

SUPERIOR COURT OF GUAM
RULES GOVERNING PROTECTION ORDER CASES

ADOPTED PURSUANT TO PROMULGATION ORDER PRM25-002-01 (SEPT. 17, 2025)

**SUPERIOR COURT
RULES GOVERNING PROTECTION ORDER CASES**

RULES GOVERNING PROTECTION ORDER CASES

Effective Sept. 17, 2025

- POR 1. Protection Order Cases.
- POR 2. Filing and Costs of a Petition for an Order of Protection.
- POR 3. Petition; Notice; Hearings; Order of Protection.
- POR 4. Relief.
- POR 5. Service of Orders of Protection and Show Cause Orders.
- POR 6. Burden of Proof.
- POR 7. Violations; Contempt Proceedings.
- POR 8. Firearms; Surrender of Firearms and/or Ammunition.
- POR 9. Enforcement of Orders of Protection.
- POR 10. Protective Order Registry.

FORMS

- POR Form 1 Petition for Order of Protection
- POR Form 2 Marshals Service Information Form
- POR Form 3 Respondent's Inventory of Firearms, Firearm Parts, Ammunition, and Permits/Registrations
- POR Form 4 Petition/Motion to Dismiss, Extend, or Modify Other Conditions of Order of Protection
- POR Form 5 Motion and Affidavit and Order to Show Cause for Contempt for Violating Order of Protection
- Notification to Respondent
- Non-Criminal Case Coversheet

Appendix A: Repealed Miscellaneous Rule MR 2.1 and MR 2.1 Forms

SUPERIOR COURT
RULES GOVERNING PROTECTION ORDER CASES

RULES GOVERNING PROTECTION ORDER CASES

SOURCE: Adopted by Promulgation Order PRM25-002-01 (Sept. 17, 2025).

2025 NOTE: Originally adopted as Rule 14 of the Rules of the Superior Court of Guam by Prom. Order No. PRM 06-003 (Mar. 31, 2006). Renumbered by the Compiler to adhere to the numbering scheme for the Rules of the Superior Court of Guam. Incorporated to the Local Rules as MR 2.1 *et seq.* pursuant to Prom. Order No. PRM 06-006-02 (May 31, 2007), which adopted the revised Local Rules of the Superior Court of Guam. Forms to be used with these rules were adopted by Prom. Order No. 06-006-04 (Jan. 9, 2008), as Exhibits A-D. Prom. Order No. PRM 06-006-18 (May 14, 2015) amended MR 2.1 *et seq.*, and adopted Pro Se Order of Protection Instructions and the following forms: Form A1, Form A2, Form A3, Form A4, Form B1, Form B2, Form B3, Form C, and Form D; effective June 1, 2015.

Beginning in 2023, the Subcommittee to Revise the Protection Order Rules reviewed the rules and forms, and proposed amendments and proposals. Pursuant to Promulgation Order PRM25-002-01 (Sept. 17, 2025), the rules were repealed, and replaced with the Rules Governing Protection Order Cases. The following revised forms were adopted: Form 1 (Petition for Order of Protection), Form 3 (Respondent's Inventory of Firearms, Firearms Parts, Ammunition, and Permits/Registrations), and Notification to Respondent. The following forms were not substantively changed and were renumbered: Form 2 (Marshals Service Information Form, formerly Form A2), Form 4 (Motion to Dismiss, Extend or Modify, formerly Form C), Form 5 (Motion and Affidavit and OSC for Contempt for Violating an Order of Protection, formerly Form D).

POR 1. Protection Order Cases.

These rules govern all cases involving orders of protection available under Title 7 Chapters 40, 40A, and 40B of the Guam Code Annotated. Protection order cases are separate and distinct from all other matters.

The forms attached to these Rules have been developed to assist litigants in filing Petitions and understanding the Protection Order process. The Committee to Revise the Protection Order Rules may convene from time to time to revise the forms in accordance with updated court practices and procedures, without notice. All forms shall be made available on the Court's website and in the Clerk's Office.

POR 2. Filing and Costs of a Petition for an Order of Protection.

(a) Petition for Order of Protection

(1) A Petition for an Order of Protection must be filed with the Clerk of Court at the Superior Court of Guam.

(2) The party(ies) seeking relief must be designated as Petitioner(s) or Plaintiff(s), and the party(ies) answering the Petition must be designated Respondent(s) or Defendant(s).

(3) All petitions must be made under oath and contain detailed facts and information to assist the Court in making a determination of the basis for the petition.

(b) Petition Costs. Petitions for an Order of Protection must be filed without cost. This fee exemption applies only to Petitions for Orders of Protection. Fees must be paid for related domestic, child custody, or child support actions, even if filed at the same time as the Petition for an Order of Protection.

SOURCE: 19 GCA § 14104; 7 GCA §§ 40103(d), 40A104, 40B104.

(c) Clerk's Office. The Clerk's office must be open and available to assist any person seeking an Order of Protection Monday through Friday during regular business hours. Petitions filed after 3 p.m. may not be acted upon until the following business day.

POR 3. Petition; Notice; Hearings; Order of Protection.

(a) Petition.

(1) To obtain an Order of Protection, an applicant must file the following forms:

SUPERIOR COURT
RULES GOVERNING PROTECTION ORDER CASES

- (A) Petition for Order of Protection (Form 1)
- (B) Marshal's Service Information (Form 2), and
- (C) Non-Criminal Case Coversheet.

(2) The Petition may indicate whether the Petitioner is seeking a Temporary Order of Protection for immediate relief.

(3) The Petitioner must provide as much information regarding the identity of and contact information for the respondent as is known to the Petitioner.

(4) Within the Petition, the Petitioner may request to seal documents or submit them *in camera*.

(5) In examining the petition, the Court may consider publicly available records concerning the parties such as criminal history and other relevant court cases.

(b) Notice. Notice of the Petition is not required to be served on a Respondent until ordered by the court.

(c) Hearings.

(1) Initial Hearing. After a review of the Petition, the court may opt to schedule a hearing whereby the petitioner responds to questions from the court.

(2) Show Cause Hearing on Temporary Order of Protection or Final Order of Protection.

(A) The Court must set the matter for a Show Cause Hearing within ten (10) business days. The hearing may be continued as deemed necessary by the Court.

(B) Upon issuance of a Temporary Order of Protection, the Court must also issue a Notice to Respondent.

(C) If the Respondent fails to appear at a Show Cause Hearing after being properly served and noticed, the case may proceed by default.

(D) At a Show Cause Hearing or any subsequent evidentiary hearing, the Court may take testimony and evidence.

(d) Order of Protection. After taking testimony and evidence at the Show Cause Hearing, or upon receiving a consent by Respondent to an Order of Protection, the Judge may issue an Order of Protection for such periods as authorized by law. Any Order of Protection or approved consent agreement must be for a fixed period of time as the Court deems appropriate. The Court may amend its order or agreement at any time upon subsequent petition or motion filed by either party.

(e) Mutual Restraining Orders. A court may not issue a mutual restraining order unless the Court has made specific findings that each party was entitled to such an order, including findings of fact indicating that both parties acted primarily as aggressors and that neither acted primarily in self-defense.

SOURCE: 7 GCA §§ 40105(b), 40A106(e), 40B105(d); 18 USC § 2265(c).

POR 4. Relief.

The Court must grant relief in accordance with Chapters 40, 40A, and 40B of Title 7 of the Guam Code Annotated.

Copies of Orders to Show Cause and Protection Orders must be furnished to all parties at no cost.

SOURCE: 7 GCA §§ 40105(a); 40A106, 40B106.

SUPERIOR COURT
RULES GOVERNING PROTECTION ORDER CASES

POR 5. Service of Orders of Protection and Show Cause Orders.

(a) Unless otherwise directed by the Court, the Marshals Division of the Superior Court of Guam must serve all Orders of Protection and Show Cause Orders.

(b) The Marshal must notify Petitioner and/or his/her attorney:

- (1) as soon as practicable that service has been accomplished; and
- (2) of non-service and the attempts to serve.

(c) If the Marshals Division has been unable to serve an Order to Show Cause after multiple attempts, the Petitioner may apply to serve the Order to Show Cause by publication pursuant to Guam Rule of Civil Procedure 4 and 7 GCA § 14106.

