



## Citizen - Centric Report

# The Judiciary of Guam

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**F. Philip Carbullido**  
Chief Justice of Guam

*“The protection provided by the court system is what makes it possible for our citizens to innovate and enjoy the fruits of their labor, while protecting their rights and the rights of others; it is what attracts investors and it’s what gives our local people the security they need to venture into business in the hopes of growing our economy and improving their standard of living.” – Chief Justice F. Philip Carbullido, State of Judiciary Address, May 1, 2012*

As the third branch of the government of Guam, the Judiciary of Guam is charged with interpreting the laws of Guam and in this regard, provides for the orderly settlement of disputes between parties, determines the guilt or innocence of those accused of crimes and other violations of the law, and protects the rights of individuals.

The head of the Judiciary of Guam is the Chief Justice of the Supreme Court of Guam, currently F. Philip Carbullido. Associate Justices Robert J. Torres and Katherine A. Maraman are the two members of the Supreme Court. Presiding Judge Alberto C. Lamorena III, 6 trial judges, a magistrate judge and judicial hearings officer comprise the Superior Court of Guam.



### MISSION

*The Judiciary’s purpose is to administer justice by interpreting and upholding the laws, resolving disputes in a timely manner, and providing accessible, efficient, and effective court services.*

### VISION

*The Judiciary will provide the highest quality of justice services, thus enhancing public trust and confidence in Guam’s independent and co-equal branch of government and becoming a model of judicial excellence.*

### The Judiciary of Guam

- a critical part of Guam’s public safety infrastructure
- vital to maintaining law and order
- focused on protecting individuals, children and families
- responsible for supervising criminal offenders in our community

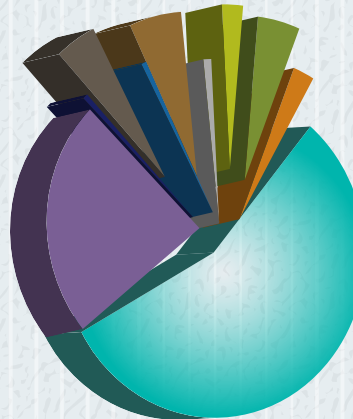
## Supreme Court



Case and Actions Filed:

Appellate Procedure	0
Attorney Discipline	5
Certified Question	1
Civil Case	72
Criminal Case	43
Pro Hac Vice	0
Promulgation Order	4
Writ of Habeas Corpus	0
Writ of Mandamus	5
Writ of Prohibition	1

**Total: 131**



Opinions and Orders filed:

Admin Rule	4
Attorney Discipline	8
Certified Question	4
Civil Case	100
Criminal Case	42
Pro Hac Vice	0
Promulgation Order	8
Writ of Habeas Corpus	0
Writ of Mandamus	10
Writ of Prohibition	0

**Total: 176**

## Superior Court

A staggering 9,294 cases were filed in the Superior Court in 2011, including 2,027 criminal cases. 1,984 new civil cases were filed, along with 2,125 small claims cases and 14,921 traffic citations. Add to this the 1,228 juvenile cases, 482 child support cases, and 878 domestic cases brought before the court. In 2011, the Judiciary's jury unit processed nearly 12,000 citizens who were called for jury service and, Probation supervised almost 8,000 probationers last year.

