



BEFORE THE 2024 JUDICIAL COUNCIL OF GUAM

RESOLUTION NO. JC24-004

**RELATIVE TO UPDATING THE JUDICIARY'S CLASSIFICATION
AND COMPENSATION POLICY**

- WHEREAS,** pursuant to 7 GCA § 5102(d), the Judicial Council is authorized to set salaries of all employees of the Judicial Branch; and
- WHEREAS,** on September 22, 2023, the Judicial Council directed the Administrator of the Courts to conduct a review of judicial officer salaries, based on data from the National Center for State Courts (NCSC), and consistent with Resolution No. JC14-024 and Resolution No. JC17-024; and
- WHEREAS,** both Resolution Nos. JC14-024 and JC17-024 utilized a methodology that is consistent with the government of Guam Competitive Wage Act of 2014 (“CWA”); and
- WHEREAS,** the CWA classified the positions of Chief Justice, Associate Justice, Presiding Judge, Judge, and Magistrate as “Rate of Pay” positions and articulated that salaries for such positions should be in line with market norms for similar organizations; and
- WHEREAS,** it is the determination of Council that market norms for judicial officer positions are reflected by the Survey of Judicial Officer Salaries (“Survey”) published by the NCSC which sets the median salary for a judge of a general jurisdiction trial court at \$181,250, the median salary for an associate justice of a court of last resort at \$197,432, and the median salary of a chief of the highest court at \$208,983; and
- WHEREAS,** given the median rates for judicial officers as reflected in the Survey and with a commitment to fiscal stewardship, Judiciary management proposed salary adjustments as outlined in Exhibit A; although lower than the national median, these adjustments ensure that the salary of a Superior Court judge surpasses the highest compensated Judiciary employee by at least \$2,000, consistent with the Judiciary of Guam’s Personnel Rules and Regulations; and
- WHEREAS,** upon completing their review, Judiciary management consulted the NCSC for an additional review to validate the Judiciary’s proposed salary schedule and methodology; and
- WHEREAS,** the NCSC confirmed that Guam’s judicial salaries have lagged behind the national average for at least ten (10) years, and noted that Guam ranks as the eighth (8th) most expensive state/territory, which is a significant factor in salary considerations; and
- WHEREAS,** the NCSC further indicated that this trend that is likely to persist if judicial compensation in Guam is not adjusted at this time; and
- WHEREAS,** the Council further recognizes the critical role and additional duties of the Presiding Judge of the Superior Court of Guam, following unification of the Judiciary of Guam, as detailed in Exhibit B; and

WHEREAS, in recognition of the Presiding Judge's additional duties, the Judicial Council has historically maintained a \$15,000 salary differential between the Presiding Judge and a Superior Court judge, as seen in Resolution No. JC14-024 and Resolution No. JC17-024; and

WHEREAS, considering the approximate \$16,000 national salary gap between trial court judges and associate justices, and acknowledging the Presiding Judge's salary is a reference between the trial court judges and supreme court justices, a \$10,000 differential is deemed reasonable, fiscally responsible, and aligns with national compensation trends as verified by data from the NCSC; and

NOW THEREFORE, BE IT RESOLVED that the proposed salaries of judicial officers at the Judiciary of Guam are reasonable based on data from the National Center for State Courts (NCSC), and consistent with Resolution No. JC14-024 and Resolution No. JC17-024; and

BE IT FURTHER RESOLVED, that 8.200(d) of the Judiciary of Guam's Personnel Rules and Regulations is amended as follows:

ATTORNEYS


- a.** Upon satisfactory review, Attorneys at Steps 1 through 6 shall be entitled to a salary increment after twelve (12) months, and Steps 7 through 9 after eighteen (18) months. Attorneys at Step 10 or above shall receive an increment after twenty-four (24) months with a 3.1% increase upon satisfactory review.
- b.** ~~The annual salary of a Superior Court Judge shall be at least Two Thousand Dollars (\$2,000) higher than the annual salary of the highest compensated employee under the Attorney Pay Plan at the Judiciary of Guam. The annual salaries of the Presiding Judge, Associate Justices, and Chief Justice of the Judiciary of Guam shall be adjusted accordingly, consistent with the compensation requirements under 7 GCA and the methodology of the government of Guam Competitive Wage Act of 2014.~~

BE IT FURTHER RESOLVED, that the Statement of Policy under Chapter 7: Classification and Compensation of the Judiciary of Guam's Personnel Rules and Regulations is amended as follows:

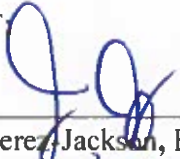
Pursuant to 7 GCA § 5102(d), the Judicial Council is authorized to adopt a pay plan for classified and unclassified employees of the Judiciary. This Chapter is to develop and maintain a system for the objective, consistent and timely classification of all positions and for the reasonable assignment of classes of positions to pay grades. Compensation of position classes shall be based on know-how, problem solving, and accountability. Where not otherwise specified by laws, pay relationships shall take into consideration prevailing wage in the primary area of recruitment for the same or related classes of positions. It is the policy of the Judiciary that the annual salary of a Superior Court Judge shall be at least Two Thousand Dollars (\$2,000) higher than the annual salary of the highest compensated employee who is not a judge or justice at the Judiciary of Guam.

