

# DESCRIPTIONS OF CASE TYPE FOR ANNUAL REPORT AND CITIZEN-CENTRIC REPORT

## *SUPREME COURT*

**Appellate Procedure:** Appellate procedure involves rules and practices by which the appellate court reviews decisions of the trial court or determines matters brought directly before the appellate court under its original jurisdiction. Namely, it gives guidance on what judgments are appealable, how appeals are brought before the court, and what procedures parties must follow.

**Attorney Discipline:** Cases that arise from an ethics complaint filed against an attorney licensed to practice law in Guam.

**Certified Question:** Cases where a formal request is made by a court or governmental entity, asking for an opinion on a question of law.

**Civil Case:** Appeals from the Superior Court involving legal disputes between individuals or entities that are not crimes.

**Criminal Case:** Appeals from the Superior Court involving criminal prosecutions.

**Pro Hac Vice:** The application of a lawyer, who is not licensed to practice law in Guam, requesting to appear in the courts of Guam for a particular case or proceeding.

**Promulgation Order:** Cases that involve the adoption or amendment of court-related rules of conduct or procedure, as well as orders certifying the election of chief justice. These types of cases may address rules governing the practice of law in Guam, and have included the amendment to the Guam Rules of Professional Conduct, the Rules Governing Admission to the Practice of Law, and the Bylaws of the Guam Bar Association.

**Writ of Habeas Corpus:** A type of civil (non-criminal) case that involves an order to bring a prisoner or detained person before a judge, to determine if the imprisonment or detention is lawful, when no other avenues for a remedy are available.

**Writ of Mandamus:** A type of civil (non-criminal) case that involves an order commanding an official to perform a ministerial act that the law recognizes as an absolute duty and not a matter for the official's discretion.

**Writ of Prohibition:** A type of civil (non-criminal) case that involves an order issued by a higher court commanding a lower court to cease from proceeding in some matter not within its jurisdiction.

-----

## *SUPERIOR COURT*

**Adoption:** Cases involving a person assuming the legal responsibilities as a parent, for a child who is not one's biological child.

**Child Support:** Cases primarily addressing court-ordered support for a minor child. These cases may arise between the parent with primary physical custody of the child (custodial parent) and the parent who does not have custody of the child, or from proceedings filed on behalf of the Department of Public Health and Social Services to recover amounts for which a non-custodial parent may be legally liable to Guam as a result of public assistance granted to the parent's minor child.

**Civil:** Cases arising from legal disputes that are not crimes. These types of cases are brought by the plaintiff, who may be a person, group, business, institution, or a government body, for a claim of harm against the defendant, another person or entity. These cases may range from contract disagreements, to unlawful detainer or eviction actions, to claims of personal injury.

**Criminal Felony:** Cases prosecuted by the Office of the Attorney General against a person accused of committing a criminal offense classified as a felony under Guam law. Felony offenses include crimes of violence such as homicides, criminal sexual conduct, and kidnapping.

**Criminal Misdemeanor:** Cases prosecuted by the Office of the Attorney General against a person accused of committing a criminal offense classified as a misdemeanor under Guam law. Misdemeanor offenses are generally less serious than felony offenses.

**Domestic:** Cases that include divorce actions, and issues involving custody, paternity, visitation, and child support.

**Foreign Order:** Cases that arise from a court order or judgment, issued by another jurisdiction, to be recognized and enforced by the courts of Guam. Cases filed under this case type may involve orders issued by other nations, or from U.S. states and subject to the Full Faith and Credit under the U.S. Constitution.

**Juvenile Delinquency:** Cases brought against minors for actions that would otherwise be classified as criminal offenses if committed by adults. These cases are sealed to the public and expunged when the minor reaches adulthood.

**Juvenile Proceedings:** Cases that primarily involve the supervision and or protection of minors, including guardianship, truancy, status offenses, and cases arising from abuse and neglect (i.e. Child Protective Services cases).

**Land Registration:** Cases that involve registration of real property.

**Probate:** Cases that arise from the legal process whereby a will is reviewed ("proved") by a court to determine whether it is valid and authentic testament of a deceased person, as well as the process of administering the estate of a deceased person, whether a will exists or not.

**Special Proceedings:** Types of non-criminal cases brought before the court under its original jurisdiction, and may include adult guardianships, name changes, and extraordinary writs.

**Restitution (Collection):** Civil cases that arise from a convicted defendant's obligation to compensate the victim for losses that result from the defendant's criminal conduct, as well as court orders to pay fines and court costs.

**Small Claims:** Civil cases that involve disputes of less than \$10,000.

**Traffic:** Cases that arise from violations of the vehicle code, such as failure to adhere to parking restrictions, speed limits, and vehicle registration requirements, as well as reckless driving. Under Guam law, certain civil violations outside of the vehicle code are also heard by the Traffic Court; these include laws regarding littering, animal control, and violations of the fire code.