POR 6. Burden of Proof.

(a) Petitioner must prove by a preponderance of the evidence the allegations stated in the Petition.

SOURCE: 7 GCA §§ 40104(a), 40A106(a), 40B106(a).

(b) The Guam Rules of Evidence do not apply to applications for or hearings for Temporary Orders of Protection; however, the Guam Rules of Evidence are applicable to hearings for Permanent Orders of Protection.

POR 7. Violations; Contempt Proceedings.

(a) Motion for Contempt. A motion seeking to hold a party in contempt must be filed contemporaneously with an affidavit detailing the factual basis for the motion for contempt.

(b) Contempt. Upon a preliminary finding that a violation may have occurred, the Court must issue an Order to Show Cause and schedule a hearing. Notice of the hearing must be provided to the responding party within a reasonable time.

(c) Contempt Hearing. To make a finding of contempt, the Court must conduct an evidentiary hearing and evaluate if a contempt has occurred by a preponderance of the evidence.

(d) Orders of Contempt. If the Court finds the Respondent in contempt, the Court may impose sanctions pursuant to 7 GCA §§ 34101(b), 40A106(f), or 40B106(e), as applicable.

SOURCE: 7 GCA §§ 40109, 34101(a), (b), 34102; 9 GCA § 80.34; *People v. Torres*, 2008 Guam 26

POR 8. Firearms; Surrender of Firearms and/or Ammunition.

The Court may require a Respondent subject to any Order of Protection to immediately surrender all firearms and/or ammunition to the Marshals of the Court, or other law enforcement officers. Should firearms be seized, the Marshals shall keep an inventory of the seized items, have the Respondent fill out an Inventory of Firearms, Firearm Parts, Ammunition and Permit/ Registrations (Form 3), and file the Statement with the Court.

SOURCE: 18 U.S.C. § 922(g)(8) and (9).

POR 9. Enforcement of Orders of Protection.

(a) Guam Orders of Protection. Orders of Protection issued by the courts of Guam must be certified by the Clerk of the Superior Court of Guam and must be accorded full faith and credit in all jurisdictions in the United States, including territories, tribes and commonwealths.

(b) Foreign Orders of Protection.

**SUPERIOR COURT
RULES GOVERNING PROTECTION ORDER CASES**

(1) A certified copy of an order for protection or restraining order issued in another state or jurisdiction may be filed with the Clerk of Court of the Superior Court of Guam. The Clerk of Court must take the same action upon foreign orders as is taken with orders issued by a court of Guam.

SOURCE: 19 GCA § 14105(a).

(2) Any valid protection order relating to abuse or domestic violence issued in another state, territory, tribe, or commonwealth of the United States, and filed with the Clerk of Court in accordance with POR 9(b)(1), must be afforded full faith and credit by the courts of Guam and enforced as if issued by a court of Guam.

SOURCE: 19 GCA § 14105(b).

(3) At the request of a court of another state, or of a person who is affected by or has a legitimate interest in a foreign order for protection, the Clerk of Court must certify and forward a copy of the foreign order to the requesting party at no cost.

SOURCE: 19 GCA § 14105(c)(2).

POR 10. Protective Order Registry.

(a) Registry. The Clerk of the Superior Court of Guam must maintain a registry of all orders of protection and restraining orders which are:

(1) issued by the courts of Guam. Such orders must be included in the registry within 24 hours after they are issued.

(2) issued by a court in another state, territory, tribe, or commonwealth of the United States, which has been and filed with the Clerk of Court in accordance with POR 9(b)(2). Such orders must be included in the registry within 24 hours after a certified copy of the foreign order is filed with the Clerk of Court.

SOURCE: 19 GCA § 14105(c)(1); 19 GCA § 14106(a).

(b) Availability of Information. Upon request, the information contained in the registry must be available at all times to a court, law enforcement agency, and other governmental agency.

SOURCE: 19 GCA § 14106.

Appendix A

LOCAL RULES OF THE SUPERIOR COURT OF GUAM

2025 NOTE: Pursuant to Promulgation Order No. PRM25-002-01 (Sept. 17, 2025), the Local Rules of Court for Family Violence Orders of Protection were repealed, and replaced with the Rules Governing Protection Order Cases. The following revised forms were adopted: Form 1 (Petition for Order of Protection), Form 3 (Respondent's Inventory of Firearms, Firearms Parts, Ammunition, and Permits/Registrations), and Notification to Respondent. The following forms were not substantively changed and were renumbered: Form 2 (Marshals Service Information Form, formerly Form A2), Form 4 (Motion to Dismiss, Extend or Modify, formerly Form C), Form 5 (Motion and Affidavit and OSC for Contempt for Violating an Order of Protection, formerly Form D).

The Family Violence Orders of Protection Rules that were valid through Sept. 16, 2025 may be viewed here.

FAMILY VIOLENCE ORDERS OF PROTECTION

MR 2.1. Family Violence Orders of Protection.

Authority. These rules shall govern the Order of Protection process in the Superior Court, for all persons as defined under 9 GCA § 30.10(b), and 7 GCA § 40101(d), who seek an order of the Court for exigent and immediate relief from abuse or the threat of abuse by a family or household member.

SOURCE: Adopted as Rule 14 of the Rules of the Superior Court of Guam by Prom. Order No. PRM 06-003 (Mar. 31, 2006). Renumbered by the Compiler to adhere to the numbering scheme for the Rules of the Superior Court of Guam. Incorporated to the Local Rules as MR 2.1 et seq. pursuant to Prom. Order No. PRM 06-006-02 (May 31, 2007), which adopted the revised Local Rules of the Superior Court of Guam. Forms to be used with these rules were adopted by Prom. Order No. 06-006-04 (Jan. 9, 2008), as Exhibits A-D. Prom. Order No. PRM 06-006-18 (May 14, 2015) amended MR 2.1 et seq., and adopted Pro Se Order of Protection Instructions and the following forms: Form A1, Form A2, Form A3, Form A4, Form B1, Form B2, Form B3, Form C, and Form D; effective June 1, 2015.

2023 NOTE: The rules adopted in Prom. Order No. PRM 06-006-18 (May 14, 2015) included Source and Compiler Notes; certain annotations have been updated, amended and/or omitted.

MR 2.1.1. Jurisdiction.

Limitation of Process. The following Rules shall apply to the Order of Protection process for all persons as defined under 9 GCA § 30.10(b), and 7 GCA § 40101(d), who seek an order of the Superior Court for exigent and immediate relief from abuse or the threat of abuse by a family or household member. This process does not apply to protection cases filed by the government in cases designated Persons In Need of Services; Beyond Control; and Adult Protection.

2023 NOTE: When adopted by Prom. Order No. PRM 06-003 (Mar. 31, 2006), Rule 1.01 Limitation of Process erroneously referred to 7 GCA § 40105(d). This manifest error was corrected to "7 GCA § 40101(d)" pursuant to the authority of 1 GCA § 1606.

MR 2.1.2. Assignment of Order of Protection Cases.

All *ex parte* applications for Temporary Orders of Protection and Permanent Orders of Protection Cases or Orders to Show Cause, shall be assigned to the Family Violence Court. Consistent with the concept of One-Judge-One Family, any domestic case involving a party or parties who are also involved in an Order of Protection Case shall be assigned, or reassigned, to the Family Violence Court.

2023 NOTE: Prom. Order No. PRM 06-006-18 (May 14, 2015) indicated the Source of this provision as Administrative Rule No. 14-001 (Feb. 21, 2014) (Regarding Amended Trial Court Case Assignment Procedures), effective Mar. 1 2014.

MR 2.1.3. Petition.

(a) Petition for Order of Protection.

(1) A Petition for an Order of Protection shall be filed with the Clerk of Court at the Courts and Ministerial Division of the Superior Court of Guam.

LOCAL RULES OF THE
SUPERIOR COURT OF GUAM

(2) The new designation for a Petition of an Order of Protection shall be “Protective Order - PO Case #00-0000.” Plaintiff shall be the “Petitioner.” Defendant shall be the “Respondent.”

(3) A Petition must be made under oath, and contain detailed facts and information to assist the Court in making a determination of the basis for the petition.

