

# **LOCAL RULES OF THE SUPERIOR COURT OF GUAM**

## **GENERAL RULES**

(Promulgation Order No. 06-006-02, Eff. June 1, 2007)

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**Effective June 1, 2007**

Rule

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**GENERAL RULES (“GR”)**

**GR 1.1. Title; Effective Date; Scope.**

(a) Title. These are the Local Rules of the Superior Court of Guam. They may be cited as “GR” (General Rules).

(b) Effective Date; Transitional Provision. These rules as adopted by Promulgation Order No. 06-006-02 apply to all actions, cases and proceedings brought after said Promulgation Order takes effect and to all actions, cases and proceedings commenced prior to the effective date hereof and still pending, except to the extent that application of the Rules to those pending actions, cases and proceedings would not be feasible, or would work injustice, in which event the prior valid Guam Rule of Court shall apply. Where justice requires, a judge may order that an action or proceeding pending before the Court prior to that date be governed by the prior practice of the Court.

(c) Scope of the Rules: Construction. These Rules supplement the Guam Rules of Civil Procedure and the Guam Rules of Criminal Procedure. These Rules shall be construed so as to be consistent with applicable statutes to promote the just, efficient and economical determination of every action and proceeding. The provisions of the General Rules and the provisions of Civil Rules 7.1 of the Local Rules of the Superior Court of Guam shall apply to all actions and proceedings, including civil, tax, and criminal, except where they may be inconsistent with rules or provisions of law specifically applicable thereto.

(d) Definitions.

(1) The word “Court” refers to the Superior Court of Guam, and not to any particular judge of the Court.

(2) The word “judge” refers to any Judge or any designated or pro tempore judge exercising jurisdiction with respect to a particular action or proceeding in said court to whom such action or proceeding has been assigned for purposes relevant to the context in which such reference occurs.

(3) The word “clerk” means the Clerk for the Superior Court of Guam and deputy clerks, unless the context otherwise requires.

**SOURCE:** Adopted by Prom. Order No. PRM 06-006-01 (May 3, 2007). Revised and amended by Prom. Order No. 06-006-02 (May 31, 2007), and Prom. Order No. PRM 06-006-18 (July 18, 2022).

**2022 COMPILER NOTE:** Pursuant to amendments in Prom. Order No. PRM 06-006-18 (July 18, 2022), the reference to CVR 7.1.1 in subsection (c) was removed.

**GR 2.1. Sanctions and Penalties for Noncompliance.**

The violation of or failure to conform to any of these General Rules, the Guam Rules of Civil Procedure, or the Local Rules of the Superior Court of Guam – Civil Rules shall subject the offending party or counsel to such penalties, including monetary sanctions and/or the imposition of costs and attorney’s fees to opposing counsel, as the Court may deem appropriate under the circumstances.

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**GR 3.1. Stipulations.**

(a) Except as otherwise provided for in this rule, stipulations will be recognized as binding only when made in open court or filed in the case.

(b) Any stipulation requiring the judge's signature shall contain the words "Approved and So Ordered," and a blank line for the date and a designated signature line for the Judge. The Judge's signature line must appear on the same page as the signature of at least one of the attorneys entering into the stipulation.

(c) Any stipulation, which extends time or provides for a continuance shall contain the reason for the change of date; provided however that this rule shall not be applicable to a written stipulation or other written agreement entered into between the parties regarding an answer or reply to any pleading or to any responses to any discovery requests other than a date set in a court order.

**GR 4.1. Citation of Authority.**

(a) Parties shall provide this Court with a copy of any case or other authority which they cite or rely upon and which is unavailable in either the Guam Law Library or from a generally recognized legal research database.

(b) All citations shall be in the form found in the most recent edition of A Uniform System of Citation identifying the court cited, and enabling both the Court and opposing counsel to locate the cited work.

**GR 5.1. Format and Filing.**

(a) Form; Copy. All papers presented for filing shall be on white opaque paper of good quality, eight and one-half inches by eleven inches (8 ½ x 11) in size, and shall be flat, unfolded (except where necessary for the presentation of exhibits), without back or cover and shall comply with all other applicable provisions of these Rules. All pages shall be numbered consecutively at the bottom and firmly bound at the upper left-hand corner. In addition to the original, a legible conformed copy of all documents, except certificates of service, summons, subpoenas and notices of depositions, shall be filed for the judge's use. Matter shall be presented by typewriting, printing, or other clearly legible reproduction process, and shall appear on one side of each sheet only. All papers shall be double-spaced with a minimum of 12 point font, except for the identification of counsel, title of the case, footnotes, quotations, and exhibits.

