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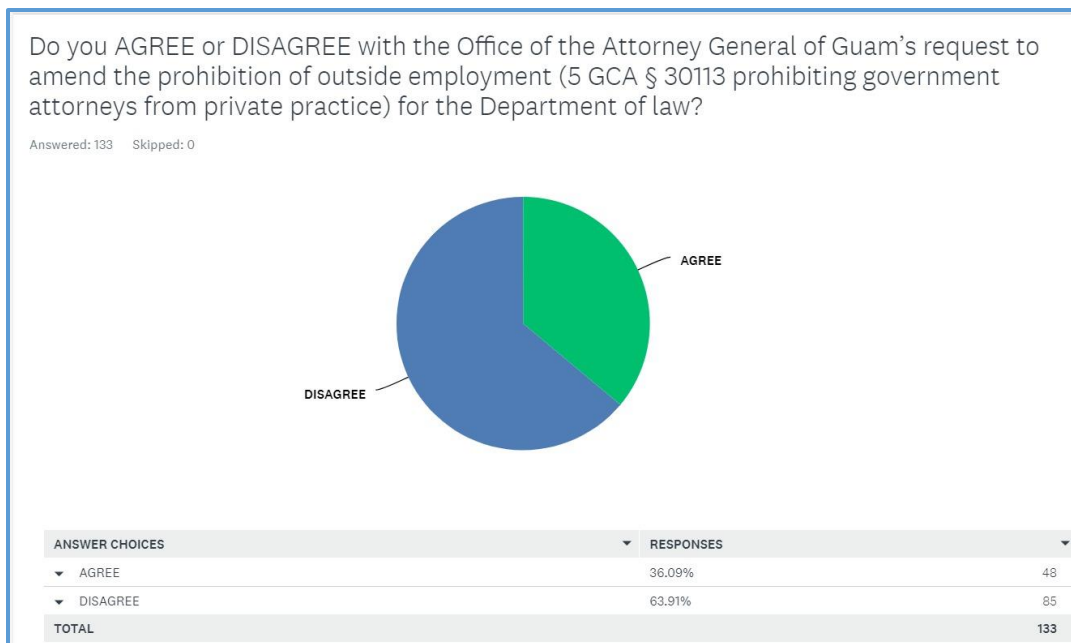
FOR IMMEDIATE RELEASE

September 8, 2023

On August 17, 2023, the Office of the Attorney General submitted a request to Speaker Therese M. Terlaje, requesting for the amendment to 5 GCA § 30113 (prohibiting government attorneys from private practice) to permit the Department of Law the ability to be employed with the Government of Guam, and permitted to engage in the private practice of law.

On August 21, 2023, the GBA issued its survey to the membership requesting a response to the following inquiry: “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?” The survey also solicited comments on the position of the membership on this issue.

On August 23, 2023, the survey closed at 5:00 pm CHamoru Standard Time after recording 133 responses.



GUAM BAR
ASSOCIATION

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64% of the responses by the Guam Bar Association DISAGREED with the Office of the Attorney General's request to modify the restriction and regulation of private practice on government attorneys. Numerous comments were provided.

Comments disagreeing with the proposal included the following concerns:

1. Increased conflicts and ethical complications
2. Divided loyalties between obligations to the government interests, and private clients
3. Imbalance of powers and undermining the community's faith in the legal process and system of justice
4. Increased abuse of power and corruption
5. Proposed legislation misstates or misrepresents the current law

Comments submitted in support of the proposal included the following:

1. Recruitment and limited supply of attorneys
2. Ethical concerns
3. Additional income for government attorneys

On August 30, 2023, the Board of Governors unanimously approved the release of the survey results, and directed the office of President to issue a statement rejecting the proposal of the Office of the Attorney General on behalf of the Guam Bar Association.

Senseramente,


JACQUELINE TAITANO TERLAJE
President

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