



BEFORE THE 2009 JUDICIAL COUNCIL OF GUAM

RESOLUTION NO. JC 09-00 15

RELATIVE TO SUPPORTING PROPOSED LEGISLATION REGARDING ANNUAL LEAVE FOR JUDGES AND JUSTICES

WHEREAS, in Public Law 29-019:VI:60 (September 29, 2007), *I Liheslatura* inadvertently repealed the exemption from annual leave for judges and justices enacted by Section 2 of P.L. 28-137 and caused judges and justices to begin accruing annual leave;

WHEREAS, because the repeal was inadvertent, Public Law 29-019 did not consider Section 3 of P.L. 28-137, which was meant to accommodate the exemption from annual leave and prohibits the use of such leave accrued prior to October 1, 2006 until retirement, disability, death, resignation or removal;

WHEREAS, Section 3 of P.L. 28-137 must be repealed to eliminate the aforementioned unfairness to judges and justices, who since the repeal of the annual leave exemption accrue annual leave;

WHEREAS, judges and justices who are members of the defined benefits retirement plan desire to continue accruing annual leave and judges and justices who are not members of the defined benefits retirement plan desire to be exempt from the accrual of annual leave;

WHEREAS, all sitting judges and justices concur with the attached proposed legislation which will correct the inadvertent and unfair impact caused by P.L. 29-019:VI:60.

NOW THEREFORE BE IT RESOLVED that the Judicial Council hereby agrees that the attached proposed legislation will be transmitted to *I Liheslaturan Guahan* at the appropriate time and by the Chief Justice.

DULY ADOPTED effective as of the 8th day of October, 2009.



CHIEF JUSTICE ROBERT J. TORRES, JR. Chairman
Date: 10-7-09



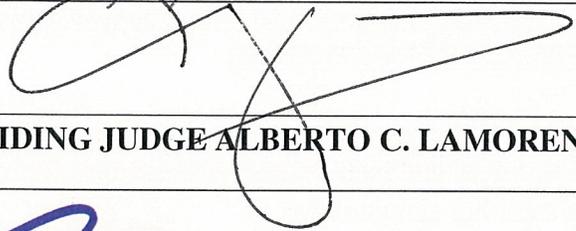
JUSTICE F. PHILIP CARBULLIDO, Member

Date: 10-07-2009



JUSTICE KATHERINE A. MARAMAN, Member

Date: 10/8/09



PRESIDING JUDGE ALBERTO C. LAMORENA, III, Member

Date: _____



JUDGE ARTHUR R. BARCINAS, Member

Date: 10.07.09

CONCURRED:



JUDGE STEVEN S. UNPINGCO

Date: _____



JUDGE MICHAEL J. BORDALLO

Date: Oct 7, 2009



JUDGE ELIZABETH BARRETT-ANDERSON

Date: _____



JUDGE ANITA A. SUKOLA

Date: _____



JUDGE VERNON P. PEREZ

Date: October 8, 2009