



BEFORE THE 2013 JUDICIAL COUNCIL OF GUAM

RESOLUTION NO. JC13-024

**RELATIVE TO INCREASE OF FINES AND FEES FOR
THE SUPERIOR COURT OF GUAM**

WHEREAS, in recognition of the fact that Superior Court fines and fees had not been adjusted since 2003 and the Traffic Violation Bureau fines had not been raised since 1995, the Administrator of the Courts presented a revised Fee and Fine Schedule to the Judicial Council on February 25, 2011, at the regularly scheduled meeting of the Judicial Council, proposing a 100% across-the-board increase in all Superior Court fees, and in all Traffic Violations Bureau fines, to be phased in over a three-year period;

WHEREAS, in support of the 100% fee and fine increase, the Administrator of Courts and court management undertook an extensive study of the necessity and appropriateness of fee and fine increases, and at the July 2011 Judicial Council meeting, the Administrator of Courts and court management presented their four-month study, division by division, of the cost of providing services and of comparable fines and fees in other jurisdictions. The Study was presented at the July 20, 2011, meeting and is part of Judicial Council Resolution No. 11-15 as Exhibit "A";

WHEREAS, at the July 20, 2011, Judicial Council meeting, the Judicial Council agreed that most fines and fee increases had been substantiated by the Study, and were appropriate and proper;

WHEREAS, since the July 20, 2011 adoption of the 50% increase in fines and fees, and since the subsequent October 12, 2012, adoption of ensuing 25% increase in fines and fees, certain fees have been either rolled back or exempted from increase, specifically: (1) fee for a court clearance (either electronic or hard copy); (2) fee for a traffic court clearance; (3) marriage fee; (4) jury demand fee; (5) occupational driving permit fee; and (6) court reporter copy fees. Judicial Council concurs with the recommendation of Management that these Superior Court fees or fines that had been rolled back -- and any other fees that are limited by statute or have been addressed by the Judicial Council since July 2011 -- will not be adjusted in this third and final fee increase;

WHEREAS, at the Judicial Council meeting of December 18, 2013, Management noted that the third and final increase (of 25%) was scheduled to go into effect on January 1, 2014, and that this would be a necessary subsidy to the Client Services Fund. Since the justification for the increase was already provided in 2011, Management recommended to the Judicial Council that it ratify the final increase in fines and fees that was originally addressed in JC Resolution No. 11-015; and

WHEREAS, the proposed 25% increase in the Fine and Fee Schedule is attached hereto as Exhibit "A".

NOW THEREFORE BE IT RESOLVED that the Judicial Council ratifies the adoption of the final 25% increase in fines and fees as referenced in Resolution No. JC11-015 and in Resolution No. JC12-015 attached hereto as Exhibit "A" and incorporated herein by reference.

BE IT FURTHER RESOLVED that this final 2013 Fines and Fees Schedule will be effective as of January 1, 2014.

DULY ADOPTED this 19th day of December, 2013, at a duly noticed meeting of the Judicial Council of Guam.



F. PHILIP CARBULLIDO, Chairman

Dated: 12/30/13

ATTEST:



JOANNA S. McDONALD, Assistant Secretary

Dated: 12/30/13

Fee Schedule - January 2, 2014

CIVIL FILING FEES	
Fee Disbursement	Fee (Jan 2, 2014)
Complaint, Petition or Other First Paper in Civil or Special Proceedings	\$ 300.00
Filing of first Paper in Registration of Land	\$ 300.00
Issuance of Summons, Alias Summons, Amended Summons	\$ 14.00
Abstract of Judgment	\$ 20.00
Subpoena Fees (All Categories)	\$ 10.00
Confession of Judgment	\$ 120.00
Issuing Writ of Execution, Attachment Sale, Possession (One payment per party per action)	\$ 40.00
Affidavit for an Order of Examination of Judgment Debtor and Order for Examination (JDX)	\$ 40.00
Application for Renewal of Judgment	\$ 40.00
Filing a Cross-Complaint, Counterclaim or a Third Party Complaint	\$ 150.00
Filing an Amended Complaint or an Amendment to a Complaint, Amended Cross-Complaint or Amendment to a Cross Complaint, Amended Counterclaim, or an Amended Third Party Complaint, or an Amendment to a Counterclaim or a Third Party Complaint	\$ 50.00
Notice of Motion, Order to Show Cause, ExParte Motion, and any filing requiring a Court hearing subsequent to first filing in a case.	\$ 20.00
Motion for Summary Judgment	\$ 200.00
Alternative Writ, Writ of Habeas Corpus, Mandate and Prohibition (Special Proceeding Filing)	\$ 300.00

