

**BEFORE THE 2010 JUDICIAL COUNCIL OF GUAM
RESOLUTION NO. JC 10-027**

**JUDICIAL COUNCIL RESOLUTION
RELATIVE TO RECOMMENDING CREATION OF A DWI COURT
OF THE SUPERIOR COURT OF GUAM**

WHEREAS, the Supreme Court of Guam has been conferred full administrative authority over the Judiciary of Guam by the Organic Act, including the power to create such lower courts as it deems proper and necessary in the interest of the Territory; and

WHEREAS, in the United States, DWI Courts now number more than 400 and are considered accountability courts, or programs that combine chemical addiction treatment with offender behavior accountability; and

WHEREAS, the consolidation of DWI cases will increase efficiency and effectiveness of processing DWI cases before the Superior Court; and

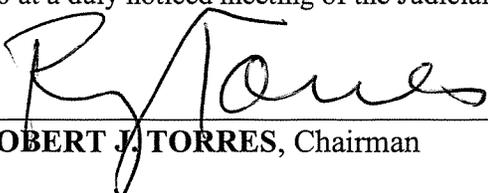
WHEREAS, a team approach, including the judge, prosecutor, defense attorney, defense counsel, law enforcement agencies, and treatment professionals, and community organizations is necessary to collectively and successfully redirect the behavior of DWI offenders; and

WHEREAS, the goals of DWI Courts are to: 1) increase offender sobriety; 2) increase public safety; 3) decrease recidivism; and 4) return the offender to being a productive member of the community according to the National Drug Court Institute and the National Highway Traffic and Safety Administration; and

WHEREAS, the Attorney General's Office, the Public Defender Service Corporation, the Department of Mental Health & Substance Abuse, the Department of Public Works Office of Highway Safety, the Guam Police Department, the Department of Corrections, and the Department of Revenue & Taxation fully support and are committed to the DWI Court project;

NOW THEREFORE, the Judicial Council recommends that the Supreme Court of Guam APPROVE the establishment of the DWI COURT of the Superior Court of Guam, for a pilot period of November 15, 2010 to December 31, 2011. This Court shall operate in accordance with Local Rules of Court for the Superior Court of Guam as promulgated and as further amended and adopted, as well as procedures and practices as contained in Title 8 Guam Code Annotated (Criminal Procedure Code), Title 9 Guam Code Annotated (Criminal Code), and Title 16 Guam Code Annotated (Vehicle Code of Guam, "Safe Streets Act.")

DULY ADOPTED this ^{11th} day of November, 2010 at a duly noticed meeting of the Judicial Council of Guam.



ROBERT J. TORRES, Chairman

ATTEST:



JOLEEN F. RESPICIO, Secretary