(b) Separate Actions. A Petition for an Order of Protection may be filed separately, filed concurrently with another case, or subsequent to another existing case. All cases involving the same parties shall be automatically consolidated by the Clerk of Court for assignment.

(c) Costs. A Petition for an Order of Protection shall be filed without cost. This fee exemption applies only to Petitions for Orders of Protection. The fee exemption is not available for any concurrent or subsequent filing of a related domestic, child custody, or child support action. Fees must be paid for related domestic, child custody, or child support actions, even if filed at the same time as the Petition for Order of Protection.

(d) Clerk Office Open. The Clerk’s Office shall be open and available to assist any person seeking an Order of Protection Monday through Friday from 8:00 a.m. to 5:00 p.m. If the Court is not open for regular business hours, or on the weekend, a petition may be heard by the magistrate judge, or any judge available on duty.

2024 NOTE: Past publications state 19 GCA § 14104 as the source for subsection (c).

MR 2.1.4. Hearings and Notice.

(a) *Ex Parte* Application for Temporary Order of Protection.

(1) An *ex parte* application for an Order of Protection shall be heard each day pursuant to these Rules. A declaration regarding notice to the Respondent is required only in cases where Respondent is represented by counsel. In cases where Respondent is represented by counsel, it shall be the duty of Petitioner’s counsel to file a declaration containing the following:

(A) that a good faith effort has been made to advise counsel for all other parties, if known, of the date, time and substance of the proposed *ex parte* application or the reasons supporting the claim that notice should not be required, and

(B) the efforts to contact other counsel or the parties and whether any other counsel or party, after such advice, opposes the application or has requested to be present when the application is presented to the court, and if not filed in accordance with this rule, reasons why the *ex parte* application has not been timely filed.

Notice is not required to be served on a pro se Respondent if such notice would further endanger the safety and welfare of the Petitioner and/or minor child/ren. The Clerk of Court will transmit the petition for immediate review and hearing at such times designated by the *Ex Parte* judge, or any available judge should the *Ex Parte* judge not be available.

(2) An *ex parte* application for a Temporary Order of Protection and a request for a Show Cause hearing for a Permanent Order of Protection shall be filed together with a Petition and Affidavit for Temporary Order of Protection subscribed under oath by the Petitioner.

(3) The Judge after review of the Petition and Affidavit, if the Judge deems a hearing necessary, may require the Petitioner to respond to any questions from the Court at an *ex Parte* hearing. If the Petitioner is not present at the *ex parte* hearing and is instead represented by an attorney, the Court may accept the Affidavit of the Petitioner as establishing grounds for issuance of the Temporary Order of Protection.

**LOCAL RULES OF THE
SUPERIOR COURT OF GUAM**

SOURCE: 19 GCA § 14101. Adopted by Prom. Order No. PRM 06-006-01 (May 3, 2007). Revised and amended by Prom. Order No. 06-006-02 (May 31, 2007). Subsection (a)(1) amended by Prom. Order No. PRM 06-006-18-01 (July 18, 2022) (amendment made to the prior number MR 2.1.3).

2022 COMPILER NOTE: According to the Subcommittee on Rules of Civil Procedure, the amendment to subsection (a) clarifies the *ex parte* procedure for temporary orders or protection accordance with the *ex parte* procedures contained in the amendments to Rule 7.1(j).

(4) Upon grant of the Temporary Order of Protection, the Clerk of Court shall set the matter for a Show Cause Hearing for a Permanent of Protection no later than ten (10) calendar days from date of the issuance of the Temporary Order of Protection.

SOURCES: 7 GCA § 40105(b) and § 20301.

(b) Final Orders of Protection/Show Cause Hearing.

(1) All Show Cause Hearings for Permanent Orders of Protection shall be heard by the Family Violence Court Judge, the *Ex Parte* Judge should the Family Violence Court Judge be unavailable, or any other available judge should the *Ex Parte* Judge be unavailable.

(2) All Show Cause hearings shall be heard no later than ten (10) calendar days after issuance of the Temporary Order of Protection, and shall be calendared at such times as designated by the Court.

(3) The Respondent shall be ordered to appear before the Court at the times and dates specified in the Temporary Order of Protection. Failure to appear may subject the Respondent to contempt charges. If the Respondent fails to appear at the hearing after being properly served and noticed, the case may proceed by default.

(4) The Court shall inform the Respondent of his right to seek assistance of an attorney at his own expense. If the Respondent desires to obtain assistance of an attorney, the Court may continue the Show Cause hearing for a reasonable period to afford the Respondent an opportunity to obtain counsel and may enter a continued Temporary Order of Protection in the interim. A Temporary Order of Protection may be modified, may continue as a temporary order, or may be made permanent as deemed appropriate by the Court.

(5) After taking testimony and evidence at the Show Cause hearing, and upon a showing of proof by a preponderance of the evidence as to the truth of the allegations in the Petition, the Judge may issue an Order of Protection for such periods as authorized by law, or may approve any consent agreement to bring about cessation of abuse of the Petitioner or minor child/ren. Any Order of Protection or approved consent agreement shall be for a fixed period of time as the Court deems appropriate. The Court may amend its order or agreement at any time upon subsequent petition or motion filed by either party.

(6) Mutual restraining orders, either stipulated to by the parties or issued by the court, are prohibited unless:

(A) based on a cross or counter petition or complaint, or

(B) the Court has made specific findings that each party was entitled to such an order, including detailed findings of fact indicating that both spouses acted primarily as aggressors and that neither acted primarily in self-defense.

SOURCE: 7 GCA § 40105(b); 18 U.S.C. § 2265(c).

**LOCAL RULES OF THE
SUPERIOR COURT OF GUAM**

MR 2.1.5. Relief.

(a) The Court shall be empowered to grant protection by appropriate order or approve any consent agreement to bring about a cessation of abuse of the Petitioner or minor children, which are not limited to but may include:

(1) directing the Respondent to refrain from abusing the Petitioner or minor children;

(2) granting possession of the residence or household to the Petitioner to the exclusion of the Respondent by evicting the Respondent or restoring possession to the Petitioner when the residence or household is jointly owned or leased by the parties;

(3) When the Respondent has a duty to support the Petitioner or minor children living in the residence or household and the Respondent is the sole owner or lessee, granting possession to the Petitioner of the residence or household to the exclusion of the Respondent by evicting the Respondent to restoring possession to the Petitioner or by consent agreement allowing the Respondent to provide suitable, alternative housing; or

(4) awarding temporary custody or establishing temporary visitation rights with regard to minor children.

SOURCES: 7 GCA § 40105(a); and 19 GCA § 8404.

MR 2.1.6. Service of Orders.

Service of Orders of Protection and Show Cause Orders. The Marshals Division of the Superior Court of Guam will serve all Orders of Protection and Show Cause Orders upon order of the Court, or at the request of the Petitioner. The Petitioner or his/her attorney should provide complete and detailed information on the whereabouts of the Respondent. If the Respondent is incarcerated the Petitioner should notify the Marshals of the date of arrest.

2013 NOTE: Subsection designation was removed to adhere to the Compiler's general codification scheme pursuant to the authority granted by 1 GCA § 1606.

MR 2.1.7. Standard of Review.

(a) Burden of Proof.

(1) The burden of proof is upon the Petitioner who seeks an Order of Protection to prove by a preponderance of the evidence the truth of the allegations stated in the petition.

(2) Immediate and present danger to the Petitioner or minor child/ren shall constitute good cause for the issuance of a Temporary Order of Protection in an *ex parte* proceeding.

(3) The Rules of Evidence do not apply to *ex parte* hearings for Temporary Orders of Protection; however, The Rules of Evidence are applicable to Permanent Orders of Protection.

(b) Additional Evidence Required on *Ex Parte* Application.

(1) A party seeking removal of another party from the family residence under MR 2.1.5 (a)(2) on *ex parte* application must provide, to the satisfaction of the Court, proof of ownership of the family residence or leasehold.

(2) A party seeking temporary custody of minor children of the parties under MR 2.1.5.(a)(4) on *ex parte* application must provide proof, by a preponderance of the evidence, of immediate and present danger of abuse to the minor children.

