



JUDICIAL COUNCIL OF GUAM

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JUDICIAL COUNCIL OF GUAM REGULAR MEETING THURSDAY, April 17, 2025 Justice Monessa G. Lujan Appellate Courtroom Guam Judicial Center

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Hon. Robert J. Torres
Chairman

Hon. Katherine A. Maraman
Member

Hon. F. Philip Carbullido
Member

Hon. Alberto C. Lamorena, III.
Member

Hon. Maria T. Cenzone
Member

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Advisory Committee Members:

Hon. Arthur R. Barcinas

Hon. Vernon P. Perez

Hon. Elyze M. Iriarte

Hon. Dana A. Gutierrez

Hon. Alberto E. Tolentino

Hon. John C. Terlaje

Atty. Jacqueline T. Terlaje

Atty. Dean A. Manglona

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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 4:00 p.m.

ROLL CALL:

Chief Justice Robert J. Torres
Justice F. Philip Carbullido
Justice Katherine A. Maraman
Presiding Judge Alberto C. Lamorena III (Zoom)
Judge Maria T. Cenzone (Zoom)

Also present via Zoom:

Ms. Danielle T. Rosete, Administrator of the Courts
Ms. Alicia A.G. Limtiaco, Regulation Counsel
Attorney Jacque Taitano Terlaje, President Guam Bar Association
Attorney Dean Manglona, Guam Bar Association
Mr. Robert Rabago, Management Information Systems Administrator

Also present in the Monessa G. Lujan Appellate Courtroom:

Ms. Sophia Santos Diaz, Deputy Administrator of the Courts
Ms. Hannah Gutierrez Arroyo, Clerk of Court, Supreme Court
Ms. Janice Camacho-Perez, Clerk of Court, Superior Court
Ms. Dianne Gudmalin, Finance Administrator
Ms. Sarah Elmore-Hernandez, Director of Policy, Planning, and Community Relations
Mr. Leo S. Diaz, Marshal of the Court
Mr. Joseph Leon Guerrero, Deputy Chief Marshal
Ms. Grace Lapid Rosadino, Court Programs Administrator
Ms. Rosanna Villagomez-Aguon, Chief Probation Officer
Ms. Trish Suzuki, Deputy Chief Probation Officer
Ms. Suzane Santiago-Hinkle, Staff Attorney
Mr. Nathan Tennyson, Staff Attorney
Mr. Andrew Perez, Public Guardian
Ms. Geraldine Cepeda, Complier of Laws
Ms. Melissa Casil, CSFC Administrator

Ms. Suzane Santiago-Hinkle, Staff Attorney
Mr. Carl Dominguez, Procurement and Facilities Management Administrator
Mr. Robert Rabago, Management Information Systems Administrator
Mr. Jesse Franquez, IFIK President
Ms. Shelterihna Alokoa, Judicial Assistant & Supreme Court Technical Bailiff
Ms. Petrina Ula, Judicial Assistant, Judicial Council Assistant Secretary
Mr. Andrew Jay 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, Presiding Judge Alberto C. Lamorena, III, and Judge Maria T. Cenzone identified themselves. Justice Katherine A. Maraman joined the meeting a few minutes later. This meeting determined a quorum with four (4) of the five Judicial Council members present during roll call.

IV. READING AND DISPOSAL OF MINUTES: February 20, 2025 Regular Meeting minutes

Chief Justice Torres asked for a motion to approve the February 20, 2025, Regular Meeting minutes. Presiding Judge Lamorena made a motion to approve the minutes, Judge Cenzone seconded the motion. Chief Justice Torres called an oral vote. With no discussion, the four Judicial Council members voted to approve the minutes, subject to correction.

V. OLD BUSINESS

A. Judiciary FY25 Remittances Pursuant to Applicable Law

Ms. Dianne Gudmalin, Finance Administrator, reported that the Judiciary has received approximately 58% of its general fund appropriation, totaling \$24,791,000.

B. eCourt and eSupervision Transition

Ms. Sophia Santos Diaz, Deputy Administrator of the Courts, reported no significant developments at this time. The target go-live date remains September.

C. Resolution, JC – Relative to Updating law Enforcement Physical Fitness Qualifications Test

Discussion was held regarding the resolution to update the Law Enforcement Physical Fitness Qualification Test (PFQT). As the resolution was only recently distributed and remains in various stages, Justice Merriman moved to table the matter to allow for further review by Council members and management. The motion was seconded and approved without objection. The item will be taken up at the next meeting.

VI. NEW BUSINESS

A. Resolution, JC 25-004 Relative to the Declaration of Law Day and Law Month

B. Resolution, JC 25- Ratifying JC Resolution 25-004 Relative to the Declaration of Law Day and Law Month

A motion to entertain and approve both resolutions together was moved by Presiding Judge Lamorena and seconded by Judge Cenzone. The motion passed without objection. Both resolutions were approved.

