



BEFORE THE 2014 JUDICIAL COUNCIL OF GUAM

RESOLUTION NO. JC 14-012

**RELATIVE TO THE APPOINTMENT OF SEAN E. FRINK TO THE
COMMITTEE ON JUDICIAL DISCIPLINE**

- WHEREAS**, the Supreme Court of Guam first adopted its Rules for Judicial Disciplinary Enforcement on March 27, 2006, memorialized through its adoption of Promulgation Order 06-002-001 on September 5, 2006; and
- WHEREAS**, the Court then amended its Rules for Judicial Disciplinary Enforcement on April 13, 2007 through Promulgation Order 06-002-002, on December 23, 2011 Promulgation Order 06-002-003, and finally on December 28, 2012 through Promulgation Order 06-002-004; and
- WHEREAS**, pursuant to Rule 2.1(D) & (E) of the Rules for Judicial Disciplinary Enforcement, this Council appointed an active Guam lawyer on April 18, 2007 to serve a four-year term on the Committee on Judicial Discipline; and
- WHEREAS**, before the conclusion of the lawyer's term he resigned from the Committee due to concerns regarding inevitable conflicts he felt would arise due to his service on the Committee, and
- WHEREAS**, in amending Rule 2.1 to broaden the pool of candidates eligible to sit on the Committee on Judicial Discipline, Promulgation Order 06-002-03 recognized the concerns raised by the resigned lawyer in stating that, "it has become apparent that having members of the Guam bar sit on the investigative . . . [body] of the judicial discipline system regarding judicial officers of the Guam Judiciary is potentially problematic with regards to confidentiality and conflicts issues;"
- WHEREAS**, the vacant lawyer position on the Committee has remained unfilled since that resignation, thus resulting in the expiration of the resigned lawyer's term and the commencing of a new four-year term on April 18, 2011 regarding the unfilled slot; and
- WHEREAS**, maintaining organized, staggered terms on the Committee as contemplated by Rule 2.1 (E) is important to the efficient functioning of the Judicial Discipline System; and

WHEREAS, those eligible to fill the vacant attorney slots on the Committee now include lawyers who are residents of the CNMI and admitted to practice in any court of the CNMI and of good standing; and

WHEREAS, Rule 2.1(F) of the Rules for Judicial Disciplinary Enforcement states that an appointment to fill a vacancy on the Committee shall be made by this Council and such appointment shall be for the duration of an unexpired term;

NOW THEREFORE BE IT RESOLVED that CNMI lawyer Seam E. Frink is hereby appointed to serve on the Committee on Judicial Discipline commencing immediately to fill the vacant lawyer slot. Sean Frink's term shall expire on April 17, 2015.

DULY ADOPTED this 15th day of May, 2014 at a duly-noticed meeting of the Judicial Council of Guam.



ROBERT J. TORRES, Chairman

Dated: 5/16/14

ATTEST:



JOANNA S. McDONALD, Assistant Secretary

Dated: 5/16/14