FILED
SUPREME COURT
OF GUAM
MAY 3 4 30 PM '00

IN THE SUPREME COURT OF GUAM

RE: AMENDMENTS TO THE RULES FOR APPOINTMENT OF COUNSEL FOR INDIGENT DEFENDANTS	PROMULGATION ORDER NO.: 05-004

Pursuant to the authority granted by 48 U.S.C. § 1424-1(a)(6), the Supreme Court upon the recommendation of the Subcommittee on Indigent Defense, hereby adopts and promulgates the amended Rules for Appointment of Counsel for Indigent Defendants as Rule 13 of the Rules of the Superior Court of Guam as follows:

RULE 13 OF THE RULES FOR THE SUPERIOR COURT OF GUAM
RULES FOR APPOINTMENT OF COUNSEL FOR INDIGENT DEFENDANTS

PREAMBLE

The Rules for Appointment of Counsel for Indigent Defendants and any amendments thereto are hereby repealed.[1] Pursuant to its authority under 48 U.S.C. § 1424-1(a)(6) and Title 7 Guam Code Annotated, section 3107(b), the Supreme Court of Guam herein promulgates Rule 13 of the Rules for the Superior Court of Guam governing the appointment of counsel for persons financially unable to obtain adequate representation in criminal and quasi-criminal matters in the courts of Guam.

The priority of appointments shall be: Public Defender, Alternative Public Defender, Private Attorney Panel, and active members of the Guam Bar Association.

Rule 13.1. REPRESENTATION

[1] These rules were first adopted by the Judicial Council in 1981 and published as the Rules for Appointment of Counsel for Indigent Defendants in the Guam Bar Journal, RAINY SEASON - 1981, Volumes 3 & 4. On November 19, 2002, in Promulgation Order 02-009, the Supreme Court of Guam amended and revised these rules as Rule 13 of the Rules of the Superior Court of Guam. On February 27, 2004, in Promulgation Order No. 04-003, these rules were amended to provide for the formation of the Private Attorney Panel. On March 9, 2004 in Promulgation Order No. 04-004, these rules were amended to clarify the amendments made in Promulgation Order No. 04-003. The amendments in the instant Promulgation Order reflect the creation of the Alternative Public Defender Office by Judicial Council Resolution No. JC04-009 on April 30, 2004.

20051082 ORIGINAL

A. Mandatory. The court shall appoint counsel for a person financially unable to obtain adequate representation who is:

1. charged with (a) a felony; (b) a misdemeanor; (c) a petty misdemeanor except those filed in Traffic Court (d) juvenile delinquency for the commission of an act which, if committed by an adult, would be considered a felony or misdemeanor; or, (e) a violation of probation or faces modification, reduction, or enlargement of a condition, or extension or revocation of a term of probation

2. in custody as a material witness;

3. under arrest, when representation is required by law; or,

4. entitled to appointment of counsel under the Sixth Amendment to the United States Constitution, or facing loss of liberty and Guam law, the United States Constitution, or the applicable provisions of the Organic Act, require the appointment of counsel.

B. Discretionary. The court may appoint counsel for a person who is financially unable to obtain representation who is:

1. charged with civil or criminal contempt and facing loss of liberty;

2. seeking collateral relief from a judgment in a criminal matter; or,

3. a person whose rights under the United States Constitution (or the Organic Act) may be substantially infringed without the appointment of counsel.

RULE 13.2. DETERMINATION OF NEED

A. Determination. Before the appointment of counsel under these Rules, the court shall inquire into, and make a finding, as to whether the person is financially able to obtain adequate representation. The court shall inquire as to the information requested in the Financial Declaration (a copy of which is attached hereto as **Appendix A**). All statements by the person in such inquiry shall be under penalty of perjury. All persons seeking counsel under these Rules shall submit the Financial Declaration to the court. The court may appoint counsel subject to the submission of the Financial Declaration. The court shall not appoint counsel unless a Financial Declaration is submitted.

B. Need. The court shall determine the person's ability to obtain adequate representation according to the financial guidelines then in effect established by the Public Defender Service Corporation.

C. Redetermination.

1. If, at any stage of the proceedings, the court determines pursuant to these Rules, that a party, who previously had not had counsel appointed, has become financially unable to obtain adequate representation, the court may then appoint counsel for that person.

2. If at any time after appointment under these Rules, counsel obtains information that the person is now financially able to make payment, in whole or in part, for legal or other services in connection with his or her representation, and the source of such information is not protected as a privileged communication, counsel shall so advise the court.

