

1995
STATE OF THE JUDICIARY



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Superior Court of Guam

IT'S ABOUT RESPECT ... AND JUSTICE FOR ALL

Governor Carl Gutierrez, Lt. Governor Madeleine Bordallo, Speaker Don Parkinson, members of the 23rd Guam Legislature, judges of the Superior Court of Guam, U.S. District Court Judge John Unpingco, members of the Guam Judicial Council, Senator Mark Charfauros, Attorney General Calvin Holloway and Guam Bar President Robert Torres, Archbishop Anthony Apuron, President of the Mayor's Council Frank Lizama and members of the Council, members of the Guam Consular Corps, Members of the Guam Bar, Members of the family of the Superior Court of Guam, Ladies and Gentlemen.

It is indeed an honor and a pleasure to delivery my seventh State of the Judiciary address.

Two years ago, I stood before you proclaiming that the 1993 State of the Judiciary Address would be the last one given by a Presiding Judge of the Superior Court of Guam. I remember how we were all filled with excitement and anticipation, awaiting the birth of the Supreme Court of Guam ... taking its rightful role as the head of this third branch of government.

Well, folks, I'm still here ... still filled with the same hopes and dreams that the Supreme Court of Guam will soon open its doors. Much has been accomplished over the past two years to move towards the creation of the Guam Supreme court. The proposed rules and organization of the Supreme Court of Guam have been drafted and submitted to the Guam legislature, as prescribed by law. I am confident that this august body will take the measure one step further by acting on Bill No. 53, sponsored by Senator Mark Charfauros, which would clear the last major hurdle in making this dream ... this long awaited creation ... a reality.

Guam's judicial development has had a long history. From the days of the naval administration of Guam ... in which the naval governor was the judge, the jury and the prosecutor ... to the establishment of the island court system, which was reorganized in 1975 to the present day Superior Court of Guam, we have seen the court system develop and mature. There was a time ... not too long ago ... when we were not deemed capable of handling jury trials. twenty years later, we have proven not only our ability to preside over these cases but we have shown in the process our maturity ... our objectivity ... our command of the law and the effective handling of cases that set the legal precedents for the Territory.

The adoption of the proposed Supreme Court of Guam's rules and its organizational setup is indeed a giant step in the effort for Guam to truly control its judicial branch of government. But we cannot stop there. Guam has had its

judges since 1950. Guam's court system is indeed mature. It has outgrown the need for further specific Ninth Circuit oversight as provided for in the Organic Act. I am requesting Delegate Robert Underwood to seek an amendment to repeal the current provision of the Organic Act which mandates a 15-year review by the Ninth Circuit Court of Appeals of the decisions made by the Guam Supreme Court. All we are saying is treat us as equals ... we are not asking to be given special treatment ... we are simply asking to be treated as equals which is the basis for the American system of democracy and justice that we are asked to safeguard.

Our judges of today ... and the judges of yesterday ... have indeed proven that Guam's judicial family can fulfill its sacred mandate of administering justice fairly and objectively. Look at the number of decisions rendered by our local judges that have been re-affirmed when appealed to Federal appellate courts ... 205 out of approximately 291 cases that were appealed to higher courts between the years 1988 and 1994 ... that's a 71% affirmation rate ... certainly a high record. We have proven that we no longer need supervision from afar. Who better knows the standards of this community than members of the community?

As our island leaders continue to carry the banner for real self-government for our island, so should we in the judiciary continue to open the doors to new opportunities that will further demonstrate that we have matured ... and are fully capable of running the affairs of the judicial branch of government ourselves. The creation of the Supreme Court of Guam is one such opportunity. Many before us have fought hard in the halls of the U.S. Congress and within the U.S. judicial family to pave the way for this eventuality. Let us honor them by making their dreams ... and our dreams ... a reality.

Meanwhile as we prepare to open a new chapter in the judicial history of Guam, the wheels of justice continue to turn at the Superior Court of Guam. And so as the Presiding Judge, It is with distinct pleasure and great honor that I stand before you again ... sharing with you the major highlights of the work of the judicial branch on Guam over the past two years ... and the vision for a better judiciary in the future.

The new judicial complex in Agana has indeed experienced another increase of cases filed at the Superior Court. A quick glance at the number of cases that were filed last year will reveal that for the fifth straight year, the Superior Court of Guam has experienced record-setting numbers in its caseload. You will see a nearly 10% increase in the cases filed last year over the previous year. In 1994, there were 12,018 new cases filed, compared to 10,980 in 1993. In almost every category, from criminal felonies such as terrorizing, burglaries and DUI ... to small claims, juvenile and domestic cases, the numbers are climbing ... and climbing fast. For example, the number of criminal felonies jumped from 371 cases in 1993 to 462 cases in 1994.

