

SUPREME COURT OF GUAM

FILED

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**ADMINISTRATIVE RULE 10-001
RELATIVE TO AMENDING SUPREME COURT OF GUAM
ADMINISTRATIVE RULE 08-003 REGARDING ASSIGNMENT OF CRIMINAL
CASES WHERE A DEFENDANT'S MENTAL STATE IS AT ISSUE**

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OF GUAM

On December 31, 2008, this Court adopted Administrative Rule 08-003 (AR 08-003) which amended Administrative Rule 05-001. It has come to this Court's attention that the changes to Administrative Rule 05-001 did not specifically address certain issues relative to the Judiciary's new Mental Health Court docket.

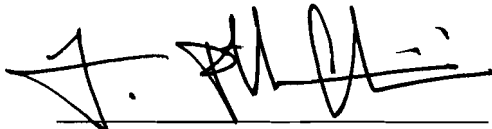
NOW THEREFORE, Subpart (B)(1)(a)(ii) of Administrative Rule 08-003 IS AMENDED as follows:

(ii) All cases regarding the mental state of criminal defendants (referred to as "Mental Health Court" pursuant to Administrative Rule 07-001) and Special Proceedings (SP) cases which involve competency hearings, civil commitment hearings or adult guardianship matters shall be assigned to Family Court I. In addition:

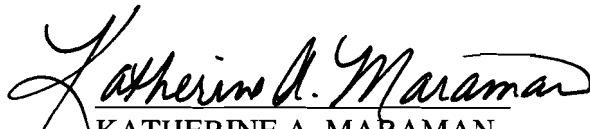
A. All cases in which the defendant has placed his or her mental state in issue pursuant to Title 9 GCA § 7.22 or § 7.37, either before or after the effective date of this Administrative Rule shall be reassigned to Family Court I/ Mental Health Court for all subsequent proceedings.

B. All cases which are re-assigned from another judge prior to the determination of the defendant's mental state shall be counted toward the MHC Judge's six percent share of both felony and misdemeanor cases.

Adopted this 30th day of August, 2010.



F. PHILIP CARBULLIDO
Associate Justice



KATHERINE A. MARAMAN
Associate Justice



ROBERT J. TORRES, JR.
Chief Justice