


# Private Process Server Program

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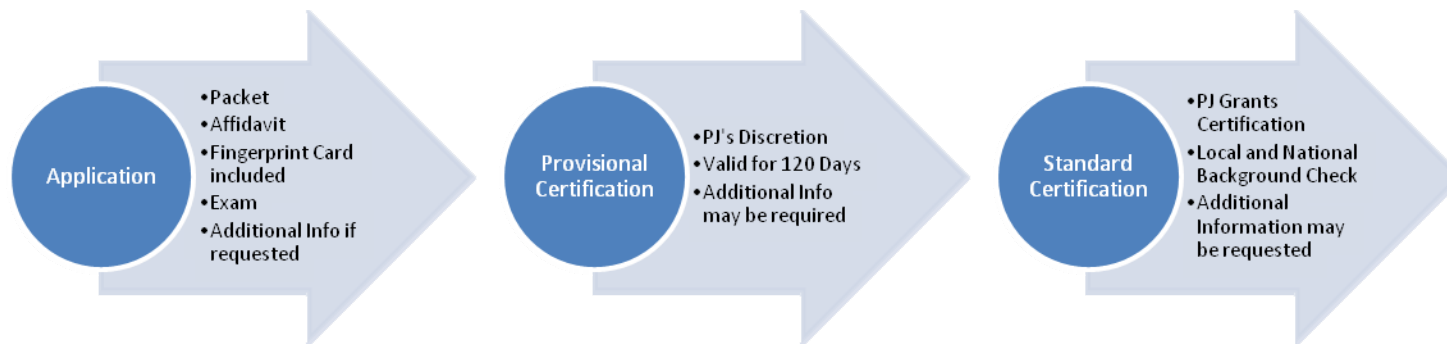
## Application and Certification



Minimum Qualifications	<ul style="list-style-type: none"><li>• 18 yrs. or older</li><li>• Resident of Guam (at least 1 yr. preceding application)</li></ul>
Exam	<ul style="list-style-type: none"><li>• Administered by Court</li><li>• Passing Score: ????</li></ul>
Background Check	<ul style="list-style-type: none"><li>• Fingerprinting</li><li>• Local and National Criminal History</li></ul>
Additional Background Information	<ul style="list-style-type: none"><li>• Upon request of the Presiding Judge or Designee</li></ul>

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## Application and Certification



### DENIED Application

- Justifications outline in §§ E (5)(a) - (c)
- Notice of Denial provided to applicant
- §§ E (5)(d): Applicant is entitled to a Hearing upon written request received 15 days after receipt of notice of denial



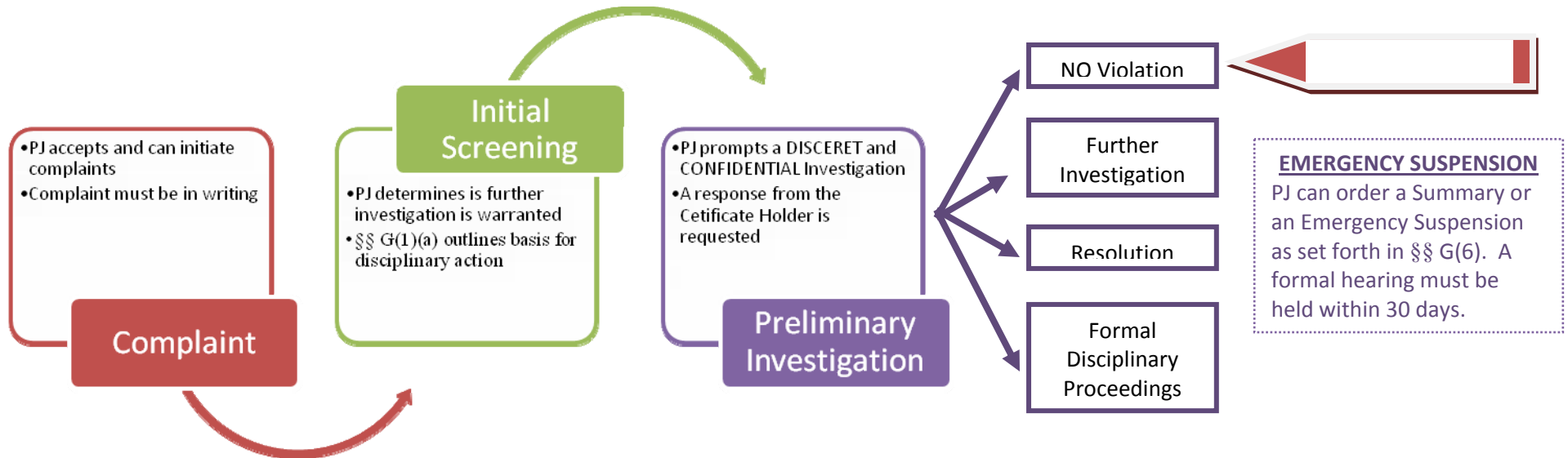
### RENEWAL of Certification (§§ G)

