

TITLE 48 - TERRITORIES AND INSULAR POSSESSIONS**CHAPTER 8A - GUAM****SUBCHAPTER IV - THE JUDICIARY****§ 1424b. Judge of District Court; appointment, tenure, removal, and compensation; appointment of United States attorney and marshal**

(a) The President shall, by and with the advice and consent of the Senate, appoint a judge for the District Court of Guam who shall hold office for the term of ten years and until his successor is chosen and qualified unless sooner removed by the President for cause. The judge shall receive a salary payable by the United States which shall be at the rate prescribed for judges of the United States district courts.

The Chief Judge of the Ninth Judicial Circuit of the United States may assign a judge of a local court of record or a judge of the High Court of the Trust Territory of the Pacific Islands or a circuit or district judge of the ninth circuit or a recalled senior judge of the District Court of Guam or of the District Court for the Northern Mariana Islands, or the Chief Justice of the United States may assign any other United States circuit or district judge with the consent of the judge so assigned and of the chief judge of his circuit, to serve temporarily as a judge in the District Court of Guam whenever it is made to appear that such an assignment is necessary for the proper dispatch of the business of the court.

(b) The President shall appoint, by and with the advice and consent of the Senate, a United States attorney and United States marshal for Guam to whose offices the provisions of chapters 35 and 37 of title 28, respectively, shall apply.

(Aug. 1, 1950, ch. 512, § 24, 64 Stat. 390; Oct. 31, 1951, ch. 655, § 55(a), 65 Stat. 728; Pub. L. 85-444, § 3, June 4, 1958, 72 Stat. 179; Pub. L. 98-454, title VIII, § 802, Oct. 5, 1984, 98 Stat. 1743.)

Amendments

1984—Subsec. (a). Pub. L. 98-454, § 802(a)–(c), substituted “for the term of ten years” for “for a term of eight years” in first par., and, in second par., substituted “a local court of record” for “the Island Court of Guam” and inserted “or a recalled senior judge of the District Court of Guam or of the District Court of the Northern Mariana Islands” after “ninth circuit”.

Subsec. (b). Pub. L. 98-454, § 802(d), substituted “35” and “37” for “31” and “33” respectively.

Subsec. (c). Pub. L. 98-454, § 802(e), struck out subsec. (c) which provided that chapters 43 and 49 of title 28 shall apply to the District Court of Guam.

1958—Subsec. (a). Pub. L. 85-444 increased the term of office from four to eight years, substituted provisions requiring the salary of the judge to be at the rate prescribed for judges of the United States district courts for provisions which required the salary of the judge to be the same as salary of the Governor of Guam, and inserted provisions permitting the Chief Judge of the Ninth Circuit to make temporary assignments.

1951—Subsec. (a). Act Oct. 31, 1951, in second sentence, struck out “, and shall be entitled to the benefits of retirement provided in section 373 of title 28”.

Subsec. (c). Act Oct. 31, 1951, struck out references to chapters 21, 41, and 57 of title 28.

Effective Date of 1984 Amendment

Amendments by Pub. L. 98-454 effective on ninetieth day following Oct. 5, 1984, see section 1005 of Pub. L. 98-454, set out as a note under section 1424 of this title.

Termination of Trust Territory of the Pacific Islands

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of this title.

Extension of Term of District Judges; Applicability; Effective Date

Section 1004 of Pub. L. 98-454 provided that: “The provisions of sections 706(a), 802(a), and 901(a) of this Act [amending sections 1614, 1424b, and 1821, respectively, of this title] extending the terms of district court judges of

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NB: This unofficial compilation of the U.S. Code is current as of Jan. 5, 2009 (see <http://www.law.cornell.edu/uscode/uscpri.html>).

the Virgin Islands, Guam, and the Northern Mariana Islands, respectively, from eight to ten years shall be applicable to the judges of those courts holding office on the effective date of this Act [Oct. 5, 1984].”