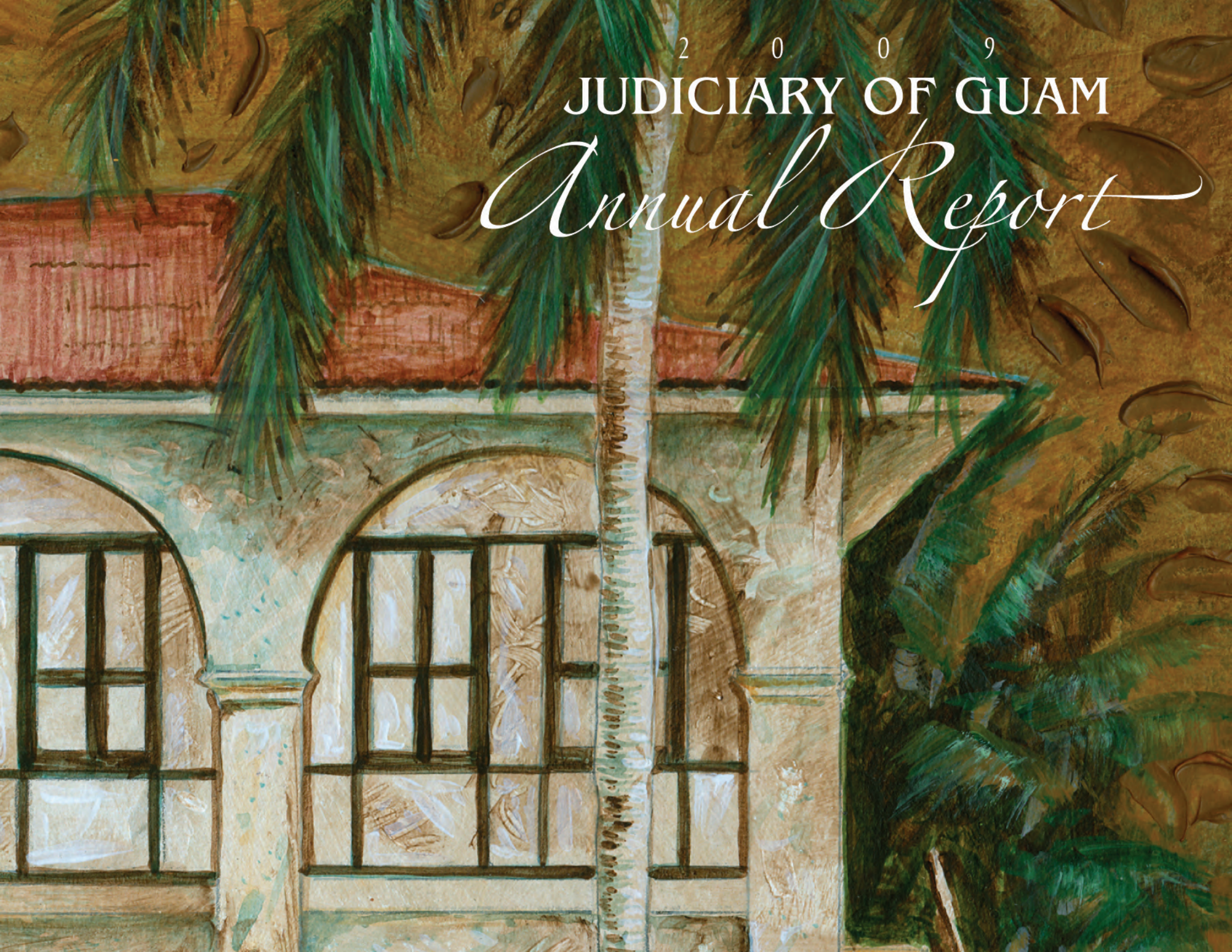


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JUDICIARY OF GUAM

*Annual Report*



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Buenas yan Hafa Adai!

On behalf of the Judiciary of Guam, it is with great pleasure that we present to you our 2009 Annual Report. This Report is presented to inform the community of the various accomplishments and initiatives of the Judiciary in 2009, as well as to highlight some of our plans for the future.

2009 presented the Judiciary with numerous challenges, as the recent economic downturn forced all government branches and agencies to scale back and become more fiscally responsible. In response, the Judiciary took immediate steps to trim expenses, such as changing its hours of operation and delaying its plan to open a satellite court. Despite these financial setbacks, the Judiciary was able to continue to carry out the vital services it provides to the public and move forward with many of its plans to increase access to justice, including opening the Northern Court Satellite in August 2009. We are extremely grateful for the hard work and dedication of our Justices, Judges, and court employees, who have time and again risen to the challenges brought on by the island's fiscal woes.


A notable achievement of the Judiciary in 2009 was its success in taking advantage of the various opportunities that arose as a result of the economic recession. The Judiciary was successful in securing over \$4.2 million in stimulus funding under the American Recovery and Reinvestment Act of 2009, which allowed the Judiciary to hire several essential personnel for various programs, as well as to implement numerous initiatives that had been in the planning stages for several years but had been placed on the backburner due to lack of funding.

The need for the Judiciary's growth and expansion of services is far from over. Indeed, the island's impending military buildup will undoubtedly significantly increase the need for justice services. It is of utmost importance that we invest the time and resources now to ensure that the judicial system is prepared to meet this future demand.

With tremendous thanks to all who have helped us remain a sanctuary of fairness for the people of Guam, we present to you the Judiciary of Guam's highlights of 2009.

Si Yu'us Ma'ase,

  
Robert J. Torres, Jr.  
Chief Justice of Guam

  
Perry C. Taitano  
Administrator of the Courts



## *Chief Justice Robert J. Torres, Jr.*

In January 2009, Chief Justice Robert John Torres began his term as Chief Justice of the Supreme Court of Guam. Appointed to the Guam Supreme Court by Governor Felix P. Camacho in 2004, Chief Justice Torres is currently the Second Vice President of the Conference of Chief Justices, a forum comprising the highest judicial officers of the United States, its commonwealths, and its territories, and a member of its Board of Directors. He is also a designated District Court Judge for the U.S. District Court of Guam and Justice Pro Tempore for the Supreme Court of the Commonwealth of the Northern Marianas Islands.

Chief Justice Torres was born and raised on Guam and graduated from Father Duenas Memorial High School in 1976. He received his B.B.A. in Accounting (Magna Cum Laude; Beta Gamma Sigma; Beta Alpha Psi) in 1980 from the University of Notre Dame and was awarded his Juris Doctor degree from Harvard Law School in 1985.

Chief Justice Torres began his legal career as a tax practitioner in 1985 in Boston, Massachusetts at Lourie and Cutler, P.C. He was admitted to the Guam Bar Association in 1987 and returned to Guam in 1989 as a private practitioner. His practice was concentrated in tax, trusts and estates, probate, business planning, and commercial matters, but his range of

legal experience includes real estate, arbitration, civil and criminal litigation, and appellate experience before the U.S. Courts of Appeals for the First and Ninth Circuits and the Guam Supreme Court, as well as federal and local departments of internal revenue. Chief Justice Torres is licensed to practice in Massachusetts and Guam and has been admitted to the U.S. Supreme Court, U.S. Tax Court, U.S. Claims Court, U.S. Courts of Appeals for the First and Ninth Circuits, U.S. District Courts for the Districts of Massachusetts and Guam, the Supreme Court of Guam, the Supreme Judicial Court of Massachusetts, and the Superior Court of Guam.

Guam lawyers elected Chief Justice Torres as President of the Guam Bar Association for three consecutive terms between 1990 and 1996. He was instrumental in securing a shared seat for Guam and the Commonwealth of the Northern Marianas in the American Bar Association House of Delegates, and he served as their first Delegate. During the same period, Chief Justice Torres served as a member of the Guam Judicial Council, whereby he advocated for the establishment of the Guam Supreme Court and the automation of the Judiciary.

As part of his commitment to expanding access to justice, Chief Justice Torres has played a central role in expanding court services to include a northern court and other initiatives including e-filing with the Supreme Court, employing wireless technology in the courtrooms, and effecting videoconferencing in initial appearances. As Chair of the Judiciary's technology subcommittee, Chief Justice Torres continues to lay the groundwork for the design and acquisition of a modern case management system. He has also served the Judiciary of Guam as chairperson of the subcommittees that craft rules governing the practice of law on Guam, including the Rules of Evidence, Rules of Civil Procedure and Superior Court of Guam Revisions, Civil Jury Instructions, and Bar Admissions and Attorney Discipline. Chief Justice Torres has also lectured and given presentations to judges, court officials, and court personnel in the U.S., Micronesia, Australia, Malaysia, and Vietnam.

Chief Justice Torres is active in Guam, Asia and the South Pacific for his involvement and positive contributions to soccer as a player, coach, and match official for Fédération Internationale de Football Association (FIFA) and the Asian Football Confederation (AFC). He is a member of the FIFA Ethics Committee, an independent judicial body that hears cases concerning ethical violations involving officials and players and will be examining the bidding process for the 2018 FIFA World Cup™ and the 2022 FIFA World Cup™.

Chief Justice Torres is married to Mary Camacho Torres, and they are proud parents of Vanessa, Carla, and Pele, and doting grandparents of Bobby, Olivia, Carlos, Francisco, and Elena.



### *Justice F. Philip Carbullido*

F. Philip Carbullido was appointed Associate Justice to the Supreme Court of Guam on July 3, 2000, by Governor Carl T.C. Gutierrez. Mr. Carbullido was confirmed by a unanimous vote of the Twenty Fifth Guam Legislature and sworn in as an Associate Justice on October 27, 2000. Justice Carbullido served as Chief Justice from January 22, 2003, to January 15, 2008.

Justice Carbullido served as President of the Pacific Judicial Council, which consists of the Chief Justices of Guam, CNMI, Palau, the Federated States of Micronesia, the Republic of the Marshall Islands and the Territory of American Samoa. Justice Carbullido currently serves as Chair of the Education Committee of the Pacific Judicial Council. On the national level, his peers at the Conference of Chief Justices, which consists of the chief justices of the 50 states and the U.S. commonwealth and territories, elected him second vice-president and a member of the Board of Directors.

Justice Carbullido was born on February 5, 1953, in Tamuning, Guam. He is married to Fay Diana Garrido, and they have four children: Brandon, Kristina, Adam and Steven.

Justice Carbullido attended Cathedral Grade School and graduated from Father Duenas Memorial School in 1971. He then attended the University of Oregon and received a Bachelor of Science Degree in Political Science in 1975. Upon graduation from college, Justice Carbullido attended law school at the University of California, Davis and graduated in 1978 with a Juris Doctor.

After graduating from law school, Justice Carbullido returned to Guam. He started his career in August of 1978 as a legal intern/Assistant Attorney General in the Office of the Attorney General. After ten months of government work, Justice Carbullido went into private practice. He first started as an associate with the law firm of Arriola and Lamorena. Thereafter, he joined the law firm of Arriola & Cowan. In 1983, Justice Carbullido co-founded the law firm of Carbullido & Pipes, P.C. Justice Carbullido remained in private practice until his nomination to the bench.

