



HON. F. PHILIP CARBULLIDO
CHIEF JUSTICE

JUDICIARY OF GUAM

Administrative Office of the Courts
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HON. ALBERTO C. LAMORENA III
PRESIDING JUDGE

KRISTINA L. BAIRD
ADMINISTRATOR OF THE COURTS

Judiciary of Guam issues Seventh Updated Order relative to Court Operations

September 4, 2020

(Hagatna, Guam) - The Judiciary of Guam has issued several administrative orders to protect the public health, the most recent of such orders being ADM20-406.

The court recognizes that the growing number of confirmed COVID-19 cases in Guam and its resulting strain on the island's healthcare system require continued efforts to limit the transmission of the disease. At the same time, the court recognizes that it must expand its services to the extent possible, keeping at the forefront the need to protect the health and safety of court employees, patrons, and the general public. With these considerations in mind, the court issues this SEVENTH UPDATED ORDER regarding the suspension of certain court operations to protect the public health by reducing the risk of exposure to COVID-19 and slowing the spread of the disease.

To the extent ADM20-406 conflicts with any other existing administrative order of the court, ADM20-406 shall prevail.

Relative to the Seventh Updated Order ADM20-406, please be aware of the following reminders:

- The Supreme Court of Guam and Superior Court of Guam will continue to be open to conduct court business, but all court facilities—including the Guam Judicial Center in Hagåtña, the Northern Court Satellite in Dededo, the offices of the Probation Services Division, and the Judicial Education Center—will remain closed to the general public, except where entry is required to address the following matters:
 - Essential matters that cannot be resolved remotely (i.e., by telephone, videoconference, email, or comparable means, or through the electronic filing system) because it is not practicable or would contravene the protection of constitutional rights. Essential court operations shall continue at the Guam Judicial Center in Hagåtña.
 - During the hours of 10:00 a.m. to 3:00 p.m., Monday to Friday, the Northern Court Satellite in Dededo shall be open to the public for a limited set of transactions, namely:
 - a. Payment of traffic citations;
 - b. Payment of case-related obligations, including bail, restitution, and fines and fees; and
 - c. Requests for traffic and court clearances.
 - In-person essential appointments with the Probation Services Division as scheduled by the division and approved by the Administrator of the Courts.
- Essential matters shall continue to be scheduled and heard in keeping with the urgency of those matters (see paragraph 3 in ADM20-406) and consistent with statutory requirements, either in person (as provided in paragraph 2 of ADM20-406) or remotely by video conferencing or telephonic appearance, with the court to notify all participants necessary to the proceeding.
- In addition to essential matters, courts will review their docket of pending cases, assess matters that can be advanced or resolved through remote court conferencing, and schedule and hold conferences in such matters (see paragraph 4 in ADM20-406) upon its own initiative, and where appropriate at the request



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of parties. No non-essential proceedings shall be heard in person. In the event a non-essential proceeding scheduled to be heard on or before September 14, 2020, cannot be heard through video conferencing or telephonic means, such matter shall be rescheduled.

