



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

**JUDICIAL COUNCIL OF GUAM
REGULAR MEETING
THURSDAY, AUGUST 19, 2021
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

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

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 off island)
Justice Katherine A. Maraman (calling in from Sinajana)
Judge Arthur R. Barcinas (calling in from the Judiciary)

Advisory Committee Members:
Judge Elyze M. Iriarte
Referee Maria Fitzpatrick
Attorney Frederick J. Horecky

Also, Present:

Ms. Kristina L. Baird, Administrator of the Courts (AOC)
Mr. Robert S. Cruz, Deputy Chief Administrator
Mr. Daniel Mensching, Staff Attorney, Judiciary of Guam
Ms. Danielle T. Rosete, Clerk of Court, Superior Court
Ms. Hannah G. Arroyo, Clerk of Court, Supreme Court
Ms. Ma. Erica Eschbach, Staff Attorney, Supreme Court
Ms. Barbara Jean T. Perez, Human Resources Administrator
Mr. Troy M. Pangelinan, Marshal of the Court
Ms. Trisha T. Suzuki, Deputy Chief Probation Officer
Ms. Ma. Dianne Ollet Gudmalin, FMD Administrator
Ms. Marcelene C. Santos, Public Guardian
Ms. Kristina Blaz, Public Information Officer
Mr. Carl V. 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
Ms. Jessica Perez-Jackson, Administrative Service Officer
Ms. Shelterihna T. Alokoa, Judicial Assistant, Judicial Council Assistant Secretary
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 Judge Arthur R. Barcinas identified themselves and their location over videoconference. With three (3) Judicial Council members present, a quorum was determined for this meeting. Justice Katherine A. Maraman joined the meeting at 12:07 p.m. Presiding Judge Alberto C. Lamorena III was excused from attending.

IV. READING AND DISPOSAL OF MINUTES: July 15, 2021 Regular Meeting

Justice Torres moved to approve the July 15, 2021 Regular Meeting minutes, subject to correction. Judge Barcinas 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.

V. OLD BUSINESS

A. Judiciary FY21 Remittances under PL 35-099

Ms. Dianne Gudmalin, Finance Administrator (F.M.D.), reported that the Judiciary's scheduled bi-weekly allotment of \$1,132,491 for FY21 have been consistently received in full and on time. She stated that from the \$29,444,760 appropriated to the Judiciary, 88% or \$26,047,000 has been received. Ms. Gudmalin added that the last allotment was received on August 11, 2021; there are three allotments remaining in FY21. She added next distribution is scheduled for August 24, 2021.

i. Judiciary FY22 Budget

Chief Justice Carbullido reported the Judiciary of Guam's General Fund final budget request for FY 2022, transmitted to the 36th Guam Legislature's Office of Finance and Budget on May 3, 2021, was \$35,745,390. Chief Justice Carbullido stated that the Committee on Appropriations of the 36th Guam Legislature reported out Substitute Bill 55-36, the proposed funding bill for Government of Guam Operations Appropriations for FY22. He said the Judiciary was appropriated \$32,687,295 plus a single line item of \$79,816, a pass-through from Safe Streets funds for Erica's House, the family visitation center. Chief Justice Carbullido pointed out that this is \$3,058,095 short of the requested appropriation. He added budget hearing discussions would be monitored, and if called upon, the Judiciary would defend the requested amount.

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

Ms. Kristina Baird, Administrator of the Courts (AOC), reported the Judiciary's Response to COVID-19 includes continued sanitization of facilities, use of virtual platforms, and compliance with the CDC guidelines for social distancing using high-capacity courtrooms. She explained that the Judiciary has expanded the use of a contracted janitorial vendor to deep clean and sanitize all facilities four (4) times per week because of the facility's increased activity. She stated the Superior Court judges use the high-capacity courtrooms to address the backlog of cases while complying with social distancing protocols. To accommodate extensive jury selections, Ms. Baird announced that the Judiciary leased the Academy of Our Lady of Guam (AOLG) cafeteria through July 23, 2021. Ms. Baird noted that the Judiciary continues to bill the Department of Administration (DOA) and the Bureau of Budget and Management Research (BBMR) for expenses attributable to the pandemic.

