



# JUDICIAL COUNCIL OF GUAM

Suite 300 Guam Judicial Center  
120 West O'Brien Drive  
Hagåtña, Guam 96910-5174  
Tel: (671) 475-3300 Fax: (671) 475-3140

**JUDICIAL COUNCIL OF GUAM  
REGULAR MEETING  
THURSDAY, DECEMBER 21, 2023  
Justice Monessa G. Lujan Appellate Courtroom  
Guam Judicial Center**

★★★★

Hon. Robert J. Torres  
Chairman

Hon. Katherine A. Maraman  
Member

Hon. F. Philip Carbullido  
Member

Hon. Alberto C. Lamorena, III.  
Member

Hon. Maria T. Cenzon  
Member

★★★★

Advisory Committee Members:

Hon. Arthur R. Barcinas

Hon. Vernon P. Perez

Hon. Elyze M. Iriarte

Hon. Dana A. Gutierrez

Hon. Alberto E. Tolentino

Atty. Jacqueline T. Terlaje

Atty. Frederick J. Horecky

★★★★

Administrator of the Courts:  
Danielle T. Rosete

Judicial Council Secretary:  
Jessica J. Perez-Jackson

Judicial Council Asst. Secretary:  
Petrina M. Ula

## MINUTES

### I. CALL TO ORDER

The Regular Meeting of the Judicial Council was called to order by the Chairman, Chief Justice Robert J. Torres, at the hour of 12:07 p.m.

### ROLL CALL:

Chief Justice Robert J. Torres  
Associate Justice F. Philip Carbullido  
Associate Justice Katherine A. Maraman  
Presiding Judge Alberto C. Lamorena III  
Judge Maria T. Cenzon

Also present in the Monessa G. Lujan Appellate Courtroom:  
Ms. Danielle T. Rosete, Esq., Administrator of the Courts  
Ms. Trisha T. Suzuki, Deputy Chief Probation Officer, Probation Services Division  
Ms. Hannah Gutierrez Arroyo, Clerk of Court, Supreme Court  
Ms. Sophia Santos Diaz, Clerk of Court, Superior Court  
Ms. Sarah Elmore Hernandez, Director of Policy Planning & Community Relations  
Ms. Ma. Dianne O. Gudmalin, Finance Administrator  
Ms. Geraldine A. Cepeda, Compiler of Laws  
Mr. Troy M. Pangelinan, Marshal of the Court  
Mr. Joseph J. Leon Guerrero, Deputy Chief Marshal  
Ms. Rossanna Villagomez-Aguon, Chief Probation Officer  
Ms. M. Erica R. Eschbach, Staff Attorney, Supreme Court  
Ms. M. Grace Lapid Rosadino, Acting Court Programs Administrator  
Ms. Suzane Santiago-Hinkle, Staff Attorney  
Mr. Andrew Perez, Staff Attorney  
Mr. Carl Dominguez, Procurement and Facilities Management Administrator  
Mr. Jesse C. Franquez, Deputy Clerk Supervisor, C&M Division & IFIK President  
Ms. Alicia Limtiaco, Regulation Counsel  
Mr. Robert Rabago, MIS Administrator  
Ms. Melissa M. Casil, CSFC Administrator  
Ms. Rhonda T. N. Calvo, Deputy Human Resources Administrator  
Mr. Aaron T.L. Quitugua, Administrative Services Officer

Ms. Amber Toves, MIS Network Specialist  
Ms. Jessica Perez-Jackson, Administrative Services Officer, Judicial Council Executive Secretary  
Ms. Shelterihna Alokoa, Judicial Assistant & Supreme Court Technical Bailiff  
Mr. Andrew Jay M. Gimenez, Special Projects Coordinator

## II. PROOF OF DUE NOTICE OF MEETING

Due publication of the five-day Notices of Meeting of the Judicial Council, as required under the Open Government Law, was published in the Guam Daily Post. Acknowledgments are on file.

## III. DETERMINATION OF QUORUM

**Chief Justice Torres began the roll call. Chief Justice Robert J. Torres, Associate Justice F. Philip Carbullido, Associate Justice Katherine A. Maraman, Presiding Judge Alberto C. Lamorena III, and Judge Maria T. Cenzon identified themselves. This meeting determined a quorum with all five (5) Judicial Council members present.**

## IV. READING AND DISPOSAL OF MINUTES: September 22, 2023 regular meeting minutes

Chief Justice Torres reminded Council that there was a motion to approve the September 22, 2023 minutes at the last meeting, but Justice Carbullido asked that the action on that be deferred. Chief Justice Torres explained that the Council agreed and deferred action until this meeting, and that Justice Carbullido also submitted a version of proposed minutes of the September 22, 2023 minutes that have been set forth.