**LOCAL RULES OF THE
SUPERIOR COURT OF GUAM**

2024 NOTE: Past publications state the sources for this rule as follows: 7 GCA § 40104(a) for subsection (a)(1); 7 GCA § 40104(b) for subsection (a)(2); 7 GCA § 40104(a) as the source for subsection (a)(3); 7 GCA § 40105 for subsection (b)(1); and 7 GCA § 40104(b) for subsection (b)(2).

MR 2.1.8. Contempt.

(a) Contempt.

(1) Upon violation of an Order of Protection, or a court-approved consent agreement of the parties, the Court may hold the Respondent in contempt, as follows:

(A) If the judge certifies that he or she saw or heard conduct constituting contempt and it was committed in the actual presence of the Court, and any person found guilty of such contempt may be punished summarily by a fine not exceeding \$25.00 or by imprisonment not exceeding five days or by both. The order of contempt shall recite the facts and shall be signed by the judge and entered of record.

(B) Other than as provided by subsection (A), civil and criminal contempt shall be prosecuted on notice and a hearing. Any person found guilty of contempt, other than as provided by subsection (A), may be subject to the same penalty as a person found guilty of a petty misdemeanor, which is, a definite term set by the Court not to exceed sixty (60) days imprisonment and fine not to exceed \$500.

SOURCE: 7 GCA §§ 40109, 34101(a) and (b); 9 GCA § 80.34. *People v. Torres*, 2008 Guam 26.

MR 2.1.9. Firearms.

(a) Surrender of Firearms and/or Ammunition.

(1) The Court shall require a Respondent subject to an Order of Protection to immediately surrender all firearms and/or ammunition to the Marshals of the Court, or other law enforcement officers.

(2) The Court may issue to the Marshals such search warrants as are necessary to effect the federal statute, the Gun Control Act of 1996, 18 U.S.C. § 922(g)(9). The Court may find probable cause determination based on the allegations contained in the Petition and Affidavit of the Petitioner, or evidence presented at hearing.

(3) Any firearms and/or ammunition seized by the Marshals shall comply with Standard Operating Procedures of the Superior Court of Guam Marshals Division for the seizure, storage and return of all firearms and/or ammunition seized in all protection from abuse cases. Any firearm seized by any other law enforcement officer shall comply with that department's standard operating procedure for the seizure, storage and return of all firearms and/or ammunition seized.

SOURCE: 18 U.S.C. § 922(g)(8), (9).

(b) Federal Firearm Prohibition. An Order for Protection must meet the requirements to satisfy the requirements of a "Qualifying Protection Order" under the federal firearm prohibitions:

(1) the Respondent must have received notice of the hearing,

(2) the Respondent must have had an opportunity to participate in the hearing,

(3) include a finding that the Respondent represents a credible threat to the physical safety of the Petitioner or child; or by its terms, explicitly prohibit the actual, attempted, or threatened use of physical force against the Petitioner or child.

SOURCE: 18 U.S.C. § 922(g)(8).

**LOCAL RULES OF THE
SUPERIOR COURT OF GUAM**

(c) Release of Firearms and/or Ammunition.

(1) Any firearm and/or ammunition that has been surrendered pursuant to MR 2.1.9(a) shall not be released to a Respondent who is subject to an Order of Protection as set forth in MR 2.1.9(b), until the Respondent obtains a court order granting such release.

NOTE: Pursuant to the authority granted by 1 GCA § 1606, the reference to Rule 14 was altered to reflect its adoption in the Miscellaneous Rules of Local Rules of the Superior Court of Guam

(2) The Respondent or other registered owner may request, by motion to the assigned judge, for the release of any firearm and/or ammunition surrendered pursuant to MR 2.1.9(a). Such motion shall be made after the expiration of the Order for Protection.

(3) At the hearing, the judge shall consider the following:

(A) Has the Order for Protection has been extended or made permanent;

(B) Is the Respondent subject to any court order that precludes the ownership or possession of firearms and/or ammunition;

(C) The ownership and registration status of the firearm and/or ammunition;

(D) Any other factor which, in the sound discretion of the court will justify the release or other disposition of the firearm(s) or ammunition, including but not limited to, the grounds for Respondent's request for release, possible danger for the victim(s), and employment purposes.

(4) No firearm shall be released by any Judiciary Marshal pursuant to this rule unless the Respondent complies with the applicable statutes regarding registration, Chapter 60 of Title 10 of the GCA.

(5) The Judiciary shall not be held liable for alleged damage or deterioration due to the storage, transportation of any firearm that was surrendered to the Marshals pursuant to MR 2.1.9(a).

MR 2.1.10. Enforcement of Orders of Protection.

(a) Orders of Protection. Orders of Protection issued by the courts of Guam shall be certified by the Clerk of the Superior Court of Guam, and shall be accorded full faith and credit in all jurisdictions in the United States, including territories, tribes and commonwealths.

(b) Foreign Orders of Protection.

(1) A certified copy of an order for protection or restraining order issued in another state or jurisdiction may be filed with the Clerk of Court of the Superior Court of Guam. The Clerk of Court shall take the same action upon foreign orders as is taken with orders issued by a court of Guam.

(2) Any valid protection order relating to abuse or domestic violence issued in another state, territory, tribe, or commonwealth of the United States, and filed with the Clerk of Court in accordance with subsection MR 2.1., shall be afforded full faith and credit by the courts of Guam and enforced as if issued by a court of Guam.

(3) At the request of a court of another state, or of a person who is affected by or has a legitimate interest in a foreign order for protection, the Clerk of Court shall certify and forward a copy of the foreign order to the requesting party at no cost.

2024 NOTE: Past publications state the sources for this rule as follows: 19 GCA § 14105 (a) for subsection (b)(1); 19 GCA § 14105 (b) for subsection (b)(2); and 19 GCA § 14105 (c)(2) for subsection (b)(3).

**LOCAL RULES OF THE
SUPERIOR COURT OF GUAM**

MR 2.1.11. Protective Order Registry.

(a) Registry. The Clerk of the Superior Court of Guam shall maintain a registry of all orders of protection and restraining orders which are:

(1) issued by the courts of Guam. Such orders shall be included in the registry within 24 hours after they are issued.

(2) issued by a court in another state, territory, tribe, or commonwealth of the United States, which has been and filed with the Clerk of Court in accordance with MR 2.1.10(b)(1). Such orders shall be included in the registry within 24 hours after a certified copy of the foreign order is filed with the Clerk of Court.

(b) Availability of Information. Upon request, the information contained in the registry shall be available at all times to a court, law enforcement agency, and other governmental agency.

2024 NOTE: Past publications state 19 GCA § 14105(c)(1) and § 14106(a) as the source for subsection (a), and 19 GCA § 14106 as the source for subsection (b).

Repealed

FAMILY VIOLENCE ORDERS OF PROTECTION

ATTORNEY OF PARTY WITHOUT ATTORNEY (Name and address):

TELEPHONE NO.:

E-MAIL ADDRESS:

ATTORNEY FOR (NAME):

IN THE SUPERIOR COURT OF GUAM

PETITIONER ,

vs.

RESPONDENT.

PROTECTIVE ORDER
PO Case # _____

**PETITION FOR TEMPORARY
ORDER OF PROTECTION AND
ORDER TO SHOW CAUSE**

FORM A1

I, _____, whose address is _____
_____ and having been sworn, declare the following
to be true:

1. I am asking the Court to give me an Order of Protection pursuant to 7 GCA § 40102 and Local Rules of Court M.R. 2.1. I am in fear of domestic abuse from the Respondent and provide the following information, **under oath**, in support of this application.

I am filing this Petition on behalf of myself and the following minor child(ren) AND/OR other person(s):

a. Myself

Date of Birth: _____

b. _____

c. _____

d. _____

e. _____

2. The following information is provided on the Respondent:

a. Date of Birth: _____;

b. Race: _____;

c. Gender: ☐ (M) ☐ (F);

- d. Social Security Number is----- _____;
- e. D/L #: _____ State issued: _____ Expiration Date: _____;
- f. Residence: _____;
- g. Mailing address (if different from above): _____;
- h. Hair color: _____;
- i. Eye Color: _____;
- j. HT: _____ WT: _____.

