

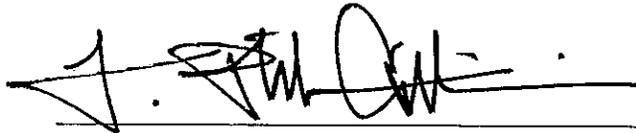
**BEFORE THE 2003 GUAM JUDICIAL COUNCIL
RESOLUTION NO. JC10-2003
RELATIVE TO SUSPENDING THE SUPERIOR
COURT OF GUAM FEE INCREASE**

- WHEREAS**, the Supreme Court of Guam approved the proposed Superior Court of Guam fee increases on October 28, 2003 in Promulgation Order 03-008, as amended on December 1, 2003 in Promulgation Order 03-010 and as further amended on December 4, 2003 in Promulgation Order 03-011;
- WHEREAS**, since the passage of the fee increase, I Liheslaturan Guahan passed P.L. 27-31 which reconstituted the Judicial Council (the "New Judicial Council");
- WHEREAS**, the New Judicial Council has established a Committee on Consolidation to avoid duplication, maximize efficiency, and reduce cost within the Guam judiciary;
- WHEREAS**, the New Judicial Council has authorized the refinancing of the Judicial Building Fund to reduce the annual debt service and improve the cash flow of the Fund;
- WHEREAS**, the New Judicial Council, as part of the refinancing of the Judicial Building Fund, is borrowing the sum of \$1,600,000 to pay for indigent counsel defense;
- WHEREAS**, I Liheslaturan Guahan on December 8, 2003 passed Bill No. 171 (LS) which includes a provision granting the New Judicial Council a 10% transfer authority for the budget of the judicial branch;
- WHEREAS**, on November 21, 2003, the Speaker of I Liheslaturan requested the Supreme Court of Guam to reconsider the recently passed Superior Court of Guam fee increase in light of the passage of P.L. 27-31 and the contemplated savings from the passage of Bill No. 171;
- WHEREAS**, with the enactment of P.L. 27-31, the authority to act on any judicial fee increase is now vested in the New Judicial Council;
- WHEREAS**, with the enactment of P.L. 27-31, the establishment of the Committee on Consolidation, the refinancing of the Judicial Building Fund, the authorization to borrow for indigent counsel defense costs, and the grant of a 10% transfer authority, it may not be necessary to increase the Superior Court of Guam fees;

NOW, THEREFORE, BE IT RESOLVED, that the Superior Court of Guam fee increase as approved by Supreme Court Promulgation Order 03-008 and amended by Promulgation Orders 03-010 and 03-011, is stayed for a period of six (6) months from January 1, 2004 to July 1, 2004 after which time the Judicial Council will reconsider whether the fee increase or any increase is necessary as a result of the budgetary measures referenced above.

BE IT FURTHER RESOLVED, to avoid any inconsistency, the Judicial Council herein requests the Supreme Court of Guam to rescind Promulgation Orders 03-008, 03-010 and 03-011 and that any further action on the Superior Court of Guam fee increase will be handled by the New Judicial Council in accordance with P.L. 27-31.

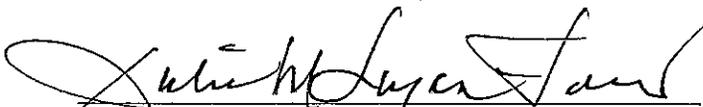
DULY ADOPTED THIS 18th day of December, 2003 at a duly noticed meeting of the Judicial Council of Guam



CHIEF JUSTICE F. PHILIP CARBULLIDO
Chairman

Date: 12/18/03

ATTEST:



JULIE M. LUJAN-TORRES, Secretary

Date: 12/18/03