Justice Carbullido asked to make a statement on the record; Chief Justice Torres said he will recognize Justice Maraman first. Justice Maraman explained that the minutes of the Judicial Council provide a record of Council's actions and not what is said by the members, and this practice follows the requirements set by Guam law 5 GCA Section 8113 and aligns with the Robert's Rules of Order, which this Council is required to abide by under Section 5.08 of the Judicial Council Rules of Conduct and Operation. Justice Maraman continued that the rules further require that when minutes are to be published, only an abstract of the Speaker's question should be listed. Justice Maraman explained that the proposed amendment to the minutes not only deviates from this established practice, but it is also inaccurate in that it contains several subjective inclusions. She further provided that those interested in the full version of the meeting's record, may access the audio file of the meeting available at the Office of Public Accountability or the Public Auditor's website.

Justice Carbullido asked the Council if a verbatim transcript of what transpired surrounding the Attorney Pay Plan (APP) can be transcribed by a court reporter and made available for the public to read. Chief Justice Torres confirmed that Justice Maraman said a full transcript surrounding the APP topic and judicial salaries will be prepared and made available for the public.

**Justice Maraman moved to approve the original set of minutes from September 22, 2023 regular meeting with a link to the discussion about the APP and judicial salaries, prepared by a court reporter who does the executive committee minutes. Judge Cenzon**

**seconded the motion. Chief Justice Torres called an oral vote. All five (5) Judicial Council members voted in favor; the minutes were approved, subject to correction.**

Chief Justice Torres entertained a motion to approve the November 16, 2023 minutes, both the regular meeting and executive session.

**Presiding Judge Lamorena moved to approve both sets of minutes. Judge Cenzon seconded the motion. Chief Justice Torres called an oral vote. All five (5) Judicial Council members voted in favor; the minutes were approved, subject to correction.**

## **V. OLD BUSINESS**

### **A. Judiciary FY24 Remittances Pursuant to Applicable Law**

Ms. Gudmalin reported that in reference to the collections of allotments for General Operations P.L. 37-42, Chapter 4, the Judiciary of Guam received, as of today, approximately 23% or \$9.3 million from the total appropriation of \$40.4 million. Ms. Gudmalin stated that the Judiciary continues to receive our bi-weekly allotment on a timely basis. The latest allotment was deposited on December 15 and the next allotment is scheduled to be received on December 26.

Justice Maraman asked if the revenues for the Judicial Building Fund (JBF) are holding steady. Chief Justice Torres asked that Council look at the JBF for the next meeting in terms of how collections are coming along.

### **B. Update on Capital Improvement Projects**

Ms. Danielle T. Rosete, Administrator of the Courts (AOC), provided an update on the historic courthouse that renovation continues to progress, and all three air handlers have been installed, with the air conditioning unit on the second floor up and running. Ms. Rosete continued that carpet installation has commenced on the second floor and they expect the vendor to complete installation by the end of next week. She shared that painting the exterior walls of the building is ongoing and the first coat of paint has been completed, with the exterior painting expected to be completed in the next two weeks.

As Ms. Rosete reported in the last meeting, the installation of the electrical panels and switchboards are being addressed because of shipping delays, so they are working with the electrical engineer on an alternative electrical system. She anticipates that once the design of the electrical panels has been completed, then the Department of Public Works can review and approve the design and installation of the alternative electrical system for the new historic courthouse may proceed. Weekly site inspections are still ongoing, according to Ms. Rosete.

### **C. Update on Typhoon Damage and Restoration**

Ms. Rosete reported that the Judiciary received an extensive and comprehensive report from the architect and the engineer regarding the replacement of the permanent generator. According to Ms. Rosete, there was a two-part assessment, and the recommendation from the report was based on the power demand which indicated that a

700 kW generator would be sufficient; however, because of the power ratings over the last few years and one power authority, the recommended size of the permanent generator is 800 kW. As Ms. Rosete reported previously, we currently have a 900 kW generator, and the size was not determined by power load or power demand, but because it was brand new building over 30 years ago. Ms. Rosete explained that there will be a meeting with the architect and engineer to ensure that the bid for a permanent generator is accurate. The good news, according to Ms. Rosete, is that the generator can remain where it is, as it meets code requirements. Ms. Rosete shared that they continue to provide the necessary documentation to FEMA and asks that future updates be removed from the Council agenda.

**Justice Carbullido requested that future reports be sent to all Council members for their information. There was no objection.** Judge Cenzone also recognized the team and thanked them for all their hard work, before taking the item off the agenda.

