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# MESSAGE FROM THE CHIEF JUSTICE AND THE ADMINISTRATOR OF THE COURTS





Hafa Adai! With pride and pleasure, we present the 2012 Annual Report of the Judiciary of Guam. We welcome this opportunity to share the significant accomplishments of the judicial branch, and to showcase the initiatives undertaken to ensure the fair and efficient administration of justice to all who come before the courts of Guam.

This Annual Report contains caseload and statistical data for the appellate, trial, specialty and therapeutic courts of Guam. The case information reveals how the people of Guam are using the court system, and illustrates the work being performed by dedicated court employees. Despite the challenges of declining budgets and increased case filings, the Judiciary of Guam continually strives to improve and refine operations, by preparing for the future with our Strategic Plan projects, utilizing technology such as our new Case Management System, and developing our court staff with training opportunities.

We are proud of the strong partnerships we have fostered with our educational, law enforcement, and community partners. Through our collaborative efforts, our greater community benefits from the programs in the island's schools, access to law enforcement records, and increased awareness about the judicial system.

We encourage you to learn more about how your judicial branch serves you. This report includes highlights from each division of the Judiciary, demonstrating the important work being done every day to provide fair, efficient, and expeditious justice.

F. PHILIP CARBULLIDO Chief Justice of Guam

PERRY C. TAITANO
Administrator of the Courts





#### Judicial Council of Guam







The Judicial Council of Guam is the governing body of the Judiciary of Guam. Pursuant to law, it is composed of all full-time justices of the Supreme Court, the Presiding Judge of the Superior Court, and a delegated Superior Court Judge. The current composition of the Judicial Council was created in 2003, and in 2004, after an amendment to the Organic Act of Guam effectuated by the United States Congress in Public Law 108-378, the Judicial Branch was declared a separate and co-equal branch of the Government of Guam. Under the new section 1424-1(b) of the Organic Act, the Chief Justice of Guam retains all supervisory authority of the judicial branch. With the advice of the Judicial Council, the Chief Justice governs the divisions and offices within the Judiciary of Guam.

Each month, the Judicial Council meets for its regular meeting. Public notice is provided of all regular meetings, and any interested person may attend to learn more about the challenges facing the Judiciary as it ensures the fair administration of justice to the people of Guam.

In 2012, the Judicial Council adopted 18 Judicial Council resolutions, which are available for review in the Judiciary of Guam website. These resolutions addressed governance of the judicial branch, including:

- Approval of the FY2013 Judiciary of Guam Budget,
- Approval of the FY2013 Budget request for the Office of the Alternate Public Defender,
- Adoption of an Amended Judiciary Personnel Rule regarding political activities of Judiciary employees, and
- Adoption of the FY2013 Fiscal Reduction Plan.

The Judicial Council also passed resolutions memorializing the passing of Retired Superior Court Judge Ramon V. Diaz and Retired Chief Justice of the CNMI Miguel S. Demapan, and recognizing significant events, such as the declaration of Family Violence Awareness Month and Bullying Prevention Month.

Members of the Judicial Council of Guam: Chief Justice F. Philip Carbullido, Chairperson Justice Robert J. Torres, Jr. Justice Katherine A. Maraman Presiding Judge Alberto C. Lamorena, III Judge Arthur R. Barcinas

#### Justices of the Supreme Court of Guam



Chief Justice F. Philip Carbullido was appointed to the Supreme Court of Guam in 2000 and is currently serving his third term as Chief Justice.

Chief Justice Carbullido is the Chair of the Judicial Council of Guam and presently serves as President of the Pacific Judicial Council (PJC), which consists of the Chief Justices of Guam, the CNMI, Palau, the Federated States of Micronesia, the Republic of the Marshall Islands, and the Territory of American Samoa. Additionally, he serves on the Board of Directors of the Conference of Chief Justices, a forum comprised of the highest judicial officers of the United States, its commonwealths, and its territories. He previously chaired the Education Committee of the PJC, which provides training for judicial officers and administrators throughout the Pacific, and he continues to serve as Justice Pro Tempore for the Supreme Court of the CNMI. Chief Justice Carbullido also chairs the Judiciary's subcommittee on the Guam Rules of Appellate Procedure.

Chief Justice Carbullido received his B.S. in Political Science in 1975 from the University of Oregon and his Juris Doctor degree in 1978 from the University of California, Davis School of Law. He and his wife Fay have four children and became proud grandparents in March 2012.



Associate Justice Robert J. Torres, Jr. was appointed to the Supreme Court of Guam in 2004 and served as Chief Justice from January 2008 to January 2011.

Justice Torres previously served as an officer and board member of the Conference of Chief Justices. He is a designated District Court Judge for the U.S. District Court of Guam and serves as Justice Pro Tempore for the Supreme Court of the CNMI. Justice Torres chairs the Judiciary's subcommittees on Civil Jury Instructions, Rules of Civil Procedure & Rules of Court, E-filing, and Technology & Information Systems, and he is instrumental in the Judiciary's launch of a modern case management system. He also chairs the Judiciary's 2012-2015 Strategic Plan Focus Area on Operational Efficiency, Effectiveness and Timeliness. Additionally, Justice Torres chairs the Criminal Justice Automation Commission, which oversees the criminal justice information sharing initiative in Guam.

Justice Torres received a B.B.A. in Accounting (magna cum laude; Beta Gamma Sigma; Beta Alpha Psi) in 1980 from the University of Notre Dame and a Juris Doctor degree from Harvard Law School in 1985. He and his wife Mary have three children and seven grandchildren.



Associate Justice Katherine A. Maraman joined the Supreme Court of Guam in 2008. She served as a Judge for the Superior Court of Guam for 14 years.

Justice Maraman serves as a part-time Associate Justice for the Supreme Court of Palau. She currently chairs the Drafting & Grading Committee for the Board of Law Examiners and the Judiciary's 2012-2015 Strategic Plan Focus Area on Satisfied and Competent Personnel. Additionally, Justice Maraman chairs the Judiciary's subcommittee on Rules of Criminal Procedure and co-chairs the subcommittees on Criminal Jury Instructions, Rules of Evidence, and Rules of Civil Procedure. Justice Maraman is also an Adjunct Professor at the University of Guam.

Justice Maraman received a B.A. in Economics, cum laude, from Colorado College and a Juris Doctor degree from the University of New Mexico.

#### Judges of the Superior Court



Presiding Judge Alberto C. Lamorena III presides over the Superior Court of Guam and is a member of the Judicial Council and the Guam Public Defender Service Corporation Board of Trustees. Prior to his appointment to the bench in 1988, he maintained a private practice and was an accomplished legislator serving in leadership positions in the 15th through 19th Guam Legislatures. Presiding Judge Lamorena established the Pacific Judicial Conference in 1991. That same year, he led the construction of the Guam Judicial Center. He initiated the translation and preservation of historical court documents and the movement to adopt Guam's first Victim's Bill of Rights. He implemented the first courtwide computerized case management system (AS-400) as well as the Criminal Justice Information System (CJIS) to assist federal and local law enforcement. He also established the concept of specialty courts and initiated both the Adult Drug Court and Family Violence Court.

Presiding Judge Lamorena currently presides over General Jurisdiction cases and the Adult Drug Court. He previously presided over the Family Violence Court until January 2012. He is a member of the Guam Board of Law Examiners, and he chairs the Judiciary's 2012-2015 Strategic Plan Focus Area on Stakeholder and Community Relations.

Presiding Judge Lamorena received a B.A. in Political Science from the University of Illinois, Urbana in 1971 and a B.A. in Accounting from the University of Texas, Austin in 1974. He received his J.D. from Drake University, Des Moines, Iowa in 1977.



Judge Michael J. Bordallo was appointed to the Superior Court of Guam in 1998. Prior to joining the Judiciary, Judge Bordallo was a private practitioner for nine years and also served as an Assistant Attorney General for Guam. He currently presides over the Family Violence Court in addition to his regular caseload. He serves as co-chairperson of the Judiciary's subcommittees on Civil Jury Instructions and Alternative Dispute Resolution, as well as the Guam Board of Law Examiners Drafting and Grading Committee. He also co-chairs the Judiciary's 2012-2015 Strategic Plan Focus Area on Operational Efficiency, Effectiveness, and Timeliness. He previously served as President of the Board of Trustees for the Guam Law Library.

Judge Bordallo believes in remaining part of the community and has been actively involved in the local soccer organization, having served as its President, Vice President, and General Secretary. He currently serves as Chairman of its Disciplinary Committee and as a Match Commissioner for the AFC and FIFA.

Judge Bordallo received a B.B.A. in 1983 and a J.D. in 1987 from the University of Notre Dame in South Bend, Indiana.



Judge Anita A. Sukola maintained a private practice for nearly 11 years and was a full-time Assistant Professor at the University of Guam prior to her judicial appointment in 2002. Judge Sukola's public service includes Director of Education (1989 to 1991); Deputy Director of Education (1987-1988); and Attorney at the Public Defender's Office. She has also served as legal counsel for the Port Authority of Guam Board of Directors and the Chamorro Land Trust Commission, and as Staff Attorney to Senator Don Parkinson (17th Guam Legislature). Judge Sukola currently presides over Mental Health Court, Family Court I (including Juvenile Court), and General Jurisdiction cases. Additionally, she chairs the Judiciary's 2012-2015 Strategic Plan Focus Area on Access to Courts and Delivery of Services, and she co-chairs the subcommittees on Pro Se Litigation and Criminal Jury Instructions.

Judge Sukola obtained a B.A. in History and Secondary Education from Washington State University in 1973 and a J.D. from the People's College of Law in 1983.



Judge Arthur R. Barcinas has served as a judge of the Superior Court of Guam since 2005. He maintained a private practice for 14 years prior to his Judicial service, and he served as the Hearings Officer for Small Claims Court, as Traffic Court Judge Pro Tempore, and as an Administrative Hearings Officer prior to becoming a judge. He also served as legal counsel to Governor Felix P. Camacho and as Chairman of the Chamorro Land Trust Commission Board of Directors. Judge Barcinas currently presides over General Jurisdiction cases, Family Court II and Juvenile Drug Court. He is a member of the Judicial Council, and co-chairs the Judiciary's 2012-2015 Strategic Plan Focus Area on Stakeholder and Community Relations and the subcommittee on Rules Governing the Admission to the Practice of Law and the Rules for the Discipline of Attorneys. Additionally, he is a member of the subcommittees on Pro Se Litigation, Criminal Jury Instructions, Rules of Civil Procedure & Rules of Court Revision, and E-Filing Rules.

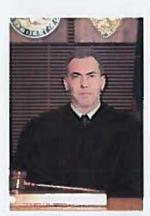
Judge Barcinas received a B.S. in Political Science from the University of Hawaii at Manoa in 1986 and a J.D. from Gonzaga University School of Law in 1989.

#### Judges of the Superior Court



Judge Vernon P. Perez was appointed to the Superior Court bench in 2008. Prior to joining the Judiciary, he was the Executive Director of the Guam Civil Service Commission and Deputy Judge Advocate General of the Guam National Guard. Judge Perez also served as an Assistant Attorney General in the Family Division of the Office of the Attorney General of Guam; Legislative Assistant to Senator Felix P. Camacho; Press Secretary to Congressman Ben Blaz in the U.S. House of Representatives; and a Math and English teacher at F.B. Leon Guerrero Middle School. Judge Perez currently presides over General Jurisdiction and DWI Court cases. He co-chairs the Judiciary's 2012-2015 Strategic Plan Focus Area on Satisfied and Competent Personnel and the subcommittee on E-Filing Rules. He is also the President of the Guam Law Library Board of Trustees.

Judge Perez obtained a B.A. from the University of California, San Diego in 1987 and his J.D. from the University of Hawaii Richardson School of Law in 1997.



