



# The Judiciary of Guam

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## FISCAL YEAR 2022 CITIZEN-CENTRIC REPORT



### Mission

The Judiciary of Guam administers justice by interpreting and upholding the laws, resolving disputes in a timely manner, and providing accessible, efficient, and effective judicial services.

### Vision

The Judiciary will provide the highest quality of judicial services to enhance public trust and confidence in Guam's independent and co-equal branch of government and become a model of judicial excellence.

The Judiciary will:

1. Resolve matters and provide court services in a timely and efficient manner;
2. Be user friendly, understandable, accessible, and affordable to court users through the use of innovative resources and practices;
3. Have sufficient resources to support operations, programs, and services in normal and emergency situations;
4. Develop highly skilled and satisfied judicial officers and personnel; and
5. Be cost effective, accountable, transparent, and fiscally responsible.

### About Us

The Judiciary is the third branch of the Government of Guam and is composed of the Superior Court of Guam and the Supreme Court of Guam. As an equal and independent branch of government, the Judiciary checks and balances the powers of the legislative and executive branches by interpreting the laws of Guam and administers justice by resolving disputes brought before the courts.

The **Supreme Court** is the island's highest court and is composed of the Chief Justice and two Associate Justices. The Supreme Court hears appeals from the Superior Court, as well as cases involving attorney discipline and invoking the Court's original jurisdiction. The Chief Justice holds supervisory authority of the judicial branch, and with the advice of the Judicial Council of Guam, administers the divisions and offices of the Judiciary, which include Court Administrative Services, Courts and Ministerial, Probation, Marshals, and Client Services and Family Counseling.

The **Superior Court** is Guam's trial court, where the vast majority of cases begin in the court system. The judicial officers hear a wide range of cases, from criminal prosecutions to cases arising from civil disputes, juvenile delinquency and neglect, traffic, family, probate, and small claims, as well as specialty treatment courts.

### Demographics

#### 2022 Staffing Levels

|  |     |
|--|-----|
| Court Administrative Services                        | 82  |
| Client Services and Family Counseling                | 12  |
| Courts and Ministerial                               | 81  |
| Superior Court Judges Chambers and Judicial Hearings | 46  |
| Marshals Services                                    | 79  |
| Probation Services                                   | 73  |
| Supreme Court  | 27  |
| Volunteer Deputy Marshals Reserve                    | 26  |
| Total  | 426 |

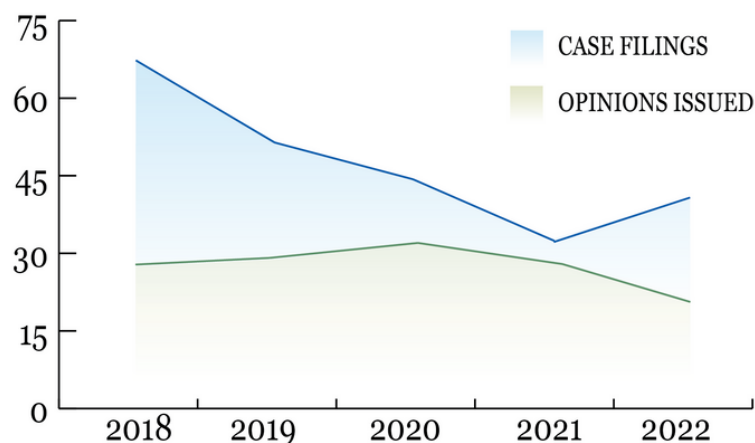


(Back row, L-R) Administrative Hearing Officer B. Ann Keith (former), Magistrate Judge Benjamin C. Sison, Judge Elyze M. Iriarte, Judge Maria T. Cenzone, Judge Arthur R. Barcinas, Presiding Judge Alberto C. Lamorena III, Judge Vernon P. Perez, Judge Dana A. Gutierrez, Judge John C. Terlaje, Family Court Referee Linda L. Ingles, Magistrate Judge Jonathan R. Quan.  
(Seated, L-R) Justice F. Philip Carbullido, Chief Justice Robert J. Torres, Justice Katherine A. Maraman



## The Supreme Court of Guam

The Supreme Court of Guam has jurisdiction to hear appeals over any cause decided by the Superior Court of Guam or other courts created by Guam law. Additionally, the Supreme Court has supervisory jurisdiction over the Superior Court and all other courts created by Guam law, and it has original jurisdiction over proceedings necessary to protect its appellate jurisdiction and supervisory authority. The Supreme Court also has the authority to make and promulgate rules governing the practice and procedure in the courts of Guam.



