



**JUDICIAL COUNCIL OF GUAM
REGULAR MEETING
THURSDAY, APRIL 21, 2022 | 12:00 PM
GUAM JUDICIAL CENTER
AND VIA VIDEOCONFERENCE**

AGENDA

- I. CALL TO ORDER**
- II. PROOF OF DUE NOTICE OF MEETING:** April 14, 2022
April 19, 2022
- III. DETERMINATION OF QUORUM**
- IV. READING AND DISPOSAL OF MINUTES:** March 17, 2022 Regular Meeting
- V. OLD BUSINESS**
 - A. Judiciary FY22 Remittances Pursuant to P.L. 36-54
 - B. Update on the Judiciary's Response to COVID-19
 - C. Update on Capital Improvement Projects
 - D. Common Areas Recording Policy (tabled to the May 19, 2022 Judicial Council meeting)
- VI. NEW BUSINESS**
 - A. JC Resolution Relative to Establishing a Salary for Referees and Hearing Officers
 - B. JC Resolution Relative to Approving Pay Increases for Non-Law Enforcement Employees Subject to Legislative Appropriation
 - C. JC Resolution Relative to Approving the Judiciary of Guam Budget for FY23
 - D. JC Resolution Relative to Review of Jurisdictional Limit for Small Claims Court
 - E. JC Resolution Relative to the Declaration of Law Month
 - F. JC Resolution Relative to Proclaiming the Month of April 2022 as Second Chance Month
 - G. JC Resolution Relative to Proclaiming the Month of May as Drug Court Month
 - H. Memo re Reporting of Departures from the Mandatory Minimum Sentences Required by 9 GCA § 80.39.3 (Safety Valve Act)
 - I. Notice of Next Meeting (May 19, 2022)
- VII. COMMUNICATIONS**
 - A. State of the Judiciary Address (April 29, 2022)
- VIII. PUBLIC COMMENT**
 - A. Guam Bar Association – President's Report
- IX. ADJOURNMENT**

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Pacific Daily News

The Guam Board of Examiners for Pharmacy Regular Virtual Board Meeting

Thursday, April 21, 2022 at 7:30AM.
Join Zoom Meeting

<https://us06web.zoom.us/j/83152278107?pwd=UEVpNUU0bzkybHp1VXQydlFJXVZNTQTO9>

Meeting ID: 831 5227 8107
Passcode: 647539

Meeting Agenda:

- I. Call to order;
- II. Proof of Publication: Ad posted in the Pacific Daily News
- III. Roll Call
- IV. Approval of Agenda
- V. Approval of Minutes: Minutes of March 17, 2022
- VI. HPLD Administrator's Report
- VII. Complaint(s): (a) GBEP-CO-16-01 (b) GBEP-CO-17-01
- VIII. Old Business: (a) Pharmacies/Facilities/Wholesales (b) Pharmacists by Endorsement
- IX. New Business: (a) Pharmacies by Endorsement (b) Pharmacy Technicians (c) Pharmacies/Facilities/Wholesales
- X. Announcement: The Guam Board of Examiners for Pharmacy Regular Session Meeting is scheduled for May 19, 2022 at 7:30a.m (Tentative)
- XI. Adjournment:

To view the names of the applicants being considered go to

<https://guampharmacies.org>
LIVE Streaming link

<http://facebook.com/HPLDGuam>

This advertisement was paid for by DPHSS/Health Professional Licensing Office-Local Funds

For more information, please contact the Board office at 1735-7404/10 thru 12. Persons needing telecommunication device for the Hearing/Speech Impaired (TDD) may contact 1475-8339

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Pacific Daily News
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Chamoru Land Trust Commission Board Meeting

Thursday, April 21, 2022; 1:00 p.m.

Chamoru Land Trust Conference Room;

590 S. Marine Corp Drive ITC Building, Suite 223, 2nd Floor
Tamuning, Guam

Public Comments may be made at cltc.admin@cltc.guam.gov.
To view the meeting virtually please like on Facebook and tune in on Facebook Live or GovGuam Live-YouTube or with Zoom:

<https://us06web.zoom.us/j/84761112484?pwd=c2lHUKo2OGZQRmZMNTJk2g3dnBSdz09>

I. CALL TO ORDER 1:00PM

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. December 16, 2021; Regular CLTC Meeting Minutes
- B. February 17, 2022; Regular CLTC Meeting Minutes

IV. UNPAID APPLICATION LISTING UPDATE

V. NEW BUSINESS

- A. Constituent Matters
 - a. Residential
 - i. Navarro, Johnny Franklin
 - ii. Guerrero, William Leon Guerrero
 - iii. Santiago, Renee Aguan
 - iv. Salas, Andrew
 - b. Agriculture
 - i. Losongco, Jesus Taitingfong
 - ii. Pangelinan, Pedro
 - c. Commercial
 - a. Request for Proposals for lots declared for commercial use
 - i. Lot 10125-R12-1, Municipality of Dededo
 - ii. Lot 7117-4-1, Municipality of Yigo
 - iii. Lot 17-1-1, Block F, Tract 9, Municipality of Barrigada
 - iv. Lot 354-7 & Lot 354-R6-R/W, Municipality of Inalahan
 - b. Lot 10122-15, Municipality of Dededo containing an area of 52,925+/- square meters – Zoning Certification
 - c. Ko'Ko Recycling – Benny Bello

VI. OLD BUSINESS

- A. Null and Void Leases Update
- B. 1995 Applicants status update
- C. FY2023 Budget Request

VII. FINANCIAL REPORT

VIII. AGENCY'S REPORT

IX. COMMISSIONERS' COMMENTS

X. ADJOURNMENT

Next Meeting – Thursday, May 19, 2022, at 1:00 PM

In compliance with ADA requirements, individuals requiring special accommodations, auxiliary aids, or services, may contact 649-5263 ext. 815.

This ad is paid by CLTC funds.

MONGMONG-TOTO-MAITE MUNICIPAL PLANNING COUNCIL
(MTMMP)

REGULAR MEETING

April 20, 2022 • 6:00PM • MTM COMMUNITY CENTER

A G E N D A

- I. Call to Order
- II. Approval of March 30, 2022 Meeting Minutes
- III. Treasurer's Report • March 2022
- IV. Old Business
 - A. Manamko' Month Celebration/Activity
- V. New Business
 - A. Liberation Festivities
 1. MTM Marine Memorial
 2. MTM Village Float
- VI. Public Comments
- VII. Next meeting
- VIII. Adjournment



JUDICIARY COUNCIL OF GUAM

Suite 300 Guam Judicial Center

120 West O'Brien Drive

Hagatna, Guam 96910-5174

Tel: (671)475-3413 Fax: (671) 475-3140

NOTICE OF PUBLIC MEETING

The Judicial Council of Guam will conduct its monthly meeting on Thursday, April 21, 2022, at 12 Noon in the Guam Judicial Center, 120 West O'Brien Drive, Hagatna, by videoconference. A monitor will be set up for any members of the public who would like to observe and offer comments.

The meeting will also be streamed live on the Judiciary of Guam YouTube channel:

<https://www.youtube.com/channel/UCfFCWwIIP99fAch9zi4Q4g/featured>

The following agenda is available on the Judiciary of Guam website:

<http://www.guamsupremecourt.com/Judicial-Council/Judicial-Council-of-Guam.asp>

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- B. Update on the Judiciary's Response to COVID-19
- C. Update on Capital Improvement Projects
- D. Common Areas Recording Policy (tabled to the May 19, 2022 Judicial Council meeting)

VI. NEW BUSINESS

- A. JC Resolution Relative to Establishing a Salary for Referees and Hearing Officers
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VIII. PUBLIC COMMENT

- A. Guam Bar Association – President's Report

IX. ADJOURNMENT

Any person(s) needing special accommodations, auxiliary aids, or services, please contact the Administrator of the Courts at 671-475-3544, or Petrina M. Ula at 671-475-3413.

This ad was paid for with Government of Guam funds.

CHIEF JUSTICE F. PHILIP CARBULLIDO
Chairman

THE SCORE

Buzzer beater gives Celtics series opener

BOSTON (AP) — Jayson Tatum has been adamant he didn't view the Celtics' matchup with the Nets as a chance to prove anything opposite two of the league's elite scorers.

His finish in Game 1 said otherwise.

Tatum made a layup at the buzzer on a pass from Marcus Smart to give Boston a dramatic 115-114 victory over the Brooklyn Nets on Sunday in Game 1 of their first-round playoff series.

"When he took that dribble we just kind of made eye contact. He made a great pass," Tatum said. "It doesn't get any better than that. A buzzer-beater in a playoff game at home."

Tatum scored 31 points, the last two on the first buzzer-beater of his career. It was Boston's first in the postseason since Paul Pierce in 2010 against the Heat.

Tatum's bucket came after a poised Boston possession in the frantic final seconds. Kevin Durant missed on the other end, Boston rebounded and raced up the court, electing not to call a timeout.

Jaylen Brown dribbled toward the middle and swung the ball out to Smart. He fired it into a cutting Tatum, who spun around and dropped in his layup just before time expired.

Brown added 23 points for the Celtics, who host Game 2 on Wednesday. Horford had 20 points and 15 rebounds, and Smart finished with 20 points, including four 3-pointers.

Kyrie Irving finished with 39 points, including 18 in the fourth quarter. But the Celtics forced the ball out of his hands the last time Brooklyn had it and Durant missed a jumper with a one-point lead that set up the Celtics' final possession. Durant added 23 points

but shot just 9 of 24.

