



Judiciary of Guam

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CHIEF JUSTICE

HON. ALBERTO C. LAMORENA, III
PRESIDING JUDGE

DANIELLE T. ROSETE, ESQ.
ADMINISTRATOR OF THE COURTS

FOR IMMEDIATE RELEASE

April 2, 2024

Guam Supreme Court Accepts Governor's Request and Invites Amicus Briefs **INTERESTED PARTIES MUST MOVE FOR PERMISSION TO FILE BY APRIL 5th**

(Hagåtña, Guam) — The Guam Supreme Court has accepted Governor Lourdes Leon Guerrero's Request for Declaratory Judgment and is inviting amicus briefs. Any party who wishes to file a brief as an **amicus curiae** must **file a motion** under Rule 14(b) of the Guam Rules of Appellate Procedure **seeking permission** to do so by **Friday, April 5, 2024**.

The order, *Supreme Court Case No. CRQ24-001*, was issued in response to Governor Leon Guerrero's request concerning the responsibilities of the Attorney General of Guam to executive branch agencies under the Organic Act of Guam and laws of Guam.

The specific questions invited for briefing, which satisfy the Supreme Court's jurisdictional test, are:

1. May the Attorney General of Guam withdraw from legal representation of an Executive Branch agency, or otherwise decline to provide legal services to such agency, when the Attorney General claims such representation conflicts with ongoing investigations or prosecutions?
2. May the Attorney General provide legal services to the agency, notwithstanding his access to confidential information from both the agency and the investigations and prosecutions?
3. Is the Attorney General required to implement conflict protocols consistent with the Guam Rules of Professional Conduct including, but not limited to, an ethical screen or assignment of investigations or prosecutions of agency officials to an independent Special Prosecutor?
4. If the Attorney General withdraws from representing an agency—or is otherwise unable to provide legal services to the agency—may the agency employ or procure the services of an attorney independent from the Attorney General to perform legal services for the agency, including review and approval of agency contracts as to legality and form?

The court's briefing schedule is as follows:

- Governor's Brief: **April 15, 2024**
- Attorney General of Guam: **April 29, 2024**
- Governor's Reply Brief: **May 6, 2024**

The Supreme Court has scheduled the matter for oral argument on **May 20, 2024 at 10:00AM** in the Monessa G. Lujan Appellate Courtroom before the panel of Chief Justice Robert J. Torres, Associate Justice F. Philip Carbullido, and Associate Justice Katherine A. Maraman. A **status conference** will be held on **Tuesday, April 23, 2024, at 9:00 a.m.** in the Supreme Court Virtual Courtroom.

For information on how to file an amicus brief, please contact the Clerk of the Supreme Court at efile@guamsupremecourt.com.

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