C. Update on Capital Improvement Projects

Ms. Baird (AOC) reported on two (2) ongoing Capital Improvement Projects (CIP): the renovation and design of the 8th judge's courtroom and the Guam Historic Courthouse Building.

Ms. Baird related that the demolition of the 8th judge's courtroom is complete. She stated that the Facilities Manager, Mr. Carl Dominguez, met with the architect and engineering firm to preview the design plans. Ms. Baird added the architect plans to work with the technology consultant, Quantum Technology Group, to ensure the technology needs of the courtroom are met. She said the plans would be circulated with the Superior Court judges for input.

Ms. Baird reported that once the 8th judge's courtroom is complete, the team will then move on to the design and renovation of the Guam Historic Courthouse Building, the largest CIP project planned.

Ms. Baird stated there are no changes to the information provided in an update on the Bank of Guam drawdowns balance since the May 20, 2021 Council meeting.

Chief Justice Carbullido noted that the Judiciary is conservative in drawing down funds and is working to identify other funding sources for CIP projects. He added he had instructed the AOC and PFMD to adhere to the CIP timeline provided at the last Council meeting as closely as possible.

D. Discussion re Proposed Rescindment of JC20-028

Chief Justice Carbullido reported that, at the last meeting, Council deferred the resolution pending updates regarding ARP funding and the Judiciary's FY22 budget. Chief Justice Carbullido noted the Judiciary's Budget Hearing had been postponed until July 19, 2021. He asked if there was any objection to deferring the matter for thirty (30) days until the budget hearing.

Justice Maraman moved to table the matter until the next Judicial Council meeting; Justice Torres seconded the motion. There was no objection from Council members to deferring the matter until the next Judicial Council meeting.

VI. NEW BUSINESS

A. Notice of Next Meeting (September 23, 2021)

Chief Justice Carbullido announced he would like to delay the next Judicial Council regular meeting until Thursday, September 23, 2021, to accommodate travel schedules for several staff members. Justice Torres moved to postpone the next Judicial Council meeting until Thursday, September 23, 2021, at 12:00 noon CST. Judge Barcinas seconded the motion. There was no objection to the motion.

VII. COMMUNICATIONS

VIII. PUBLIC COMMENT

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

There was no representative of the Guam Bar Association present.

B. CCJ/COSCA Board of Governors

Judge Barcinas congratulated Chief Justice Carbullido on his appointment to the Conference of Chief Justices' Board of Governors. Chief Justice Carbullido thanked Judge Barcinas.

C. IFIK – President's Report

Justice Torres recognized the IFIK monthly written report provided to the Council before the meeting by Ms. Jaylene San Nicolas, IFIK President. Justice Torres described the upcoming Panda Express fundraiser planned for Tuesday, August 31, and the continued efforts by IFIK to arrange an in-person Christmas party.

D. 2021 Labor Day Picnic

Chief Justice Carbullido announced that the Judiciary's annual Labor Day picnic had been postponed considering the current spike of covid19 cases and out of abundance of caution. Chief Justice Carbullido added that the AOC and planning committee have tentatively rescheduled the picnic for Saturday, November 6, 2021.

X. ADJOURNMENT

Justice Torres moved to adjourn. Judge Barcinas seconded the motion. The meeting was adjourned at 12:17 p.m. without any objection from Council members.

Respectfully submitted this 21st day of October 2021.



SHELTERIHNA T. ALOKOA
Assistant Secretary,
Judicial Council of Guam



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

The Minutes of the August 19, 2021 Regular Meeting as set out above were approved by the Judicial Council at the October 21, 2021 Regular meeting.



F. PHILIP CARBULLIDO
Chairman

Dated: 10/21/2021