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SUPREME COURT  
OF GUAM

IN THE SUPREME COURT OF GUAM

<p>6 <b>Re:</b></p> <p>7 <b>ADOPTION OF THE GUAM RULES OF</b></p> <p>8 <b>APPELLATE PROCEDURE</b></p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Supreme Court Case No.PRM07-003</p> <p><b>PROMULGATION ORDER</b></p> <p><b>NO. 07-003-05</b></p>
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Pursuant to the authority to “make and promulgate rules governing the administration of the judiciary and the practice and procedure in the courts of the judicial branch of Guam,” 48 U.S.C. § 1424-1(a)(6), the Supreme Court hereby adopts the following amendment to Rule 10(c) of the Guam Rules of Appellate Procedure (“GRAP”) in order allow for service of orders, judgments, notices or any other documents by the Supreme Court on attorneys at their boxes maintained in either the Supreme Court Clerk’s office or the Superior Court Clerk’s office.

GRAP 10(c) shall be amended to read as follows:

**Rule 10 – Filing and Service**

....

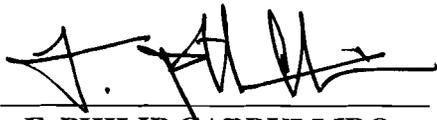
(c) Manner of Service. Service may be personal, by mail, or by third-party commercial carrier for delivery within 3 calendar days or by facsimile machine process. However, briefs and excerpts of record may not be served by facsimile machine process. When reasonable considering such factors as the immediacy of the relief sought, distance, and cost, service on a party must be by a manner at least as expeditious as the manner used to file the paper with the Court. Personal service includes delivery of the copy to a responsible person at the office of counsel. Service by mail or by commercial carrier is complete on mailing or delivery to the carrier.

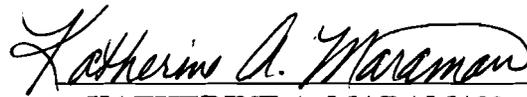
In serving counsel with orders, judgments, notices or any other document by the Court or Clerk, and if a box is maintained in the Supreme Court or Superior Court Clerk’s office for counsel, service is considered complete upon depositing the

1 document in the respective counsel's box. Service by depositing a document in  
2 counsel's box is available only to the Court.

3 This amendment shall apply to all actions, cases and proceedings brought after the instant  
4 Promulgation Order takes effect and to all actions, cases and proceedings commenced prior to  
5 the effective date hereof and still pending, except to the extent that the application of the  
6 amended Rule to those pending actions, cases or proceedings would not be feasible, or would  
7 work injustice, in which event the prior valid Guam Rules of Appellate Procedure shall apply.

8 **SO ORDERED** this 11<sup>th</sup> day of September, 2009.

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10 **F. PHILIP CARBULLIDO**  
Associate Justice

  
11 **KATHERINE A. MARAMAN**  
Associate Justice

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13 **ROBERT J. TORRES**  
14 Chief Justice  
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