

GUAM BAR ASSOCIATION
Attorney Survey Data 08/21/2023

Entry No.	Do you AGREE or DISAGREE with the Office of the Attorney General of Guam's request to amend the prohibition of outside employment (5 GCA § 30113 prohibiting government attorneys from private practice) for the Department of law?	Comments on the reason you AGREE may be submitted here.	Comments on the reason you DISAGREE may be submitted here.
	Response	Open-Ended Response	Open-Ended Response
1	AGREE	-	-
2	DISAGREE		The current statute already permits pro bono practice of law outside the Department of Law. There is no reason salaried government lawyers should need to supplement their income through paid legal work outside the office.
3	DISAGREE		If the statute is going to be amended to allow for the OAG to hire attorneys with outside non-conflicting legal employment, other agencies such as PD and APD should be able to do so as well.
4	AGREE	So long as no conflict exists under ethical rules, government attorneys should be free to practice as they deem fit.	
5	DISAGREE		1. Prosecutors are paid so handsomely because they are doing overtime for government cases. If they are doing such overtime, then they have no time for private practice. If they do have time for private practice, they don't need that bump in pay. 2. Proposal says AG's private practice can be approved by the Chief Deputy. It should be approved by someone more neutral, or outside the office, not by someone who answers to the AG himself. 3. There is potential for abuse here. The AG can use the measure to pressure people into doing as he wants. ("Do as I say or I'll revoke your outside employment permission.")
6	DISAGREE		Individuals employed by the Attorney General's Office have a primary duty to serve the public and work for justice--not their own interests. Allowing outside legal employment would result in divided loyalties and create a situation where there are a multitude of conflicts of interest that are imputed to the entire firm. Many individuals would avoid employment at such an organization to avoid the ethical entanglements. Further, the current AG already believes that government attorneys are paid high salaries. As a result, we do not need to allow attorneys to further earn private attorney pay. Further, the AG will likely use the provision to coerce employees into following his demands instead of their own professional ethics and obligations. He will demand they follow orders otherwise he will threaten to revoke permission for outside employment. This will work to the detriment of the government (the AG's client) and the government deserves better. Additionally, the provision does not apply equally to all government attorneys. It only exempts those in the AG's office, not other agencies. The provision allowing the Chief Deputy to approve the AG's outside employment is also disturbing as it provides no meaningful check on the Attorney General. An AG's top political appointee would be delegated the task of reviewing his bosses application. Even if employees of the AG's office are permitted outside employment, the AG himself should not have divided loyalties. Further, even if the AG can seek permission for outside employment, the approval should be provided by an outside or independent person--such as the Governor, Lt. Governor, or Public Auditor. These are just some of the problems with the proposal. Overall, the measure is a REALLY bad idea.
7	DISAGREE		
8	DISAGREE		
9	AGREE	1. To be able to represent family. 2. To be able to provide pro bono legal services. 3. To permit attorneys to retain and complete matters of long-term pre-existing representation relationship. 4. To be able to be provide legal services off-island where the attorney is also licensed. Of course, these matters must be unrelated to any GovGuam interest, or, if pre-existing, appropriate conflict walls must be erected.	The wording can be improved. Otherwise, in principle, the idea is a good one, overdue too.
10	DISAGREE		They are being paid extra because they are working outside regular work hours. So they don't have time to have an outside legal practice. Their focus should be on representing the public, for which they are paid more.

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11	DISAGREE		I disagree with Mr. Moylan's mischaracterizations of the law. It does not "prohibit" outside employment, the current law "regulates" it. Under 5 GCA 30113, no AG or AAG "shall engage in any outside employment which shall conflict with his duties within the Department of Law." This merely prohibits employment conflicts of interest, which are also already prohibited under the ethics rules for ALL attorneys. The PD and APD must also follow this restriction on conflicts of interest. The current law also fully allows pro bono work, trainings, and teaching work as approved by the AG himself. Mr. Moylan's attempt to misrepresent this law appears to be a thinly veiled attempt to continue his own private practice of law while collecting his AG salary. See also, the People v. Tennesen cases.