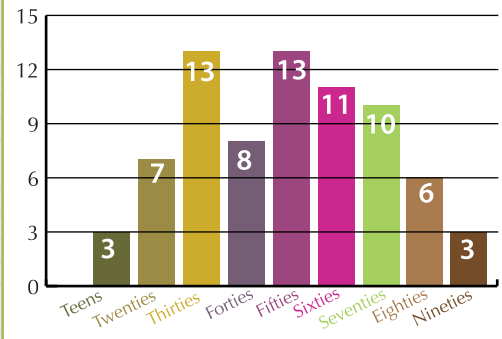
### FIVE YEAR COMPARATIVE CASES FILINGS

Description	2007	2008	2009	2010	2011
Adoption	59	67	57	43	28
Child Support	607	476	438	499	482
Civil	1,569	1,553	1,897	2,064	1,984
Criminal (Felony)	618	618	671	762	727
Criminal (Misdemeanor)	1,084	1,194	1,346	1,273	1,300
Domestic (Divorce)	881	868	868	849	878
Juvenile Delinquent	362	405	276	235	316
Juvenile Special Proceedings	983	944	828	895	781
Juvenile Drug Court	169	151	141	84	131
Land Registration	1	3	5	6	2
Probate	172	215	182	176	154
Special Proceedings	228	247	264	260	216
Small Claims	2,443	2,214	2,154	1,869	2,125
Foreign Orders	2	0	1	6	3
Protective Orders	83	81	93	83	125
Restitution and Fines	n/a	n/a	0	72	42
<b>GRAND TOTALS:</b>	<b>9,261</b>	<b>9,036</b>	<b>9,221</b>	<b>9,176</b>	<b>9,294</b>

\* Source: Superior Court of Guam

## Office of Public Guardian

In 2011, there were 36 male and 38 female wards. Four OPG wards are dependents of veterans with Military ID cards and 8 are veterans themselves. The wards range from ages 13 to 95 with the breakdown as follows:



### JURY MANAGEMENT STATISTICS

CATEGORY	FY2010	FY2011
Petit Jury Orientations	11	15
Petit Jury Selections	65	53
Petit Jury Trial Cases	34	27
Petit Jury Trial Days	111	111
Grand Jury Selections	2	2
Grand Jury Days	182	175
Grand Jury Cases	724	701
Jurors Present	13,193	11,963

### Open and Active Cases from Previous Years

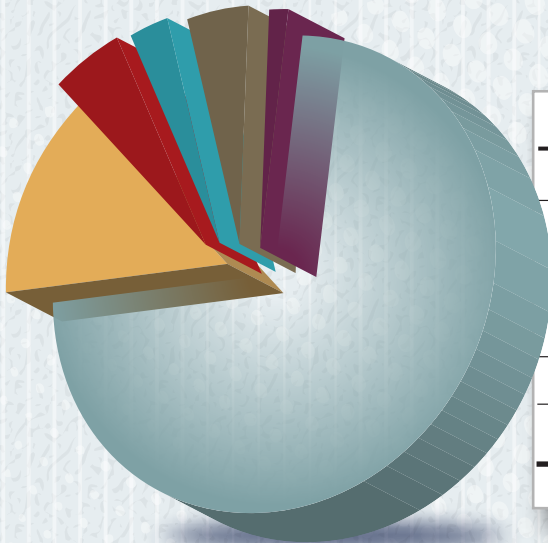
Age of Cases	Criminal Felony Cases	Criminal Misdemeanor Cases	Non-Criminal Cases	TOTALS
12-18 Months	31	13	0	44
19-24 Months	35	18	28	81
2-3 Years	29	14	61	104





**FY'2011**

**FUNDING SOURCES**

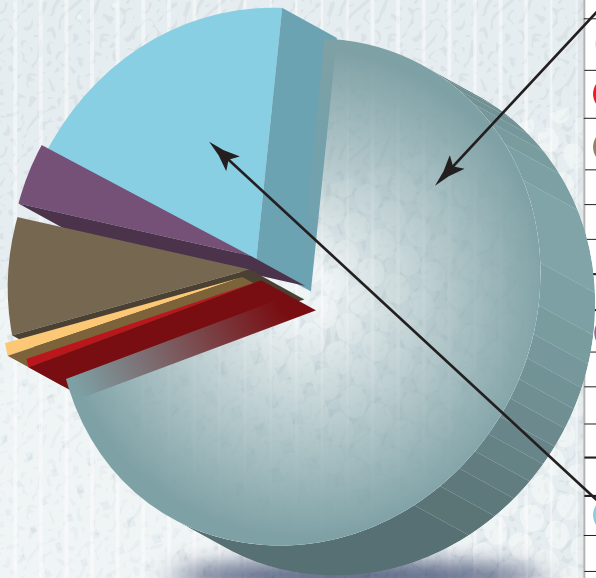


	2010	2011
<b>APPROPRIATIONS</b>	23,823,305	24,620,331
<b>FEDERAL GRANTS</b>	2,821,265	4,649,907
<b>TRAFFIC FINES</b>	1,299,849	1,644,561
<b>FINES</b>	647,351	977,692
<b>FEES</b>	1,601,933	1,513,972
<b>MISCELLANEOUS</b>	257,625	395,337
<b>TOTAL</b>	<b>30,451,328</b>	<b>33,801,800</b>