As the number of cases filed in the courthouse continues to grow, we applaud the Attorney General's office for doing its duty in vigorously pursuing prosecution... we commend the law enforcement officials at the Guam Police Department for apprehending those criminals that the prosecutors are bringing to court for justice.

The number of cases in the Superior Court of Guam last year is a sign of the troubled times here on Guam. And a closer look at the nature and magnitude of the problems that surface in each of these cases will reveal a more complex and more troublesome picture.

We should take note ... and truly take the time to reflect on what these numbers really mean as far as the welfare and tranquillity of our island community is concerned.

Ladies and gentlemen ... our island, our people, our families today are facing some of the most severe problems that have ever challenged our island community. Every day, the Judges in the courtrooms hear the tragic stories ... while the families of the victims of crime shed their tears ... you can feel the anguish in their hearts ... you can clearly see the split in the very fabric of our island society and the further decline in the network of that most sacred unit in our community ... our families ... the lifeline of our island.

What we see before us is indeed alarming ... The statistics on the specific types of cases filed does not paint a full picture of what really is going on in peoples' homes throughout the island ... but the vivid stories that we hear in the courtrooms truly do.

More and more we are seeing people not wanting to take responsibility for their actions ... parents throwing up their arms and walking away from their children ... giving up on them ... wanting to place responsibility elsewhere ... wanting the government to do what is rightfully a parent's job.

In every one of the cases filed in court, whether it's a dispute between a mother and a child ... A fight over land or money, a juvenile destroying a storefront with a can of spray paint, a husband who beats up his wife or his children ... The root of the problems point to one common element and that is the decline of those deeply rooted values that have kept our Guam community together throughout centuries. Honesty ... integrity ... respect for oneself ... respect for our parents, elders and children ... respect for one another ... respect for other's property ... respect for our island. These values are quickly disappearing in the daily lives of our people.

"Tai respetu" ... No respect ... That's how one 14-year-old student from John F. Kennedy high school described the state of affairs around him today, in a recent

essay contest sponsored by the Superior Court of Guam as part of its 1995 Law Day celebration.

Another student wrote: "Increasingly more nowadays we see children blatantly talking back to their parents, youth gangs tagging building walls, passing motorists and carefree beachgoers thoughtlessly littering the beautiful land and water of this island that is so dear to many. How could such a lack of respect have emerged on an island where people had once held the value of respect at the core of its teachings and customs? Part of the problem can be found in the home, in the breakdown of the once close, tight-knit extended families typical of the early Chamorros. The modern movement for self-importance, or the "Me" philosophy, has also contributed to the problem."

As we look closer at some of the stories being told in the courtrooms these days, we are also seeing the emergence of an ugly disease that is affecting every man, woman and child in this island ... a disease of such magnitude that if left untouched will eat away at the very heart and soul of an already endangered family.

This disease is called methamphetamine. It has many street names like meth, speed, crank, go-fast, ice, crystal, ice cream, chalk, shabu and batu (a Korean word for rock). But no matter what word you use for this illicit drug, or what form of the drug is being referred to, the effects on the user ... the impact it has on the people around the user and his family ... the threat that this drug poses to the serenity and welfare of all the people of this island can only be described with one word ... Bad. The problem with ice and other methamphetamines on Guam is a major evil ... it's bad and it's getting worse.

The extent of this problem isn't simply reflected in numbers. Neither the specific numbers of ice cases in the court's caseload reports nor the crime statistics from the Guam Police Department accurately reflect the extent of the problem. Pardon the pun .. but they are the tip of the iceberg.

If you were to listen to some of the stories told before the judges in the courtrooms ... in those family violence cases in truancies ... in those burglaries ... in those aggravated assaults and in some cases in those aggravated murder cases, you will hear that in more and more of the cases before the court, ice is taking its place next to alcohol as a major factor.

Officials from the Guam Police Department estimate that nearly 75% of the crimes committed on Guam today are drug-related. And the one drug that stands out from the rest of them is ice.

Ice or crystal meth first surfaced on Guam in 1988 and today, officials estimate that as much as 500 grams of ice are distributed on Guam weekly. Some may think that 500 grams a week isn't a very high figure, considering the fact that

nearly 150,000 people live here. But when you consider that one gram of ice ... with street value of between \$600 to \$1,000 ... can make 35-40 what are known as dollar plates ... you can see that one gram can go a long way and that 500 grams takes them even further.

Combined with the sale of other illicit drugs on Guam, officials estimate that drug trafficking here nets nearly \$26 million each year. That's about how much it costs to build two brand new elementary schools on Guam.