12	AGREE	The proposed legislation should be further amended to permit the classified or unclassified attorneys working for other Government of Guam agencies to practice law outside of their agencies with permission from the head of the agency or the head of the agency's designee.	
13	DISAGREE		Attorneys at the AG's office are distinctly different from attorneys employed at PDSC, APD and other government agencies. They should only represent the people of Guam (rather than also representing people in Guam), as the potential for conflict of interest is far greater for an attorney at the AG's office as compared to other attorneys employed by the government of Guam.
14	AGREE		
15	AGREE	I consider it a benefit if it will help the AG's who are clearly overloaded with casework. And I don't really see a downside to it.	N/A
16	AGREE	As noted by the Attorney General, there are various instances where OAG staff attorneys have had family members in need of assistance but who were unable to be helped by their family member due to the current restrictions. Moreover, given the difficulty of recruiting and keeping talented attorneys to OAG due to outside price competition, this proposed legislation should help keep attorneys more anchored to OAG while occasionally taking outside legal work that does not conflict with their OAG duties.	I do NOT disagree
17	DISAGREE		
18	AGREE		
19	DISAGREE		
20	DISAGREE		A prosecutor's duty and loyalty to the People of Guam is paramount. To permit even a limited practice of law would be to divide that loyalty. A Prosecutor "is the representative not of an ordinary party to a controversy, but of a sovereignty whose obligation to govern impartially is as compelling as its obligation to govern at all; and whose interest, therefore, in a criminal prosecution is not that it shall win a case, but that justice shall be done. As such, he is in a peculiar and very definite sense the servant of the law, the twofold aim of which is that guilt shall not escape or innocence suffer. He may prosecute with earnestness and vigor—indeed, he should do so. But, while he may strike hard blows, he is not at liberty to strike foul ones. It is as much his duty to refrain from improper methods calculated to produce a wrongful conviction as it is to use every legitimate means to bring about a just one." Berger v. United States, 295 U.S. 78, 88, 55 S. Ct. 629, 633, 79 L. Ed. 1314 (1935). Do not permit this loyalty to be divided.
21	AGREE		

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22	DISAGREE		
23	AGREE	<p>AGREE 1000%. Government attorneys accept lower wages in order to serve the public. They should NOT be penalized for this sacrifice and prohibited from helping others, esp. the family & friends who supported (and paid) for them to go to law school and become attorneys. Prohibitions on pro bono or low cost service is offensive to the intent of a profession that exists to help people. It discourages attorneys from working for the government by forcing them to choose between the general public and their families. And guess who they will choose every time? The reality is that the attorneys will (and do) "go underground" to secretly perform the work. It is outrageous that they have to do this, esp. in a community and government that likes to brag about their hospitality and about how much everyone supports each other. Even under the ethical rules, attorneys have a right to choose their cases. Instead of having to get permission from the AG or the PD to take small outside cases, the attorney should be able to simply notify their office and to confirm that the outside work will not interfere or conflict with their government employment. As far as known, no other government employees are prohibited from taking outside work. This includes the doctors and engineers. There is no reasonable justification for singling out attorneys and the legal profession, and doing so is suspicious and discriminatory. Speaking personally, I have had enough and will soon be leaving for the private sector, never to return to this BS public service ever again.</p>	Why would anyone disagree?
24	DISAGREE		
25	DISAGREE		Doug sucks bigtime. Also, every time you send out the link, the recipient can take the survey again. Your results may be horrifically skewed given Doug's email yesterday and the repeat today.
26	DISAGREE		Conflicts
27	DISAGREE		
28	DISAGREE		
29	DISAGREE		Bad idea as this creates a breeding ground for conflicts, which will result in disqualifications and more private attorneys being involuntarily appointed by the court to represent indigent clients... if the AGO needs attorneys, it can issue an RFP and enter into contracts with private attorneys same as other agencies.