RULE 13.3 MANNER OF APPOINTMENT

A. Priority. The Chief Justice and each Judge of the Superior Court shall appoint counsel in the order set forth below:

1. The Public Defender Service Corporation;

2. The Alternative Public Defender Office;

3. The Private Attorney Panel; and

4. Active members of the Guam Bar Association.

The Chief Justice or a Judge of the Superior Court may, appoint counsel in derogation of the order set forth above for good cause shown, such good cause to be entered on the record. The Chief Justice or a Judge of the Superior Court shall ordinarily appoint the same lawyer or law firms for the same client when said client has more than one pending matter. More than one attorney may be appointed in any case determined by the Chief Justice or the Judge of the Superior Court assigned to the case to be extremely difficult, giving due consideration to the seriousness of the possible penalty and to the unique and complex nature of the litigation.

B. Private Attorney Panel.

1. Formation of a Standing Committee to Oversee the Private Attorney Panel.

a) The Supreme Court of Guam shall create a Standing Committee to oversee the Private Attorney Panel ("PAP"). The PAP attorneys approved at the time of this promulgation are identified in Appendix B. The Standing Committee shall consist of five (5) attorneys, each a voting member, who possess sufficient experience and interest in the local criminal justice system to administer the PAP.

b) The Public Defender of Guam, or his or her representative, will be a permanent voting member of the Standing Committee. The Clerks of the Superior and Supreme Courts of Guam, or their respective designees, shall be an ex officio, non-voting members of the Standing Committee.

c) In addition to the Public Defender, or his or her representative, two (2) of the members of the Standing Committee will be appointed by the Chief Justice for a one-year term and the remaining two (2) members for a two-year term. Thereafter, appointments will be made for two-year terms. The Standing Committee will be permitted to use the staff of the Clerks Office of the Supreme and Superior Court for clerical and record-keeping matters for respective trial and appellate matters.

d) The Standing Committee shall elect from its members who are private attorneys a chairperson, who shall preside over its meetings and serve as the liaison between the PAP, the Judiciary and the community.

e) The Standing Committee shall meet formally at least once per year. In addition to reviewing and determining PAP membership, the Standing Committee shall identify and define any operating difficulties encountered in the administration of the PAP and make recommendations to the Supreme Court for appropriate changes to this rule.

f) The Standing Committee shall also coordinate with the Public Defender Service Corporation of Guam in providing training for the PAP. Such training shall include correspondence with PAP attorneys on substantive and procedural changes in the law, local rules, and other matters affecting the PAP attorneys, and shall also include regularly scheduled seminars for PAP attorneys, and if possible, the private bar.

2. Formation of the Private Attorney Panel.

a) Pursuant to the terms of this Rule, PAP attorneys shall be members of the Guam Bar Association. In addition to bar membership, the PAP attorneys should have when applicable, prior criminal trial experience, significant involvement in serious or complex criminal cases, knowledge of the Rules of Criminal Procedure and the bail statutes, knowledge of other relevant areas of criminal practice, clinical experience or participation in trial advocacy programs, prior juvenile, guardian ad litem, and or appellate experience.

b) The PAP shall consist of attorneys recommended and approved by a majority of the Standing Committee.

c) An attorney who is interested in becoming a member of the PAP shall complete and submit the attached Private Attorney Panel Application (**Appendix C**).

d) The Standing Committee shall compile and review all applications, and prepare a list of applicants who possess the qualifications required for the PAP. The Standing Committee shall also compile a pending applications list, which will include those attorneys requiring more training prior to being placed on the regular PAP list.

e) These two lists shall be distributed to all members of the Standing Committee, all Justices and Judges, as well as to the Clerk of each Court. Each person receiving the lists shall review them and return them to the Standing Committee with the names of any attorneys absent from the list who should be contacted to ascertain their interest in participating on the PAP. Attorneys interested in being included on the PAP would then be given an opportunity to complete an application.

