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IN THE SUPREME COURT OF GUAM

RE:)	Supreme Court Case No. PRM06-006
)	
AMENDMENTS TO MISCELLANEOUS)		
RULE 6.1 OF THE LOCAL RULES OF)		PROMULGATION ORDER NO.
SUPERIOR COURT OF GUAM ON)		PRM06-006-21
RECORDS RETENTION)		
)	

On May 31, 2007, the Supreme Court of Guam through Promulgation Order 06-006-02 promulgated and adopted Miscellaneous Rule 6.1 of the Local Rules of the Superior Court on Records Retention. The Rule on Records Retention previously existed in an appendix to Title 7 GCA of the Guam Rules of Civil Procedure as Rule 93.

The Subcommittee held several meetings over the last year to review and revise the existing retention schedule for court records. The Subcommittee was chaired by a judicial officer and members included the Deputy Administrator of the Courts, Clerks of Court for the Supreme and Superior Court, Compiler of Laws, Court Archivist, and Court Programs Administrator. The proposed amendments include a retention schedule for both Superior Court and Supreme Court records and allows for the preservation and retention of records in a digitized format, especially as technology advances. The proposed amendments are also consistent with Title 7 GCA § 7120 on the disposition of court records.

Attachment 1

Local Rules of the Superior Court of Guam, Miscellaneous Rule 6.1

MR 6.1. Records Retention.

(a) Supreme Court of Guam. Title 7 GCA § 7120 and Miscellaneous Rule 6.1 of the Local Rules of Court govern the retention periods and disposition of court records. The record retention and disposition periods provided in this section are effective April 14, 2022, and apply to all court records in existence. Case records may be preserved on paper, microfilm, or as electronic documents. The paper records, microfilm or electronic documents are the official record of the court. The Clerk may certify a copy of the paper case records, a printed copy of microfilm or a printed electronic copy of an electronic document as a true and correct copy of the document in the record of the court.

Case Type	Retention Period (Original copy destroyed after expiration of period and/or microfilming/conversion to electronic document)	Disposition
Appellate Procedure	6 months after case is closed.	Microfilm or convert to electronic document; retain microfilm or electronic indefinitely unless otherwise ordered by the court.
Attorney Discipline	6 months after case is closed.	Microfilm or convert to electronic document; retain microfilm or electronic indefinitely unless otherwise ordered by the court.
Certified Question	6 months after case is closed.	Microfilm or convert to electronic document; retain microfilm or electronic indefinitely unless otherwise ordered by the court.
Civil Case	6 months after case is closed.	Microfilm or convert to electronic document; retain microfilm or electronic indefinitely unless otherwise ordered by the court.
Criminal Case	6 months after case is closed.	Microfilm or convert to electronic document; retain microfilm or electronic indefinitely unless otherwise ordered by the court.
Pro Hac Vice	6 months after case is closed.	Microfilm or convert to electronic document; retain microfilm or electronic indefinitely unless otherwise ordered by the court.
Promulgation Order	At least 6 months after order is entered.	Microfilm or convert to electronic document; retain microfilm or electronic indefinitely unless otherwise ordered by the court.

Writ of Habeas Corpus	6 months after case is closed.	Microfilm or convert to electronic document; retain microfilm or electronic indefinitely unless otherwise ordered by the court.
Writ of Mandamus	6 months after case is closed.	Microfilm or convert to electronic document; retain microfilm or electronic indefinitely unless otherwise ordered by the court.
Writ of Prohibition	6 months after case is closed.	Microfilm or convert to electronic document; retain microfilm or electronic indefinitely unless otherwise ordered by the court.
Writ of Certiorari	6 months after case is closed.	Microfilm or convert to electronic document; retain microfilm or electronic indefinitely unless otherwise ordered by the court.

(b) Superior Court of Guam. Title 7 GCA § 7120 and Miscellaneous Rule 6.1 of the Local Rules of Court govern the retention periods and disposition of court records. The record retention and disposition periods provided in this section are effective April 14, 2022, and apply to all court records in existence. Case records may be preserved on paper, microfilm, or as electronic documents. The paper records, microfilm or electronic documents are the official record of the court. The Clerk may certify a copy of the paper case records, a printed copy of microfilm or a printed electronic copy of an electronic document as a true and correct copy of the document in the record of the court.

(1) For Records Prior to 2011.

Record Title	Retention Period (Original copy destroyed after expiration of period and/or microfilming/conversion to electronic document)	Disposition
A. Case Files (Paper)		
Adoption (AT)	5 years	Microfilm or convert to electronic document; retain microfilm or electronic document indefinitely unless otherwise ordered by the court
Child Support (CS)	3 years	Convert complaint, final order or judgment to electronic document; retain electronic document indefinitely unless otherwise ordered by the court