(b) Format. The title of the Court shall be centered and commence not less than three (3) inches from the top of the page.

(c) Title Page. The first page of every document shall contain the following information, which may be single spaced:

(1) The name, address and telephone number of the attorney appearing for a party in an action or individual appearing pro se and for whom the attorney appears shall be printed or typewritten in the upper left-hand corner. The space to the right of the page's center shall be reserved for the clerk's filing stamp.

(2) Below and to the left of the title of the Court, the title of the action or proceeding

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shall be inserted. In a complaint, the title of the proceeding shall contain the names of all parties and in the event that the parties are too numerous for all to be named on the first page, the names of the parties may be carried onto successive page(s). In all papers other than a complaint, the title of the proceeding may be appropriately abbreviated.

(3) In the space to the right of the title of the action, the following shall appear:

(A) the file number of the action or proceeding;

(B) a designation of the action or proceeding as civil, criminal, domestic, probate, juvenile, special proceedings, land registration, adoption, child support, protective order;

(C) a brief description of the nature of the document; and

(D) mention of any notice of motion or affidavits or memorandum in support.

(4) Cover Sheets. All documents initiating any proceedings shall be accompanied by the appropriate cover sheet, which shall be fully completed and executed. Cover sheets are available upon request at the Clerk's Office. Persons in the custody of state, local, commonwealth or federal institutions are exempt from the requirements of this subdivision.

(d) Typed Names Below Signature Lines. Names shall be typed below signatures on all pleadings and documents filed.

**GR 6.1. Continuances.**

Except as otherwise provided for in these Rules, no continuance shall be granted merely on the stipulation of the parties. If the Court is satisfied that counsel are preparing the case with diligence and additional time is required to comply with these Rules, the parties may move the Court to extend the dates for the obligations imposed under these Rules, upon submission of a timely stipulated motion signed by all counsel setting forth the reasons for the requested continuance. No continuance will be granted unless the stipulation has been lodged before the date upon which the act was to have been completed under this Rule.

**GR 7.1. Clerk of Court.**

(a) Location and Hours. The Office of the Clerk of this Court shall be located at Guam Judicial Center, 120 West O'Brien Drive, in Hagåtña, Guam. The mailing address is 120 West O'Brien Drive, Hagåtña, Guam 96910-5174. The regular hours shall be from 8:00 a.m. to 5:00 p.m. each day except Saturdays, Sundays, legal holidays and other days or at times so ordered by the Court. Nothing in this Rule precludes the filing of papers as provided in Rule 77, Guam Rules of Civil Procedure.

(b) Court Calendar. Daily before 5:00 p.m., the clerk shall post on the bulletin board of the Superior Court, copies of the court's calendar for the following day. The Clerk shall cause the calendar to appear on the website daily. The website address is [www.guamcourts.org](http://www.guamcourts.org).

**GR 8.1. Correspondence and Communications with the Court.**

(a) No one shall directly or indirectly communicate with a judge or judicial officer, the Judge's chamber personnel (including law clerk), the clerk of court, or the clerk's deputies and

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assistants about any matter pending with the court except:

- (1) In open court; or
- (2) With the consent of all other counsel in such matter; or
- (3) In the presence of all other counsel in such matter; or
- (4) By means of petitions, motions or other papers provided for or allowed by rule of law; or
- (5) Matters of calendaring.

(b) Nothing in this Rule shall prevent the Clerk of Court from entertaining questions or complaints.

(c) The practice of writing a letter to a judge (even when other counsel receive copies of such letter) is expressly prohibited.

**GR 9.1. Files; Custody and Withdrawal.**

All files of the court shall remain in the custody of the clerk and no record or paper belonging to the files of the court shall be taken from the custody of the clerk without a special order of a judge and a proper receipt signed by the person obtaining the record or paper. No such order will be made except in extraordinary circumstances.

**GR 10.1. Pretrial and Trial Publicity.**

(a) The use of cameras in a courtroom shall be governed by the provisions of 8 GCA § 1.23 and the regulations adopted pursuant to that section.

(b) Publicity. The Court personnel, including but not limited to marshals, clerks and deputies, law clerks, secretaries, messengers, interpreters and court reporters, shall not disclose to any person information relating to any pending proceeding that is not part of the public records of the Court without specific authorization of the Court.

(c) Officers of this Court. In making statements to the media, the Officers of the Court are bound by the Rules of Professional Conduct as amended from time to time.

**GR 11.1. Referees.**

The term *judge* when used in these rules also includes referee.