Adjustments

Boston charged out of halftime with a 23-8 run to open a 82-69 lead, sparked by Smart's dead-eye shooting from beyond the arc.

The Celtics also seemed to tweak their approach to guarding Durant in the half court, fronting him and sending help over the top to limit his driving ability.

Durant and Irving still found ways to score, but they had to exert increased energy to get off their attempts.

It didn't last.

Boston Celtics forward Jayson Tatum (0) celebrates with guard Derrick White after making a layup at the buzzer to score and win Game 1 of an NBA basketball first-round Eastern Conference playoff series against the Brooklyn Nets April 17, 2022, in Boston. The Celtics won 115-114.

AP PHOTO

Tough crowd

Irving had a moment of frustration in the third quarter when he appeared to flip his middle finger toward Boston's fans as he ran down the court.



CAMACHO CALVO LAW GROUP LLC
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Hagåtña, Guam 96910
Telephone No. 671.472.6813
Facsimile No. 671.477.4375
Attorneys for Petitioner
HENRY BORJA

IN THE SUPERIOR COURT OF GUAM

IN THE MATTER OF THE ESTATE OF

ROSITA GARRIDO BORJA, Deceased.

PROBATE CASE NO. PRO019-20

NOTICE OF REMOTE HEARING BY ZOOM OR TELEPHONE

NOTICE IS HEREBY GIVEN that a hearing has been set before this Court before the Honorable Judge Elyze M. Iriarte, Superior Court of Guam on: April 27, 2022 at 10:40am for Petition for Probate of Will and for Letters Testamentary.

REMARKS:

Please see Zoom information below to appear for remote hearing:

You may participate by using a smartphone or computer: go to <https://guamcourts-org.zoom.us>

Meeting ID: 864 4387 2213
Passcode: JEMI

You may also call in for the hearing; you can call into the courtroom at 671-300-6703 at the designated hearing time.

DATED: March 28, 2022.

CAMACHO CALVO LAW GROUP LLC
/s/ SINFOROSO M. TOLENTINO
Attorneys for Petitioner
HENRY BORJA

The Guam Board of Examiners for Pharmacy Regular Virtual Board Meeting

Thursday, April 21, 2022 at 7:30AM.
Join Zoom Meeting

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CHIEF JUSTICE F. PHILIP CARBULLIDO
Chairman



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JUDICIAL COUNCIL OF GUAM REGULAR MEETING THURSDAY, MARCH 17, 2022 Justice Monessa G. Lujan Appellate Courtroom Guam Judicial Center And via Videoconference

★★★★

Hon. F. Philip Carbullido
Chairman

Hon. Katherine A. Maraman
Member

Hon. Robert J. Torres
Member

Hon. Alberto C. Lamorena, III.
Member

Hon. Arthur R. Barcinas
Member

★★★★

Advisory Committee Members:

Hon. Vernon G. Perez

Hon. Maria T. Cenzon

Hon. Elyze M. Iriarte

Hon. Dana A. Gutierrez

Hon. Alberto E. Tolentino

Atty. Jacqueline T. Terlaje

Atty. Frederick J. Horecky

★★★★

Administrator of the Courts:
Kristina L. Baird

Judicial Council Secretary:
Petrina Ula

Judicial Council Asst. Secretary:
Sheltonna T. Alokoa

MINUTES

I. CALL TO ORDER

The Regular Meeting of the Judicial Council was called to order by the Chairman, Chief Justice F. Philip Carbullido, at the hour of 12:00 p.m.

ROLL CALL*:

Chief Justice F. Philip Carbullido (calling in from the Judiciary)
Justice Robert J. Torres (calling in from Sinajana)
Justice Katherine A. Maraman (calling in from Sinajana)
Presiding Judge Alberto C. Lamorena III (calling in from the Judiciary)
Judge Arthur R. Barcinas (calling in from the Judiciary)

Advisory Committee Members:
Judge Elyze M. Iriarte
Judge Alberto C. Tolentino
Referee Linda L. Ingles
Jacqueline T. Terlaje, GBA President
Frederick J. Horecky**

Also, Present:

Ms. Kristina L. Baird, Administrator of the Courts (AOC)
Mr. Andrew Sergio Quenga, Deputy Administrator of the Courts
Mr. Daniel F. Mensching, Staff Attorney
Ms. Danielle T. Rosete, Clerk of Court, Superior Court
Ms. Hannah G. Arroyo, Clerk of Court, Supreme Court
Ms. Maria Erica R. Eschbach, Staff Attorney, Supreme Court
Ms. Barbara Jean T. Perez, Human Resources Administrator
Mr. Troy M. Pangelinan, Marshal of the Court
Ms. Rossanna Villagomez-Aguon, Chief Probation Officer
Ms. Trisha T. Suzuki, Deputy Chief Probation Officer
Ms. Ma. Dianne Ollet Gudmalin, FMD Administrator

Mr. Carl Dominguez, Procurement & Facilities Management Administrator
Ms. Marissa C. Antonio, Deputy Procurement & Facilities Management Administrator
Ms. Virginia W. Yasuhiro, Client Services and Family Counseling Division Administrator
Ms. Geraldine A. Cepeda, Compiler of Laws/Law Library Executive Director
Mr. Robert John S. Rabago, Management Information Systems Administrator
Mr. Michael M. Kilayko, Special Projects Coordinator (PIO)
Ms. Sophia Santos Diaz, Director of Policy, Planning, and Community Relations (DPPCR)
Ms. Marcelene C. Santos, Public Guardian
Ms. Jessica Perez-Jackson, Administrative Service Officer
Ms. Petrina M. Ula, Judicial Assistant, Judicial Council Executive Secretary
Public Access in the Atrium

*Note: All individuals listed above participated via video conference as per social distancing directives.

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, were published in the Guam Daily Post. Acknowledgments are on file.

III. DETERMINATION OF QUORUM

Chief Justice Carbullido began the roll call. Chief Justice F. Philip Carbullido, Associate Justice Robert J. Torres, and Presiding Judge Alberto C. Lamorena III identified themselves and their location. This meeting determined a quorum with three (3) Judicial Council members present. Judge Arthur R. Barcinas joined the meeting at 12:06 p.m. Associate Justice Katherine A. Maraman later joined the meeting at 12:08 p.m.***

IV. READING AND DISPOSAL OF MINUTES: February 24, 2022 Regular Meeting

Justice Torres moved to approve the February 24, 2022 Regular Meeting minutes, subject to correction. Presiding Judge Lamorena seconded the motion. Chief Justice Carbullido called an oral vote. With no discussion, the three (3) Judicial Council members voted in favor; the minutes were approved, subject to correction.

***At 12:03 p.m., Chief Justice Carbullido asked the Council if one (1) item under Old Business could be discussed first. There was no objection. He began to discuss Agenda Item V. Old Business D. Executive Order No. 2022-01: Relative to Establishing a Law Enforcement Officer Pay Scale Within the Competitive Wage Act Plan.

Chief Justice Carbullido introduced the three (3) presenters from the Judiciary's management team: Director of Policy, Planning, and Community Relations (DPPCR) Ms. Sophia Diaz, Human Resources Administrator (HR) Ms. Barbara-Jean Perez, and Finance Administrator (FMD) Ms. Dianne Gudmalin. He stated Ms. Diaz would speak on the Judicial Council's legal authority to adjust Judiciary employees' salaries. Chief Justice said that Ms. Perez would present HR's compensation review and that Ms. Gudmalin would address the financial impact of the options for the Council's consideration. He asked that the Council keep in mind that it is subject to Legislative funding approval regardless of the decision reached.

Ms. Diaz presented her opinion, stating that the Council has requisite authority, under current statutory provisions, to adopt adjusted pay scales for Law Enforcement Officer Personnel (LEOP) and adjust employees on the Competitive Wage Act (CWA) scales, subject to certain conditions and limitations, and sufficient Legislative appropriation. She described the Council's particular authority in its enabling legislation at 7 GCA 5102 to adopt pay plans for the compensation of its employees. Ms. Diaz stated the Council, relying on its authority in 7 GCA 5102, has adopted the General Pay Plan, the Attorney Pay Plan, and the Executive Pay Plan and compensates those categories of its workforce accordingly. Ms. Diaz stated that provided scales continue to be administered according to the CWA implementation methodology, the Council has sufficient legal authority to adjust employees on the scales.

Ms. Diaz explained that the Judiciary pays its LEOP, which comprises approximately one-third of its workforce, according to the Unified Pay Scale as adjusted under 10 GCA 55102. She stated that in the past, the LEOP's base pay rate was increased by a 10% increase per year over four years. Ms. Diaz noted that after that incremental increase, LEOPs had realized an overall increase of 40% over the uniform pay. She further explained that 10 GCA 55102 authorized an initial study of Law Enforcement compensation and recommended that a review be conducted on a triennial basis. Ms. Diaz said that this study conducted by the DOA included Judiciary LEOP. She added that no recommendations were made relative to Judiciary LEOP in the December 2021 report to the Governor that supported the adjustments adopted in Executive Order No. 2022-01. Ms. Diaz concluded that the Judiciary is authorized to adopt policies relative to its personnel.

Lastly, Ms. Diaz reported that the overall compensation policy for the Government of Guam is set out in 4 GCA 6301 and requires that such compensation be based on internal equity and external competitiveness. Ms. Diaz stated that any adjustments adopted by the Council compensating Judiciary employees must consider these two factors. Ms. Diaz noted in summary that if adjustments are in keeping with applicable methodology and account for internal equity and external competitiveness concerns, the Council has sufficient legal authority to adjust pay for its employees.