- Certification Valid for 3 years
- Renewal Application must be submitted
- Once submitted, certification does not expire until the PJ approves or denies the certification
- If application is DENIED, the certification does not expire until the last day to seek a hearing on the denial
- Renewal applications filed after the expiration of the certificate will be treated as new applications
- Renewal provisions DO NOT affect Disciplinary Actions
- Notification of DENIED Renewal application is provided
- §§ G (5)(c): Applicant is entitled to a Hearing re: Denied Renewal Application

# Private Process Server Program

## Due Process

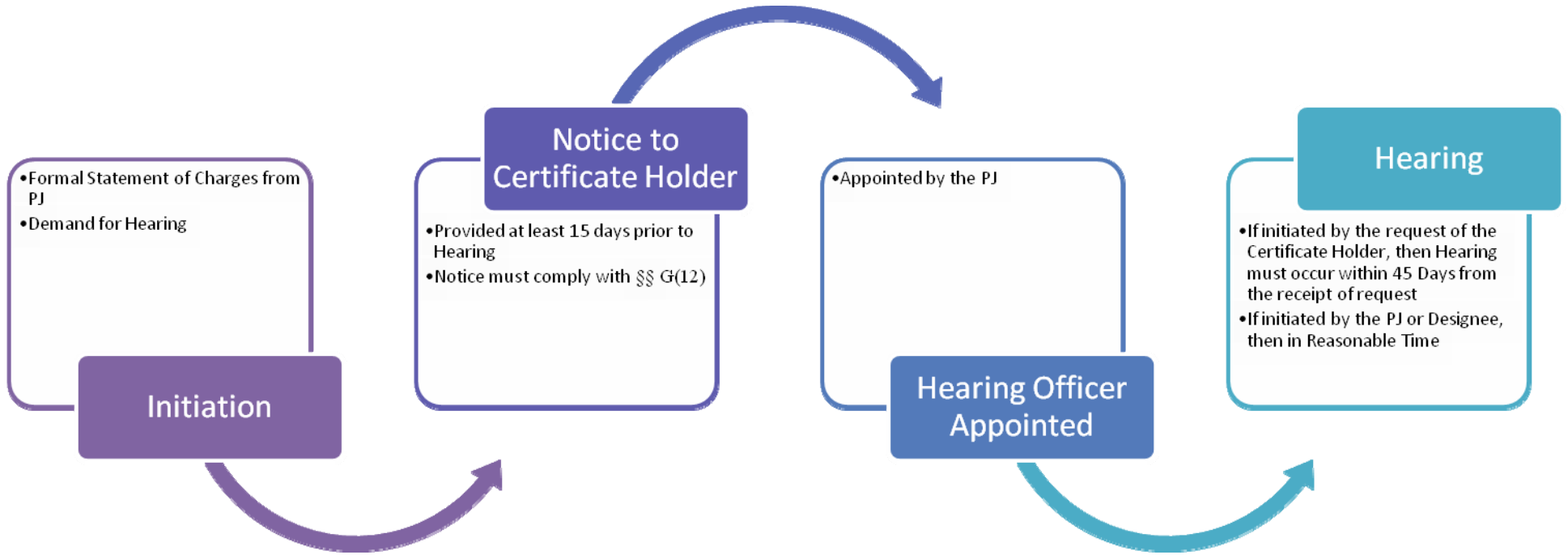
### Complaints and Investigations



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# Due Process

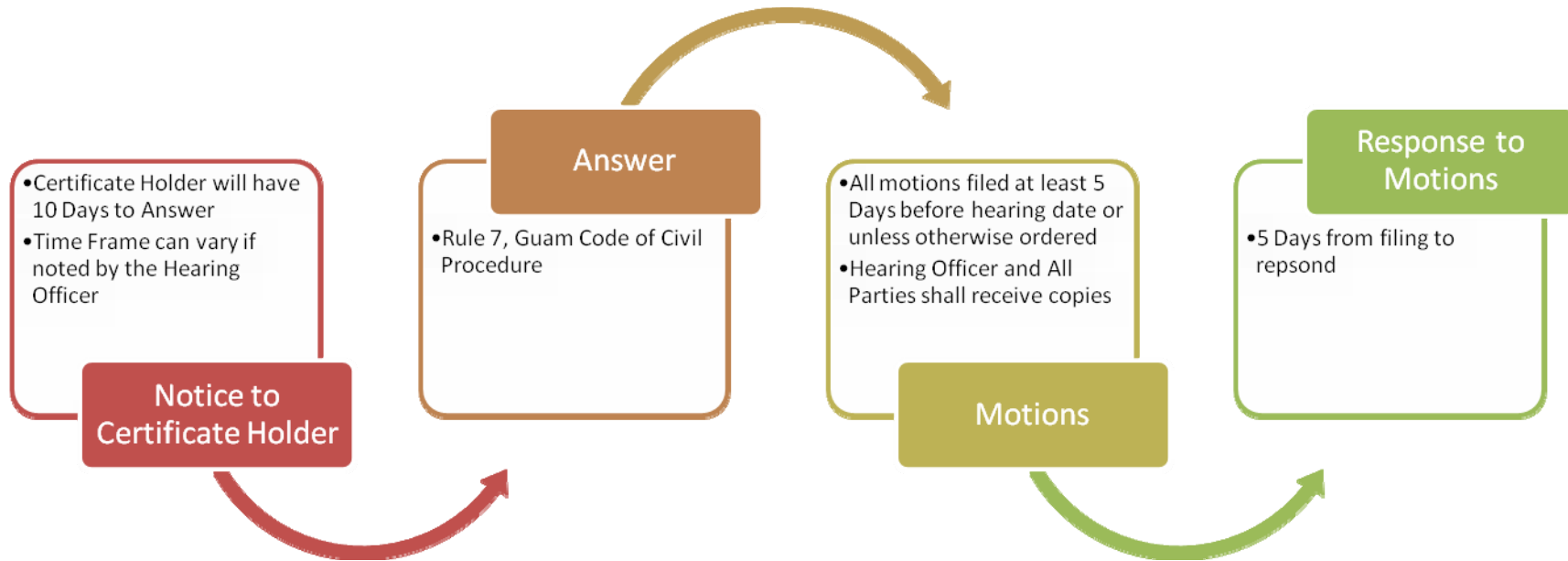
## Hearings



# Private Process Server Program

# Due Process

## Filings, Answers and Pleadings

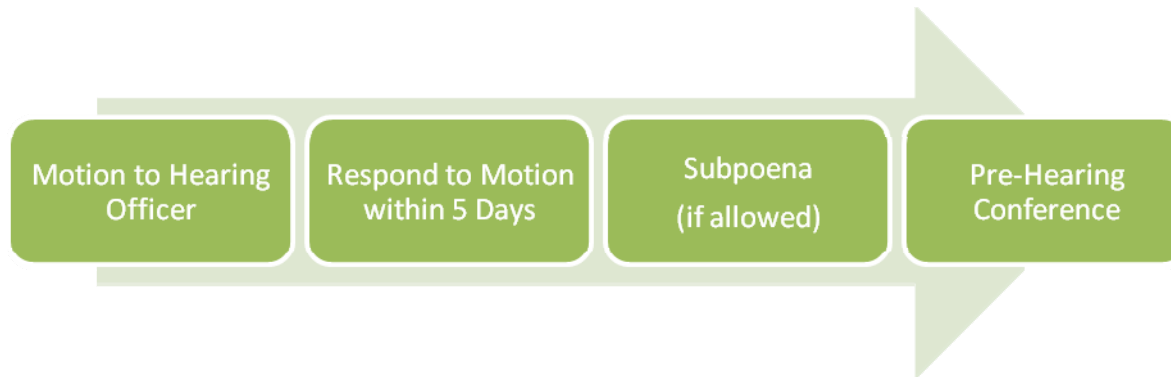


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# Due Process

## Discovery

Discovery		
No Discovery without the consent of the Hearing Officer	Hearing Officer can on his/her own order Disclosure	<u>Depositions</u> see process below



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## Due Process

### Hearing, Re-Hearing, and Decisions & Orders

## Hearing

- Informal
- No jury
- Recorded; Transcribed upon Request
- See §§ G(17)

## Re-Hearing

- Request must be made to Hearing Officer 15 Days after Order was mailed or delivered
- Response permitted within 15 Days
- Decision by Hearing Officer in 30 Days of Request

## Orders

- Rederred 30 Days after closing of hearing
- Findings of Fact
- Conclusions of Law
- If Suspension or Revocation is determined, then Notice to Certificate Holder will be provided and the Chief Marshal shall within 10 Days inform the Clerk of Court and the Program Coordinator