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IN THE SUPREME COURT OF GUAM

RE:) Supreme Court of Guam
SIXTEENTH UPDATED ORDER) Administrative Order No. ADM21-563
RELATIVE TO COURT)
OPERATIONS UNDER EXIGENT)
CIRCUMSTANCES RELATED TO)
COVID-19 (CORONAVIRUS))
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Because of the continued public health concerns arising from the COVID-19 (coronavirus) pandemic, *I Maga'hågan Guåhan* has issued a series of executive orders to stem the spread of the virus. The most recent of these orders, Executive Order No. 2021-13, issued on June 16, 2021, kept the island in Pandemic Condition of Readiness (PCOR 3), under which most activities are permitted to operate under moderate restrictions.

In line with the various executive orders, the court, under its jurisdiction to issue orders in aid of its supervisory jurisdiction over the Superior Court of Guam and all other courts of the judicial branch of Guam, has issued several administrative orders to protect the public health.

The court recognizes both the strides Guam has made in containing the spread of COVID-19 and the need to remain vigilant to continue the downward trend in the island's positivity rate. With these considerations in mind, the court issues this **SIXTEENTH UPDATED ORDER** regarding court operations to protect the public health by reducing the risk of exposure to COVID-19 and slowing the spread of the disease:

1. Effective July 1, 2021, this Sixteenth Updated Order shall repeal and replace Administrative Order No. ADM21-232. To the extent this Sixteenth Updated Order

1 conflicts with any other existing administrative order of the court, this Sixteenth Updated
2 Order shall prevail.

3 2. Judiciary of Guam facilities shall remain open to the general public for all court
4 business between the hours of 8:00 a.m. to 5:00 p.m., Monday to Friday, subject to certain
5 limitations as indicated below.

6 3. The counters of the Supreme Court Clerk's Office and the Superior Court
7 Clerk's Office—including the counters at the Northern Court Satellite—shall remain
8 open between the hours of 9:00 a.m. to 4:00 p.m., Monday to Friday. Documents shall
9 be filed using one of the methods listed in paragraph 10 below.

10 4. The Probation Services Division shall continue to provide in-person services
11 by appointment only, but services without an appointment may be approved by the Chief
12 Probation Officer.

13 5. The Client Services and Family Counseling (CSFC) Division shall continue to
14 provide in-person services by appointment only, but services without an appointment may
15 be approved by the CSFC Administrator.

16 6. Courts should continue to limit in-person contact as much as possible and
17 resolve matters by using available technologies, including alternative means of filing,
18 teleconferencing, video conferencing (e.g., Zoom), and use of email, except when it is
19 not practicable to do so or it would contravene the protection of constitutional rights. In-
20 person proceedings shall adhere to Department of Public Health and Social Services
21 (DPHSS) social distancing guidelines.

22 7. Any scheduling of jury trials shall be subject to the approval of the Presiding
23 Judge of the Superior Court and shall adhere to DPHSS social distancing requirements.

24 8. Where a jury trial is postponed because of this Sixteenth Updated Order or any
25 prior administrative order, the parties may seek a conference with the court to address
26 matters arising from the postponement. In criminal cases, where appropriate, a defendant
27 may ask the court for reconsideration of bail or conditions of release. Nothing in this
28 Sixteenth Updated Order addresses the disposition of such requests for reconsideration.

1 9. All active petit jurors and grand jurors shall serve to the full extent of the law.
2 To prevent the spread of the virus, ensure the safety of jurors and court staff, and
3 determine the availability of jurors, all active petit jurors and grand jurors must complete
4 a screening questionnaire issued by the Jury Commissioner.

5 10. Under Guam law and court rules, the court is deemed always open for filing
6 any proper paper, issuing and returning process, making a motion, and entering an order.
7 *See* 8 GCA § 1.31; Guam R. Civ. P. 77(a); Guam R. App. P. 31(a)(2). The Supreme
8 Court and Superior Court Clerk's Offices are open for in-person filing between the hours
9 of 9:00 a.m. to 4:00 p.m., Monday to Friday. In addition to in-person filing at the Clerk's
10 Offices, filings will be accepted by the following methods:

- 11 a. E-filing
- 12 b. If e-filing is unavailable, pleadings may be filed by email to the respective
13 Clerk's Office. The email address for Supreme Court filings is
14 efile@guamsupremecourt.com. The email addresses for Superior Court
15 filings are:
 - 16 i. Criminal cases – efilecriminal@guamcourts.org
 - 17 ii. Juvenile cases – efilejuvenile@guamcourts.org
 - 18 iii. Small Claims cases – efilesmallclaims@guamcourts.org
 - 19 iv. Child Support cases – efilechildsupport@guamcourts.org
 - 20 v. Civil, Probate, Domestic, Special Proceedings, and all other
21 cases – efilecivil@guamcourts.org
- 22 c. Facsimile
- 23 d. Postal mail

24 Because the Superior Court maintains a paper record, parties shall file in person any
25 filings over 50 pages in length, sealed filings, or filings with colored exhibits.

26 11. Filing fees shall be paid online or in person within one business day of the
27 filing. If the filing fee is not paid within one business day of filing, the filing may not be
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1 processed or may be stricken. Please contact the relevant Clerk's Office for questions
2 regarding filing methods and fees.

3 12. The Clerks of Court and parties shall continue to serve documents through
4 electronic means or by mail, except for those limited instances in which personal service
5 is required. Attorneys and law firms shall provide the Clerks of Court a single dedicated
6 email address for the service of documents.

7 13. Any court rule that impedes the court's ability to use technologies to eliminate
8 or limit in-person contact in the conduct of court business is suspended until December
9 31, 2021, except such suspension is subject to constitutional requirements.

10 14. Members of the public or media who would like to access court proceedings
11 should contact the court's Public Information Officer, Kristina Blaz, by email at
12 kblaz@guamcourts.org. To the extent logistically possible, the court shall provide public
13 access by video or audio to court proceedings typically open to the public to maximize
14 the public's ability to observe these proceedings.

15 15. Individuals entering a Judiciary of Guam facility for any purpose shall wear
16 face masks or other appropriate face coverings and adhere to social distancing guidelines,
17 including maintaining a distance of at least six (6) feet from other individuals in the
18 courthouse except for those residing in the same household. Persons seeking entry shall
19 also be subject to a non-contact temperature test and questioning related to COVID-19.
20 Judiciary personnel will enforce these restrictions to protect the health and safety of court
21 patrons and employees.

22 16. The following persons shall not enter the Guam Judicial Center in Hagåtña,
23 the Northern Court Satellite in Dededo, or any Judiciary of Guam facility, including, but
24 not limited to, the San Ramon Temporary Courtroom, probation offices, and the Judicial
25 Education Center:

- 26 a. Persons diagnosed with or have had contact with anyone who has been
27 diagnosed with COVID-19 and have yet to be released from quarantine or
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1 isolation by a medical provider or the Department of Public Health and
2 Social Services;

- 3 b. Persons with any acute respiratory illness symptoms (i.e., cough, shortness
4 of breath, headaches), flu-like symptoms, fever, or sneezing;
- 5 c. Persons asked to self-quarantine or self-isolate by any doctor, hospital,
6 board of health, or other medical provider or health agency; or who reside
7 with anyone who has been asked to self-quarantine or self-isolate.

8 17. Anyone trying to enter in violation of this Sixteenth Updated Order will be
9 denied entry by Judiciary marshals, probation officers, or other security personnel.

10 18. If you are scheduled to appear in person and fall into any of the categories
11 listed in paragraph 16, you should proceed as follows:

- 12 a. If you are represented by an attorney, please contact your attorney.
- 13 b. If you have no attorney and are seeking emergency relief, please contact
14 the Clerk's Office of the court in which you are seeking relief.
- 15 c. If you are an attorney scheduled to appear before a judge, please contact
16 that section or team directly by telephone.
- 17 d. If you are scheduled to meet with a probation officer, please contact the
18 probation officer or applicable probation section directly by telephone.
- 19 e. If in doubt as to whom you should contact, please call the Clerk's Office
20 of the court in which you are scheduled to appear.

21 19. The continuances occasioned by this Sixteenth Updated Order serve the ends
22 of justice, protect the health and safety of criminal defendants, attorneys, court
23 employees, and those called to jury service

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1 20. This Sixteenth Updated Order will be revised as circumstances warrant.

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3 **SO ORDERED** this 28th day of June 2021.

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 /s/
7 **ROBERT J. TORRES**
 Associate Justice

 /s/
 KATHERINE A. MARAMAN
 Associate Justice

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 /s/
11 **F. PHILIP CARBULLIDO**
 Chief Justice