

7 GCA CIVIL PROCEDURE
CH. 10 FORM OF CIVIL ACTIONS

CHAPTER 10
FORM OF CIVIL ACTIONS

- § 10101. One Form of Civil Action Only.
- § 10102. Parties to Actions, How Designated.
- § 10103. Special Issues Not in Pleadings.

NOTE: Section 2206 of this Title provides, in part:

All laws in conflict with such rules shall be of no further force or effect after such rules have taken effect.

The Rules to which this section refers are the Guam Rules of Civil Procedure, published as an appendix to this Title.

Because 7 GCA § 2206 makes procedural laws conflicting with the rules of no further force and effect, the Compiler has, in the remainder of this Title, omitted those laws which have been superseded by the Rules. See Rule 89 of the Guam Rules of Civil Procedure. Appropriate cross-references will be given.

§ 10101. One Form of Civil Action Only.

There is in the Territory of Guam but one form of civil action for the enforcement or protection of private rights and the redress or prevention of private wrongs.

SOURCE: CCP § 307. See Rule 2 of the Guam Rules of Civil Procedure (GRCP).

§ 10102. Parties to Actions, How Designated.

In such action the party complaining is known as the plaintiff, and the adverse party is known as the defendant.

SOURCE: CCP § 308.

§ 10103. Special Issues Not in Pleadings.

A question of fact not put in issue by the pleadings may be tried by a judge, upon an order for the trial, stating distinctly and plainly the question of fact to be tried, and such an order is the only authority necessary for a trial.

SOURCE: CCP § 309.

COMMENT: Compare procedure for Pretrial Orders found in the GRCP and in the Local Rules.