Judge James L. Canto II was appointed to the Superior Court of Guam in 2011, after having practiced in the public and private sectors for fifteen years as an Assistant Public Defender, a co-founding partner of a private law firm, and Chief Legal Counsel to the Governor of Guam. He currently presides over General Jurisdiction and DWI Court cases. He co-chairs the Judiciary's 2012-2015 Strategic Plan Focus Area on Operational Efficiency, Effectiveness, and Timeliness and the subcommittee on Rules of Civil Procedure & Rules of Court Revision.

Judge Canto obtained a B.A. in Psychology from Trenton State College in 1992 and his J.D. from the University of California Hastings College of the Law in 1995.



Judge Maria Teresa Bonifacio Cenzon was sworn into office as a judge of the Superior Court of Guam on December 20, 2012. She is the first Filipina-American to serve on the bench in the Guam courts. Judge Cenzon has over a decade of experience in the private sector, where she served as counsel to large local and international corporations as well as some of the largest agencies of the government of Guam. Her private practice concentrated on commercial and transactional law, with a focus on real estate, due diligence, mergers and acquisitions, corporate governance and civil litigation. While in private practice, she was a member of the Guam Chamber of Commerce and its Armed Forces Committee, as well as an allied member of the Guam Hotel and Restaurant Association.

Judge Cenzon served as a member of the Board of Governors of the Guam Bar Association (2006-2008) and was elected as its Secretary (2008-2012). She also served on the Board of Directors of the Guam Legal Services Corporation – Disability Law Center. Following her nomination and confirmation, she resigned from both board positions. Judge Cenzon now presides over General Jurisdiction cases, and is the Judiciary representative to the Governor's Executive Committee on Systems of Care.

Judge Cenzon received a B.A. in English (Writing Intensive) with minors in Business Administration, Philosophy, and Criminology from Marquette University in 1992 and a J.D. from Loyola University Chicago School of Law in 1996.

#### Judicial Officers of the Superior Court



Magistrate Judge Alberto E. Tolentino was appointed to the Superior Court of Guam in 2009. He previously served as Chief Deputy Attorney General of Guam and as the Ethics Prosecutor. As a Magistrate Judge, he has authority to preside over small claims cases, traffic cases, as well as cases involving change of name, collections, and certain uncontested divorces and post-judgment collection proceedings. In criminal cases, he presides over first appearances and arraignments, may determine bail and pre-trial release conditions, as well as take pleas and impose sentences in misdemeanor cases. He has the authority to issue summons and bench warrants, and hear certain returns of warrants. In addition, he has authority to preside over any matter which may be heard by a Referee of the Superior Court of Guam; and upon appointment, may serve as a Special Master, or as a settlement judge in a civil or domestic case, or a Judge Pro Tempore.

Magistrate Judge Tolentino received a B.S. in Biology from the University of San Francisco in 1982 and his J.D. from the University of the Pacific McGeorge School of Law in 1993.



Judge Pro Tempore Richard H. Benson became a judge of the Island Court in 1970 and of the Superior Court in 1974. He resigned in 1981 to become a justice of the Supreme Court of the Federated States of Micronesia, from which he retired in 2001. Since his return to Guam that same year, he has served as a Judge Pro Tempore of the Superior Court of Guam and as a Justice Pro Tempore of the Supreme Court of Guam, in addition to serving in other Micronesian courts. The Judicial Council of Guam presented Judge Benson with the Hustisia Award in 2012. This award recognizes a person or organization that has made a significant contribution toward the improvement of the administration of justice and good government.

Judge Benson received his J.D. from the University of Michigan Law School in 1956.



Senior Judge Elizabeth Barrett-Anderson is now on Senior Judicial Status, having retired after 14 years as a trial judge. Judge Barrett-Anderson had a distinguished career before elevating to the bench in 1998. She served as Attorney General of Guam (1987-1994) and was a member of the 23rd and 24th Guam Legislatures. She is credited with establishing several therapeutic courts on Guam: Juvenile Drug Court, Family Violence Court, and the DWI Court. She continues to serve the court on Senior status as Traffic Court Judicial Officer and is currently establishing the Judiciary's Court Interpreter Registry Program. She co-chairs the Judiciary's 2012-2015 Strategic Plan Focus Area on Access to Courts and Delivery of Services.

Judge Barrett-Anderson is a 1971 graduate of the Academy of Our Lady of Guam. She obtained her B.A. from the University of San Francisco in 1974 and her J.D. from the University of Santa Clara School of Law in 1979.



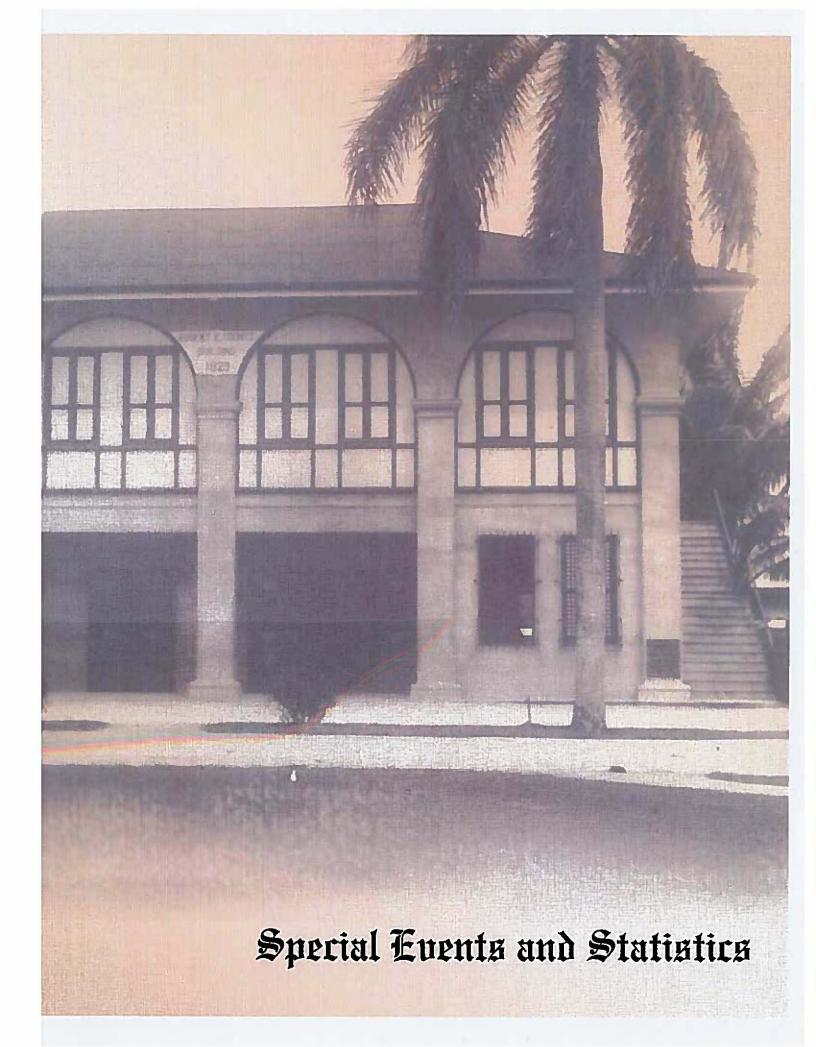
Administrative Hearings Officer Linda L. Ingles joined the Superior Court of Guam in 1995. Prior to her assumption of the position, she served as a Judge Pro Tempore for Small Claims Court and Traffic Court. Before taking the bench, she engaged in the practice of law for more than 12 years, serving both the public and private sectors of Guam. She served as a law clerk at the Superior Court of Guam and as an Assistant Public Defender. Additionally, she was legal counsel to various government agencies and the Guam Legislature. She actively engaged in the general practice of law as a partner in the law firm of Lamorena & Ingles, P.C., preceding her appointment as Administrative Hearings Officer. She is assigned to the Judicial Hearings Division and Family Court, and she co-chairs the Judiciary's 2012-2015 Strategic Plan Focus Area on Access to Courts and Delivery of Services.

Administrative Hearings Officer Ingles earned a B.S. in Political Science from the University of Oregon in 1975 and a J.D. from Whittier College in 1980.



Small Claims Referee Benjamin C. Sison, Jr. was appointed by the Supreme Court of Guam in 2009 to serve as a part-time Referee presiding over trials and hearings for Traffic Court and Small Claims Court.

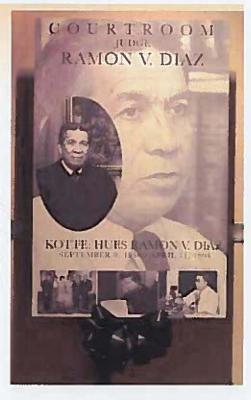
Referee Sison received a B.S. in Biology in 1986 from the University of Hawaii at Manoa; his J.D. in 1990 from Boston College Law School; an M.B.A. in 1994 from Seattle University Albers School of Business; and an LL.M. in 2004 from the University of Washington School of Law.7



# 2012 Special Events

#### Memorial Ceremony for Judge Ramon Diaz

In a memorial ceremony on January 23, 2012, the Judiciary of Guam mourned the passing of Retired Superior Court Judge Ramon V. Diaz, the first jurist of Filipino heritage to serve the courts of Guam. Judge Diaz, who served the Superior Court for more than 14 years, was appointed to the Superior Court by Governor Paul Calvo in 1980, and served until his retirement in 1994. With his family in attendance, Judge Diaz was honored by his colleagues on the bench, dignitaries and officials of the Government of Guam, court employees, and attorneys, who were present to remember a judge who was known for his fairness and compassion, and his service to the people of Guam.







#### State of the Judiciary

Chief Justice F. Philip Carbullido gave his annual State of the Judiciary address at the Speaker Antonio R. Unpingco Legislative Session Hall, I Liheslaturan Guåhan, on May 1, 2012. He highlighted the accomplishments of the Judiciary's divisions and programs, and shared the Judiciary's Strategic Plan, Our Way Forward, which set out the Judiciary's goals for the coming years in order to better serve the people of Guam. He emphasized the critical role of the courts in creating a safe and stable community: "The protections provided by the court system is what makes it possible for our citizens to innovate and enjoy the fruits of their labor, while protecting their rights and the rights of others; it is what attracts investors and it's what gives our local people the security they need to venture into business in the hopes of growing our economy and improving their standard of living."



#### 2012 Special Events

#### Retirement of Judge Elizabeth Barrett-Anderson

After fourteen years of service as a Judge of the Superior Court of Guam, Judge Elizabeth Barrett-Anderson retired in March 2012. She was recognized during a ceremony on May 4, 2012, and was presented with a Judicial Council resolution detailing her many accomplishments, including establishing the Juvenile Drug Court Program and creating and administering the DWI Court Program. She currently serves as a Senior Judge Pro Tem.



#### Revamp of Traffic Court Operations

For many Guam residents, their contact with the court system is through Traffic Court. In 2012, Traffic Court has undergone review and revision in several areas. With better technology, use of antiquated paper citations is being replaced, and the Traffic Court Rules are being updated to correspond to the needs of the Judiciary's computer system. A new team of clerks and deputy clerks has rotated into Traffic Court Division and have been undergoing training on Traffic Court Rules, forms, and customer relations. The DWI/Traffic Executive Committee, chaired by Presiding Judge Alberto C. Lamorena III, has recommended a comprehensive review of the Vehicle Code of Guam. These improvements have been implemented to facilitate the prompt resolution of the thousands of tickets processed each year.







Recognition of Anthony P. Sanchez

Upon the passing of former Administrative Director of the Superior Court, Anthony P. Sanchez, on April 17, 2012, the Judicial Council issued a resolution on April 19, 2012, recognizing him for his dedication and public service. Known fondly as "Tony," he was the Public Information Officer from 1990 to 1995, then served for eight years as Administrative Director, during which time he was instrumental to the initial implementation of the Criminal Justice Information System, the establishment of the Silent Witness Ceremony, and oversaw the Hay Study Review for Judiciary Employees.

