

**FILED**

4:55 P.M.

DATE: 7-26-96

SUPREME COURT, GUAM

CLERK

## RULES FOR JUDICIAL REFORM AND REVISION

Preamble. The Rules herein are adopted pursuant to 7 G.C.A. Sections 1103(d) (as amended by Section 2 of P.L. 22-96), 2101, 3107(b), 5107, and 3102. These Rules address procedures for the review and revision of all procedural, administrative, and internal rules and policies within the Judicial Branch of Guam.

1. The Supreme Court of Guam, sitting en banc, will review all written procedural, administrative and internal rules governing the judicial branch at least annually.

2. The Court will accept for filing with the Clerk of the Supreme Court, without fee, any proposed rule or policy revision as may be submitted by a member of the Judiciary, the Guam Bar or any resident of Guam. All written rules governing the conduct of the judicial branch, whether procedural, administrative or relating to internal management practices; as well as the present and proposed judicial budgets, will be available for public inspection in the Clerk's office to assist the community in assessing and commenting upon the Judiciary's rules and policies. The Clerk is authorized to establish procedures to facilitate this process. Copies of these comments shall be forwarded to all Justices for their review and possible action.

3. Judicial Conference. The Judiciary of Guam, including all the Justices of the Supreme Court and all regular Judges of the Superior Court, shall meet at least quarterly to discuss the rules and procedures governing the conduct of the Judicial Branch and to propose improvements in the administration of the court system. The meetings will be scheduled, with at least seven days notice to the constituents, by the Chief Justice, who will serve as ex-officio chair.

4. The Judicial Council, as an advisory body, may forward proposed rule revisions to the Chief Justice of the Supreme Court at any time, so that the Supreme Court may consider these pursuant to 7 GCA 5102(c). Copies of such proposals will be forwarded to the other Justices for their immediate review and possible action.

5. The Chief Justice, or a majority of the Justices of the Supreme Court may call a session for the purpose of addressing proposed revisions in the rules. All Justices will be given at least seven days notice prior to the session.

6. The Chief Justice, or a majority of the Justices of the Supreme Court, may request from any lower court judge or administrator copies of court documents bearing on the administration of the court, or the conduct or performance of any judicial authority. The official requested to provide such information will comply within seven days, absent the requestor's grant of an extension. If the materials obtained in this manner are deemed to have substantial significance to the Bar or the public, by either the Chief Justice or a majority of the Justices of the Supreme Court, copies may be made available for inspection in the office of the Clerk of the Supreme Court and at the Territorial Law Library.

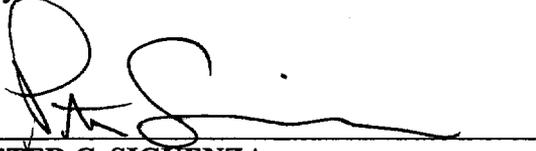
7. The Chief Justice may at any time, acting sua sponte or at the request of other Justices, order an advisory committee to address the revision of a particular rule, set of rules or court procedures. Such a committee will include at least one full-time Justice, one part-time Justice, and one Superior Court Judge; each selected by the Chief Justice. The Chief Justice may also appoint, with their own consent, members of the private bar who shall serve as volunteers and without compensation. The advisory committee shall submit a report to the Chief Justice, which shall be considered a recommendation to the Court to change or maintain the rules/procedures in issue. Copies of such reports shall be provided to the other Justices of the Supreme Court, to the regular Judges of the Superior Court, the Chairman of the Legislative Committee with oversight of the Judiciary, and to the President of the Guam Bar Association; and made available for public

Supreme Court, to the regular Judges of the Superior Court, the Chairman of the Legislative Committee with oversight of the Judiciary, and to the President of the Guam Bar Association; and made available for public review at the office of the Clerk of the Supreme Court and at the Territorial Law library. Public comments will be accepted for filing, without fee, by the Clerk of the Supreme Court.

