



From knowledge, justice.

# Law Library News

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## Learn more about . . . Lunch & Learn CLE

Throughout December, the Guam Law Library will hold free CLE video presentation in the conference room. Lunch will be offered, and your generous donations will be greatly appreciated!

This year, the CLE video presentations include the following:

### ➤ Take Five: Edifying and Educational Ethical Examples (1 hour Legal Ethics)

Legal ethics. Two words that make attorneys cringe. There is a reason why ethics still a required CLE course. Attorneys continue to commit violations of the ethical rules that can lead to sanctions and disbarment and malpractice lawsuits from your clients. And our new electronic world has only created more ethical dilemmas for attorneys and another domain for attorneys to run afoul of their ethical duties.

Join Los Angeles Paul Marks as he provides a thorough and entertaining look at five main ethical issues that all attorneys need to be aware of. The five main issues covered include candor to the court, online advertising and testimonials,

## Lunch & Learn CLE Schedule

- Tuesday, Dec. 10  
*Take Five: Edifying and Educational Ethical Examples (Ethics CLE)*
- Thursday, Dec. 12  
*Legal Aspects of Forensic Document Examination*
- Tuesday, Dec. 17  
*Honesty is Best Policy: How Far Can You Go in Negotiations (Ethics CLE)*
- Wednesday, Dec. 18  
*Honesty is Best Policy: How Far Can You Go in Negotiations (Ethics CLE)*
- Thursday, Dec. 19  
*Legal Aspects of Forensic Document Examination*
- Tuesday, Dec. 24  
*Take Five: Edifying and Educational Ethical Examples (Ethics CLE)*
- Friday, Dec. 27  
*Picking a Winning Jury*
- Tuesday, Dec. 31  
*Selected Issues in Legal Ethics (Ethics CLE)*

threatening criminal action, client confidentiality and computer security in the cloud.

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## Library Hours

**Weekdays**  
8:00 a.m. – 6:00 p.m.

**Saturdays**  
9:00 a.m. – 1:00 p.m.

**Sundays**  
Closed

**Holidays**  
Closed, except All Souls Day and Our Lady of Camarin Day

## News & Announcements

➤ **Our Lady of Camarin Day.** The Guam Law Library will be open from 9:00 a.m. to 1:00 p.m. on Monday, Dec. 9, 2013.

➤ **Board of Trustees Meeting.** The Guam Law Library Board of Trustees

will hold a regular meeting on December 11, 2013 in the library conference room.

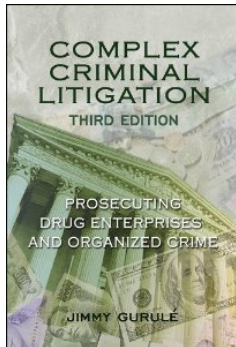
➤ **Holiday closures.** The Guam Law Library will be closed all day on:  
• Wed., Dec. 25, 2013

for Christmas Day;

• Wed., January 1, 2014 for New Year's Day.



## New Books



# Private Land Use Arrangements: Easements, Real Covenants and Equitable Servitudes

By Jimmy Gurulé

This book provides practitioners and others interested in the federal criminal justice system with a comprehensive analysis of the arsenal of federal laws that provide federal prosecutors the means to combat criminal organizations, their leadership (i.e. the so-called "kingpins") and their infrastructure. These statutes include the Racketeer Influenced and Corrupt Organizations Act (RICO); the Continuing Criminal Enterprise or CCE statute;

the Money Laundering Control Act; federal firearms statutes; and criminal and civil forfeiture laws that permit the seizure and forfeiture of the profits and instrumentalities of illegal enterprises. Further, the treatise includes an analysis of the principal legal issues that federal prosecutors and defense attorneys need to consider in handling long-term, complex criminal conspiracies that frequently involve multiple and diverse criminal acts from the rules relating to grand jury

secrecy, granting immunity, bail, criminal discovery, and all points in between. Finally, because organized criminal activity respects no national boundaries, the treatise includes a comprehensive discussion of international criminal law, including extraterritorial jurisdiction and extradition. Criminal trial attorneys involved in litigating complex criminal cases will benefit greatly from reading this treatise.

--Book description from publisher's website

"Professor Gurulé has written the type of comprehensive but accessible reference work much needed, but rarely found, by practitioners in complex criminal cases. His chapter on money laundering is destined to become

the go-to guide for lawyers in this field. His chapters on international and transnational criminal investigations plainly decipher an often perplexing area of litigation. I only wish I'd had this book when I was a prosecutor."