# Special Events

# Informational Briefing and Court Tour for New Senators

Four newly elected members to the 32nd Guam Legislature, Sen. Michael Limtiaco, Sen. Brant McCreadie, Sen. Michael San Nicolas, and Sen. Tommy Morrison, received a first-hand look at the court operations on December 5, 2012, prior to their inauguration. After meeting with Chief Justice F. Philip Carbullido, the senators toured the court facility, received a briefing on the Judiciary, including trends and the financial outlook, from Joshua Tenorio, Director of Policy, Planning and Community Relations; Richard Martinez, Clerk of the Superior Court; and John Lizama, Chief Probation Officer. The senators then received a briefing about the composition of Guam's laws and statutes, administrative rules and regulations from Compiler of Laws Geraldine Amparo Cepeda, and learned about statutory and Supreme Court opinions from Hannah Arroyo, Clerk of the Supreme Court, and Danielle Rosete, Supreme Court Staff Attorney.







#### Investiture of Superior Court Judge Maria Teresa Cenzon

On December 20, 2012, Maria Teresa Cenzon was sworn in as the first Filipina-American Judge of the Superior Court of Guam. Before her investiture, she was Legal Counsel for Governor Eddie Calvo; Director of Policy, Planning and Community Relations at the Judiciary; and was in private practice for more than ten years. She also served on the Guam Bar Association Board of Governors since 2006, and was Board Secretary from 2008 until 2012, when she resigned following her nomination and confirmation as a judge. Her court docket consists of general jurisdiction cases.



# Supreme Court

The Supreme Court of Guam has jurisdiction to hear appeals over any cause decided by the Superior Court of Guam or other courts created by Guam law; has supervisory jurisdiction over the Superior Court and all other courts created by Guam law; and has original jurisdiction over proceedings necessary to protect its appellate jurisdiction and supervisory authority. The Supreme Court also has the authority to make and promulgate rules governing the practice and procedure in the courts of Guam.

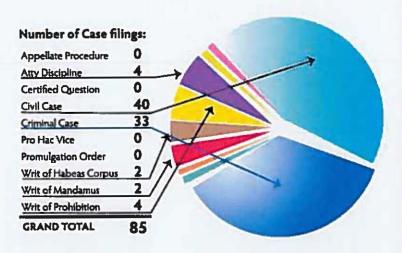
All filings in the Supreme Court increased in 2012. The case filings increased dramatically, as there were 40 case filings in 2011, which more than doubled to 85 filings in 2012. There were 146 orders filed in 2011, which increased to 187 orders filed in 2012, and 91 actions filed in 2011 which increased to 137 in 2012.

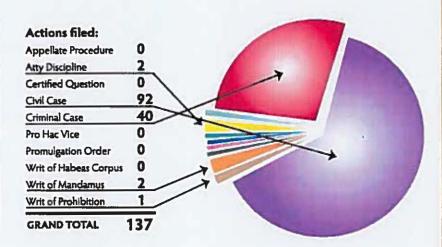
On April 3, 2012 the Supreme Court adopted appellate time standards to ensure that all matters brought before the appellate court are expeditiously resolved. Under the new appellate time standards, opinions in appealed cases should be issued not more than six months following the oral argument, writ applications shall be resolved in 90 days, and oral argument for a matter shall be scheduled within 170 days from the filing of the notice of appeal.

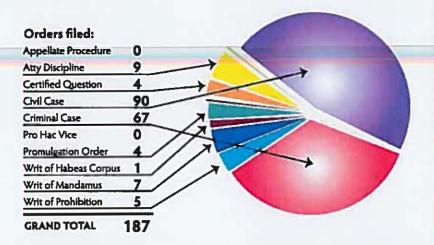
The Justices of the Supreme Court of Guam are: Chief Justice F. Philip Carbullido Associate Justice Robert J. Torres, Jr. Associate Justice Katherine A. Maraman

Opinions issued in 2012:

# Civil Case 17 Writ Cases 2 Certified Question 0 Criminal Case 8 Total 27







# Superior Court

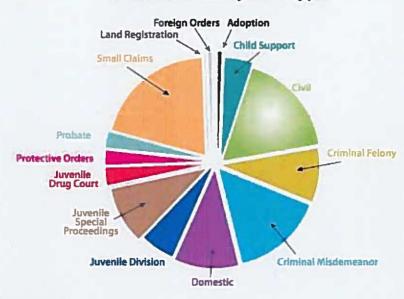
The Superior Court of Guam is our island's court of general jurisdiction, and seven judges preside over the cases brought before them – from criminal felony and misdemeanor cases, civil matters involving more than \$10,000, divorce and custody cases, to probate and special proceedings. The magistrate judge has jurisdiction over certain proceedings in criminal and civil cases and other matters. The Administrative Hearings Officer presides over child support cases and juvenile matters, while the Small Claims Referee conducts trials and holds hearings for Traffic Court and Small Claims Court.

In 2012, the Superior Court saw a slight increase in cases filed. The majority of newly filed cases in 2012 were criminal felony and misdemeanor cases, civil matters, and small claims cases.

The judicial officers of the Superior Court are:

Presiding Judge Alberto C. Lamorena III
Judge Michael J. Bordallo
Judge Anita A. Sukola
Judge Arthur R. Barcinas
Judge Vernon P. Perez
Judge James L. Canto II
Judge Maria T. Cenzon
Magistrate Judge Alberto E. Tolentino
Senior Judge Pro Tem Richard H. Benson
Senior Judge Pro Tem Elizabeth Barrett-Anderson
Administrative Hearings Officer Linda L. Ingles
Small Claims Referee Benjamin C. Sison, Jr.

#### 2012 Caseload by Case Type



#### FIVE YEAR COMPARATIVE CASES FILED

Year	2008	2009	2010	2011	2012
Description					
Adoption	67	57	43	28	48
Child Support	476	438	499	482	370
Civil	1,553	1,897	2,064	1,984	1,395
Criminal (Felony)	618	671	762	727	735
Criminal (Misdemeanor)	1,194	1,346	1,273	1,300	1,207
Domestic (Divorce)	868	868	849	878	869
Juvenile Delinquent	405	276	235	316	458
Juvenile Special Proceedings	944	828	895	781	773
Juvenile Drug Court	151	141	84	131	217
Land Registration	3	5	6	2	1
Probate	215	182	176	154	190
Special Proceedings	247	264	260	216	202
Small Claims	2,214	2,154	1,869	2,125	1,643
Foreign Orders	0	1	6	3	1
Protective Orders	81	93	83	125	137
Restitution and Fines	n/a	0	72	42	32
GRAND TOTALS:	9,036	9,221	9,176	9,294	8,278

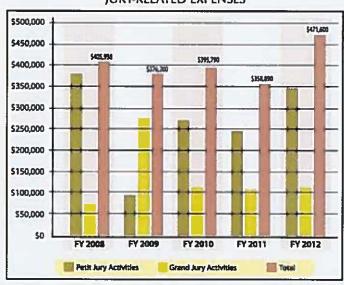
<sup>\*</sup> Source: Superior Court of Guerra

# Superior Court

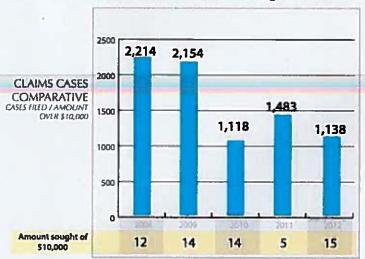
FIVE-YEAR CASE COMPARATIVE • JURY MANAGEMENT STATISTICS

CATEGORY	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Petit Jury Orientations	12	12	11	15	22
Petit Jury Selections	59	62	65	53	77
Petit Jury Trial Cases	26	31	34	27	39
Petit Jury Trial Days	110	144	111	111	162
Grand Jury Selections	2	2	2	2	2
Grand Jury Days	117	146	182	175	188
Grand Jury Cases	594	603	724	701	708
Jurors Present	13,531	12,540	13,193	11,963	15,720

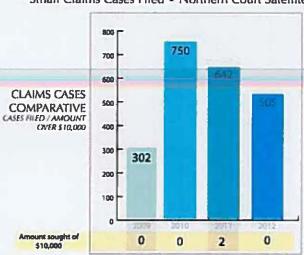
#### **JURY-RELATED EXPENSES**







\* Small Claims Cases Filed • Northern Court Satellite



# Superior Court

Adult Drug Court

The mission of the Judiciary of Guam Adult Drug Court is to hold criminal offenders accountable for their behavior, to cease criminal activity related to the abuse of alcohol and drugs, and to increase the likelihood of successful rehabilitation through immediate, continuous, and extensive supervision. Through a committed collaborative team approach, we will work diligently to aid our client's successful recovery and re-integration into the community as productive, law abiding citizens.



In 2012, the Adult Drug Court I Program received 86 new legal eligibility referrals from the Attorney General's office. In 2011, ADC received only 75 legal eligibility referrals from the Attorney General's office.

Since its inception in 2003, there have been 770 cases referred to the Adult Drug Court. Of those referred, 413 individuals were admitted, with 108 individuals withdrawn or terminated for various reasons, including expiration of probation, consistent violations of program requirements, new drug possession charges, etc. Since the first adult drug court graduation in 2005, 242 individuals have graduated from the program.

Staffing: a full time Coordinator, one (1) Administrative Services Assistant, and three (3) Case Managers. There are five (2 licensed IMFT and 3 Group Therapist) part time employees who conduct the treatment portion of the programs respectively.

#### Mental Health Court

The mission of Mental Health Court is to provide sustainable and adequate treatment to better serve the adult mentally ill and developmentally disabled population on Guam. This specialty court provides wraparound community-based treatment and services to defendants diagnosed with a mental illness brought before the court for alleged criminal behavior. The MHC ensures that qualified defendants are properly screened, evaluated, and treated. Defendants in the program are closely followed and encouraged to attend appointments, take prescribed medications and report to the probation office as directed. Additionally, MHC Staff and Probation Officers regularly visit with the clients in their home, reinforcing requirements to follow the directions of the courts and various stakeholders served.

#### Juvenile Drug Court

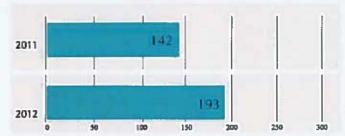
The Guam Juvenile Drug Court (JDC) will integrate drug treatment services with the juvenile justice system, which includes law enforcement, prosecution, defense attorney, and the educational system; provide access to a continuum of prompt, intensive, holistic substance abuse treatment to juveniles and their families; and assess family needs and engage the family in the juvenile's recovery.

The Juvenile Drug Court program received 217 new cases in 2012. In 2012, 193 juvenile clients were supervised as part of this program, an increase from the 142 supervised in 2011.

Since the first juvenile drug court graduation in 2003, 268 juveniles have graduated from the program, including 29 in 2012.

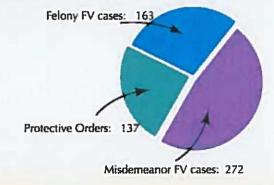
Staffing: a Drug Court coordinator; four (4) probation officers; one (1) juvenile tracker; and eight (8) part-time individual contract treatment providers who supervise both Intensive and Non-Intensive track.

#### Juvenile Drug Court



#### Family Violence Court

The Family Violence Court is an Integrated Domestic Violence Court that allows a family to have all civil and criminal cases arising from the same incident heard by a judge specifically trained to address legal issues that arise within families. This successful 'One Judge, One Family' model improves caseload efficiency while increasing the services provided to victims and increasing defendant accountability.

