

#### IN THE SUPREME COURT OF GUAM

Supreme Court of Guam Administrative Order No. ADM20-203

### RE: **RELATIVE TO COURT OPERATIONS UNDER EXIGENT CIRCUMSTANCES RELATED TO COVID-19 (CORONAVIRUS)**

WHEREAS, 48 U.S.C.A. § 1424-1(b)(2) provides that the Chief Justice of the Supreme Court of Guam shall be the administrative head of, and have general supervisory power over, all departments, divisions, and other instrumentalities of the judicial branch of Guam; and

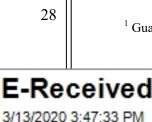
WHEREAS, 48 U.S.C.A. § 1424-1(b)(3) provides that the Chief Justice of the Supreme Court of Guam may issue such administrative orders as necessary for the efficient administration of the judicial branch of Guam; and

WHEREAS, the Judiciary of Guam is mindful of its duty to ensure the "just, speedy, and inexpensive determination of every action"<sup>1</sup> as well as its duty to protect parties, court staff, witnesses, corporate representatives, and practitioners who appear before it and the community in which it sits;

NOW, THEREFORE, by the authority vested in me by the aforementioned sections of the Organic Act of Guam, I do **ORDER**, the following precautions be taken with regard to the practice of law before the courts of Guam.

Attorneys scheduled to appear before the Superior or Supreme Courts of 1. Guam who are experiencing flu-like symptoms, have a fever, or who are coughing

<sup>1</sup> Guam R. Civ. P. 1



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and/or sneezing for at least 24 hours should not come to court. Instead, please contact the appropriate Clerk of Court and opposing counsel to reschedule your hearing date.

2. Attorneys who have recently traveled to states or countries where Coronavirus Disease (COVID-19) outbreaks have occurred may, out of an abundance of caution, also contact the appropriate Clerk of Court and opposing counsel to reschedule hearing dates.

3. Attorneys meeting this description who have any other business before the courts shall contact the appropriate Clerk of Court by telephonic or other means, inform them of the nature of such business, and receive further instructions to address such business in a manner consistent with this order.

4. With regard to criminal matters wherein the right to a speedy trial has already been asserted, judges presiding over such cases shall, upon motion of a party, determine whether a delay caused by precautions taken herein amount to good cause pursuant to 8 GCA § 80.60.

5. Attorneys are expected and required to act in good-faith pursuant to the Guam Rules of Professional Conduct and other applicable rules of the court.

**SO ORDERED** this 13th day of March, 2020.

/s/ F. PHILIP CARBULLIDO Chief Justice



JUDICIARY OF GUAM

Administrative Office of the Courts Guam Judicial Center • 120 West O'Brien Dr • Hagåtňa, Gu. 96910 Tel: (671) 475-3544 • Fax: (671) 477-3184



HON. F. PHILIP CARBULLIDO CHIEF JUSTICE

HON. ALBERTO C. LAMORENA III PRESIDING JUDGE KRISTINA L. BAIRD ADMINISTRATOR OF THE COURTS

## JUDICIARY OF GUAM

## ADVISORY INFORMATION REGARDING CORONAVIRUS (COVID-19) AND COURT OPERATIONS

The Judiciary of Guam continues to closely monitor national and local responses to the Coronavirus (COVID-19) outbreak and will be following guidance provided by national and local public health agencies and the Centers for Disease Control and Prevention (CDC), available at https://www.cdc.gov/coronavirus/2019-ncov/index.html.

# <u>At this time, there are no changes to normal court operations within the Court but</u> <u>visitor restrictions are being implemented.</u>

Effective immediately, the following persons shall not enter any courthouse in Guam:

- Persons who have within the last 14 days been in China, Iran, or the Schengen Area European Countries<sup>1</sup>;
- Persons who reside with or have had close contact with someone who has travelled to these areas within the last 14 days;
- Persons who have been asked to self-quarantine by any doctor, hospital or health agency;
- Persons who have been diagnosed with, or have had contact with, anyone who has been diagnosed with COVID-19;
- Persons with any acute respiratory illness symptoms (i.e. cough, shortness of breath, headaches), flu-like symptoms, have a fever, or are coughing or sneezing.

