

SUPREME COURT OF GUAM

ADMINISTRATIVE RULE NO. 05-03

REGARDING THE CREATION OF COLLABORATIVE THERAPEUTIC DRUG COURTS AS COURTS OF RECORD FOR THE SUPERIOR COURT OF GUAM

A. Introduction

The 108th U.S. Congress enacted Public Law 108-378, an Act amending the Organic Act of Guam for the purpose of clarifying the structure of Guam's Judiciary, and thereby conferring upon the Supreme Court of Guam administrative power over the Judiciary. Pursuant to said authority the Supreme Court of Guam is empowered to create such lower courts as it deems proper pursuant to its review, or as have been previously established by the laws of Guam, as may benefit residents of the territory of Guam.

The Superior Court of Guam was awarded two (2) federal grants by the United States Department of Justice to implement and operate both an Adult Drug Court and a Juvenile Drug Court, as integrated therapeutic courts, in accordance with stringent guidelines and criteria as promulgated under the National Drug Court Institute and the National Association of Drug Court Professionals. Drug Courts provide the focus and leadership for a community-wide response to, and fight against, drug abuse and its concomitant crimes.

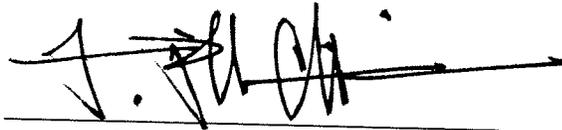
B. Objective

The Supreme Court of Guam recognizes, in conjunction with the Executive Branch and the Guam Legislature, that drug courts are an effective system in the rehabilitation and recovery of hundreds of drug offenders through close court monitoring, regular random drug testing, and holistic drug and alcohol treatment. Drug courts invoke a collaborative and therapeutic process within the criminal justice system. The Supreme Court of Guam determines that collaborative integrated therapeutic courts are important to our community as a partnership between law enforcement, treatment, and the criminal justice system in the interest of our island.

NOW THEREFORE BE IT ORDERED that the Supreme Court of Guam does hereby establish the Juvenile Drug Court and the Adult Drug Court as Divisions of the Superior Court of Guam and as Courts of Record. These Courts shall operate in accordance with established guidelines for the operation of therapeutic drug courts as adopted by the respective Operating Procedural Manuals of the Adult and Juvenile Drug courts initially prepared and promulgated in accordance with federal grant requirements, and as are further amended, promulgated and adopted.

Administrative Rule No. 05-03
Regarding the Creation of Collaborative
Therapeutic Drug Courts as Courts of
Record for the Superior Court of Guam
Page 2

ADOPTED this 29th day of December 2005.



F. Philip Carbullido
Chief Justice of Guam



Frances Tydingco-Gatewood
Associate Justice



Robert J. Torres, Jr.
Associate Justice