Fee Schedule - January 2, 2014

FAMILY LAW FILING FEES	
Fee Disbursement	Fee (Jan 2, 2014)
Complaint, Petition or Other First Paper for Divorce/Dissolution, Legal Separation, Nullity, Custody and/or Visitation, Conciliation Jurisdiction and Statement to Register Foreign Support or Custody Order (Private Party)	\$ 300.00
Petition for Adoption, per individual being adopted	\$ 300.00
Motions, Ex Parte Motions and Order to Show Cause to Modify or Enforce Custody and/or Visitation Judgment or Order	\$ 20.00

Fee Schedule - January 2, 2014

PROBATE FILING FEES	
Fee Disbursement	Fee (Jan 2, 2014)
First Petition for Letters of Administration, Petition for Special Letters of Administration, Petition for Letters of Testamentary (Credited towards closing cost)	\$ 300.00
First Paper on behalf of each Adverse Party (not the original petitioner), Intervener or Respondent, whether separately or jointly, except for the purpose of making disclaimer	\$ 338.00
Creditor filing a claim against the Estate (Not to be credited towards closing costs)	\$ 75.00
Filing of Last Will & Testament & Codicil	\$ 50.00
Where the valuation is less than \$1,000	\$ 10.00
Where the valuation is \$1,000 or more but less than \$2,000	\$ 50.00
Where the valuation is \$2,000 or more but less than \$4,000	\$ 80.00
Where the valuation is \$4,000 or more but less than \$7,500	\$ 100.00
For each additional \$1,000 above \$7,500, provided that the maximum fee shall not exceed \$5,000 unless the assigned Judge, with the concurrence of the Presiding Judge, decides that the complexity or work required on a particular case justifies a higher fee. In no event shall the fee be lowered.	\$ 20.00
<p>REDUCED COURT FEES FOR ADMINISTRATION OF LAND CLAIMS AWARDS. The fee payable out of the estate pursuant to this fee schedule, for probate administration on land claims award shall be the sum equal to ten percent (10%) of the amount otherwise payable under said Rule. A single fee, computed as aforesaid, shall be assessed against each award. No additional fees shall be assessed against any portion of an award distributed to the estate of a deceased heir, for separate administration thereon, if said portion was included in computing the fee for administration upon the estate of the deceased heir's predecessor [Rule 9(A)(6) added by the 15 GCA §4912 (PL19-4:34)]</p>	

Fee Schedule - January 2, 2014

JURY DEMAND FEES	
Fee Disbursement	Fee (Jan 2, 2014)
Demand for Jury of Six (6)	\$ 200.00
Demand for Jury of Twelve (12)	\$ 400.00
Demand Fee for Jury of Six (6) \$262.50 a day, advance deposit with a minimum advance of \$525.00; plus \$262.50 a day for each day trial exceeds two (2) days.	\$ 525.00
Demand Fee for Jury of Twelve (12) \$487.50 a day, advance deposit of \$975.00; plus \$487.50 a day for each day of trial exceeds two (2) days.	\$ 975.00
<p>Note: All Jury Fees in Civil Suits shall be paid upon making demand for jury trial, which is not refundable. Demand for Jury of Six (6), Demand for Jury of Twelve (12) shall be paid upon making a demand for jury trial, non-refundable. Demand for Jury of Six (6) <u>advance deposit</u> and Demand for Jury of Twelve (12) <u>advance deposit</u> shall be paid 10 days prior to trial date, non-refundable.</p>	

Fee Schedule - January 2, 2014

MARRIAGE FEES	
Fee Disbursement	Fee (Jan 2, 2014)
Judges perform marriage ceremony which includes issuance of Certificate of Marriage	\$ 25.00

Fee Schedule - January 2, 2014

APPEAL FEES	
Fee Disbursement	Fee (Jan 2, 2014)
Notice of Appeal from the Superior Court	\$ 100.00
Notice of Appeal or Transfer from Small Claims Court to Civil Action	\$ 300.00
Notice of Appeal from Traffic Court	\$ 150.00
Filing an Amended Appeal or an Amendment to an Appeal	\$ 60.00

Fee Schedule - January 2, 2014

RECORDS, SEARCH, RETRIEVAL, COPY AND CERTIFICATION FEES	
Fee Disbursement	Fee (Jan 2, 2014)
Searching Records or Files	\$ 4.00
Retrieval Fee: On Site Location, per case. (Not to include Criminal Felony, Criminal Misdemeanor, Adoption, Juvenile Special Proceedings & Juvenile Division cases.)	\$ 4.00
Retrieval Fee: Remote Storage Location, per case	\$ 20.00
Copy Fee: Copy per page / Electronic	\$ 1.00
Certification:	
Certify a copy of any filed paper:	\$ 4.00
Certify a copy of a paper, records or proceeding on file other than filed papers: (Clerk's minute entry, letters, etc.)	\$ 4.00
For each certificate to the official: (capacity of any public official)	\$ 6.00
For every certificate where no fee is fixed:	\$ 4.00
For certification of documents produced from microfilm records, per document	\$ 6.00
Superior Court Clearance Fee/ Electronic or Hard Copy	\$ 10.00
Traffic Clearance Fee:	\$ 5.00
Taking acknowledgment or subscription of an affidavit or other court-related document	\$ 10.00
Authentication / Exemplification	\$ 30.00
File Retrieval for Electronic Data Input (Per File)	\$ 4.00

