

FILED

AUG 11 2021

SUPREME COURT OF GUAM
BY: 8:4 JAM

IN THE SUPREME COURT OF GUAM

RE:) Supreme Court of Guam
RELATIVE TO REQUIRING) Administrative Order No. ADM21-687
JUDICIARY OF GUAM)
WORKERS TO VACCINATE)
AGAINST COVID-19)
)
)

Because of the continued public health concerns arising from the COVID-19 (coronavirus) pandemic, *I Maga'hāgan Guāhan* has issued a series of executive orders to stem the spread of the virus. In line with the various executive orders, the Supreme Court, under its jurisdiction to issue orders in aid of its supervisory jurisdiction over the Superior Court of Guam and all other courts of the judicial branch of Guam, has issued several administrative orders to protect the public health.

On July 30, 2021, Guam reached its vaccination goal of 80% of the adult population and under Executive Order No. 2012-16, nearly all COVID-19 restrictions were lifted. Consistent with Executive Order No. 2012-16, the Supreme Court issued Administrative Order No. ADM21-657 on July 30, 2021 lifting social distancing and capacity requirements within Judiciary facilities. Notwithstanding Guam's successes in fighting the virus and reaching the 80% vaccination rate, with the lifting of restrictions Guam has recently seen a rise in positive COVID-19 cases and faces increasing danger posed by the highly infectious Delta variant.

Because of the rise in cases and to ensure the safety of executive branch employees, the Governor, on August 6, 2021, issued Executive Order No. 2021-17, mandating COVID-19 vaccinations for executive branch workers effective August 9, 2021 and requiring full vaccinations of either a single shot of the Johnson & Johnson, or two shots of the Pfizer or

1 Moderna series no later than September 24, 2021. This Executive Order requires that executive
2 branch workers who refuse to receive a COVID-19 vaccination or provide proof of such
3 vaccination, must submit to weekly testing or face disciplinary action.

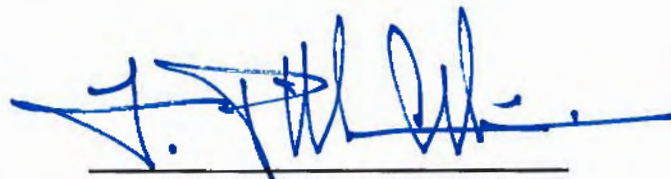
4 In line with Executive Order No. 2021-17 and recognizing the recent rise in positive
5 COVID-19 cases, the increasing danger posed by the highly infectious Delta variant, the lifting
6 of social distancing and capacity requirements within Judiciary facilities, and the critical need to
7 ensure the continuity of the services of the Judicial Branch in administering justice efficiently
8 and effectively, and based on the authority of the Chief Justice under 48 U.S.C. § 1424-1(b)(2)
9 and (3), “as the administrative head of, and [having] general supervisory power over, all
10 departments, divisions, and other instrumentalities of the judicial branch of Guam” with the
11 power to “issue such administrative orders on behalf of the Supreme Court of Guam as necessary
12 for the efficient administration of the judicial branch of Guam” it is **ORDERED**:

- 13 1. Effective August 16, 2021, all workers of the judicial branch of Guam shall be
14 required to receive one of the three authorized COVID-19 vaccinations. Workers
15 shall be fully vaccinated with either a single shot of the Johnson & Johnson or two
16 shots of the Pfizer or Moderna series no later than **October 11, 2021**.
- 17 2. If workers decline to receive a COVID-19 vaccination or provide proof of such
18 vaccination, they will be required to test for COVID-19 with a PCR or antigen test
19 once weekly. Workers must vaccinate or submit to weekly testing or they shall be
20 subject to administrative or disciplinary procedures.
- 21 3. This Order shall apply to exempt or non-exempt, full-time or part-time employees
22 and volunteers of the Judiciary, whether or not they are paid or unpaid.
- 23 4. The Administrator of the Courts and the Human Resources Administrator shall
24 coordinate with the Department of Health and Human Services and the Guam
25 National Guard to ensure that Judiciary employees have adequate opportunities to
26 receive a COVID-19 vaccine. Individual workers may personally arrange to receive a
27 vaccination and provide proof of vaccination to the Human Resources Division by the
28 deadline.

1 5. The Judiciary shall, consistent with privacy laws and regulations, maintain records of
2 workers' vaccination statuses, declination forms, and/or testing results and provide
3 such records to DPHSS upon request.

4 All prior Administrative Orders remain in full force and effect except to the extent they conflict
5 with this Order.

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7 **SO ORDERED** this 11th day of August, 2021.

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12 **F. PHILIP CARBULLIDO**
13 **Chief Justice**