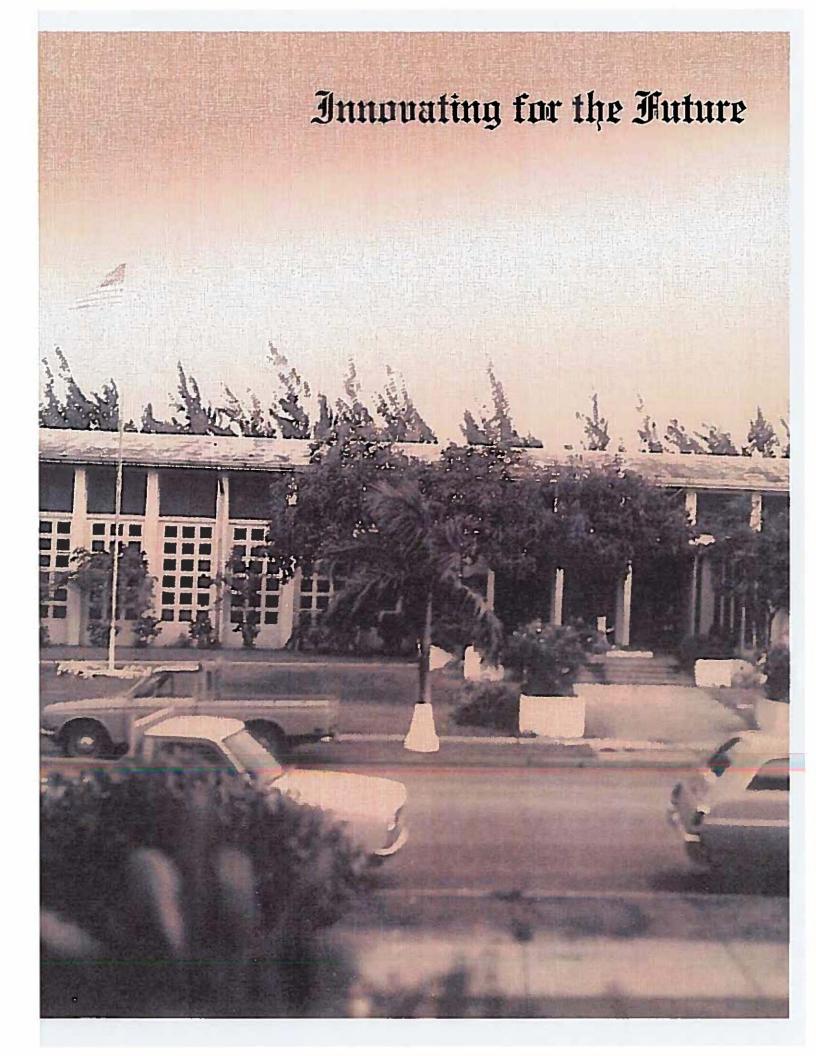


Mental Health Court Statistics 2012

Total Number of Clients Currently in the MHC Program 67

Number of Clients Participating In Formal Mental Health Court Program 23

Total Number of Clients on the Traditional Track 44



# Strategic Plan

In 2012, the Judiciary completed the months-long process of updating its strategic plan, which culminated with a new strategic plan, Our Way Forward: The Strategic Plan for the Guam Judiciary 2012-2015. A critical component of the strategic planning process involved formulating and implementing strategic initiatives and projects, set forth in detail in a companion document, entitled 2012 Strategic Projects: A Companion to the 2012-2015 Strategic Plan. Throughout 2012, the committees formed to address specific focus areas made considerable progress toward implementing these strategic projects.

#### Strategic Focus Area #1: Access to Courts and Delivery of Services

Chair Judge Anita A. Sukola

Co-Chairs: Senior Judge Pro Tem Elizabeth Barrett-Anderson, Administrative Hearings Officer Linda L. Ingles

Management Lead: Robert S. Cruz

#### Strategic Projects:

#### Offer more court services online

 Patrons will soon have the capability of paying fines, fees, restitution, and filling out jury questionnaires online. This capability is a component of Phase III of the ongoing CMS project, with completion date expected in July 2013.

#### 2. Offer more court services and functions at off-site locations

- Probation Division has been offering classes for probation clients at the Northern Court Satellite since November 2012. These classes include: Anger and Stress Management (adults), Alcohol Education Program (English), Alcohol Education Program (Chuukese), and Petty Theft Diversionary Program.
- Jury orientation sessions have been held at the Northern Court Satellite since November 2012.

#### 3. Enhance court interpreter program

 The Judicial Council approved the Court Interpreter Registry Program during the November 2012 Judicial Council meeting. Minimum qualifications for participants in the interpreter program are being established, rules for the program are being drafted, and a standardized basic training program is being developed. The Code of Professional Conduct and Ethics for Court Interpreters was submitted to the Judicial Council for approval.

#### 4. Improve distribution of court information

 Subcommittee members continue to work on plans to create a Judicial Information Booth.

 The public access module of the Case Management System continues to be developed as part of Phase III of the Case Management System. The instructional videos for the public access module are expected to be implemented with the roll-out of Phase III.

#### Expand resources to pro se litigants

 Committee members continue to develop additional pro se forms for the Judiciary website.

 New interactive interviews are being developed in conjunction with Guam Legal Services for the A2J (Access to Justice) system.

#### Develop parking solutions

 The site for a new parking lot has been identified, and funding has been obtained for parking lot design.

#### Strategic Focus Area #2: Operational Efficiency, Effectiveness and Timeliness

Chair: Justice Robert J. Torres Co-Chairs: Judge Michael J. Bordallo, Judge James Canto Management Lead: Richard B. Martinez

#### Strategic Projects:

#### 1. Re-examine and revise motion practice rules

 Members of the Supreme Court Subcommittee on the Rules of Civil Procedure and Rules of Practice held numerous meetings and working sessions to redraft the motion practice rule.

#### 2. Review and revise time standards and reporting

 Draft proposed amendments have been discussed by committee members and presented to judicial officers for their input. The committee continues to meet regularly to review and revise the standards and methods of reporting.

#### Examine case assignment process, giving consideration to the weighting of cases

 Members of the committee continue to meet to discuss areas of concern and the feasibility of developing a system for weighting cases.

#### Evaluate and improve workflow in each division, in light of new CMS, and update SOPs accordingly

 Key members of each Judiciary division continue to meet in subcommittees to draft SOPs or make changes to existing procedures and work flows.

#### Monitor ADR programs for effectiveness and enhancement

 Proposed changes to the local rules of court for the court-annexed mediation program and the SOP for the court-referred mediation program were discussed, drafted and presented to the judicial officers for their consideration. The subcommittee continues to meet monthly.

# Strategic Plan

#### Strategic Focus Area #3: Satisfied and Competent Personnel

Chair: Justice Katherine A. Maraman Co-Chair: Judge Vernon P. Perez Management Lead: Barbara Jean T. Perez

#### Strategic Projects:

- 1. Review job descriptions and performance evaluations
  - Creation of the Mid-Management Committee, comprised of supervisors and senior employees of various Judiciary divisions, to review draft job standards submitted by the National Center for State Courts and update as needed, for eventual approval of the Judicial Council.
  - Members of the Mid-Management Committee also meet twice monthly to review and recommend changes to the draft performance evaluations submitted by the National Center for State Courts, for eventual approval of the Judicial Council.
- 2. Implement succession planning and mentoring program
- The committee began the process of developing the Judiciary's Talent Management Program, the in-house professional development and succession planning program.
- Improve employee recognition and incentive program
   A job satisfaction survey was developed and conducted in
  - A health and fitness program, Active for Life, was launched in November 2012 and was completed in January 2013.
  - Committee members continue to look for creative ways to recognize employee service, special events, promotions, etc., primarily through the Judiciary Intranet. Additional programs continue to be developed, with implementation largely dependent on available funding.
- Establish professional development and initiative to improve employee skills
  - The committee established training area categories in June 2012.
  - The next step involved identifying job occupation grouping tracks. A training survey was developed and disseminated to court employees in August 2012, with survey results analyzed in September 2012.
  - Committee members continue to identify appropriate training vendors, in-house trainers, and research other jurisdictions in order to develop the Judiciary's Professional Development Initiative – Judiciary Training Catalog, and training packages by job classification to further promote in-house professional development opportunities.

#### Strategic Focus Area #4: Stakeholder and Community Relations

Chair: Presiding Judge Alberto C. Lamorena III Co-Chair: Judge Arthur R. Barcinas Management Lead: Joshua F. Tenorio

#### Strategic Projects:

- Use radio, television and social media to educate and assist the public with court services and processes
  - Committee members reviewed the use of social media in other jurisdictions and identified the tools, best practices, and recommended methods in the process of developing the social media approach and policy fo the Judiciary.
  - A public information media plan was developed, which identifies topics and issues to be periodically discussed by judicial officers and other court staff, using different media outlets.
- 2. Periodically identify stakeholders and develop directory of their services
  - The committee members identified the Judiciary's government and non-government community partners for inclusion in a comprehensive listing. The committee continues to work on developing a directory of services for eventual publication.
- 3. Hold annual retreat and regular meetings with stakeholders including the Guam Bar Association
  - Governmental and non-governmental stakeholders and community partners were identified and met with Judiciary personnel. This group continues to meet in order to plan a retreat/court conference.
- 4. Create a method/vehicle for attorneys to raise non-case specific concerns without fear of reprisal
- The committee met with the president of the Guam Bar Association to discuss attorney concerns and to develop a method for raising concerns. Meetings are ongoing.

# Technological Progress

#### Case Management System

The Judiciary continues to implement its new case management system (CMS) to modernize court operations and integrate court information and data. The launch of Phase I in 2011 saw the successful implementation of the following modules: calendaring; filings in Superior Court criminal, juvenile, and traffic cases; therapeutic courts; Probation Services Division and the Guam Sex Offender Registry; Client Services and Family Counseling Division; Financial Management Division (for fines, fees, and restitution); and Marshals Division. The next step was to implement Phase II in October 2012, adding the following components to the new CMS:

- Supreme Court case filings
- Superior Court filings in civil cases (Civil, Divorce, Protective Orders, Probate, Land Registration, Special Proceedings, Adoption, Child Support, and Foreign Orders)
- Enterprise Resource Planning for:
  - o Financial Management Division (Payroll and Benefits)
  - o Human Resources Division
  - Procurement and Facilities Management Division
  - o Court Programs Division for federal grants
  - o Office of the Public Guardian
  - o Jury Management

Phase III, which will include the E-Payments Functionality/New Point of Sale System for processing online payments for various court fines and fees, is anticipated for completion in June 2013. Phase IV is scheduled for implementation from June 2013 to January 2014 and will support E-Filing and Public Access Systems for both the Supreme Court and Superior Court via the Judiciary's website.

#### Criminal Justice Information System

The Criminal Justice Information System (CJIS) Integration Project has been a collaborative effort among Guam's criminal justice entities, and the Criminal Justice Automation Commission met throughout 2012 in preparation the launch of this project. The system will be comprised of a message switch and a Virtual Computerized Criminal History Records (VCCH) system. The system will allow "real time" access to Guam Police Department arrest data, Attorney General's Office prosecutorial data, Judiciary of Guam conviction data, and Department of Corrections parole and status data. This system of comprehensive and consolidated criminal justice information will assist Guam's local, federal, and military law enforcement in public safety efforts at the local and national level. An important component, the Persons' Name Query System, is tied to the court's new CMS, and allows law enforcement personnel to conduct a name search to obtain information for all local outstanding and active warrants of arrest, probation status, sex offender status, and more. The VCCH project is expected to be launched in March 2013.

#### National Crime Information Center

The National Crime Information Center (NCIC) is a database of documented criminal justice information available to law enforcement agencies nationwide. It is managed by the Federal Bureau of Investigation Criminal Justice Information Services (FBI-CJIS) Division and operates under a shared-management concept between the FBI and local, state, tribal and federal criminal justice agencies.

The Judiciary of Guam has served as the Criminal Justice Systems Agency for Guam since 2002 and is responsible for the administration and usage of the NCIC within the territory. The Judiciary's duties include submitting all criminal and civil applicant fingerprint cards to the FBI and maintaining a criminal history repository of dispositions submitted to the FBI-CJIS Division.

