



BEFORE THE 2017 JUDICIAL COUNCIL OF GUAM

RESOLUTION NO. JC17-029

**RELATIVE TO RATIFYING THE ESTABLISHMENT OF A SEPARATE ACCOUNT
FOR THE OFFICE OF THE ETHICS PROSECUTOR**

WHEREAS, the Office of the Ethics Prosecutor (“Ethics Prosecutor”) is a unit of the Supreme Court of Guam; and

WHEREAS, Rule 10 of the Supreme Court of Guam’s Rules for Discipline of Attorneys (“Disciplinary Rules”) allows for financial assessments against attorneys; and

WHEREAS, Rule 12 of the Disciplinary Rules provides authority for the imposition of fines, publication costs, and restitution by disciplined attorneys; and

WHEREAS, it is appropriate for amounts received pursuant to Rules 10 and 12 to be maintained separately from the general funds of the Judiciary of Guam in order to ensure proper accounting of the funds and timely distribution to anyone entitled to the same; and

WHEREAS, a separate account has been maintained at the Judiciary since about 2007 for these purposes.

NOW, THEREFORE, BE IT RESOLVED that the Finance Administrator’s prior authorization to maintain a separate account into which amounts paid by disciplined attorneys, except such amounts as may be designated as restitution, shall be deposited is hereby ratified and continued.

BE IT FURTHER RESOLVED that any amounts paid by disciplined attorneys shall first be credited toward restitution, if any is ordered, and such restitution amounts shall be deposited into the Judiciary’s trust account as appropriate until ready for distribution.

BE IT FURTHER RESOLVED that funds in the separate account, which shall be known as the Ethics Prosecutor Account, shall be expended in the following order: first, to reimburse any costs associated with the investigation or prosecution of the disciplined attorney, second, to assist with the operating expenses of the Ethics Prosecutor, and third, for any appropriate expenses authorized by the Supreme Court of Guam.

BE IT FURTHER RESOLVED that disbursement from the Ethics Prosecutor Account for the purpose of assistance with the operating expenses of the Ethics Prosecutor shall be subject to

approval of the Administrator of the Courts.

DULY ADOPTED this 21st day of December, 2017 at a duly noticed meeting of the Judicial Council of Guam.


KATHERINE A. MARAMAN, Chairwoman

Dated: December 27, 2017

ATTEST:



JOANNA S. McDONALD, Secretary

Dated: 12/27/2017