The ice problem on Guam has reached near epidemic proportions ... there is growing evidence that a substantial number of people on Guam ... from all walks of life, from every ethnic group ... from every corner of our little world ... are involved with this illicit drug. Ice has found a haven in many of our homes. And the stories of what this drug has done to many of our families are indeed heartbreaking. And its victims have many faces.

Imagine a six-year old boy in the first grade ... addicted to ice ... A 77-year old grandfather who keeps going back for more... A 13-year old girl sold into prostitution by her mom and dad as a means of supporting their ice habit. These incidents may sound so unreal ... that it simply cannot be happening here on Guam, but my friends, it's true ... and it is happening here ... right here in the midst of paradise.

The problem of ice cuts across all age groups ... misery knows no bias . It doesn't discriminate against any ethnic group ... it doesn't discriminate based on sex.

Look at the person sitting next to you ... experts say that he or she is what the typical user of ice looks like. It's a next door neighbor ...it's a family member ... it's a co-worker ... it's a friend. It's happening in the homes in the schools ... in the work place.

Let me take a moment to share with you this story ... It's a true story ... The story of a GovGuam employee, working in a life-saving agency ... not behind a desk but tasked with the responsibility of saving other peoples' lives. This 44-year old man ... a husband ... a father ... a family man ... is addicted to ice.

Experts say that ice is highly addictive ... it can cause intense euphoria ... a tremendous rush that can last up to 24 hours. But it also produces intense effects ... total paranoia, hallucinations, compulsive behavior. It can make people mean ... and extremely violent.

Just like it makes this man mean and violent. Dreading that moment when his drug habit caused him to strike out against his family, this man's wife and children had a packed suitcase ready to go. They devised an escape route to safety away from their home. They practiced it to perfection..

Imagine growing up as a child, believing that it is normal to have a packed suitcase ready to go ... to know that when mommy nods a certain way, you drop everything and run for help and wait there until mommy comes to your rescue.

The mother and her four children have since left this man and are currently trying to put their lives back together. For them, there is hope that this family may one day find peace and happiness in their daily lives but for others on Guam, the glimmer of hope is getting dimmer and dimmer.

Babies are born on Guam ... addicted to ice ... babies who through no fault of their own will have to experience a lifetime of pain and suffering ... that is, if they live that long.

Our island's elders are also being victimized by this menace ... victimized by their own grandchildren who beg, borrow or steal from them just to support their habit. Like a grandson who stole and then pawned \$18,000 of his grandmother's jewelry to support his habit.

There is not a single person on Guam who can claim immunity from this disease ... we see it every day in our courtrooms ... not just in those cases where criminal drug charges are pending ... but in those family violence cases ... in those burglaries and thefts and in our juvenile cases.

It's been said that the ice epidemic on Guam will make the heroin days of the 1970's look like a picnic. Because ice is clear and odorless, law enforcement officials say it extremely difficult for them ... or even the dogs trained to sniff out drugs... to detect ice coming into Guam through our ports. Counselors say it is equally difficult to prescribe a successful treatment for the user because of its addictive nature.

It's staring us in the face ... it's calling on each of us to do something now ... We as a community on Guam need to recognize the problem and just how widespread it's becoming. And now ... more than ever, we need to work together to find solutions to eradicate it before it eradicates us. We cannot afford to ignore it any longer ... we can no longer look the other way and simply say that it can't be happening here.

Education ... and getting to the root of the problems that cause people to turn to drugs ... tracking down those who are responsible for importing and selling ice to our people and punishing them ... they are but a few of the possible solutions. But as a first step, we can begin by arming our children and our adults with the knowledge that ice is indeed a serious problem on Guam.

We should consider legislation that mandates drug education in the schools. Our children ... our leaders of tomorrow ... sit as easy prey to those who linger around school grounds to recruit new drug users. If we as a community are to

succeed in this war against drugs, we must begin by protecting those among us who cannot protect themselves. It's obvious that many young people know that using drugs is bad. You always hear them say, "I want to be a teacher or a doctor or a lawyer when I grow up," but you never hear them say "I want to be a drug dealer when I get older."

I would also ask the members of this body to consider legislation that would impose stricter penalties for drug offenses along with mandatory minimum sentences including prison terms.

Right now, a person who knowingly and intentionally possesses a controlled substance can be found guilty of a third degree felony. Our laws currently allow the court to impose a sentence of not more than five years. And for first time offenders, the court is prohibited from imposing a sentence greater than three years. First time offenders also are able to defer further proceedings if they are found guilty or have pled guilty, and be placed on probation, leaving the door open for the court to dismiss proceedings against him without a court finding of guilt.