The Guam law enforcement agencies with access to the NCIC are:

- Guam Police Department
- Guam Airport Police
- Office of the Attorney General
- Guam Port Police
- Department of Corrections
- Department of Customs and Quarantine

# Beveloping Court Staff

The Judiciary continues to ensure it maintains a satisfied and knowledgeable workforce in order to provide excellent services to the public. Throughout 2012, Judiciary employees participated in several training and educational opportunities, including:

#### EQUAL EMPLOYMENT OPPORTUNITY (EEO) & SEXUAL HARASSMENT TRAINING

This training is provided to all new employees and as a refresher course to non-management and management level employees. The employees receive insight on issues regarding equal opportunities in employment. The participants are informed of the federal and local laws which created and are applicable to EEO. They are also informed of their EEO rights and the Discrimination Complaint Process which is available should an employee feel, he or she is a victim of discrimination.

#### LAW ENFORCEMENT-RELATED TRAINING

Throughout the year, certified trainers within the Marshals Division conducted law enforcement training. To keep our deputy marshals and probation officers updated on officer survival skills and weapons policies, these employees received the following training in 2012:

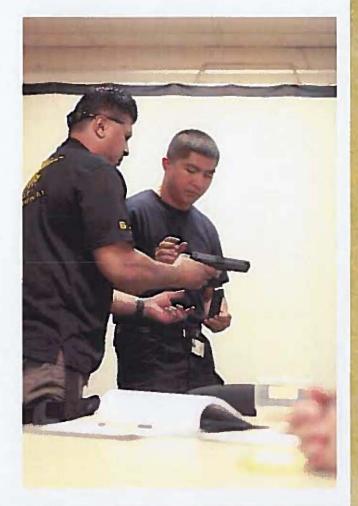
- o Firearms Requalification Training
- o Judicious Use of Deadly Force
- o Tactical Tracking Operations
- o High Risk Response Training

#### JUDICIARY LAW ENFORCEMENT CYCLE

In partnership with the Guam Department of Education, the School Resource Officer (SRO) Program was developed in 2012. In February 2012, five probation officers received extensive training prior to their assignment to each of the five public high schools. In October 2012, four additional probation officers were trained as SROs.

The training program developed by the Marshals Division's Training and Staff Development section includes the following courses:

- o Basic Firearms Training with Qualification course
- o Basic Officer Survival/Self-Defense Tactics
- o PPCT Impact Weapon System (Expandable Baton)
- O.C. Pepper Spray
- o High Risk Response Training
- o Judicious Use of Deadly Force
- Tactical Tracking Operations Level 1
- o Crowd/Riot Control
- o Basic Report Writing
- o Conducting Presentations
- CPR/First Aid/AED certification course





# Developing Court Staff

# 2012 PACIFIC JUDICIAL COUNCIL IT TRAINING FOR JUDGES



In September 2012, the Pacific Judicial Council (PJC) Education Committee offered an IT training for judicial officers within the Pacific region. The participants received the following training:

- Using Microsoft Office (Word, Excel, PowerPoint) for Beginners and Intermediates
- o Using Westlaw for Legal Research
- Using Free Internet Legal Research Websites
- o Working with Email
- o Tips for iPad Users
- o Using Adobe Acrobat
- o Protecting your Computer from Hackers and Viruses
- COOP-Disaster Recovery (Continuity of Operations) for IT





#### CASE MANAGEMENT SYSTEM

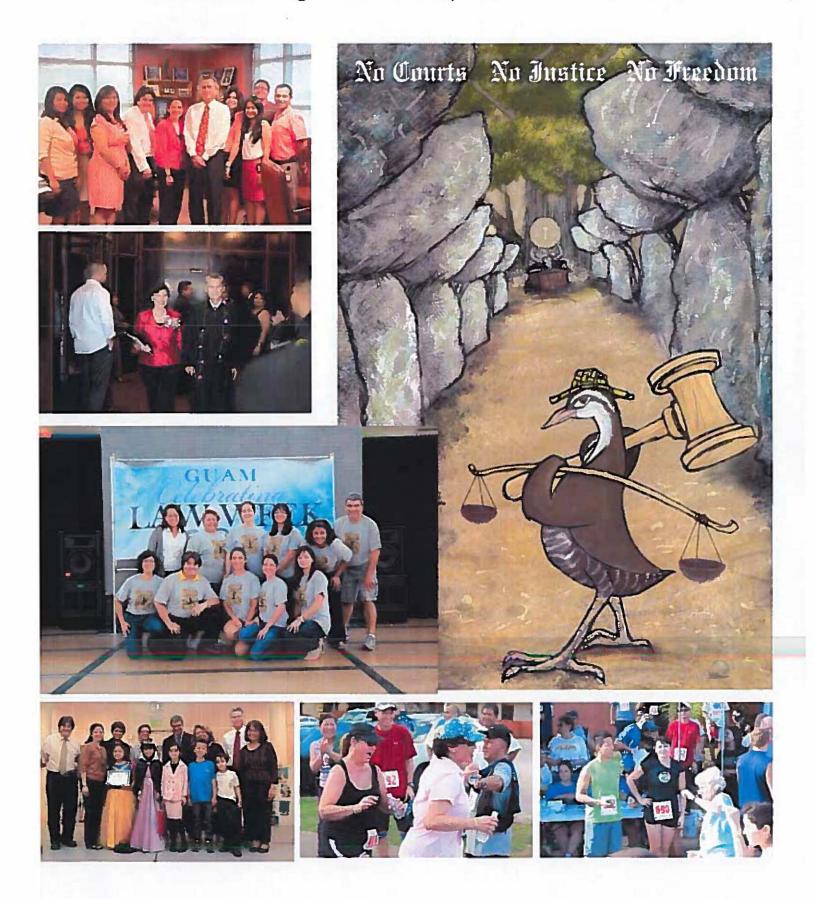
In October 2012, the Judiciary went live with Phase II of the new case management system (CMS). Judiciary employees from all divisions received training prior to the implementation of Phase II. Several employees from each division were also trained as Subject Matter Experts (SMEs). The SMEs received additional training on how to work with the various components as they relate to the SMEs' respective divisions and will also serve as resource members during the transitional period following the implementation phase.







# Community Outreach and Education



#### Community Outreach and Education



# Law Week 2 0 1 2

NO COURTS, NO JUSTICE, NO FREEDOM

Guam's Law Week 2012 sponsors, the Judiciary of Guam, the District Court of Guam, and the Guam Bar Association (GBA), focused on the fundamental connection between our courts and our freedom. Our Law Week programming reflects a yearlong commitment to civic education, reaching thousands of students and citizenry in the classrooms, the courtrooms, and through media partners and outreach efforts. Our success was reflected in overwhelming numbers of participants and new and innovative programming that amplified our reach to the community. Impressed by the success of our 2012 Law Week program, the American Bar Association selected Guam as the recipient of the 2012 National Law Day Award, the third national award received by Guam in the last five years.

Law Week 2012 kicked off with a joint proclamation and resolution presentation from all three branches of government declaring May 1, 2012 as Law Day, and April 28- May 5, 2012 as Law Week 2012.

#### Fairy Tale Mock Trials

At the Judiciary, the island's elementary and middle school students filled the courtrooms with colorful costumes and inspiring performances during their mock trial plays, which reinterpreted fairy tales and other classic stories in a courtroom setting. The entertaining and educational plays featured headline cases such as The Three Bears v. Golden Locks, State v. Jack Robinson, and Red Riding Hood v. I.M.A. Wolf.



An original mock trial script inspired by John Adams' representation of less popular clients highlighted this year's Law Day theme. Over the past five years, participants grew from 40 students to more than 350 students.

Throughout Law Week, the Judiciary opened its doors to the public during an Open House and invited the public to tours of the Superior Court.



Islandwide High School Mock Trial Competition

Students from the island's high schools were honored at a special Mock Trial Awards program held during Law Week for their participation in the High School Mock Trial Competition.

The following winners of the High School competition were honored atthe ceremony during Law Week:

First Place - St. Thomas Aquinas Catholic High School

Second Place - St. John's School

Third Place - Academy of Our Lady of Guam and Okkodo High School (Tie)

Outstanding Witness – Mike Yoon, St. Thomas Aquinas Catholic High School Outstanding Attorneys – Whitney Quinley, St. Thomas Aquinas Catholic High School, and Lillian Gill, St. John's School

As first place winners, St. Thomas Aquinas students represented Guam in the 2012 National Mock Trial Championship in Albuquerque, New Mexico, and placed 8th in the nation. For the second consecutive year, Whitney Quinley received national recognition for her performance and was one of seven students to receive the Outstanding Attorney award.

#### Essay and Art Coloring Contests

More than 1,000 elementary school students joined the Law Day Art Coloring Contest. Art contest entries from students in grades K-5 were displayed in the Judiciary's atrium during Law Week. More than 200 middle and high school students entered the Law Day Essay Contest, with many writing about the inspirational visit in January 2012 from U.S. Supreme Court Justice Sonia Sotomayor.

The following winners of the Art and Essay contests were honored at a special ceremony during the Law Fair:



K-2nd Grade

First Place – Charles Sanchez, C.L. Taitano Elementary School Second Place – Cayla Delfino, Santa Barbara Catholic School Third Place – Nishka Dewan, St. Anthony Catholic School

3rd-5th Grade

First Place – Dharma Cooper, Santa Barbara Catholic School Second Place – Josiah Santos, Talofofo Elementary School Third Place – Nevea Salas, Talofofo Elementary School

#### **Essay Contest**

Middle School

First Place – Robert Kranz, McCool Middle School Second Place – Noelle Monge, St. Anthony Catholic School Third Place – Maria Bagana, Bishop Baumgartner Memorial Catholic School Honorable Mention – Brett William L. O'Connor, St. Francis Catholic School

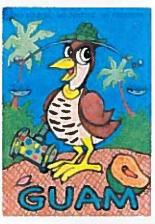
High School

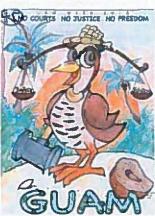
First Place – Leo Manibusan, Father Duenas Memorial School Second Place – Vanessa Ochavillo, Academy of Our Lady of Guam Third Place – Bryce Onjukka, Guam Adventist Academy Honorable Mention – Hannah Choi, Guam Adventist Academy





















#### Hustisia Award

A special event held during Law Week is the annual presentation of the Hustisia Award, in recognition of a person or organization that has contributed significantly to the administration of justice and good government in Guam. In 2012, Chief Justice F. Philip Carbullido had the honor of presenting the Hustisia

Award the Honorable Richard H. Benson. For over 40 years, Judge Benson has presided over cases throughout the Pacific with acute attention to island custom and culture. His service to the courts reveals his involvement in the development of judicial systems here in the Pacific and his dedication to the islands. He is a gentleman lawyer—his dignity on the bench is legend. His dedication to the rule of law is matched only by his dedication to his chosen faith, which he continues to serve with vigor on a worldwide scale.



#### Law Fair

Hundreds from the community attended the most far-reaching Law Week event, the annual Law Fair held at the Micronesia Mall. The Law Fair gave the public the chance to learn about the services and programs at the local and federal courts, law enforcement agencies, and community organizations. Entertainment included mock trial performances, cultural dances by the Natibu Dance Academy, dance performances by students from St. Anthony Catholic School, and demonstrations by the military and Guam K-9 units.



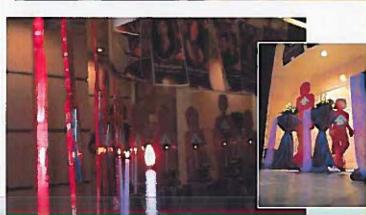
# Relay for Life 2012: iRelay

The Judiciary employees once again rallied to reach their fundraising goal in support of the American Cancer Society's 2012 Relay for Life. "Team Kotte" eagerly joined the various teams from other organizations on the George Washington High School track during the night-long relay. The countless hours and selfless contributions from the Judiciary employees exhibited their commitment to supporting the fight against cancer.