Justice Carbullido has extensive experience in civil, commercial and administrative law. As a private practitioner, he engaged in complex real estate transactions and commercial loan documentation. Justice Carbullido was the former legal counsel to the A.B. Won Pat Guam International Airport Authority, University of Guam, Port Authority of Guam, and Guam Preservation Trust. He was also legislative counsel to the 17th Guam Legislature and legal counsel to the Committee on Health, Ecology and Welfare of the 21st and 22nd Guam Legislatures as well as the Committee on Tourism and Transportation in the 22nd and 23rd Guam Legislatures. Justice Carbullido also served as a board member of the Guam Finance Commission. Prior to his nomination to the bench, he was a member of the Piti Parish Council, the Guam Visitor Industry Education Council and the Guam Hemophilia Foundation.

Justice Carbullido is a recipient of the professional-technical scholarship from the Government of Guam. He is also the recipient of the Award of Merit as one of Guam's outstanding young people of 1983 from the Pacific Jaycees.



### *Justice Katherine A. Maraman*

Associate Justice Katherine A. Maraman was born in Los Alamos, New Mexico. She received a Bachelor of Arts in Economics, cum laude, from Colorado College and a Juris Doctorate from the University of New Mexico.

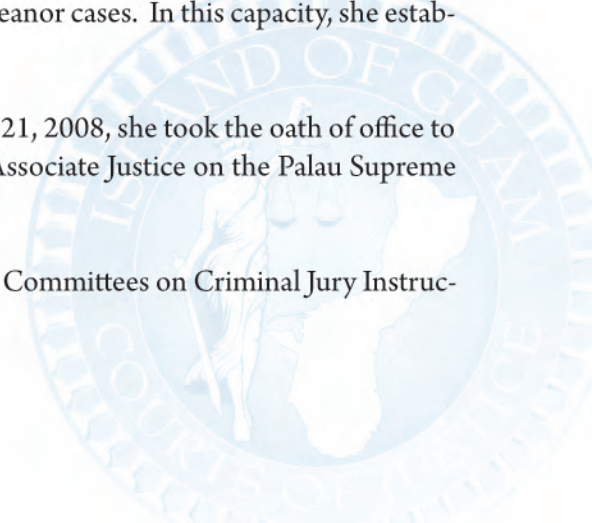
Justice Maraman began her legal career at the New Mexico Legislative Council Service until 1977 when she decided to enter private practice in Guam. She assumed the post of Assistant Legislative Counsel and eventually became minority counsel, serving until December 1987. While serving in the Guam Legislature, Justice Maraman assisted with the Association of Pacific Island Legislatures and in 1985, she opened her own law office at Julale Center where she worked on various legal matters including family, probate, corporate and tax. In 1988, Justice Maraman left private practice to serve as legal advisor to then-Governor Joseph F. Ada and Lieutenant Governor Frank F. Blas.

In 1994, Governor Ada appointed Justice Maraman to serve as a judge for the Superior Court of Guam.

As a judge for the Superior Court, Justice Maraman initially oversaw cases in the Family Court and sought to improve the adjudication process for family cases. She was instrumental in creating a therapeutic court to serve the most vulnerable members of the Guam community. During her tenure in the Superior Court, Justice Maraman also oversaw civil cases as well as criminal felony and misdemeanor cases. In this capacity, she established a docket specializing in criminal cases where a defendant's mental state was at issue.

On May 28, 2007, Governor Felix P. Camacho appointed her to the Guam Supreme Court and on February 21, 2008, she took the oath of office to become an Associate Justice of the Supreme Court. In March 2008, Justice Maraman became a part-time Associate Justice on the Palau Supreme Court upon nomination by the President of Palau.

Justice Maraman serves as an Adjunct Professor at the University of Guam and co-chairs the Supreme Court Committees on Criminal Jury Instructions, Rules of Evidence and Rules of Civil Procedure.





### *Presiding Judge Alberto C. Lamorena III*

The initiation of innovative court programs has been the hallmark of the 21-year tenure of Presiding Judge Alberto C. Lamorena, III. He is a believer in “therapeutic justice,” which emphasizes the rehabilitation of criminal defendants so that they may become productive members of our society.

Reflecting the Presiding Judge’s belief in these principles, the Superior Court saw the introduction of the Adult Drug Court, the Juvenile Drug Court, and the Family Violence Court. The Client Services and Family Counseling Division was also created under his care to assist the Family Violence Court in providing forensic psychological counseling to individuals and groups, in aiding the rehabilitation of those who commit family violence offenses, and in assisting the victims and family members – especially the children – who are so deeply affected by these crimes. He has presided over the mental health court and the family and juvenile courts and is instrumental in current plans to create a DUI court to address the needs of individuals addicted to alcohol.

Presiding Judge Lamorena is also the founder of the Pacific Judicial Council. The Council’s membership includes all the courts of Micronesia and has the goal of improving court administration, discussing legal issues and providing judicial education programs. The Presiding Judge has been an active participant in the Council, first serving four consecutive terms as President and later serving as the organization’s Treasurer.

Building upon this work, the Presiding Judge helped to implement the federally funded Criminal Justice Information System. This computer based system is a judiciary wide network that allows all federal and Guam law enforcement agencies access to the Court’s criminal data as well as the Criminal Sexual Registry Program and a direct link to the FBI’s criminal database, the National Crime Information Center.

Presiding Judge Lamorena has a history of public service that is evident through his commitments to the larger legal community. In addition to his duties as Presiding Judge of the Superior Court and the Judge of the Family Violence Court, Lamorena has served as the Chairman of the Judicial Council, on the Board of Trustees for the Public Defenders Corporation, and on the Board of Law Examiners. He has presided as a designated Judge or Justice with the U.S. District Court of Guam, the Appellate Division of the U.S. District Court of Guam, both the Supreme Court and the Superior Court of the Northern Marianas, and the National Court of the Federated States of Micronesia.

Presiding Judge Lamorena served as a Senator in the 15th to the 19th Guam Legislatures. As a Senator, he was Chairman of the Ways and Means Committee in both the 15th and the 16th Legislatures, and he was the minority leader in the 19th Guam Legislature. During that time, he also served as Chairman of the Guam Legal Services Corporation, was a member of the U.S. District Court of Guam, and acted as legal advisor to numerous civil organizations.

Presiding Judge Lamorena received his B.A. in Political Science from the University of Illinois, Urbana in 1971 and a B.A. in Accounting from the University of Texas, Austin in 1974. He received his J.D. from Drake University, Des Moines, Iowa in 1977. In 1997, he received an honorary Doctor of Law degree from the University of Guam in recognition of his many contributions to the community.



### *Judge Steven S. Unpingco*

According to Judge Steven Unpingco, his role as a judge presents an opportunity at a life-long learning process. He sees the challenges for a judge of the trial court as many and myriad: from the deviation from traditional courts and the creation of problem-solving therapeutic courts designed to collaborate with social service agencies in order to address societal problems, to the introduction of hard science in the courtroom and the use of powerful biological DNA evidence and expert medical testimony. Moreover, judges are faced with increasingly difficult procedural issues, arising from complex civil litigation and intergovernmental special proceedings cases, such as those seeking mandamus, injunctive and declaratory relief.

In coping with and facing these challenges, apart from immersing himself in continuing judicial education and reading, Judge Unpingco, like many citizens of the island, finds comfort in activities that take him outdoors: fishing, farming, and riding a Harley.

Judge Unpingco has served the Superior Court bench for 14 years. Prior to judging, he was a general practitioner for 14 years and served as Legal Counsel to several senators and the Governor of Guam. He also joined the faculty at the University of Guam in 1984 and was granted full tenure and promoted to Associate Professor. He was a recipient of the Outstanding Teacher Award and served as Chairman of the Public Administration and Legal Studies Unit.

Judge Unpingco received a B.A. with Honors in Political Science from St. Louis University in 1979, and a J.D. from the University of San Francisco in 1982.

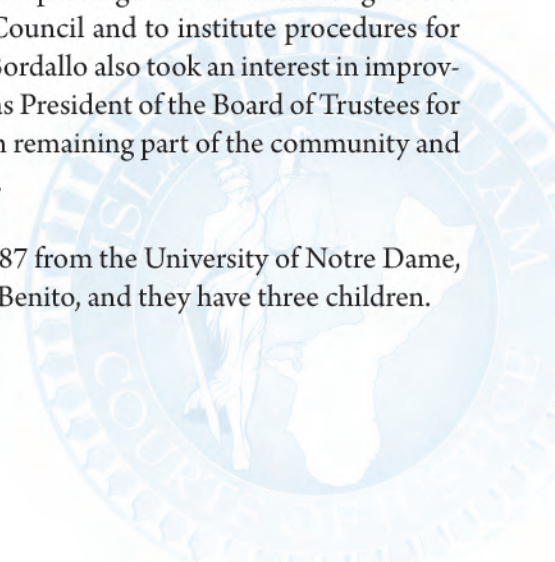


*Judge Michael J. Bordallo*

Since joining the Superior Court in 1998, Judge Michael Bordallo's docket has consisted mainly of cases involving regulatory law, business law and civil litigation. The nature of his caseload, and ultimately, of his numerous decisions and orders, is primarily commercial litigation and as such, have a direct effect on whether investors and business people may comfortably rely on the rule of law, predict their costs, and manage their risks accordingly. An effective judiciary – one that is predictable – stimulates economic growth by minimizing risks and transaction costs, enforcing property rights, checking abuses of government power, and above all else, upholding the rule of law. Drawing upon his nine years of experience as an attorney in private practice, Judge Bordallo objectively evaluates complex civil cases with calm deliberation and thoughtful analysis. His decisions, which are noteworthy for their clarity and conciseness, reflect his belief in stare decisis and assist government officials, commercial litigants, and any citizen of Guam, in the proper application of business and commercial statutes and regulations.

In addition, Judge Bordallo has played an essential role in improving the internal workings of the Judiciary by spearheading efforts to revive the Judicial Council and to institute procedures for the random assignment of cases to all the judges. Judge Bordallo also took an interest in improving the legal resources available to the public and served as President of the Board of Trustees for the Law Library from 2000 through 2005. He believes in remaining part of the community and continues to be involved in the local soccer organization.

Judge Bordallo received a B.B.A. in 1983 and a J.D. in 1987 from the University of Notre Dame, South Bend, Indiana. He is married to the former Carla Benito, and they have three children.





### *Judge Elizabeth Barrett-Anderson*

The Juvenile Drug Court program offers the youth of Guam an opportunity at a life free of drugs, alcohol, and the problems associated with substance abuse. Spearheading this project was Judge Elizabeth Barrett-Anderson, who established the first drug court program for the territory in 2002. Her years of work culminated in December 2005, when the Guam Juvenile Drug Court was created as a court of record of the Superior Court of Guam.

Judge Barrett-Anderson's work also occurs on the national level. She was selected to serve as a member of the Board of Directors of the National Association of Drug Court Professionals in 2005. She also currently serves as Governor Felix P. Camacho's representative on President Bush's Federal Advisory Council on Juvenile Justice, and represents Guam's voice on issues critical to juvenile justice and delinquency.

Domestic violence is another area of focus for Judge Barrett-Anderson, and she has been instrumental in the development of rules of procedure and practice in the field of domestic violence. She is also the program director for the Guam Domestic Violence Bench Book project, a guide for judges in their handling of domestic violence cases.

Judge Barrett-Anderson has spent nearly 30 years in public service to the people of Guam, having served as Guam's Attorney General (1987-1994), Legal Counsel to the Department of Education (1981-1985), and a member of the 23rd and 24th Guam Legislatures.

She is a proud graduate of the Academy of Our Lady of Guam Class of 1971, and in 2004 was invested into the Academy of Our Lady Hall of Fame. She received a B.S. in Political Science from the University of San Francisco in 1974. In 1979, she received a J.D. from the University of Santa Clara School of Law, and has been honored by her alma mater to the University of Santa Clara Hall of Judges. She is married to Daniel Anderson, and they have three children.