## Supreme Court Statistics and Cases

CHART 1: TOTAL CASE FILINGS — FIVE-YEAR TREND

| CASE TYPE             | 2018      | 2019      | 2020      | 2021      | 2022      |
|-----------------------|-----------|-----------|-----------|-----------|-----------|
| Appellate Procedure   | 0         | 0         | 0         | 0         | 0         |
| Attorney Discipline   | 3         | 1         | 1         | 4         | 2         |
| Certified Question    | 1         | 0         | 2         | 0         | 0         |
| Civil Case            | 35        | 25        | 22        | 11        | 18        |
| Criminal Case         | 15        | 20        | 12        | 15        | 13        |
| Pro Hac Vice          | 0         | 0         | 0         | 0         | 0         |
| Promulgation Order    | 3         | 1         | 3         | 1         | 0         |
| Writ of Habeas Corpus | 0         | 0         | 1         | 0         | 3         |
| Writ of Mandamus      | 7         | 0         | 1         | 0         | 0         |
| Writ of Prohibition   | 1         | 2         | 1         | 1         | 3         |
| Writ of Certiorari    | N/A       | N/A       | 1         | 1         | 1         |
| <b>GRAND TOTAL</b>    | <b>65</b> | <b>49</b> | <b>44</b> | <b>32</b> | <b>40</b> |

CHART 2: TOTAL OPINIONS ISSUED — FIVE-YEAR TREND

| CASE TYPE          | 2018      | 2019      | 2020      | 2021      | 2022      |
|--------------------|-----------|-----------|-----------|-----------|-----------|
| Civil              | 14        | 15        | 19        | 17        | 6         |
| Criminal           | 13        | 15        | 12        | 11        | 13        |
| Certified Question | 1         | 0         | 0         | 1         | 0         |
| Writ               | 1         | 0         | 2         | 0         | 0         |
| <b>GRAND TOTAL</b> | <b>29</b> | <b>30</b> | <b>33</b> | <b>29</b> | <b>19</b> |

## The Superior Court of Guam

The Superior Court of Guam, our island's court of general jurisdiction, has eight judges, two magistrates, a Family Court Referee, and an Administrative Hearings Officer. The eight judges preside over a variety of cases at the Hagåtña Court and the Northern Court Satellite, from felony and misdemeanor cases, juvenile matters, civil matters, divorce and custody cases, to probate and special proceedings. The magistrates have jurisdiction over certain proceedings in criminal and civil cases, uncontested divorces, and matters heard before the Small Claims Court and Traffic Court. The Family Court Referee presides over juvenile, domestic custody, and child support matters. The Administrative Hearings Officer presides over child support cases.

### Five-Year Comparative Cases Filed

| Cases Filed              | 2018          | 2019          | 2020         | 2021         | 2022         |
|--------------------------|---------------|---------------|--------------|--------------|--------------|
| Adoption                 | 36            | 47            | 23           | 30           | 21           |
| Child Support            | 274           | 273           | 88           | 138          | 112          |
| Civil                    | 1,226         | 1,481         | 1,087        | 929          | 723          |
| Criminal Felony          | 772           | 720           | 623          | 674          | 754          |
| Criminal Misdemeanor     | 643           | 588           | 514          | 511          | 469          |
| Domestic                 | 691           | 720           | 458          | 534          | 459          |
| Foreign Order            | 0             | 1             | 0            | 2            | 1            |
| Juvenile Delinquency     | 196           | 202           | 126          | 88           | 173          |
| Juvenile Proceedings     | 436           | 355           | 259          | 305          | 328          |
| Land Registration        | 6             | 5             | 0            | 4            | 3            |
| Probate                  | 223           | 202           | 168          | 240          | 239          |
| Special Proceedings      | 218           | 216           | 238          | 210          | 176          |
| Protective Orders        | 124           | 141           | 126          | 138          | 109          |
| Restitution (Collection) | 88            | 160           | 159          | 187          | 116          |
| Small Claims             | 1,608         | 1,610         | 576          | 765          | 709          |
| Traffic                  | 4,480         | 5,167         | 3,369        | 4,008        | 4,214        |
| <b>TOTAL</b>             | <b>11,021</b> | <b>11,888</b> | <b>7,814</b> | <b>8,763</b> | <b>8,606</b> |

