

BEFORE THE 2009 JUDICIAL COUNCIL OF GUAM

RESOLUTION NO. JC 09-001

**RELATIVE TO APPROVING FEES FOR FAMILY VIOLENCE TREATMENT AND
ADDING FEES FOR SEX OFFENDER TREATMENT**

WHEREAS, on February 7, 2008, the Family Violence Court judge and the Acting Administrator of the Division of Client Services and Family Counseling of the Guam Judiciary asked the Judicial Council to consider adoption of the fees previously promulgated in Special Proceedings SP-325-97, establishing fees and costs for family violence counseling and treatment conducted by Client Services and Family Counseling, and also to impose fees for counseling provided by the same Division to sex offenders, such funds to go into a special fund called the "Diversion Revolving Fund," from which the hiring of counselors for family violence and sex offender counseling could be supplemented; and

WHEREAS, at the Judicial Council meeting of August 21, 2008, it was decided that this proposal for re-promulgation of Family Violence Treatment fees and the imposition of Sex Offender Treatment Fees be circulated to the Guam Bar for a 30 day comment period; and

WHEREAS, pursuant to a memorandum from the Chief Justice of Guam to the Guam Bar of August 29, 2008, attached hereto as Exhibit "A," the proposal of imposing a \$500.00 fee for sex offender counseling per cycle, plus court costs of \$40.00, and an individual counseling or psychological evaluation fee of \$10.00 per session was disseminated to the Guam Bar; and

WHEREAS, one comment was received in response to that solicitation for comment, which is attached hereto as Exhibit "B," which the Judicial Council takes into consideration in adopting the imposition of this fee;

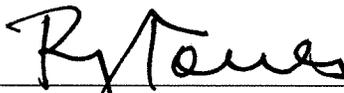
NOW THEREFORE BE IT RESOLVED that the Judicial Council supports the enactment of a Promulgation Order revising the fees that had previously been imposed by SP0325-97:

- (1) Group Treatment through Client Services and Family Counseling Division: \$500.00 per cycle (50 sessions), plus court costs of \$40.00 and if a person drops out of a group he or she shall pay an additional fee of \$200.00 for the next group;
- (2) Individual Counseling through Client Services and Family Counseling Division: \$10.00 per session.
- (3) Domestic Abuse Project at Alternate Sentencing Office: \$150.00 per cycle (50 classes)

BE IT FURTHER RESOLVED that the Judicial Council hereby supports the enactment of a Promulgation Order imposing the following new fees:

- (1) Group Treatment through Client Services and Family Counseling Division: \$40.00 court costs in addition to the \$500.00 per cycle fee;
- (2) Sex Offender Counseling: \$500.00 per cycle (50 sessions), plus court costs of \$40.00.
- (3) Individual counseling through Client Services and Family Counseling: \$10.00 per session.

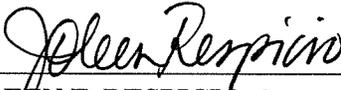
DULY ADOPTED this 15th day of January, 2009 at a duly noticed meeting of the Judicial Council of Guam.



ROBERT J. TORRES, Chairman

Date: 04-24-09

ATTEST:



JOLEEN F. RESPICIO, Secretary

Date: 04-24-09

Bridgit Ann Keith

From: Joleen Respicio [jrespicio@guamsupremecourt.com]
Sent: Wednesday, October 08, 2008 4:35 PM
To: 'Bridgit Ann Keith'
Cc: Chief Justice Robert J. Torres
Subject: FW: Comments on new fees for sex offenders and individual counseling

Ann,

Please note for next JC meeting Oct. 16th - Kathy Maher's comment is the only one received on the sex offender fees.

Joleen F. Respicio

Chamber Administrator
for Honorable Robert J. Torres
Chief Justice
Supreme Court of Guam
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From: Hannah Gutierrez-Arroyo [mailto:Hgutierrezarroyo@guamsupremecourt.com]
Sent: Tuesday, September 02, 2008 3:19 PM
To: 'Joleen Respicio'
Subject: FW: Comments on new fees for sex offenders and individual counseling

From: Kathleen Maher [mailto:kathymaher@hotmail.com]
Sent: Sunday, August 31, 2008 3:15 PM
To: Gutierrez-Arroyo, Hannah
Subject: Comments on new fees for sex offenders and individual counseling

Hannah- I did notice that there is a ten dollar fee for a psychological evaluation. I think this is impractical and a bad idea because our mental health clients in the criminal justice system are most often incapable of working and many times evaluated as incompetent to stand trial. Forensic psychological exams should be exempt from the fees. Otherwise the fees are reasonable.

Kathy Maher

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10/8/2008



JUDICIAL COUNCIL OF GUAM

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Administrator of the Courts:

Mr. Perry C. Taitano

TO : All Guam Bar Association Members
FROM : Chief Justice Robert J. Torres
Chairman, Judicial Council of Guam *RJT*
DATE : August 29, 2008
SUBJECT : Comments on Proposed Sex Offender Treatment Fees

When an individual convicted of a sex offense is released on probation or parole, it is critical that they be effectively managed in the community through appropriate supervision and treatment. The Judiciary of Guam places a high priority on the protection and safety of children, families and communities through monitoring, supervision and treatment of convicted sex offenders. With no sex offender treatment programs available in the community, through government or private providers, the Judiciary has had the burden of procuring these services and paying for treatment since October 1996.

It is the intent of the Judiciary to have sex offenders pay for the cost of assessment and treatment for him or herself and his/her family. In addition the offender must pay restitution for the cost of assessment and treatment for the victim(s) and their family (ies) when ordered by the Court.

The Judicial Council of Guam has been requested by the Superior Court of Guam to establish fees and costs associated with sex offender counseling and treatment. The proposed promulgation will require the following nominal fees and costs:

1. Sex Offender Counseling: \$500.00 per cycle, plus court costs of \$40.00.
2. Individual counseling or Psychological Evaluation through Client Service and Family Counseling: Ten Dollars (\$10.00) per session, plus Court costs.

The Judicial Council has asked that this proposal be circulated among the member of the Guam Bar Association for their comments. Please provide your comments no later than Wednesday, September 17, 2008. Thank you in advance for your cooperation and comments.