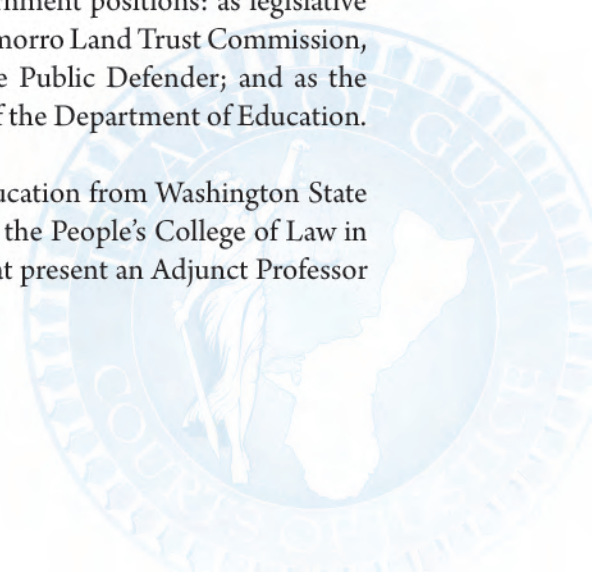
### *Judge Anita A. Sukola*

Since joining the Superior Court of Guam, Judge Anita Sukola has handled a diverse docket ranging from cases involving family violence to complex civil litigation. She once served as the primary family violence judge, and is currently assigned to the court of general jurisdiction. Judge Sukola has participated in numerous legal classes to develop her skills in the areas of civil litigation, domestic violence and criminal law.

Judge Sukola is an active member of the Judiciary of Guam. She is currently a member of the Committee on Self-Represented Litigants, which is chaired by Associate Justice F. Philip Carbullido. The Committee's mission is to make justice accessible to all. Judge Sukola is also a member of the committee responsible for developing proposed criminal jury instructions.

Prior to her appointment in 2002, Judge Sukola was a private practitioner with Lujan & Sukola. She also served in various government positions: as legislative counsel for the Committee on Education, the Chamorro Land Trust Commission, and the Port Authority of Guam; as an associate Public Defender; and as the Deputy Director and subsequently, the Director of the Department of Education.

She received a B.A in History and Secondary Education from Washington State University, Pullman, Washington, and a J.D. from the People's College of Law in Los Angeles, California in 1983. Judge Sukola is at present an Adjunct Professor at the University of Guam teaching Personal Law.



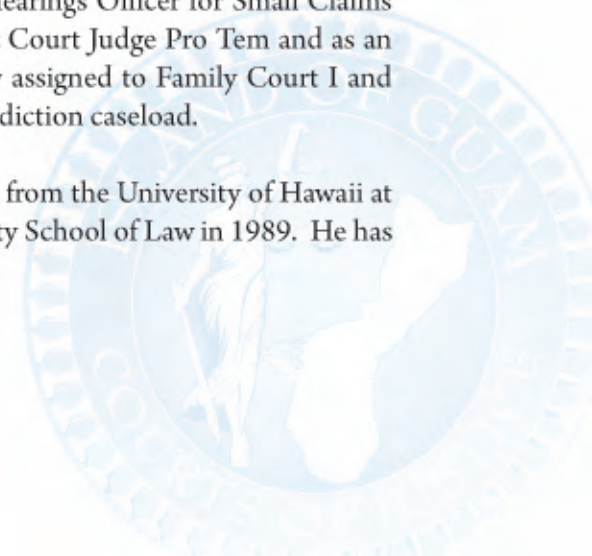


### *Judge Arthur R. Barcinas*

Upon his appointment and confirmation to the Superior Court of Guam in 2004, Judge Arthur R. Barcinas brought to the Superior Court a strong belief that the indigent have the same right as the wealthy to competent representation. During his 14-year career as an attorney in private practice, he represented indigent parties in numerous pro bono cases. He also served as the Chairman of the Chamorro Land Trust Commission Board, an entity that sought to promote land ownership by local residents. He has served as the Chairman for the Law Library Board, which is responsible for ensuring that the island's repository for legal documents receives necessary support, both in terms of resources and funding.

Judge Barcinas has been an active participant in several Judiciary subcommittees, advising on issues relating to Pro Se Litigation, Criminal Jury Instructions, Bar Admissions and Attorney Discipline, and the Rules of Civil Procedure and Superior Court Rules Revisions. He is also a voting member of the Judicial Council. Before taking the bench, Judge Barcinas served as the Hearings Officer for Small Claims Court for eight years. He also served as a Traffic Court Judge Pro Tem and as an Administrative Hearings Officer. He is currently assigned to Family Court I and Juvenile Drug Court, in addition to a general jurisdiction caseload.

Judge Barcinas received a B.S. in Political Science from the University of Hawaii at Manoa in 1986 and a J.D. from Gonzaga University School of Law in 1989. He has three wonderful daughters.



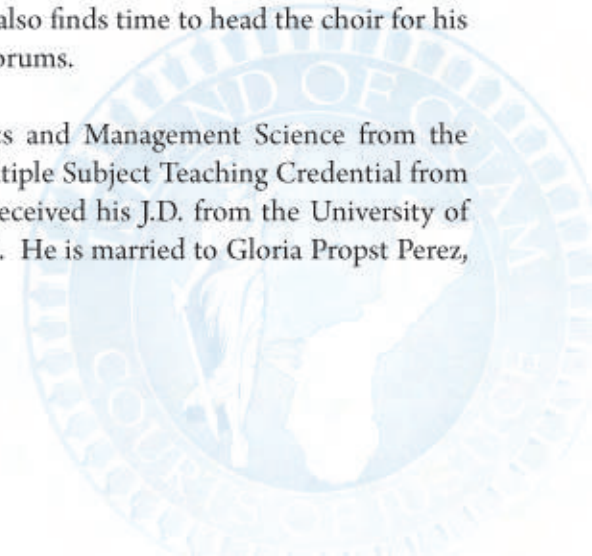


*Judge Vernon P. Perez*

Judge Vernon Perez was sworn in on September 18, 2008. He considers his appointment to the bench to be a great but humble honor. He is committed to serving the people of Guam and ensuring that all matters that come before him are given fair treatment. He believes that his duty as a Judge is to stay true to the dictates of the law and to embrace fully the legal rights of all the parties before him.

Judge Perez comes to the bench with a rich background full of life experiences that more than adequately prepare him for his duties as a Judge in a Court of General Jurisdiction. His diverse work experience includes: five years serving as the Executive Director for the Guam Civil Service Commission; six years working as an Assistant Attorney General in the Family Section of the Attorney General's Office; two years serving as the Press Secretary for Congressman Ben Blaz; and two years working as a Math and Reading instructor at F.B.L.G. Middle School. In between his regular work obligations, Judge Perez serves in the Guam Army National Guard as a Deputy Staff Judge Advocate General. He also finds time to head the choir for his local church and play the guitar in various forums.

Judge Perez received a B.A. in Economics and Management Science from the University of California in 1987, and a Multiple Subject Teaching Credential from San Diego State University in 1988. He received his J.D. from the University of Hawaii, Richardson School of Law in 1997. He is married to Gloria Propst Perez, and they have three spectacular children.





### *Magistrate Alberto E. Tolentino*

In 2008, I Mina'Bente Nuebi Na Liheslaturan Guåhan passed Bill No. 288 providing for the appointment of Magistrates within the Judiciary of Guam and the creation of satellite court facilities by the Chief Justice of the Supreme Court of Guam. That bill became Public Law 29-109 in August 2008. As provided in that statute, the Guam Bar Association submitted the names of three candidates to the Chief Justice from which Alberto E. Tolentino was chosen to fill the position of Magistrate. The appointment of Magistrate Tolentino was approved by I Liheslaturan Guåhan.

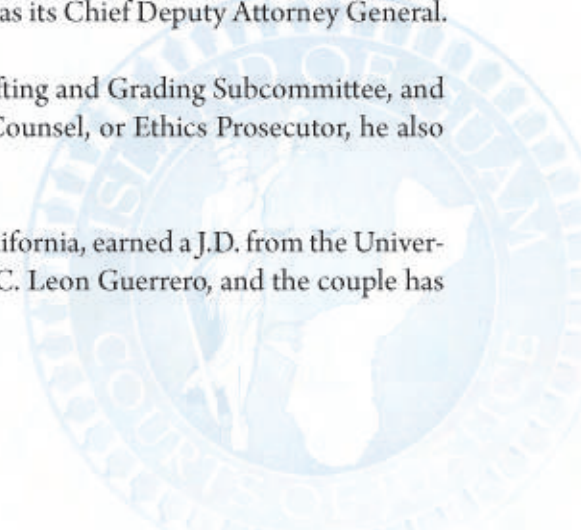
Magistrate Tolentino presides over small claims, traffic matters, changes of name, post-judgment civil matters, first appearances of criminal defendants, criminal arraignments, and any matters which may be heard by a referee of the Superior Court of Guam.

He began his legal career as an assistant attorney general with the Prosecution Division of the Office of the Attorney General. While at the Office of the Attorney General, he became the lead attorney for the Misdemeanor/Sex Crime/Family Violence Unit. In

1993, he entered the private practice of law with the Law Offices of Cesar C. Cabot until 1998, when he accepted a position with the Supreme Court of Guam as the research attorney for then-Chief Justice Peter C. Siguenza. In 2000, he was tapped by then-Chief Justice Benjamin J.F. Cruz to be the first full-time Prosecuting Counsel for the Guam Bar Ethics Committee. In 2007, he returned to the Office of the Attorney General as its Chief Deputy Attorney General.

Magistrate Tolentino has served as a member of the Guam Bar Ethics Committee, the Supreme Court of Guam's Drafting and Grading Subcommittee, and the committee responsible for the drafting of the Rules for Judicial Disciplinary Enforcement. As the Prosecuting Counsel, or Ethics Prosecutor, he also made presentations for continuing legal education credits in legal ethics and professional responsibility.

He received a B.S. in Biology from the University of San Francisco in 1982 and, after working in the private sector in California, earned a J.D. from the University of the Pacific McGeorge School of Law in Sacramento, California in 1993. He is married to the former Doris M.C. Leon Guerrero, and the couple has five children.






*Administrative Hearing Officer Linda L. Ingles*

Administrative Hearing Officer Linda Ingles has been on the island of Guam for over 30 years and has been a member of the Guam Bar Association since 1982. She received her B.S. from the University of Oregon and her J.D. from Whittier School of Law.

Prior to taking the bench in 1995, Administrative Hearing Officer Ingles developed deep roots in the local community as a practicing lawyer in both the public and private sectors on Guam. She worked in private practice at Lamorena & Ingles, later becoming a sole practitioner when Presiding Judge Lamorena assumed the bench. Administrative Hearing Officer Ingles has served as legal counsel to government agencies, senators, and to a governor of Guam. Additionally, she has worked as an Assistant Public Defender and as a law clerk for the Superior Court of Guam. Before assuming her current position, Administrative Hearing Officer Ingles served as a Superior Court Judge Pro Tempore, assigned to Small Claims Court, Traffic Court, and Family Court.

Administrative Hearing Officer Ingles comes to the bench with a strong commitment to the children and families of Guam. Her goal is to assist children and their families by giving them access to justice, ever mindful that she must act in the children's best interest at all times. She does this in the context of some of the most contentious cases in the judicial system, where the caseload is frequently staggering.