BE IT FURTHER RESOLVED, that the proposed pay adjustments, as reflected in Exhibit A, shall be effective October 1, 2024, subject to the availability of funds as appropriated by the Legislature of Guam in the Fiscal Year 2025 Budget.

DULY ADOPTED this 28th day of March 2024 at a duly noticed meeting of the Judicial Council of Guam.



ROBERT J. TORRES, Chairman
Dated: 3/28/24

ATTEST 

Jessica Perez-Jackson, Executive Secretary
Dated: 3/28/2024

**EXHIBIT A: Financial Impact of Proposed Pay Adjustments to Judicial Officer's Pay effective 10/1/2024
 JC Resolution No. 24-004
 Relative to Updating the Compensation and Classification Policy**

I. Estimated financial impact

Position	Salary per annum as of 10/1/2024	Proposed salary per annum eff 10/1/2024	Change (%)	Impact to FY2025		
				Gross pay	Fringe Benefits	Gross Pay + Fringe Benefit
CHIEF JUSTICE	\$ 179,000	\$ 185,927	3.87%	\$ 6,953	\$ 2,350	\$ 9,303
ASSOCIATE JUSTICE	\$ 177,000	\$ 183,927	3.91%	\$ 6,953	\$ 2,350	\$ 9,303
ASSOCIATE JUSTICE	\$ 177,000	\$ 183,927	3.91%	\$ 6,953	\$ 2,350	\$ 9,303
PRESIDING JUDGE	\$ 176,000	\$ 182,927	3.94%	\$ 6,953	\$ 101	\$ 7,054
JUDGE	\$ 172,927	\$ 172,927		\$ -	\$ -	\$ -
MAGISTRATE JUDGE	\$ 155,635	\$ 155,635		\$ -	\$ -	\$ -
FAMILY COURT REFEREE	\$ 155,635	\$ 155,635		\$ -	\$ -	\$ -
ADMINISTRATIVE HEARING OFFICER	\$ 155,635	\$ 155,635		\$ -	\$ -	\$ -
TOTAL				\$ 27,812	\$ 7,151	\$ 34,963

II. Comparison of proposed rates with NCSC median salary

Position	Proposed salary per annum eff 10/1/2024	Median salary	Diff (\$)	Diff (%)
CHIEF JUSTICE	\$ 185,927	\$ 210,531	\$ (24,604)	-13.23%
ASSOCIATE JUSTICE	\$ 183,927	\$ 203,051	\$ (19,124)	-10.40%
JUDGE	\$ 172,927	\$ 182,529	\$ (9,602)	-5.55%

**Exhibit B: Statutory Duties of Presiding Judge
Resolution No. JC24-004
Relative to Updating the Compensation and Classification Policy**

Citation	Duty	Statute/Court Rule
7 GCA § 4103 and AR24-001	Case Assignment	The presiding judge of the Superior Court shall prescribe the order of business and randomly assign the cases to the Judges, Referees, and Hearing Officers of the Court in conformance with rules and regulations promulgated by the Supreme Court.
15 GCA § 305	Open, Examine and File Deposited Wills	The Presiding Judge of the Superior Court of Guam, upon the delivery to him of a deposited will under the provisions of Section 303(b) of this Title, shall forthwith publicly open the envelope in which the will is contained, examine the will, and file the will in the office of the Clerk of the Superior Court of Guam. Such will shall remain filed in the office of the Clerk of the Superior Court of Guam until duly proved, or until jurisdiction is lawfully established in some other court as the proper venue for probate
7 GCA § 4401	Appoint MJ as Special Master/ Settlement Judge	Appoint Magistrate Judge to serve as special Master or settlement judge in a civil or domestic case
7 GCA § 5101	Appoint Another Judge as member of Judicial Council	Presiding Judge will appoint a superior court judge to serve on the Judicial Council The Presiding Judge, in his or her absence, or the absence of the other Superior Court Judge, may appoint from among the Judges an alternate to sit on the Judicial Council to ensure an adequate number of members from the Superior Court of Guam.
7 GCA 9203	Serve/Appoint Member to Serve on Guam Law Library Board	The presiding judge of the Superior Court may appoint himself or herself, or one (1) Judge of the Superior Court to serve <i>ex officio</i> as a trustee or, in the event a Judge chooses not to serve, the presiding judge shall appoint a Law Clerk in the employ of the Superior Court or a member of the Guam Bar to serve as trustee for a term of three (3) years;
7 GCA § 9215	Provide Copy of DNO to Guam Law Library	The presiding judge of the Superior Court shall cause to be transmitted to the Guam Law Library at least one (1) copy of every decision, opinion and order of the Superior Court, and at least one (1) copy of all rules promulgated by the Superior Court.
Administrative Duty	Appoint Clerk of Court	Appoint the Superior Court Clerk in collaboration with the Chief Justice.
Administrative Duty	Nominate Chief Probation Officer	Nominate a Chief Probation Officer in collaboration with the Chief Justice.
19 GCA §5502	Assign Pre-adjudication Matters to	The presiding judge of the Superior Court may assign such other pre-adjudication matters as he considers proper, and in conformance with Rules and Regulations promulgated by the Supreme Court, to the Courts