C. Resolution, JC 25- Relative to Approving the Judiciary of Guam Budget for FY26

Chief Justice Torres introduced the proposed Fiscal Year 2026 Judiciary Budget, scheduled for submission to the Legislature by May 1, 2025. Key points included:

- Status Quo Request: The Judiciary will seek the same 4.88% share of the general fund as the prior year.
- Cost Containment:
 - 90% of the budget is allocated to personnel.
 - No new positions requested.
 - Operational costs reduced.
 - Several strategic initiatives (2024–2027 plan) deferred.
- System-Wide Considerations: The request was crafted to allow space for legislative funding of indigent defense services, in alignment with findings of the Sixth Amendment Center, which warns against relying solely on fines and fees for such services.

Additional funding requests included:

- Below-the-line items:
 - Electronic Monitoring Program
 - Civil Law Revision Commission
- Contingent program funding:
 - Adult and Juvenile Drug Courts, pending availability of federal grants. Current grant funding is set to expire this year, and the latest federal solicitation was pulled.

Presiding Judge Lamorena emphasized the importance and long-standing success of the Adult Drug Courts (ADC I and ADC II) and voiced confidence in legislative support should federal funds not materialize. The Chief Justice concluded by highlighting the Judiciary's commitment to responsible stewardship of both its own and the broader justice system's resources. Next, Administrator Danielle Rosete was invited to provide remarks and introduce the budget development process, followed by a detailed budget overview from the Finance Administrator.

Judge Maria T. Cenzone added remarks in support of the Judiciary's Adult Drug Courts, specifically ADC II, which she presides over:

- Noted that ADC now has the largest participation among all treatment courts, necessitating its split into two courts due to high volume.

- Emphasized the positive return on investment, highlighting not only individual transformation but also the benefit to families and the broader community.
- Many program graduates now serve as peer counselors or support specialists (e.g., with Togi and LRC), underscoring the program's ripple effect.
- Expressed pride in both the program and its graduates.

The Chief Justice acknowledged her comments and reiterated that the Judiciary intends to apply for federal funds should solicitations reopen and if approved, the budget line items for drug court programs will revert automatically should outside funding be secured.

Administrator Danielle Rosete began the formal presentation of the Judiciary's FY 2026 Budget by emphasizing:

- **Fiscal Responsibility:** The Judiciary is focused on maintaining responsible stewardship while improving operational efficiency.
- **Collaborative Budget Development:** Developed through close coordination with division managers and court leadership.
- **Strategic Investments:**
 - Identified cost-saving measures.
 - Implemented technology-driven solutions to streamline operations (e.g., upcoming rollout of eCourt and eSupervision systems for the Superior and Supreme Courts).

She reinforced that the budget is not just about sustaining services but optimizing them and continued that it is in alignment with the Judiciary's strategic plan, promoting productivity, accountability, and transparency. Ms. Rosete requested the Council's approval of the FY 2026 submission, expressing confidence that it upholds financial prudence while advancing the Judiciary's mission.

Finance Administrator Diane Gudmalin began her portion by introducing the materials provided:

- Presentation Slides and a Budget Digest were included in the Council packets.
- The digest provides an overview of funding needs and priorities.
- A full budget report will be submitted later, which will include:
 - An executive summary,
 - Divisional roles and responsibilities, and
 - A detailed budget breakdown per division.

Ms. Gudmalin presented the Judiciary's FY 2026 budget proposal, requesting a total of **\$46,203,119** from the General Fund. The request includes **\$44,355,000** for general operations and **\$1,847,000** for "below-the-line" special programs. She emphasized the importance of continued local support, particularly for drug courts as federal grants expire.

Approximately 90% of the general operations budget supports personnel costs, with the remaining 10% covering operations and utilities. The Judiciary is seeking to maintain 416 full-time positions, with minimal staffing increases limited to the Adult and Juvenile Drug Court programs. Operational costs remain stable, with savings achieved through scrutiny and reductions in supplies and e-Court contracts. The Judiciary's share of the overall General Fund continues a modest decline, now at **4.88%**.

Below-the-line requests include funding for the Electronic Monitoring Program, Guam Criminal Law and Procedure Review Commission, and the Adult and Juvenile Drug Courts, all of which address

critical public safety and justice needs. Ms. Gudmalin also provided updates on non-appropriated special funds, including efforts to responsibly manage the Judicial Client Services Fund and Judicial Building Fund.

Significantly, \$500,000 is requested from the Client Services Fund to cover indigent defense through the transition to an independent Public Defender Commission. While other federal grants remain secure, the Judiciary continues proactive management by drawing down funds more frequently to ensure fiscal stability. The proposed budget reflects prudent management and a commitment to sustaining essential services.

The Council discussed its ongoing efforts to draw down federal grant funds more quickly to ensure timely reimbursement. With no further questions raised, the Council moved to approve the Judiciary's Fiscal Year 2026 budget.