Fee Schedule - January 2, 2014

COURT REPORTERS FEES	
Fee Disbursement	Fee (Jan 2, 2014)
Transcript to be provided within 30 days:	
Original Page: (per page)	\$ 5.00
Copies Page (per page)	\$ 2.00
Transcript to be provided within 10 days:	
Original Page: (per page)	\$ 6.00
Copies Page (per page)	\$ 2.00
Transcript to be provided within 24 hours	
Original Page: (per page)	\$ 7.00
Copies Page (per page)	\$ 2.00
Tape Duplication (reproduction of magnetic recording tape with court-issued cassette tapes)	\$ 25.00
Electronic file (WP Docs of Transcripts, Email, Fax)	\$ 25.00
Note: Court Reporters shall give a copy of the certified transcript to every person requesting same on 8 1/2 X 11 paper according to the schedule above	

Fee Schedule - January 2, 2014

COURT COSTS	
Fee Disbursement	Fee (Jan 2, 2014)
Court Cost Assessment	
Minimum:	\$ 80.00
Maximum:	\$ 200.00
Traffic Court Cases	
Minimum:	\$ 4.00
Maximum: Amount of Fine Assesed	
Occupational Driving Privilege	\$ 40.00

Fee Schedule - January 2, 2014

MISCELLANEOUS AND OTHER FEES	
Fee Disbursement	Fee (Jan 2, 2014)
Special Process Server Training/Examination/Material Cost	\$ 75.00
Returned Checks	\$ 50.00

Fee Schedule - January 2, 2014

OFFICERS AND OTHERS SERVING PROCESS (MARSHALS FEES) PURSUANT TO ADMINISTRATIVE ORDER NO. ADM 10-002-01	
Fee Disbursement <i>(NOTE: Mandatory collection of the \$30.00 flat rate mileage fee PER DOCUMENT - PER DEFENDANT if document(s) is(are) to be served by the Marshals Division.)</i>	Fee (Jan 2, 2014)
Judgment (Amended/Alias/Satisfaction/Other)	\$ 30.00
Judgment Debtor Examination (Amended/Alias/Other) - (NOTE: This must be collected in addition to Civil Filing Fee of \$40 + \$30 mileage fee.)	\$ 40.00
Motion (Motion to Vacate/Amended/Alias/Modification/Summary Judgment/Other)	\$ 30.00
Notice (Notice of Hearing/Trial, Amended Notice/Alias/Other)	\$ 40.00
Summons (Summons & Complaint/Declaration/Alias/Amended/Other)	\$ 40.00
Cancellation of Marshal Sale	\$ 30.00
Certificate of Sale/Redemption	\$ 30.00
Indemnity RE: Surety Bond, Undertaking, Demand (Posting of bonds to ensure guarantee)	\$ 30.00
Marshal Deed	\$ 30.00
Order to Show Cause (Alias/Amended/Other)	\$ 40.00
Subpoena(s) (for each or per document)	\$ 20.00
Conduct of Marshal Sale/Execution Sale (Conducting Marshal Sale) (Execution Sale/Foreclosure Sale)	\$ 75.00
Notice of Attachment (Banks per document/Real Property per lot/Personal Property/Wages per document/Other) For serving an attachment against the property of the defendant with the writ, together with a reasonable allowance to be assessed by the court for expense, if any, necessarily incurred in caring for the property. (plus storage and handling fees)	\$ 50.00
Writ of Possession/Eviction (Forcible/Other) per lot or premises/grounds	\$ 60.00
Notice of Garnishment (Cancellation/Wages/Other)	\$ 50.00