******Chief Justice Carbullido acknowledged that Justice Maraman and Judge Barcinas joined the meeting.**

Ms. Perez started her presentation by stating that pay increases for LEOP began in 2010 with the Compensation of Personnel in Public Safety (CoppS) Act, which authorized a 10% increase per year for four years, with full implementation of the increase by 2014. Ms. Perez said that in 2021, DOA Human Resources (HR) Department conducted a compensation review. She added that on July 28, 2021, the Judiciary's HR Department provided DOA HR with classification and compensation information, including position description questionnaires, related to the Judiciary's Deputy Marshals and Probation Officers. As stated previously, she said, Governor Leon Guerrero signed Executive Order 2022-01 Relative to the Adjustment of the LEOP pay scale by 18% on January 18, 2022. Ms. Perez noted that EO 2022-01 took effect on January 30, 2022. She emphasized that DOA HR did not provide any recommendations for the Judiciary's LEOP to the Governor.

Ms. Perez reported that the justification for the recommended 18% increase for the Executive Branch LEOP was due to several compensation issues: the current pay structure for base salaries is non-competitive with the local competition; current pay grades do not accurately reflect the job size of various law enforcement positions, and recruitment and retention difficulties. She stated that the Judiciary is not faced with the same challenges, but that HR agrees a review was warranted.

Ms. Perez explained that the Judiciary's challenges include long-term financial sustainability; morale issues regarding salary comparison; and pay disparity between job classifications.

Ms. Perez presented a comparison of salaries of LEOPs across the Government of Guam before implementing the 18% salary increase, which demonstrated that Judiciary Deputy Marshals and Judiciary Probation Officers are compensated at a higher pay grade and rate than LEOPs employed by the Executive Branch of the Government of Guam. She noted that the only exception is the Port Authority LEOP, as they are on a separate compensation system.

Ms. Perez stated the comparison shows that after implementing the Executive Branch 18% pay raise, Judiciary LEOP are not grossly underpaid compared to other LEOP employees in the Government of Guam.

Ms. Perez presented three (3) pay options for the Council to consider:

OPTION A: (Law Enforcement Officers only)

Increase Public Safety and Law Enforcement Pay Scales by 18%

OPTION B: (Law Enforcement and Non-Law Enforcement)

Increase Public Safety and Law Enforcement Pay Scale by 6% and

Non-Law Enforcement: slot closest to but not less than a 6% increase

OPTION C: (Law Enforcement and Non-Law Enforcement)

Increase Public Safety and Law Enforcement Pay Scale by 7%

and Non-Law Enforcement: slot closest to but not less than a 6% increase

She noted that salary increment due dates will remain status quo with all three (3) options presented.

Ms. Perez described each option provided in detail to the Council, including internal and external salary comparisons, the number of LEOPs affected by the proposed increases, and salary gaps. She added that increasing the LEOP salaries would cause a significant pay disparity compared to other Judiciary employees.

Ms. Perez explained relevant factors HR considered: CWA relies on 4 GCA 6301, national trends in compensation reviews to compensate for inflation, and the financial feasibility of salary increases.

Ms. Perez stated that HR recommends the Council adopt Option C: a 7% increase to the LEOP pay scale and for other non-law enforcement positions to be slotted closest to but not less than a 6% increase. She added that HR recommends selecting the option that provides equity for all employees. Ms. Perez said Option C provides parity due to a relatively modest increase and equity in the implementation between LEOP and non-law enforcement employees. Ms. Perez stated said pay similarity will allow the Judiciary to continue hiring and retaining quality staff in all key occupational areas.

Ms. Dianne Gudmalin described the potential impact of the Compensation Review and Analysis conducted by HR on the Judiciary's FY23 Budget submission. She added that proposals to adjust employee pay would result in an additional budgetary request to the Legislature. Ms. Gudmalin stated that should the Council adopt Option A proposed by HR, the Judiciary would request approximately \$1,863,867 in additional funding. She said if the Council adopted Option B proposed by HR, an additional \$1,875,600 would be included in the budget request. Finally, Ms. Gudmalin shared that the adoption of presented Option C by the Council would result in an additional request of \$1,979,148 on top of the Judiciary's status quo budget.

Chief Justice Carbullido asked for a motion to adopt the proposed Resolution Relative to Approving Pay Increases for Judiciary of Guam Employees Subject to Legislative Appropriation for discussion purposes. Judge Barcinas made the motion; Justice Torres seconded the motion. Chief Justice Carbullido opened the floor for questions and comments.

Justice Torres stated that he favors proposed Option C as it balances internal equity and external competitiveness and considers statutory mandates and budgetary restraints.

*******Presiding Judge Lamorena left the meeting early but noted in the Zoom meeting chat function that he would support the decision of the Council.**

Judge Barcinas asked if the Whereas Clause on the Resolution that cites to 10 GCA 55102 was included because although the burden of analysis was on the Director of the DOA, the Judiciary's HR department stepped up to provide an analysis. **Judge Barcinas proposed amending the Resolution to change the Whereas Clause to add language to clarify why the Judiciary's HR department undertook the analysis. Chief Justice Carbullido proposed the amendment's language "Whereas under 10 GCA 55102 in part,". Judge Barcinas agreed to the language. Chief Justice Carbullido asked if there was a second to the motion to amend the Resolution. Justice Torres seconded the amendment. Chief Justice Carbullido asked for a discussion of the amendment.**

Justice Maraman expressed concern that the studies anticipated by the provision in 10 GCA 55102 were not completed; therefore, she suggested removing any reference to the statute from the Resolution. **Justice Maraman proposed amending the Resolution to amend the Whereas Clause to omit the reference to 10 GCA 55102. Chief Justice Carbullido asked if Judge Barcinas objected to deleting the reference to the statute. Judge Barcinas had no objection.**

Chief Justice Carbullido asked if there was any objection to withdrawing Judge Barcinas' amendment to the Resolution and amending the Whereas Clause to delete the reference to 10 GCA 55102. He stated the Whereas Clause should read, "Whereas, under 7 GCA 5102 and 4 GCA 6301, the Judicial Council is authorized to adjust the pay scales of Judiciary employees". Judge Barcinas removed his amendment. Justice Torres withdrew his second to Judge Barcinas' amendment and seconded Justice Maraman's amendment. Chief Justice called for the vote. There was no objection. The Resolution was unanimously adopted by the four (4) Council members present.

Judge Barcinas asked for clarifying the definition of 'non-law enforcement employees' and if all Judiciary employees were included in the proposed 6% salary increase. Chief Justice Carbullido stated that 'non-law enforcement employees' include all non-law enforcement Judiciary employees except Judicial Officers. He asked Ms. Perez and Ms. Gudmalin for clarification. Ms. Gudmalin stated Judicial Officers were included in the budget estimates. **Chief Justice Carbullido suggested the Council amend (Option C in the third Whereas Clause of) the Resolution to state, "Increase Probation Officer and Deputy Marshal pay by 7% and all non-law enforcement employee pay, except Judicial Officers, to slot closest to, but not less than, a 6% increase, and,". Judge Barcinas seconded the motion.**

Justice Maraman asked for clarification on implementing the salary increases. She wondered if salaries were being adjusted or if the Council was changing pay scales. Ms. Perez stated the Law Enforcement pay scale is being adjusted; non-law enforcement employees would receive a 6% increase and then be slotted closest to or not less than the slot on the applicable scale. Justice Maraman stated she could not support the implementation and stated all pay scales, except for the Judicial Officers, should be adjusted so that there is equity in future hiring. Chief Justice Carbullido stated he supported Justice Maraman's suggestion. Chief Justice asked if Ms. Perez objected. She said she had no objection. Chief Justice Carbullido asked Ms. Diaz if she had any concerns over the legality of the Council adjusting the pay scale for non-law enforcement employees. Ms. Diaz expressed concern about the Council's authority relative to the CWA scales. She suggested the Council address Justice Maraman's concern by adopting a policy that hires employees at a higher step to accommodate the adjustment to the salaries of all Judiciary employees. Justice Maraman stated the Council adjusted the Attorney Pay Scale and Executive Pay Scale in the past. **Chief Justice suggested the Council consider adjusting the Law Enforcement pay scale by 7% and delete any reference to non-law enforcement employees' pay adjustments. He suggested deferring that action to the next Council meeting until the Council has had time to examine the matter further. Chief Justice Carbullido asked if there was any objection to his suggestions. There was no objection from the Council. Justice Maraman motioned to amend the Resolution's title to read "Relative to Approving Pay Increases for Law Enforcement Employees of the Judiciary Subject to Legislative Appropriation." She added all references to non-law enforcement employees be removed from the Resolution and that a new Resolution regarding the same be introduced at the next Council meeting. Justice Torres seconded the amendment. Chief Justice Carbullido asked Ms. Diaz to work with legal to re-write the Resolution as amended and examine further pay increases for non-law enforcement employees to be discussed at the next Council meeting. He opened the floor to the meeting attendees for discussion; there was no discussion.**

Chief Justice called for the oral vote on the Resolution as amended by Justice Maraman; all four (4) Council members in attendance voted in favor. Chief Justice Carbullido noted Presiding Judge Lamorena was excused from voting; he did not provide a written proxy to the chair of the Council. Justice Torres requested HR include an internal salary comparison of executive and mid-level positions as part of their salary analysis for non-law enforcement employees. Chief Justice asked HR to ensure Judicial Officers are excluded from the analysis.