Working within an expedited process, Administrative Hearing Officer Ingles strives to ensure a timely judicial response to the paternity, financial, and support needs of Guam's children, including the establishment, modification, enforcement, and collection of child support. In 2009, Administrative Hearing Officer Ingles presided over 6,728 cases involving child support, truancy matters, beyond control cases, and other juvenile proceedings.



# *2009 Year in Review*

## **Transparency, Accountability and Performance**

- Case Age Time Standards
- CourTools Survey
- Financial Challenges
- Revision to Indigent Defense Rule
- Forensic Science Laboratory
- Significant Increase in Federal Funding

## **Community Outreach and Education**

- Law Week 2009
- Guam Juvenile Justice Conference
- Development of Future Professionals
- Relay for Life
- Islandwide High School Mock Trial Competition
- Team Justice/Team Kotte
- Play By The Rules
- Marshals' SET Training
- Cooperative Agreement with DEA

## **Access to Justice**

- Self-Represented Litigants
- Grand Opening of Northern Court Satellite

## **Alternative Approaches to Justice**

- Family Violence Awareness Month and the Silent Witness Ceremony
- Mental Health Court
- Court-Based Family Violence Specialist
- Cultural Considerations in Sentencing
- Cooperative Parenting Program

## **Looking Towards the Future**

- Facilities Master Plan and DEIS Integration
- Case Management System Replacement Study



## Case Age Time Standards

The Judiciary continued to provide current information on the performance of trial judges pursuant to the Judicial Efficiency Act, Public Law 28-137:1, and Administrative Rule 06-001 regarding Case Management & Disposition. Rule 06-001 created two types of time lines:

- (1) **time limits to rule on motions, and**
- (2) **time limits for the disposition of cases.**

Rule 06-001 and the most recent case status data can be viewed on the Judiciary's website at <http://www.guamcourts.org./Efficiency/jed.html>.



## CourTools Survey

In 2009, the Judiciary conducted a survey of court patrons that measured access and fairness. This survey instrument was developed and tested by the National Center for State Courts as part of their CourTools performance measures. CourTools was created to help local courts improve their current practices and measure outcomes considered valuable to the work of the courts. It asks court patrons to rate the court on its accessibility and its treatment of customers in terms of fairness, equality, and respect. Surveys were collected from 1,001 individual court patrons. The responses were compared to other courts that had conducted similar surveys and are being used to improve the court's delivery of services to the public.



## Financial Challenges

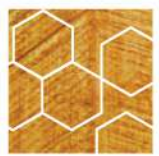
The Judiciary faced many financial challenges with the passage of the appropriations law for fiscal year 2009. The Legislature mandated that the Government of Guam reduce its proposed FY 2009 spending by between six and ten percent, which resulted in a decrease of over \$2.5 million from the Judiciary's proposed FY 2009 budget submission. Following this, for a period of time, the Judiciary received only sixty percent of its allotments under its adjusted budget from the Treasury.

In recognition of the immediate need to implement drastic cost savings measures, the Judicial Council passed a resolution supporting the implementation of cost-cutting measures including a call for voluntary salary reductions, a suspension of civil and non-asserted criminal jury trials for a period of thirty (30) days, restricting hours of service to the public, terminating contracts with outside vendors, and implementation of a mandatory thirty-two hour workweek for all judicial employees. The cost-cutting measures also included a hiring freeze on all vacant full-time positions other than those which are federally-funded or essential and critical to the functioning of the Judiciary, and a six-month postponement of the Judiciary's plan to open the Northern Court Satellite. Fortunately, by May 2009, 90% of the Judiciary's allotments were released, thereby removing the threat of furloughs and allowing the Judiciary to proceed with its plan to open the Northern Court Satellite.



## Revision to Indigent Defense Rule

On July 28, 2009, the Supreme Court amended the Indigent Defense Rule, Miscellaneous Rule 1.1 of the Local Rules of the Superior Court, to require that all motions for the appointment of appellate counsel be made to the Supreme Court, which shall appoint counsel solely from the list of attorneys on the approved appellate panel for indigent representation. In addition, the pay cap for appellate attorneys was raised from \$2,500 to \$7,500.



## Forensic Science Laboratory



A ribbon-cutting ceremony was held in February 2009 to celebrate the opening of the new Guam Police Department Crime Lab on the Guam Community College campus, the result of a successful partnership between the Judiciary and the Guam Police Department. The 14,753 sq. ft. state of the art facility provides the island's law enforcement with the capabilities to examine firearms, drugs, and fingerprints. By the end of the year, the Judiciary was able to secure funding to establish a completely operational Automated Fingerprint Identification System, the first of its kind on the island.



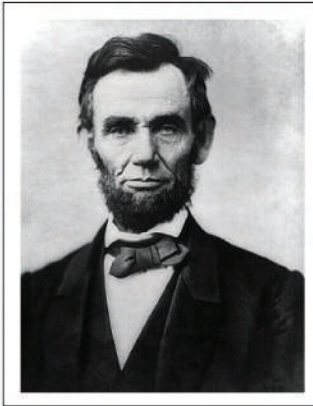


## Significant Increase in Federal Funding

The Judiciary witnessed a significant increase in federal funding during FY 2009, as its Court Programs Office was able to secure over \$4.2 million in stimulus funds under the American Recovery and Reinvestment Act of 2009 (ARRA). In keeping with ARRA's goal of job creation, the funds allowed the Judiciary to hire nine personnel, including data entry clerks for the National Crime Information Center Unit, an administrative services assistant to submit protection orders to the National Protection Order File, and case managers for the Sex Offender Registry Unit and the Adult Drug Court.

The ARRA funds also allowed the Judiciary to begin researching a complete overhaul of its computerized Case Management System, as well as to begin the implementation of a new Criminal Justice Information System, which will allow the Judiciary to share complete criminal histories, including protection orders, warrants, rap sheets, and mug shots, with pertinent law enforcement agencies.





## Law Week 2009

A Legacy of Liberty:  
Celebrating Lincoln's Bicentennial

Law Week 2009 was an occasion to commemorate the bicentennial of the birth of Abraham Lincoln. The Judiciary of Guam and the Guam Bar Association (GBA), joined this year by the District Court of Guam, co-hosted a series of events that engaged thousands of citizens in the celebration of our legal system, provided opportunities to raise awareness of the accessibility of the courts and available legal resources, and continued Lincoln's Legacy of Liberty. In an unprecedented joint press conference held April 24, all three branches of the Government of Guam issued proclamations declaring May 1 as Law Day and April 25 to May 2 as Law Week.

**Golf Tournament to Benefit LASH, Inc.** Leading up to Law Week, the GBA held its second annual charity golf tournament to benefit LASH, Inc. – the GBA's non-profit charity which assists pro se litigants, many of whom cannot afford to retain private counsel or do not qualify for court-appointed or free legal services.



**"Race Judicata" 5K Run.** A race to the courthouse kicked off Law Week, with the GBA's second "Race Judicata" 5K run, which doubled in participation from the previous year. This year's race saw approximately 500 runners, and the creation of a special Manãmko' category for runners ages 70 and older.



# Law Week 2009



## Abraham Lincoln Comes to Guam



Community partners helped bring Mr. James Conine, a national award-winning portrayer of Abraham Lincoln, to Guam. Lincoln's legacy was featured by Mr. Conine's presentations to more than 3,000 public and private school students and members of several Rotary Clubs. His presentations highlighted President Lincoln's life and the significance of his legacy of equality and justice for all.

# Law Week 2009:

## Fairy Tale Mock Trials

Children were also an integral part of this year's Law Week celebration. More than 250 elementary and middle school students performed fairy tale mock trials. Spectators were able to observe several highly contested trials: *State of Italia v. Geppetto*; *Mom A. Bear, Pop A. Bear and Babe E. Bear v. Goldilocks*; *Cinderella v. Estate of Padre Mia Tremaine*; *Wicked Witch v. Snow White*; *Humpty Dumpty v. Sherman King*; and *Village of Sheepfold v. Joey Wolfcryer*. The plays have proven to be effective learning tools for students to develop their understanding of the law, questioning techniques, critical thinking, and oral advocacy skills. In addition to the fairy tale mock trials, the District Court held a high school mock trial exhibition.





# Law Week 2009: Oral Argument Outreach and Other Activities

The Guam Supreme Court conducted an outreach Oral Argument hearing at the Guam Community College, where more than 200 high school and college students observed the appellate process in action and participated in a question-and-answer session after the hearing. Other Law Week activities included the annual State of the Judiciary Address by Chief Justice Robert J. Torres, local and federal courthouse tours, and a swearing-in ceremony for newly admitted attorneys. The Judiciary continued to educate students on the juvenile justice system by presenting its Children At Risk video throughout the island's schools. The District Court held a special Law Day Naturalization Ceremony, followed by its inaugural Citizenship Outreach Program, which allowed new citizens to register to vote, apply for a U.S. passport, and apply for a Social Security card immediately after their naturalization ceremony.



## Hustisia Award

Retired Guam Supreme Court Justice Janet Healy Weeks returned to Guam as the proud recipient of the 2009 Hustisia Award, in recognition of her commitment to the legal profession and the rule of law. Justice Weeks was the first female judge appointed to the bench on Guam and the first woman admitted to the Guam Bar Association. 2009 marked the 10th anniversary of her retirement from the Supreme Court bench. During Law Week, Justice Weeks shared her firsthand historical perspective on the practice of law on Guam and the development of the Guam Judiciary in a presentation to GBA members.



# Law Week 2009

## Law Fair

Law Week 2009 culminated in a Law Fair held at the Micronesia Mall. Members of the legal and law enforcement community, non-profit organizations and court-related community partners participated in an all-day fair designed to educate the public about the services available to them. In addition to cultural entertainment and participant displays, the public was able to attend mini-classes on practical legal topics conducted by lawyers and court personnel.



## 2009 Outstanding Law Day Activities Award

For the second year in a row, the American Bar Association presented Guam with the Outstanding Law Day Activities Award in the budget greater than \$5,000 category. Awards are given to programs that have found creative ways of reaching out to and engaging the community, and have forged strong partnerships with other groups to deliver the message about the benefits of the rule of law.





## Guam Juvenile Justice Conference

The Judiciary's Juvenile Drug Court Section, in partnership with the Guam Public School System, sponsored the 2009 Guam Juvenile Justice Conference. The purpose of the conference was to bring together judges, attorneys, educators, counselors, truant officers, probation officers, youth affairs personnel, law enforcement, social workers, and employment services and human services professionals to learn about quality services for youth and their families. The two-day event, entitled "Empowering, Strengthening, and Redirecting for a Better Tomorrow," provided training to approximately 150 participants on the components of drug courts, drug testing, adolescent issues, anger and stress management for youth, cyber-crimes, and other youth practitioner curriculum.



## Development of Future Professionals

The Judiciary's Client Services and Family Counseling Division (CSFC) continued to work closely with the University of Guam in the professional development of students wanting to pursue professional careers as therapists, psychologists, and social workers. CSFC provided field supervision and training with University of Guam graduate students from the Social Work, Psychology and Education Programs. CSFC also helped co-teach the Social Work 480 Class at the University of Guam. Some of the topics included: the Dynamics of Family Violence; Lethality; Interviewing and Assessment Techniques; Societal Issues in Family Violence; Victims; Power and Control; and Effects on Children.



