

**BEFORE THE 2008 JUDICIAL COUNCIL OF GUAM
RESOLUTION NO. JC 08-004**

**RELATIVE TO THE ADOPTION OF A PROGRAM FOR REGULATION AND LICENSING OF
PRIVATE PROCESS SERVERS**

- WHEREAS,** Rule 4 of the Rules of Civil Procedure for the Superior Court of Guam allows individuals to be specially appointed to serve process and other documents; and
- WHEREAS,** Currently, designation as special process server occurs by appointment after application to the Clerk of Court; and
- WHEREAS,** Issues have arisen concerning the execution of the duties of special process servers, including issues with professionalism and issues with compliance with the laws; and
- WHEREAS,** The Clerk of Court and the Marshal's service have recommended that the Judiciary adopt a Program for the Licensing of Special Process Servers to establish standards of ethical and legal service of process in its specially appointed process servers; and
- WHEREAS,** In order to establish minimum standards for licensing of specially appointed process servers and in order to minimize the potential for abuse of the office of specially appointed private process servers;

NOW THEREFORE BE IT RESOLVED, that the Judiciary of Guam shall adopt a standards for the licensing of special process servers. The program will impose a requirement that the applicant be appointed in accordance with a program designed by the Judiciary for the training and licensing of specially appointed process servers. These standards will be adopted by regulation, following the recommendations made by a committee of representatives from the Clerk of Court, the Administrative Office of the Court, and the Marshal's service, together with Guam Community College as the anticipated training provider. The committee is authorized to post proposed regulations for the licensing of such private process servers on the Judiciary of Guam and Guam Bar Association's websites for a period of sixty days for a period of public comment. At the conclusion of the public comment period, the committee is authorized to present a Report and Proposed Regulations the Judicial Council for recommendations to the Supreme Court for adoption. After their adoption, applicants to be a specially appointed process server must comply with the regulations, including testing. The program may also impose a licensing fee for applicants for specially appointed process servers.

DULY ADOPTED this 19th day of February, 2008 at a duly-noticed meeting of the Judicial Council of Guam.



ROBERT J. TORRES, Chairman

Date: _____

10-6-08

ATTEST:



JOLEEN F. RESPICIO, Secretary

Date: _____

10/7/08