## VI. NEW BUSINESS

### A. Court Statistics Project Reporting Excellence Award

Ms. Rosete reported on her attendance at the Conference for State Court Administrators (COSCA) Midyear Meeting which was focused heavily on court data and technology. During the COSCA general business meeting, Ms. Rosete explained that she was honored to be present when they announced that the Supreme Court of Guam would receive the Reporting Excellence Award from the National Center for State Courts (NCSC) Court Statistics Project. According to Ms. Rosete, the nomination stated that “since 2015, the Supreme Court of Guam has consistently reported publishable case load data for 100% of the 33 applicable case types covering all categories collected by the court statistics project.” Ms. Rosete thanked the Supreme Court clerk’s office, Clerk of Court, Hannah Gutierrez; Staff Attorney, Erica Eschbach; Court Programs Administrator Grace Rosadino; Aaron Quitugua, from the Supreme Court clerk’s office; and Amber Toves, MIS, and congratulated all on their efforts.

*\*Chief Justice Torres called for a quick recess to take a photo with the award.*

### B. 2024 Strategic Plan

Chief Justice Torres reported that the Judiciary of Guam received a grant from the State Justice Institute to conduct an updated strategic plan for the years 2024-2027. Chief Justice Torres continued to explain that NCSC was selected as the Judiciary’s consultant, to provide services to assist with managing, planning, and facilitating the grant for a 6-month term ending in May 2024.

Chief Justice Torres shared that there are some deliverables for the project and currently, the Judiciary is going through orientation and engagement strategies and preparing for facilitating the Strategic Planning Leadership Summit, which will take place the week of February 19<sup>th</sup>. Chief Justice Torres provided the list of strategic planning members for the initial planning team: Judge Dana Gutierrez; Court Administrator,

Danielle Rosete; Sarah Elmore Hernandez, DPPCR; Valerie Tenorio, Chief Deputy Clerk; Baldwin Quibuyen, MIS Planning & System Design Supervisor; Leo Diaz, Deputy Marshal Supervisor; Rhonda Calvo, Deputy Human Resources Administrator; Dawn Blas, Judicial Educator; and Andrew Gimenez, who will provide administrative support for the Guam Strategic Planning team.

### **C. Notice of the Next Meeting (January 17, 2024)**

Chief Justice Torres stated that the next Judicial Council meeting will be held on Wednesday, January 17, 2024. There was no objection from the Council.

## **VII. COMMUNICATIONS**

Chief Justice Torres asked if the Council had any thoughts on what they would like to do about the letter from the late Judge Unpingco's son, Mark Unpingco, seeking the Judicial Council's support to speak or write to Congressman Moylan to address his interest or support in naming the District Court of Guam courthouse after Judge John Unpingco. Chief Justice Torres asked the Council if there were any thoughts from members on how they would like to address this. There was no support from Council as a whole, so Chief Justice Torres pointed out that, per the letter, Council members may speak out individually.

**Presiding Judge Lamorena made a motion to inquire as to whether it would be appropriate to request for Congressman Moylan to seek a renaming of the building if the building is privately owned. Judge Cenzone seconded this motion, but also asked to get a legal opinion on whether it would be ethical for the Council to write individual letters.**

## **VIII. PUBLIC COMMENT**

### **A. Guam Bar Association Board (GBA) – President's Report**

No report.

### **B. Court Employees Association**

Mr. Jesse C. Franquez, IFIK President, thanked the managers and all who helped make the Labor Day Bash successful. He updated the Council on the IFIK Board nominations, which are coming in and IFIK expects to have the election next Wednesday. Chief Justice Torres asked about the turnout of the survey for the upcoming Christmas party and Mr. Franquez provided that the number for attendance is close to 400. Mr. Franquez said he will go through the list and confirm the number for the Christmas party which will be on Saturday, January 27, 2024. Mr. Franquez shared that the party's theme is "Secret Garden."

Justice Maraman thanked all the employees who brought gifts to the wards. Chief Justice Torres asked if anyone else had a message to share before adjourning the last meeting of the year.

## XI. ADJOURNMENT

**Chief Justice Torres entertained a motion to adjourn. Presiding Judge Lamorena moved to adjourn. Judge Cenzone seconded the motion, adjourning the meeting at 12:22 p.m.**

Respectfully submitted this 17<sup>th</sup> day of January 2024.

  
\_\_\_\_\_  
JESSICA PEREZ-JACKSON  
Executive Secretary  
Judicial Council of Guam

**As set out above, the Minutes of the December 21, 2023 Regular Meeting were approved by the Judicial Council at the January 17, 2024 Regular meeting.**

  
\_\_\_\_\_  
**ROBERT J. TORRES**  
Chair

**Dated:** 1/19/24