## Relay for Life

The Judiciary participated in the American Cancer Society's 2009 Relay for Life on May 22, 2009, as "Team Kotte," occupying its own canopy on the Relay for Life field, and manning both tent and track for twelve continuous hours. Team Kotte raised \$2600 in charitable contributions to the American Cancer Society, which earned the Judiciary a place among the Bronze Level of contributors.



## Islandwide High School Mock Trial Competition

Every year, students from Guam's public and private high schools face off in the Judiciary's courtrooms during the High School Mock Trial Competition. The purpose of the mock trial program is to educate Guam's high school students about the legal system and to expose them to the legal profession. After several months of research and practice, and several months of preliminary and final rounds of competition, the team from St. Thomas Aquinas Catholic High School was declared the winner for 2009. The team went on to represent Guam in the 2009 National High School Mock Trial Championship in Atlanta, Georgia, where it was awarded the competition's Professionalism Award.



## Team Justice/Team Kotte

The Judiciary fielded volleyball and basketball teams in three different community leagues in 2009, in the Judiciary's ongoing pursuit of involvement in the community. In the 2009 GHRA Volleyball League, Team Kotte finished as runner-up, earning second place overall in League Play. In the 2009 Department of Parks and Recreation Volleyball League, the Judiciary fielded two teams, and its Team Kotte ended the season as runner-up in second place. In the 2009 GHRA Basketball League, the Judiciary again fielded two teams, and Team Justice finished as runner-up. In the 2009 Shirley's Invitational Basketball Tournament, Team Justice was declared the champion of the league.





## Play By The Rules

The Judiciary continues to make important strides with its Play By the Rules (PBR) program, which teaches our island youth and families about the laws of Guam and how it affects them. In February 2009, Guam PBR project team members, consisting of three Judiciary employees and three Guam Department of Education employees, were certified as trainers of the program by national PBR trainers Ponya Parks and Kerri Williams in a full day Training of Trainers at Hyatt Regency Guam.

Two days later, nearly 100 middle school teachers, Department of Youth Affairs Lihen Famagu'on teachers, juvenile probation officers, client services IMF Therapists, and other juvenile justice professionals attended a Play By the Rules Training Workshop held by the national PBR training team.

In June 2009, Guam PBR trainers conducted their first training workshop as certified trainers. Eleven National Guard Counter Drug Task Force members were trained in the program to primarily teach the Freedom Air Summer Camp scheduled for the following month.

PBR continues to be successfully taught to our local middle school children, youth and families and is receiving favorable responses as an enjoyable, educational and valuable learning tool for all.





## Marshals' SET Training

The Judiciary's Marshals Division held a Special Enforcement Tactics (SET) training for the entire division and invited other Government of Guam agencies to participate. SET Training teaches a specialized set of skills to be used in unique circumstances, such as high risk maneuvers, hostage situations, barricaded situations, or high-profile escorts. The Guam International Airport Authority Police Force accepted the Judiciary's invitation and participated in the training



## Cooperative Agreement with DEA

In a unique new program, the Drug Enforcement Agency (DEA) entered into a Memorandum of Understanding with the Judiciary, enabling a probation officer to work on a task force with the DEA in combating drug trafficking on Guam. As a deputized member of the federal task force, the probation officer was given the benefit of working alongside highly trained drug interception agents, and the DEA was given the advantage of the probation officer's knowledge of the local terrain. A final advantage was that the Judiciary was permitted to participate in the Department of Justice Asset Forfeiture Equitable Sharing Program.





## Self-Represented Litigants



On August 26, 2009, the Self-Represented Litigants Subcommittee of the Supreme Court of Guam presented three sets of pleading forms to the Court for consideration and approval for use in the Self-Help Computer Kiosks and Access to Justice interactive software system. These forms were adopted by the Supreme Court on September 17, 2009. The forms available to the public for use are:

- Guardianship Petition where the Petitioner is a Parent
- Guardianship Petition where the Petitioner is not a Parent
- Petition for Uncontested Divorce – No Children

More forms are being prepared for promulgation, and the Self-Help Computer Kiosks are up and running, with court personnel trained to assist self-represented litigants.





## Grand Opening of Northern Court Satellite

On August 31, 2009, the Judiciary christened its first ever satellite courtroom, known as the Northern Court Satellite or "NCS," located at the Dededo Mall commercial facility. NCS was established to accommodate the needs of current residents, particularly those from the northern villages, as well as to prepare for the increase in demand for court services expected as a result of the island's impending military buildup. From the time NCS opened its doors, it has provided a broad complement of court functions and services for all residents. These citizens now have easier access to court clearances, appearing in traffic court, paying traffic fines, resolving small claims matters, dealing with juvenile matters, and attending initial appearances. The opening of NCS also eased the overcrowded conditions at the Hagåtña courthouse, resulting in shorter lines, more convenient parking, and easier access to justice.





## Family Violence Awareness Month and the Silent Witness Ceremony

In September 2009, the Judicial Council passed a Resolution recognizing October as Family Violence Awareness Month. The Judicial Council, on behalf of the Judiciary and along with the Guam Bar Association, urged the citizens, schools, businesses, legal professionals, and media of Guam to observe and participate in the events planned in October to bring attention to the issue of family violence. The goals of Family Violence Awareness Month included:

- Educating the community on the causes and cycles of family violence in Guam's homes;
- Promoting awareness of the rights of individuals to be free from domestic violence;
- Providing responsible treatment options for family violence offenders;
- Promoting awareness of the safe shelters for victims of family violence;
- Supporting programs of the Judiciary and of Guam's entire law enforcement community that raise awareness of the danger of family violence;
- Celebrating the programs currently in effect to raise awareness and stop incidents of family violence, such as "THRIVE" and the Silent Witness Program;
- Promoting awareness throughout the community of the Family Violence Diversion Program as a prong in the Judiciary's trend toward Restorative Justice;
- Providing access to treatment for contributing factors, such as substance abuse; and
- Engaging the entire community in the recovery of Guam and the healing of those who have suffered the worst consequences of family violence.



Under the chairmanship of the Presiding Judge, the Judiciary's Client Services and Family Counseling Division helped coordinate the opening ceremony for Family Violence Awareness Month, the 13th Annual Silent Witness Candlelight Ceremony held in the Judiciary's atrium.

The Judiciary partnered with the Department of Education, with student representatives from all the elementary schools. Their participation helped punctuate the message that "children have the right to live in safety and without fear." The atrium was ringed with the red silhouettes of each Silent Witness, and for the first time in the history of the ceremony, their portraits hung overhead, a chilling reminder of their haunting stories.





### Mental Health Court

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The Guam Mental Health Court (MHC) Stakeholders Planning Committee met weekly starting in early January 2009 to establish the rules, policies, and procedures to be used by the Court. The MHC commenced operations on April 8, 2009, under the guidance of Judge Stephen S. Unpingco. In July 2009, the MHC team made site visits to mentor mental health courts in Albany, Georgia, and Honolulu, Hawaii, and attended training conducted by the Bureau of Justice Assistance and the Council of State Governments Justice Center, where they also participated in a panel presentation. The Judiciary's Client Services and Family Counseling Division is represented by the psychologist at weekly MHC hearings and provides input on the treatment and monitoring of each participant accepted into the MHC.

Currently, the MHC consists of a program coordinator, a case manager, and a comprehensive team of mental health professionals, including a psychologist, a psychiatrist, and a social worker from the Department of Mental Health and Substance Abuse. Additionally, a probation officer from the Judiciary's Probation Services Division assists the MHC. At the present, the MHC serves an aggregate of 44 individuals diagnosed with a serious mental illness.

The MHC began taking clients in July 2009 and is making good progress. In addition to maintaining close contact with the individuals actually enrolled in the program, the MHC also works to improve the day-to-day quality of life for the clients. To that end, the program coordinator has been working with Able Industries, an employment agency that works with the disabled, to find jobs for clients and with Guam Community College to assist clients in obtaining an Adult High School Diploma or GED.



### Court-Based Family Violence Specialist

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In May 2009, the Judiciary of Guam executed a Memorandum of Understanding with the Public Defender Services Corporation (PDSC) to relocate the Family Violence Specialist to the courthouse. The Family Violence Specialist provides consultation and referral services to clients. Under the supervision and direction of the PDSC attorneys, the Specialist assists in preparing and filing protective orders and other legal documents, coordinating the presence of the victim and witnesses for hearings, arranging Marshal and police assistance, and safety planning. In addition, the Specialist will be available to assist the Family Violence Court as a resource to provide information to the Court on behalf of victims and to act as a victim advocate regarding the prosecution of their complaints, pre-trial restraint upon the defendant, visitation, contact and other matters.



## Cultural Considerations in Sentencing

The Cultural Considerations in Sentencing project was first conceived following presentations made to the Pacific Judicial Council in 2007 by consultants Mark Carey and Madeline Carter. Mr. Carey provided training to an audience of justices and judges entitled "Sentencing that Reduces Crime using Evidence-Based Practices." These presentations suggested that an analysis of current policy and practice and potentially the modification of judicial (and other system actor) practices could assist the Judiciary – and its public and private collaborating partners – in decreasing recidivism among the offenders managed by the court system.

The specific goals of this project were to identify strategies that will:

- reduce the risk of re-offense through the use of evidence-based practices;
- enhance sensitivity to culture and tradition within the criminal and juvenile courts; and
- increase consistency in philosophy and approach among the judges in the sentencing courts.

A Draft Report with recommendations was presented on December 20, 2009, and is being reviewed by the Judiciary's Probation Services Division.



## Cooperative Parenting Program

In 2009, the Judiciary's Client Services and Family Counseling Division (CSFC) began the task of designing a program to deal with parents involved in divorce or separation to further address the problems and meet the needs of children growing up between two homes. CSFC redirected its efforts when the move towards evidence-based practice programs was emphasized. After procuring the Children in the Middle Program, CSFC piloted this program with their Family Violence Men's Groups. The Children in the Middle Program is a skills-based program that helps parents deal with their children's reaction to the family's dissolution, particularly the most damaging aspects for children: their parents' conflicts. Parents may use their children to manipulate and/or control each other around a variety of personal, social, and financial issues. These tactics increase the stress and anxiety typically experienced by children and can increase children's risk for behavior problems, depression, delinquency, substance use, teen pregnancy, school failure and dropout, and suicide. The program teaches parents the skills to mitigate the effects of the family dissolution on their children. CSFC has requisitioned the workbooks and other materials necessary to start the program and will launch the program in 2010.



### Facilities Master Plan and DEIS Integration

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On November 24, 2008, the Judiciary awarded a contract for the development of a comprehensive Facilities Master Plan. The master plan will address present and future facility needs of the Judiciary, taking into account the island's anticipated military build-up. This project complements the Judiciary's strategic plan and the commitment by the Chief Justice and Justices to pave a deliberate path for the Judiciary of Guam. The planning team of Albert H. Tsutsui, A.I.A., Inc., and Planning Design Partners, Inc., were selected to develop the master plan. In addition, the planning team will be augmented by the National Center for State Courts and Brown University to assist in the requirements and case load analysis process and to provide an added review of the final master plan. This project was completed on February 8, 2010. The master plan will chart all of the Judiciary's future projects in a more efficient and deliberate manner.