V. OLD BUSINESS

A. Judiciary FY21 Remittances under PL 36-54

Ms. Dianne Gudmalin, the Financial Management Division (FMD) Administrator, reported that the Judiciary's scheduled bi-weekly allotment of \$1,257,204 for FY22 have been consistent and timely. She stated that from the \$32,687,295 appropriated to the Judiciary under PL 36-54, 46% or \$15,086,000 has been received. Ms. Gudmalin added that the last allotment was received on March 9, 2022; the next allotment is scheduled for March 22, 2022.

B. Update on the Judiciary's Response to COVID-19

The Administrator of the Courts (AOC) Ms. Kristina Baird reported that the Judiciary is still facing the third surge of COVID-19 cases, with 98 employees testing positive since January 1, 2022. She stated that the contact tracing teams are monitoring COVID-positive employees. Ms. Baird added that the Judiciary, consistent with the Executive Branch, through ADM2022-01 rescinded the mandatory vaccination and weekly testing requirements for employees. She stated that face masks and six-foot social distancing requirements are still in effect in the Judiciary.

Ms. Baird said the Judiciary's Response to COVID-19 focuses on the sanitization of facilities, support of virtual platforms, and continued operation of high-capacity courtrooms for in-person proceedings.

C. Update on Capital Improvement Projects

Ms. Baird (AOC) reported on three (3) ongoing Capital Improvement Projects (CIP): the 8th judge's courtroom, renovation of the third floor of the San Ramon Building (SRB), and the Guam Historic Courthouse Building.

Ms. Baird reported that the construction work on the 8th judge's courtroom continues; the targeted completion date is March 28, 2022.

Ms. Baird explained the construction work on the 3rd floor of the SRB is completed. Ms. Baird reported that the 3rd floor of the SRB would house Regulation Counsel and the Finance Management Division (FMD); the cashier's window will not be moved. She stated that the Regulation Counsel Division has started moving into their new office spaces. The workstations for FMD are expected to arrive the first week of April, Ms. Baird stated. She said that FMD would be relocated to SRB once the workstations are installed. Ms. Baird stated that once FMD is relocated, the space the division currently occupies in the Judiciary will be taken over by two sections of Probation. She added that the FMD space on the third floor of the SRB is presently being utilized for jury deliberations for trials held in the SRB High-Capacity courtroom.

Ms. Baird reported that the Judiciary worked with the contracted architect on the Guam Historic Courthouse Building blueprints and agreed on a layout of the building design. She added that the blueprints will soon be complete and put out for construction bids. Ms. Baird stated expected blueprint completion date is the end of March.

D. Executive Order No. 2022-01: Relative to Establishing a Law Enforcement Officer Pay Scale Within the Competitive Wage Act Plan

*****Please see page 3

VI. NEW BUSINESS

A. Judiciary FY23 Budget (for discussion purposes)

Chief Justice Carbullido reported that the FY23 Budget preparations are ongoing, and a draft budget will be submitted to the Council for review on April 18, 2022. He noted the Budget will be reviewed by Council in the April 21, 2022 Council meeting. Chief Justice Carbullido stated there will not be a meeting to discuss the Budget before the Council meeting in adherence with the Open Government Law. He added the proposed salary increases were not anticipated; they need to be factored into the budget proposal. Chief Justice Carbullido stated the salary increases are a priority and cuts will need to be made elsewhere to account for them.

B. JC Resolution Relative to Updating the Signature Card of Account Held by the Judiciary for the Purpose of Utilizing a Debit/Check Card

Ms. Gudmalin presented to Council the need to update the signature cards for the 'Judiciary's accounts held with First Hawaiian Bank, Bank of Guam, Bank of Hawaii, Bank Pacific, and ANZ Bank. She stated the update was needed due to recent changes in the 'Judiciary's management team. **Judge Barcinas moved to adopt the Resolution; Justice Torres seconded the motion. Chief Justice Carbullido called for an oral vote. All four (4) Council members voted in favor of adopting the Resolution Relative to Updating the Signature Card of Account Held by the Judiciary for the Purpose of Utilizing a Debit/Check Card.**

****Attorney Frederick Horecky left the meeting at 12:56 p.m. to attend another meeting.**

C. Common Areas Recording Policy

Mr. Daniel F. Mensching, Staff Attorney, introduced the need for a Common Areas Recording Policy (the Policy) for discussion purposes following an incident at the Judiciary. He stated the Policy, which will not apply to official ceremonies such as investitures, will prohibit all audio and video recording within the 'Judiciary's common areas unless prior permission is granted from a judicial officer or the AOC. Mr. Mensching explained that the Policy would not apply to the use of recording devices inside courtrooms. He stated such recordings would remain subject to the rules for electronic coverage of judicial proceedings as adopted by the Supreme Court in 2016.

He added that the media may still record audio and video in the areas immediately outside the Judiciary. Mr. Mensching explained that besides the maintenance of decorum and protection of Judiciary employees, the Policy would also help protect the privacy of specific individuals who conduct court business but whose identities are not public, such as juveniles, jurors, and parties in sealed proceedings.

Mr. Mensching stated other jurisdictions have similar policies in place. Mr. Mensching said the Policy is consistent with the ' 'Judiciary's Rules Governing Electronic Coverage of Judicial Proceedings, adopted by the Supreme Court in 2016. He said those rules, which mainly address recording within the courtrooms, also state that the Judiciary may institute reasonable restrictions on recording in the ' 'court's common areas to maintain safety, decorum, and order. Mr. Mensching stated that a form for individuals to submit has been prepared and posted on the Judiciary website if approved by Council.

Justice Maraman asked if the incident involved the media. Mr. Mensching stated that it did not. Justice Maraman suggested Judiciary management discuss the Policy with the media. She urged the PIO to warn the media there would be a change in Policy and allow comment. Chief Justice Carbullido asked the AOC to send the Policy to all media outlets, with a period to comment.

Judge Barcinas stated he agrees with the Policy in general. He asked for a little more clarity in Section IV Prohibitions regarding recording in the Atrium, where some trials are streamed for Public Access. He stated his concern is that a Judicial Officer may prohibit recording in the Atrium, but the person may request permission from the administration, causing a conflict. Ms. Baird stated the administration is briefed by the Clerk of Court, Ms. Rosette, on jury activities weekly, thereby informing of streamed trials. She understands that the Atrium is an extension of the courtroom, and that the administration would not contradict a ' 'judge's order regarding recording.

Guam Bar Association President Terlaje asked to have the Policy sent to the members of the Bar as well and that the Bar be allowed to comment. Chief Justice Carbullido stated the matter will be tabled until the May Judicial Council meeting to allow the members of the Bar and the media to provide feedback.

D. Notice of Next Meeting (April 21, 2022)

Chief Justice Carbullido announced the next Judicial Council regular meeting will be Thursday, April 21, 2022. He stated that the meeting would discuss the FY23 Budget and the remaining discussion on salary adjustment for non-law enforcement employees, excluding the judicial officers.

VII. COMMUNICATIONS

VIII. PUBLIC COMMENT

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

President Terlaje announced that the Guam Bar Association (GBA) will hold their annual membership meeting on April 8, 2022. She explained the meeting will also celebrate Mes CHamorro and Law Month. President Terlaje extended an invitation to attend the meeting to the Judiciary.

President Terlaje asked if the Judiciary is interested in establishing a Senior Attorney Arbitration / Mediator panel or program for civil matters. She stated she has discussed the matter with Judge Barcinas. Chief Justice Carbullido requested a draft description of the proposal from President Terlaje. He stated it is a timely proposal, as the Pacific Judicial Council is conducting mediation training under the leadership of Magistrate Judge Heather Kennedy in October 24-26, 2022. Judge Barcinas stated that the proposal came from a discussion of settlement judges in a recent meeting. He added that retired attorneys could be tapped to serve as settlement judges.

X. ADJOURNMENT

Justice Torres moved to adjourn. Presiding Judge Lamorena seconded the motion. The motion was unanimously adopted, and the meeting was adjourned at 1:22 p.m.

Respectfully submitted this 21st day of April 2022.



SHELTERIHNA T. ALOKOA
Assistant Secretary,
Judicial Council of Guam



PETRINA M. ULA.
Executive Secretary,
Judicial Council of Guam

The Minutes of the March 17, 2022 Regular Meeting as set out above were approved by the Judicial Council at the April 21, 2022 Regular meeting.



F. PHILIP CARBULLIDO
Chairman

Dated: _____

4/21/2022



BEFORE THE 2022 JUDICIAL COUNCIL OF GUAM

RESOLUTION NO. JC22-005

**RELATIVE TO SETTING COMPENSATION FOR
REFEREES AND ADMINISTRATIVE HEARING OFFICERS**

- WHEREAS,** the Judicial Council is empowered to adopt compensation plans for its employees pursuant to 7 G.C.A. § 5102(d); and
- WHEREAS,** there is currently no uniform pay schedule for full-time employees of the Judiciary of Guam serving in referee and administrative hearing officer capacities; and
- WHEREAS,** it is appropriate for such employees, whose duties encompass judicial officer functions, including the adjudication of administrative and other cases as assigned in accordance with applicable procedures, to be paid pursuant to a uniform and consistent schedule; and
- WHEREAS,** pursuant to 7 G.C.A. § 4401(b)(8), magistrates of the Superior Court are compensated at an annual rate equivalent to ninety percent (90%) of the annual salary of a Superior Court of Guam Judge; and
- WHEREAS,** compensating full-time referees and administrative hearing officers of the Judiciary of Guam at an annual salary equivalent to the salary of a magistrate is fair and reasonable and provides for consistency across the Judiciary's employee compensation structure.

