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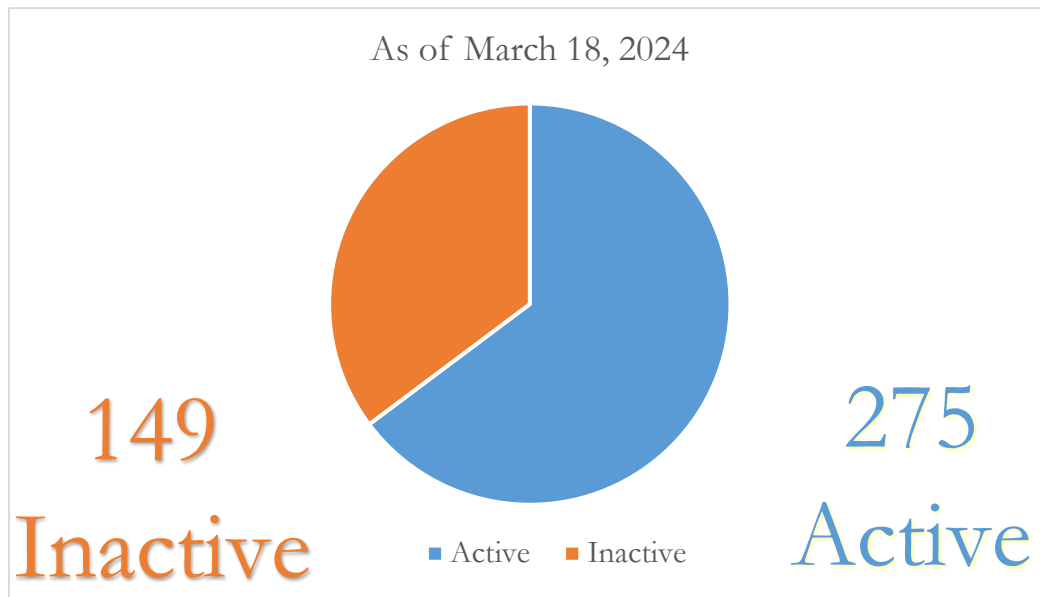
JOSEPH (JOJO) A. PEREZ  
Member-At-Large



March 19, 2024

**PRESIDENT'S 2024 ANNUAL REPORT**

As of March 18, 2024, the following information constitutes the Membership:



In 2023, the Guam Bar faced three significant challenges: (i) Criminal Indigent Defense Panel; (ii) Membership decline, and (iii) Pending programs. I will address the impacts of these issues on the organization.

(i) Criminal Indigent Defense Panel

The Judiciary of Guam and the Guam Bar faced the significant challenge of addressing the lack of criminal indigent defense attorneys to serve on the Private Panel, and the identification of private attorneys for potential appointment on criminal matters. Private attorneys who had not handled any criminal matters in more than thirty years of practice were appointed to criminal proceedings. The Guam Bar experienced a shift of active to inactive during this period with approximately 11 active members shifting to inactive status. While members have reported that the increased shift from active to inactive is the result of criminal appointments, it is notable that there is also an increase of retirements in this same period. Members have also reported unfair/unequal application of criminal

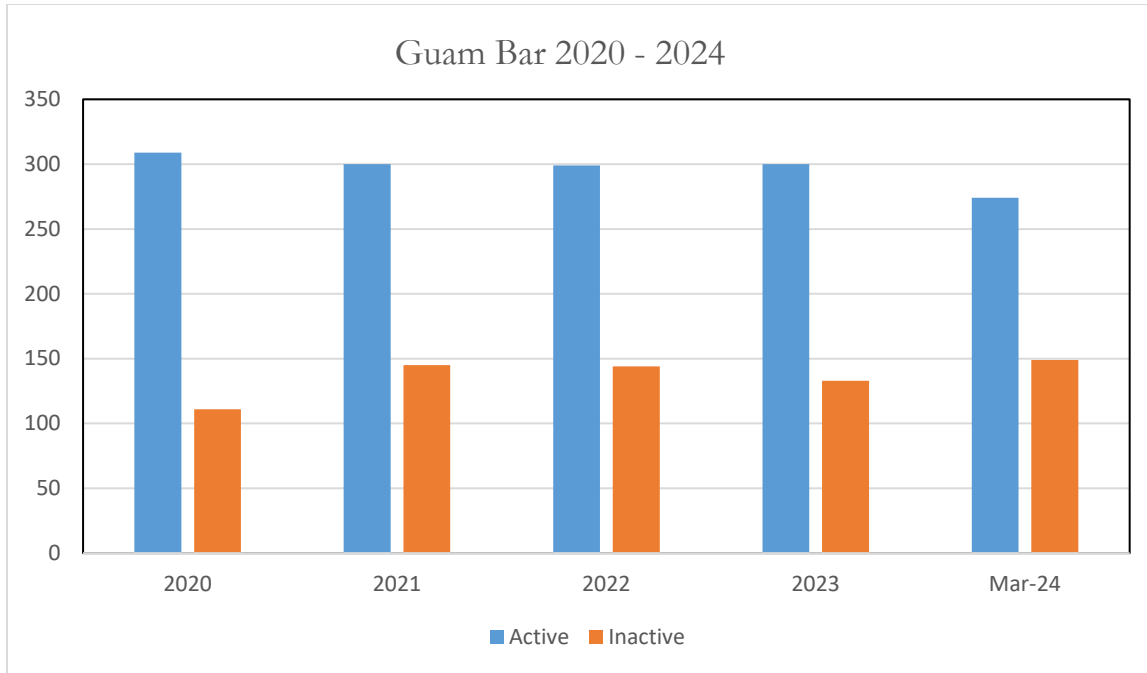


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appointments between November 2023 through March 2024, and expressed concerns over the court listing of attorneys and exemptions granted.