- Criminal and civil jury trials scheduled to be heard between August 21, 2020, and September 14, 2020, are postponed and shall not be heard before September 15, 2020. Where a jury trial is postponed because of this Seventh Updated Order or any prior administrative order, the parties may seek a conference with the court to address matters arising from the postponement. In criminal cases, where appropriate, a defendant may ask the court for reconsideration of bail or conditions of release.
- No new grand juries shall be empaneled before September 15, 2020. Grand juries whose terms expire on or before September 15, 2020, shall be extended until that date. No orientation of new jurors shall take place before September 15, 2020. All active petit jurors and grand jurors shall serve to the full extent of the law.
- All grand jury proceedings are suspended until no earlier than September 15, 2020. The time periods for a preliminary examination and for filing an indictment are tolled until December 7, 2020.
- Any temporary restraining order, injunction, civil protection order, or stay set to expire on or after August 21, 2020, in any criminal or civil matter, shall automatically be extended under the same terms for fourteen (14) days or up to September 15, 2020, whichever is longer, unless the Presiding Judge, or the judge who issued the order, terminates or modifies the temporary restraining order, injunction, or stay.
- Orders granting Child Protective Services the custody of any minor shall not expire before September 15, 2020.
- With the exception of the filing of indictments, all filing deadlines—including statutory filing deadlines—shall be tolled from August 16, 2020, until September 28, 2020, unless otherwise specifically ordered by the applicable court. Any court filing due during this period shall be deemed timely filed if filed on September 28, 2020.
- Under Guam law and court rules, the court is deemed always open for filing any proper paper, issuing and returning process, making a motion, and entering an order. Instead of in-person contact, filings will be accepted by the following methods:
 - a. E-filing
 - b. If e-filing is unavailable, pleadings may be filed by email to the respective Clerk's Office: efile@guamcourts.org for Superior Court filings and efile@guamsupremecourt.com for Supreme Court filings.
 - c. Facsimile
 - d. Postal mail
 - e. Designated drop boxes at the Judiciary
- Any filing that requires payment of a filing fee should be paid online if available, but if court users cannot do so, filing fees will be deferred until September 15, 2020. Clerk's Office personnel will be available by telephone to answer questions regarding filing methods and fees.
- Members of the public or media who would like to access court proceedings should contact the court's Public Information Officer, Kristina (Tina) Blaz, by email at kblaz@guamcourts.org. To the extent logistically possible, the court shall provide public access by video or audio to court proceedings typically open to the public to maximize the public's ability to observe these proceedings.



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- The following persons shall not enter the Guam Judicial Center in Hagåtña, the Northern Court Satellite in Dededo, or any Judiciary of Guam facility, including, but not limited to, the San Ramon Temporary Courtroom, probation offices, and the Judicial Education Center:
 - a. Persons diagnosed with or have had contact with anyone who has been diagnosed with COVID-19 and have yet to be released from isolation by a medical provider or the Department of Public Health and Social Services (DPHSS);
 - b. Persons with any acute respiratory illness symptoms (i.e., cough, shortness of breath, headaches) flu-like symptoms, fever, or sneezing;
 - c. Persons asked to self-quarantine by any doctor, hospital, board of health, or other medical provider or health agency, or who reside with anyone who has been asked to self-quarantine;
 - d. Persons who have been in a country with confirmed COVID-19 cases within the last fourteen (14) days; and;
 - e. Persons who reside or have had close contact with someone who has traveled to these countries in the last fourteen (14) days.
- Anyone trying to enter in violation of this Seventh Updated Order will be denied entry by Judiciary marshals, probation officers, or other security personnel.
- If you are scheduled to appear in person and fall into any of the categories listed regarding persons who shall not enter the Guam Judicial Center in Hagåtña, the Northern Court Satellite in Dededo, or any Judiciary of Guam facility, including, but not limited to, the San Ramon Temporary Courtroom, probation offices, and the Judicial Education Center (see paragraph 21 of ADM20-406), you should proceed as follows:
 - a. If you are represented by an attorney, please contact your attorney.
 - b. If you have no attorney and are seeking emergency relief, please call the Clerk's Office of the court in which you are seeking relief.
 - c. If you are an attorney scheduled to appear before a judge, please contact that section or team directly by telephone.
 - d. If you are scheduled to meet with a probation officer, please contact the probation officer or applicable probation section directly by telephone.
 - e. If in doubt as to whom you should contact, please call the Clerk's Office of the court in which you are scheduled to appear.
- The continuances occasioned by this Seventh Updated Order serve the ends of justice, protect the health and safety of criminal defendants, attorneys, court employees, and those called to jury service, and outweigh the best interest of the public and the defendant in a speedy trial. Therefore, the time periods of such continuances shall be excluded from speedy trial computations under Guam law. All time periods involving the speedy trial procedure in criminal proceedings are tolled until December 7, 2020.

In addition, Supreme Court of Guam Second Updated Order No. ADM20-407 is attached. ADM20-407 is the Second Updated Order which authorizes the Magistrates to preside over warrant returns in all criminal matters before the Superior Court of Guam under exigent circumstances related to COVID-19 (Coronavirus).

For more information, please email our Public Information Officer Tina Blaz at kblaz@guamcourts.org.