The final draft of the Facilities Master Plan was presented to Judiciary management in Fall 2009. At this same time, the Joint Guam Program Office (JGPO) issued a Draft Environmental Impact Statement (DEIS) addressing the initial assessment of the impact of the relocation of the Marine base from Okinawa to Guam. Within the time period allowed for public comment, Judiciary staff exhaustively reviewed the DEIS and provided feedback to Major General David Bice, USMC, and JGPO, requesting modifications reflecting the concerns of the Judiciary. Those comments are under advisement with JGPO. The Facilities Master Plan was then revised to accommodate the realities presented in the DEIS and was ready for finalization by the end of 2009.



### Case Management System Replacement Study

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Due to receipt of funding from the American Recovery and Reinvestment Act of 2009, the Judiciary was finally able to reach its goal of thoroughly researching a complete overhaul of its computerized Case Management System (CMS). The Judiciary entered into a contract with the National Center for State Courts (NCSC), a non-profit entity of professionals who work with state and local court problems onsite. The contract with NCSC allowed several professionals with dual experience in Information Technology and Judicial Systems to examine in depth the computer needs of the Judiciary, i.e., scanning, hardware architecture, standardization of technology, interact-ability with colleague agencies such as the Attorney General's Office and the Public Defender Services Corporation, management of hard copy exhibits, e-filing, confidentiality issues, jury management, caseflow, and data conversion.

The contract entered its first phase in late 2009. The professionals at NCSC completed gathering the case management needs of the court by the end of the year. At this time, NCSC is assisting the Judiciary with a written description of the product sought, after which an RFP will ensue.

## 2009 Division Reports

Supreme Court of Guam

Superior Court of Guam

Administrative Office of the Courts

Client Services and Family Counseling

Compiler of Laws

Court Programs Office

Courts and Ministerial Division

Financial Management Division

Human Resources Division

Management Information Systems

Marshals Division

Office of the Public Guardian

Probation Services Division

Procurement & Facilities Management Division

Navigating the Court System



# Supreme Court of Guam

The Supreme Court of Guam is the highest court of the judicial branch of Guam, answerable only to the United States Supreme Court. The Supreme Court has jurisdiction to hear appeals over any cause decided by the Superior Court of Guam or other courts created by Guam law; has supervisory jurisdiction over the Superior Court and all other courts created by Guam law; and has original jurisdiction over proceedings necessary to protect its appellate jurisdiction and supervisory authority. The court also has jurisdiction to issue all orders and writs in aid of its appellate, supervisory, and original jurisdiction.

The Justices of the Supreme Court of Guam are:

Chief Justice Robert J. Torres

Associate Justice F. Philip Carbullido

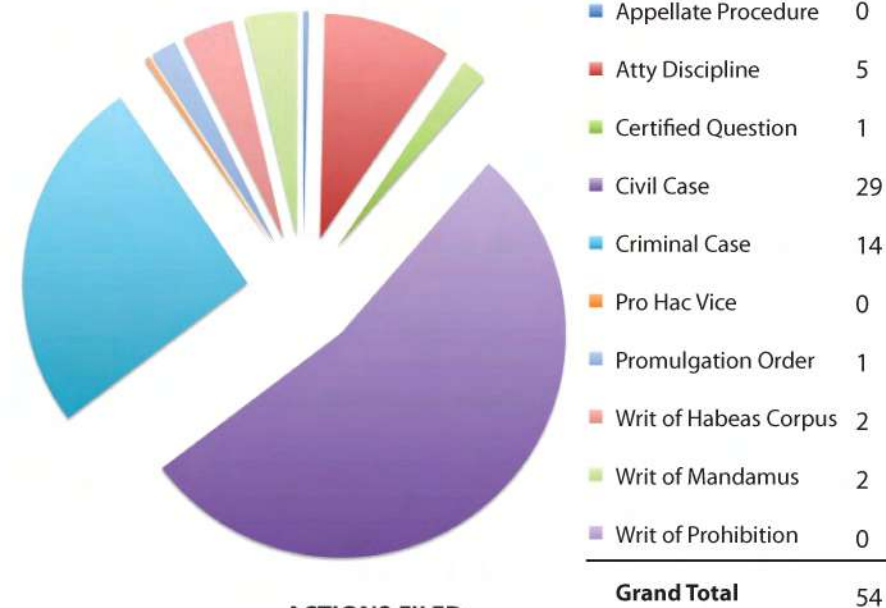
Associate Justice Katherine A. Maraman

The Clerk of Court for the Supreme Court is Hannah G. Arroyo.

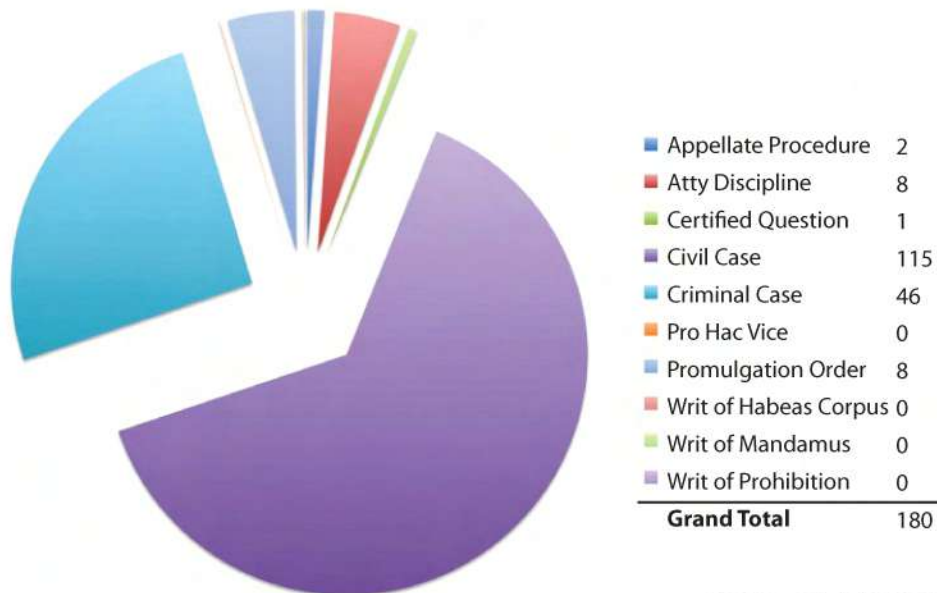
Opinions Issued in 2009

Civil Case	Writ Cases	Certified Question	Criminal Case	GRAND TOTAL
12	0	0	10	22

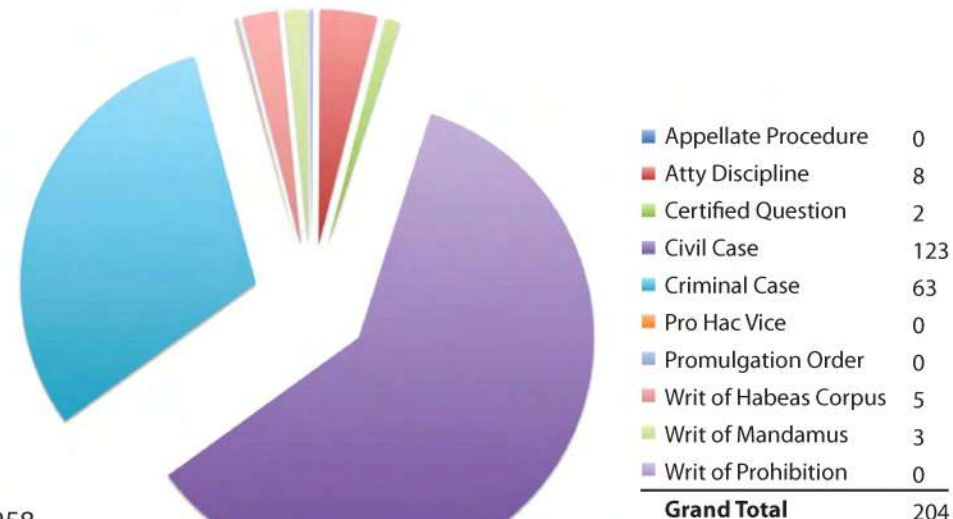
Number of Case Filings:



ORDERS FILED



ACTIONS FILED



Cases and Actions filed: 258  
Opinions and Orders filed: 202



## Superior Court of Guam

The people of Guam have their “day in court” in the Superior Court of Guam, a court of general jurisdiction. Seven judges preside over the cases brought before them, which range from felony, misdemeanor, and juvenile delinquency cases, to civil matters involving more than \$10,000, to family-related cases such as divorce and child support proceedings. The judges also hear special proceedings cases, as well as small claims and traffic court cases. The magistrate is authorized to hear certain matters such as those involving small claims, traffic offenses, and changes of name, as well as first appearances of criminal defendants, bail matters, and criminal arraignments. Child support cases and certain juvenile matters are heard by the Administrative Hearing Officer.

The Judges, Magistrate, and Hearing Officer of the Superior Court of Guam are:

Presiding Judge Alberto C. Lamorena, III  
Judge Steven S. Unpingco  
Judge Michael J. Bordallo  
Judge Elizabeth Barrett-Anderson  
Judge Anita A. Sukola  
Judge Arthur R. Barcinas  
Judge Vernon P. Perez  
Magistrate Alberto E. Tolentino  
Administrative Hearing Officer Linda L. Ingles

The Clerk of Court for the Superior Court is Richard B. Martinez.



## Administrative Office of the Courts

This Office performs the administrative functions for the Supreme Court and the Superior Court. It is responsible for the efficient and responsible management of all divisions of the Judiciary. Incorporated into this office are the Equal Employment Opportunity Officer, the Staff Attorney, the Policy Planning & Community Affairs Officer, and other offices crucial to the smooth operation of the courts.

The Administrator of the Courts is Perry C. Taitano.



## Client Services and Family Counseling

The Client Services and Family Counseling Division (CSFC) provides a variety of direct therapeutic, psychological, consultative, and educational services to the court, its clientele, and the community. CSFC's mission is to provide clinical services in support of the judicial process; to promote community activities that enhance a reasonable quality of life; to advance partnerships of equality, respect and peace among all people; and to foster social change.

CSFC plays a vital role in the rehabilitation and treatment of court clientele. There are a variety of issues facing children, juveniles, adults and families whose psycho-social problems play a part in their legal problems. CSFC offers the ability to address these needs through forensic and psychological evaluations, as well as through individual, couples/conciliation, and family counseling. In addition, CSFC offers group counseling through its Family Violence Men's Group, Non-English Speaking Men's Group, and Women's Group (T.H.R.I.V.E.).

2009 began with a caseload of 839 cases from the previous year. Throughout the year, CSFC received 672 referrals, for a total of 1,511 cases requiring CSFC's services in 2009. Adult criminal felony and misdemeanor cases made up 77% of the 2009 referrals. Adolescents and children in delinquency or juvenile special proceedings made up 21% of the referrals, while domestic cases represented 1% of the referrals.



## Compiler of Laws

The Office of the Compiler of Laws continues its function of updating Guam statutes and other mandates pursuant to Title 1 Guam Code Annotated Chapter 16. The office continues to assist the Supreme Court in the preparation of Opinions for filing and publication, and maintains its commitment to provide free access to the updated laws of Guam on its website: [www.guamcourts.org/compileroflaws](http://www.guamcourts.org/compileroflaws).

In addition, the Compiler is also the Executive Director of the Guam Law Library. Together, the Office of the Compiler of Laws and the Guam Law Library are working to improve and increase access to legal resources for the courts, the Bar and the public. Along with the Guam Legal Services Corporation, the office is heavily involved with the Judiciary's Self-Represented Litigants Subcommittee chaired by Justice F. Philip Carbullido and Judge Anita A. Sukola. This Subcommittee will soon bring self-help computer kiosks to the court, the Law Library and various other locations, which will allow the public to create and print various pleading documents for filing with the court. These kiosks will streamline the process for self-represented litigants thereby increasing efficiency for litigants and the court and increasing access to justice. The office is also involved with the Guam Legal Services Corporation in the development of a website portal which will provide access to legal information and resources regarding social issues for use by the public and advocates who represent them.

