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**IN THE SUPREME COURT OF GUAM**

**RE:** ) Supreme Court of Guam  
**THIRTEENTH UPDATED ORDER** ) Administrative Order No. ADM21-001  
**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. 2021-01, will place the island in Pandemic Condition of Readiness (PCOR) 2 beginning January 18, 2021, and will recommence all government operations still suspended beginning January 19, 2021.

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 **THIRTEENTH 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 January 19, 2021, this Thirteenth Updated Order shall repeal and replace Administrative Order Nos. ADM20-413 and ADM20-414. To the extent this

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

3 2. Effective January 19, 2021, Judiciary of Guam facilities shall be open to the  
4 general public for all court business between the hours of 8:00 a.m. to 5:00 p.m., Monday  
5 to Friday, subject to certain 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 be open  
8 between the hours of 9:00 a.m. to 4:00 p.m., Monday to Friday. Documents shall continue  
9 to be filed using one of the methods listed in paragraph 11 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 Thirteenth Updated Order or  
25 any 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 Thirteenth 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. The time periods for a preliminary examination and for filing an indictment  
6 are tolled through January 31, 2021. The preliminary examination and indictment time  
7 periods tolled by this Thirteenth Updated Order or any previous administrative order shall  
8 be excluded from the computation of time under 8 GCA § 45.50. The running of these  
9 time periods shall resume on February 1, 2021.

10           11. Under Guam law and court rules, the court is deemed always open for filing  
11 any proper paper, issuing and returning process, making a motion, and entering an order.  
12 *See* 8 GCA § 1.31; Guam R. Civ. P. 77(a); Guam R. App. P. 31(a)(2). Instead of in-  
13 person contact, filings will be accepted by the following methods:

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

1           12. Any filing that requires payment of a filing fee should be paid online if  
2 available. Please contact the relevant Clerk's Office for questions regarding filing  
3 methods and fees.

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

8           14. Any court rule that impedes the court's ability to use technologies to eliminate  
9 or limit in-person contact in the conduct of court business is suspended until June 30,  
10 2021, except such suspension is subject to constitutional requirements.

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

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

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

- 27           a. Persons diagnosed with or have had contact with anyone who has been  
28           diagnosed with COVID-19 and have yet to be released from quarantine or

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 d. Persons who have been in a country with confirmed COVID-19 cases  
9 within the last fourteen (14) days; and
- 10 e. Persons who reside or have had close contact with someone who has  
11 traveled to these countries in the last fourteen (14) days.

12 18. Anyone trying to enter in violation of this Thirteenth Updated Order will be  
13 denied entry by Judiciary marshals, probation officers, or other security personnel.

14 19. If you are scheduled to appear in person and fall into any of the categories  
15 listed in paragraph 17, you should proceed as follows:

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

25 20. The continuances occasioned by this Thirteenth Updated Order serve the ends  
26 of justice, protect the health and safety of criminal defendants, attorneys, court  
27 employees, and those called to jury service, and outweigh the best interest of the public  
28 and the defendant in a speedy trial. Therefore, the time periods of such continuances shall

1 be excluded from speedy trial computations under 8 GCA § 80.60. All time periods  
2 involving the speedy trial procedure in criminal proceedings are tolled through February  
3 28, 2021.

4 21. This Thirteenth Updated Order will be revised as circumstances warrant.  
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6 **SO ORDERED** this 18th day of January 2021.  
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11 **ROBERT J. TORRES**  
12 Associate Justice

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11 **KATHERINE A. MARAMAN**  
12 Associate Justice

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15 **F. PHILIP CARBULLIDO**  
16 Chief Justice  
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