



JUDICIAL COUNCIL OF GUAM

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**JUDICIAL COUNCIL OF GUAM
REGULAR MEETING
WEDNESDAY, JANUARY 18, 2023
Justice Monessa G. Lujan Appellate Courtroom
Guam Judicial Center
And via Zoom Videoconference**

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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

Atty. Jacqueline T. Terlaje

Atty. Frederick J. Horecky

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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 12:00 p.m.

ROLL CALL*:

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

Advisory Committee Members via Zoom meeting platform:
Judge Elyze M. Iriarte
Judge Dana A. Gutierrez
Referee Linda L. Ingles
Administrative Hearings Officer B. Ann Keith
Referee Maria G. Fitzpatrick
Attorney Jacqueline T. Terlaje
Attorney Frederick J. Horecky

Also, present in the Monessa G. Lujan Appellate Courtroom:
Ms. Danielle T. Rosete, Administrator of the Courts (AOC)
Mr. Andrew Sergio Quenga, Executive Director, CLRRC
Mr. Daniel F. Mensching, Staff Attorney
Ms. M. Erica R. Eschbach, Staff Attorney, Supreme Court
Ms. Dawn R. Blas, Judicial Educator
Ms. Barbara Jean T. Perez, Human Resources Administrator
Mr. Troy M. Pangelinan, Marshal of the Court

Mr. Joseph J. Leon Guerrero, Deputy Chief Marshal
Ms. Rossanna Villagomez-Aguon, Chief Probation Officer
Ms. Trisha T. Suzuki, Deputy Chief Probation Officer
Ms. Ma. Dianne Ollet Gudmalin, Finance Management Division Administrator (FMD)
Ms. Melissa Casil Chargualaf, Client Services and Family Counseling Division Administrator (CSFC)
Mr. Robert John S. Rabago, Management Information Systems Administrator (MIS)
Ms. Sophia Santos Diaz, Clerk of Court, Superior Court
Ms. Hannah G. Arroyo, Clerk of Court, Supreme Court
Ms. Marcelene C. Santos, Public Guardian
Mr. Carl V. Dominguez, Procurement and Facilities Management Division Administrator (PFMD)
Ms. Alicia A.G. Limtiaco, Regulation Counsel
Ms. Sarah G. Elmore-Hernandez, Director of Policy, Planning, & Community Relations (DPPCR)
Ms. Suzane P. Santiago-Hinkle, Staff Attorney
Ms. JolenaMay San Agustin, Court Transcriber, Courts & Ministerial Division
Ms. Jessica Perez-Jackson, Administrative Services Officer
Ms. Petrina M. Ula, Judicial Assistant, Judicial Council Executive Secretary
Ms. Shelterihna T. Alokoa, Judicial Assistant, Judicial Council Assistant Secretary

Also Present via Zoom meeting platform:

Ms. Valerie D. Tenorio, Chief Deputy Clerk, Courts and Ministerial Division
Dr. Jean P. Wycoff, Senior Judicial Therapist, CSFC Division
Dr. Lisa V. Baza, Senior Judicial Therapist, CSFC Division
Ms. Emma F. Gillian-Matanane, Judicial Therapist, C.S.F.C. Division
Ms. Antonette S. Padua, Judicial Therapist, CSFC Division
Ms. Margaret Pangelinan-Hughey, Legislative Assistant, Office of Speaker Therese M. Terjale
Public Access in the Atrium

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 Pacific Daily News. Acknowledgments are on file.

III. DETERMINATION OF QUORUM

Chief Justice Torres began the roll call. Chief Justice Robert J. Torres, Associate Justice F. Philip Carbullido, Associate Justice Katherine A. Maraman, and Presiding Judge Alberto C. Lamorena III identified themselves. This meeting determined a quorum with four (4) Judicial Council members present. Judge Maria T. Cenzone later joined the meeting at 12:01 p.m.

IV. READING AND DISPOSAL OF MINUTES: December 21, 2022 Regular Meeting and December 21, 2022 Executive Session

Justice Carbullido moved to approve the December 21, 2022 Regular Meeting minutes and the December 21, 2022 Executive Session minutes, subject to correction. Presiding Judge Lamorena seconded the motion. Chief Justice Torres called an oral vote. With no discussion, the Council members voted in favor; the minutes were approved, subject to correction.