**How the Judiciary's Budget compares to the Government of Guam in FY'2011**

- Judicial Branch: \$24,620,531 - 4.59%
- Other Government of Guam agencies: \$535,231,228, = 95.4%

**MANDATORY EXPENSES**



	2010	2011
<b>PERSONNEL (Salaries)</b>	15,549,553	17,009,105
<b>INCREMENTS (Salary)</b>	124,306	171,589
<b>HAZARDOUS PAY</b>	193,970	200,147
<b>INDIGENT CLIENT SERVICES</b>		
Interpreters	44,789	33,923
Court Appointed Attorneys	1,655,786	1,619,974
Other	139,778	163,225
Total	1,840,353	1,817,122
<b>EMPLOYEE BENEFITS</b>		
Life Insurance	40,304	34,582
Hospital Insurance	548,999	871,693
Dental Insurance	55,639	57,131
Total Employee Benefits	644,942	963,406
<b>RETIREMENT BENEFITS</b>		
Retirement	4,051,512	4,186,775
Social Security	199,818	209,051
Defined Contribution	102,906	116,834
Total	4,354,236	4,512,660

- The Judiciary consistently experiences annual budgetary shortfalls, challenging its ability to timely pay vendors including indigent counsel and other service providers, as well as to hire essential personnel.
- In FY 2010, the shortfall ( the difference between what was needed to operate and what was appropriated), was \$2,884,115. In 2011, the shortfall was \$3,854,643.

**Independent Audit**

Independent Audit was performed by Deloitte & Touche LLP. The Government of Guam received an unqualified (clean) opinion. The Office of the Public Auditor released the Government of Guam wide financial audited report on June 29, 2012. For more information of the independent audit, you may visit this web site address [http://www.guamopa.com/docs/GovGuam\\_fs09pdf](http://www.guamopa.com/docs/GovGuam_fs09pdf)

## CASE MANAGEMENT SYSTEM

One way we continue to improve the Judiciary is by embracing new technologies and better ways of doing things. This is what we have done with the launch of our new Case Management System, or CMS.

- Online payments of traffic and court fines, fees, and restitution
- Online application and payment for court clearances
- Online jury management and screening
- E-filing System for Superior Court of Guam
- Online public access to court documents

## REDUCING EXPENDITURES

- Light retrofitting
- Air conditioning maintenance
- Bulk Purchasing
- Change of copier contractor
- Communications services
- Waste disposal
- Not filling funded vacancies
- Adjusting Operations to reduce specialty pay
- Maximizing Federal Funds

## CRIMINAL INFORMATION INFRASTRUCTURE

- Launching Virtual Computerized Criminal History Records System
- Fusion Center of Criminal Information
- Maintenance of the Sex Offender Registry

"For years, we have had to deal with cash shortfalls, cutbacks on funding, and consequently, strained services and operations. We simply do not have the luxury of saying that things will get better, because we truthfully don't know when that will happen. We must instead find ways to do better now." – Chief Justice F. Philip Carbullido, State of Judiciary Address, May 1, 2012



## 2012-2016 STRATEGIC FOCUS AREAS

### 1. ACCESS TO COURTS AND DELIVERY OF SERVICES

- 1.1: The Courts will be accessible, user-friendly and convenient.
- 1.2: The Judiciary will provide responsive and efficient programs and services.
- 1.3: The Judiciary will have the resources it needs to enhance court access, services, and programs.

### 2. OPERATIONAL EFFICIENCY, EFFECTIVENESS, AND TIMELINESS

- 2.1: Cases will be managed and resolved in a timely, effective, and efficient manner.
- 2.2: Internal processes will be efficient, effective, and timely.
- 2.3: The Judiciary's resources will be aligned with and allocated to its stated operational and strategic priorities.

### 3. SATISFIED AND COMPETENT PERSONNEL

- 3.1: The Judiciary's workforce will be motivated, satisfied, and competent.
- 3.2: The Judiciary will optimize the use of its human resources

### 4. STAKEHOLDER AND COMMUNITY RELATIONS

- 4.1: The Judiciary will have strong, collaborative relations with stakeholders and partners.
- 4.2: The Judiciary will promote public understanding and support of the court system.

