

BEFORE THE 2009 JUDICIAL COUNCIL OF GUAM

RESOLUTION NO. JC 09-002

RELATIVE TO IMPLEMENTATION OF 4 GCA § 4120

WHEREAS, at a January 15, 2009, meeting of the Judicial Council, data was presented relative to the implementation of the law found in 4 GCA § 4120, which provides,

§ 4120. Extended Hours.

(a) Extended Hours. Except for those agencies which observe public service necessity service hours as defined in Items 2 & 3 of Subsection (g) of this Section, all line agencies, departments, autonomous entities and instrumentalities and public corporations of the government of Guam, including the Superior Court of Guam *not* excluded by paragraphs (e) and (f) of this Section shall commence their regular work day at 7:00 a.m. and conclude at 6:00 p.m. Mondays through Fridays, excluding holidays; and

WHEREAS, at that meeting, the Council was notified that the Administrator of the Courts immediately implemented the provisions of law without incurring overtime as prescribed by law; and

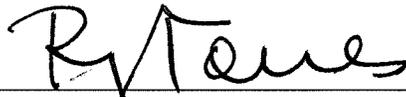
WHEREAS, a cost-benefit analysis was completed which indicated that the demands on the Judiciary from being open from 7 a.m. to 8 a.m. severely outweigh the benefits and place a significant burden on the functioning of the Superior Court in the discretion of the Administrator of the Courts; and

WHEREAS, at that meeting, the Judicial Council recommended that the matter be addressed in an Implementation Plan, which should also take into account current the budgetary situation.

NOW THEREFORE BE IT RESOLVED the Administrator of the Courts has determined pursuant to his discretion under 4 GCA § 4120 under the attached Implementation Plan that the Superior Court of Guam cannot justify the added burden of opening the counters to the public from 7 a.m. to 8 a.m. and that service should be, and the Judicial Council hereby **RATIFIES** this determination of the Administrator of the Courts, to take effect on March 9, 2009; and

BE IT FURTHER RESOLVED that the Judicial Council hereby delegates the task of studying public access to the Guam Judicial Center from 8 a.m. to 9 a.m. and from 5 p.m. to 6 p.m. as its ongoing study of measures to be taken to adjust to the failure of the Judiciary to receive its budgeted amounts for operations, and that the Administrator of Courts is to report at the next Judicial Council meeting on any further cost-cutting measures to accommodate budgetary shortfalls.

DULY ADOPTED this 26th day of February, 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