

**JUDICIAL COUNCIL RESOLUTION NO. JC04-010  
RELATIVE TO RE-INSTITUTING THE  
SUPERIOR COURT OF GUAM FEE INCREASES**

**WHEREAS,** on August 4, 2003, the Superior Court of Guam submitted a request to the Supreme Court to increase Superior Court fees for the purpose of paying costs associated with the appointment of counsel for indigent defendants;

**WHEREAS,** on October 28, 2003, in Promulgation Order 03-008, as amended by Promulgation Orders 03-010 and 011, the Supreme Court approved the increase in Superior Court fees;

**WHEREAS,** in response to the request by the Speaker of Guam Legislature, the Judicial Council, in Resolution No.10-2003, requested the Supreme Court to reconsider the increase in Superior Court fees, stating that the need to increase fees was abated by the subsequent passage of Public Law 27-31 and the consolidation of the Judicial Branch, the subsequent passage of P.L. 27-55 authorizing the Judicial Council the authority to transfer up to ten percent of the judiciary's budget, and the Judicial Council's attempt to refinance the Judicial Building Fund and borrow \$1,600,000 for indigent defense;

**WHEREAS,** in response to the Judicial Council's request, on December 22, 2003, in Promulgation Order No. 03-012, the Supreme Court repealed the Promulgation Orders approving the Superior Court fee increase, and pursuant to Public Law 27-31, deferred future matters relating to Superior Court fees to the Judicial Council;

**WHEREAS,** due to the expiration in March of this year of the federal grant for the Juvenile Drug Court and the anticipated expiration of the federal grant in July of this year for the Criminal Justice Information System, the Judiciary faces a budget shortfall and may not be able to satisfy indigent defense costs this fiscal year;

**WHEREAS,** pursuant to 7 GCA § 5102(i) (as amended by P.L. 27-31), the Judicial Council has the authority to adopt filing fees and other court fees;

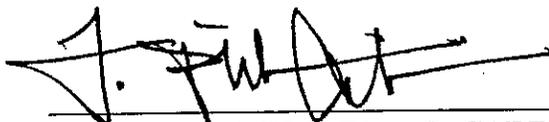
**WHEREAS,** the Judicial Council must therefore reconsider the increase in Superior Court fees in order to satisfy indigent defense costs;

**WHEREAS,** the Judicial Council has reviewed the schedule of fees, attached hereto and marked Exhibit "A", which were previously approved by the Supreme Court after public notice and hearings;

**NOW, THEREFORE, BE IT RESOLVED**, that pursuant to the authority granted by P.L. 27-31, the Judicial Council hereby approves the increase in Superior Court fees as shown in Exhibit A and incorporated herein by reference, with the increase to go into effect on July 1, 2004; and

**BE IT FURTHER RESOLVED**, that pursuant to 7 GCA § 9502(c) (as amended by P.L. 27-55) the increases shall be deposited into the Judicial Client Services Fund for the sole purposes defined in 7 GCA § 9602 (as created by P.L. 27-55).

**DULY ADOPTED** this 30<sup>th</sup> day of April, 2004 at a duly noticed meeting of the Judicial Council of Guam.

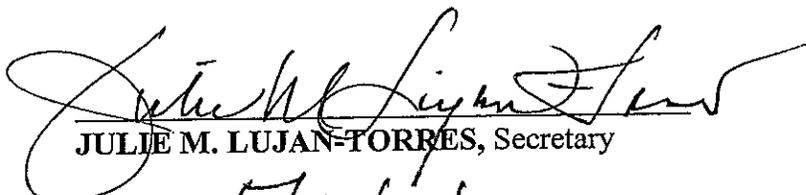


CHIEF JUSTICE F. PHILIP CARBULLIDO

Date:

5/6/04

ATTEST:



JULIE M. LUJAN-TORRES, Secretary

Date:

5/6/04

EXHIBIT "A"  
SUPERIOR COURT OF GUAM

**SCHEDULE OF FEES  
(RULE 91)**

**Effective: December 01, 2003**

**ADOPTED BY: PROMULGATION ORDER NO. 03-008 OF THE  
SUPREME COURT OF GUAM ON OCTOBER 24, 2003**

**CIVIL FILING FEES**

Complaint, Petition or Other First Paper in Civil or Special Proceedings	\$150.00
Filing of first Paper in Registration of Land	\$150.00
Issuance of Summons, Alias Summons, Amended Summons	\$7.00
Abstract of Judgment	\$10.00
Subpoena Fees (All Categories)	\$5.00
Confession of Judgment <b>JUSTIFICATION:</b> The Territorial Law Library Fund requires a fee of \$20.00 pursuant to JCR#01-97.	\$60.00
Issuing Writ of Execution, Attachment Sale, Possession (One Payment per Party per Action)	\$20.00
Affidavit for an Order of Examination of Judgment Debtor and Order for Examination (JDX)	\$20.00
Application for Renewal of Judgment	\$20.00
Filing a Cross-Complaint	\$75.00
Filing an Amended Complaint or an Amendment to a Complaint, Amended Cross-Complaint or Amendment to a Cross-Complaint	\$25.00

**Note: The fee provided by this section shall not apply to any of the following:**

1. An amended pleading or amendment to a pleading ordered by the court to be filed.
2. An amended pleading or amendment to a pleading that only names previously fictitious named defendants.

