

**Filed**

Supreme Court of Guam, Clerk of Court

IN THE SUPREME COURT OF GUAM

SUPREME COURT CASE NO. PRM06-007

RE:**ADOPTION OF THE AMENDED RULES
GOVERNING ADMISSION TO THE
PRACTICE OF LAW****PROMULGATION ORDER
NO. 06-007-14**

The Supreme Court of Guam has revisited the Rules Governing Admission to the Practice of Law and has proposed that amendments be made to Rule 3.01(e) relative to creating a process by which attorneys admitted as temporary members of the Guam Bar may petition the court for an extension of their terms beyond the five-year provided for in the rule, to Rule 2.02(a) relative to removing the eligibility prohibition on individuals who attended correspondence law schools, and to Rule 3.13 relative to adopting two appendices entitled “Guam Bar Examination Test Accommodations Handbook” and “Application for Non-Standard Test Accommodations (NTA).”

Pursuant to the authority to “govern ...the practice of law in Guam, including admission to practice law,” 48 U.S.C. § 1424-1(a)(7), the Supreme Court amends and restates Rules 2.02(a), 3.01(e), and Rule 3.13, respectfully, to read as stated below (amendments underlined or stricken through). The Rules in full, including these amendments and appendices, shall be republished following this order.

Rule 2.02. Educational Requirements.

(a) Applications to take the Guam Bar Examination which show ~~on their face~~ that the applicant has been certified as fit to practice law and has satisfied the undergraduate and legal education requirements of these Rules shall be approved by the Board. An applicant must have graduated with a J.D. or a LL.B. degree from a law school within the United States, its territories, or possessions and which is accredited by the American Bar Association at the time of the applicant’s graduation. ~~No correspondence law school may be so approved.~~ No graduate degree in law (LL.M., M.C.L., S.J.D.) is or should be a substitute for the first

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professional degree in law (J.D.) and no graduate degree in law will qualify as meeting the legal educational requirements for admission to the bar.

Rule 3.01. Application for Admission by Examination.

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(e) Guam has no admission by comity or reciprocity. Everyone must take the entire two-day examination unless eligible to take the Attorneys Exam under Rule 4. As a limited exception to this policy, and upon payment of an administrative fee to the Board of \$600.00, a person admitted as an attorney of the highest court of any state, district, commonwealth, territory or possession of the United States, and who is in good standing in such other jurisdiction may practice law in Guam as a temporary active member of the Guam bar under order of the Chief Justice of the Supreme Court of Guam for ~~an aggregate~~ a total of five (5) years from the day of the order, with such temporary practice of law limited to full time employment with the Government of Guam, its agencies, offices, authorities, public corporations, branches, and instrumentalities, the Guam Legal Services Corporation, and the Guam office of the Micronesian Legal Services Corporation. The order of the Chief Justice shall be considered upon motion to the Supreme Court of Guam by the eligible employer under this rule with an affidavit or declaration from the applicant stating that the applicant is in good standing in every jurisdiction in which the applicant is admitted to practice law and is not the subject of discipline or public disciplinary investigation, and that the applicant graduated with a J.D. or LL.B. degree from a law school within the United States, its territories, or possessions and which is accredited by the American Bar Association at the time of the applicant's graduation. Such motions must be accompanied by a certificate of good standing, dated within 30 days from the date of the motion, from all jurisdictions in which the applicant is admitted to practice law. ~~In the event~~ If a person who was a temporary member of the Guam bar under this rule terminates his or her qualifying employment before the ~~expiration end~~ of five (5) years, that person may later ~~file a new motion for~~ move for temporary admission for the balance of his or her five (5) year term, provided he or she meets all the qualifications for temporary admission. Such motion shall be in the form of the original motion. ~~Any person who was a temporary member of the Guam Bar and did not take the bar examination before the effective date of this rule may be admitted under order of the Chief Justice for an additional period of three (3) years which shall run continuously and uninterrupted from the day of the latter order by the Chief Justice admitting said person as a temporary active member of the Guam Bar. Any person who was a temporary member of the Guam Bar and took the bar examination before the effective date of this rule may be admitted under order of the Chief Justice for an additional period of two (2) years which shall run continuously and uninterrupted from the day of the latter order by the Chief Justice admitting said person as a temporary active member of the Guam Bar. Such person(s) must seek an order from the Chief Justice requesting the additional period of admission as a temporary active member of the Guam Bar, and must pay the administrative fee of \$600.00. However, for any person applying for temporary admission under this rule and who has had a Character &~~

~~Fitness Report prepared by the NCBE within twelve (12) months of seeking temporary admission, the administrative fee paid to the Board shall be \$75.00.~~

Any person admitted as a temporary member of the Guam Bar under this rule may also petition the Chief Justice for an extension of up to three (3) more years from the date on which the five (5) year term is set to end. Petitions for such extension must be filed no sooner than nine (9) months and no later than six (6) months before the end of the original five (5) year term and must include: an affidavit or declaration from the petitioner stating that the petitioner is in good standing in every jurisdiction in which the petitioner is admitted to practice law and is not the subject of discipline or public disciplinary investigation. There shall be no fee required for filing a petition for extension. Petitions for extension must be accompanied by a certificate of good standing, dated within 30 days from the date of the petition, from all such jurisdictions in which the petitioner is admitted to practice law. If no petition for extension is filed within the time frame provided for in this rule, the term of temporary admission will end automatically five (5) years from the date of the original order granting temporary admission. Under no circumstances may any person practice under temporary admission for more than a cumulative, maximum total of five (5) eight (8) years.

The Board shall inquire into the character and fitness of every person seeking admission under this rule and any orders of temporary admission shall be conditioned upon the Board's subsequent certification of the person's character and fitness to practice law. Any motion for temporary admission under this rule, including motions for temporary admission for the balance of an applicant's unexpired five (5) year term ~~as described above~~, must be accompanied by the Standard-07 Application, which is the Character & Fitness Request prepared by the NCBE. For any person applying for temporary admission under this rule and who has had a Character & Fitness Report prepared by the NCBE within twelve (12) months of seeking temporary admission, the administrative fee paid to the Board shall be \$100.00 \$250.00.

~~Any previous order by the Chief Justice admitting a person as a temporary active member of the Guam Bar shall remain in full force and effect.~~

Rule 3.13. Examination of Applicant with Special Needs.

All reasonable steps shall be taken by the Board to facilitate the examination of applicants with a special need or special needs. Applicants with a special need or special needs must notify the Board of any reasonable accommodation(s) needed using Appendix B of this rule, titled "Application for Non-Standard Test Accommodations (NTA)." Absent good cause, such notification shall be filed at the time of the application but in no event later than four (4) weeks before the first day of the examination if requesting non-standard testing materials, and no later than two (2) weeks before the first day of the examination for all requests other than for non-standard testing materials. The applicant may be required, as needed, to provide appropriate documentation to the Board. For this rule, "special need or special needs" means physical or mental impairment that substantially limits one or more of

1 the major life activities of such individual. Applicants should refer to Appendix C, titled
2 “Guam Bar Examination Test Accommodations Handbook,” for further guidance.

3
4 **SO ORDERED** this 31st day of March, 2023.

5
6 /s/
7 **F. PHILIP CARBULLIDO**
8 **Associate Justice**

6 /s/
7 **KATHERINE A. MARAMAN**
8 **Associate Justice**

9
10 /s/
11 **ROBERT J. TORRES**
12 **Chief Justice**