

DEC 28 2006

MARY L.M. MORAN
CLERK OF COURT

DISTRICT COURT OF GUAM
TERRITORY OF GUAM

In Re:

GENERAL ORDER NO. 06-00020

LOCAL RULES OF PRACTICE,
AMENDMENT TO GR. 17.1.

IT IS HEREBY ORDERED that General Rule 17.1 of the Local Rules of Practice for the District Court of Guam is amended to reflect an increase in the attorney admission filing fees to \$250.00, effective January 1, 2007. Accordingly, the amended rule will read as follows:

GR 17.1 Attorneys - Admission to the Bar of this Court - Duties.

(a) **Admission to Practice.** Admission to and continuing membership in the bar of this Court is limited to attorneys of good moral character who are active members in good standing of the Territorial Bar of Guam. All members admitted to practice before this Court must file an "Attorney Registration Statement" in a form attached hereto as **Attachment "GR 17.1A."**

(b) **Procedure for Admission.** Each applicant for admission shall present to the clerk a written petition for admission stating the applicant's full name, residence address, office address, the names of the courts before which the applicant is admitted to practice, and the respective dates of admission to those courts.

1 (1) The petition shall be accompanied by:

2
3 (A) a certificate from the Supreme Court of Guam evidencing the fact
4 that the applicant is an active member in good standing of the Territorial Bar,

5 (B) a certificate of a member of the bar of this Court, stating that he
6 knows the applicant and can affirm that he is of good moral character, and

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8 (C) an order for admission to be signed by the judge. (Copies of the
9 petition for admission and order of admission shall be supplied by the clerk upon
10 request.)

11 (2) Upon qualification, the Clerk or his authorized deputy shall administer the
12 following oath of admission to the applicant:

13 "I solemnly swear that I will support the Constitution of the
14 United States, the Organic Act of Guam, the applicable
15 statutes of the United States and the laws of the territory of
16 Guam; That I will maintain the respect due to the Courts of
17 Justice and Judicial Officers and that I will demean myself
18 uprightly as an attorney at law; And to abide by the Code of
19 Professional Responsibility of the American Bar
20 Association."

21 (3) Before the clerk is authorized to issue a certificate of admission to the
22 applicant, the applicant must:

23 (A) sign the prescribed oath;

24 (B) sign the roll of attorneys; and

25 (C) pay an attorney admission fee of \$250.00 made payable to Clerk,
26 District Court of Guam.

27 (4) Any attorney so admitted and any attorney previously admitted who would
28 now be eligible for admission under subsection (a) of this Rule shall be deemed to be an
active member of the Bar of this Court.

1 (c) **Attorneys for the United States**. Any attorney who is not eligible for admission
2 under paragraph (b) hereof, but who is a member in good standing of, and eligible to practice
3 before, the bar of any United States Court or of the highest court of any State, or of any Territory
4 or Insular Possession of the United States and who is of good moral character, may practice in
5 this Court in any matter in which he is employed or retained by the United States or its agencies
6 and is representing the United States or any of its officers or agencies. Attorneys so permitted to
7 practice in this Court are subject to the jurisdiction of the Court with respect to their conduct to
8 the same extent as members of the bar of this Court.

9 (d) **Pro Hac Vice**. An attorney who is not eligible for admission under paragraph (b)
10 hereof, but who is a member in good standing of, and eligible to practice before, the bar of any
11 United States Court or of the highest court of any State or of any Territory or Insular Possession
12 of the United States, who is of good moral character, and who has been retained to appear in this
13 Court, may, upon written application and in the discretion of the Court, be permitted to appear
14 and participate in a particular case.

15 (1) Unless authorized by the Constitution of the United States or Acts of
16 Congress, an attorney is not eligible to practice pursuant to this paragraph (d) if any one
17 or more of the following apply to him:

- 18 (A) he resides in Guam,
19 (B) he is regularly employed in Guam, or
20 (C) he is regularly engaged in business, professional or other activities
21 in Guam.
22

23 (2) The pro hac vice application shall be presented to the clerk and shall state
24 under penalty of perjury;

- 25 (A) the attorney's residence and office addresses,
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1 (B) by what court he has been admitted to practice and the date of
2 admission,

3 (C) that he is in good standing and eligible to practice in said court,

4 (D) that he is not currently suspended or disbarred in any other court,
5 and

6 (E) if he has concurrently or within the year preceding his current
7 application made any pro hac vice applications to this Court, the title and
8 the number of each matter wherein he made application, the date of
9 application, and whether or not his application was granted. He shall also
10 designate in his application an active member in good standing of the bar
11 of this Court as required by subsection (e) of this Rule, with whom the
12 Court and opposing counsel may readily communicate regarding the
13 conduct of the case and upon whom papers shall be served.