V. OLD BUSINESS

A. Judiciary FY23 Remittances under PL 36-107

Ms. Dianne Gudmalin, the Financial Management Division (FMD) Administrator, reported that the scheduled bi-weekly allotment of \$1,295,000 from the General Fund Appropriation of \$33,695,000 for FY23 continues to be received on time. She stated that from the \$33,695,000 appropriated to the Judiciary under PL 36-107, 31% or \$10,367,000 had been received. Ms. Gudmalin added that the last allotment was received on January 11, 2023, and the next allotment is due on January 24, 2023.

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

Chief Justice Torres noted that today's meeting is a hybrid meeting, with some participants in the room and others joining via the Zoom meeting platform. He added that this is the first time the Judicial Council has met in person since the onset of the Pandemic.

The Administrator of the Courts (AOC), Ms. Danielle T. Rosete, stated that the Judiciary continues to see some COVID-19-positive employees. She noted that the Judiciary would maintain safety protocols and sanitization of facilities in response to COVID-19.

C. Update on Capital Improvement Projects

Ms. Danielle T. Rosete, Administrator of the Courts (AOC), updated the ongoing Capital Improvement Project (CIP) at the Guam Historic Courthouse Building and on projects throughout the Judiciary campus.

She stated that the rehabilitation of the Guam Historic Courthouse Building is on track and expected to be completed by the end of February 2023.

Ms. Rosete said the painting of the exterior of the Judicial Building and carpet and tile installation on the 2nd floor of the same is ongoing.

Ms. Rosete stated that a walkway connecting the San Ramon Building (SRB) with the Judicial Building is under construction. She said renovations of the second floor of the SRB, which houses our HR Division, are almost complete.

Ms. Rosete explained that the wooden pedestrian staircase at the Route 4 building would be replaced. She added that replacement gates would be installed at the main entrance of the Route 4 building and the employee parking. Ms. Rosete said a pedestrian walkway would also be constructed in the employee parking lot.

Justice Maraman asked if improvements to the Route 4 building would be ADA-compliant; Ms. Rosete confirmed they would be. Justice Carbullido asked the management to provide the Council with a timeline for moving back into the Guam Historic Courthouse Building.

D. Acquisition of Properties (For Informational Purposes)

Chief Justice Torres notified the Council that the deed to the Employee Parking Lot was recorded at the beginning of the year and that the Judiciary of Guam is now the property owner.

Justice Maraman asked for an update on repairing or replacing skylights in the Judicial Building. Mr. Carl Dominguez, Procurement and Facilities Management Division Administrator (PFMD), stated that a cost estimate had been received from the architect and that he is in negotiations to attempt to reduce the cost. Chief Justice Torres asked Mr. Dominguez to provide an update at the next Council meeting. He added that the contractor who installed the skylights has since ceased to operate. Presiding Judge Lamorena asked to have the project prioritized before the start of the typhoon season.

VI. NEW BUSINESS

A. Certificates of Commendation (V. Yasuhiro, J. Wycoff)

Dr. Jean P. Wycoff was brought forward, and her division head, Ms. Melissa Casil Chargualaf, thanked her for serving the Judiciary for 24 years. All the Council members shared their accolades and thanks with Dr. Wycoff.

Ms. Virginia Yasuhiro did not appear before Council. Justice Maraman asked to have Ms. Yasuhiro's Commendation tabled until she can appear before Council. Chief Justice Torres concurred.

B. JC Resolution Relative to Commending Justice F. Philip Carbullido for His Service to the Judiciary of Guam

Chief Justice Torres presented a resolution that commends Justice F. Philip Carbullido for his service to the Judiciary of Guam during his term as the Chief Justice from January 2020 to January 2023. He said that Justice Carbullido's term would be remembered most for his leadership through one of the most challenging periods in the history of the Judiciary - the COVID-19 Pandemic. He described how the Judiciary adapted operations in response to the Pandemic and the projects and undertakings that marked Justice Carbullido's term. Chief Justice and Council members thanked Justice Carbullido for his leadership.

Presiding Judge Lamorena moved to amend the resolution to include language commending Justice Carbullido for approving and supporting efforts to address the backlog of nearly 400 criminal felony cases presented to the grand jury during the COVID-19 Pandemic. Justice Maraman seconded the motion. Judge Cenzone moved to amend the resolution to specifically name the former AOC, Ms. Kristina L. Baird, in the resolution. Justice Torres stated that a separate resolution commending Ms. Baird would be brought forward at the February 2023 Council meeting. Chief Justice Torres called for an oral vote on the point of the amendment to the resolution to include the language proposed by Presiding Judge Lamorena; four (4) Council members voted unanimously in favor of the resolution, as amended. Justice Carbullido abstained from the vote. The resolution was unanimously adopted.