Notice of Motion/Order to Show Cause or any other paper requiring a Court hearing subsequent to filing the First Paper (any party). This fee must now be paid for an Exparte Motion, Stipulation by the parties for a continuance of hearing	<b>\$10.00</b>
Motion for Summary Judgment	<b>\$100.00</b>
Alternative Writ, Writ of Habeas Corpus, Mandate and Prohibition (Special Proceedings Filing)	<b>\$150.00</b>

**FAMILY LAW FILING FEES**

Complaint, Petition or Other First Paper for Divorce/Dissolution, Legal Separation, Nullity, Custody and/or Visitation, Conciliation Jurisdiction and Statement to Register Foreign Support or Custody Order (Private Party)	<b>\$150.00</b>
Petition for Adoption, per individual being adopted	<b>\$150.00</b>
Motions, Ex Parte Motions and Order to Show Cause to Modify or Enforce Custody and/or Visitation Judgment or Order	<b>\$10.00</b>

**PROBATE FILING FEES**

First Petition for Letters of Administration, Petition for Special Letters of Administration, Petition for Letters of Testamentary	<b>\$150.00</b> <b>Subject to credit to Final Closing Costs</b>
Filing of Last Will & Testament & Codicil	<b>\$25.00</b>
For all clerical services in the allowance of wills, granting letters of administration, appointment of guardian, trustees, settlement of the accounts of executors, administrators, guardians, trustees and recording final and interlocutory orders and judgments therein, filing of inventory and appointments, and for all other work as clerk pertaining to any one estate, fees payable out of the estate shall be collected in accordance with the value of the property involved in the proceedings as follows:	

Where the valuation is less than \$1,000	\$ 5.00
Where the valuation is \$1,000 or more but less than \$2,000	\$25.00
Where the valuation is \$2,000 or more but less than \$4,000	\$40.00
Where the valuation is \$4,000 or more but less than \$7,500	\$50.00
For each additional \$1,000 above \$7,500, provided that the maximum fee shall not exceed \$5,000 unless the Judicial Council decides that the complexity or work required on a particular case justifies a higher fee. In no event shall the fee be lowered.	\$10.00

**REDUCED COURT FEES FOR ADMINISTRATION OF LAND CLAIMS AWARDS.** The fee payable out of the estate pursuant to Rule 91(A)(5), for probate administration on land claims award shall be the sum equal to ten percent (10%) of the amount otherwise payable under said Rule. A single fee, computed as aforesaid, shall be assessed against each award. No additional fee shall be assessed against each award. No additional fees shall be assessed against any portion of an award distributed to the estate of a deceased heir, for separate administration thereon, if said portion was included in computing the fee for administration upon the estate of the deceased heir's predecessor. [Rule 9(A)(6) added by the 15 GCA §4912 (P.L., 19-34:24)]

**JURY DEMAND FEES**

Demand for Jury of Six (6)	\$100.00
Demand for Jury of Twelve (12)	\$200.00

**Note: All Jury Fees in Civil Suits shall be paid upon making demand for jury trial, which is not refundable.**

**MARRIAGE FEES**

Judges perform marriage ceremony which includes issuance of Certificate of Marriage	\$50.00
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**APPEAL FEES**

Notice of Appeal from the Superior Court	\$50.00
Notice of Appeal or Transfer from Small Claims Court to Civil Action	\$150.00
Notice of Appeal from Traffic Court	\$75.00

