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Supreme Court of Guam, Clerk of Court

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IN THE SUPREME COURT OF GUAM

RE:)	Supreme Court Case No. PRM06-007
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)	
ADOPTION OF THE AMENDED)	
RULES GOVERNING ADMISSION)	
TO THE PRACTICE OF LAW)	PROMULGATION ORDER
)	NO. 06-007-15
)	
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The Supreme Court of Guam has revisited the Guam Rules Governing Admission to the Practice of Law and has proposed adopting a new Rule 9.03 – Temporary License of Spouse of a Military Servicemember. The proposed rule was sent to members of the Guam Bar Association and the legal services offices of local military installations for an opportunity to comment on the proposal. Comments were received and considered by the court.

Now therefore, under the the authority to “govern ...the practice of law in Guam, including admission to practice law,” 48 U.S.C.A. § 1424-1(a)(7), the Supreme Court adopts a new rule to be numbered as Rule 9.03 of the Guam Rules Governing Admission to the Practice of Law. This new Rule 9.03 is stated below, and the Guam Rules Governing Admission to the Practice of Law, in full, shall be republished following this order.

Rule 9.03 -- Temporary License of Spouse of a Military Servicemember.

(a) Qualifications. An applicant who meets the requirements listed in (1) through (10), below may be temporarily licensed and admitted to the practice of law in Guam, under order of the Chief Justice of the Supreme Court of Guam. Applicant:

(1) is the spouse of an active duty servicemember of the United States Uniformed Services as defined by the Department of Defense and that servicemember is on military orders stationed at Andersen Air Force Base, Naval Base Guam, Marine Corps Base Camp Blaz, or any other official military installation as may be established in Guam or the Mariana Islands in the future;



1 (2) is admitted as an attorney of the highest court of any state, district, commonwealth,
2 territory or possession of the United States, and who is in good standing in such other
jurisdiction;

3 (3) meets the admission requirements of sections 2.01 and 2.02 of this Rule;

4 (4) is currently a member in good standing in every jurisdiction to which the applicant
5 has been admitted to practice;

6 (5) is not currently subject to lawyer discipline in any other jurisdiction;

7 (6) meets the Moral Character requirements under Rule 5, as required of all applicants
for admission and licensing in Guam;

8 (7) is physically residing in Guam due to the servicemember's military orders;

9 (8) has never previously failed the Guam bar examination;

10 (9) has certified that he or she has read and is familiar with the Guam Rules of
Professional Conduct; and

11 (10) has paid an administrative fee to the Board in the amount of \$600.00.

12 (b) Application Requirements. Any applicant seeking a temporary license under Rule 9.03 to
13 practice law in Guam shall:

14 (1) file an Application for Temporary License for Servicemember's Spouse and an
application for character investigation, including all required supporting documents, in the
15 manner established by the Board;

16 (2) submit a copy of the applicant's Military Spouse Dependent Identification and
17 documentation evidencing a spousal relationship with the servicemember;

18 (3) provide a copy of the servicemember's military orders to a military installation in
Guam, or a letter from the servicemember's command verifying that the requirement in section
19 Rule 9.03(a)(1) is met;

20 (4) submit certificate(s) of good standing from the highest court of each jurisdiction to
which the applicant has been admitted;

21 (5) submit the Standard 07 Application, which is the Character & Fitness Request
22 prepared by NCBE.

23
24 (c) Issuance, Renewal and Subsequent Application.

25 (1) Issuance. Upon approval and certification by the Board, the applicant for temporary
license shall, upon registration and payment of applicable fees and taking the oath of admission
26 as set forth in Rule 7.01(e), become a member of the Guam bar and may practice as any other
member regularly admitted to practice law in Guam. An attorney temporarily licensed under
27 this section shall be subject to the same membership obligations, including payment of fees and
28 continuing legal education requirements, as other active members of the Guam bar, and all legal
services provided in Guam by a lawyer licensed and admitted under this Rule shall be deemed

1 the practice of law and shall subject the attorney to all rules governing the practice of law in
2 Guam, including the Guam Rules of Professional Conduct. The original term of the license is
3 three (3) years.

4 (2) Duration and Renewal.

5 (A) Persons who hold a temporary license under this provision may apply for
6 subsequent one-year extensions to their license upon filing petition for extension with
7 the Board. The petition for extension must be filed at least thirty (30) days before the
8 expiration of the temporary license and must include sworn verification that the
9 temporarily licensed attorney continues to meet all the qualifications for temporary
10 license as set forth in paragraphs (a), (b) and (c) of this section. Petitions for extension
11 must be accompanied by a certificate of good standing, dated within thirty (30) days
12 from the date of the petition, from all such jurisdictions in which the petitioner is
13 admitted to practice law. If no petition for extension is filed within the time frame
14 provided for in this rule, the term of temporary admission will end automatically three
15 (3) years from the date of the original order granting temporary admission.

16 (B) When the active duty servicemember is assigned to an unaccompanied or
17 remote follow-on assignment, either on Temporary Duty Orders or Permanent Change
18 Station, and the temporarily licensed attorney continues to physically reside in Guam,
19 the temporary license may be renewed until the active duty servicemember's
20 unaccompanied or remote assignment ends, provided that the attorney spouse complies
21 with the other requirements for renewal.

22 (d) Termination.

23 (1) Event of Termination. An attorney's temporary license to practice law under this
24 Rule shall immediately terminate and the attorney shall immediately cease all activities under
25 this section upon the occurrence of any of the following:

26 (A) the spouse's discharge, separation, or retirement from active duty in the
27 United States Uniformed Services, or the spouse's no longer being on military orders
28 stationed at Andersen Air Force Base, Naval Base Guam, Marine Corps Base Camp
Blaz, or any other official military installation as may be established in Guam or the
Mariana Islands in the future, except as provided in Rule 9.03(c)(2)(B);

(B) failure of the temporarily licensed attorney to meet any licensing
requirements applicable to all active attorneys possessing a license to practice law in
Guam, including failure to submit a timely petition to renew the temporary license;

(C) the attorney no longer physically residing in Guam;

(D) the request of the temporarily licensed attorney to terminate, in compliance
with Rule 8(i) of the Guam Rules for Lawyer Disciplinary Enforcement and Disability
Proceedings;

(E) the suspension, disbarment, or other action affecting the temporarily licensed
attorney's good standing with the Guam bar or any other jurisdiction in the United States
in which the temporarily licensed attorney is licensed.