I strongly believe that in addition to preventive programs an effective deterrence to drugs like ice is mandatory prison term of at least six months for first time offenders and three years for subsequent offenses. And I call upon this legislature to consider such a proposal. In addition to the mandatory prison term, I would like to see a mandatory fine of \$5,000 for first time offenders and \$15,000 for subsequent offenses, mandatory drug rehabilitation at the department of mental health and substance abuse, mandatory community service of at least 150 hours and a mandatory probation or parole term of five (5) years. This proposal also requires that offenders not take any illegal drugs and further submit themselves to random testing by probation officials.

This proposal is aimed ... not only at drug dealers ... but drug users as well. After all, dealers operate on supply and demand ... just like any other person interested in making money. If we take away the demand ... we can certainly curb the supply.

Another proposal that I would also like to ask this legislature to eliminate is the deferment of further proceedings for first time offenders found guilty of the third degree felony of possessing a controlled substance. To allow these individuals to walk away without even a record of their guilt is truly an injustice to our community. It says to our people that it's okay to use ice because you would not get a criminal record.

Those who insist on perpetuating the problem must know that we aren't fooling around anymore. We're serious ... we're serious about stopping sales ... and we're serious about rehabilitating them ... and their victims.

Guam is in dire need of more drug rehabilitation programs, particularly residential treatment facilities like halfway houses. The revenue generated from the mandatory fines should be earmarked to fund such programs. Guam is also in need of placing more law enforcement officials out on the streets to fight the war against crime. The number of law enforcement officers has been reduced because the government can no longer fund the law enforcement cycles that train new recruits at the Guam Community College. Beefing up GPD, DEPCOR and other law enforcement agencies is absolutely necessary. Revenue generated from these fines must be allocated to fund these training programs.

Another proposal that I would encourage this body to entertain addresses the increasing incidents of possession and distribution of illicit drugs in Guam's middle and high schools. Too often, we read stories about our school children being victimized in this drug war. It's about time we provide greater protection of our children by imposing additional penalties for possession or distribution of a controlled substance while on or within one thousand (1,000) feet of a school, a school bus stop, a playground or a community center.

It wasn't that long ago when nine school children waiting for their bus to school were tragically run down by an individual who was high on ice. One of those children died from injuries caused by the car that went out of control. The rest suffered broken bones ... and the trauma resulting from that early morning nightmare ... caused by ice.

We cannot allow ice ... or any other illicit drug to invade the same space that young Johnny and little Maria live ... and breath ... and play in. They deserve a safe, clean and healthy environment to grow and develop. We cannot and must not wait until one more student becomes another statistic in the killing fields of this disease.

I believe that we can stem this drug epidemic. When leaders of this community work together to tackle the problems of our society ... great things can happen. We may not be able to rid ourselves fully of some of these problems ... but we can certainly stem the tide. A good example is our war against drunk driving.

Today, we are truly beginning to see the effect that the safe streets act has on the number of alcohol-related driving incidences ... and the picture is indeed getting brighter.

Several years ago when the number of alcohol-related traffic fatalities was on the rise and the court docket was growing with DUI cases, I asked the legislature to consider imposing stiffer penalties for those convicted of driving under the influence of alcohol. In June 1993, the Guam Safe Streets Act was passed into law, which among other penalties imposed mandatory prison terms for first-time offenders.

Today, alcohol still remains a major family disease ... it is still one of the deadliest factors in our highway accidents. Of the 9,190 accidents that occurred last year, 933 were alcohol-related. And 12 out of the 24 people who died in car accidents died as a result of a drunk driver.

According to statistics from the Guam Police Department, in 1992, there were 957 persons arrested for the offense of driving under the influence. One year later, the number dropped by 6% to 900 individuals arrested for DUI and last year, the figure fell even further to 711 persons arrested for DUI.

And from the caseload report of the Superior Court of Guam, we see that in 1993, there were 1,349 DUI charges filed while in 1994, that figure dropped by 17% to 1,115. When comparing 1994 statistics to the 1992 figure of 1,599, the number of DUI cases has fallen by more than 30%.

It was swift legislative action on stiffer penalties for DUI's along with earlier mandatory sentencing measures that played a major role in the decline. By working together, we have begun to make our streets safer. We can get the same results with our war against ice.

The Superior Court of Guam indeed has a long standing relationship with the Guam Legislature, as it does with the executive branch ... we've worked together to address some of the problems facing people of our island. In my previous Judicial addresses, I asked for your support on such important issues as crime victims rights, family violence, juvenile reform and others. We should continue to foster this healthy relationship. We have seen that close cooperation between the three branches of government can go a long ways in the passage of legislation that would enhance the protection of our citizens. The judges of the Superior Court and I look forward to continuing to work together on other social and legal issues.