Fee Schedule - January 2, 2014

OFFICERS AND OTHERS SERVING PROCESS (MARSHALS FEES) PURSUANT TO ADMINISTRATIVE ORDER NO. ADM 10-002-01	
Fee Disbursement <i>(NOTE: Mandatory collection of the \$30.00 flat rate mileage fee PER DOCUMENT - PER DEFENDANT if document(s) is(are) to be served by the Marshals Division.)</i>	Fee (Jan 2, 2014)
Notice of Levy (Banks per Document/Real Property per lot/Personal Property/Wages per document/Other) For serving levy against the property of the defendant with the writ, together with a reasonable allowance to be assessed by the court for expense, if any, necessarily incurred in caring for the property. (plus storage and handling fees)	\$ 50.00
Posting 3 public places: Notice of Execution Sale (Real Property/Personal Property) (Sale Posting/Sale/Other)	\$ 50.00
Release of Garnishment (Cancellation/Other)	\$ 30.00
Release of Levy (Cancellation/Other)	\$ 30.00
Release of Attachment (Cancellation/Other)	\$ 30.00
Warrant of Arrest (Alias/2nd/Etc.) Civil Capias	\$ 75.00
Writ (Execution/Mandate/Review/Prohibition/Cancellation/Other)	\$ 45.00
Ex-Parte, (Civil TRO, non family or domestic related, OSC to refrain from liquidating assets.) Covers all other documents not listed.	\$ 45.00
Marshal Mileage Fee (Standard)	\$ 30.00

Fee Schedule - January 2, 2014

SEX OFFENDERS REGISTRATION FEE (PL 25-75)	
Fee Disbursement	Fee (Jan 2, 2014)
Registration Fee	\$ 100.00

Fee Schedule - January 2, 2014

FAMILY VIOLENCE COUNSELING OF EDUCATION (PROGRAM FEES) (Per Cycle/Session)	
Fee Disbursement	Fee (Jan 2, 2014)
Group Treatment through Client Services and Family Counseling Division (Plus \$40 court cost)	\$ 450.00
Individual Counseling through Client Services and Family Counseling Division	\$ 15.00
Domestic Abuse Project	\$ 225.00
Sex Offender Counseling (Plus \$40 court cost)	\$ 750.00
Sex Offender Individual Counseling through Client Services and Family Counseling Division	\$ 23.00
* If a person drops out of a group he or she shall pay an additional fee of \$200.00 for the next group.	

Fee Schedule - January 2, 2014

AUTOMATED FINGER PRINT IDENTIFICATION SYSTEM (AFIS) Interstate Identification Index (III) (Federal Bureau of Investigation)(Firearms Identification Fee)	
Fee Disbursement	Fee (Jan 2, 2014)
For criminal history searches through the FBI's Automated Finger Print Identification System (III/NCIC) to include Firearms Identification.	\$ 47.00

Fee Schedule - January 2, 2014

SMALL CLAIMS SCHEDULE OF FEES - Initial Claim Filing Amount	
	Fee (Jan 2, 2014)
\$0 - \$500.00	\$ 40.00
\$501.00 - \$2000.00	\$ 60.00
\$2,001.00 - \$3,500.00	\$ 80.00
\$3,501.00 - \$5,000.00	\$ 100.00
\$5,001.00 - \$6,500.00	\$ 120.00
\$6,501.00 - \$8,000.00	\$ 140.00
\$8,001.00 - \$9,500.00	\$ 160.00
\$9,501.00 - \$10,000.00	\$ 180.00
Counterclaim/Cross-Complaint or 3rd Party Complaint (Use Initial Claim Filing Amount Schedule)	
SMALL CLAIMS SCHEDULE OF FEES	
Fee Disbursement	Fee (Jan 2, 2014)
Summons	\$ 8.00
Judgment Debtor Examination	\$ 20.00
Order to Show Cause	\$ 20.00
Writs	\$ 40.00
Confession of Judgment	\$ 30.00
Abstract of Judgment	\$ 10.00
Motion/Joinder for Summary Judgment	\$ 40.00

Fee Schedule - January 2, 2014

SMALL CLAIMS SCHEDULE OF FEES	
Fee Disbursement	Fee (Jan 2, 2014)
Any Motion Requiring a Hearing, Stipulation or Litigant Requesting to Continue	\$ 20.00
Warrant of Arrest	\$ 20.00
Motion to Vacate Warrant of Arrest	\$ 20.00

Fee Schedule - January 2, 2014

SUPREME COURT SCHEDULE OF FEES	
Fee Disbursement	Fee (Jan 2, 2014)
Docket Fee for new appeals	\$ 375.00
Facsimile Transmission Fee	\$ 8.00
In addition, for documents (motions, applications or Petitions) requiring copies, there shall be a fee for each page copied	\$ 2.00
Photo Copies	\$ 1.00
Certification of Documents	\$ 4.00
Marriage Filing Fee	\$ 25.00
Copy of audio recordings for hearings on Compact Disc	\$ 15.00
Bar Exam Application Fee	\$ 750.00
Bar Exam Late Filing Fee	\$ 250.00
Pro Hac Vice Filing Fee	\$ 1,250.00
Petition for Reinstatement Filing Fee	\$ 125.00
Certificate of Good Standing 2-3 Day service	\$ 25.00
Certificate of Good Standing each copy	\$ 5.00
Expedited 1 day service	\$ 50.00
Expedited 1 day service per copy	\$ 5.00