NOW, THEREFORE, BE IT RESOLVED that the Judicial Council hereby establishes the annual salary for full-time referees and administrative hearing officers at the equivalent of a magistrate's annual salary; and

BE IT FURTHER RESOLVED that no employee currently serving as a referee or administrative hearing officer on a full-time basis shall suffer a loss in pay as a result of actions undertaken in compliance with this Resolution; and

BE IT FURTHER RESOLVED at such time that magistrates' compensation exceeds the rates of pay of any current referee or administrative hearing officer, such referee or administrative hearing officer shall have his or her pay adjusted to match the same.

DULY ADOPTED this 21st day of April 2022 at a duly noticed meeting of the Judicial Council of Guam.

F. PHILIP CARBULLIDO Chairman

Dated: 4/21/2022

ATTEST:

Petrina M. Ula, Executive Secretary

Dated: 4/21/22



BEFORE THE 2022 JUDICIAL COUNCIL OF GUAM

RESOLUTION NO. JC22-006

**RELATIVE TO APPROVING PAY INCREASES FOR NON-LAW ENFORCEMENT
JUDICIARY OF GUAM EMPLOYEES SUBJECT TO LEGISLATIVE APPROPRIATION**

- WHEREAS,** on January 18, 2022, the Governor of Guam issued Executive Order No. 2022-01, which raised the base pay of executive branch law enforcement officers by 18% but which did not affect Judiciary Probation Officers or Marshals; and
- WHEREAS,** in response to the executive branch law enforcement pay increase, the Judiciary's Human Resources Division ("HR") reviewed the Judiciary's law enforcement officer pay; and
- WHEREAS,** at the Judicial Council meeting of March 17, 2022, HR presented three different options to the Judicial Council to increase employee pay as follows:
- Option A: Increase Probation Officer and Deputy Marshal pay by 18%,
mirroring EO No. 2022-01,
 - Option B: Increase Probation Officer and Deputy Marshal pay by 6%
and all non-law enforcement employee pay to the slot closest to,
but not less than, a 6% increase,
 - Option C: Increase Probation Officer and Deputy Marshal pay by 7%
and all non-law enforcement employee pay to the slot closest to,
but not less than, a 6% increase, and;
- WHEREAS,** following discussion about the review and proposed options, the Judicial Council adopted Resolution No. JC 22-003, which formally adopted an increase to the law enforcement pay scale of seven percent (7%) to be included in the requested budget for Fiscal Year 2023; and
- WHEREAS,** this Council held the further consideration of adjustments to non-law enforcement employee pay in abeyance to be considered at its next regularly scheduled meeting; and
- WHEREAS,** having considered its legal authority, including the provisions of law set forth at 7 G.C.A. § 5102 and 4 G.C.A. § 6301, its prior actions relative to adjustments of employee pay and policy adoption relative to the implementation and administration of applicable pay policies; and
- WHEREAS,** in recognition of its obligations to its workforce to try to compensate them at rates that account for internal equity and external competitiveness; and
- WHEREAS,** with an understanding that any adjustments to employee pay, including those set forth in Judicial Council Resolution No. JC 22-003, are contingent on an appropriation to the judicial branch of adequate levels of funding to cover the same without sacrificing its current operations.

RESOLUTION NO. JC22-006
RELATIVE TO APPROVING PAY INCREASES FOR NON-LAW ENFORCEMENT
JUDICIARY OF GUAM EMPLOYEES SUBJECT TO LEGISLATIVE APPROPRIATION
Page 2

NOW, THEREFORE, BE IT RESOLVED that the Judicial Council hereby adopts an amended Option C -- increase pay by 6% for all non-law enforcement and non-judicial officer employees -- and authorizes such increases in the Judiciary's budget submission to the Legislature for Fiscal Year 2023.

BE IT FURTHER RESOLVED that this approval of pay increases for Judiciary employees is subject to appropriation by the Guam Legislature.

BE IT FURTHER RESOLVED that upon approval by the Legislature of additional appropriations for these purposes, such adjustments shall go into effect in Fiscal Year 2023.

DULY ADOPTED this 21st day of April 2022 at a duly noticed meeting of the Judicial Council of Guam.



F. PHILIP CARBULLIDO, Chairman

Dated: 4/21/2022

ATTEST:



Petrina M. Ula, Executive Secretary

Dated: 4/21/22



BEFORE THE 2022 JUDICIAL COUNCIL OF GUAM

RESOLUTION NO. 22-007

**RELATIVE TO APPROVING THE JUDICIARY OF GUAM
BUDGET FOR FISCAL YEAR 2023**

WHEREAS, the proposed Fiscal Year 2023 Judiciary of Guam Budget was presented by the Administrator of the Courts and the Finance Administrator in the form of a Budget Summary at the Judicial Council's duly noticed meeting of April 21, 2022; and

WHEREAS, the proposed Fiscal Year 2023 Judiciary of Guam Budget Summary was reviewed, discussed, and considered.

NOW, THEREFORE BE IT RESOLVED, that the Fiscal Year 2023 Judiciary of Guam Budget, the 2023 Budget Summary as shown in the attached Exhibit "A" is hereby APPROVED by the Judicial Council for submission to the *I Liheslaturan Guåhan* and shall be subject to legislative appropriation.

BE IT FURTHER RESOLVED that the Chief Justice and Administrator of the Courts are authorized to finalize all remaining supporting documentation relative to the Fiscal Year 2023 Judiciary of Guam Budget consistent with the Budget Summary marked Exhibit A and need not present such documentation to the Judicial Council for further approval.

DULY ADOPTED this 21st day of April 2022, at a duly noticed meeting of the Judicial Council of Guam.


F. PHILIP CARBULLIDO, Chairman

Dated: 4/21/2022

ATTEST:



Petrina M. Ula, Executive Secretary

Dated: 4/21/22



FY 2023 PROPOSED GENERAL FUND REQUEST

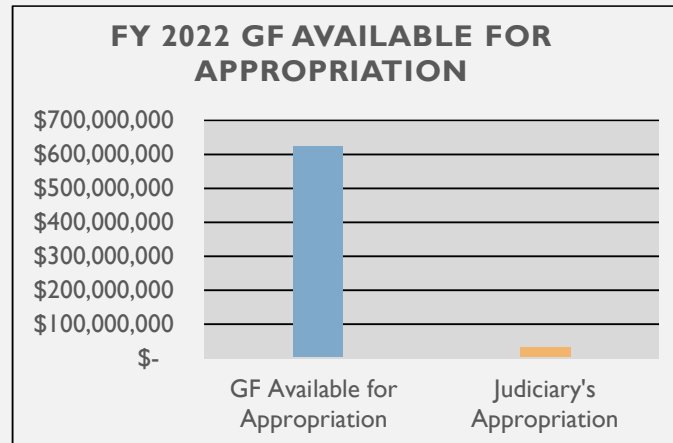
FY 2022 General Fund Budget Request vs. FY 2023 General Fund Budget Request

Expenditure	FY 2022 Request	FY 2023 Request
Personnel services	31,395,766	31,161,003
Operational cost	2,626,427	2,448,219
Utilities	1,143,992	1,170,734
Total	35,166,186	34,779,955
Below the line:		
Electronic Monitoring Program	579,204	652,728
Pay adjustments	-00	1,655,864
Total requested amount	35,745,390	37,088,548

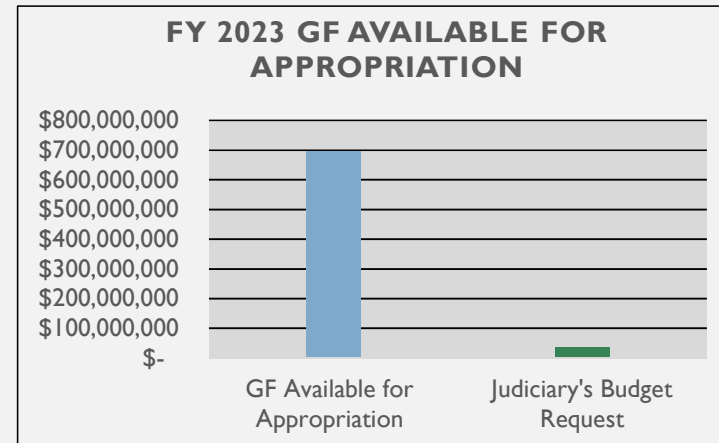


GENERAL FUND AVAILABLE FOR APPROPRIATION

Description	FY 2022
Amount appropriated for Judiciary operations	32,687,295
Amount appropriated for EM Program	-00
Total GF amount appropriated to the Judiciary	32,687,295
Total GF available for appropriation per P.L. 36-54	623,577,126
Percentage of Judiciary's approved allotment	5.24%



Description	FY 2023
Amount requested for Judiciary operations	34,779,955
Amount requested for EM Program	652,728
Amount requested for pay adjustments	1,655,864
Total GF request amount	37,088,548
Total GF available for appropriation per FY2023 Executive Budget	695,772,429
Percentage of Judiciary's requested amount	5.33%



**GENERAL FUND BUDGET REQUEST
ABOVE THE LINE - \$34,779,955**





GENERAL FUND BUDGET REQUEST – “ABOVE THE LINE”

Summary of FY 2021 to FY 2023 GF Request and FY 2022 GF Budget

Expenditure	FY 2021 Request	FY 2022 Request	FY 2023 Request	FY 2022 Budget
Total Personnel Services	31,133,372	31,395,767	31,161,003	29,221,739
Total Operational Cost	2,624,932	2,626,427	2,448,219	2,321,565
Total Utilities	1,135,695	1,143,992	1,170,734	1,143,992
Total	34,893,999	35,166,186	34,779,955	32,687,295



GENERAL FUND BUDGET REQUEST – PERSONNEL SVCS

Breakdown of Personnel Services Costs by Expenditure Type

Expenditure	FY 2021 Request	FY 2022 Request	FY 2023 Request	FY 2022 Budget
Regular salary & increment	22,124,653	21,942,318	21,294,192	20,550,683
Supplemental Pay				
Overtime	19,171	106,323	189,967	-00
Hazardous	346,768	247,778	260,367	247,778
Night differential	8,839	34,415	17,320	34,415
Retirement	6,303,544	6,156,303	6,190,352	5,755,931
Medical Insurance	1,656,771	2,066,292	2,361,425	1,887,482
Dental Insurance	148,409	276,967	332,497	256,050
Medicare Tax	326,242	318,164	315,547	299,725
Life Insurance	75,974	75,587	72,053	70,100
DC Death & Disability Ins.	123,002	126,620	127,282	119,576
Wellness Benefit	-00	45,000	-00	-00
Total Personnel Services	31,133,372	31,395,767	31,161,003	29,221,739

Note: Information herein do not include requested amounts for EM Program and proposed pay adjustments.