One piece of legislation that I wish to work together with this body on is a parental responsibility measure which would authorize the court to impose mandatory participation for parents in treatment, education or community service with the juvenile or a jail term and/or fine.

Too often in juvenile court, parents fail to even show up for hearings ... fail to take part in their children's educational or social development. For a growing number of parents, they want others like you and me and the teachers and counselors to take on their parental responsibilities. Well, I believe it is time to do what is necessary to remind parents ... to reaffirm their duty and responsibility to provide care, supervision, protection and control over a minor child. A parental responsibility act would do just that.

Another measure that touches on parental responsibility which I wholeheartedly support is Bill No. 98. This anti-graffiti measure provides a minimum penalty

for persons found guilty of damaging, destroying, removing or defacing public or private property.

We on Guam take pride in our island. Last year, over one million visitors came to our beautiful island to enjoy its pristine beauty. We are indeed blessed with a clean environment ... a beautiful tropical paradise ... that is now being threatened with the growing visual pollutant called graffiti.

Bill No. 98 would impose mandatory fines for both juveniles and adults found guilty of damaging property .. it would impose a mandatory minimum prison sentence for adults ... it would also force parents to take responsibility in ensuring that property damaged by their children is refurbished. I call on this 23rd Guam Legislature to seriously entertain this measure.

Also, I do want to take this opportunity to thank members of this body for responding to the previous calls for action from the Judiciary..

For the quick response to the call for legislation to help battered elders, women and children, I want to say dankulu na Si Yu'os Ma'ase to the Legislature for the passage last December of P.L. 22-160, the Family Violence Act.

As a result of this measure, today victims of family violence can find greater peace and safety knowing that the laws protecting them have been strengthened. Meanwhile, education and treatment programs are now part of the sentence for those perpetrators who desperately need to confront and account for their behavior.

In the 1993 judicial address, we also called on this body to pass Bill No. 25 which would make stalking a crime and today, we wish to commend the Legislature for passing P.L. 22-35 which does just that. Last year, the island's first two stalking cases appeared in the court.

The Legislature's continuing concern for victims of crime can also be seen in the adoption of public law 22-88 that established a social worker scholarship as well as a graduate program at the University of Guam. The need for additional social workers and counselors to assist not only our victims of crime but the perpetrators as well is so desperately needed and I thank the Legislature for paving the way for this help.

I mentioned earlier that the one common element prevalent in many of the cases before the judges is the lack of respect ... lack of respect for one another ... lack of respect for peoples' property ... lack of respect for oneself. People have forgotten to love one another ... to love themselves. We as a community can assist individuals who have lost their way ... to try to regain self respect and dignity and help re-instill the value of respect in their day to day lives. The additional

social workers that P.L. 22-88 will help produce brings us a step closer to achieving this.

There is one measure which the 22nd Guam Legislature passed that has greatly assisted in the administration of justice in our island. It is the passage of P.L. 22-75 which created a much-needed seventh Judge position in the Superior Court of Guam.

Over the years, the Governor and the Legislature have been extremely supportive of the efforts by the Judicial branch to fulfill its mandate and for your continued support, I thank you. The additional judge on the bench can go a long way in ensuring that people who look to the courts for justice can receive it ... without much delay.

I am pleased to welcome to the Guam Judicial family ... two very distinguished women ... highly respected by their peers in the Guam Bar and in the community ... Judge Katherine A. Maraman and Judge Frances Tydingco-Gatewood who joined the Superior Court of Guam last August. Judge Maraman and Judge Tydingco-Gatewood are indeed welcomed additions to the court ... sharing the responsibility of all juvenile cases ... taking their fair share of criminal and civil cases ... helping the court keep up with its increasing caseload. They join the ranks of the other Senior judges on the bench who have carried the banner of justice for years in the face of challenging times ... judges such as Judge Janet Healy Weeks who has served the people of Guam ... and Micronesia ... with great distinction for twenty years.

Well, Judge Weeks, twenty down and thirty to go ... that's all that's needed to tie Judge Joaquin Manibusan's service record with the courts. And what a record to beat ... fifty years of service, starting off as a clerk during the days of Naval administration of Guam ... being part of the development of the Judicial branch from the Police Court to the Island Court to the present day Superior Court of Guam. I also wish to acknowledge the contributions of Judge Ramon Diaz who retired from the bench last year.