	Referee for Family Division	established under the Superior Court, including, the Family Division matters as provided in § 5113 of Title 19 of the Guam Code Annotated, provided such assignments do not impair the principal purpose of the Division as set out in Subsection (a) of § 5502.
11 GCA § 11107	Serve on PDSC board	All powers vested in the [PDSC], except as otherwise provided in this Chapter, shall be exercised by the Board. The Board shall consist of five (5) Trustees: the Chief Justice of the Supreme Court of Guam, who shall be Chairman; the presiding judge of the Superior Court of Guam who shall be Vice-Chairman; the President of the Guam Bar Association; and two (2) members appointed by the Chief Justice of the Supreme Court of Guam, whose terms shall be for three (3) years.
9 GCA § 67.412	Receive Assignment of expungement cases	Any application for expungement pursuant to the participation in the drug treatment options between January 1, 1995 and December 31, 2005, shall be filed in the original criminal case file number in the same way as adjudications pursuant to Subsection (b) of this Section are currently handled, and all such requests for expungement shall be assigned to the presiding judge of the Superior Court of Guam.
7 GCA § 3103	Request Temporary Assignment of Judge	A Superior Court Judge who is elevated to the Supreme Court of Guam, may sit as a designated Judge of the Superior Court at the direction of the Chief Justice as requested by the presiding judge of the Superior Court for the purpose of hearing matters, which were pending before the Justice, immediately prior to his or her elevation from the Superior Court to the Supreme Court.
7 GCA §6108	Request Judge Pro Tempore	When there is no Judge qualified or available to hear a case, action or hearing in the Superior Court, the presiding judge shall request the Chief Justice to appoint a Judge <i>pro tempore</i> to hear the matter.
1 GCA §1611	Serve on Guam Code Advisory Commission	The Guam Code Advisory Commission shall be comprised as follows: The presiding judge of the Superior Court of Guam, or his or her designee.
8 GCA § 50.10	Grand Jury Duties	(b) The chief judge of the superior court shall order one or more grand juries to be summoned at such times as the public interest requires. A grand jury shall consist of not less than sixteen nor more than twenty-three members and the court shall direct the clerk of the court to summon a

		sufficient number of legally qualified persons to meet this requirement.
Rule 1.01 GRGAPL	Serve on BOLE	The Board of Law Examiners shall consist of the Chief Justice and Associate Justices of the Supreme Court of Guam as members, and the presiding judge of the Superior Court of Guam and President of the Guam Bar Association as ex officio members. The Chief Justice or his designee shall serve as the Chairperson. The Clerk of the Supreme Court shall serve as the ex officio secretary-treasurer of the Board.
Local Rules 4.2	Approve Duties of Referee	A referee shall have the following duties in family law matters: To discharge on behalf of the Superior Court, subject to the approval by the presiding judge, any other duties the Superior Court may have under 5 GCA Chapter 34 relating to child support enforcement.
Local Rules 7.1	Delegate Duty to Hear Contempt Proceeding to Referee	The presiding judge specifically delegates his duty to hear contempt proceedings to the referee. The referee may find an obligor in contempt if the referee finds that the obligor is in arrears and if the referee finds that the obligor has knowledge of the order and the ability to pay the amount due under the support order. Upon finding an obligor in contempt of court under this section, the referee may immediately recommend sanctioning the obligor as follows:
CVR 7.1.1	Designate Ex Parte Judge	All applications for ex parte orders shall be heard by the judge assigned to the case unless the judge is unavailable. All other applications for ex parte orders shall be filed by 10:00 AM to be heard at 1:30 PM by the judge designated by the presiding judge as the ex parte judge, unless the ex parte judge in his or her discretion decides otherwise.
Rule 70 GRCP	Approve Civil Docket Form	The clerk shall keep a permanent memorial or record known as the "civil docket" of such form and style as may be prescribed by the presiding judge of this court with the approval of the Judicial Council, and shall enter therein each civil action to which these rules are made applicable.
7 GCA Chapter 22	Petit Jury	Work with Jury Commissioner and Clerk of Court regarding petit jury operations, including review of requests for excusals for prospective jurors.
Administrative Duty	Special Process Server Program	Oversees the Program and reviews and grants applications from special process servers.

Administrative Duty	Committee on Judicial Discipline	Serves as Chairperson on Judicial Discipline Committee as appointed by the Judicial Council.
12 GCA 11107(a)	Board Member	Serves as the Vice-Chairman for the Public Defender Services Corporation Board of Trustees
Administrative Duty	Criminal Matters	Collaborate and communicate with court partners on criminal procedural matters involving the administration of justice, i.e, magistrate and arraignment proceedings.
Administrative Duty	Treatment Courts	Work with various Superior Court Divisions to ensure treatment courts established by statute and promulgated by the Supreme Court are organized, evaluated, and comply with federal grant requirements.