Breakdown of Personnel Count by Division

Division	FY 2021 Request Personnel Count	FY 2022 Request Personnel Count	FY 2023 Request Personnel Count	FY 2022 Personnel Count
SUPREME COURT				
Justices' Chamber & Legal Writing	13	12	12	12
Appellate Courts & Ministerial	4	4	4	4
Comprehensive Lawyer Regulatory Sys.	2	2	2	2
Office of the Public Guardian	7	6	5	5
Officer of the Compiler of Laws	3	2	2	2
SUPERIOR COURT				
Judges' Chambers	38	38	37	36
Courts & Ministerial	80	76	81	76
Judicial Hearings - Child Support**	7	7	7	7
Administrator of the Courts	13	11	9	10
Court Programs	8	6	6	7
Financial Management	18	17	17	16
Human Resources	8	9	11	11
Management Information Systems	9	9	9	9
Procurement & Facilities Mgmt.	32	24	24	23
Client Services & Family Counsel	12	12	12	12
Marshal	81	95	79	85
Probation	77	78	73	77
Total Full time employees (FTE)	412	408	390	394
Total Volunteer Deputy Marshal Reserved (VDMR)	31	31	31	31

Note: **Judicial Hearings-Child Support includes two (2) LE Marshal and three (3) Courts & Ministerial staff.

Personnel Count from FY 2022 Request vs Personnel Count in FY 2023 Request

Division	FY 2022 Request	FY 2023 Request	Diff
SUPREME COURT			
Justices' Chamber & Legal Writing	12	12	
Appellate Courts & Ministerial	4	4	
Comprehensive Lawyer Regulatory Sys.	2	2	
Office of the Public Guardian	6	5	-1
Officer of the Compiler of Laws	2	2	
SUPERIOR COURT			
Judges' Chambers	38	37	-1
Courts & Ministerial	76	81	+5
Judicial Hearings - Child Support	7	7	
Administrator of the Courts	11	9	-2
Court Programs	6	6	
Financial Management	17	17	
Human Resources	9	11	+2
Management Information Systems	9	9	
Procurement & Facilities Mgmt.	24	24	
Client Services & Family Counsel	12	12	
Marshal	95	79	-16
Probation	78	73	-5
Total Full time employees (FTE)	408	390	-18
Total VDMR	31	31	

Breakdown of Personnel Cost by Division

Division	FY 2021 Request (\$)	FY 2022 Request (\$)	FY 2023 Request (\$)	FY 2022 Budget (\$)
SUPREME COURT				
Justices' Chamber & Legal Writing	1,462,312	1,384,849	1,416,063	1,371,867
Appellate Courts & Ministerial	345,283	343,710	375,808	354,711
Comprehensive Lawyer Regulatory Sys.	219,950	223,127	246,946	239,753
Office of the Public Guardian	551,829	532,429	477,869	463,264
Officer of the Compiler of Laws	294,168	240,070	258,256	245,109
SUPERIOR COURT				
Judges Chambers	3,737,624	3,641,133	3,740,658	3,522,342
Courts & Ministerial	4,739,839	4,795,178	5,145,872	4,749,540
Judicial Hearings - Child Support**	178,173	183,927	200,511	186,119
Administrator of the Courts	1,288,763	1,178,934	1,059,101	973,558
Court Programs	602,130	497,376	494,361	488,510
Financial Management	1,234,966	1,200,159	1,233,441	1,076,823
Human Resources	637,042	717,040	859,384	809,193
Management Information Systems	840,597	789,072	800,381	696,005
Procurement & Facilities Mgmt.	1,774,204	1,422,742	1,466,268	1,360,567
Client Services & Family Counsel	1,052,112	1,105,498	1,132,039	1,094,431
Marshal	5,625,214	6,517,875	5,805,591	5,282,408
Probation	6,360,469	6,388,951	6,259,757	6,118,840
Total Full time employees (FTE)	30,944,675	31,162,071	30,972,306	29,033,042
Total VDMR	188,697	188,697	188,697	188,697
Wellness benefit	-00	45,000	-00	-00

Note: Information herein do not include requested amounts for EM Program and proposed pay adjustments.



GENERAL FUND BUDGET REQUEST – PERSONNEL SVCS

Expenditure	FY 2022 Request	FY 2023 Request	FY 2022 Budget
Total Personnel Services	31,395,767	31,161,003	29,221,739
Total Operational Cost	2,626,427	2,448,219	2,321,565
Total Utilities	1,143,992	1,170,734	1,143,992
Total	35,166,186	34,779,955	32,687,295

FY 2022 Request

- Consisted of 408 personnel count.
- Calculated cost was finalized around April 2021.
- Estimated without the finalized rates for health insurance, retirement contribution rates, and other benefits.

FY 2022 Budget

- Consisted of 394 personnel count.
- Calculated cost was finalized around September/October 2021.
- Calculated with finalized rates for health insurance, retirement contribution rates, and other benefits.

FY 2023 Request

- Consists of 390 current personnel count of staffing & anticipated hires.
- Calculated cost is calculated in April of 2022.
- Calculated with organic growth in personnel services, scheduled changes in contractual services, and other anticipated increases in cost of goods and services.

Note: Information herein do not include requested amounts for EM Program and proposed pay adjustments.



EXPLAINING ORGANIC GROWTH

FY 2022 Personnel Cost Calculation

Position	Grade-step	Annual salary	Retirement (28.32%)	DC D&D Ins.	Medicare (1.45%)	Life Insurance	Medical Insurance	Dental Insurance	Total Cost
Probation Officer I	LE 40% L-01	37,128	10,515	494	538	187	3,769	547	53,178

FY 2023 Personnel Cost Calculation

Position	Grade-step	Annual salary	Retirement (29.55%)	DC D&D Ins.	Medicare (1.45%)	Life Insurance	Medical Insurance	Dental Insurance	Total Cost
Probation Officer I	LE 40% L-02	39,449	11,657	494	572	187	4,814	672	57,846

Due to scheduled increment and anticipated growth or increase in personnel benefits, the Judiciary will incur an additional cost of \$4,668 to employ this personnel in the next fiscal year.

Note: (1) For estimation purposes, sample is calculated with DC retirement plan and PPO 1000, Class I, health insurance subscription.
(2) Estimate does not include any proposed pay adjustments.



GENERAL FUND BUDGET REQUEST – OPERATIONAL

Expenditure	FY 2021 Request	FY 2022 Request	FY 2023 Request	FY 2022 Budgeted
Contractual services	1,619,971	1,616,658	1,608,501	1,591,761
Supplies & materials	294,261	382,951	247,815	331,251
Equipment	155,389	242,179	47,161	63,914
Jury stipend	143,000	150,000	360,000	150,000
Modernization, improv. & maint.	207,166	110,000	40,000	60,000
Personnel training	124,186	68,854	73,330	68,854
Jury subsistence	20,000	25,000	40,000	25,000
Court appointed fees (non-indigent)	11,500	11,500	11,500	11,500
Drug testing	11,000	9,600	9,600	9,600
Travel/off-island escort	18,000	3,000	-00	3,000
Interpreter/transcriber fees (non-indigent)	15,000	-00	-00	-00
Miscellaneous/others	5,460	6,685	10,313	6,685
Total Operational Cost	2,624,932	2,626,427	2,448,219	2,321,565



GENERAL FUND BUDGET REQUEST – OPERATIONAL

Operational Cost	FY 2023 Request
Contractual services	1,608,501
Supplies & materials	247,815
Equipment	47,161
Jury stipend	360,000
Modernization, improv. & maint.	40,000
Personnel training (CPR, Ethics, OSHA & others)	73,330
Jury subsistence	40,000
Court appointed Fees (non-indigent)	11,500
Drug testing	9,600
Travel/off-island escort	-00
Interpreter/transcriber fees (non-indigent)	-00
Miscellaneous/others	10,313
Total Operational Cost	2,448,219



GENERAL FUND BUDGET REQUEST – OPERATIONAL

Operational Cost	FY 2023 Request
Contractual services	1,608,501
Supplies & materials	247,815
Equipment	47,161
Jury stipend	360,000
Modernization, improv. & maint.	40,000
Personnel training (CPR, Ethics, OSHA & others)	73,330
Jury subsistence	40,000
Court appointed Fees (non-indigent)	11,500
Drug testing	9,600
Travel/off-island escort	-00
Interpreter/transcriber fees (non-indigent)	-00
Miscellaneous/others	10,313
Total Operational Cost	2,448,219

