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IN THE SUPREME COURT OF GUAM

RE:) Supreme Court of Guam
AMENDMENTS TO RULE 1.07) Administrative Order No. ADM23-010
OF THE JUDICIAL COUNCIL RULES OF CONDUCT AND)
OPERATION.)
)

Because of public health concerns arising from the COVID-19 (coronavirus) pandemic, the court, under its jurisdiction to issue orders necessary for the supervision of the judicial branch of Guam and to make and promulgate rules governing the administration of the judiciary, issued Administrative Order No. ADM20-213, which suspended Rule 1.07 of the Judicial Council Rules of Conduct and Operation (2003) and adopted interim emergency Rule 1.07. Interim emergency Rule 1.07 authorized the Judicial Council to conduct meetings by remote electronic means, such as by conference call or videoconference, subject to certain conditions.

The court recognizes that the use of remote technologies is a lasting effect of and extends beyond the COVID-19 pandemic, and that such technologies can provide greater public access to information on government meetings, deliberations, and decision-making. With these considerations in mind, the court issues this **ORDER** adopting interim emergency Rule 1.07 as a permanent rule:

- 1. Rule 1.07 of the Judicial Council Rules of Conduct and Operation (2003) currently provides:
 - **1.07** Method of Voting. Each member shall be entitled to one vote on each matter, motion or question submitted to a vote at a meeting of the Council. No proxy shall be valid. However, if a member of the Council is off island during a

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Council meeting, he or she may participate by conference call as if physically present.

This rule is hereby amended and adopted as follows:

- 1.07 Method of Voting. Each member shall be entitled to one vote on each matter, motion or question submitted to a vote at a meeting of the Council. No proxy shall be valid. However, the meeting may be conducted through the use of, and each member may participate in the meeting by, conference call, videoconference, or other suitable technology, on condition that anyone taking part can be identified, that their identification is duly recorded in the minutes, that they can follow the proceedings, that they can speak in real time on the topics being discussed, and that the spirit and intent of the Open Government Law codified under Title 5, Chapter 8 of the Guam Code Annotated, are observed. The member's location and means of attendance shall be noted on the agenda and recorded in the minutes. Such participation by a member in a meeting shall constitute presence in person at such meeting for all purposes including establishment of a quorum.
- 2. All rules of procedure, court orders, and opinions applicable to Judicial Council proceedings that limit or prohibit the use of communication equipment for the conducting of proceedings by remote electronic means are superseded by this Order.
- 3. The amendments to Rule 1.07 are consistent with Public Law 34-133, which authorizes the use of video teleconferencing applications at government meetings, and with Public Law 36-034, which requires regular and special meetings of public agencies, boards, and commissions to be broadcast via video live-streaming applications.

SO ORDERED this 26th day of July, 2023.

/s/ /s/ /s/
F. PHILIP CARBULLIDO KATHERINE A. MARAMAN
Associate Justice Associate Justice

/s/
ROBERT J. TORRES
Chief Justice