Justice Merriman moved to approve the budget, which was seconded by Presiding Judge Lamorena. The budget passed unanimously, with appreciation extended to management and Dianne for their diligent work in preparing a responsible and well-prioritized budget, especially in light of the ongoing indigent defense transition. It was acknowledged that some strategic plans are being deferred to prioritize indigent defense reform for the overall benefit of the justice system.

D. Memo Relative to Reporting of Departures from the Mandatory Minimum Sentences Required by 9 GCA § 80.39.3 (Safety Valve Act)

Ms. Rosete informed the members that, consistent with prior years, a memorandum from the Chair of the Judicial Council, along with a required reporting form, would be circulated to all Superior Court judges. Judges are reminded to submit their completed forms by the deadline of May 2, in compliance with 9 GCA § 80.39.3. The reporting period covers April 30, 2024, to April 29, 2025, and requires each judge to indicate the number of cases in which a mandatory minimum sentence was not imposed. The form is also included in the Judicial Council meeting materials previously distributed. Presiding Judge Lamorena confirmed receipt and thanked the Chief Justice and Ms. Rosete.

E. Resolution, JC 25- Relative to Jurisdictional Limit for Small Claims Court

The Council reviewed a resolution regarding the current \$10,000 jurisdictional limit for small claims cases. Clerk of Court Janice Camacho-Perez recommended that the limit **remain unchanged** based on recent statistical data:

- Of the **741 cases filed in 2023**, only **16 reached the \$10,000 cap**—a figure consistent with 2022 filings.
- Nationwide comparisons show that **\$10,000 is the most common limit** for small claims jurisdiction, including in jurisdictions like **Vermont and D.C.**; California has a slightly higher limit at **\$12,000**.
- Based on case trends and national norms, it was concluded that **no change is necessary** to the current threshold.

A motion to adopt the recommendation was made by Presiding Judge Lamorena and seconded by Justice Cenzone. The resolution passed unanimously.

F. Resolution, JC 25- Relative to Proclaiming the Month of May 2025 as Treatment Court Month

Presiding Judge Lamorena presented a resolution to proclaim May 2025 as Treatment Court Month, and recognized the contributions of Guam's treatment courts in helping individuals with substance and alcohol abuse issues become productive members of society. Presiding Judge Lamorena emphasized that while treatment courts are not a cure-all, they provide valuable rehabilitation for individuals who have been arrested, indicted, or convicted for substance-related offenses.

A motion to approve the proclamation was made by Judge Lamorena and seconded by Judge Cenzone. The resolution passed unanimously.

G. Notice of the Next Meeting (Thursday, May 15, 2025)

Chief Justice Torres noted that the Council's next meeting will be held on Thursday, May 15, 2025.

VII. COMMUNICATIONS

Chief Justice Torres reminded Council about the State of the Judiciary Address which will take place on Wednesday, May 1 at 9:00 a.m. at the Guam Congress Building.

VIII. PUBLIC COMMENT

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

Attorney Jacque Terlaje, Guam Bar Association President, provided an update:

- The GBA's annual meeting is scheduled for April 22nd, with 70 members already registered, ensuring quorum for the meeting.
- Chief Justice has agreed to give the opening remarks and swear in the new officers.
- One of the main agenda items will be reciprocity, with a representative from the NMI Bar Association attending to discuss the issue.
- The meeting is expected to be lively and engaging.

B. Court Employees Association

IFIK President Jesse Franquez provided updates:

- 17th Annual 5K scheduled for May 18th, with a Comic Book theme.
- Beneficiary: Togi, Inc. Guam, which provides peer support for drug court individuals.
- Registration: Online registration through PayPal or credit card. For those without access, cash registration will be available on May 17th at Micronesian Mall, and race bibs will be distributed then.

- T-shirts: Limited to the first 300 runners. Volunteers who sign up ahead of time will also receive a T-shirt.
- Sponsorship: Donations and prizes are being collected, with significant contributions already made.
- Registration Fee: \$15 per person, or \$50 for a group of four.
- Promotional Request: Encourage employees to promote the event on social media.
- Discussion: Presiding Judge Alberto Lamorena suggested selling additional T-shirts to raise funds. The organizers will consider this suggestion and aim to have the T-shirts ready for sale by the week before the race.

XI. ADJOURNMENT

Presiding Judge Lamorena moved to adjourn until Thursday, May 15, 2025. Justice Carbullido seconded the motion, adjourning the meeting at 4:53 p.m.

Respectfully submitted this 15th day of May 2025.



JESSICA J. PEREZ-JACKSON
Executive Secretary
Judicial Council of Guam

As set out above, the Minutes of the April 17, 2025 Regular Meeting were approved by the Judicial Council at the May 15, 2025 Regular Meeting.



ROBERT J. TORRES
Chair