30	DISAGREE		This amendment will only create conflicts and the appearance of impropriety.
31	AGREE	Outside attorneys should be able to help, given the recruiting difficulties.	
32	DISAGREE		This isn't needed. There's already a provision for pro bono work in section 30113, so if you want to do legal work for your friends or family, you can--you just can't charge them for it, as that's what pro bono means. You can also do military service. And you can teach or train, with management's approval. The only people this amendment will help recruit to the AG's office are moonlighters who will work on their own matters for money and ignore their government duties while collecting a full government salary and benefits.

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33	AGREE		
34	DISAGREE		The issue with retention of attorneys at the AGO can be improved by an increase in salary and some sort of checks and balances on moving attorneys in the office. When the current AG took office, a rush of attorneys left. Additionally, the AGO seemingly dismantled the Civil Litigation section of the office leaving only contracted attorneys to represent the territory in civil suits. I don't think the current AG's problem of running attorneys out and disbanding a whole section should be the reason why the office now can hire attorneys on a contract basis, using government funds.
35	AGREE		
36	AGREE	It would allow a senior atty (such as myself) to assist the AG with maritime matters or anything else	
37	DISAGREE	I do not agree.	Attorneys General and assistant attorneys General are employees of the state and should not be permitted to engage in private employment as it invites too many opportunities for corruption and conflicts.
38	AGREE	Properly managed, the change in law will not detract from the OAG and will enhance recruitment. There is a slight danger of AG's leveraging their public employment in their private pursuits, but this is theoretical and can easily be managed.	
39	DISAGREE		Disagree with that AGs office should be able to pay outside attorneys to work for them. The office policies are causing them to lose full-time attorneys and nothing else.
40	DISAGREE		I strongly disagree with the Attorney General's request to change the law for his (and only his) benefit. Contrary to what Mr. Moylan believes, all of our island's government attorneys serve vital roles in our community, and there is simply no reason to grant special privileges to the Office of the Attorney General. This proposal is just another one of Mr. Moylan's desperate attempts to diminish the importance of public defenders, as well as other attorneys, in the eyes of the law.
41	DISAGREE	I don't Agree. I advocate for our Bar Association to oppose this legislation as written.	This legislation attempts to serve a small subset of our Bar Association while leaving private attorneys and the remainder of the Government lawyers out of a "sweet deal." Be it at the AG's Office, nomination to the bench, or taking a post as a law clerk at the courts, I agree that Government work is calling. Those that opt to serve in these capacities weigh out many factors. A major consideration is pay and forgoing careers in the for-profit fields of practice. It is my understanding that, Conflicts of Interests aside, a fully barred member of our association can practice outside of their Government employment. He or she just cannot charge. The attachment to AG Moylan's letter to the Speaker clearly shows that the work by Attorney Santos is Pro Bono. What is being requested is far from this premise. It is a law that would allow the Office of the Attorney General the ability to "have their cake and eat it too" while contemporaneously denying other Government lawyers that same "cake" and taking a few "slices" from the private bar. The market for new associates and attorneys in the Government is highly competitive. It is a reality we all have to deal with. This legislation is not a solution to this larger problem. Why aren't we attracting new lawyers to the island? Why are fewer lawyers staying in Government practice? Why aren't lawyers opting to work for the AG? Our Bar Association should see the obvious flaws in this policy. It was clear just from my review after receiving the GBA notification over the weekend. As an organization we should oppose the proposed legislation as it does not promote our collective mission and goals. It aims at serving one subset of our ranks, fails to extend those benefits to another cohort, and could possibly harm those of us who do make a living engaged in the private practice of law.
42	AGREE		
43	DISAGREE	N/A	I do agree that government attorneys should be able to engage in limited representation outside of their employment (for example, for wills or deeds for their elderly family members, in cases where it doesn't conflict with their duties as government attorneys), but the bill as drafted is overly broad. The only requirement is the Attorney General's approval. There should be greater restrictions/parameters written into the law.