Description	FY 2023 Request
Technology support (MIS division rqst.)	822,568
Facility & equipment leases	307,623
Dues & Subscriptions (i.e. Law Library)	181,699
Maintenance (equipment, bldg. & vehicle)	127,755
Professional Services	76,715
Postal svcs, ads, duplication & printing	73,467
Others	18,675
Total contractual services	1,608,501



GENERAL FUND BUDGET REQUEST – OPERATIONAL

Operational Cost	FY 2023 Request
Contractual services	1,608,501
Supplies & materials	247,815
Equipment	47,161
Jury stipend	360,000
Modernization, improv. & maint.	40,000
Personnel training (CPR, Ethics, OSHA & others)	73,330
Jury subsistence	40,000
Court appointed Fees (non-indigent)	11,500
Drug testing	9,600
Travel/off-island escort	-00
Interpreter/transcriber fees (non-indigent)	-00
Miscellaneous/others	10,313
Total Operational Cost	2,448,219

Description	FY 2023 Request
Maintenance, janitorial & common area supplies	71,700
Office supplies	56,061
Fuel	54,100
Testing (drug) for clients	31,000
Computer supplies & software	14,896
Instructional/training supplies	7,228
Others	12,830
Total supplies & materials	247,815



GENERAL FUND BUDGET REQUEST – OPERATIONAL

Operational Cost	FY 2023 Request
Contractual services	1,608,501
Supplies & materials	247,815
Equipment	47,161
Jury stipend	360,000
Modernization, improv. & maint.	40,000
Personnel training (CPR, Ethics, OSHA & others)	73,330
Jury subsistence	40,000
Court appointed Fees (non-indigent)	11,500
Drug testing	9,600
Travel/off-island escort	-00
Interpreter/transcriber fees (non-indigent)	-00
Miscellaneous/others	10,313
Total Operational Cost	2,448,219

Description	FY 2023 Request
Computer & courtroom equipment	27,416
LE equipment	7,045
Others	12,700
Total equipment	47,161



GENERAL FUND BUDGET REQUEST – OPERATIONAL

Operational Cost	FY 2023 Request
Contractual services	1,608,501
Supplies & materials	247,815
Equipment	47,161
Jury stipend	360,000
Modernization, improv. & maint.	40,000
Personnel training (CPR, Ethics, OSHA & others)	73,330
Jury subsistence	40,000
Court appointed Fees (non-indigent)	11,500
Drug testing	9,600
Travel/off-island escort	-00
Interpreter/transcriber fees (non-indigent)	-00
Miscellaneous/others	10,313
Total Operational Cost	2,448,219

Description	FY 2023 Request
Jury stipend & subsistence	400,000
Modernization, improv. & maint.: (1) mini van for P&FMD	40,000
Personnel training: (1) Ethics training (2) OSHA (3) CPR/First Aid	73,330
Court Appointed Fees (non-indigent)	11,500
Drug Testing (personnel)	9,600
Others	10,313
Total Others	544,743



GENERAL FUND BUDGET REQUEST – UTILITIES

Utilities	FY 2021 Request	FY 2022 Request	FY 2023 Request	FY 2022 Budgeted
Power	966,000	966,000	966,000	966,000
Water/sewer/waste	73,150	71,540	71,540	71,540
Phone/cable/internet	96,545	106,452	133,194	106,452
Total Utilities	1,135,695	1,143,992	1,170,734	1,143,992

**FY 2023 GENERAL FUND REQUEST
ELECTRONIC MONITORING (EM) PROGRAM**





GENERAL FUND BUDGET REQUEST – EM PROGRAM

Expenditure	FY 2023 Request
Total Personnel Services	376,228
Total Operational Cost	269,000
Total Utilities	7,500
Total	652,728

Position	Salary	Benefits	OT/ND/HZ	Total
Probation Officer Supervisor	64,487	37,128	10,851	112,466
Sr. Probation Supervisor	51,645	33,170	12,415	97,229
Probation Officer II	42,659	30,353	10,255	83,267
Probation Officer II	42,659	30,353	10,255	83,267
Total Personnel Services	201,450	131,003	43,775	376,228

Item Description	Amount
GPS monitoring (\$6.00/day x 100 clients)	219,000
Equipment & supplies	50,000
Communications	7,500
Total Operational & Utilities	276,500

Note: For estimation purposes, benefits are calculated with DC retirement plan and PPO 1000, Class 4, health insurance subscription.



GENERAL FUND BUDGET REQUEST – EM PROGRAM

	FY 2023 Request
Total Personnel Services	376,228
Total Operational Cost	269,000
Total Utilities	7,500
Total	652,728

Potential savings to the Department of Corrections (DOC) is \$4,745,000.

- 100 clients x \$130 x 365 days

**JUDICIAL BUILDING FUND
FY 2023 BUDGET REQUEST**





JUDICIAL BUILDING FUND- BUDGET REQUEST

Expenditure	FY 2023 Request
Principal and Interest (debt service)	750,000
Contractual services	375,005
Equipment	17,500
Guam Police Dept. – Forensic Science Lab Maintenance	50,000
Total Request	1,192,505

Contractual Services	Amount
Lease of Route 4 Bldg. & Jud. Education Center	225,005
Building maintenance	50,000
Equipment maintenance	25,000
Other services	75,000
Total Contractual Services	375,005

**JUDICIAL CLIENT SERVICE FUND
FY 2023 BUDGET REQUEST**





JUDICIAL CLIENT SERVICE FUND- BUDGET REQUEST

Expenditure	FY 2023 Request
Court Appointed Fees / Pro Temp	1,500,000
Contractual services (counseling, forensic eval. & svcs., mediation svcs., & others)	306,550
Personnel Services	281,765
Jury stipend (indigent related cases)	150,000
Interpreter/transcriber fees	140,000
System, security & equipment	80,000
Investigator claims	40,000
Misc. (others)	1,200
Total Request	2,499,515

**SAFE STREETS FUND
FY 2023 BUDGET REQUEST**





SAFE STREETS FUND- BUDGET REQUEST

Expenditure	FY 2023 Request
Family Visitation Center (Erica's House)	121,000
Total Request	121,000

Si Yu'os Ma'åse'



BEFORE THE 2022 JUDICIAL COUNCIL OF GUAM

RESOLUTION NO. JC22-005

**RELATIVE TO SETTING COMPENSATION FOR
REFEREES AND ADMINISTRATIVE HEARING OFFICERS**

- WHEREAS,** the Judicial Council is empowered to adopt compensation plans for its employees pursuant to 7 G.C.A. § 5102(d); and
- WHEREAS,** there is currently no uniform pay schedule for full-time employees of the Judiciary of Guam serving in referee and administrative hearing officer capacities; and
- WHEREAS,** it is appropriate for such employees, whose duties encompass judicial officer functions, including the adjudication of administrative and other cases as assigned in accordance with applicable procedures, to be paid pursuant to a uniform and consistent schedule; and
- WHEREAS,** pursuant to 7 G.C.A. § 4401(b)(8), magistrates of the Superior Court are compensated at an annual rate equivalent to ninety percent (90%) of the annual salary of a Superior Court of Guam Judge; and
- WHEREAS,** compensating full-time referees and administrative hearing officers of the Judiciary of Guam at an annual salary equivalent to the salary of a magistrate is fair and reasonable and provides for consistency across the Judiciary's employee compensation structure.

NOW, THEREFORE, BE IT RESOLVED that the Judicial Council hereby establishes the annual salary for full-time referees and administrative hearing officers at the equivalent of a magistrate's annual salary; and

BE IT FURTHER RESOLVED that no employee currently serving as a referee or administrative hearing officer on a full-time basis shall suffer a loss in pay as a result of actions undertaken in compliance with this Resolution; and

BE IT FURTHER RESOLVED at such time that magistrates' compensation exceeds the rates of pay of any current referee or administrative hearing officer, such referee or administrative hearing officer shall have his or her pay adjusted to match the same.

DULY ADOPTED this 21st day of April 2022 at a duly noticed meeting of the Judicial Council of Guam.

F. PHILIP CARBULLIDO Chairman

Dated: 4/21/2022

ATTEST:

Petrina M. Ula, Executive Secretary

Dated: 4/21/22



BEFORE THE 2022 JUDICIAL COUNCIL OF GUAM

RESOLUTION NO. 22-009

RELATIVE TO THE DECLARATION OF LAW DAY AND LAW MONTH

- WHEREAS,** the American Bar Association (“ABA”) celebrates the first day in May of every year as Law Day, encouraging all Americans to reflect upon the Rule of Law and the good fortune of living in a nation of laws; and
- WHEREAS,** this year the American Bar Association has set the Law Day theme to be “Toward a More Perfect Union: The Constitution in Times of Change”. This year’s theme reminds us that the Constitution is a dynamic document, as it only outlines a blueprint for government, but also delegates power, articulates rights, and offers mechanisms for change; and
- WHEREAS,** the Judiciary of Guam has historically followed the ABA tradition, and intends to recognize Law Day on May 1, 2022, and to celebrate Law Month from April 25, 2022, through May 30, 2022; and
- WHEREAS,** Law Month 2022 provides a unique opportunity to help promote public understanding of the rule of law by concentrating events important to the legal community, such as the State of the Judiciary Address, media publications of community views of legal principles, essay and art contests, fairy tale mock trial plays featuring the island’s youth, Hustisia Award presentation, a special Naturalization Ceremony, a virtual appellate outreach argument, Jump for Justice and obstacle course challenge, Guam Girl Scouts Justice Patch event, and a “Race Judicata” 5K, a collaborative and unified effort to raise funds for a charitable organization;

NOW, THEREFORE, the Judicial Council, in uniformity with the American Bar Association, does hereby proclaim Friday, May 1, 2022, as Law Day and April 25 through May 30 as Law Month. The Judicial Council invites the people of Guam to these events to celebrate and reflect on the rule of law in Guam and how we all share the responsibility to promote the rule of law, defend liberty, and pursue justice.