On the heels of the recent retirement, I wish to thank Governor Carl Gutierrez for the swift nomination of the replacement of our seventh Judge. I trust that the legislature will act expeditiously in the hearing process and on the confirmation. The nominee, Joaquin Manibusan, Jr. is a distinguished attorney who has practiced in our community for 21 years. If confirmed, Mr. Manibusan will carry on a judicial family legacy into its third generation of judges ... his grandfather, Judge Jose C. Manibusan, his father, Judge Joaquin V.E. Manibusan, Sr. and himself.

We at the Superior Court will be looking to the additional Judge to help keep up with our record-setting pace in our caseload at the court.

But we are not sitting idly by ... waiting ... We are doing what is necessary to manage this increased caseload through our court automation program that began two years ago.

With the thousands of documents that are filed dealing with our increased workload, automation has allowed the court to bring our handling of these cases to a higher level of efficiency. We began with our traffic court linking up with the Department of Revenue and Taxation and the Court is able to process the more than 25,000 traffic violations it received last year, amounting to \$1.1 million, with greater speed and efficiency.

The impact that the increased caseload at the Superior Court has had on other court operations is also noteworthy. Take a look at the Probation Division, for example. In 1994, the Adult Probation Unit supervised and monitored 1,050 clients ordered on probation, with DUI cases topping the list of referrals as in previous years. Among juveniles, Probation received a total of 724 clients to supervise.

Meanwhile, in the alternative sentencing office, some 2,109 adults and juveniles alike were ordered to perform some 15,988 hours of community service tasks such as island beautification and grounds and facilities maintenance throughout the villages ... amounting to over \$75,000 worth of community service work. I would like to thank the mayors and all the government agencies and private organizations for participating in our community service programs.

Recognizing the need for our court to take a more pro-active role in tackling the problems facing our community ... problems that our probation division is tasked to monitor ... the Court recently created a prevention branch within the probation division that would promote programs in our schools and island public awareness campaign.

The increased caseload has also taken its toll on the Client Services Division of the Court, which opened its doors as its own division in 1991. Last year, Client Services experienced a 33% increase over the previous year in the number of counseling referrals from the court ... a total of 322 counseling referrals with the biggest increases in the area of family violence, which represents nearly 50% of the total counseling cases.

Responding to the continuing need to highlight family violence issues on Guam, earlier this year, the Court's Client Services and Counseling Division sponsored a four-day workshop on "coordinating a community response to domestic abuse violence." And the response by the community to this effort ... By senators, mayors, military and community leaders .. The response was indeed encouraging.

Meeting the need for individuals working with families suffering from family violence is critical. The need for community leaders to continue to provide support to the practitioners is critical. The need to continue helping the victims and the abusers in their healing process ... in their struggle to regain respect ... is critical. The Court recognizes these needs and will continue to do its share in the struggle.

One such effort by the court is to launch an aggressive public awareness campaign centered around the theme of Chamorro values ... "Gai respetu" ... To have respect ... respect for oneself respect for each other ... respect for our island and our people.

"Gai respetu ... para guahu ... para i taotao ... para i isla" this is the message that is central to the court's public awareness campaign. We have recruited the help of Juan Malimanga to help spread this important message to the people of Guam. I wish to thank Ms. Ding Gould and Mr. Roger Faustino for their generous contribution towards this effort. Not only will we hear Juan Malimanga spread the good word of Gai Respetu ... but we can also see him showing the public that a little bit of respect can go a long way in resolving disputes ... the way the court system does. This brochure "Juan Malimanga visits the Court" is indeed another educational tool in the superior court of Guam's effort at re-instilling good values ... values that stem from our island culture ... our history.

"Keep peace," said Franciscan fray Juan Pobre almost 400 years ago, "love each other and care for one another." These are passages from the pages of Guam's history that point to this deeply rooted value which governed the day to day lives of the indigenous people of this island. ... chronicled by fray Juan Pobre who in 1602, marooned himself in the Mariana islands,

From the writings of fray Juan Pobre, we read:

"So great is their love for their children that it would take a long time to describe it and to sing its praises. They never spank them, and they even scold them with loving words. When a child is offended and angered by what is said to him, he will move a short distance away from his parents and turn his back to them, not wanting to face them. They will then toss sand or pebbles on the ground behind him, and, after he has cried for a little while, one of his parents will go to him, and with very tender words, will take him in his arms or raise him to his shoulders and carry him back to where the others are gathered. Then they will always give him some of their best food and, speaking to him as if he were an adult, tell him how he should behave, admonishing him to be good. With such great love, these barbarians raise their children, that they, in turn, grow up to be obedient and expert in their occupations and skills."

