



BEFORE THE 2019 JUDICIAL COUNCIL OF GUAM

RESOLUTION NO. JC19-021

**RELATIVE TO THE ADOPTION OF AN ELECTRONIC MONITORING
DAILY USAGE FLAT FEE FOR THE SUPERIOR COURT OF GUAM**

WHEREAS, under 7 GCA §5102(i) the Judicial Council has the power to adopt Court fees, and under 7 GCA §9502(b), the Superior Court of Guam may charge reasonable fees, subject to approval by the Judicial Council, for providing certain services or programs that are determined necessary for the proper administration of justice; and

WHEREAS, on or about June 28, 2019, the Judiciary of Guam awarded a contract for the provision, operation and maintenance of an Electronic Monitoring program that includes Radio Frequency (RF) and Global Positioning Satellite (GPS) monitoring services, to be used in lieu of incarceration for qualified defendants approved for electronic monitoring by the Superior Court of Guam; and

WHEREAS, under 8 GCA §§40.20(c) and 40.60(a)(6), and 9 GCA §89.13(a) the Superior Court of Guam may order that a qualified defendant wear an electronic monitoring device, subject to the payment of fees or the exemption of fees associated with the device; and

WHEREAS, it has been determined that the daily usage flat fee of eight (\$8.00) dollars for either GPS or RF electronic monitoring services is a reasonable fee for those qualified defendants approved for electronic monitoring by the Superior Court of Guam that are able to pay the daily usage fee associated with an electronic monitoring device; and

WHEREAS, at the July 18, 2019 monthly meeting of the Judicial Council the daily usage flat fee of eight (\$8.00) dollars for either GPS or RF electronic monitoring services, was found to be acceptable and was adopted.

NOW, THEREFORE, BE IT RESOLVED, that the Judicial Council hereby APPROVES the adoption of the daily usage flat fee of eight (\$8.00) dollars for either GPS or RF electronic monitoring services, for those qualified defendants that are determined by the Superior Court of Guam to be able to pay.

BE IT FURTHER RESOLVED that the Administrator of the Courts, in consultation with the Superior Court trial judges, shall have authority to adopt policies and procedures relative to an electronic monitoring program and the determination of a qualified defendants ability to pay the daily usage flat fee associated with an electronic monitoring device, as may be necessary.


DULY ADOPTED this 18th day of July 2019 at a duly noticed meeting of the Judicial Council of Guam.



KATHERINE A. MARAMAN, Chairwoman

Date: July 18, 2019

ATTEST:



Shelterihna T. Alokoa, Secretary

Date: July 18, 2019