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**IN THE SUPREME COURT OF GUAM**

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| <b>RE:</b>                      | ) | Supreme Court of Guam              |
| <b>SEVENTEENTH UPDATED</b>      | ) | Administrative Order No. ADM21-657 |
| <b>ORDER RELATIVE TO COURT</b>  | ) |                                    |
| <b>OPERATIONS UNDER EXIGENT</b> | ) |                                    |
| <b>CIRCUMSTANCES RELATED TO</b> | ) |                                    |
| <b>COVID-19 (CORONAVIRUS)</b>   | ) |                                    |
|                                 | ) |                                    |
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|                                 | ) |                                    |

Because of public health concerns arising from the COVID-19 (coronavirus) global pandemic, *I Maga'hågan Guåhan* declared a state of public health emergency on March 14, 2020, and in the ensuing sixteen months, issued a series of executive orders to stem the spread of the virus. In line with the various executive orders, the court, under its jurisdiction to issue orders in aid of its supervisory jurisdiction over the Superior Court of Guam and all other courts of the judicial branch of Guam, issued several administrative orders adopting various measures to protect the public health, including temporarily suspending certain court operations, imposing social distancing and mask mandates, and expanding the use of technologies to limit in-person hearings.

In recent months, Guam has experienced a significant decline in the rate of COVID-19 transmissions because of continued adherence to the Governor's executive orders and the vaccination of a growing percentage of the adult population. On July 21, 2021, the Governor issued Executive Order No. 2021-16, which provides that at 12:01 a.m. on the day after Guam has achieved its vaccination goal of 80% of its adult population, all restrictions, including social distancing, occupancy limitations, social distancing, and the requirement of operations on an appointments-only basis will be lifted. The only restriction to remain in place is the requirement of mask-wearing in congregate settings for individuals over two years of age. On July 29, 2021,

1 the Department of Public Health and Social Services certified that the island has achieved its  
2 vaccination goal of 80% of the adult population.

3 The court recognizes both the tremendous strides Guam has made in containing the spread  
4 of COVID-19 and the need to remain vigilant to continue the island's progress in combating the  
5 spread of the disease. With these considerations in mind, the court issues this **SEVENTEENTH**  
6 **UPDATED ORDER** regarding court operations related to COVID-19:

7 1. Effective July 30, 2021, this Seventeenth Updated Order shall repeal and  
8 replace Administrative Order No. ADM21-563. To the extent this Seventeenth Updated  
9 Order conflicts with any other existing administrative order of the court, this Seventeenth  
10 Updated Order shall prevail.

11 2. Judiciary of Guam facilities are open to the general public for all court business  
12 between the hours of 8:00 a.m. to 5:00 p.m., Monday to Friday, subject to certain  
13 limitations as indicated below.

14 3. The counters of the Supreme Court Clerk's Office and the Superior Court  
15 Clerk's Office—including the counters at the Northern Court Satellite—shall remain  
16 open between the hours of 9:00 a.m. to 4:00 p.m., Monday to Friday. Documents shall  
17 be filed using one of the methods listed in paragraph 9 below.

18 4. The Probation Services Division shall continue to provide in-person services  
19 by appointment only, but services without an appointment may be approved by the Chief  
20 Probation Officer.

21 5. The Client Services and Family Counseling (CSFC) Division shall continue to  
22 provide in-person services by appointment only, but services without an appointment may  
23 be approved by the CSFC Administrator.

24 6. Subject to the discretion of the judicial officer, courts may continue to limit in-  
25 person contact when feasible by using available technologies, including alternative means  
26 of filing, teleconferencing, video conferencing (e.g., Zoom), and use of email, except  
27 when doing so would contravene the protection of constitutional rights.

1           7. Where a jury trial is postponed because of this Seventeenth Updated Order or  
2 any prior administrative order, the parties may seek a conference with the court to address  
3 matters arising from the postponement. In criminal cases, where appropriate, a defendant  
4 may ask the court for reconsideration of bail or conditions of release. Nothing in this  
5 Seventeenth Updated Order addresses the disposition of such requests for  
6 reconsideration.

7           8. All active petit jurors and grand jurors shall serve to the full extent of the law.  
8 To prevent the spread of the virus, ensure the safety of jurors and court staff, and  
9 determine the availability of jurors, all active petit jurors and grand jurors whose entry to  
10 Judiciary facilities is restricted under paragraph 15 below shall contact the Jury  
11 Commissioner for further instructions.