Civil (CV)	5 years	Convert complaint, final order, or judgment to electronic document; retain electronic document indefinitely unless otherwise ordered by the court
Criminal Felony (CF)	7 years	Convert complaint, indictment, information, plea agreement, final order, and judgment to electronic document; retain electronic document indefinitely unless otherwise ordered by the court
Criminal Misdemeanor (CM)	7 years	Convert complaint, information, plea agreement, final order, and judgment to electronic document; retain electronic document indefinitely unless otherwise ordered by the court
Domestic (DM)		
1. Divorce	5 years	Convert complaint, settlement agreement, interlocutory judgment, and final decree, or final order to electronic document; retain electronic document indefinitely unless otherwise ordered by the court
2. All Others	5 years	Convert complaint, judgment, or final order to electronic document; retain electronic document indefinitely unless otherwise ordered by the court
Foreign Order (FO)	5 years	Convert complaint, foreign judgment, and final order; retain electronic document indefinitely unless otherwise ordered by the court
Juvenile Delinquency (JD)	5 years	Destroy pursuant to 19 GCA § 5124
Juvenile Proceedings (JP)	5 years	Convert to electronic document; retain electronic document indefinitely unless otherwise ordered by the court; Destroy pursuant to 19 GCA § 5124

Land Registration (LR)	7 years	Convert to microfilm or electronic document; retain microfilm or electronic document indefinitely unless otherwise ordered by the court
Probate (PR)	7 years	Convert to microfilm or electronic document; retain microfilm or electronic document indefinitely unless otherwise ordered by the court
Special Proceedings (SP)	5 years	Convert petition, final order, and judgment to electronic document; retain electronic document indefinitely unless otherwise ordered by the court
Protective Order (PO)	3 years	Convert to electronic document; retain electronic document indefinitely unless otherwise ordered by the court
Restitution (RS)	1 year	Convert collection order and final order to electronic document; retain electronic document indefinitely unless otherwise ordered by the court
Small Claims (SD)	2 years	Destroy
Traffic	2 years	Destroy
Marriages (SPM)	1 year	Destroy
B. Other Records	Retention Period (Original copy destroyed after expiration of period and/or microfilming/conversion to electronic document)	Disposition
Original Wills	Permanent	Permanent

Exhibits	Return to party submitting after time for appeal has passed	Return to party submitting after time for appeal has passed
Jury Records		
1. Juror Lists	4 years after the master jury wheel is emptied	Destroy
2. Grand Jury Voting Sheets	3 years	Destroy
3. Trial Questionnaires	3 years	Destroy
Court Recordings	10 years	Destroy
1. Cassette Tapes		
2. DVD Audio recordings		
Search Warrants	5 years	Destroy
Docket Sheets	2 years	Convert to electronic document; retain electronic document indefinitely unless otherwise ordered by the court
Cardex File	2 years	Convert to electronic document; retain electronic document indefinitely unless otherwise ordered by the court

(2) For Records from 2011 to Present.

Record Title	Retention Period (Original copy destroyed after expiration of period and/or microfilming/conversion to electronic document)	Disposition
A. Case Files (Paper)		
Adoption (AT)	5 years	Convert to electronic document; retain electronic document indefinitely unless otherwise ordered by the court

Child Support (CS)	3 years	Convert to electronic document; retain electronic document indefinitely unless otherwise ordered by the court
Civil (CV)	5 years	Convert to electronic document; retain electronic document indefinitely unless otherwise ordered by the court
Criminal Felony (CF)	7 years	Convert to electronic document; retain electronic document indefinitely unless otherwise ordered by the court
Criminal Misdemeanor (CM)	7 years	Convert to electronic document; retain electronic document indefinitely unless otherwise ordered by the court
Domestic (DM)	5 years	Convert to electronic document; retain electronic document indefinitely unless otherwise ordered by the court
Foreign Order (FO)	5 years	Convert to electronic document; retain electronic document indefinitely unless otherwise ordered by the court
Juvenile Delinquency (JD)	5 years	Convert to electronic document; retain electronic document indefinitely unless otherwise ordered by the court
Juvenile Proceedings (JP)	5 years	Convert to electronic document; retain electronic document indefinitely unless otherwise ordered by the court
Land Registration (LR)	7 years	Convert to electronic document; retain electronic document indefinitely unless otherwise ordered by the court
Probate (PR)	7 years	Convert to electronic document; retain electronic document indefinitely unless otherwise ordered by the court
Special Proceedings (SP)	5 years	Convert to electronic document; retain electronic document indefinitely unless otherwise ordered by the court
Protective Orders (PO)	5 years	Convert to electronic document; retain electronic document indefinitely unless otherwise ordered by the court

Restitution (RS)	1 year	Convert to electronic document; retain electronic document indefinitely unless otherwise ordered by the court
Small Claims (SD)	3 years	Convert to electronic document; retain electronic document indefinitely unless otherwise ordered by the court
Traffic	3 years	Convert to electronic document; retain electronic document indefinitely unless otherwise ordered by the court
Marriages (SPM)	1 year	Destroy
B. Other Records	Retention Period (Original copy destroyed after expiration of period and/or microfilming/conversion to electronic document)	Disposition
Original Wills	Permanent	Permanent
Exhibits	Return to party submitting after time for appeal has passed unless electronically presented pursuant to EFR 4.12	Return to party submitting after time for appeal has passed unless electronically presented pursuant to EFR 4.12
Jury Records 1. Juror Lists	4 years after the master jury wheel is emptied	Destroy
2. Grand Jury Voting Sheets	3 years	Destroy
3. Trial Questionnaires	3 years	Destroy
Audio and electronic recordings of official court proceedings	10 years	Destroy
Search Warrants	5 years	Convert to electronic document; retain electronic document indefinitely unless otherwise ordered by the court