14
15 (3) The pro hac vice application shall also be accompanied by payment to the
16 clerk of a \$250.00 fee, (payable to Clerk, District Court of Guam). If the pro hac vice
17 application is denied, the Court may refund any or all of the fee or assessment paid by the
18 attorney. If the application is granted, the attorney is subject to the jurisdiction of the
19 Court with respect to his conduct to the same extent as a member of the bar of this Court.

20 (e) **Designation of Local Counsel.** An attorney applying to practice before this Court
21 under subsection (d) of this Rule, shall designate an attorney who is an active member in good
22 standing of the Bar of this Court, who resides in and has an office in this District, as co-counsel.
23 He shall file with such designation the address, telephone number, and written consent of such
24 designee. The associated local attorney shall at all times meaningfully participate in the
25 preparation and trial of the case with the authority and responsibility to act as attorney of record
26 for all purposes. Any document required or authorized to be served on counsel by all Federal
27 Rules or by these Rules, shall be served upon the associated local counsel. Service upon
28 associated local counsel shall be deemed proper and effective service unless excused by the

1 judge. Local counsel shall attend all proceedings related to the case before this Court for which
2 counsel is associated unless excused by this court.

3 **(f) Government of Guam Attorneys.** Any attorney employed by the Office of the
4 Attorney General, Public Defender Service Corporation of Guam, or Guam Legal Services
5 Corporation, who is not eligible under paragraph (b) hereof, may be temporarily admitted to
6 practice in the District Court of Guam. Each applicant for temporary admission shall present to
7 the clerk a written petition for temporary admission, stating the applicant's full name, residence
8 address, office address, the names of the courts before which the applicant is admitted to
9 practice, and the respective dates of admission to those courts.

10 **(1)** The petition for temporary admission shall be accompanied by:

11 **(A)** a certified copy of the applicant's order for temporary admission to
12 practice law in the Territory of Guam;

13 **(B)** a certificate of a member of the bar of this Court, stating that he
14 knows the applicant and can affirm that he is of good moral character, and
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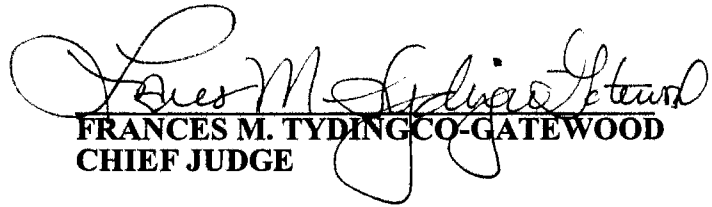
16 **(C)** an order for temporary admission to be signed by the judge.

17 **(2)** Upon qualification, the applicant must pay the Attorney Admission Fee of
18 \$250.00 (payable to the Clerk, District Court of Guam) and the clerk or his authorized
19 deputy shall administer the oath of admission set forth in paragraph (b)(2) hereof, and
20 have the applicant sign the prescribed oath.
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22 **(3)** Government of Guam Attorneys temporarily admitted to practice in this
23 Court are subject to the jurisdiction of the Court with respect to their conduct to the same
24 extent as members of the bar of this Court. Upon termination of employment with the
25 Government of Guam, the government attorney so temporarily admitted shall notify, in
26 writing, the clerk of the District Court of Guam of such termination. Once notified, the
27 clerk shall strike the temporarily admitted government attorney from the roll of attorneys.
28 If the temporarily admitted attorney meets the requirements for full admission while still

1 employed as an attorney for the Government of Guam, and complies with all of the
2 requirements set forth in subsection (b) herein, the \$250.00 permanent admission fee will
3 be waived.
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5 **SO ORDERED this 28th day of December, 2006.**
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9 **FRANCES M. TYDINGCO-GATEWOOD**
10 **CHIEF JUDGE**
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