12           9. Under Guam law and court rules, the court is deemed always open for filing  
13 any proper paper, issuing and returning process, making a motion, and entering an order.  
14 *See* 8 GCA § 1.31; Guam R. Civ. P. 77(a); Guam R. App. P. 31(a)(2). The Supreme  
15 Court and Superior Court Clerk’s Offices are open for in-person filing between the hours  
16 of 9:00 a.m. to 4:00 p.m., Monday to Friday. In addition to in-person filing at the Clerk’s  
17 Offices, filings will be accepted by the following methods:

- 18           a. E-filing
- 19           b. If e-filing is unavailable, pleadings may be filed by email to the respective  
20 Clerk’s Office. The email address for Supreme Court filings is  
21 efile@guamsupremecourt.com. The email addresses for Superior Court  
22 filings are:
  - 23           i. Criminal cases – efilecriminal@guamcourts.org
  - 24           ii. Juvenile cases – efilejuvenile@guamcourts.org
  - 25           iii. Small Claims cases – efilesmallclaims@guamcourts.org
  - 26           iv. Child Support cases – efilechildsupport@guamcourts.org
  - 27           v. Civil, Probate, Domestic, Special Proceedings, and all other  
28 cases – efilecivil@guamcourts.org

1 c. Facsimile

2 d. Postal mail

3 Because the Superior Court maintains a paper record, parties shall file in person any  
4 filings over 50 pages in length, sealed filings, or filings with colored exhibits.

5 10. Filing fees shall be paid online or in person within one business day of the  
6 filing. If the filing fee is not paid within one business day of filing, the filing may not be  
7 processed or may be stricken. Please contact the relevant Clerk's Office for questions  
8 regarding filing methods and fees.

9 11. The Clerks of Court and parties shall continue to serve documents through  
10 electronic means or by mail, except for those limited instances in which personal service  
11 is required. Attorneys and law firms shall provide the Clerks of Court a single dedicated  
12 email address for the service of documents.

13 12. Any court rule that impedes the court's ability to use technologies to eliminate  
14 or limit in-person contact in the conduct of court business is suspended until December  
15 31, 2021, except such suspension is subject to constitutional requirements.

16 13. Court proceedings shall be open to the public except where public access is  
17 typically restricted (e.g., juvenile proceedings and other sealed matters). To the extent  
18 logistically possible, when hearing a matter through video conference or other remote  
19 means, the court shall provide public access by video or audio if the proceeding is  
20 typically open to the public. Members of the media who would like to access court  
21 proceedings should contact the court's Public Information Officer, Kristina Blaz, by  
22 email at [kblaz@guamcourts.org](mailto:kblaz@guamcourts.org).

23 14. For the continued protection of court patrons and employees, individuals  
24 entering a Judiciary of Guam facility for any purpose shall wear face masks or other  
25 appropriate face coverings.

26 15. The following persons shall not enter the Guam Judicial Center in Hagåtña,  
27 the Northern Court Satellite in Dededo, or any Judiciary of Guam facility, including, but  
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1 not limited to, the San Ramon Temporary Courtroom, probation offices, and the Judicial  
2 Education Center:

- 3 a. Persons diagnosed with or have had contact with anyone who has been  
4 diagnosed with COVID-19 and have yet to be released from quarantine or  
5 isolation by a medical provider or the Department of Public Health and  
6 Social Services;
- 7 b. Persons with any acute respiratory illness symptoms (i.e., cough, shortness  
8 of breath, headaches), flu-like symptoms, fever, or sneezing;
- 9 c. Persons asked to self-quarantine or self-isolate by any doctor, hospital,  
10 board of health, or other medical provider or health agency; or who reside  
11 with anyone who has been asked to self-quarantine or self-isolate.

12 16. Anyone trying to enter in violation of this Seventeenth Updated Order will be  
13 denied entry by Judiciary marshals, probation officers, or other security personnel.

14 17. If you are scheduled to appear in person and fall into any of the categories  
15 listed in paragraph 15, you should proceed as follows:

- 16 a. If you are represented by an attorney, please contact your attorney.
- 17 b. If you have no attorney and are seeking emergency relief, please contact  
18 the Clerk's Office of the court in which you are seeking relief.
- 19 c. If you are an attorney scheduled to appear before a judge, please contact  
20 that section or team directly by telephone.
- 21 d. If you are scheduled to meet with a probation officer, please contact the  
22 probation officer or applicable probation section directly by telephone.
- 23 e. If you are scheduled to report for jury service, please contact the Jury  
24 Commissioner directly by telephone.
- 25 f. If in doubt as to whom you should contact, please call the Clerk's Office  
26 of the court in which you are scheduled to appear.