This passage was taken from one of the first accounts written on the life and times of the Chamorro people in the late 1500's and early 1600's. And it is a

great reminder of how simple values like respect ... for oneself ... for each other ... for our island ... can go a long way in making a better Guam. It is how over 150,000 people lived peacefully with each other on an island of 8 miles one way, 32 miles another. A value that evolved over 2,000 years of pre-contact and post-contact eras. A value that we cannot lose.

"Gai respetu" was the central theme of an essay and a poster contest sponsored by the Superior Court of Guam, in conjunction with the Guam Bar Association and various schools throughout the island, as part of the 1995 Law Day celebrations that took place last week. The response from our youth was overwhelming with over 300 schoolchildren participating in the contest.

I invite all of you to view these posters, which are on display in the Atrium of our new judicial building, and to see how our schoolchildren are calling out to us to re-instill the value of respect back into our daily lives.

The 1995 Law Day activities also highlighted a celebration of respect for the law as the winners of this year's mock trial competitions stepped forward to receive their hard-earned award. I would like to extend my personal congratulations to the Academy of Our Lady of Guam for capturing the Mock Trial Championship for the second year in a row. The organizers of the event ... the Superior Court, the Guam Bar Association and the department of education ... and all the people of Guam ... wish them the best of luck in the national mock trial competitions to be held this week in Denver, Colorado. Congratulations go out to all of the schools who participated in this worthwhile event.

The activities of the Superior Court of Guam over this past year have extended beyond just the halls of the Judicial complex. Just several months ago, the judges of the Superior Court of Guam along with Judge John Unpingco of the U.S. District Court of Guam, hosted seventy-five (75) justices and judges from throughout the South Pacific region and several Asian countries for the 11th South Pacific Judicial Conference. ... held for the first time ever here on Guam in February. It was indeed the largest SPJC conference ever. We were honored to have a U.S. Supreme Court Justice come to the shores of our island ... Justice Anthony Kennedy was our guest speaker... speaking on judicial independence and judicial responsibility was well received by all the judges that were present.

It was a proud moment for us in the Judicial family of Guam as we were able to showcase our growth and our development ... and it was a proud moment for Guam as we were able to shower our guests with the warm Chamorro hospitality that is known throughout the region.

From as far south as Tahiti, French Polynesia to the Far East nations of the Philippines and the Republic of China on Taiwan, justices and judges gathered together to share their experiences and their ideas for improving the administration of justice in this region. For one week, we tackled such issues as

customary law ... the blending of the western concepts of justice with the traditions and customs of island cultures ...and we explored different ways to improve the efficiency of the court system through automation and improved technologies.

I wish to thank Governor Gutierrez and his administration, Speaker Don Parkinson and the members of the 23rd Guam Legislature and the Guam Bar Association for their generous support of the 11th South Pacific Judicial Conference. Our new judicial friends from throughout the region left Guam with fond memories of new friends and an appreciation of the spirit that binds us together as one people of the pacific and the respect that we hold closely in our hearts for one another.

It truly is about respect ... and justice for all. That's what the family of the Superior Court of Guam believes is the key to resolving some of the major problems facing our island today. And the problems are indeed growing ... drugs, in particular, ice ... alcohol ... family violence ... burglaries ... assaults ... murders ... all of these problems come before the courts at an alarming rate . All of these problems that could be avoided ... if our people ... our parents and our children alike ... would take the time to re-learn the value of respect and practice it in their daily lives. Our children are calling out to us ... our elders are crying for it ... respect for oneself ... respect for others ... respect for our island.

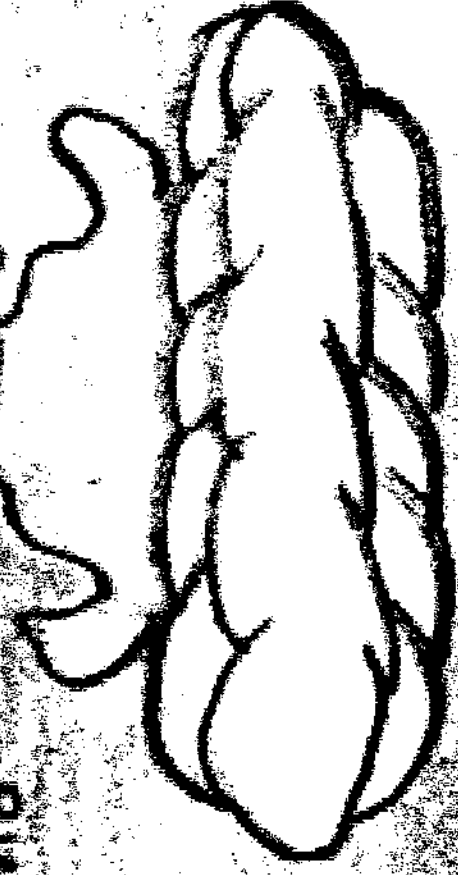
Before I close this address, I wish to express my appreciation to the Guam judicial family ... to all of the hard-working judges ... to our dedicated employees and their understanding families ... to members of the Guam Bar Association ... and to all the patrons of the court ... for helping build a solid foundation for the administration of justice for our island.