### Criminal Jury Trials

| Primary Criminal Charge             | No. of Trials |
|-------------------------------------|---------------|
| <b>Criminal Sexual Conduct</b>      | 7             |
| <b>Aggravated Assault / Assault</b> | 7             |
| <b>Robbery</b>                      | 3             |
| <b>Family Violence</b>              | 3             |
| <b>Murder</b>                       | 2             |
| <b>Possession of a Schedule II</b>  | 2             |
| <b>Controlled Substance</b>         | 1             |
| <b>Advanced Stalking</b>            | 1             |
| <b>Attempted Murder</b>             | 1             |
| <b>Driving While Impaired</b>       | 1             |
| <b>Felonious Restraint</b>          | 1             |
| <b>Kidnapping</b>                   | 1             |
| <b>Manslaughter</b>                 | 1             |
| <b>Resisting Arrest</b>             | 1             |
| <b>Strangulation</b>                | 1             |
| <b>Terrorizing</b>                  | 1             |
| <b>Theft</b>                        | 1             |
| <b>TOTAL</b>                        | <b>34</b>     |

### Civil Jury Trials

| Cause of Action    | No. of Trials |
|--------------------|---------------|
| Premises Liability | 1             |

| Expenditures Type           | General Fund Appropriation | Federal Grants      | Other Collections | Total                |
|-----------------------------|----------------------------|---------------------|-------------------|----------------------|
| Personnel Services          | \$ 19,717,271              | \$ 1,296,775        | \$ 14,117         | \$ 21,028,164        |
| Benefits                    | \$ 8,203,988               | \$ 540,758          | \$ 1              | \$ 8,744,747         |
| Contractual Services        | \$ 1,460,652               | \$ 743,425          | \$ 367,912        | \$ 2,571,988         |
| Capital Outlay              | \$ 1,189,871               | \$ 1,090,780        | \$ 184,900        | \$ 2,465,551         |
| Utilities & Communication   | \$ 966,935                 | \$ 34,821           | \$ 320            | \$ 1,002,076         |
| Equipment Non Capital Items | \$ 92,400                  | \$ 541,557          | \$ 15,685         | \$ 649,642           |
| Supplies and Materials      | \$ 126,371                 | \$ 201,803          | \$ 5,221          | \$ 333,395           |
| Travel/personnel training   | \$ 3,398                   | \$ 70,030           | \$ 88,318         | \$ 161,746           |
| Miscellaneous               | \$ 685,388                 | \$ 341,772          | \$ 35,499         | \$ 1,062,659         |
| <b>Total</b>                | <b>\$ 32,446,275</b>       | <b>\$ 4,861,721</b> | <b>\$ 711,973</b> | <b>\$ 38,019,969</b> |

## General Fund Appropriation

The total appropriation from the general fund allocation for general operations was \$32,687,295, representing approximately 5.24% of the total general fund available for appropriation for FY 2022. In comparison to the fiscal year prior, the Judiciary's appropriation for the current year increased by 11%.

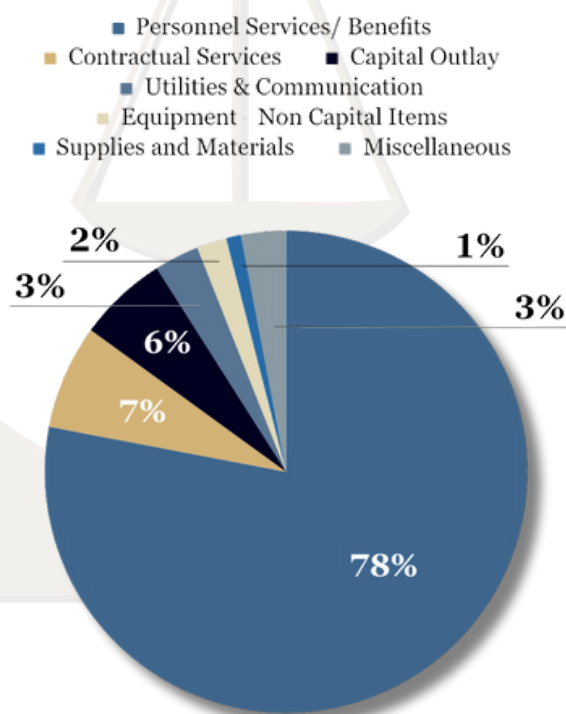
A significant portion of the general fund appropriation was used for personnel services. Personnel services accounted for 86% of all expenditures made during the fiscal year from the available general fund. Contractual services and capital outlay projects accounted for the second and third highest portion of the Judiciary's use of general fund appropriations. Contractual services accounted for 5%, while capital outlay projects accounted for 4%. Contractual services included, but were not limited to, equipment maintenance, copier leases, leases of Northern Court Satellite and storage facilities, counseling services, and other professional services. They also include licenses and maintenance of the Judiciary's case management, accounting, jury, and other software systems. The Judiciary also underwent several capital improvement projects in FY 2022. These include the building of a new courtroom, replacing inoperative vehicles, renovating the San Ramon Building—which houses four Judiciary divisions, including the Guam Criminal Law and Procedure Review Commission office—acquiring a generator, renovating other judiciary facilities and offices, and enhancing public access areas.