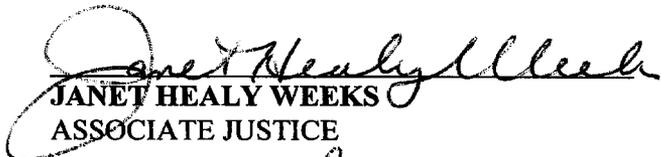
8. The Chief Justice, or a majority of the Justices of the Supreme Court, may at any time order that a panel of at least three Justices hold hearings to review a particular rule, set of rules or court procedure; or proposed revisions thereto. The Chief Justice will designate the panel members. The panel shall have available to it compulsory process and such other powers as the Court exercises inherently or through statute. Following such hearings the panel shall issue a report to the en banc Court. Copies of the report shall also be provided to the regular judges of the Superior Court, the Chairman of the Legislative Committee with oversight of the Judiciary, and to the President of the Guam Bar; and be made available for public review at the office of the Clerk of the Supreme Court and at the Territorial Law library. Public comments will be accepted, without fee, for filing by the clerk of the Supreme Court.

9. Changes to rules governing the operation of the Judicial Branch shall be made, as indicated by section 1103(d) of P.L. 21-147, by the Supreme Court sitting en banc. The Court may, but is not required, to use one or more of the above review procedures prior to adopting revisions. Prior to making such changes the court will ordinarily allow reasonable time for comment by the Bar and the public. However, the Supreme Court may, where the changes are deemed minor, urgent or there has been a prior opportunity for comment on the issue, promulgate such changes without delay. In any event, copies of the revisions shall be provided to the regular judges of the Superior Court, the Chairman of the Legislative Committee with oversight of the Judiciary, and practicing members of the Guam Bar; and made available for public review at the office of the Clerk of the Supreme Court and at the Territorial Law library. Where the rule in question alters existing procedures associated with the practice of law, its effective date will ordinarily be delayed for an appropriate period.

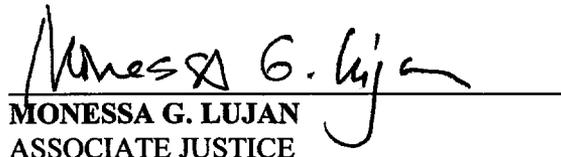
The foregoing Rules are adopted by the Supreme Court of Guam, sitting en banc, this 26th day of July, 1996.



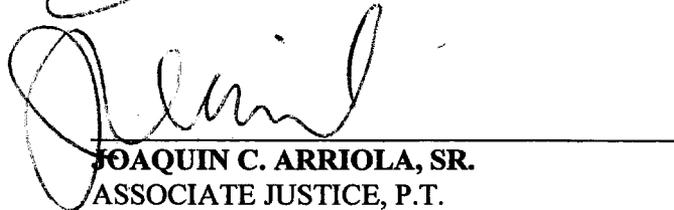
**PETER C. SIGUENZA**  
CHIEF JUSTICE



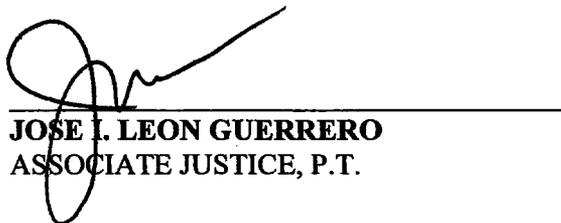
**JANET HEALY WEEKS**  
ASSOCIATE JUSTICE



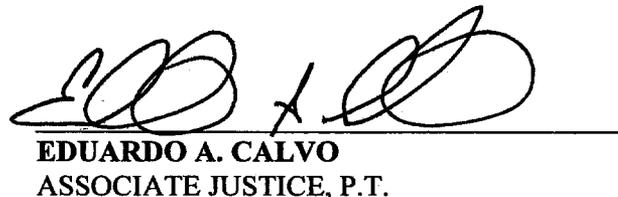
**MONESSA G. LUJAN**  
ASSOCIATE JUSTICE



**JOAQUIN C. ARRIOLA, SR.**  
ASSOCIATE JUSTICE, P.T.



**JOSE I. LEON GUERRERO**  
ASSOCIATE JUSTICE, P.T.



**EDUARDO A. CALVO**  
ASSOCIATE JUSTICE, P.T.