f) Those receiving the lists shall also review them to identify the individuals who should not be included on the PAP, and shall state the reason(s) for such recommendation. The reason(s) should be based on the following factors: (a) a perceived lack of competence or knowledge; (b) a perceived lack of interest and motivation; (c) a perceived lack of training; (d) an unwillingness to make the necessary commitment to the PAP; or (e) a lack of willingness to provide the quality of representation deemed necessary. The person making the recommendation should be as specific as possible. concerning the reasons, with all such recommendations being confidential. The Standing Committee, by majority vote, will make a recommendation to the Supreme Court Justices or Superior Court Judges, whichever is appropriate, concerning whether the prospective PAP member should be included on the final PAP. Supreme Court Justices will decide all matters dealing with the Appellate Panel. Superior Court Judges will decide all matters dealing with the Criminal, Juvenile and Guardian Ad Litem Panels. Final decisions regarding membership on the PAP will be made by a majority vote of the Supreme Court Justices or Superior Court Judges, whichever is appropriate.

g) The final PAP shall consist of approximately 10 - 15 members in each of the following four (4) categories: Criminal (misdemeanor and felony), Juvenile, Guardian Ad Litem, and Appellate.

h) Creation of a Pending Applications List.

i) A "Pending Applications List" shall be established, consisting of lawyers who have applied for membership on the PAP and who do not yet possess sufficient skill, knowledge or experience to be on the PAP. Pending final approval of their applications, such attorneys shall receive training and shall serve, without compensation, in a second chair capacity to a PAP attorney on a given case, or aspects of a given case, including, but not limited to, bail hearings, sentencing proceedings, and appellate arguments.

ii) Each Clerk's Office and the Standing Committee shall maintain the pending applications list. PAP attorneys will be advised of the existence of such a list and will be expected to contact the appropriate Clerk's Office or a Standing Committee member to obtain the names of people seeking to serve in a second chair capacity. The Standing Committee shall then periodically review the pending applications list and make recommendations to the Supreme Court Justices or Superior Court Judges, whichever is applicable, as to which attorneys should be moved onto the regular PAP.

3. Adding and Removing Attorneys from the Private Attorney Panel.

a) Additions.

i) The Standing Committee shall monitor the operation of the PAP to determine whether it meets the needs of current case load requirements. Additions to the PAP shall be made through the

approval of new applications and by moving attorneys from the pending applications list to the regular PAP. New applications shall be collected by each Clerk's Office and referred to the Standing Committee for periodic review.

ii) By majority vote, the Standing Committee shall decide which applicants need further training, thereby remaining on the pending applications list, and which ones are to be referred to the Supreme Court Justices or Superior Court Judges, whichever is applicable, for inclusion on the PAP. Final decisions on inclusion will be made by a majority of the Supreme Court Justices or Superior Court Judges, whichever is applicable.

b) Suspensions.

i) Attorneys who have been suspended or disbarred from a court of any state, territory, commonwealth or possession of the United States and who are the subject of reciprocal discipline pursuant to the Supreme Court of Guam Rules for the Discipline of Attorneys, or who are presented for discipline in the Supreme Court of Guam, shall be suspended from the list pending disposition of the ethics proceedings. If the attorney is counsel of record in a pending case, the trial Judge or the Chief Justice shall be notified by their respective Clerk's Office. If the attorney is suspended or disbarred, the attorney shall be removed from the PAP, and will be eligible to reapply only if he or she later becomes a member Guam Bar Association in good standing.

c) Removals.

i) Any complaints about the performance or commitment of a PAP attorney shall be referred to the Standing Committee. The Standing Committee shall also take notice of such deficiencies on its own and make recommendations to the Supreme Court Justices or Superior Court Judges, whichever is applicable, for removal from the PAP. At the request of a Justice, Judge, Clerk of each court, or individual Standing Committee member, the Standing Committee shall review complaints about a PAP member. The receipt and handling of complaints will be confidential.

ii) The PAP attorney shall be notified of any complaint, and shall have the right to request a hearing before the Standing Committee. At the hearing, the attorney shall have all due process rights, including representation by counsel, the right to be informed of the nature of the complaint and the right to present testimony on his or her behalf. A recommendation for or against removal shall be by majority vote and forwarded to the Supreme Court Justices or Superior Court Judges, whichever is applicable, for appropriate action. Removal of the attorney from the PAP shall be by majority vote of the Supreme Court Justices or Superior Court Judges, whichever is applicable.