Moreover, the Office of the Compiler of Laws assists in the revision of Guam law through its involvement with the Uniform Commercial Code taskforce created by the Guam Legislature and with the Governor's Law Revision Commission on Juvenile Justice.

The office continues to assist the Judiciary of Guam in improving the administration of justice whenever called upon to participate in the review of court policies, rules and regulations.

The Compiler of Laws is Andrew Serge Quenga.



## **Court Programs Office**

The Court Programs Office is responsible for obtaining federal grants to fund new Judiciary programs and to ensure the continuation of existing programs. These grants enhance the Judiciary's ability to develop programs that would not otherwise be possible through local appropriations. The office is also responsible for ensuring that the Judiciary complies with the mandates and reporting requirements attached to each source of funding.

In 2009, the Court Programs Office was successful in securing close to \$4.7 million in federal grants, due in large part to the receipt of over \$4.2 million in stimulus funding under the American Recovery and Reinvestment Act of 2009 (ARRA). The ARRA funds enabled the Judiciary to hire essential personnel for various programs, as well as to implement long-awaited upgrades to its Criminal Justice Information System and its Case Management System.



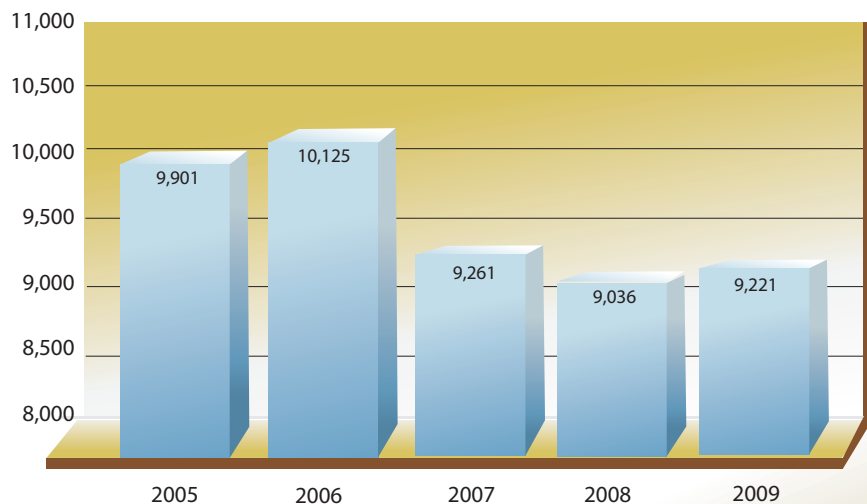
## **Courts and Ministerial Division**

The Courts and Ministerial Division (C&M) is the first point of contact for most citizens of Guam seeking the services of the Judiciary. This division accepts the filing of pleadings and proceeds to route these pleadings to the appropriate courtroom or other destination. C&M also maintains and secures all records, dockets and evidence; schedules cases; prepares daily calendar; provides direct courtroom support; manages juror services; monitors case flow management; and administers court case assignment procedures.

FIVE YEAR COMPARATIVE CASES FILED

	2005	2006	2007	2008	2009
ADOPTION	56	66	59	67	57
CHILD SUPPORT	576	575	607	476	438
CIVIL	1,307	1,529	1,569	1,553	1,897
CRIMINAL FELONY	485	564	618	618	671
CRIMINAL MISDEMEANOR	940	1,044	1,084	1,194	1,346
DOMESTIC	2,494	927	881	868	868
JUVENILE DIVISION (JD)	242	264	362	405	276
JUVENILE SPECIAL PROCEEDINGS (JP)	947	979	983	944	828
JUVENILE DRUG COURT (JC)	141	214	169	151	141
LAND REGISTRATION	2	4	1	3	5
PROBATE	162	157	172	215	182
SPECIAL PROCEEDINGS	219	199	228	247	264
SMALL CLAIMS	2,329	3,539	2,443	2,214	2,154
FOREIGN ORDERS	1	3	2	0	1
PROTECTIVE ORDERS	n/a	61	83	81	93
<b>GRAND TOTALS:</b>	<b>9,901</b>	<b>10,125</b>	<b>9,261</b>	<b>9,036</b>	<b>9,221</b>

SUPERIOR COURT OF GUAM  
FIVE YEAR COMPARATIVE CASES FILED



FIVE-YEAR CASE COMPARATIVE  
JURY MANAGEMENT STATISTICS  
*(By jury-related functions)*

CATEGORY	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Petit Jury Orientations	18	7	13	12	12
Petit Jury Selection (cases)	48	23	32	59	62
Petit Jury Trial (days)	76	73	73	110	144
Grand Jury Selection	3	2	1	2	2
Grand Jury (days)	157	170	129	117	146
Jurors Present	10,906	8,087	8,180	13,531	12,540



## Financial Management Division

The Financial Management Division (FMD) is responsible for the effective management of the Judiciary’s financial resources and obligation of its Trust Funds established by the court. Its duties include internal audit; financial reporting; budget, revenue and expenditure forecast; accounts payable; payroll; federal and local appropriations; accounts receivable; cash collection and disbursement; automation; and providing guidance for financial policies and procedures. Currently, FMD is working on establishing a web-based service online payment system, which will allow the Judiciary to accept both debit and credit card payments for fines, fees and restitution payments.

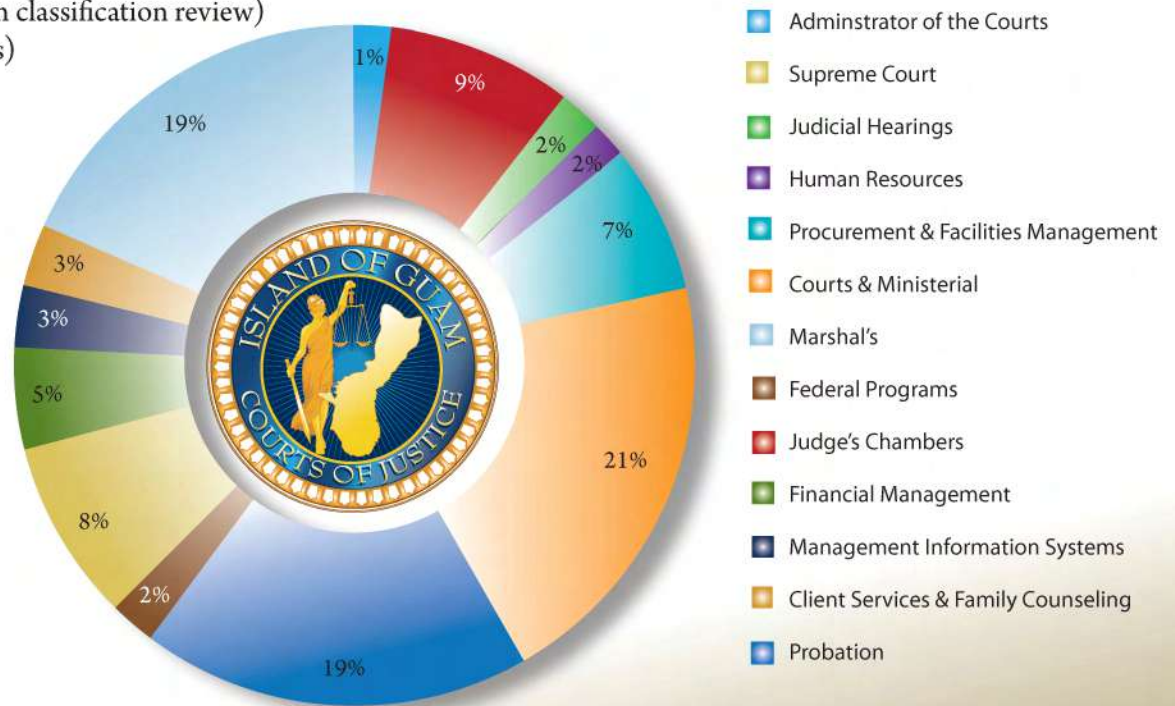


## Human Resources Division

The Human Resources Division manages and administers the Judiciary’s Public Personnel and Human Resource Management Programs that are critical to the professional development of its judicial and non-judicial employees.

The division provides complex, technical and administrative public personnel services to court patrons, employees and court management in compliance with federal/local legislation and Personnel Rules & Regulations, including:

- Recruitment (ratings, interviews and selection)
- Employment Relations (promotions, performance/disciplinary issues)
- Classification/Compensation (court-wide position classification review)
- Benefits (medical/life insurance and leave requests)
- Staff Development
- Training & Educational Development





## Management Information Systems

The Management Information Systems Division is responsible for all aspects of the Judiciary's computer network and information systems, including the development, installation, operation, and maintenance of hardware and software systems infrastructure. In 2009, MIS was instrumental in establishing the island's first Automated Fingerprint Identification System, as well as in implementing the Judiciary's new Criminal Justice Information System (CJIS). The new CJIS will allow the Judiciary to share complete criminal histories, including protection orders, warrants, rap sheets, and mug shots, with pertinent law enforcement agencies such as the Guam Police Department, the Attorney General's Office, the Department of Corrections, and the Federal Bureau of Investigation.



## Marshals Division

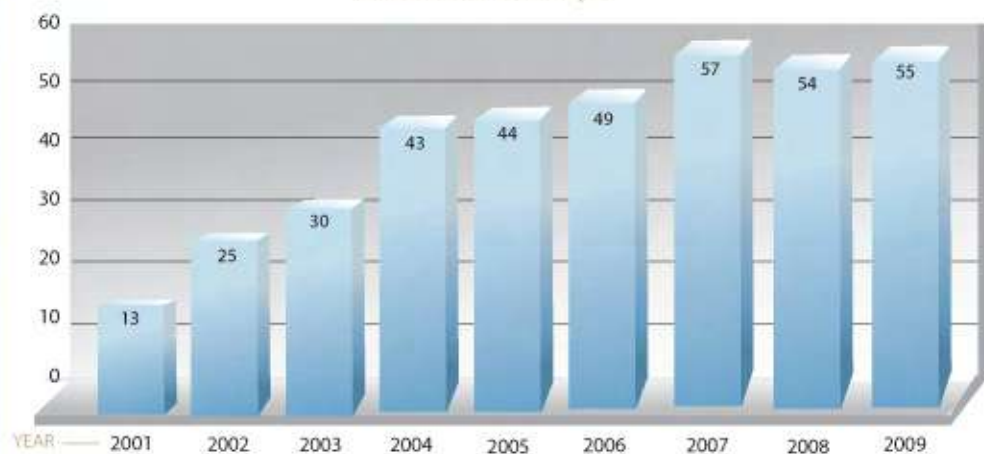
The Marshals Division is primarily responsible for overseeing all aspects of court security, as well as for personally serving certain court documents, including warrants and restraining orders. In 2009, the division underwent advanced training in Dignitary Protection, and it conducted a Judicial Security training course for the Pacific Judicial Council. Numerous court security personnel from Guam, American Samoa, Palau, the Commonwealth of the Northern Marianas Islands, and the Federated States of Micronesia attended the three-day course. Additionally, the Marshals Division worked with the Guam Homeland Security office to obtain twelve off-island training seats on the prevention of terrorist bombings.