# 16th Annual Silent Witness Candlelight Ceremony

Twenty-six red silhouettes surrounded the atrium of the Judiciary during the 16th Annual Silent Witness Candlelight Ceremony chaired by Presiding Judge Alberto C. Lamorena III on October 5, 2012. The silhouettes stand as a reminder of those whose lives ended in tragic acts of domestic violence. The keynote speaker, Mrs. Lucia Pangelinan, shared her story about her son, Hans Dela Cruz, who at age 19 was a victim of violence. The ceremony was well attended by community leaders, families of the victims of domestic violence, and many from the community.



SAFE & DRUG-FREE Schools Project

The Judiciary of Guam continued its partnership with the Guam Department of Education (DOE) in 2012 to teach and implement law-related, civic, and character educational programs to students, school staff, parents, and the community. The Safe & Drug-Free Schools Project is partly funded by the U.S. Department of Education Title V-A Consolidated Grant #84-403A and includes bullying prevention, Play by the Rules<sup>IM</sup> (PBR), Children at Risk (CAR), and the School Resource Officer (SRO) Program. Overall, the project provided training and outreach for 1,734 students and 1,382 adults in 2012.

#### **Bullying Prevention**

Bullying prevention includes implementation of evidence-based programs: the globally recognized Olweus<sup>IM</sup> Bullying Prevention Program (Olweus) in elementary schools, and the student-driven Safe Schools Ambassadors® Program in secondary schools. Other bullying prevention includes Bullying Prevention Advisory Group stakeholder initiatives to improve policies and procedures to address bullying, cyber bullying, sexting, and related youth violence and behavioral issues.

To launch the Olweus program, from May 8 to 11, 2012, Judiciary and DOE certified Olweus trainers conducted a two-day training for 267 faculty and staff from all 26 DOE elementary schools. On May 24 & 25, two Judiciary Olweus trainers began implementation in Bishop Baumgartner Memorial Catholic School and Saint Anthony Catholic School. From October 23 to 26, three off-island trainers conducted SSA training for 174 students and 47 adult coaches to launch the SSA program in five public schools and one private school.





#### Play by the Rules<sup>TM</sup>

PBR is a program designed to fit into the existing curriculum to teach students the Guam youth laws in an interactive 15-day pace lesson plan in a handbook for every student to own, Play by the Rules: Guam Laws for Youth. On March 27 and 28, 2012, PBR expanded from middle schools to also be taught in high schools. In this one-day training, 86 school teachers and youth service providers trained to teach PBR.



The CAR program provides outreach lessons, primarily by Judiciary attorneys/law clerks, using a video production, Children at Risk: The Juvenile Justice System, featuring DOE GATE students in a mock trial case to teach youth about the juvenile justice system and consequences of breaking the law. Other CAR outreach includes law week activities featuring students in mock trial plays with fairy tale themes.

CAR outreach lessons were provided to 133 Agueda Johnston Middle School and Untalan Middle School students in July and August 2012.

#### School Resource Officers

On February 17, 2012, five probation officers were assigned to each of the public high schools to serve as school resource officers. SROs are school-based officers who are specially trained, carefully selected, full-time law enforcement officers who work in schools as their primary assignments. They follow a triad concept which divides SRO responsibilities into three areas: law-related education teacher, mentor, and law enforcement officer. In 2012, the SROs were involved in 4,740 incidents, of which 212 incidents were reported to the Guam Police Department for further action. The SROs conducted 147 presentations in the high schools throughout the year.

In February, April, and June, Judiciary Marshals Tom Masga and Vince Naputi provided community outreach training in "Administrative Response to an Active Shooter" for a total of 357 DOE school staff from 12 DOE schools as part of the SRO program. In December, 5 new SROs were recruited and began specialized training in preparation for their assignment in March 2013 for a total of 9 SROs in the 5 public high schools.











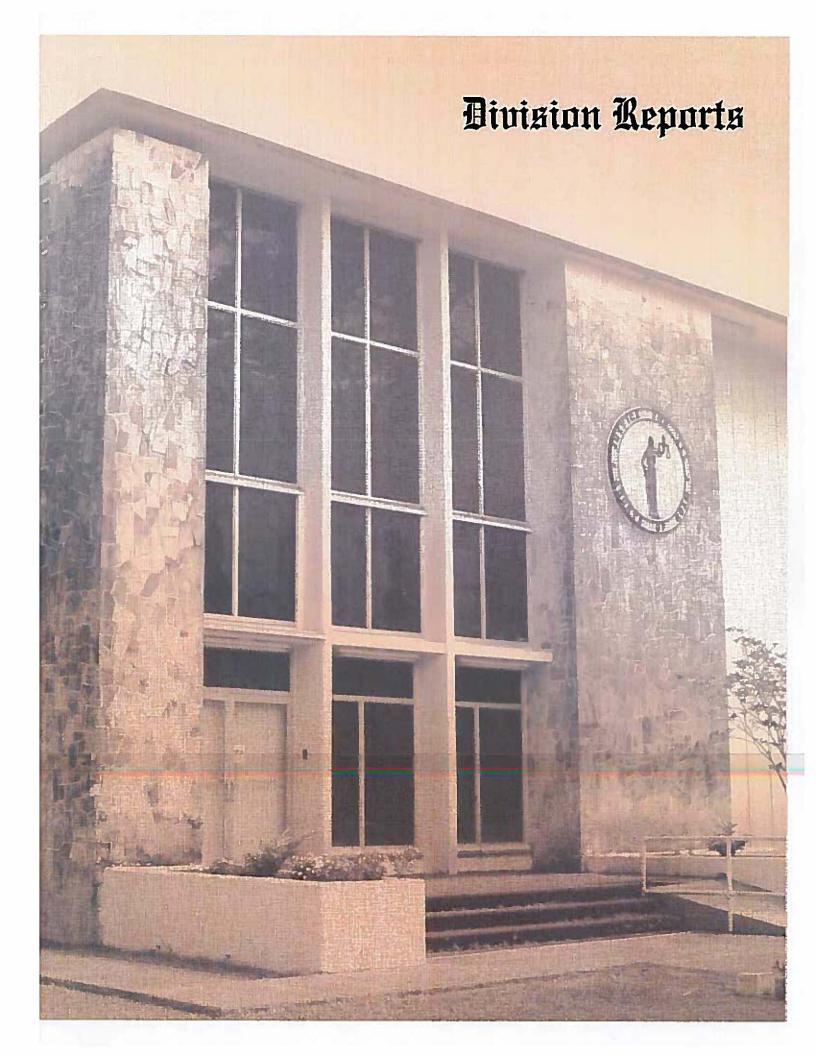












# Division Reports

#### Administrative Office of the Courts

The Administrative Office of the Courts has the primary responsibility of ensuring the efficient and effective operations of the Judiciary of Guam, consisting of shared services provided to the Supreme and Superior Courts. The Administrative Office oversees the following five divisions of the Judiciary: Court Administrative Services, Client Services & Family Counseling, Probation Services, Marshal Services, and Courts & Ministerial.

Perry C. Taitano, Administrator of the Courts. Robert Cruz, Deputy Administrator of the Courts. Joshua Tenorio, Director of Policy, Planning, and Community Relations. B. Ann Keith, Staff Attorney for the Unified Judiciary of Guam



#### Court Administrative Services Division

The Court Administrative Services Division consists of the following offices: Court Programs, Human Resources, Financial Management, Management and Information Systems, and Procurement and Facilities Management.

**Court Programs** 

The Court Programs Office is responsible for obtaining federal grants to fund Judiciary programs and monitoring compliance with grant requirements to ensure continuity of federal funding. These grants enhance the Judiciary's ability to develop initiatives and programs without relying on local appropria-The Court Programs Office secured more than \$430,000 in new federal funding in calendar year 2012, and continued to administer more than \$10 million in ongoing projects from prior fiscal years. Funding received in 2012 for new and ongoing projects include:

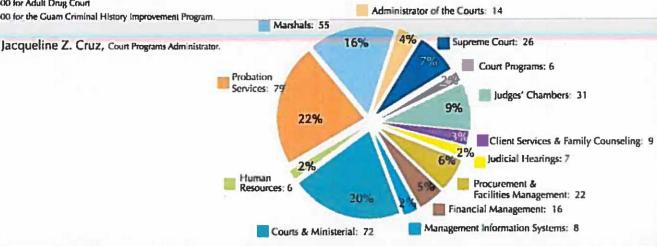
- . \$3,777,000 Compact Impact Funding for the Judiciary of Guam Case Management System
- \$3,027,900 for the Criminal Justice Information System Integration Project
- \$387,300 for the Guam Sex Offender Registry Compliance Enhancement Project
- \$268,000 for the Criminal Justice RI (Justice Assistance Grant)
- \$200,000 for Adult Drug Court
- \$150,000 for the Guam Criminal History Improvement Program.

#### Human Resources

The Human Resources Office (HR) is responsible for the overall management and administration of the Judiciary of Guam personnel, and personnel policies and programs. HR's primary role includes, but is not limited to, recruitment and selection, compensation and classification, performance management, benefits administration, training and development, leave administration, workforce discipline and management, analysis and strategic planning. HR ensures that management and administration services conform to federal and local employment related statutes, administrative management policies, and promulgated personnel rules and regulations of the Judiciary.

Barbara Jean T. Perez, Human Resources Administrator.

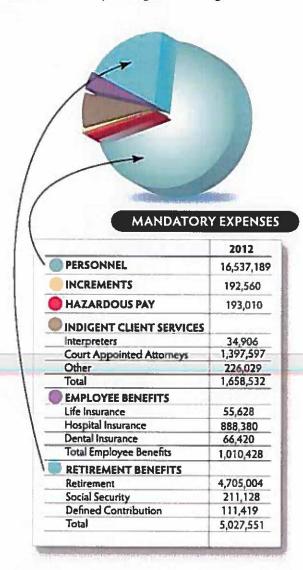
In 2012, the workforce distribution within the Judiciary was as follows:

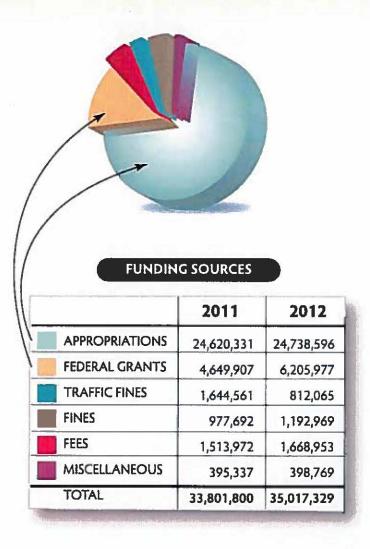


#### Financial Management

The Financial Management Office is responsible for the effective management of the Judiciary's financial resources and obligations. It is responsible for conducting internal audits and preparing financial reports, including revenue and expenditure forecasts, accounts payable, payroll, federal and local appropriations, accounts receivable, cash collection and disbursement and automation. The office is also responsible for various funds under the Judiciary's purview, such as the Operations Fund, the Judicial Building Fund, the Indigent Defense Fund, and fiduciary funds for cases involving court guardianships, trusts, and land condemnations. In addition, the office takes the primary role in preparing the Judiciary's annual budget presentation.

Anthony Meno was the Controller in 2012. Norma Camacho is currently serving as the Acting Controller.





#### **Management Information Systems**

The Management Information Systems Office (MIS) is responsible for the Judiciary of Guam's computer network and information system, including the development, installation, operation, and maintenance of hardware and software systems. In 2012, MIS played a primary role in the preparation and implementation of Phase II of the Case Management System, the Enterprise Resource Planning phase that addressed records and information regarding payroll and benefits, personnel and human resource, procurement and facilities, federal grants, as well as jury management.