## Federal Grants & Other Collections

Federal grants and other collections make up 15% of total revenue recorded in FY 2022. Collections from these programs are strictly directed towards their initiatives. To name a few, programs in FY 2022 included the National Criminal History Improvement Program, Drug Court Discretionary Grant Program, Support for Adam Walsh Act Implementation Grant Program, Edward Byrne Memorial Justice Assistance Grant Program, and Adult Reentry Demonstration Program. Federal grants fundings were provided by the Department of Justice, Department of Health and Human Services, Equitable Sharing Programs, Child Support Hearing Services, and the American Rescue Plan Act of 2021.

For FY 2022, 38% of federal grant expenditures were allocated to personnel services, 22% to capital improvements related to technology, and 15% to contractual services, which included counseling services, vehicle and facility leases, and sanitization services among other things.

Other collections reported pertain to fees for services facilitated by the Judiciary. These consist of the Diversion Program, the Board of Law Examiners, the Drug Enforcement Treatment Program, the Criminal Justice Information Services (CJIS) program, Comprehensive Lawyer Regulatory System, and other judiciary initiatives.



| Revenue                    | FY 2022           |
|----------------------------|-------------------|
| General Fund Appropriation | \$ 32,687,295 85% |
| Federal Grants             | \$ 5,002,000 13%  |
| Other Collections          | \$ 624,029 2%     |



## Strengthening our Independent Branch

Recognizing the challenge of losing employees to rising inflation, competition with federal government salaries, and autonomous agencies, Chief Justice Torres launched a major initiative in his first year to strengthen the branch's compensation structure. This initiative—focused on external competitiveness and internal equity—was made possible thanks to **a record budget appropriation from the Legislature**, resulting in the recruitment of more law enforcement officers and higher-paid attorneys.



*“The State of the Judiciary is advancing into a new era, and we must move forward together.”*

—Chief Justice Robert J. Torres  
*State of the Judiciary Address, May 1, 2023*

## Juvenile Reform Efforts

Every day, young children come under the Judiciary's care due to abuse or neglect, and these children may spend years in the system. To address juvenile delinquency and prevent adult criminal behavior, the Judiciary initiated a comprehensive juvenile justice reform effort in previous years. With the ongoing challenges posed by the pandemic, Chief Justice Torres and Lieutenant Governor Tenorio recently convened the **first Juvenile Justice Stakeholder Meeting on January 16**, engaging community partners to revamp and enhance this crucial initiative.



## Strategic Plan 2024-2027

Over the years, the Judiciary has used its strategic plans to bring direction to its priorities and initiatives. This year, the branch has begun efforts to craft **a new strategic plan for 2024-2027**. By outlining its priorities and goals, the Judiciary aims to provide a clear and accessible roadmap for community partners and the public on the direction and objectives of the Court.

## Technology Expansion

Advancements in technology have played a critical role in making our courts more open and accessible. In 2024, the public can anticipate new initiatives at the Judiciary, including:

- **eCourts:** Provides web-based access to court records and documents, streamlining court administration.
- **Online Dispute Resolution:** Resolves conflicts online, leading to more affordable and accessible solutions.
- **Digital Evidence Management:** Allows for the organization, sharing, and presentation of digital exhibits from a single, secure platform.



### WE WANT TO HEAR FROM YOU!

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