3. My relationship to the Respondent:

- | | |
|--|---|
| ☐ Spouse | ☐ We have children in common |
| ☐ Former spouse | ☐ Related to me by blood or marriage |
| ☐ Person I am currently living with | ☐ Formerly related by marriage |
| ☐ Person I previously lived with | ☐ Current or former dating partners |
| ☐ Have had intimate relations | |

4. You, Petitioner, speak English? ☐ Yes **or** ☐ No

If no, what language do you speak? _____

Respondent speaks English? ☐ Yes **or** ☐ No

If no, what language does Respondent speak? _____

5. The Respondent and I are parents of the following minor child(ren):

Name:	Date of Birth:
a. _____	_____
b. _____	_____
c. _____	_____
d. _____	_____
e. _____	_____

I am the parent, but the Respondent is not the parent of the following minor child(ren):

Name:	Date of Birth:
a. _____	_____
b. _____	_____
c. _____	_____
d. _____	_____
e. _____	_____

6. The facts of the most recent incident(s) of domestic abuse toward me (and my minor child(ren)) are as follows: (please write a brief description of each incident including shoves, kicks or blows inflicted, weapons used, threats made, injuries sustained, medical or hospital treatment necessary, if any.) ☐ See Attached.

Date/Time: _____

Description: _____

Date/Time: _____

Description: _____

Date/Time: _____

Description: _____

7. I would like the Court to give me an Order of Protection against the Respondent ordering the following: (Mark all that apply).

- ☐ Stopping Respondent from harassing, abusing, threatening, using or attempting to use physical force or cause bodily injury to me and the minor child(ren);
- ☐ Stopping Respondent from telephoning, contacting, or communicating with me, or the minor child(ren), unless otherwise allowed by the Court;
- ☐ Stopping Respondent from coming within five hundred (500) feet of me, my place of residence, my place of employment, or the minor child(ren), unless otherwise allowed by the Court;
- ☐ Stopping Respondent from removing and excluding the Respondent from my residence;
- ☐ Granting me temporary custody of the following minor child(ren): _____

8. I declare under penalty of perjury under the laws of Guam (6 GCA § 4308) that the foregoing is true and correct and to the best of my knowledge.

 PETITIONER PRINT NAME, SIGN, AND DATE

ATTORNEY OF PARTY WITHOUT ATTORNEY (Name and address):

TELEPHONE NO.:

E-MAIL ADDRESS:

ATTORNEY FOR (NAME):

IN THE SUPERIOR COURT OF GUAM

PETITIONER,

vs.

RESPONDENT.

PROTECTIVE ORDER

PO Case # _____

**MARSHALS SERVICE
INFORMATION FORM**

FORM A2

RESPONDENT'S INFORMATION:

NAME:		ALIAS:	
RESIDENTIAL ADDRESS:		HOME PHONE:	
		CELLULAR PHONE:	
PLACE OF EMPLOYMENT:	WORK HOURS:	WORK PHONE:	
		OTHER CONTACT NUMBERS:	
VEHICLE (MAKE/MODEL/COLOR):	LICENSE PLATE NUMBER:	HANGOUTS:	

PETITIONER'S INFORMATION:

NAME:	HOME PHONE:
RESIDENTIAL ADDRESS:	WORK PHONE:
	CELLULAR PHONE:

PLEASE PROVIDE A PICTURE OF RESPONDENT (IF YOU HAVE ANY).

DRAW A MAP TO RESPONDENT'S RESIDENCE (HOME) ON THE BACK.

DRAW A MAP TO RESPONDENT'S RESIDENCE BELOW.



Repealed

ATTORNEY OF PARTY WITHOUT ATTORNEY (Name and address):

TELEPHONE NO.:
E-MAIL ADDRESS:
ATTORNEY FOR (NAME):

IN THE SUPERIOR COURT OF GUAM

PETITIONER, vs. RESPONDENT.	PROTECTIVE ORDER CASE NO. PO#: _____ ORDER TO SHOW CAUSE TEMPORARY ORDER OF PROTECTION FORM A3
--	--

PETITIONER:

Petitioner’s Date of Birth: _____

First Middle Last

And/or on behalf of minor family member(s) (list name and DOB): Other protected person(s) (list name and DOB):

RESPONDENT:

First Middle Last

Relationship to Petitioner: _____

Respondent’s Address: _____

Respondent’s Distinguishing Features: _____

RESPONDENT’S IDENTIFIERS:

SEX	RACE	DOB	HT	WT
EYE	HAIR	SOCIAL SECURITY #		
DRIVER’S LICENSE #		STATE	EXP	

CAUTION: ☐ WEAPON INVOLVED

I. THE COURT FINDS AND CONCLUDES:

The Court has jurisdiction over the parties and the subject matter. Petitioner and/or the individual, if any, who Petitioner is petitioning on behalf of is a “family or household” member as defined by 9 GCA § 30.10(b) and 7 GCA § 40101(d).

Petitioner has pled “immediate and present danger of abuse” as provided by 7 GCA § 40101(b). For good cause shown, the Court finds that an emergency exists and that a Temporary Protection Order should be issued without notice to Respondent. Respondent will be served with notice of their opportunity to be heard at the scheduled hearing stated below.

II. THE COURT HEREBY ORDERS:

1. That the Respondent is enjoined and restrained from threatening, abusing, harassing or disturbing the peace and well-being of those protected on page 1 or removing them from Guam;
2. That the Respondent is prohibited from coming within 500 feet of those protected on page 1, such as their residence, place of employment, and school;
3. That the Respondent is prohibited from contacting those protected on page 1, directly or indirectly, such as by telephone, letter, e-mail, social media, or through third party.

III. YOU ARE FURTHER ORDERED TO:

- ☐ Immediately deliver to the Marshals the following: _____
- ☐ Immediately vacate the family residence at: _____
- ☐ Surrender any and all firearms, firearm IDs, and firearm permits in Respondent’s control, and/or possession to the Superior Court Marshals.
- ☐ Bring your most recent W-2 forms or a copy of your most recent income tax return and your last paycheck for the purpose of assessing your ability to pay spousal/child support.
- ☐ Other: _____
- _____

NOTICE TO APPEAR: YOU ARE ORDERED to appear on _____ at _____ A.M./P.M. in the Superior Court of Guam, **to SHOW CAUSE** why the above orders should not continue or be made permanent, as well as any other orders the Court deems necessary.

DATE: _____ **TIME:** _____

JUDGE, SUPERIOR COURT OF GUAM

NOTICE TO RESPONDENT: VIOLATION OF THIS ORDER MAY SUBJECT YOU TO PUNISHMENT UNDER 9 GCA §30.40 (VIOLATION OF COURT ORDER), A FINE OF NOT MORE THAN ONE THOUSAND DOLLARS (\$1,000) OR BY IMPRISONMENT FOR NOT MORE THAN ONE (1) YEAR, OR BY BOTH SUCH FINE AND IMPRISONMENT.

VIOLATION OF THIS ORDER MAY ALSO SUBJECT YOU TO PUNISHMENT UNDER 7 GCA §§ 34101(B) AND 34102(B) (CONTEMPT OF COURT), A FINE OF NOT MORE THAN \$500 OR BY IMPRISONMENT OF NOT MORE THAN 60 DAYS, OR BY BOTH FINE AND IMPRISONMENT.

ANY COMMUNICATION INITIATED BY PETITIONER DOES NOT WAIVE OR NULLIFY THIS ORDER. THE GUAM POLICE DEPARTMENT, PORT AUTHORITY POLICE, AIRPORT POLICE AND SUPERIOR COURT MARSHALS SHALL ENFORCE THIS ORDER.

