

**BEFORE THE 2010 JUDICIAL COUNCIL OF GUAM
RESOLUTION NO. JC 10-010**

**RELATIVE TO APPROVING ANNUAL PUBLICATION EXPENDITURE
REGARDING INFORMING THE PUBLIC OF THE EXISTENCE AND
OPERATION OF THE JUDICIAL DISCIPLINE SYSTEM**

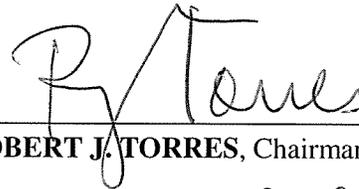
- WHEREAS,** the Supreme Court of Guam issued Promulgation Order 06-002-001 on September 5, 2006 memorializing its March 27, 2006 adoption of the Rules for Judicial Disciplinary Enforcement (“Rules”) which were later slightly amended through Promulgation Order 06-002-002 on April 13, 2007; and
- WHEREAS,** The Rules put in place an updated Disciplinary System with regards to judicial officers of the Judiciary of Guam; and
- WHEREAS,** The Rules established a Committee on Judicial Discipline which is the investigative body of the judicial disciplinary system and a Special Court which is the adjudicatory body of the judicial disciplinary system; and
- WHEREAS,** Rule 3.1(E)(2)(f) states that the Committee on Judicial Discipline has a duty to “inform the public of the existence and operation of the judicial discipline system, including the Committee on Judicial Discipline’s address and telephone number” and Rule 3.2(D)(2)(e) states that the Special Court has a duty to “inform the public of the existence and operation of the judicial discipline system, including the Special Court’s address and telephone number;” and
- WHEREAS,** No guidance is provided in the Rules as to how such public notice shall be reasonably provided; and
- WHEREAS,** Rule 6(a) of the Rules of Procedure for Disciplinary Proceedings of the Guam Bar Association’s Ethic’s Committee with regards to the attorney discipline system requires that the ethics committee provide a similar notice to the public regarding that system and expressly states that the notice shall be published in a local newspaper no less than four times each year which the ethics prosecutor has been doing on the ethics committee’s behalf with one publication each quarter during each year with two of those publications being made in each of the two local newspapers; and
- WHEREAS,** An estimate has been obtained from each newspaper regarding publishing the proposed judicial discipline system notice attached hereto as Exhibit A twice each year in each newspaper and such total for all four publications is approximately \$970; and
- WHEREAS,** The Committee on Judicial Discipline and the Special Court concur that mirroring the attorney discipline system’s approach to providing public notice is reasonable and that the annual expense to do so of approximately \$1,000 is reasonable; and
- WHEREAS,** Rule 2.1(G) contemplates the Committee seeking the approval of this body regarding any budgetary expenses necessary to its proper functioning; and

WHEREAS, Although the rules are silent as to approval of necessary expenditures by the Special Court, Rule 3.1(D) contemplates members of that body being eligible for reimbursement for reasonable expenses incurred pursuant to their duties and the Supreme Court is ultimately responsible for the entire system of judicial discipline; and

WHEREAS, The Committee on Judicial Discipline and the Special Court have jointly requested that this body approve a regular annual expenditure of Supreme Court funds of no more than \$1,000 for such notice publications;

NOW THEREFORE BE IT RESOLVED, that the Judicial Council hereby approves an annual expenditure from Supreme Court funds not to exceed \$1,000 total each year for the quarterly publication of the public notice of the existence and operation of the judicial discipline system as required by the relevant rules.

DULY ADOPTED this 22nd day of April, 2010 at a duly-noticed meeting of the Judicial Council of Guam.



ROBERT J. TORRES, Chairman

Date: 05-19-10

ATTEST:



JOLEEN F. RESPICIO, Secretary

Date: May 19, 2010



**NOTIFICATION FROM THE SUPREME COURT OF
GUAM'S COMMITTEE ON JUDICIAL DISCIPLINE
AND SPECIAL COURT REGARDING JUDICIAL
DISCIPLINARY ENFORCEMENT**

Pursuant to the Supreme Court of Guam's Rules for Judicial Disciplinary Enforcement and for the protection of the public and the administration of justice, the Committee on Judicial Discipline administers the investigatory function of the judicial discipline and incapacity system and the Special Court administers the adjudicatory function of the system. For information about the Judicial Discipline System you may contact Disciplinary Counsel at 475-3167. Matters before the Committee are strictly confidential, with certain limited exceptions. The addresses and telephone numbers for the Committee and Special Court, through their respective Chairmen, are as follows:

COMMITTEE ON JUDICIAL DISCIPLINE
c/o Chairman Richard H. Benson, Esq.
Guam Judicial Center
120 W. O'Brien Drive
Hagatna, Guam 96910
Telephone: (671) 475-3199

SPECIAL COURT
c/o Chairman Richard L. Johnson, Esq.
BLAIR STERLING JOHNSON
MARTINEZ & LEON GUERRERO, PC
Suite 1008 DNA Building
238 Archbishop F.C. Flores Street
Hagatna, Guam 96910-5205
Telephone: (671) 477-7857

This notice was paid for by the Supreme Court of Guam.

EXHIBIT A