**RECORDS, SEARCH, RETRIEVAL, COPY AND  
CERTIFICATION FEES**

Searching Records or Files	<b>\$2.00</b>
Retrieval Fee: On Site Location, per case. (Not to include Criminal Felony, Criminal Misdemeanor, Adoption, Juvenile Special Proceedings & Juvenile Division cases.)	<b>\$2.00 each</b>
Retrieval Fee: Remote Storage Location, per case	<b>\$10.00</b>
Copy Fee: Copy per page	<b>\$0.50</b>
<b>Certification:</b> Certify a copy of any filed paper: <b>\$2.00</b> Certify a copy of a paper, records or proceeding on file other than filed papers: (Clerk's minute entry, letters, etc.) <b>\$2.00</b> For each certificate to the official: <b>\$3.00</b> (capacity of any public official) For every certificate where no fee is fixed: <b>\$2.00</b> For certification of documents produced from microfilm records, per document: <b>\$3.00</b>	
<u>Superior Court Clearance Fee and</u> Traffic Clearance Fee:	<b>\$15.00</b> <b>\$1.50</b>
Taking acknowledgment or subscription of an affidavit or other court-related document:	<b>\$5.00</b>
Authentication / Exemplification	<b>\$15.00</b>
File Retrieval for Electronic Data Input	<b>\$2.00 (each file)</b>

**COURT REPORTERS FEES**

Transcript to be provided within 30 days: Original Page: <b>\$3.00</b> Copies Page: <b>\$1.50</b>	
Transcript to be provided within 10 days: Original Page: <b>\$4.00</b> Copies Page: <b>\$1.50</b>	

**COURT REPORTERS FEES (Continued)**

Transcript to be provided within 24 hours:	
Original Page:	\$4.50
Copies Page:	\$1.75
Tape Duplication (reproduction of magnetic recording tape with court-issued cassette tapes)	\$15.00
Tape Duplication (tape supplied by parties)	\$5.00

**Note:** Court Reporters shall give certified transcript of notes taken by them to every person requesting same on 8 ½ X 11 paper according to the schedule above.

**COURT COSTS**

Court Cost Assessment	
Minimum:	\$40.00
Maximum:	\$100.00
Traffic Court Cases	
Minimum:	\$2.00
Maximum:	Amount of Fine Assessed

**MISCELLANEOUS AND OTHER FEES**

Returned Checks	\$25.00
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**OFFICERS AND OTHERS SERVING PROCESS  
(MARSHALS FEES)**

For executing process, preliminary, incidental and final of any court	\$20.00 plus \$1.00 per mile mileage fee
For serving an attachment/levy against the property of the defendant with the writ, together with a reasonable allowance to be assessed by the court for expense, if any, necessarily incurred in caring for the property (one payment per party per property)	\$25.00 plus storage and handling fees \$50.00 Writ Preview (See Marshal's Division)
For serving summons and copy of complaint furnished by the complainant for each defendant	\$20.00 plus \$1.00 per mile mileage fee

**OFFICERS AND OTHERS SERVING PROCESS  
(MARSHALS FEES - Continued)**

For executing a writ of process to put a person in possession or writ of eviction	<b>\$30.00 plus \$1.00 per mile mileage fee</b>
For serving subpoenas, for each witness served and documents with no address for service	<b>\$10.00 plus \$1.00 per mile mileage fee</b>
For advertising sale, posting, besides printers charge	<b>\$25.00 plus printing cost</b>
For executing a Civil Warrant of Arrest	<b>\$50.00 plus \$1.00 per mile mileage fee</b>
For conducting Marshal Sale	<b>\$50.00 plus \$1.00 per mile mileage fee</b>
In an action pending in Superior Court, the prevailing party may recover the following costs: a. For his own attendance and that of his attorneys down to and including final judgment, not more than b. All lawful fees charged against him for filing records, issuing process, entering and docketing the action jury costs, if any c. For each witness necessarily produced by him, for each day's necessary attendance of such witness at the trial, \$30.00 and his lawful traveling fees d. Costs of deposition and service e. The lawful fees of receivers, referees, inspectors, may be taxed against the defeated party of apportion	<b>\$100.00</b>
Any other Process	<b>\$20.00</b>
Attachment (record/serve/mail/post)	<b>\$25.00 per document</b>
Attachment on Garnishment	<b>\$25.00 per document</b>
Attachment on Real Property	<b>\$25.00 per document</b>
Bailiff Fee	

**OFFICERS AND OTHERS SERVING PROCESS  
(MARSHALS FEES - Continued)**

Certiorari	
Civil Capias (Warrant)	\$50.00 per defendant
Citation	
Citation - Tax Suit (within District)	
Citation - Tax Suit (outside District)	
Commitment	
Constable Sale Posting (each)	
Deed or Bill of Sale	
Delivery Bond	
Deposition Subpoena	\$10.00 per document
Distress Warrant (Order to obtain personal property)	
Forcible (Eviction)	\$50.00
Habeas Corpus	\$20.00 per document
Injunction	\$20.00 per document
Judgment Debtor Exam	\$20.00 per document
Levy on Banks	\$25.00 per document
Levy - Third Party	\$25.00 per document
Levy - Book (levying officer)	\$25.00 per document
Levy - Personal Property w/o Storage	\$25.00 per document
Levy - Personal Property Storage	\$25.00 per document
Levy - Real Property (levy / sell real property)	\$25.00 per document

