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IN THE SUPREME COURT OF GUAM

RE:

RELATIVE TO EMPANELMENT
OF JURIES IN EXIGENT
CIRCUMSTANCES RELATED TO
COVID-19 (CORONAVIRUS)

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Because of public health concerns arising from the COVID-19 (coronavirus) pandemic and the State of Emergency declared by *I Maga' Hågan Guåhan* in Executive Order No. 2020-03 on March 14, 2020, the court, in accordance with its jurisdiction to issue orders necessary for the supervision of the judicial branch of Guam and to make rules governing the practice and procedure in the courts of Guam, issues this **ORDER** to protect the public health by reducing the risk of exposure to the coronavirus and slowing the spread of the disease:

- 1. Except as provided herein, all jury trials, in both civil cases and criminal cases, scheduled to commence in the Superior Court of Guam between the date of this order and April 17, 2020, are continued to a date no earlier than April 21, 2020. This Order does not affect any case in which a jury has been empaneled or where a jury has been selected for empanelment, which cases shall proceed to verdict.
- 2. Upon showing exceptional circumstances, any criminal defendant whose trial is postponed by this Order may seek an exception to this Order by motion directed to the trial court. No exception shall be granted except with approval of the judge presiding over the cause and the Presiding Judge, after consultation with the jury commissioner.
- 3. The continuances occasioned by this Order serve the ends of justice and outweigh the best interest of the public and the defendant in a speedy trial. Therefore, the time periods of such continuances shall be excluded from speedy trial computations under 8 GCA § 80.60.

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- 4. Where a jury trial is postponed because of this Order, the parties may seek a conference with the court to address matters arising from the postponement. Such conference should be conducted by teleconference or videoconference, where practicable. In criminal cases, where appropriate, a defendant may ask the court for reconsideration of bail or conditions of release. Nothing in this Order addresses the disposition of such requests for reconsideration.
- 5. No new grand juries shall be empaneled between the date of this Order and April 21, 2020. Grand juries whose terms expire on or before April 21, 2020, shall be extended until that date. No orientation of new jurors shall take place between the date of this Order and April 21, 2020. All active petit jurors shall serve to the full extent of the law.
- 6. The court may issue further orders regarding this matter as necessary to address the evolving circumstances arising from this pandemic.

SO ORDERED this 16th day of March, 2020.

/s/
ROBERT J. TORRES
Associate Justice

/s/

KATHERINE A. MARAMAN
Associate Justice

/s/
F. PHILIP CARBULLIDO
Chief Justice