



BEFORE THE 2015 JUDICIAL COUNCIL OF GUAM

RESOLUTION NO. JC15-007

**RELATIVE TO RECOMMENDING THE ESTABLISHMENT OF A VETERANS
TREATMENT COURT IN THE SUPERIOR COURT OF GUAM**

WHEREAS, the Supreme Court of Guam has been conferred authority over the Judiciary of Guam by the Organic Act; and

WHEREAS, the Guam Legislature recognized the usefulness of a Veterans' Treatment Court in its Public Law 32-82, codified at 7 GCA §2101(c), which recognized, in its preamble, the following:

Veterans, to include active, reserve, and National Guard servicemembers, have provided or are currently providing an invaluable service to our country. In so doing, some may suffer the effects of, including but not limited to, post-traumatic stress disorder, traumatic brain injury, and depression; and may also suffer drug and alcohol dependency, or addiction and co-occurring mental illness and substance abuse problems. As a result of this, some veterans or active duty servicemenbers come into contact with the criminal justice system and are charged with felony or misdemeanor offenses. There is a critical need for the criminal justice system to recognize that these veterans may be suffering from a mental illness as a direct result of their service to our country, and that appropriate judicial consideration and treatment should be provided to the veteran in the application of justice. Therefore it is the intent of *I Liheslaturan Guahan* to realize the establishment of a veterans' treatment court program which would benefit Guam's veterans, their families, and the island community;

and

WHEREAS, the Judicial Council was authorized, pursuant to 7 GCA §2101(c)(2), to establish a Guam Veterans Treatment Court; and

WHEREAS, the Guam Legislature has recognized that the Guam Veterans Treatment Court may be a separate court of record or a program of a specialized treatment court within the Judiciary of Guam; and

WHEREAS, pursuant to 7 GCA §2101(a), the responsibility for determining whether courts are of record or not of record lies with the Supreme Court of Guam; and

WHEREAS, the Judiciary has, in the past, recognized that collaborative integrated therapeutic courts are important to our community as a partnership between law enforcement, treatment, and the criminal justice system on Guam; and

WHEREAS, a pool of criminal defendants, who have either prior or current military service, and are eligible for participation in a veterans' treatment court, has been identified and may benefit from participation in the same.

NOW THEREFORE, the Judicial Council hereby officially **RECOMMENDS** to the Supreme Court of Guam that it approve the establishment of the Veterans Treatment Court as a specialized treatment court of record within the Superior Court of Guam.

DULY ADOPTED this 19th day of March, 2015 at a duly noticed meeting of the Judicial Council of Guam.



ROBERT J. TORRES, Chairman

Dated: _____

3-30-15

ATTEST:



JOANNA S. McDONALD, Secretary

Dated: _____

03/30/15