Thank you and may God bless us all. Si Yu'os Ma'ase..

Acknowledgement:

I wish to thank all of the participants in the recent Gai Respetu essay and poster contest sponsored by the Superior Court of Guam. Please enjoy the artwork submitted by Miss Marinalyn Hale of Merizo Elementary and Miss Torrie Stevens of Harmon Loop Elementary School in the following pages.

Respect your world
Respect your God

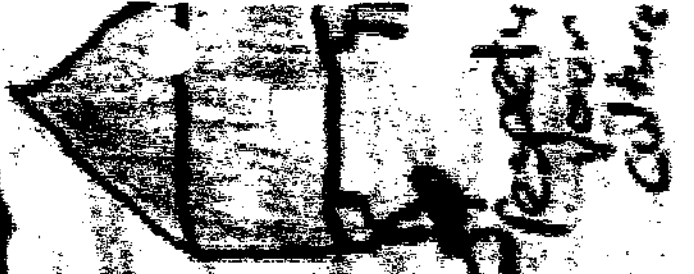
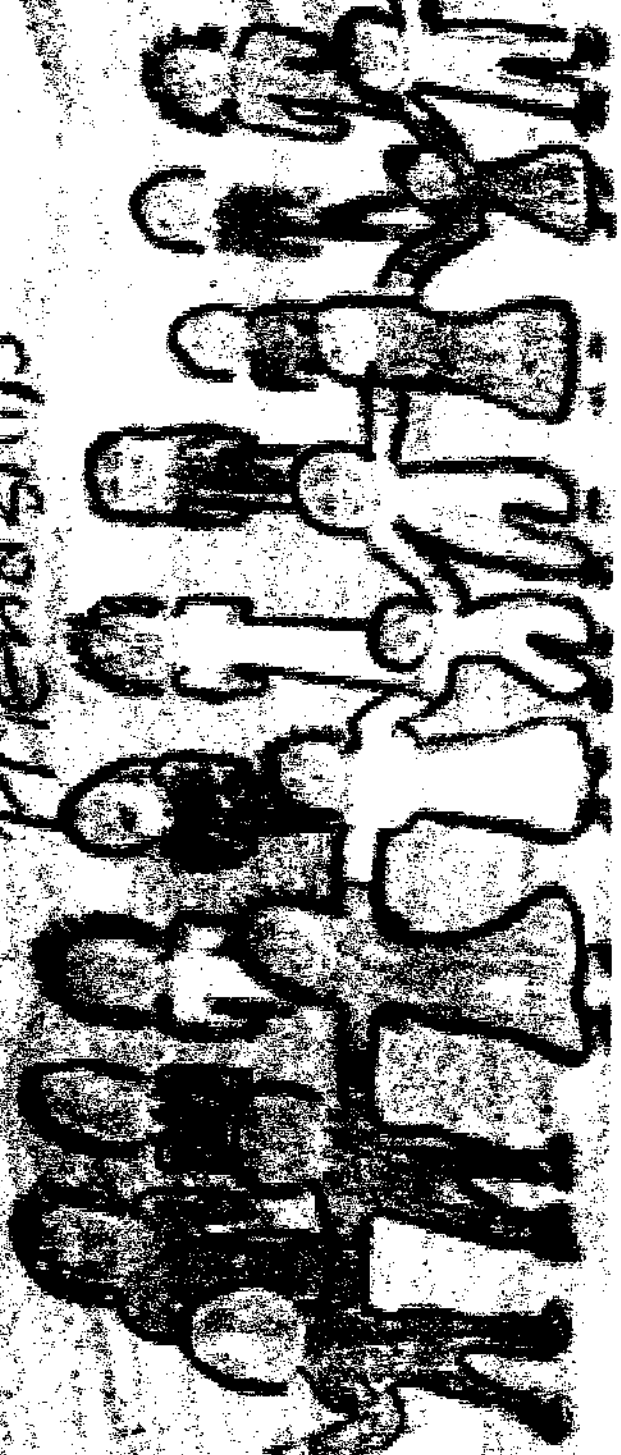


Gai Respetu

Respectu



Respect your culture



Respect your culture



Gay Respects