4. Assignment of Cases to the Private Attorney Panel.

a) The Chief Justice of the Supreme Court and the Judges of the Superior Court shall be responsible for overseeing the assignment of cases to PAP attorneys in the respective courts. Assignments shall be made on a rotational basis, except under circumstances where a Judge or Justice for good cause directs otherwise. PAP attorneys may refuse or "pass" an appointment when unavailable to assume the case due to scheduling conflicts, workload, or other good cause. Reasons for passing appointment shall be given to the Chief Justice of the Supreme Court or the Judge of the Superior Court overseeing the case, and passing may not be done more than three times during a calendar year. Upon an appointment, the PAP attorney shall immediately determine if a conflict of interest exists preventing representation and inform the court. No payment shall be made by the court for the determination of a conflict. PAP attorneys shall not charge the court for determining whether a conflict exists.

b) The respective Clerk's Offices of the Supreme Court and Superior Court and each respective courtroom clerk of the Superior Court shall maintain a master computer generated list of PAP appointments, which will include the date of each appointment, the case name, the date of each pass by a PAP attorney, and the reason for each pass.

c) If the Chief Justice of the Supreme Court or a Judge of the Superior Court determines that a PAP attorney has repeatedly passed assignments, the Chief Justice of the Supreme Court or a Judge of the Superior Court may refer the name of the attorney to the Standing Committee. The Standing Committee shall then consider the information provided by the Chief Justice of the Supreme Court or a Judge of the Superior Court and make such further inquiry or recommendation to the Supreme Court Justices or Superior Court Judges, whichever is applicable, as it deems appropriate, including removal from the PAP.

d) Each of the respective Clerk's Offices of the Supreme Court and the Superior Court shall also maintain a public record of assignments to the Public Defender Service Corporation of Guam, Alternative Public Defender, the PAP, and active members of the Guam Bar Association as well as current statistical data reflecting the proration of appointments.

e) The Public Defender Service Corporation of Guam will make such arrangements with local investigative and police agencies as will adequately assure that at the earliest practicable stage, persons arrested under circumstances where representation is required by law may promptly have counsel furnished to them.

5. Rotation of Appointments. All appointments shall be made in an orderly manner to ensure fair distribution of appointments amongst PAP members. Appointments from the PAP shall, unless the Chief Justice or Judge for good cause determines otherwise, be in alphabetical order, but the next qualified attorney may be appointed when the court determines that:

1. The Clerk of the Supreme Court and Clerk of the Superior Court shall each maintain:

a. a master computer generated list of all attorneys on the Panel;

b. a master computer generated list for the public record of all appointments, including the numbers and types of cases as assigned to the various law firms and attorneys described in Rule 13.3(A) and (B) above; and,

c. current data on the status of invoices and payment for all court appointments.

2. The Public Defender and the Alternative Public Defender shall prepare monthly reports on court appointments and submit such reports to the Administrator of the Courts.

D. Counsel appointed under these Rules shall, unless excused by order of the court, continue to act for the person throughout the proceedings in this court. Appointed counsel is expected to appear personally at all proceedings, with substitutions or the filing of additional appearance permitted only with leave of the court. The judge before whom a case is pending may, in the interest of justice substitute one appointed counsel for another at any stage of the proceedings.

In all criminal cases, counsel shall advise the defendant of the right to appeal and of the right to counsel on appeal. If requested to do so by the defendant in a criminal case, counsel shall file a timely Notice of Appeal, and shall continue to represent the defendant, until the matter, including appeals or review by certiorari, is closed; until substitute counsel has filed a notice of appearance; until an order has been entered allowing or requiring the person represented to proceed pro se; until the appointment is terminated by court order; or until the attorney is relieved by the court.

RULE 13.4. INVESTIGATIVE, EXPERT AND INTERPRETATIVE SERVICES.

A. The court may authorize counsel appointed under these Rules to retain the services of investigators, experts and interpreters upon a showing that such services are necessary for adequate representation of the person. The hourly rate for investigators, experts and interpreters shall not be less than $25.00.

B. Prior to retaining the services of investigators, experts or interpreters, counsel appointed under these Rules shall submit an application for approval of such services by the court. Failure to obtain approval prior to retaining such services may bar payment or reimbursement from the court for same, absent a finding by the court of sufficiently compelling circumstances.

C. Where counsel has received prior authorization for investigators, experts and interpreters, the maximum total shall not exceed $1,500.00. Counsel appointed under these rules may apply to the Administrator of the Courts to exceed this maximum. Counsel must demonstrate extraordinary circumstances and good cause to justify an exception to the maximum. Approval of any amount in excess of the limit herein shall be approved by the Administrator of the Courts. The Superior Court Judge presiding over the case may provide input in this regard.

D. An investigator shall not be paid for time in court unless called as a witness in the case.

E. The total cost of all services obtained without prior authorization may not exceed a total of $250.00 and expenses reasonably incurred.

