


I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2005 (FIRST) Regular Session

Bill No. 168 (EC)

Introduced by:

Adolpho B. Palacios, Sr. 

**AN ACT TO AMEND §3109 OF DIVISION 1, CHAPTER
3, TITLE 7 GUAM CODE ANNOTATED, BY ADDING A
NEW SUBSECTION (b) RELATIVE TO REQUIRING
NOMINEES FOR JUSTICE AND JUDGE POSITIONS TO
SUBMIT TO A POLYGRAPH EXAMINATION.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the nature of work for Justices and Judges involves decision-making on cases that have long-term effects on individuals, businesses and the community. Honesty, integrity and moral turpitude are desired qualities nominees must possess in order for the people of Guam to be assured of fair and equitable justice. Therefore, *I Liheslaturan Guåhan* finds that individuals nominated for a judicial position requiring legislative consent must possess a high degree of ethical and moral values.

It is the intent of *I Liheslaturan Guåhan* to require all persons nominated for a position of Justice or Judge requiring legislative consent to submit to a polygraph examination.

Section 2. §3109 of Division 1, Chapter 3, Title 7 GCA, is amended by adding a new subsection (b) to read as follows:

“§3109. Nomination, Appointment, Eligibility and Tenure of Justices and Judges.

1 (b) Any person nominated for appointment to a Judge or Justice position
2 shall submit to a polygraph exam the result of which shall be
3 submitted to *I Liheslaturan Guåhan* as part of the nomination
4 requirements. However, a sitting Judge in a lower court of Guam is
5 exempted from the polygraph examination requirement when
6 nominated to a higher court.”