**SERVICE: RESPONDENT SERVED WITH COPY OF THIS ORDER ON _____ AT
_____:_____.A.M./P.M.**

Repealed

ATTORNEY OF PARTY WITHOUT ATTORNEY (Name and address):

TELEPHONE NO.:

E-MAIL ADDRESS:

ATTORNEY FOR (NAME):

IN THE SUPERIOR COURT OF GUAM

PETITIONER, vs. RESPONDENT.	PROTECTIVE ORDER PO Case # _____ ORDER OF PROTECTION DOCKETING STATEMENT FORM A4
--	---

PETITIONER'S MAILING ADDRESS: _____ _____	RESPONDENT'S MAILING ADDRESS: _____ _____
PETITIONER'S RESIDENTIAL (HOME) ADDRESS: _____ _____	RESPONDENT'S RESIDENTIAL (HOME) ADDRESS: _____ _____
PETITIONER'S CONTACT NUMBERS: HOME: WORK: MOBILE:	RESPONDENT'S CONTACT NUMBERS: HOME: WORK: MOBILE:
PETITIONER'S ATTORNEY(S) (FIRM NAME, ADDRESS, & CONTACT NUMBERS) _____ _____	RESPONDENT'S ATTORNEY(S) (FIRM NAME, ADDRESS, & CONTACT NUMBERS) _____ _____
TYPE – CAUSE OF ACTION: <i>ORDER OF PROTECTION</i>	

ATTORNEY OF PARTY WITHOUT ATTORNEY (Name and address):

TELEPHONE NO.:

E-MAIL ADDRESS:

ATTORNEY FOR (NAME):

IN THE SUPERIOR COURT OF GUAM

P _____
TITIONER,

vs.

RESPONDENT.

PROTECTIVE ORDER

PO Case # _____

ORDER OF PROTECTION

FORM B1

PETITIONER:

Petitioner's Date of Birth: _____

First Middle Last

And/or on behalf of minor family member(s) (list name and DOB):

Other protected person(s) (list name and DOB):

RESPONDENT:

First Middle Last

Relationship to Petitioner: _____

Respondent's Address: _____

Respondent's Distinguishing Features: _____

RESPONDENT'S IDENTIFIERS:

SEX	RACE	DOB	HT	WT
EYE	HAIR	SOCIAL SECURITY #		
DRIVER'S LICENSE #		STATE	EXP	

CAUTION: ☐ **WEAPON INVOLVED**

I. THE COURT FINDS AND CONCLUDES:

The Court has jurisdiction over the parties and the subject matter. Notice of this hearing was served on the Respondent by personal service. Respondent had reasonable notice and an opportunity to be heard. Respondent ~~was~~ ~~was not~~ present at the hearing.

Petitioner and/or the individual, if any, who Petitioner is petitioning on behalf of is a "family or household" member as defined by 9 GCA § 30.10(b) and 7 GCA § 40101(d). Petitioner has pled "abuse" as defined by 7 GCA § 40101(a).

- ☐ Respondent ☐ admits ☐ does not admit there was abuse and consents to enter into an Order of Protection.
- ☐ Respondent has failed to appear at the OSC hearing after being properly served and noticed; thus, the case may proceed by default.
- ☐ Respondent objected to the allegations in the Petition, and after a full evidentiary hearing, Petitioner has proved the allegations of abuse by a preponderance of the evidence.

Other: _____

I. THE COURT HEREBY ORDERS:

1. That the Respondent is enjoined and restrained from threatening, abusing, harassing or disturbing the peace and well-being of those protected on page 1 or removing them from Guam;
2. That the Respondent is prohibited from coming within 500 feet of those protected on page 1, such as their residence, place of employment, and school;
3. That the Respondent is prohibited from contacting those protected on page 1, directly or indirectly, such as by telephone, letter, e-mail, social media, or through third party.

☐ THE COURT FURTHER ORDERS:

- ☐ Immediately deliver to the Marshals the following: _____
- ☐ Immediately vacate the family residence at: _____
- Surrender any and all firearms, firearm IDs, and firearm permits, in Respondent's control and/or possession to the Superior Court Marshals.
- ☐ Bring your most recent W-2 forms, or a copy of your most recent income tax return and your last paycheck for the purpose of assessing your ability to pay spousal/child support.
- ☐ Other: _____
- _____

THE ORDER IS EFFECTIVE THROUGH: _____

DATE: _____ **TIME:** _____

JUDGE, SUPERIOR COURT OF GUAM

NOTICE TO RESPONDENT: VIOLATION OF THIS ORDER MAY SUBJECT YOU TO PUNISHMENT UNDER 9 GCA §30.40 (VIOLATION OF COURT ORDER), A FINE OF NOT MORE THAN ONE THOUSAND DOLLARS (\$1,000) OR BY IMPRISONMENT FOR NOT MORE THAN ONE (1) YEAR, OR BY BOTH SUCH FINE AND IMPRISONMENT.

VIOLATION OF THIS ORDER MAY ALSO SUBJECT YOU TO PUNISHMENT UNDER 7 GCA §§ 34101(B) AND 34102(B) (CONTEMPT OF COURT), A FINE OF NOT MORE THAN \$500 OR BY IMPRISONMENT OF NOT MORE THAN 60 DAYS, OR BY BOTH FINE AND IMPRISONMENT.

FEDERAL LAW PROVIDES PENALTIES FOR POSSESSING, TRANSPORTING, SHIPPING, OR RECEIVING ANY FIREARM OR AMMUNITION (18 U.S.C. §922(g)(8) and (9)) FOLLOWING AN EVIDENTIARY HEARING AS TO WHICH THE DEFENDANT HAD NOTICE AND AN OPPORTUNITY TO APPEAR. THIS ORDER SHALL BE ENFORCED, EVEN WITHOUT REGISTRATION, BY THE COURTS AND LAW ENFORCEMENT OFFICERS OF ANY STATE, THE DISTRICT OF COLUMBIA, ANY U.S. TERRITORY, AND MAY BE ENFORCED BY TRIBAL LANDS (18 U.S.C. §2265). CROSSING STATE, TERRITORIAL, OR TRIBAL BOUNDARIES TO VIOLATE THIS ORDER MAY RESULT IN FEDERAL IMPRISONMENT (18 U.S.C. §2262).

ANY COMMUNICATION INITIATED BY PETITIONER DOES NOT WAIVE OR NULLIFY THIS ORDER. THE GUAM POLICE DEPARTMENT, PORT AUTHORITY POLICE, AIRPORT POLICE AND SUPERIOR COURT MARSHALS SHALL ENFORCE THIS ORDER.

SERVICE: RESPONDENT SERVED WITH COPY OF THIS ORDER ON _____ AT
_____: _____ A.M./P.M.

Repealed

ATTORNEY OF PARTY WITHOUT ATTORNEY (Name and address):

TELEPHONE NO.:

E-MAIL ADDRESS:

ATTORNEY FOR (NAME):

IN THE SUPERIOR COURT OF GUAM

PETITIONER,

vs.

RESPONDENT.

PROTECTIVE ORDER

PO Case # _____

ORDER OF PROTECTION

FORM B2

PETITIONER:

First Middle Last

Petitioner's Date of Birth: _____

First Middle Last

And/or on behalf of minor family member(s) (list name and DOB):

Other protected person(s) (list name and DOB):

RESPONDENT:

First Middle Last

First Middle Last

Relationship to Petitioner: _____

Respondent's Address: _____

Respondent's Distinguishing Features: _____

RESPONDENT'S IDENTIFIERS:

SEX	RACE	DOB	HT	WT
EYE	HAIR	SOCIAL SECURITY #		
DRIVER'S LICENSE #		STATE	EXP	

CAUTION: ☐ **WEAPON INVOLVED**

I. THE COURT FINDS AND CONCLUDES:

The Court has jurisdiction over the parties and the subject matter. Notice of this hearing was served on the Respondent by personal service. Respondent had reasonable notice and an opportunity to be heard. Respondent ☒ was ☒ not present at the hearing.

Petitioner and/or the individual, if any, who Petitioner is petitioning on behalf of is a "family or household" member as defined by 9 GCA § 30.10(b) and 7 GCA § 40101(d). Petitioner has pled "abuse" as defined by 7 GCA § 40101(a).

☐ Respondent ☐ admits ☐ does not admit there was abuse and consents to enter into an Order of Protection.

☐ Respondent has failed to appear at the OSC hearing after being properly served and noticed; thus, the case may proceed by default.

☐ Respondent objected to the allegations in the Petition, and after a full evidentiary hearing, Petitioner has proved the allegations of abuse by a preponderance of the evidence.

