



***Important: Pls Read* - Reminder of SOP2015-002/Employee Conflict of Interest**

1 message

OAG General Counsel <generalcounsel@oagguam.org>
Reply-To: generalcounsel@oagguam.org

Mon, Jun 1, 2020 at 10:42 AM

Håfa Adai OAG Employees:

I hope you all had a safe and relaxing weekend and are gearing up for our next expansion of operations to our consumers.

On behalf of our Management Team, I write this morning with a reminder of our office's Employee Conflict of Interest Policy, OAG Standard Operating Procedure #2015-002 (February 2015), a copy of which is [attached](#) to this email. We ask that you review the policy for further details, however, please be reminded, the policy requires you to report to your DAG if you or your immediate family member is involved in a case that also involves our office. Following a report made under this policy, your DAG may request for the establishment of an ethical screen (a.k.a. "conflict wall") around you for the particular case; or he/she may submit the information to the DAG of the division handling the case, who may be the person to submit the request.

We are reminding everyone of our conflicts of interest policy at this particular time because GovGuam employees have sued GovGuam for double pay in the case of *Police Officer II Steven Topasna vs. Government of Guam*, Special Proceedings Case No. SP0064-20, and the media has reported that a member of our OAG team is involved in the case.

Please let us be clear that we have and continue to support all employees exercising the right to engage with our government, whether encouraging participation at the Legislature's public hearings, public hearings of the Guam Bar Association, or even in court, etc. Please understand, though, that our policies and procedures are put in place in order to comply with the Guam Rules of Professional Conduct (a.k.a. the ethics rules) which are designed to protect all parties in a case and to promote fairness and trust in our legal system.

One way of achieving this goal is ensuring fair access to information or preventing unfair access to information. Most of us are familiar with this process when, for example, ethical screens/conflict walls are set up for criminal cases that involve our family, former clients (for attorneys), close colleagues, close friends, etc. At this time, our Litigation Team is handling the double pay case and our General Counsel Team is handling a FOIA request for communications between OAG employees about GovGu employee payments (more on that soon). While we work to carry out our duties, we also need to be sure our policies are followed.

We understand that there are many office policies and, especially if it's been years since we've reviewed them, details often slip our minds. As true as we know that to be, we are all still bound by them. Now that we're sharing this reminder, if you or a member of your immediate family is currently involved in this case (or any other case that you are aware of), we ask that you please report to your DAG immediately so our office can establish an ethical screen in accordance with our policy and the ethics rules. If you/your immediate family later becomes involved in the case, please report to your DAG within three working days from the date you become involved/aware.

If you have any questions about this, you may contact your DAG or please feel free to contact me directly.

Si Yu'os ma'åse',

Si Stephanie E. Mendiola
General Counsel/Deputy Attorney General

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OAG SOP2015-002 Employee Conflict of Interest.pdf
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February 9, 2015

Memorandum

To: Deputy Attorneys General
Supervisors
All Employees

From: Attorney General

Subject: **Addendum to Standard Operating Procedure (SOP) 2015-002**
RE: Employee Conflict of Interest

This is an addendum to my memorandum of February 4, 2015 (copy attached) enumerating this SOP as 2015-002. All other procedures remain the same.


ELIZABETH BARRETT-ANDERSON

Attachment



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February 4, 2015

Memorandum

To: Deputy Attorneys General
Supervisors
All Employees

From: Attorney General

Subject: **Standard Operating Procedure**
RE: Employee Conflict of Interest

A potential conflict exists for the Office of the Attorney General (OAG) if an employee of the office is involved in a case where the OAG is a party.

Once an employee discovers he, his immediate family member, or a member of his household may be involved in a case in which the OAG is a party, the employee must provide written notice of this to his Deputy Attorney General (or the Chief of Staff if an Administration Division employee) within three working days of having knowledge about the matter. The notice should include the following:

- Employee's name,
- Position title,
- Caption or other title of the case
- Brief description of the case.

Under this policy, "immediate family member" means spouse; domestic partner; child; parent; or other parent of a child. "Member of household" means any individual residing full- or part- time in the employee's residence. "Case" means court proceeding, administrative proceeding, government claim, or any other matter which requires the presence of a representative of the Office of the Attorney General.

For your guidance and compliance.


ELIZABETH BARRETT-ANDERSON