F. An attorney appointed under these rules may, in her discretion, use the services of a paralegal. A paralegal hired under these rules shall not be paid more than $45.00 per hour and such services shall not be separately charged to the court.

RULE 13.5. COMPENSATION

A. Unless otherwise provided for, the hourly rate for legal services by counsel appointed under these Rules shall be $90.00 per hour for legal services rendered in and out of the courtroom, subject to the following maximums:

1. Not more than $7,500.00 shall be paid for felonies.

2. Not more than $2,500.00 shall be paid for misdemeanors.

3. Not more than $2,500.00 shall be paid for juvenile cases.

4. Not more than $2,500.00 shall be paid for each level of appeal in a particular case.

Counsel appointed under these rules may apply to the Administrator of the Courts to exceed these maximums. Counsel must demonstrate extraordinary circumstances and good cause to justify an exception to the maximums. Approval of any amount in excess of the limits herein shall be approved by the Administrator of the Courts. The Superior Court Judge presiding over the case may provide input in this regard.

B. No counsel appointed under these Rules may request or accept any payment, or promise of payment, for such representation unless such payment is approved by order of the court.

C. Application for payment by appointed counsel shall be submitted on the appropriate voucher form to the Clerks of the Superior Court and Supreme Court, whichever is applicable. Appointed counsel shall submit vouchers on a monthly basis. The Clerks for each court shall not approve payments unless vouchers are submitted as herein provided. The Administrator of the Courts shall have sixty (60) days to act on the submitted voucher. Failure to act within the sixty-day time period shall be deemed an approval of the submitted voucher.

APPENDIX "A"

FINANCIAL DECLARATION

IN SUPPORT OF REQUEST FOR LEGAL COUNSEL WITHOUT PAYMENT OF FEE

IN THE UNITED STATES TERRITORY OF GUAM: □ Family Court □ Superior Court □ Supreme Court

IN THE CASE OF:

_____ vs. _____

PERSON REPRESENTED (show your full name):

_____

SOCIAL SECURITY NUMBER:

_____

CHARGE/OFFENSE (describe if applicable & check box):

□ Felony □ Misdemeanor

DOCKET NUMBER

1 □ Defendant - Adult
2 □ Defendant - Juvenile
3 □ Appellant (if so, was counsel previously appointed for you □ Yes □ No
4 □ Probation Violator
5 □ Habeas Petitioner
6 □ Other (specify)

ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY

EMPLOYMENT

Are you now employed? □ Yes □ No □ Self Employed. Name and address of employer:

IF YES, how much do you earn per month?

IF NO, give month and year of last employment._____ How much did you earn per month? $

If married, is your spouse employed? □ Yes □ No **IF YES,** how much does your spouse earn per month? $

If a minor under age 21, what is your parents' or guardian's approximate monthly income? $

OTHER INCOME

Have you received within the past year any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, spousal support payments, or other sources? □ Yes □ No

	RECEIVED	SOURCES
IF YES, GIVE THE AMOUNT	$ _____	_____
RECEIVED & IDENTIFY	$ _____	_____
THE SOURCES	$ _____	_____

Are you currently receiving welfare benefits? of any kind? □ Yes □ No IF YES, give the amount per month and describe the benefit.

AMOUNT	TYPE OF BENEFIT
$ _____	_____
_____	_____

CASH

Have you any cash on hand or money in savings or checking accounts? □ Yes □ No **IF YES,** state total amount $ _____

PROPERTY

Do you own any real estate, stocks, bonds, notes, automobilies, or other valuable property (excluding ordinary household furnishings and clothing)? □ Yes □ No

IF YES, GIVE VALUE AND DESCRIBE

VALUE	DESCRIPTION
$ _____	_____
_____	_____
_____	_____

DEPENDENTS

MARITAL STATUS
□ Single
□ Married
□ Widowed
□ Separated or Divorced

Total No. of Dependents: ( )

List persons you actually support and your relationship to them.

_____
_____
_____
_____

DEBTS & MONTHLY BILLS

APARTMENT OR HOME	Creditors (List all creditors including banks, loan companies, charge accounts, etc.)	Total Debts	Monthly Payments
		$ _____	$ _____
		$ _____	$ _____
		$ _____	$ _____

I declare under penalty of perjury, the foregoing is true and correct. In addition, by my signature below, I hereby agree to make available to the courts of Gam any and all documents within my possession, or within the possesion for the Department of Revenue and Taxation, relating to my financial status.