44	DISAGREE		Present system avoids conflicts of interest. Part time AG would be acceptable, but not where the attorney engages in a private practice.

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45	AGREE	If there is no conflict of interest, I see no problem because a government salary may not be enough for someone to provide for family. The obvious issue is full disclosure by the government lawyer in case there is a conflict of interest. The only concern I would have is if with the limited number of attorneys on the island, a large private sector entity hires enough public attorneys insofar that the available public attorneys are all conflicted.	
46	DISAGREE		The authority granting exception should not be the Attorney General himself. An impartial third party or procedure would be more appropriate, and safeguards against potential abuses of power. For example, Public Defender and Alternate Public Defender may desire to hire attorneys who wish to continue some of their existing legal practice. If the Attorney General is the sole authority for granting exceptions, it is not difficult to foresee a situation where this power is abused to curtail other agencies ability to hire.
47	AGREE	The AG's office needs more options to effectively prosecute criminal activity on Guam.	
48	DISAGREE	N/A	The government attorneys should be focused on their work for the people of Guam rather than for private interests which could create numerous conflicts and distractions.
49	DISAGREE		The proposal will lead to conflicts of interest between a lawyer's loyalty to the People of Guam as an AG and a lawyer's loyalty to the interests of private clients.
50	AGREE		
51	AGREE		
52	DISAGREE		
53	DISAGREE		
54	AGREE		
55	AGREE	Agree, AG should have flexibility to allow outside employment for attys., just like the rest of Govt. Guam has. Equality + they protect us against the criminals.	
56	DISAGREE		
57	DISAGREE		
58	AGREE	It will attract more on and off-island attorneys to that office, which is greatly needed.	
59	DISAGREE		
60	AGREE	Skilled labor in all industries is difficult to acquire if you limit to only on island	
61	AGREE	been done in the past and no apparent bad. Results. Should be careful of conflicts.	
62	DISAGREE		The only reason the OAG needs this is because no one wants to work for Doug Moylan. Elect a new AG and the attorneys will return to the OAG.
63	DISAGREE		
64	DISAGREE		
65	AGREE	Sounds fair and reasonable.	None
66	AGREE		
67	AGREE		

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68	DISAGREE		The examples cited by the AG to allow outside employment of AG's Office attorneys is already covered by 5 GCA 30113, which allows pro bono service (as was the case with the Public Defender/Alternate Public Defender) and presumably, an attorney's pro bono service for his/her man'amko parents. It is unclear why the AG relies on 5 CFR 3801.106 (b)(1)(i) which expressly prohibits "The practice of law, unless it is uncompensated and in the nature of community service, or unless it is on behalf of himself, his parents, spouse, or children." Further, the proposed amendment is internally contradictory as the proposed new language permits outside employment, but does not repeal later language that prohibits and limits outside employment.