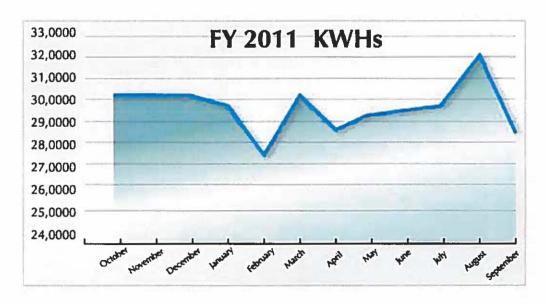
Peter Leon Guerrero, Management Information Systems Administrator

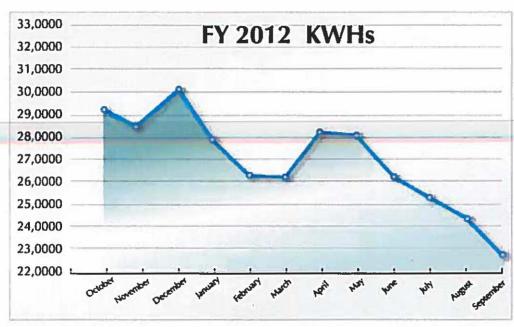
# Division Reports

#### **Procurement & Facilities Management**

The Procurement and Facilities Management Office handles purchases, capital improvements, project management, contract administration, and maintenance of the judicial complex building and grounds. After a series of energy savings projects in recent years, including the replacement of plant air conditioners, installation of a A/C Digital Control System, power conditioner equipment, and completion of a light retrofit project, 2012 marked the Judiciary's banner year for energy savings. In the past, energy usage measured as high as 332,000 KWHs per month to present day lowest of 226,400 KWHs, and a monthly average of 259,300 KWHs. The monthly average for electricity was reduced by more than 20%. In addition, after a competitive procurement process, the Judiciary implemented a new telephone and Internet system with a new provider, and realized reduction in monthly bills by nearly half the previous amount.

Raymond Taimanglo, Procurement and Facilities Management Administrator.





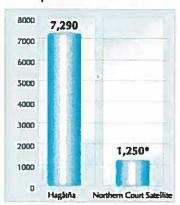
#### Marshal Services Division

The Marshals Services Division is responsible for all aspects of court security, from the justices and judges, to the court employees and patrons, and the facilities. The division is comprised of the Field section (criminal, traffic, and civil/small claims), the Security section, the Supreme Court section, Training and Staff Development section, and the Criminal Justice Information System/National Crime Information Center Section.

In 2012, the Criminal section received 9,029 documents for service, including 2,424 warrants and 6,605 other court documents. The Traffic section received 1,980 documents for service: 150 warrants and 1,830 other documents. The Civil/Small Claims section received 3,624 documents for service: 567 warrants and 3,057 other court documents. The Supreme Court section received 1,711 documents for service. The Training and Staff Development section conducted 14 training sessions in 2012, involving 1,164 participants. With specific regard to Active Shooter (Administrative Response) training, 633 participants were trained by Judiciary marshals.

The Security section is responsible for providing security for all Judges, Pro-Tem Judges, Hearings Officers, jurors, court patrons, courtroom security, escort of prisoners for court hearings, transporting of prisoners to Guam Detention Facilities, transporting of prisoners in need of medical attention (committed by the court) to GMH for medical treatment before being accepted Department of Corrections, and delivering cash deposits daily for FMD. The results of these tasks are as follows:

Chart 1: Total inmates handled, processed and viewed.



\* Total physically processed at NCS: 267. Total processed via Conference: 983

The CJIS/NCIC section is the sole submitting agency for the FBI and is responsible for updating of criminal history records on Guam to the FBI; processing and remitting of payment received for fingerprint process for firearms identification; conducting background checks requested by off-island law enforcement agencies; and reviewing criminal files to ensure accuracy prior to submission to the FBI. The results of these tasks are as follows:

Edward Toves, Marshal of the Courts.

Joseph Leon Guerrero, Deputy Chief Marshal.

#### Courts and Ministerial Division

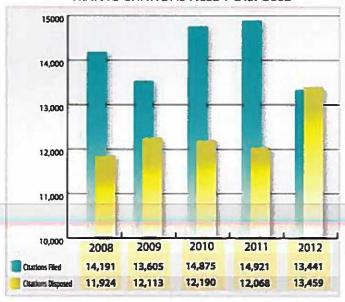
The Courts and Ministerial Division (C&M) is responsible for services critical to the administration of justice, including the fair and equitable assignment and distribution of cases to trial court judicial officers pursuant to applicable case assignment rules, the maintenance and preservation of case files and court records, and the intake and processing of court documents. C&M is comprised of the following units:

- Traffic Violations Bureau/Small Claims Court
- Jury Unit
- Child Support
- Drug Courts
- Family Courts
- Court Reporters Unit

In ensuring the fair administration of justice, C&M is responsible for other services, such as the Intake counter, where citizens of Guam file court documents; Records, which maintains case files; and Team Chambers, which provides support staff for judges' chambers and specialty courts. Employees in C&M also facilitate the use of the Self-Represented Litigants Kiosk by those citizens representing themselves in court proceedings, assist in the development of the Court Interpreter Program, and other administrative duties.

Richard Martinez, Clerk of Court. Jessica C. Cruz, Deputy Clerk of Court.

#### TRAFFIC CITATIONS FILED / DISPOSED



# Division Reports

#### Client Services & Family Counseling

The Client Services and Family Counseling Division (CSFC) provides a variety of direct therapeutic, psychological, evaluative, consultative, and educational services to the court, its clientele, and the community. Coordination and collaboration are essential for the delivery of integrated services, and CSFC remains committed to the importance of therapeutic outcomes for its clientele and will continue to be proactive, responsive and creative in ensuring programs meet the needs of its clients. CSFC will continue to develop and promote a uniform spectrum of services, case management practices, and decision-making tools that enable the courts to respond effectively to the needs of individual, families, and children. Services provided by CSFC include: Forensic and Psychological Evaluations; Individual, Couples/Conciliation and Family Counseling; Group Counseling; and In-house Consultation and Counseling.

In 2012, the division staff also provided professional consultation and technical assistance with grants and grant applications, such as the Domestic Violence Court Enhancement Project, the Judiciary's Strategic Plan, the Bullying Prevention Program, and the Case Management System; and with program development and ongoing support of the specialty courts for Mental Health, DUI, Family Violence, and Juvenile and Adult Drug Courts. CSFC assisted by providing the treatment specified in the diversionary programs of Domestic Violence Court and the evaluations required in the Drug and Mental Health Courts. CSFC saw increases in both caseload and referrals in 2012. Beginning caseload was 762 cases at the start of 2012, an increase from a caseload of only 559 in 2011. Also, the total number of cases serviced by CSFC increased: a total of 1,368 in 2012, from only 1,244 in 2011.

Virginia Yasuhiro, Client Services & Family Counseling Division Administrator.

Figure 2 reflects the number of new case types received in 2012, totaling 606 case types (568 cases). 762 cases plus a referral of 606 resulted in CSFC servicing a total of 1,368 cases in 2012. Adult criminal felony and misdemeanor cases made up 68% of the 2012 referrals. Adolescents and children in Delinquency, Juvenile Special Proceedings and Juvenile Drug Court made up 28% of the referrals. Referrals in domestic and child support cases represented 3% of the referrals in 2012.

Figure 2. Cases Received in 2012

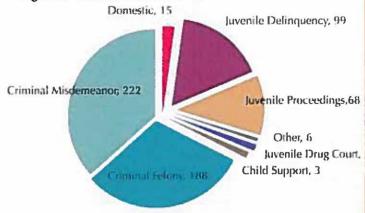


Figure 1 reflects the overall caseload of 762 at the start of the year 2012 by case type. 59% of the cases were adult criminal misdemeanor and felony cases, 35% were adolescents and children, and 3% were domestic, child support and protective order cases.

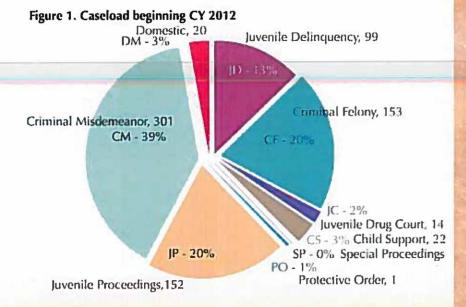


Figure 3. CY 2012 Case Closures

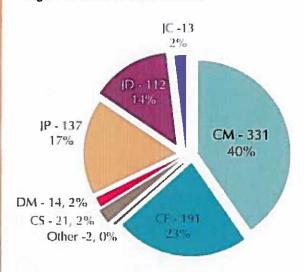


Figure 3. There were 821 cases closed in 2012. Of the 2012 closures, 63% were adult criminal misdemeanor and felony cases, 33% were adolescents and children, and 4% were domestic and child support cases.

Figure 4. Caseload Ending 2012

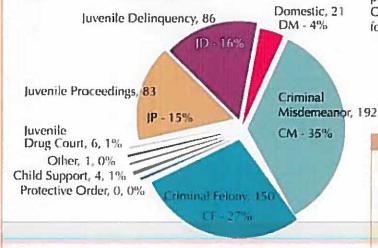


Figure 4 shows the year 2012 ended with a caseload of 547. Of the open cases, 62% were adult criminal misdemeanor and felony cases, 32% were adolescents and children, and 5% were domestic/child support cases.

Figure 5. Service Distribution

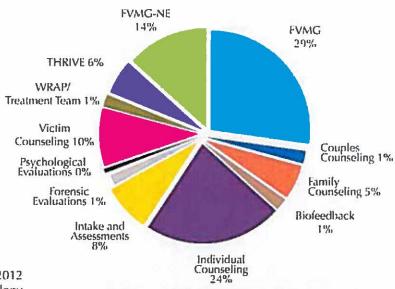


Figure 5 depicts the distribution of clinical activity by service type. Group treatment (Family Violence Men's Group, Family Violence Men's Group-Non-English speaking, THRIVE) at 49% and individual treatment at 24% are the most utilized services provided by CSFC. Intake/Assessments, Victim Counseling, Criminal Sexual Conduct Counseling, and Family Counseling follow.

Table 1. Service - Performance Outcome 2012

Services	Visits	No Shows	Total
Psychological Evaluations	14	5	19
Forensic Evaluations	37	8	45
Intake and Assessments	569	204	773
Individual Counseling	1625	803	2428
Couples Counseling	63	53	116
Family Counseling	335	116	451
Biofeedback	71	26	97
FVMG	1932	507	2439
FVMG-NE	929	336	1265
TI-IRIVE	422	214	636
WRAP/Treatment Team	32	6	38
Victim Counseling	705	135	840
Grand Total	6734	2413	9147

Table 1 depicts the type and quantity of services provided by CSFC. 6734 client treatment visits were held, with 2413 no shows in 2012.

#### Probation Services Division

The mission of the Probation Services Division is to assist in keeping the community safe and secure. This is accomplished through the enforcement and monitoring of court orders for more than 7,143 adult and juvenile offenders who are placed on supervised release, both pre- and post-adjudicated, diversion, deferred or regular probation in lieu of incarceration as mandated by 7 GCA § 8110.

