



**BEFORE THE 2015 JUDICIAL COUNCIL OF GUAM**

**RESOLUTION NO. JC15-024**

**RELATIVE TO ADOPTING THE RULES AND REGULATIONS FOR THE  
IMPLEMENTATION OF THE JUDICIARY OF GUAM'S VOLUNTEER DEPUTY  
MARSHAL RESERVE PROGRAM**

**WHEREAS**, the Volunteer Marshal Reserve Program is established pursuant to law at 7 G.C.A. § 8114; and

**WHEREAS**, the Volunteer Marshal Reserve Program's Standard Operating Procedures were first approved by the Judicial Council in 2001, but the Reserve Program has not been in operation since then; and

**WHEREAS**, Public Law 33-75 amended eligibility for the Volunteer Marshal Reserve Program to allow current government of Guam employees to participate.

**NOW, THEREFORE, BE IT RESOLVED** that the Rules and Regulations for the Implementation of the Judiciary of Guam's Volunteer Deputy Marshal Reserve Program, which are attached as an Exhibit hereto to are adopted by the Judicial Council.

**DULY ADOPTED** this 22<sup>nd</sup> day of October, 2015 at a duly noticed meeting of the Judicial Council of Guam.

A handwritten signature in blue ink that reads "R. Torres".

**ROBERT J. TORRES**, Chairman

Dated: \_\_\_\_\_

11-25-2015

ATTEST:

A handwritten signature in blue ink that reads "Joanna S. McDonald".

**JOANNA S. McDONALD**, Secretary

Dated: \_\_\_\_\_

11-25-2015

## EXHIBIT

### **RULES AND REGULATIONS FOR THE IMPLEMENTATION OF THE JUDICIARY OF GUAM'S VOLUNTEER DEPUTY MARSHAL RESERVE PROGRAM**

Seven G.C.A. §§ 8114 and 8114.2 mandate that the Judicial Council promulgate rules and regulations for the implementation of the Volunteer Deputy Marshal Reserve Program ("Reserve Program"). The Reserve Program's Standard Operating Procedures were first approved in Judicial Council Resolution No. 03-2001. Since that approval, for various reasons, including budget constraints, the Reserve Program has not operated. In 2015, Public Law 33-75 was passed, which amended 7 G.C.A. § 8114.1, the provision of law related to eligibility to participate in the Reserve Program. These Rules, which replace the Standard Operating Procedures previously adopted, reflect the change made to participating eligibility.

#### **I. Eligibility to Participate in the Reserve Program**

Participants in the Marshal Reserve Program must meet all the qualification requirements for the position of Deputy Marshal I. Accordingly, a Volunteer Deputy Marshal must satisfy the following:

- a. Citizenship - Must be at least eighteen (18) years of age, provide proof of eligibility to work in the United States and Guam, and have a valid firearms identification card.
- b. Criminal History – Other than minor traffic violations, Volunteer Deputy Marshals must have no criminal convictions.
- c. Certification – Volunteer Marshals are required to hold certification as Category One (1) peace officers from the Peace Officer Standards and Training Commission.
- d. Government Employees – Employees of the government of Guam may serve as Volunteer Deputy Marshals.

In accordance with 7 G.C.A. § 8114, Volunteer Deputy Marshals shall not be considered full-time employees of the government of Guam. Correspondingly, Volunteer Deputy Marshals shall not be entitled to receive employee benefits or government of Guam retirement.

#### **II. Scope of Duties for Reserve Program**

In accordance with 7 G.C.A. § 8114.2, Volunteer Deputy Marshals shall have all the duties and responsibilities of a Deputy Marshal of the Judiciary of Guam. As such, Volunteer Deputy Marshals shall be expected to adhere to the Judiciary's Code of Conduct and to any and all standard operating procedures or directives of the Marshals Services Division.

Volunteer Deputy Marshals shall, in the course of their work with the Marshals Services Division, perform the following:

- a. Perform work assignment as directed.
- b. Maintain proficiency of Deputy Marshal duty standards.
- c. Be thoroughly familiar and comply with all Judiciary of Guam and Marshals Services Division policies, procedures, rules and regulations.
- d. Maintain periodic contact with the assigned section and Deputy Marshal Supervisor to ensure pertinent and applicable information is received and confirmed.
- e. Pursuant to schedule established by the Marshal of the Courts, submit monthly timesheets, whether he or she has worked 42 duty hours or not.
- f. Attend all scheduled meetings, training, or classes as may be required by the Marshal of the Courts, from time to time.

### **III. Command of Volunteer Deputy Marshals**

As with all Deputy Marshals within the Marshals Services Division, command of Volunteer Deputy Marshals shall be held by the Marshal of the Courts, who may designate such supervisors as he or she deems appropriate to handle the day-to-day operations of the Reserve Program.

The Marshal of the Courts, upon approval of the Administrator of the Courts, may develop and implement such standard operating procedures as may be necessary for the efficient operation of the Marshal Reserve Program.

### **IV. Compensation of Volunteer Deputy Marshals**

Upon completion of no fewer than forty two (42) duty hours within a calendar month, Volunteer Deputy Marshals shall receive a monetary stipend in the amount of Four Hundred and Fifty Dollars (\$450.00). Volunteer Deputy Marshals who complete fewer than the requisite number of hours within a given month shall not be eligible to receive the monthly stipend.

Each Volunteer Deputy Marshal shall submit, on a monthly basis, timesheets to the Marshal of the Courts, or his designee, who shall serve as the certifying authority regarding completion of the requisite 42 duty hours for stipend eligibility, and forwarded to the Administrator of the Courts for final approval.

### **V. Maintenance of Volunteer Deputy Status and Termination**

To maintain their Reserve Program participation status, Volunteer Deputy Marshals must work at least twenty (20) duty hours a month. Failure to perform 20 duty hours for two (2) consecutive months will result in suspension from the Reserve Program. Failure to perform 20 duty hours for three (3) consecutive months will result in termination from the Reserve Program.

Volunteer Deputy Marshals may be suspended or terminated from the Marshal Reserve Program with or without cause. Such determination to suspend or terminate a Volunteer Deputy Marshal shall be made by the Marshal of the Courts, with concurrence from the Administrator of the Courts.