69	AGREE		
70	DISAGREE		I cannot think of a good reason why this legislation should even be considered. There is no mechanism by which the Attorney General can assure that government attorneys will be effectively partitioned from legal issues that they handle, comment upon, or review as assistant AGs and those that impact their private clients. Once one of these hybrid attorneys gains access to information that is both privileged and impacts a private client that attorney will be forced to abandon their private client and recuse him/herself from working on that legal topic as an asst. AG in order to prevent the public perception of bias. This, of course, assumes that the hybrid attorney is honest enough to not tip the scales in favor whichever client he/she feels is offering the best payday. It also assumes that the Attorney General will actually put into place directives for recusal and partitioning of attorneys from each other. How will the AG determine conflicts? Will he be given a list of all of the hybrid attorneys active private cases and clients? Or will he get a list of only those clients who have waived privilege? Will this system also require that any hybrid AG reveal the cases and clients that are in his/her private practice to opposing counsel? Maybe there was a reason that this government abandoned outside employment for government attorneys in the first place. The AGs letter puts forth the idea that he merely wants to afford a few candidates the opportunity to wrap up cases or represent their frail and elderly parents, but the truth of the legislation is that the actual text throws open the floodgates to allow (feigned shock) the Attorney General to approve any outside employment that the Attorney General sees fit to allow. It would even (for reasons I cannot comprehend) allow the Attorney General to take on private work so long as his Chief Deputy approves it. Does the AG need to take on private clients to make ends meet? Isn't this the same Attorney General that never misses an opportunity to allege that the Governor's primary interests and motivations are rooted in her private businesses? The truth of the matter is that the attorneys that resigned in the wake of the AGs first months in office are almost all still on-island. They didn't disappear because of economics and they didn't take massive salaries at white shoe law firms on Guam. Guam didn't see a massive lawyer drop between November 2022 and the present day. The AGs office (and the prosecution division) wields massive power and authority. Much of it unchecked by the other branches of government. Indictments, legal opinions, and even the AG's idle comments on the news carry great weight and the force of law. The AG's office should be held to a higher standard of accountability than the Public Defender and APD. Prosecutors should not be held to the same expectations and perceptions of impartiality as the public defender's office. Prosecution should be held to a higher standard. But if this law is put into effect, then prosecutors will simply be guns-for-hire whose ability to continue their outside employment will be subject to the discretion and mercurial whims of the AG. This law will undermine the public's faith in the criminal justice system. It will create unnecessarily complicated and drawn-out legal battles over conflicts of interest and it will give the Attorney General one more lever to push when his prosecutors don't tow the approved line.
71	AGREE	It's hard to make ends meet. As long as there's no conflict a GovGuam lawyer should be able to work outside GovGuam.	
72	DISAGREE	N/A	The government attorneys should be focused on their work for the people of Guam rather than for private interests which could create numerous conflicts and distractions.
73	DISAGREE		
74	DISAGREE		
75	DISAGREE		
76	DISAGREE		The People of Guam elected the person holding the position and Office of the Attorney General of Guam to serve full time as its Chief Legal Officer and the Public Prosecutor and devote him or herself to that commitment and duty including those government attorneys hired by him or her as employees of that office without engaging in the outside practice of law which the policy and the law of the Territory.
77	AGREE		

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78	AGREE	Limited supply of attorneys on island. Services are in demand. Ethical obligations still in force.	
79	AGREE	OAG attorneys sometimes need to do work for family members, such as evictions, drafting legal documents, or representing family members in legal matters but are prohibit by current law.	
80	AGREE	Not enough attys on Guam. AG duty to protect us with hiring prosecutors. If AG attys want or will only work as atty with same rights as other GovGu employees AG should be allowed also and his atty hires. Otherwise discriminating against AG Office and hurting us.	
81	DISAGREE		
82	DISAGREE	none.	Attorneys employed by the government of Guam should not be permitted to practice law outside certain limited exceptions for military service members and pro bono practice.
83	DISAGREE		
84	AGREE		
85	DISAGREE		
86	DISAGREE		BASIC ETHICS: GOVERNMENT ATTORNEYS may NOT represent private parties due to inherent CONFLICTS OF INTEREST. AG MOYLAN MISTATES THE LAW (i.e., lies), when he claims ALL GOVERNMENT AGENCIES and AGs and PDs are allowed to do this. NONE of them are, except in very very limited circumstances.
87	DISAGREE		
88	DISAGREE		
89	DISAGREE		
90	DISAGREE		I see a lot of conflict issues and I don't see how we can manage conflicts and issues with potential retaliation by the AGs office
91	AGREE		
92	DISAGREE		All of this would have been avoided if Alicia Limtiaco had the courage to charge him for his misconduct in office the first time around.
