



Judiciary of Guam

CIVIL JUSTICE REFORM INITIATIVE

The Judiciary of Guam has taken up the Conference of Chief Justices' call to action to reform the civil justice system. This national reform initiative will increase and improve access, improve procedural fairness, and reduce cost and delay in civil cases. In order to assure full statistical representation of the docket, all newly filed civil and domestic cases as of September 25, 2018 and assigned to Judge Elyze M. Iriarte will take part in the initiative.

In order to maximize efficiencies, procedures may deviate from the Guam Rules of Civil Procedure and the Local Rules of the Superior Court of Guam as the Judiciary is currently evaluating and developing improvements to existing practices and procedures. Compliance will be monitored and enforced to ensure that there are no long periods of inactivity. Rule changes include:

- GR 5.1(c)(4):** "All documents initiating any proceedings shall be accompanied by the appropriate cover sheet, which shall be fully completed and executed. Cover sheets are available upon request at the Clerk's Office. Persons in the custody of state, local, commonwealth or federal institutions are exempt from the requirements of this subdivision."

➔ **There is no change to this rule.** However, the Judiciary now requires the parties to utilize the new formats for Civil and Domestic Cover Sheets, available at www.guamcourts.org/Civil-Justice-Reform/Civil-Justice-Reform.html. The new Civil and Domestic Cover Sheet will need to be submitted along with the first paper filed in the action or proceeding as required by local court rule.
- CVR 16.1(c)(1):** "All parties are directed to confer in accordance with CVR 16.2 and Rule 26(f) of the Guam Rules of Civil Procedure and provide the Court with a Scheduling Order and separate Discovery Plan and Order within seventy-five (75) days of the date of the filing of the complaint."

➔ **Rule change during Pilot Period:** "All parties are directed to confer in accordance with CVR 16.2 and Rule 26(f) of the Guam Rules of Civil Procedure and provide the Court with a Scheduling Order and separate Discovery Plan and Order within twenty (20) days after an Answer is filed; or within twenty (20) days after a decision denying a motion made under GRCP 12(b)."
- CVR 16.1(c)(3):** "The Clerk of Court will schedule a Scheduling Conference to be held within ninety (90) days after the complaint is filed. The clerk shall serve, no later than forty (40) days after the complaint has been filed, a Scheduling Notice in the form set forth in CVR 16.1 Form 1 setting forth. . . ."

➔ **Rule change during Pilot Period:** "The Clerk of Court will schedule a Scheduling Conference to be held within thirty (30) days after an Answer is filed; or within thirty (30) days after a decision denying a motion made under GRCP 12(b). The Clerk shall serve, no later than ten (10) days after an Answer has been filed, or no later than ten (10) days after a decision denying a motion made under GRCP 12(b), a Scheduling Notice in the form set forth in CVR 16.1 Form 1 setting forth. . . ."
- CVR 16.2(a):** "Within fifteen (15) days after the receipt of the clerk's Scheduling Notice, but no later than sixty (60) days after the filing of the complaint, counsel of record and all pro se litigants shall meet in person"

➔ **Rule change during Pilot Period:** "Within fifteen (15) days after the receipt of the clerk's Scheduling Notice, counsel of record and all pro se litigants shall meet in person"

Civil and domestic cases will receive close monitoring from a Civil Case Manager. You may be contacted from time to time by the Civil Case Manager, Ms. Joanna McDonald, who will report to the court as to the status of your case and ensure delays are avoided. Requests for settlement conferences with a Magistrate Judge or a court Referee should also be directed to the Civil Case Manager. You should treat the Civil Case Manager as an arm of the court.

To address judicial workloads, parties should expect Scheduling Conferences to occur before a Magistrate Judge.

We welcome your input, suggestions, collaboration, and participation in this project. We believe that by testing these innovative approaches, we will demonstrate that meaningful, timely and cost-effective justice can be delivered in the local court. Please share this communication with your clients, so they understand what they can expect from the Court and what we expect from you.

Please email any questions to: jmcdonald@guamcourts.org. Thank you for your cooperation.