination, evidence is brought to the Board's attention regarding conduct by an applicant which may violate any law or rule governing the examination, the Board shall cause an immediate investigation to be made. If the Board determines that an applicant has violated any law or rule governing the examination, it shall immediately disqualify the applicant from the examination.

(e) If at any time it shall appear to the Board that there is credible evidence which would establish that an applicant has:

- (1) falsified the application or proofs required for admission to the bar exam;
- (2) falsified the proofs required for admission to practice with or without examination;
- (3) falsified the documentation submitted in support of a request for test accommodations under Section 9 of Part B of these Rules or secured such documentation under false pretenses;

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(4) purposely omits to provide relevant information;

(5) utilized any unauthorized notes, books, recordings, electronically retrieved data or unauthorized materials while taking the bar examination, or secreted such materials for such use;

(6) obtained or used answers or information from or given answers or information to another applicant or any other person while taking the bar examination;

(7) written or designated any answers to questions on the bar examination prior to the announcement of the beginning of the examination session or after the announcement of the conclusion of the session;

(8) removed any examination materials or other notes made during the examination from the examination room;

(9) defaced, altered or stolen any examination materials after the administration of the examination; or

(10) done any of the above or compromised the process for admission to or administration of the bar examination,

the Board shall serve written charges on such applicant by certified mail, stating with particularity the facts on which such charges are based.

(f) The applicant, no later than 30 days after the service of charges may cause to be delivered to the office of the Board a verified answer to such charges. Such answer shall identify with specificity the charges disputed by the applicant, who shall set forth any evidence which can be adduced by the applicant in contradiction of such charges. The applicant may include in such written answer a request that the Board hold a hearing.

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(g) In the event such applicant does not submit a written answer as provided in Subsection (f) the Board shall deem the facts set forth in the written charges to be true.

(h) The Board, on its own motion or at the request of such applicant, shall set a date for an adjudicatory hearing. The hearing may be held before a single member of the Board appointed by the chairman or before the Board as a whole or before a member of the Guam bar appointed as Hearing Officer by the Board. The applicant may be represented by counsel, and the hearing shall be reported and transcribed by a certified reporter.

(i) The hearing shall be conducted pursuant to the procedures set forth in Subsections (b) and (c) of Section 4 of Part C of these Rules.

(j) The applicant shall be entitled to be represented and advised by counsel at his own expense at every stage of the proceeding. Any person who voluntarily appears or who is compelled to attend, and submit proof or testimony, at any hearing held pursuant to Subsection (h) of this Part shall be entitled to be represented and advised by counsel at his own expense.

(k) If the applicant shall be found to have violated any of the rules set forth in Subsection (e), above, by reason of:

(1) applicant's admission that such charges are true, in whole or in part; or

(2) applicant's being in default in answering the specifications, in whole or in part;

or

(3) determination of the Board, after a hearing,

such determination shall be set forth in the Board's written decision, which shall be delivered to the applicant by certified mail, and some or all of the following

penalties, and any other penalty which the Board may deem appropriate, may be imposed:

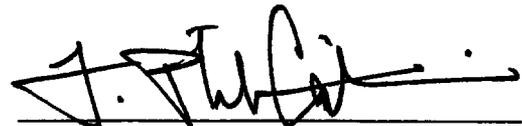
- (1) forfeiture of all fees paid by the applicant;
- (2) nullification of the examination taken or the application made by the applicant;
- (3) disqualification of the applicant from taking the Guam Bar Examination or applying for temporary or *pro hac vice* admission for a period to be determined by the Board;
- (4) transmission of a written report of the matter to the National Conference of Bar Examiners Character and Fitness Division;
- (5) transfer of a written report of the matter to the Bar Admission Authority in any jurisdiction.

SO ORDERED.

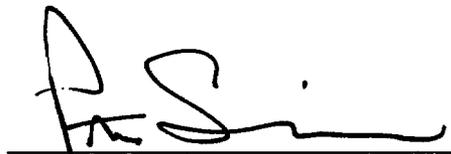
Dated, this 12th day of June, 2002.



 FRANCES TYDINGCO-GATEWOOD
 Associate Justice



 F. PHILIP CARBULLIDO
 Associate Justice



 PETER C. SIGUENZA, JR.
 Chief Justice

I do hereby certify that the foregoing is a full true and correct copy of the original on file in the office of the clerk of the Supreme Court of Guam Dated at Hagatna, Guam

JUN 12 2002



 Deputy Clerk, Supreme Court of Guam