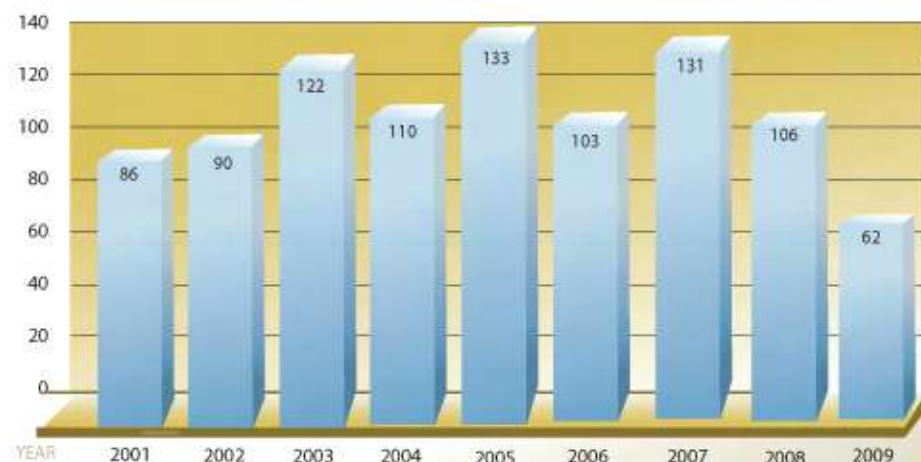
## Office of the Public Guardian

The Public Guardian steps in when infirmity, disability or advanced age renders a person unable to manage his or her own affairs. The Office of the Public Guardian employs an appointed Public Guardian and his or her staff, who support the mission of the office. The Superior Court appoints the Public Guardian when a showing is made that a person is in need of a guardian and there is no other suitable candidate. The Public Guardian can also be appointed co-Guardian with another appointed Guardian. One of the duties of the Public Guardian may be to manage the finances of the wards. The office may also assist guardians in fulfilling their responsibilities to their wards, and it may investigate when there is suspicion of abuse or neglect.

Active Guardianships



Number of Referrals Each Year



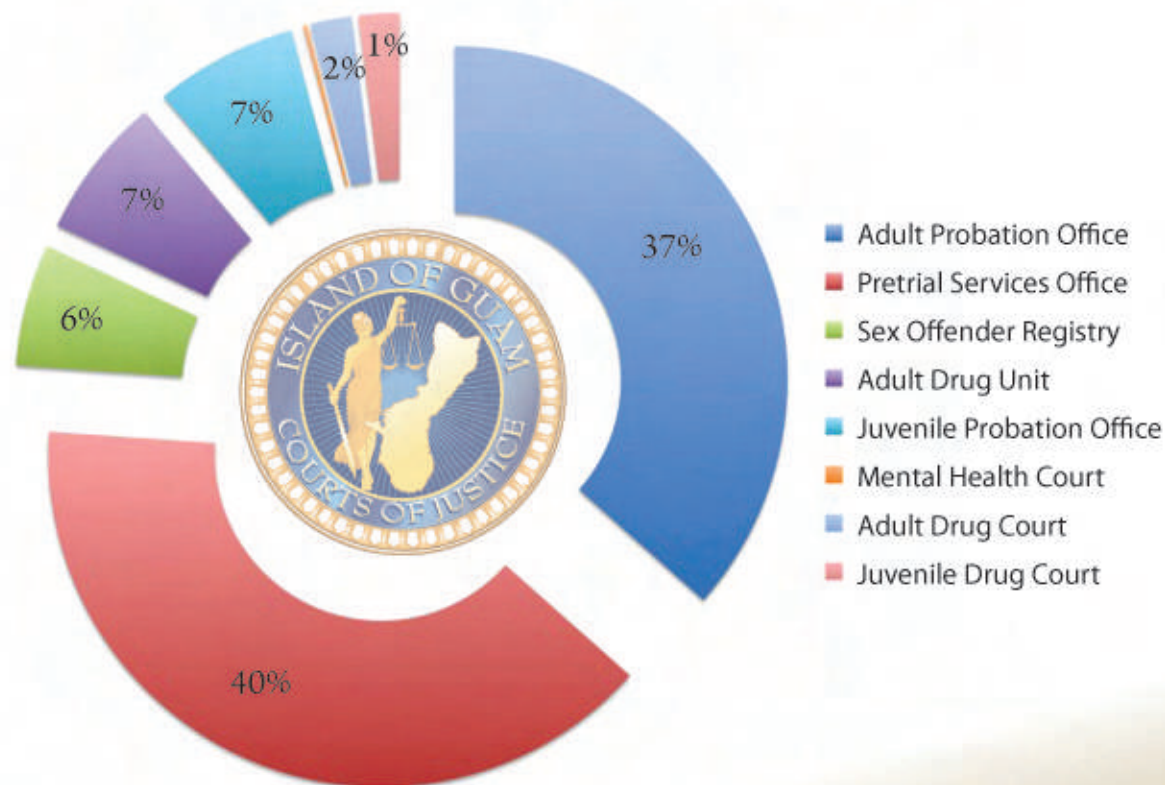


## Probation Services Division

The mission of the Probation Services Division is to assist in keeping our island community safe and secure through the enforcement of court orders on adult and juvenile offenders released into the community in lieu of incarceration. As an integral part of the justice system, the division is committed to providing quality case management services and supervision of offenders through innovative programs that stress offender accountability. This is accomplished through the building of community partnerships, intervention programs, individual counseling and guidance, educational awareness programs, intensive drug testing, treatment referrals, restitution and pre-sentence investigations, home searches, field work, and skill-building processes.

The Probation Services Division houses the following entities: Chief Probation Office, Adult Probation Office, Adult Drug Court, Adult Drug Unit, Pretrial Services Office, Juvenile Probation Office, Juvenile Drug Court, Alternative Sentencing Office, Intake/Drug Testing Office, Sex Offender Registry, and the Mental Health Court.

2009 Probation Services Division Caseload Distribution





## Procurement & Facilities Management Division

The Procurement and Facilities Management Division handles purchases, capital improvements and maintenance of the Judicial complex building and grounds. This division was instrumental in the openings of the Guam Police Department Crime Lab and the Northern Court Satellite, as well as in the development of a comprehensive Facilities Master Plan. The division has begun the replacement of the Judiciary's aging air conditioning system with a more environmentally-friendly system, which will enable the Judiciary to realize significant savings in terms of energy and cost.



## Supreme Court of Guam

### Three Justices

The Supreme Court is the “court of last resort” in Guam. It is answerable only to the United States Supreme Court. The Supreme Court of Guam hears appeals from any cause decided by the Superior Court of Guam or other courts created by Guam law. It has supervisory jurisdiction over the Superior Court and all other courts created by Guam law, as well as original jurisdiction over proceedings necessary to protect its appellate jurisdiction and supervisory authority.



## Superior Court of Guam

### Seven Judges, One Magistrate, One Hearing Officer, One Referee

The Superior Court is Guam’s trial court of general jurisdiction. It includes the Adult Drug Court, Juvenile Drug Court, Family Violence Court, Mental Health Court, and Judicial Hearing Division (Child Support). Among the cases it hears are:

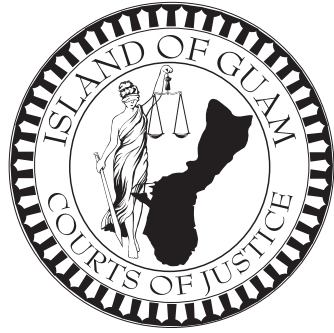
- Civil matters
- Criminal cases (both felony and misdemeanor)
- Domestic relations cases
- Juvenile matters
- Probate cases
- Appeals from Small Claims Court, Traffic Court, and decisions of administrative agencies



**Small Claims Court**  
(not of record)



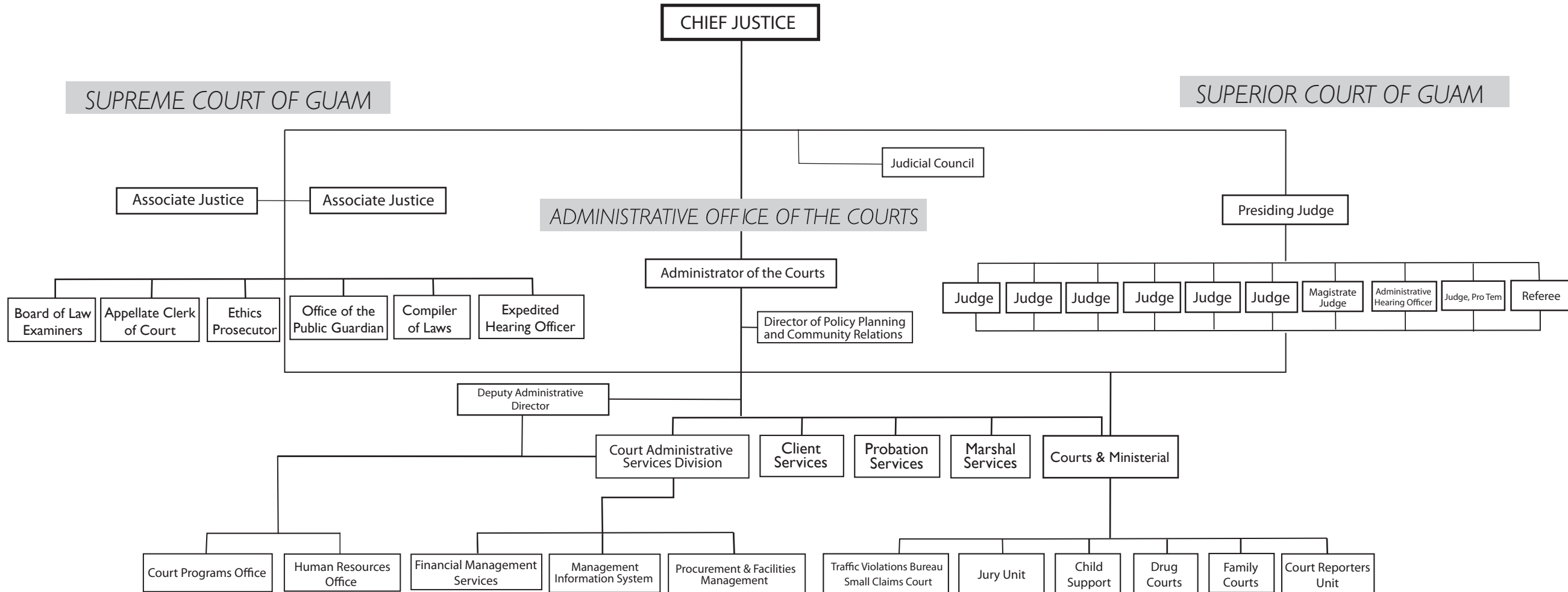
**Traffic Court**  
(not of record)



# UNIFIED JUDICIARY OF GUAM

## Administrative Organizational Chart

The Chief Justice of Guam is responsible for the administration of the Judicial Branch of Guam. The Office of the Administrator of the Courts has the primary responsibility for daily operations of the court system.





ROBERT E. COONTZ  
BUILDING  
1929



Robert E. Coontz (June 11, 1864 - January 26, 1935) was an admiral in the United States Navy. Between 1912-13, he was Governor of Guam. In October 1929, a new courthouse was opened in Hagåtña on the second floor of the Robert E. Coontz Building. The building was later destroyed in the liberation of Guam.