For reference, the following chart is provided based on registered members based on active and inactive status:



Raw data -

	Active	Inactive
2020	309	111
2021	300	145
2022	299	144
2023	300	138
Mar-24	274	149

For purposes of reviewing data in future reports, the President has recommended to the Court that the total number of registered members be taken from the data available by December 1 of every year due to the fluctuations caused by various factors, including retirement, relocation, temporary active and other reasons.



2024 Annual Meeting of the Members and Recommendations to the Court related to the appointment of attorneys under the Indigent Defense Rules -

At the Annual Meeting held on March 19, 2024, the Membership took the following action:

Resolution A passed with a majority of members voting to approve.

Resolution B passed with a majority of members voting to approve.

Resolution C passed with a majority of members voting to approve. Resolution C was amended to include a residency requirement and only applies to attorneys living on Guam.

The full Amended Resolutions are available for review by the Membership and posted to the website.

(ii) Membership Decline

As is evidenced by the raw data above, a decline of attorneys is clearly evident. While decline may be attributed to death and retirement, a reduction of 26 attorneys in 2024 is a significant decrease from previous years. Anecdotal evidence suggests that the application of the Indigent Defense Rule to private bar members has resulted in the decline of membership based on a five-year review of total active members.

In 2023, the Judiciary of Guam was called upon to appoint Rule 28 counsel on multiple occasions. The Guam Bar intends to explore in 2024 potential recommendations to not only update emergency information for all members, but to review how other jurisdictions address untimely deaths of its members and the impact on the membership by requiring succession planning. The Guam Bar is collaborating with the Guam Regulatory Commission and Regulation Counsel on an upcoming CLE to address membership recommendations on solutions.



(iii) Pending Programs

In 2023, the Guam Bar by 25 members sought judicial review of the 2023 Bylaws Election. The Guam Bar retained legal counsel to address the order requiring a response from the Guam Bar. To date the Bar has expended approximately \$10,000.00 on the issues presented for review. As a result of the judicial review, the Guam Bar has been unable to implement its new standing committees, including the Standing Committee on Alternate Discipline and Attorney Wellness.

## **CONTINUING LEGAL EDUCATION**

On May 24, 2023, Guam was hit by Typhoon Mawar bringing winds and rains, and loss of basic services to the island. Continuing Legal Education opportunities were unusually low due to Typhoon Mawar and the loss of basic services. Notwithstanding challenges brought on by the typhoon damage, the GBA continued its collaboration with the following entities:

- (i) Judiciary of Guam
- (ii) District Court of Guam
- (iii) Public Defenders Services Corporation
- (iv) Guam Society for Human Resources Management
- (v) California Lawyers Association
- (vi) New York State Bar Association
- (vii) CNMI Bar Association

A major challenge in CLE efforts is concerns over costs. Generally, one speaker brought to Guam, inclusive of a meeting space for approximately 50 people, can cost upwards of \$5,000.00 per event due to the increased cost of airfare and hotel costs. The Guam Bar received overwhelming appreciation for the content and presentation at the Annual Meeting.

## **FUTURE PROGRAMMING**

### A. Guam Secret Study

- Co-author Dirk Ballendorf, deceased professor from University of Guam
- Second edition of the Guam Secret Study
- In conjunction with the book launch, the GBA will be hosting a public outreach program on the Freedom of Information/Sunshine Reform Act CLE

### B. Other CLE

- Explore potential CLE on Interest Earned on Lawyer Trust Accounts
- GBA has agreed to co-sponsor a CLE at the American Bar Association Annual Meeting to be held in Chicago between July 31 - August 5 on equal rights for citizens living in the US territories and indigenous rights



### C. Grow Local Pipeline

- Current efforts are ongoing led by member Rodney Jacob to re-establish a University of Guam and University of Hawaii School of law pipeline. The Guam Bar is hoping to reinstitute a request for the Professional Technical scholarship previously available to students who pursue a juris doctorate.

## **FINANCIAL AND TAX MATTERS**

- 2022 Tax filings completed with the assistance of Member Dean Manglona
- All financial information for 2023 will be available after May 15, 2024, and may be reviewed at headquarters by any member who makes a written request so that arrangements can be made due to limited staff availability.

## **COMMUNITY OUTREACH**

### “Mames yan Matias” Book

- Last year we reported the collaborative efforts of the creation of a local children’s book that explains the foster care system
- Between 2020 – 2023, Guam experienced nearly a 100% increase in PINS (Petition for Child in Need of Services).
- The book was originally in English and Chamoru
- The Guam Bar anticipates the publication of the Chukese version of Mames yan Mattias and is currently seeking funding through the Government of Guam

Senseramente,

  
JACQUELINE TAITANO TERLAJE  
President

