



BEFORE THE 2019 JUDICIAL COUNCIL OF GUAM

RESOLUTION NO. JC19-004

**RELATIVE TO AFFIRMING THE CONTINUING NEED
TO APPOINT AN EIGHTH JUDGE TO THE SUPERIOR COURT OF GUAM**

WHEREAS, Title 7 GCA § 4101(b) provides that the Judicial Council may determine that an additional judge of the Superior Court of Guam is required for the proper dispatch of the business of the Superior Court of Guam, and if the Judicial Council so determines, that the Chief Justice shall so notify *I Maga'lahi* that an additional judge is necessary for the proper dispatch of the business of the Superior Court of Guam; and

WHEREAS on January 27, 2016, after discussion by the Judicial Council on where the business of the Superior Court had evolved since 1993 (the last date that a new judgeship was created by law) such as to consider an eighth judge for the Superior Court of Guam, the Committee for Determination of an Additional Judge (the "Committee"), composed largely of private practitioners including the Clerk of the Superior Court, was appointed by then-Chief Justice Robert J. Torres; and

WHEREAS, the Committee polled all sitting Judges of the Superior Court, as well as Magistrates and Hearing Officers, and finally the Guam Bar Association, and the result of the poll was convincingly that the bench and bar both vocalized a strong need for an eighth judge of the Superior Court; and

WHEREAS, representatives of the Committee were present at the April 7, 2016, regular meeting of the Judicial Council and spoke on the record that the bench and bar supported the creation of an eighth judgeship in the Superior Court of Guam; and

WHEREAS, in support of this need, on May 3, 2016, the Judiciary informed then- *I Maga'lahi* of this need and forwarded the Committee's report for review and a copy was also sent to the 33rd Guam Legislature; and

WHEREAS, on January 11, 2018, at a regular meeting of the Judicial Council, Judicial Council Resolution No. JC 18-002, Relative to Affirming the Continuing Need to Appoint an Eighth Judge for the Superior Court of Guam, was adopted. The Resolution requested that the then- *I Maga'lahi* concur with the need for the additional judge and make an appointment to the position in accordance with 7 GCA §§ 4101(b) and 3109(a); and

WHEREAS, since January 11, 2018, the 35th Guam Legislature has taken office, a new Governor of Guam has taken office and the Superior Court of Guam has continued to demonstrate a need for an additional judgeship.

NOW, THEREFORE, BE IT RESOLVED, the Judicial Council does hereby **AFFIRM** the continuing and immediate need for an eighth judge for the Superior Court of Guam to ensure that the Judiciary of Guam fulfills its mission of delivering effective and efficient justice to the people of Guam.

BE IT FURTHER RESOLVED that the Judicial Council respectfully requests that *I Maga'haga* concur with this Council's determination that an additional judge is necessary and make an appointment to the position in accordance with 7 GCA §§ 4101(b) and 3109(a).

DULY ADOPTED this 21st day of February 2019, at a duly noticed meeting of the Judicial Council of Guam.


KATHERINE A. MARAMAN, Chairwoman

Dated: March 7, 2019

ATTEST:


Shelterihna T. Alokoa, Secretary

Dated: March 7, 2019