Chief Justice Torres asked Justice Carbullido if he would like to make any statements. Justice Carbullido stated he worked in partnership with the former AOC, Ms. Kristina L. Baird, and the collective effort of the Judiciary's management team over the term. He said the Judiciary is blessed with a capable and competent management team.

C. JC Resolution Relative to Appointing an Executive Secretary and an Assistant Secretary to the Judicial Council

Chief Justice Torres presented the resolution to the Council, which appoints a new Executive Secretary, Ms. Jessica Jackson-Perez, and appoints Ms. Petrina M. Ula as the Assistant Secretary to the Council. **Presiding Judge Lamorena moved to adopt the resolution as presented, and Judge Cenzone seconded the motion. Chief Justice Torres called an oral vote, and all present Council members voted in favor of the resolution; the resolution was unanimously adopted.**

D. Notice of the Next Meeting (Thursday, February 16, 2023)

Chief Justice Torres stated that the next Judicial Council meeting would be held on Thursday, February 16, 2023, and that notice would be sent as to the format of the meeting.

VII. COMMUNICATIONS

A. Presiding Judge Lamorena's Memorandum re: Judge Cenzone's Appointment to the Judicial Council

Chief Justice Torres explained that Presiding Judge Lamorena appointed Judge Maria T. Cenzone to serve as the 5th member of the Judicial Council beginning January 17, 2023, through December 31, 2023.

VIII. PUBLIC COMMENT

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

GBA Board President Jacqueline T. Terlaje said the ballots for the 2023 Board elections are in motion and that there will be only one nominee per chair on the ballots. She stated that the election committee's return of ballots and counting should be completed by the end of February 2023. She said she would start planning the Annual meeting once it is complete.

Justice Torres noted that the Court Employees Association provided a written report to the Council. He pointed out that the new officers will be sworn in later today and plan to report to Council in person in the next Council meeting. Chief Justice Torres asked the managers to encourage employee involvement in the Court Employees Association.

Presiding Judge Lamorena asked to make a public comment; Chief Justice Torres obliged. The Presiding Judge congratulated Judge Maria T. Cenzone on her appointment to the Council and stated he looks forward to her fresh input in Council matters. He also thanked Judge Arthur R. Barcinas for his long years of service to the Council. Presiding Judge Lamorena asked for a resolution commending Judge Barcinas in the next Council meeting. Chief Justice Torres stated that the resolution would be brought forward.

******At 12:56 p.m. Chief Justice Torres called for a recess to begin Executive Session to discuss ongoing litigation matters, as requested in a January 11, 2023, memo to the Judicial Council from Staff Attorney Daniel Mensching. Presiding Judge Lamorena motioned to move to Executive Session; Judge Cenzone seconded the motion. Chief Justice Torres called an oral vote. All Council members voted in favor.**

IX. EXECUTIVE SESSION

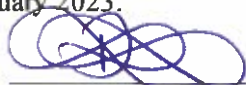
Chief Justice Robert J. Torres, Justice F. Philip Carbullido, Justice Katherine A. Maraman, Presiding Judge Alberto C. Lamorena III, Judge Maria T. Cenzone, AOC Danielle T. Rosete, Staff Attorney Daniel Mensching, Staff Attorney Suzane Santiago-Hinkel, Court Transcriber Jolena May San Agustin, and Council Assistant Secretary Petrina M. Ula were present during the Executive Session.

*******At 1:11 p.m., Presiding Judge Lamorena moved to rise to the regular session; Justice Marman seconded the motion. The public meeting of the Judicial Council resumed. Chief Justice Torres stated that no decision needs to be made in regular sessions due to the Executive session convening.**

X. ADJOURNMENT

Presiding Judge Lamorena moved to adjourn. Judge Cenzone seconded the motion, adjourning the meeting at 1:12 p.m.

Respectfully submitted this 16th day of February 2023.



PETRINA M. ULA
Assistant Secretary,
Judicial Council of Guam



JESSICA PEREZ-JACKSON
Executive Secretary,
Judicial Council of Guam

As set out above, the Minutes of the January 18, 2023 Regular Meeting were approved by the Judicial Council at the February 16, 2023 Regular meeting.



ROBERT J. TORRES
Chairman

Dated: 2/16/23