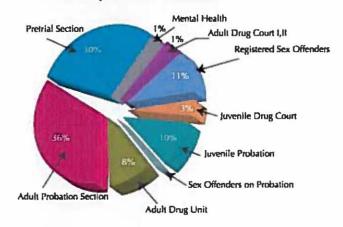
The year 2012 was a significant year for the Probation Services Division. Major accomplishments and important statistics for 2012 include:

- School Resource Officer Program (SRO). The first probation officers were deployed to the five public high schools in this program. SROs are the finest example of community policing, and despite early controversy regarding firearms, the program, in its initial year, received positive feedback from community stakeholders as well as from the students the program serves.
- Asset forfeiture. More than \$90,000.00 was received by the Probation Division as a result of its partnership with Federal Drug Enforcement Administration (DEA). The monies were used to purchase personnel uniforms and equipment.
- Pretrial Section. There were 2,246 new cases received in 2012, in comparison to 2,027 in 2011.
- Adult Probation Section. In 2012, 1,140 cases were adjudicated and transferred to the Adult Probation Section, and 835 cases were closed by court order. The Adult Probation Section supervised 2,550 cases in 2012, received 1,140 new cases, and successfully terminated 1,079 cases.
- Adult Drug Unit, which supervises probationers convicted of drug-related offenses, including individuals in the Adult Drug Court Program, supervised 593 cases in 2012.
- The Juvenile Probation Office, which supervises and monitors juveniles placed under its jurisdiction by the court, provided supervision for 725 active cases. This office also received 458 new referrals; completed 38 home assessments; prepared 13 Dispositional Reports; and executed and transported 81 pick-up orders.
- Alternative Sentencing Office, which provides the courts with meaningful alternatives to incarceration, is responsible for several programs, including the Domestic Abuse Program, the Alcohol Education Program, the Theft and Burglary Prevention Program, and the Court Crime Prevention Program. In 2012, the office served 1,977 probationers in its various programs.
- The Sex Offender Registry Management Office
  ensures that all convicted sex offenders residing on
  Guam are registered and are in compliance with
  Guam law. In 2012, 99 convicted sex offenders were
  registered, with more than 100 pre-trial criminal
  sexual conduct cases pending adjudication.

John Lizama, Chief Probation Officer.

Melanie Brennan, Acting Deputy Chief Probation Officer.

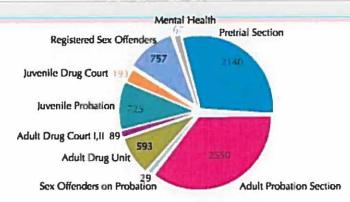
#### PSD Supervision Caseload = 7,143



The following represents the 2012 accomplishments of the Intake/Drug Testing Section:

- 3,699 Pretrial Breathalyzer Tests were conducted (3,647 Negative and 52 Positive)
- 1,916 Adult Breathalyzer Tests were conducted (1,908 Negative and 8 Positive)
- 920 Adult Drug Unit Breathalyzer Tests were conducted (916 Negative and 4 Positive)
- 62 DUI Drug Tests were conducted (61 Negative and 1 Positive)
- 7,468 Adult/Adult Drug Unit Drug tests were conducted (7,359 Negative and 109 Positive)
- 2,921 Pretrial Drug Tests were conducted (2,810 Negative and 111 Positive)
- 5,561 Adult Drug Court Drug Tests were conducted (5,433 Negative and 128 Positive)
- 375 Adult/Adult Drug Unit Saliva Tests were conducted (315 Negative and 60 Positive)
- 113 Pretrial Saliva Tests were conducted (89 Negative and 24 Positive)
- 370 Passports were secured.
- 427 Passports were released.

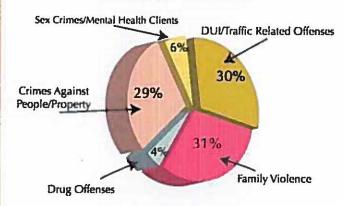
#### **Caseload Distribution**



#### **Pretrial Section**

In 2012, the Pretrial Section received 751 felony cases and 1,257 misdemeanor cases or a total of 2,246 new cases. In addition, the section coordinated the interviews of 2,018 detainees and attended 1698 Magistrate Hearings. 1,140 cases were adjudicated and transferred to the Adult Probation Section, and 835 cases were closed by court order.

#### **Pretrial Case Distribution**

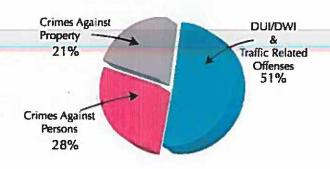


#### **Adult Probation**

The Adult Probation Section supervised 2,550 cases during 2012. Case distribution is as follows:

- 591 or 51% are DUI/DWI & Traffic Related offenses;
- 705 or 28% are crimes against persons; and
- 536 cases are crimes against property offenses.

The section received 1,140 new cases and successfully terminated 1,079 cases.



# BREAKDOWN OF ALTERNATIVE SENTENCING OFFICE (ASO) PROGRAMS FOR YEAR 2012:

Alcohol Education Pr	ogram (AEP-English)
Referral	255
Completion	206
Pending/Non-compliance	49

Alcohol Education Prog	gram (AEP-Chuukese)
Referral	94
Completion	89
Pending/Non-compliance	5

Anger and Stress Manageme	ent Program (ASMP-Adult)
Referral	111
Completion	90
Pending/Non-compliance	21

Domestic Abuse Proj	ect (DAP-Adult)
Referral	1
Completion	
Pending/Non-compliance	0

Petty Theft Diversionary	Program (PTDP-Adult)
Referral	81
Completion	63
Pending/Non-compliance	18

Court Crime Prevention	Program (CCP-Juvenile)
Referral	71
Completion	64
Pending/Non-compliance	7

Anger and Stress Manageme	ent Program (ASMP-Juvenile)
Referral	63
Completion	48
Pending/Non-compliance	15

Community Service Progra	m (CS-Juvenile and Adult)
Referral	1,301
Completion	854
Pending/Non-compliance	447

#### Supreme Court Offices

The Supreme Court of Guam, in addition to serving as the highest appellate court for the local Judiciary, has administrative oversight over the following offices: the Compiler of Laws, the Ethics Prosecutor, and the Public Guardian.

#### Office of the Compiler of Laws

The Office of the Compiler of Laws is responsible for officially publishing the session laws of the Guam Legislature, the Guam Code Annotated and updates thereto, in addition to meeting other statutory mandates. The office assists in the preparation and publication of the Opinions of the Supreme Court of Guam. Through the Compiler of Laws website, <a href="https://www.guamcourts.org/compileroflaws">www.guamcourts.org/compileroflaws</a>, the community has free online access to the laws of Guam. The Compiler of Laws also serves as the Executive Director/Librarian of the Guam Law Library, the largest and most complete legal research and information center in Guam.

Geraldine Amparo Cepeda, Compiler of Laws. Erica Eschbach, Chief Assistant to the Compiler of Laws.

#### Office of the Ethics Prosecutor

The Office of the Ethics Prosecutor receives ethical complaints against lawyers and judicial officers and assists members of the public with their complaints should the case proceed to a formal proceeding. After receipt of a complaint, the process involves an initial screening determination and, if warranted and authorized, an investigation into the allegations. In some cases, the process results in a formal complaint filed against the attorney or judicial officer. These proceedings are generally confidential, but the office ensures that complainants are apprised of the status of their complaints and of the attorney or judicial discipline process.

In 2012, 31 attorney discipline matters were initiated. A Guam attorney who was previously the subject of an order of summary suspension issued by the Supreme Court of Guam was disbarred on June 11, 2012, by order of the Supreme Court. In addition, another Guam attorney who had previously been suspended from the practice of law by the Supreme Court of Guam, applied to and was granted leave by the Supreme Court of Guam to resign from the practice of law on Guam in the face of pending charges of misconduct, which essentially amounted to disbarment. Also in 2012, two judicial discipline matters were initiated.

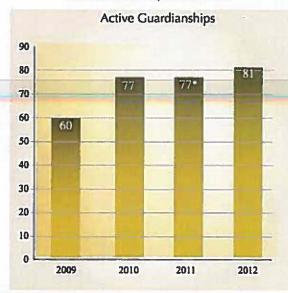
Bruce Bradley, Ethics Prosecutor.

#### Office of the Public Guardian

The Public Guardian serves as a guardian of the person or estate of an adult who, by reason of age, disease, or disability, is unable to properly manage and take care of him or herself or his or her property without assistance. The Office of the Public Guardian (OPG) receives referrals for guardianship services from judges from the Superior Court, families, as well as entities such as Catholic Social Services, St. Dominic's, Guam Memorial Hospital and the Skilled Nursing Unit, the Department of Mental Health and Substance Abuse, and the Department of Public Health Adult Protective Services. The OPG also assists and advises guardians, those who are seeking to become guardians, and the court in proceedings involving the appointment and supervision of guardians.

The OPG began 2012 with 77 wards. By December 2012, the office had purview over 81 wards. The Office received 45 referrals, and of this number, 12 became wards of OPG, and OPG filed six petitions on behalf of family members. There are at least six pending petitions for 2012 referrals. In 2012, the Department of Mental Health and Substance Abuse opened up residential homes called the "Residential Recovery Program," which accommodated five of the eight residents who were displaced when a private vendor closed after failing to negotiate a contract as part of the RFP process for FY 2011. The transition was difficult, but with the oversight by the Guam Legal Services Corporation and the District Court of Guam, the matter continues to be "a work in progress." Also in 2012, the OPG transitioned into the Judiciary's JustWare and Logos.net systems and received much needed assistance from a steady stream of interns from the University of Guam, who provided clerical help in the office as well as kind and caring assistance with the wards.

Marcelene Santos, Public Guardian.



\*This figure was previously underreported as only 74 active guardianships.

SUPREME COURT OF GUAM
Guam Judicial Center, Suite 300
120 West O' Brien Drive
Hagatna, Guam 96910
Website: www.guamsupremecourt.com
Email: justice@guamsupremecourt.com

Chambers of	NAME OF TAXABLE
Chief Justice F. Philip Carbullido	475-3413
Associate Justice Robert J. Torres, Jr.	475-3300
Associate Justice Katherine A. Maraman	475-3589
Associate Justice Natherline A. Maraillan	473-3309
Clerk of Court	475-3120/3162
Staff Attorney	475-3395
Supreme Court Security Section	475-3168
Facsimile	475-3140
Guam Board of Law Examiners (BOLE)	
C/O Supreme Court	475-3180
Facsimile	475-3181
Website: www.guamsupremecourt.com/	bole
E-mail: bole@guamsupremecourt.com	
Hagatna, Guam 96910-5174	
Office of the Public Guardian	475-3173
Facsimile	472-0381
E-mail: publicguardian@opg.guamcourts	.org
Guam Law Library	
Compiler of Laws	477-7623
Facsimile	472-1246
Website: www.justice.gov.gu/Compiler of	
E-mail: guamcompiler@gmail.com	

#### **SUPERIOR COURT OF GUAM**

Chambers of	
Presiding Judge Alberto C. Lamoren	a III 475-3410
Judge Michael J. Bordallo	475-3384
Judge Arthur R. Barcinas	475-3502
Judge Anita A. Sukola	475-3323
Judge Vernon P. Perez	475-3223
Judge James L. Canto II	475-3336
Judge Maria T. Cenzon	475-3346
General Administration	
Administrator of the Courts	475-3544
Deputy Administrative Director	475-3128
Director of Policy Planning and	
Community Relations	475-3278
Court Programs	475-3202
Facsimile	477-3184
Client Services and	
Family Counseling Division	475-3383/3101
Facsimile	472-5450
TDD	477-8043
Courts and Ministerial Division	475-3299/3357
Clerk of Court	475-3340
Traffic Violation Bureau	475-3121/3424/3326
Small Claims	475-3326/3274
Jury Commissioner	475-3440
Facsimile	472-2856
Judicial Educational Project	475-3270
Judicial Hearing Division	
Child Support Office	475-3142/3494
Facsimile	477-5023
Marshals Division	
Marshal of the Courts	475-3216
Deputy Chief Marshal	475-3315
Criminal/Field Section	475-3487
Civil/Small Claims Section	475-3545
Traffic Section	475-3513
Family/Child Support Section	475-3508
Security Section	475-3515
Post 1	475-3576
	7,5,5376

#### **Probation Division**

Chief Probation	475-3448
Pre-Trial	475-3466
Alternative Sentencing Office	475-3305
Juvenile Probation Services	475-3453
Adult Probation Services	475-3375
Office Duty/Intake	475-3388/3174
Juvenile Drug Court	475-3373
Adult Drug Court	475-3361
Adult Drug Unit	475-3151
Facsimile	477-4944