SIGNATURE OF DEFENDANT (or person to be represented): _____ _____

WARNING: A FALSE OR DISHONEST ANSWER TO A QUESTION IN THIS DECLARATION MAY BE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH. See Title 9, Guam Code Annotated, Sections 52.15 and 52.20.

APPENDIX "B"
PRIVATE ATTORNEY PANEL

FELONIES AND MISDEMEANOR CASES
Jay Arriola
Randy Cunliffe
Rawlen Mantanona
Peter C. Perez
Michael Phillips
Sylvia Stake
Sam Teker
John Terlaje
Mitch Thompson
Louis Yanza
Quan & Lopez
David Rivera

JUVENILES (JDS AND JSP AND OTHER SP'S)
Carol Butler
Janalynn Cruz
Cynthia Ecube
Ray Haddock
Quan and Lopez, LLP
Hank Parker
Ross Putnam
John Terlaje
Patrick Wolff

GUARDIAN AD LITEM (Juvenile Cases Only)
Dan Benjamin
Carol Butler
Cynthia Ecube
Guam Legal Services Corp.
Guam Legal Services Corp.
Quan & Lopez, LLP
Hank Parker
Patrick Wolff

APPELLATE CASES
Ladd Baumann
Maria Cenzon-Duenas
Vincent Leon Guerrero
Alicia A.G. Limtiaco
Peter C. Perez, Jr.
D. Paul Vernier (*currently off-island)

APPENDIX "C"
PRIVATE ATTORNEY PANEL APPLICATION

Name: _____ **Social Security No.:** _____

Address: (include firm name, if any) **Telephone No.:** _____

_____

_____

Date of Bar Admissions:

State/territorial courts (specify jurisdiction): _____

Have you ever served on a panel of this nature? _____ Yes _____ No

(If yes, state where and when)

_____

QUESTIONS RELATING TO CRIMINAL COURT, JUVENILE AND GUARDIAN AD LITEM EXPERIENCE:

Have you ever been employed as a Public Defender? _____ Yes _____ No

(If yes, state where and when)

_____

Have you ever worked as a prosecuting attorney? _____ Yes _____ No

(If yes, state where and when)

_____

Have you ever attended training programs focusing on criminal practice?

Bail statutes 9 GCA Chapter 40: _____ Yes _____ No

(If yes, state where and when)

_____

Other: _____Yes _____ No

(If yes, state where, when & nature of seminar)

_____

How Many Trials Have You Personally Conducted?

_____ % Jury Trials _____ % Court Trials

_____ % as Defense Attorney _____ % as Prosecutor

_____ % Primarily Responsible _____ % Second-chaired

Please give range regarding lengths of these trials. _____

How many guilty pleas have you handled? _____

_____ % as Defense Attorney _____ % as Prosecutor _____

Please describe the types of cases you have handled.

_____

_____

_____

Please indicate your juvenile litigation experience by providing examples of your practice, type of case (JD, J.P., Guardian Ad Litem), fact finding involvement, length, etc.

_____

_____

_____

Miscellaneous Information:

_____

_____

_____

Please indicate your civil litigation experience by providing examples of your practice, types of cases, trial involvement, length, etc.

_____

_____

_____

Please explain any other relevant experience which explains why you would like to be on the PAP.

_____

_____

_____

QUESTIONS RELATING TO APPELLATE EXPERIENCE:

Please explain your appellate experience by providing the following information: Number of appellate briefs written to the Guam Supreme Court, District Court of Guam Appellate Division, Ninth Circuit Court of Appeals, U.S. Supreme Court or any other appellate courts.

_____

_____

_____

Please explain your appellate experience by providing the following information: Number of oral arguments you participated in before the Guam Supreme Court, District Court of Guam Appellate Division, Ninth Circuit Court of Appeals, U.S. Supreme Court or any other appellate courts.

_____

_____

_____

I have read the rule which governs the Private Attorney Panel. By making this application I am hereby agreeing to abide by the provisions as outlined in the rule.

Dated: _____ _____

Signature

Applications should be returned to either the Clerk of the Supreme or Superior Court, whichever is applicable.

SO ORDERED, this 3rd day of May, 2005.

Robert J. Torres

ROBERT J. TORRES
Associate Justice

Frances Tydingco-Gatewood

FRANCES M. TYDINGCO-GATEWOOD
Associate Justice

F. Philip Carbullido

F. PHILIP CARBULLIDO
Chief Justice