93	DISAGREE		1.The OAG attempts to appeal to the claim that Manamko cannot obtain services from their children who they paid for law school. isao! Guam law already permits those attorneys ability to provide PRO BONO (free) services to their Manamko parents without any permission needed. The OAG is asking that the Legislature be complicit in permitting such a scheme in allowing government attorneys to be paid by the People of Guam for their full time service, and then paid again by their parents who were generous with them. Nothing stops an attorney from providing FREE services to their parents. 2.If the elderly parents of government attorneys do not have children willing to provide them free services, Guam law allows for free services for Manamko at the Guam Elder Justice Center, where their rights will be protected from scheming adults. 3.The OAG proposal permits only those in the Department of Law to engage in private practice and does not change the prohibition against other government attorneys. 4.The OAG proposal gives absolutely unfettered discretion to the AG of who gets to engage in private practice. This is an obvious attempt to horde power in one individual. 5.The OAG by this proposal disregards the significant risk of increasing conflicts which would increase the risk of cost to the Government of Guam, and hence to the taxpayers who already pay for all of the government salaries and benefits. 6.Allowing the OAG to have the power to enter appearance in private matters and collect a fee disrupts the balance of justice and will affect government attorneys' ability to concentrate their time and effort on the legal matters of the People of Guam for which they are reaping the benefits.
94	DISAGREE		

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95	DISAGREE		Representing the government is a full time job. Government attorneys are already allowed to have outside employment except for engaging in the practice of law. It is also difficult to see how the attorney general's office office can contract attorneys to represent the government of Guam because of a shortage of attorneys, yet at the same time ask that their attorneys be allowed to do outside legal work.
96	AGREE	make employment with the OAG more attractive	none
97	AGREE		
98	DISAGREE		A attorney's duty of loyalty is to their client. The Office of the AG's client is the People of Guam and cannot concurrently serve any private interest while serving the people. They should focus on recruitment rather than procurement of outside counsel. If they cant recruit that speaks to their poor management style and work culture because historically government fills attorney positions much easier than we can in private practice.
99	AGREE		
100	AGREE		
101	AGREE		
102	AGREE		
103	DISAGREE		His focus should be on representing the people of Guam, not his private interests.
104	DISAGREE		This seems like a ridiculous and obvious attempt for the current Attorney General to continue practicing law outside of his elected office while excluding other government attorneys from the same opportunities. Government attorneys should focus on governmental work. There are already exceptions for pro-bono work.
105	DISAGREE		
106	DISAGREE		
107	AGREE	AG and PDSC should both have outside employment, with some limitations, conflicts of interest etc.	
108	AGREE	Different work could contribute to the institutional knowledge of the OAG.	
109	DISAGREE		
110	AGREE	To assist the AG to get the numbers of attorneys he needs to fully staff his office	
111	DISAGREE		There should be no parity between PD/APD and OAG. OAG is entrusted with the crown of prosecutorial discretion -- there is no equivalent power in the representation of private individuals. Possessing this outsized discretionary power in such a small, interconnected community is enough to taint any outside adversarial proceedings with the possibility of conflict. This undermines all of the legal process as much as if judges were allowed concurrent private practice. We entrust them with sovereign power of the state, they cannot hold that power and also walk in our midst like little kings. Can a king walk into a fish market, tell the fishmongers to ignore his crown, and truly bargain equally and without favor or fear by the merchants?
112	DISAGREE		Risks are too great for conflicts of interests especially if AG is allowed to practice law
113	DISAGREE		
114	DISAGREE	I do not believe that government attorneys should be allowed to participate in the outside practice of law except in certain limited circumstances. For example, the current permissions for military service members and pro bono practice are fair and appropriate.	
115	DISAGREE		Will create conflicts between private bar and those on contract for government. Government contract lawyers could use their positions to leverage extractions in other cases.

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116	DISAGREE		If AAGs were allowed to practice outside the office, there are potential ethical conflicts of interest looming large all over the place. Ethical issues at times are complex and not always readily apparent. As a former AAG my experience is an AAG's job frequently demands 50-60 hours a week. I don't see how a conscientious full time AAG would have time to practice law outside of the OAG. Government lawyers should serve the public interest.