Other: _____

II. THE COURT HEREBY ORDERS:

1. That the Respondent is enjoined and restrained from threatening, abusing, harassing or disturbing the peace and well-being of those protected on page 1 or removing them from Guam;
2. That the Respondent is prohibited from coming within 500 feet of those protected on page 1, such as their residence, place of employment, and school;
3. That the Respondent is prohibited from contacting those protected on page 1, directly or indirectly, such as by telephone, letter, e-mail, social media, or through third party.

III. THE COURT FURTHER ORDERS:

☐ Immediately deliver to the Marshals the following: _____

☐ Immediately vacate the family residence at: _____

☐ Surrender any and all firearms, firearm IDs, and firearm permits, in Respondent's control and/or possession to the Superior Court Marshals.

☐ Bring your most recent W-2 forms, or a copy of your most recent income tax return and your last paycheck for the purpose of assessing your ability to pay spousal/child support.

☐ Other: _____

IV. THE COURT ORDERS CUSTODY/VISITATION:

1. Temporary Custody

- ☐ Petitioner is granted temporary custody of the minor children;
- ☐ Respondent is enjoined and restrained from interfering with Petitioner's custody of the minor children;
- ☐ Parties shall not remove the minor children of the parties from the Territory of Guam;
- ☐ Temporary Legal Custody to ☐ Petitioner / ☐ Respondent of the minor children;
- ☐ Temporary Physical Custody to ☐ Petitioner / ☐ Respondent of the minor children.

2. Visitation

- ☐ **Erica's House**
- ☐ **Neutral location:** _____
- ☐ Every / Every other weekend from _____ at _____ a.m/p.m through _____ at _____ a.m/p.m, starting on _____.
- ☐ 30 Minute Rule will apply: If more than 30 minutes late for pick up - lose that visitation; if more than 30 minutes late for return/drop off - lose next scheduled visitation.
- ☐ Respondent responsible for pick-up and drop-off at _____.
- ☐ Visitation to be supervised at **Erica's House** every _____ at _____ a.m./p.m.
- ☐ HOLIDAYS: Share all major holidays, including, Christmas, New Years, Easter & Thanksgiving; share Child/ren(s) birthday, Father's Day w/Father, Mother's Day w/Mother.
- ☐ Additional visits may be arranged by parties.
- ☐ Other: _____

SECTIONS I - III OF THE ORDER IS EFFECTIVE THROUGH: _____

SECTION IV (CUSTODY AND SUPPORT ORDERS) ARE EFFECTIVE THROUGH: _____

DATE: _____ TIME: _____

JUDGE, SUPERIOR COURT OF GUAM

NOTICE TO RESPONDENT: VIOLATION OF THIS ORDER MAY SUBJECT YOU TO PUNISHMENT UNDER 9 GCA §30.40 (VIOLATION OF COURT ORDER), A FINE OF NOT MORE THAN ONE THOUSAND DOLLARS (\$1,000) OR BY IMPRISONMENT FOR NOT MORE THAN ONE (1) YEAR, OR BY BOTH SUCH FINE AND IMPRISONMENT.

VIOLATION OF THIS ORDER MAY ALSO SUBJECT YOU TO PUNISHMENT UNDER 7 GCA §§ 34101(B) AND 34102(B) (CONTEMPT OF COURT), A FINE OF NOT MORE THAN \$500 OR BY IMPRISONMENT OF NOT MORE THAN 60 DAYS, OR BY BOTH FINE AND IMPRISONMENT.

FEDERAL LAW PROVIDES PENALTIES FOR POSSESSING, TRANSPORTING, SHIPPING, OR RECEIVING ANY FIREARM OR AMMUNITION (18 U.S.C. §922(g)(8) and (9)) FOLLOWING AN EVIDENTIARY HEARING AS TO WHICH THE DEFENDANT HAD NOTICE AND AN OPPORTUNITY TO APPEAR. THIS ORDER SHALL BE ENFORCED, EVEN WITHOUT REGISTRATION, BY THE COURTS AND LAW ENFORCEMENT OFFICERS OF ANY STATE, THE DISTRICT OF COLUMBIA, ANY U.S. TERRITORY, AND MAY BE ENFORCED BY TRIBAL LANDS (18 U.S.C. §2265). CROSSING STATE, TERRITORIAL, OR TRIBAL BOUNDARIES TO VIOLATE THIS ORDER MAY RESULT IN FEDERAL IMPRISONMENT (18 U.S.C. §2262).

ANY COMMUNICATION INITIATED BY PETITIONER DOES NOT WAIVE OR NULLIFY THIS ORDER. THE GUAM POLICE DEPARTMENT, PORT AUTHORITY POLICE, AIRPORT POLICE AND SUPERIOR COURT MARSHALS SHALL ENFORCE THIS ORDER.

SERVICE: RESPONDENT SERVED WITH COPY OF THIS ORDER ON _____ AT _____:_____A.M./P.M.

Repealed

ATTORNEY OF PARTY WITHOUT ATTORNEY (Name and address):

TELEPHONE NO.:

E-MAIL ADDRESS:

ATTORNEY FOR (NAME):

IN THE SUPERIOR COURT OF GUAM

PETITIONER, vs. RESPONDENT.	PROTECTIVE ORDER PO Case # _____ TEMPORARY ORDER OF PROTECTION (CONTINUED) FORM B3
--	---

PETITIONER:

Petitioner's Date of Birth: _____

First Middle Last

And/or on behalf of minor family member(s) (list name and DOB):

Other protected person(s) (list name and DOB):

RESPONDENT:

First Middle Last

Relationship to Petitioner: _____

Respondent's Address: _____

Respondent's Distinguishing Features: _____

CAUTION: ☐ WEAPON INVOLVED

RESPONDENT'S IDENTIFIERS:

SEX	RACE	DOB	HT	WT
EYE	HAIR	SOCIAL SECURITY #		
DRIVER'S LICENSE #		STATE	EXP	

I. THE COURT FINDS AND CONCLUDES:

The Court has jurisdiction over the parties and the subject matter. Petitioner and/or the individual, if any, who Petitioner is petitioning on behalf of is a “family or household” member as defined by 9 GCA § 30.10(b) and 7 GCA § 40101(d). Petitioner has pled “immediate and present danger of abuse” as provided by 7 GCA § 40101(b).

As provided by 7 GCA § 40104(c), the Court will extend the Temporary Order of Protection for the following reason(s): _____

If the Court has continued the Order to Show Cause (OSC) hearing due to failure to serve Respondent, then the Marshals will make another attempt to serve Respondent and provide notice of the OSC hearing stated below.

II. THE COURT HEREBY ORDERS:

1. That the Respondent is enjoined and restrained from threatening, abusing, harassing or disturbing the peace and well-being of those protected on page 1 or removing them from Guam;
2. That the Respondent is prohibited from coming within 500 feet of those protected on page 1, such as their residence, place of employment, and school;
3. That the Respondent is prohibited from contacting those protected on page 1, directly or indirectly, such as by telephone, letter, e-mail, social media, or through third party.

III. THE COURT FURTHER ORDERS:

- ☐ Immediately deliver to the Marshals the following: _____
- ☐ Immediately vacate the family residence at: _____
- ☐ Surrender any and all firearms, firearm IDs, and firearm permits, in Respondent’s control and/or possession to the Superior Court Marshals.
- ☐ Bring your most recent W-2 forms, or a copy of your most recent income tax return and your last paycheck for the purpose of assessing your ability to pay spousal/child support.
- ☐ Other: _____

NOTICE TO APPEAR: YOU ARE ORDERED to appear on _____ at _____
A.M./P.M. in the Superior Court of Guam, **to SHOW CAUSE** why the above orders should not
continue or be made permanent, as well as any other orders the Court deems necessary.

IV. THE COURT ORDERS CUSTODY/VISITATION:

1. Custody

- ☐ Petitioner is granted temporary custody of the minor children;
- ☐ Respondent is enjoined and restrained from interfering with Petitioner's custody of the minor children;
- ☐ Parties shall not remove the minor children of the parties from the Territory of Guam;
- ☐ Temporary Legal Custody to ☐ Petitioner / ☒ Respondent;
- ☐ Temporary Physical Custody to ☐ Petitioner / ☐ Respondent.