<sup>&</sup>lt;sup>1</sup> The Schengen area countries are: Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, and Switzerland.

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# If you meet the description above and are required to report to or appear in court, please note the following:

**SUPREME COURT APPELLATE MATTERS** – If you are an ATTORNEY scheduled to appear in court for an appellate oral argument and meet the description above, please do not come to court. Contact the Supreme Court of Guam at 475-3162 or 475-3180 to inform them of your condition and receive further instruction.

**SUPERIOR COURT FILINGS** – If you need to make a court filing for a Superior Court case and meet the description above, please do not come to court. Instead, contact the Courts & Ministerial Division, Intake section at (671) 475-3477 for instructions on how to file your court document.

**JURY SERVICE** – If you are summoned for jury service and meet the description above, please do not report for jury service. Instead, contact the Jury Commissioner by email at juryunit@guamcourts.org or by telephone at (671) 475-3440/3136 to reschedule your service to a later date.

**TRAFFIC/SMALL CLAIMS** – If you are scheduled to appear in court for a Traffic and/or Small Claims matter and meet the description above, please do not come to court. Instead, contact Traffic Violations Bureau and Small Claims Division at (671) 475-3326/3121or the Northern Court Satellite at 635-2524 or 635-2507 to reschedule your appearance to a later date. Traffic citations can also be paid online using a credit card. Visit the court website at www.guamcourts.org, then click on the left side under "Make a Case Payment."

**CRIMINAL** – If you are scheduled to appear in court for a misdemeanor or felony matter and meet the description above, please do not come to court.

- Defendants who have an attorney should contact the attorney for instruction.
- Defendants who do not have a court-appointed attorney should contact the Courts & Ministerial Division at 475-3501/3535/3155/3505 to have your case rescheduled.
- Witnesses and victims scheduled to appear for certain hearings or proceedings should contact the appropriate agency they have been working with for information.

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## CIVIL/DOMESTIC/PROBATE/FAMILY COURT/CHILD SUPPORT/PROTECTIVE ORDERS -

If you have a matter on calendar and meet the description above, please do not come to court. Parties who have an attorney should contact their attorney for instructions. Parties without attorney should call the Courts & Ministerial Division where your matter is scheduled.

Civil/Domestic:	475-3444
Probate/Special Proceedings:	475-3438
Family Court:	475-3357
Child Support:	475-3259
Protective Order:	475-3501

If you are a self-represented litigant seeking legal assistance and meet the description above, please do not come to court. Parties who have an attorney should contact their attorney for instructions and assistance related to your case.

**PROBATION CLIENTS** – If you are scheduled to physically report to the Division of Probation Services and meet the description above, please do not report to Probation. Instead, contact your assigned Probation Officer, and if you cannot reach him/her, call the Probation Services at the following numbers:

Adults:	475-3448/3457
Juveniles:	475-3453/3459

Any future changes or updates will be posted on the Judiciary's website and communicated as appropriate. Any changes in court operations will be based on the guidance provided by public health agencies.

People who think they may have been exposed to COVID-19 should contact their healthcare provider immediately.

Kurton L. Band'

KRISTINA L. BAIRD ADMINISTRATOR OF THE COURTS

"The Judiciary of Guam is an equal opportunity provider and employer."



HON. F. PHILIP CARBULLIDO

CHIEF JUSTICE

# JUDICIARY OF GUAM

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HON. ALBERTO C. LAMORENA III PRESIDING JUDGE KRISTINA L. BAIRD ADMINISTRATOR OF THE COURTS

March 13, 2020

### <u>MEMORANDUM</u>

**TO:** Judiciary of Guam Employees

FROM: Chief Justice F. Phillip Carbullido Administrator of the Courts Kristina L. Baird Kuifuna L. Baird

### SUBJECT: DIRECTIVE ON CORONAVIRUS DISEASE (COVID-19)

The world health community continues to closely monitor the emergence of the SARS-CoV-2 virus and the disease it causes, "coronavirus disease 2019" (COVID-19). At this time, no one knows how severe this outbreak will be. Given this uncertainty, and the fact that the seasonal influenza (flu) virus is also widespread, we are taking proactive steps to address a number of court operation concerns. We want to maintain a safe workplace and encourage and/or adopt practices protecting the health of employees, court patrons and others. We also want to ensure the continuity of court operations in the event that the situation in Guam changes.