--- Duncan DeVille, Former Assistant U.S. Attorney, Organized Crime Strike Force, Los Angeles, Former Anti-Money Laundering Practice Director, Booz Allen Hamilton, Adjunct Professor Law, Georgetown University

## Federal Civil Rules Handbook, 2014 ed.

With this book, you'll benefit from rule-by-rule commentary in a comprehensive and up-to-date guide. This publication provides the text of each rule, followed by the authors' distillation of the rule's purpose and scope, a summation of the core concept of each rule's subsection, and an extended discussion of each rule in application. Also, this publication:

- Provides a quick and

easy, up-to-the-minute, one-stop reference tool

- Provides comprehensive commentary, including more than 1,000 citations to new interpretive cases each year, saving research time
- Provides expert discussion and practice tips, including practical applications, limitations, and traps to avoid
- Discusses the future of federal pleading
- Covers the timing and filing of motions and

other litigation actions to reduce confusion

- Provides information in e-discovery and e-government privacy
- Includes appendix of forms to save preparation and administrative time
- Covers the 2009 Time Computation project, which revises every time period set in the Federal Rules of Civil Procedure

--Book description from publisher's website

## Lunch & Learn CLE (continued from page 1)

Further issues discussed include advising clients to remove Facebook photos, adjusting Facebook privacy settings, websites as communications, guarantees, warranties and predictions, LinkedIn as advertising, disclaimers, hard vs. soft third party testimonials, threatening criminal action, discussing client cases with other attorneys and family members, conflicts of interest with current clients, email and privilege, ethically storing client data in the cloud and reasonable precautions.

### ➤ **Honesty is Best Policy: How Far Can You Go in Negotiations, 1.0 Legal Ethics**

As attorneys we are taught to zealously defend our clients. However, in some instances there is a fine line between zealously defending your client and crossing ethical boundaries.

In this presentation, attorney David Cameron Carr discusses the ethical considerations of an attorney's duties toward clients and third parties in negotiation, using "means consistent with truth" when dealing with courts and the ethics of mediation. Further topics addressed include the duty of honesty, the applicable discipline standard for dishonest conduct, ABA Model Rule 4.1 'Truthfulness In Statements To Others,' the Trial Conduct Rule and reconciling Candor to the Court v. the Duty of Confidentiality.

### ➤ **Selected Issues in Legal Ethics, 1.0 Legal Ethics**

Join Professor Steve Berenson for a comprehensive review of selected ethics issues that you face in your everyday practice. Professor Berenson uses three hypothetical situations to discuss your ethical duties in light of the Model Rules of Professional Conduct and the California Rules of Professional Conduct. The three main ethical issues discussed include partnering with non-

lawyers, the imputation of conflicts of interest, and an attorney's duty to report corporate wrongdoing. As a professor at Thomas Jefferson School of Law, Professor Berenson has published articles on topics including the attorney's professional role, access to justice, and clinic legal education in journals including the *Fordham Law Review*, the *Boston College Law Review*, the *San Diego Law Review*, the *Rutgers Law Journal* and the *Elder Law Journal*.



### ➤ **Picking a Winning Jury, 1.0 CLE**

Attorney Laura Akers will discuss how to pick a jury that works for you. From Voir Dire to body language, you'll leave this course knowing the many subtle cues potential jurors give that can make your jury selection a winning one. Ms. Akers further discusses the jury panel, what you are looking for in a jury, juror qualifications, how the jury will perceive you, how to engage a jury, the effects of Google, Twitter, and Facebook on the jury, and expert considerations. With more than twelve years experience as a San Diego County Deputy District Attorney, Laura Akers now devotes her time to selected criminal defense matters and coaching trial skills.

### ➤ **Legal Aspects of Forensic Document Examination, 1.0 CLE**

Do you have a case involving a contract and you wonder if the document has been altered? Do you have a question whether the decedent in your case actually signed a holographic will?

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*Active members of the Guam Bar Association must satisfy the annual CLE requirement of 10 credits, of which 2 must be in legal ethics, each calendar year.*

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## Lunch & Learn CLE (continued from page 3)

Maybe the key documents in your case have been cut and pasted or the authenticity of your client's signature will be the deciding factor in your case.

In today's electronic world you need more than just a handwriting expert – you need a forensic document examiner. If you have questions about the authenticity of a document or signature – or you just need extra knowledge on validating documents – please join Mike Wakshull for a comprehensive review of the legal aspects of forensic document examination. The main topics covered include the role of the forensic document examination, the scientific approach to handwriting identification, legal aspects of document examination, legal issues that document examiners solve, court exhibits and how to select a document examiner. Mr. Wakshull also addresses the types of documents examined, variability of handwriting, ASTM 1658, handwriting exemplars, legal standards for court admissibility, the *Kuhmo Tire & Frye* test, generally accepted practices, original documents, the best evidence,



the comparison model, Adobe Photoshop and SKEET.

Michael N. Wakshull has been involved with forensic document examination since 1983. He is currently the President and Sr. Consultant of Q9 Consulting where he concentrates on forensic document examination as well as management consulting and training focused on risk based quality implementation of products, processes, and projects in biotechnology, pharmaceutical and medical device companies.

Visit us on the Web!

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## Beyond the Stacks

### Guam CAHA Gallery • November 2013 Exhibit



Attorney Stephen Tenorio held an exhibit at the Guam CAHA Gallery last month which featured his work, *When a Dream Says Bye to the Subconscious*. He will hold another exhibit at the CAHA Gallery in April 2014.