117	AGREE		
118	AGREE	Such amendment will enhance the ability of the AG to hire experienced attorneys who need to wind up their practice on a limited basis	
119	DISAGREE		Government attorneys--especially the AG--should avoid conflicts of interest as much as possible. This proposed amendment seems self-serving and a bit suspect.
120	DISAGREE		Any change in the requirement as to employment should take place only as to the next elected term, not the current elected AG and staff; to avoid even the appearance of impropriety between the Legislature and the Attorney General. The current AG, and current employees of the OAG entered into their service for the people of Guam under the current law, and its prohibition of private practice. The island of Guam is much smaller than the compared federal government across the United States and needs more safeguards to maintain the integrity of the Office.
121	DISAGREE		
122	DISAGREE		
123	DISAGREE		1. This opens a door to misconduct. 2. This opens a door to benefits not accessible fairly and equally. 3. Also, this tells people that the AG's office is no longer 100% focused on the citizens of Guam, but Attorneys of the AG's Office may have split focus; keeping in mind that not all interests will align.
124	DISAGREE		The government attorney could be paid by the government while being paid by a private entity during the work day. Also, the OAG has been claiming he doesn't have enough attorneys to cover all of the work before that agency and allowing its attorneys to working in private practice will make the shortage of attorneys/work hours even worse.
125	DISAGREE	Do not agree	Proposed amendment will create conflict of interest issues involving representation of private attorneys contracted by the AG's office and the private attorney's representation of private clients within his/her separate private practice.
126	DISAGREE		The Attorney General and AAGs are public servants and it is an inherent conflict of interest for them to appear in court on behalf of private parties. In particular, the Attorney General is an elected official, and if he wished to continue to represent private parties, he should not have run for public office.
127	DISAGREE		Deputy and Assistant Attorneys general are well compensated, full time, professional, exempt employees of the Government of Guam. As such, they must be available when needed to do their jobs. They should have no other masters and should be loyal only to their client, the Government of Guam and the people of Guam. This is a very bad idea.
128	DISAGREE		This week, Attorney Moylan was publicly speaking about how the OAG office has so few attorneys and such limited resources that they need to hire private consultants to assist and keep up with their workload. Assuming this is true (as I am sure that it is true because I am sure that our AG would not misrepresent the state of our OAG), the certainly the existing AAGs and AG do not have the ability or capacity to spend time away from their government duties to work in the private sector. Our public needs their full attention, which already is not sufficient to support the needs of our island.

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Attorney Survey Data 08/21/2023

Entry No.	Do you AGREE or DISAGREE with the Office of the Attorney General of Guam's request to amend the prohibition of outside employment (5 GCA § 30113 prohibiting government attorneys from private practice) for the Department of law?	Comments on the reason you AGREE may be submitted here.	Comments on the reason you DISAGREE may be submitted here.
129	DISAGREE	There is no part that I would agree with. They can already do pro bono work for family, teach as adjunct professors and serve in the guard.	1) unethical to use the weight of the office to bolster a private clients position. 2). May be issue conflicts between private clients and governmental role. 3). Tax payers should not subsidize the private practice of attorneys at the AG's office. 4) subordinate can approve or disapprove his boss ' request for outside employment? Can you say that out loud slowly and let me know if a lightbulb goes off. 5). Violates ethical rules prohibiting such practices.
130	DISAGREE		
131	DISAGREE		The current law allows members who are employed by the AG to represent their family members pro bono if it does not conflict with their legal duties to the government. Outside of this there is no justification to allow lawyers for the AG or any other agency to have an independent legal practice. The operation of a separate legal practice raises the question of why a person should receive a salary and benefits of government employment while then being allowed to also have the benefit of having a private practice. It gives the government employee a huge advantage over other attorneys in private practice. It also raises a question of loyalty to the client. Which client do they owe their loyalty to, the government or their paying private client.
132	DISAGREE		Attorneys working for the people should not be able to represent private citizens on personal matters. As attorneys, we make the conscience decision to work as private attorneys or public attorneys. OAG attorneys cannot have their cake and eat it too.
133	AGREE		