#### **Judiciary Operations**

We ask all employees to cooperate in taking steps to reduce the transmission of communicable diseases in the workplace. Employees are instructed as to the following:

- 1. Wash your hands frequently with warm, soapy water for at least 20 seconds. If soap and water are not available, use an alcohol-based (60-90%) hand sanitizer.
- 2. Cover your mouth with tissues whenever you sneeze and discard used tissues in the trash.
- 3. Avoid touching your eyes, nose and mouth.
- 4. Avoid close contact with people who are sick and unnecessary contact with people in general (e.g. handshake, hugs).
- 5. Clean and disinfect frequently touched objects and surfaces, such as cell phones, keyboards, door and drawer handles.

The Judiciary has provided alcohol-based hand sanitizers throughout the workplace and in common areas for your use. **The Centers for Disease Control and Prevention (CDC) does not recommend the use of facemasks as a preventive measure for the general public.** Facemasks are typically used in clinical and care giving settings to prevent the spread of diseases from sick patients to healthcare workers and/or caregivers who are in close contact.

## If You Are Experiencing Flu-like Symptoms or are Sick

It is critical that employees do not report to work while they are experiencing respiratory symptoms such as fever, cough, shortness of breath, sore throat, runny or stuffy nose, body aches, headache, chills or fatigue. Many times, with the best of intentions, employees report to work even though they feel ill. We provide paid sick time and other benefits to compensate employees who are unable to work due to illness. Employees who report to work exhibiting symptoms will be sent home immediately.

Employees are directed to:

- 1. Stay home when you are sick and do not return until you are free of fever, signs of a fever, and any other symptoms for at least 24 hours without the use of fever-reducing or other symptom-altering medicines.
- 2. If you feel sick and think you may have been exposed to a virus, please call your medical practitioner first and talk to him/her about the next steps, as going to a clinic or ER first could unnecessarily expose others to the virus.

While we currently do not offer formal telework arrangements, the Judiciary will consider, on a case-by-case basis, requests from employees to work from home during this time. Please note that not all positions are conducive to telework, and those positions with primary job duties that can be effectively performed remotely will be given consideration.

#### <u>Travel</u>

- 1. Official Travel Per the Governor's Circular No. 2020-06, we are at this time prohibiting all non-essential government-related travel until further notice. If official travel has already been booked, please work with HR to arrange cancellations in order to properly receive appropriate credit.
- 2. Personal Travel All employees are encouraged to delay any personal travel plans throughout the duration of the current situation arising from COVID-19. Employees are advised that all personal leave requests will be carefully reviewed to ensure that Judiciary operations are optimally staffed.

Employees are advised that the United States implemented new travel restrictions and procedures for individuals arriving from China, Iran, and the Schengen Area European countries. United States passengers that have been in these areas will be required to travel through select airports where the United States Government has implemented enhanced screening procedures. The Department of State advises U.S. citizens to reconsider travel abroad due to the global impact of COVID-19. Many areas throughout the world are now experiencing COVID-19 outbreaks and taking action that may limit traveler mobility, including quarantines and border restrictions. Even countries, jurisdictions, or areas where cases have not been reported may restrict travel without notice. The CDC is also recommending that travelers avoid all nonessential travel to South Korea and practice enhanced precautions for travel to Japan, Hong Kong, Macau or the Philippines. If you have traveled recently to any of these locations, please inform your manager and HR immediately. We may request that you work remotely for a full two weeks after leaving these locations.

We recognize that it is an anxious time for all of us. While the Judiciary remains open for business, we want to assure you that the health and well-being of our employees and their families are of the utmost importance to us. We recognize that COVID-19 is spreading quickly with new facts uncovered every day. We will keep you updated as we learn more. Our intention is to follow the CDC's recommendations as we all experience this journey together.