2. Visitation

- ☐ **Erica's House**
- ☐ **Neutral location:** _____
- ☐ Every / Every other weekend from _____ at _____ a.m/p.m through _____ at _____ a.m/p.m, starting on _____.
- ☐ 30 Minute Rule will apply; If more than 30 minutes late for pick up - loose that visitation. More than 30 minutes late for return/drop off - loose next scheduled visitation.
- ☐ Respondent responsible for pick-up and drop-off at _____.
- ☐ Visitation to be supervised at **Erica's House** every _____ at _____ a.m./p.m.
- ☐ HOLIDAYS: Share all major holidays including, Christmas, New Years, Easter & Thanksgiving; Share Child/ren(s) birthday, Father's Day w/Father, Mother's Day w/Mother.
- ☐ Additional visits may be arranged by parties.

SECTIONS I - III OF THE ORDER ARE EFFECTIVE UNTIL: _____

SECTION IV (CUSTODY AND SUPPORT ORDERS) ARE EFFECTIVE UNTIL:

DATE: _____ **TIME:** _____

JUDGE, SUPERIOR COURT OF GUAM

NOTICE TO RESPONDENT: VIOLATION OF THIS ORDER MAY SUBJECT YOU TO PUNISHMENT UNDER § 9 GCA § 30.40 (VIOLATION OF COURT ORDER), A FINE OF NOT MORE THAN ONE THOUSAND DOLLARS \$1,000 OR BY IMPRISONMENT FOR NOT MORE THAN ONE (1) YEAR, OR BY BOTH SUCH FINE AND IMPRISONMENT.

VIOLATION OF THIS ORDER MAY ALSO SUBJECT YOU TO PUNISHMENT UNDER 7 GCA §§ 34101(B) AND 34102(B) (CONTEMPT OF COURT), A FINE OF NOT MORE THAN \$500 OR BY IMPRISONMENT OF NOT MORE THAN 60 DAYS, OR BY BOTH FINE AND IMPRISONMENT.

FEDERAL LAW PROVIDES PENALTIES FOR POSSESSING, TRANSPORTING, SHIPPING, OR RECEIVING ANY FIREARM OR AMMUNITION (18 U.S.C. §922 (g)(8) and (9)) FOLLOWING AN EVIDENTIARY HEARING AS TO WHICH THE DEFENDANT HAD NOTICE AND AN OPPORTUNITY TO APPEAR. THIS ORDER SHALL BE ENFORCED, EVEN WITHOUT REGISTRATION, BY THE COURTS AND LAW ENFORCEMENT OFFICERS OF ANY STATE, THE DISTRICT OF COLUMBIA, ANY U.S. TERRITORY, AND MAY BE ENFORCED BY TRIBAL LANDS (18 U.S.C. §2265). CROSSING STATE, TERRITORIAL, OR TRIBAL BOUNDARIES TO VIOLATE THIS ORDER MAY RESULT IN FEDERAL IMPRISONMENT (18 U.S.C. §2262).

ANY COMMUNICATION INITIATED BY PETITIONER DOES NOT WAIVE OR NULLIFY THIS ORDER. THE GUAM POLICE DEPARTMENT, PORT AUTHORITY POLICE, AIRPORT POLICE AND SUPERIOR COURT MARSHALS SHALL ENFORCE THIS ORDER.

SERVICE: RESPONDENT SERVED WITH COPY OF THIS ORDER ON _____ AT _____: _____ A.M./P.M.

Repealed

ATTORNEY OF PARTY WITHOUT ATTORNEY (Name and address):

TELEPHONE NO.:

E-M AIL ADDRESS:

ATTORNEY FOR (NAME):

IN THE SUPERIOR COURT OF GUAM

PETITIONER , vs. RESPONDENT.	PROTECTIVE ORDER PO Case # _____ PETITION/MOTION TO DISMISS, EXTEND, OR MODIFY OTHER CONDITIONS OF ORDER OF PROTECTION FORM C
---	--

1. I, **Petitioner**, ask the Court, pursuant to 7 GCA § 40105(b), to

☐ dismiss, ☐ extend, or ☐ modify any other conditions of the

☐ **Temporary Order of Protection** or ☐ **Permanent Order of Protection** issued by the Superior Court on _____.

2. Explain what you want **dismissed, extended, or modified** (for example, you can ask the Court to dismiss or extend an Order of Protection; you can also ask the Court to modify any other terms within an Order of Protection, such as visitation):

3. Explain why you want the **dismissal, extension, or modification of any other conditions**:

4. I declare under oath or penalty of perjury that the following statements are true.

PETITIONER PRINT NAME, SIGN, AND DATE

I. THE COURT HEREBY ORDERS:

- ☐ **NOTICE TO APPEAR:** A hearing has been scheduled to dismiss, extend, or modify other terms of the above Order of Protection. **YOU ARE ORDERED** to appear on _____ at _____ A.M./P.M. in the Superior Court of Guam to **SHOW CAUSE** why the Order of Protection should not be amended.
- ☐ Without a hearing, the Court **GRANTS** Petitioner's request to ☐ **dismiss** the ☐ Temporary Order of Protection or ☐ Permanent Order of Protection **WITHOUT PREJUDICE**.

DATE: _____ **TIME** _____

JUDGE, SUPERIOR COURT OF GUAM

SERVICE: NONMOVANT SERVED WITH COPY OF THIS ORDER ON _____ **AT** _____: _____ **A.M./P.M.**

ATTORNEY OF PARTY WITHOUT ATTORNEY (Name and address):

TELEPHONE NO.:

E-MAIL ADDRESS:

ATTORNEY FOR (NAME):

IN THE SUPERIOR COURT OF GUAM

PETITIONER, vs. RESPONDENT.	PROTECTIVE ORDER PO Case #: _____ MOTION AND AFFIDAVIT AND ORDER TO SHOW CAUSE FOR CONTEMPT FOR VIOLATING ORDER OF PROTECTION FORM D
--	---

PETITIONER:

--	--	--

First Middle Last

Date of birth: _____

And/or on behalf of minor family member(s) OR other person(s) (list name and DOB):

- | | |
|----------|----------|
| 1. _____ | 4. _____ |
| 2. _____ | 5. _____ |
| 3. _____ | 6. _____ |

RESPONDENT:

--	--	--

First Middle Last

RESPONDENT'S IDENTIFIERS:

Relationship to Petitioner: _____

Respondent's Address: _____

Respondent's Distinguishing Features: _____

SEX	RACE	DOB	HT.	WT.
EYE COLOR	HAIR COLOR	SOCIAL SECURITY#		
DRIVER'S LICENSE #		STATE	EXP.	

CAUTION: ☐ WEAPON INVOLVED

I. MOTION AND AFFIDAVIT:

1. I am the Petitioner or protected party in a valid Order of Protection/Foreign Order of Protection dated _____ and issued by the Court in Protection Order Case Number _____. Attached is a copy of that Order.
2. The Respondent has violated the above Order by doing or not doing the following:

3. I ask the Court to Order the Respondent to appear at a specified time to answer a contempt charge or to issue a bench warrant for the arrest of the Respondent.
4. This affidavit is made on my personal knowledge and, if sworn as a witness, I can testify competently to the facts in this affidavit.
5. I **declare under penalty of perjury** under the laws of Guam (6 GCA § 4308) that the foregoing is true and correct and to the best of my knowledge.

PETITIONER PRINT NAME, SIGN, AND DATE

II. THE COURT HEREBY ORDERS:

- ☐ **NOTICE TO APPEAR: YOU ARE ORDERED** to appear on _____ at _____ in the Superior Court of Guam, **to SHOW CAUSE** why you should not be held in contempt for violating a valid Order of Protection. Failure to appear for this contempt hearing may result in a bench warrant issued for the Respondent's arrest.
- ☐ Surrender any and all firearms, firearm IDs, and firearm permits, in Respondent's control and/or possession to the Superior Court Marshals.
- ☐ **A bench warrant to be issued for the Respondent's arrest** to answer a contempt charge for violating a valid Order of Protection.

SO ORDERED ON: _____

JUDGE, SUPERIOR COURT OF GUAM

[SERVICE: RESPONDENT WAS SERVED WITH A COPY OF THIS ORDER ON _____ AT _____: _____ A.M./P.M.]