



HON. ROBERT J. TORRES  
CHIEF JUSTICE

# Supreme Court of Guam

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HANNAH G. ARROYO  
CLERK OF COURT

## MEMORANDUM

**TO:** Judicial Officers of the Judiciary of Guam  
Guam Bar Association Members

**FROM:** Hannah G. Arroyo, Supreme Court Clerk of Court

**DATE:** November 17, 2023

**RE:** Transmittal of Promulgation Order No. PRM06-006-25, Re: Amendments to Rule 1.1.3 of the Local Rules of the Superior Court (Indigent Defense Rule)

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Hafa Adai, Judicial Officers and GBA Members,

Transmitted herewith is Promulgation Order No. 06-006-25, which suspends for a period of six months all appointments to the Private Attorney Panel (PAP) for felonies and misdemeanors. The Supreme Court took this step to address concerns over the dwindling PAP membership, leaving the lawyers who remain on the Felony and Misdemeanor Panels overwhelmed with court appointments. In an effort to alleviate the strain on the lawyers voluntarily serving on these panels, the court has ordered a temporary suspension of M.R. 1.1.3(a)(3), directing judicial officers to bypass the PAP in the manner of appointments. Appointments will now be made in the following manner: (1) The Public Defender Service Corporation; (2) The Alternate Public Defender Office; and (3) Active Members of the Guam Bar Association (GBA). Appointments to the bar will be made from a list of all active members of the GBA as approved by the Supreme Court, excluding those government-employed lawyers and lawyers who reside outside of Guam.

Unless further extended by the court, this temporary suspension of all PAP appointments will be lifted on May 17, 2024.



**IN THE SUPREME COURT OF GUAM**

**RE:** ) Supreme Court Case No. PRM06-006  
**AMENDMENTS TO** )  
**MISCELLANEOUS RULE 1.1.3 OF** )  
**THE LOCAL RULES OF THE** ) **PROMULGATION ORDER NO. 06-006-25**  
**SUPERIOR COURT OF GUAM** )  
**(INDIGENT DEFENSE RULE)** )

The Supreme Court, under its Organic Act authority to “make and promulgate rules governing the administration of the judiciary and the practice and procedure in the courts of the judicial branch of Guam,” 48 U.S.C. 5 1424-1(a)(6), hereby **SUSPENDS** the provision set forth in Miscellaneous Rule 1.1.3(a)(3) of the Local Rules of the Superior Court, relative to the manner of appointment of counsel for indigent clients for criminal felony and criminal misdemeanor cases. Because of the dwindling number of attorneys who are members of the Private Attorney Panel for indigent representation on the Felony and Misdemeanor Panels, and the strain this is causing for the remaining members, the court will suspend all appointments from the Private Attorney Panel membership for all criminal cases for a period of six months. This suspension shall not apply to juvenile and appellate case appointments. Additionally, the court **AMENDS** Rule 1.1.3(a)(4), relative to the active Guam Bar Association membership from which judicial officers may appoint.

M.R. 1.1.3(a), effective as of the date of this this order (amended language underlined), states:

**MR 1.1.3. MANNER OF APPOINTMENT.**

(a) Priority. The Chief Justice and each Judge of the Superior Court shall appoint counsel in the order set forth below:

- (1) The Public Defender Service Corporation;
- (2) The Alternate Public Defender Office;
- (3) [SUSPENDED]; and
- (4) Active members of the Guam Bar Association, from a membership list as approved by the Supreme Court.