DULY ADOPTED this 21st day of April 2022 at a noticed meeting of the Judicial Council of Guam.

F. PHILIP CARBULLIDO

Chairman, Judicial Council of Guam
Chief Justice, Supreme Court of Guam

ROBERT J. TORRES

Member, Judicial Council of Guam
Justice, Supreme Court of Guam

KATHERINE A. MARAMAN

Member, Judicial Council of Guam
Justice, Supreme Court of Guam

ALBERTO C. LAMORENA III

Member, Judicial Council of Guam
Presiding Judge, Superior Court of Guam

ARTHUR R. BARCINAS

Member, Judicial Council of Guam
Judge, Superior Court of Guam

FRANCES TYDINGCO-GATEWOOD

Chief Judge
District Court of Guam

MICHAEL J. BORDALLO

Magistrate Judge
District Court of Guam



BEFORE THE 2022 JUDICIAL COUNCIL OF GUAM

RESOLUTION NO. 22-010

**RELATIVE TO PROCLAIMING THE MONTH OF APRIL
AS SECOND CHANCE MONTH 2022**

- WHEREAS,** the Second Chance Act, passed by Congress and signed into law by President George W. Bush on April 9, 2008 aimed to enhance public safety by breaking the cycle of criminal recidivism and improving outcomes for people returning from prisons, jails, and juvenile facilities; and
- WHEREAS,** reentry refers to the transition of offenders from prison to community supervision; and
- WHEREAS,** in 2015, the Judiciary of Guam received an award from the Bureau of Justice Assistance Second Chance Act demonstration grant to establish the Guam Adult Reentry Court in order to provide reentry services to individuals 18 years or older who are assessed as medium- to high-risk for recidivism using evidence-based tools; and
- WHEREAS,** in 2016, during the inaugural National Reentry Week, the Department of Justice sponsored events designed to raise awareness of the importance of successful reentry; and
- WHEREAS,** in February of 2018, Public Law 34-81 was passed by *I Mina'Trentai Kuattro Na Liheslaturan Guåhan* allowing the Judiciary of Guam to establish the Guam Adult Reentry Court Program; and
- WHEREAS,** in April of 2018, at the recommendation of the Judicial Council of Guam, the Supreme Court of Guam established the Guam Adult Reentry Court Program as a specialized treatment program within the Superior Court of Guam through Promulgation Order 18-003-01; and
- WHEREAS,** in 2018, the Judiciary of Guam received funding through the U.S. Department of Justice, Office of Justice Programs under the FY 18 Improving Reentry for Adults with Co-occurring Substance Abuse and Mental Illness (CSAMI); and
- WHEREAS,** the Judiciary recognizes the importance of utilizing evidence-based risk assessment tools to guide the development of individualized case plans identifying the participants' risk and needs to be addressed; and
- WHEREAS,** incarcerated persons with co-occurring substance abuse and mental illness reentering the community face many challenges in obtaining adequate and effective services such as supervision, access to treatment, formal peer recovery support services, and access to wraparound services; and

WHEREAS, other challenges faced by formerly incarcerated individuals reentering society include, but are not limited to, the need for family support, transitional housing, government identification documentation, health care and health insurance, workforce development, employment, legal services, and transportation resources; and

WHEREAS, the Guam Adult Reentry Court has and continues to partner with various government, non-profit, and private sector organizations in the delivery of services to support individuals who volunteer and participate in the program.

NOW, THEREFORE, BE IT RESOLVED that the Judicial Council of Guam does hereby recognize the month of April as Second Chance Month 2022, recognizing all those reentering and committed to rejoining society as positive and engaged members of our community and workplaces, and making meaningful contributions to our island. The Judicial Council of Guam, on behalf of the Judiciary of Guam, urges the people of Guam to use this occasion to reflect on the collaborative efforts of our community partners and the positive changes brought about by the Guam Adult Reentry Court Program in helping individuals rebuild their lives as they transition back into our island community, thereby building second chances.

DULY ADOPTED this 21st day of April 2022 at a duly noticed meeting of the Judicial Council of Guam.



F. PHILIP CARBULLIDO, Chairman

Dated: 4/25/2022

ATTEST:



Petrina M. Ula, Executive Secretary

Dated: 4/22/22



BEFORE THE 2022 JUDICIAL COUNCIL OF GUAM


RESOLUTION NO. 22-011

RELATIVE TO PROCLAIMING THE MONTH OF MAY AS GUAM DRUG COURT MONTH

- WHEREAS,** this year marks the 33rd anniversary of treatment courts; and
- WHEREAS,** treatment courts are now recognized as the most successful justice system intervention and now number more than 4,000 nationwide and have served over 1.5 million individuals; and
- WHEREAS,** the Superior Court of Guam established the first Drug Court in 2002, pursuant to Public Law 26-125 and since that time the Adult and Juvenile Drug Courts have graduated 568 adults and over 500 juveniles, respectively, with hundreds enrolled in the programs collectively; and
- WHEREAS,** the National Association of Drug Court Professionals annually celebrates National Drug Court Month in order to bring attention to and celebrate the successes of treatment courts, which work to break the cycle of addiction in families and reduce the number of re-arrests and re-incarcerations; and
- WHEREAS,** treatment courts significantly improve substance use disorder treatment outcomes, substantially reduce addiction and related crime, and do so at less expense than any other criminal justice strategy; and
- WHEREAS,** treatment courts improve education, employment, housing, and financial stability, promote family reunification, reduce foster care placements, and increase the rate of addicted mothers delivering babies who are fully drug free; and
- WHEREAS,** treatment courts facilitate community-wide partnerships, bringing together public safety and public health professionals; and
- WHEREAS,** treatment courts demonstrate that when one person rises out of substance use and crime- we all rise.

NOW, THEREFORE, BE IT RESOLVED that the Judicial Council of Guam does hereby recognize the month of May 2022 as Drug Court Month, recognizing drug courts and other therapeutic courts as the cornerstone of criminal justice reform sweeping the island. The Judicial Council on behalf of the Judiciary of Guam urges the people of Guam to use this occasion to reflect on the positive changes brought by Drug Courts and other therapeutic courts to our island community.

DULY ADOPTED this 21st day of April 2022 at a duly noticed meeting of the Judicial Council of Guam.



F. PHILIP CARBULLIDO, Chairman
Dated: 4/25/2022



Petrina M. Ula, Executive Secretary
Dated: 4/22/22



JUDICIAL COUNCIL OF GUAM

Suite 300 Guam Judicial Center
120 West O'Brien Drive
Hagåtña, Guam 96910-5174
Tel: (671) 475-3413 Fax: (671) 475-3140

MEMORANDUM

FROM: Chairman of the Judicial Council
TO: All Superior Court Judges
DATE: April 8, 2022
SUBJECT: Annual Reporting of Judges' Departures from the Mandatory Minimum Sentences; Please respond by May 2, 2022

The Judicial Council's annual report of judges' departures from mandatory minimum sentences, which is required by 9 GCA § 80.39.3, is due to be published on the Judiciary's website on May 7, 2022. For your reference Section 80.39.3 states:

Upon departing from mandatory minimum sentences, judges shall report to the Judicial Council which shall, one (1) year following the enactment of this statute and annually thereafter, make available in electronic form and on the world wide web, a report as to the number of departures from mandatory minimum sentences made by each judge of the Superior Court of Guam.

So that the Judicial Council may comply with this statutory requirement, please provide the number of your cases wherein you departed from mandatory minimum sentences from May 8, 2021 to April 29, 2022.

Please return the attached form on your letterhead to the Judicial Council Executive Secretary Ms. Petrina Ula by May 2, 2022. Thank you.

F. Philip Carbullido
Chairman

Hon. F. Philip Carbullido
Chairman

Hon. Katherine A. Maraman
Member

Hon. Robert J. Torres
Member

Hon. Alberto C. Lamorena, III
Member

Hon. Arthur R. Barcinas
Member

Advisory Committee Members:

Hon. Vernon G. Perez

Hon. Maria T. Cenzon

Hon. Elyze M. Iriarte

Hon. Dana A. Gutierrez

Hon. Alberto E. Tolentino

Atty. Jacqueline T. Terlaje

Atty. Frederick J. Horecky

Administrator of the Courts:
Kristina L. Baird

Judicial Council Secretary:
Petrina Ula

Judicial Council Asst. Secretary:
Shelterihna T. Alokoa

MEMORANDUM

TO: Chairman of the Judicial Council

FROM: Judge _____

DATE:

SUBJECT: 2022 Mandatory Justice Safety Act Reporting Form

MANDATORY JUSTICE SAFETY VALVE ACT REPORTING FORM

This form is submitted to the Judicial Council pursuant to the reporting requirements of the Justice Safety Valve Act and 9 GCA § 80.39.3. The number of cases below departed from the mandatory minimum sentence during the period of time indicated below.

Reporting Period	Number of Cases that Departed from the Mandatory Minimum Sentence
May 9, 2021 to April 29, 2022	

Submitted by:

Name: _____

Title: _____

Date: _____