**OFFICERS AND OTHERS SERVING PROCESS  
(MARSHALS FEES - Continued)**

Notice	\$20.00 per document
Possession	\$30.00
Posting of Citation	\$25.00 per document
Precept	
Publication of Citation	
Replevy Bon (Order to hold property that is unlawfully taken)	
Restraining Order	No Fees
Scire Facias	
Sequestration	
Show Cause	\$20.00 per document
Small Claims	
Subpoena	\$10.00 each
Summons	\$20.00
Summons and Complaint	\$20.00 per document
Tax Sale - Sold or Canceled	
Temporary Restraining Order	No Fees
Trustee Sale Posting (Each)	\$25.00 per document
Warrant	\$50.00
Writ of Possession / Real Property	\$30.00
Writ of Execution (proposed preview)	\$50.00
Writ of Execution and Order of Sale	\$50.00
Writ / Real Property Service (Eviction)	\$30.00
Writ / Real Property - Reposting	\$25.00 per document
Mileage Fee	\$1.00

**SEX OFFENDERS REGISTRATION FEE (PL 25-75)**

**\$50.00**

**MEDIATION / COUNSELING FEES**

Individual Counseling by Master Degree	} <i>delete</i>	<b>\$75.00 per hour</b>
Individual Counseling by Clinical Psychiatrist		<b>\$100.00 per hour</b>
Psychiatrist		<b>\$150.00 - \$250.00 per hour</b>
Group Session		<b>\$75.00 per hour</b>

**FAMILY VIOLENCE COUNSELING OF EDUCATION PROGRAM FEES**

Group Treatment through Client Services and Family Counseling Division	<b>\$300.00 per cycle (50 Sessions)</b>
Individual Counseling on Psychological Evaluation through Client Services and Family Counseling Division	<b>\$10.00 per session</b>
Domestic Abuse Project	<b>\$150.00 per cycle (15 classes)</b>

\* If a person drops out of a group he or she shall pay an additional fee of \$200.00 for the next group.

**NATIONAL CRIME INFORMATION CENTER (NCIC)  
BACKGROUND CHECK  
Interstate Identification Index (III)  
(Federal Bureau of Investigation)**

For criminal history searches, includes criminal justice employment and use by state and/or local governments for purposes of employment (teachers, bus drivers, doctors and nurses...etc.) And licensing (day care providers...etc.) pursuant to local statute or administrative requirement. Searches through NCIC (National/Federal data base)/III (state/local data base).

**\$25.00 Processing Fee**  
**\$25.00 National Clearance**  
**\$50.00 Total**

**AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM  
(AFIS)  
Interstate Identification Index (III)  
(Federal Bureau of Investigation)**

For felony criminal history searches through the FBI's Automated Fingerprint Identification System/III/NCIC to authorize GPD issuance of Firearms Identification Card.

**\$22.00 Maintain fee for  
FBI**  
**\$10.00 Maintenance fee**  
**\$32.00 Total**

**SMALL CLAIMS SCHEDULE OF FEES  
 RULE 92**

<b>SMALL CLAIMS SCHEDULE OF FEES                  (BASED ON CLAIM AMOUNT)</b>		
INITIAL CLAIM AMOUNT	\$ 500.00	\$20.00
	\$ 501.00 - \$ 2,000.00	\$30.00
	\$2,001.00 - \$ 3,500.00	\$40.00
	\$3,501.00 - \$ 5,000.00	\$50.00
	\$5,001.00 - \$ 6,500.00	\$60.00
	\$6,501.00 - \$ 8,000.00	\$70.00
	\$8,001.00 - \$ 9,500.00	\$80.00
	\$9,501.00 - \$10,000.00	\$90.00

<b>SMALL CLAIMS SCHEDULE OF FEES</b>	
Summons	<b>\$4.00</b>
Judgment Debtor Examination	<b>\$10.00</b>
Order to Show Cause	<b>\$10.00</b>
Writs	<b>\$15.00</b>
Confession of Judgment	<b>\$15.00</b>
Abstract of Judgment	<b>\$5.00</b>
Motion / Joinder for Summary Judgment	<b>\$20.00</b>
Counterclaim (Same as Initial Filing Claim)	
Any Motion Requiring a Hearing, Stipulation or Litigant Requesting to Continue Hearing	<b>\$10.00</b>

**AMENDED DECLARATION**

**A. If amended claim amount does not exceed the initial claim amount, no fee is required.**

**B. If amended claim amount exceeds the initial claim amount, filing fee will be based on the difference of the claim.**

**C. If amendment is to add a defendant(s), fee is assessed as in summons.**

**D. Any other amendments, no fee is required.**