



**JUDICIAL COUNCIL OF GUAM
REGULAR MEETING
THURSDAY, FEBRUARY 16, 2023 | 12:00 PM
GUAM JUDICIAL CENTER
AND VIA VIDEOCONFERENCE**

AGENDA

- I. CALL TO ORDER**
- II. PROOF OF DUE NOTICE OF MEETING:**
 - February 9, 2023
 - February 14, 2023
- III. DETERMINATION OF QUORUM**
- IV. READING AND DISPOSAL OF MINUTES:**
 - January 18, 2023 Regular Meeting
 - January 18, 2023 Executive Session
- V. OLD BUSINESS**
 - A. Judiciary FY23 Remittances Pursuant to P.L. 36-107
 - B. Update on the Judiciary's Response to COVID-19
 - C. Update on Capital Improvement Projects
 - D. Certificate of Commendation (V. Yasuhiro) (tabled pending Ms. Yasuhiro's attendance)
- VI. NEW BUSINESS**
 - A. Bill No. 24-37 Relative to the Adjusted General Pay Plan
 - B. JC Resolution Commending Judge Arthur R. Barcinas for His Service as a Member of the Judicial Council
 - C. JC Resolution Commending Kristina L. Baird for Her Service to the Judiciary of Guam
 - D. JC Resolution Ratifying the Appointment of Danielle T. Rosete to the Position of Administrator of the Courts
 - E. JC Resolution Relative to Updating the Signature Card for Judiciary Accounts
 - F. JC Resolution Relative to the Creation of the Position of Criminal Docket Manager
 - G. Notice of the Next Meeting (Thursday, March 16, 2023)
- VII. COMMUNICATIONS**
- VIII. PUBLIC COMMENT**
 - A. Guam Bar Association – President's Report
 - B. Court Employees Association
- IX. EXECUTIVE SESSION**
 - A. Ongoing Litigation
- X. ADJOURNMENT**



JUDICIAL COUNCIL OF GUAM

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

NOTICE OF PUBLIC MEETING and EXECUTIVE SESSION

The Judicial Council of Guam will conduct its monthly meeting on **Thursday, February 16, 2023, at 12 Noon in the Guam Judicial Center, 120 West O'Brien Drive, Hagåtña, 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/UCFnFCWwlp99fAeh9ziQ4g/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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Any person(s) needing special accommodations, auxiliary aids, or services, please contact the Administrator of the Courts at 671-475-3544 or Jessica Perez-Jackson at 671-475-3300.

This ad was paid for with Government of Guam funds.

CHIEF JUSTICE ROBERT J. TORRES
Chairman



SENATOR SABINA FLORES PEREZ

Committee on Environment, Revenue and Taxation, Labor,
Procurement, and Statistics, Research, and Planning

Roundtable Discussion
Thursday, February 16, 2023
Guam Congress Building, Public Hearing Room
5:00P.M.

Regulating Open Detonation of Explosive Hazardous Waste

Those interested in participating, please confirm your attendance by contacting the Office of Senator Sabina Flores Perez via email at office@senatorperez.org or via phone at (671) 989-2968, no later than February 13, 2023, for further guidance.

Testimonies should be addressed to Senator Sabina Flores Perez, Chairperson, and will be accepted via hand delivery to our mailbox at the Guam Congress Building at 163 Chalan Santo Papa, Hagåtña, Guam 96910, or via email to office@senatorperez.org, no later than 4pm February 17, 2023. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Sabina Flores Perez at 989-2968. The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117, and stream online via iLHestaturan Gulhan's live feed on YouTube. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing. We look forward to your participation!

PUBLICATION NOTICE

In accordance with the provisions of Guam Code Annotated, Title XI, Chapter III, Section 3315, notice is hereby given that:

BOONIES BARKADE N BISTRO, LLC DBA: BOONIES BARKADE N BISTRO, LLC

has applied for a Class: Four (4) General On-Sale Alcoholic Beverage License said premises being marked as Lot: 5140-R7 626 PALE SAN VITORES RD ROYAL ORCHID HOTEL, Tamuning/ Tuman/ Harmon



Guam Community Health Centers
Board of Director's Meeting
Thursday, February 16, 2023
Hesler Building Conference Room- 10 a.m.

AGENDA

- 1) Call Meeting to Order
- 2) Review and approval of meeting minutes
- 3) Public Forum
- 4) Old Business:
a) Board Recruitment
b) Provider Recruitment
c) EHR Selection and Implementation
d) ARPA Minor Renovation and Capital Grant
e) HRSA 2023 Operational Site Visit
- 5) New Business
a) New CHC CEO Appointment – Melliza Young, MD, MSGH
b) Quality Improvement DM Presentation – Victoria Ballares
- 6) Financial Report
- 7) Treasurer's Report
a) Monthly Report
b) Fundraising Update
- 8) Announcements/Open Discussion
a) Legislature Committee Meeting Report
- 9) Schedule Next Meeting
- 10) Adjournment

For special accommodations please call 671 635-7447.

This ad is paid by the GCHC Program Income, DPHSS



ARTHUR U. SAN AGUSTIN, MHR
DIRECTOR, DPHSS
LAURENT SF. DUEÑAS, MPH, BSN
DEPUTY DIRECTOR
TERRY G. AGUON
DEPUTY DIRECTOR

GUAM WATERWORKS AUTHORITY

"Better Water. Better Lives."

Gloria B. Nelson Public Service Building
688 Route 15, Mangilao, Guam 96913 • Telephone No.: (671) 300-6026/27 • Fax: (671) 649-3750

***THIS AD IS PAID FOR BY GWA (PUBLIC LAW 26-12)**

INVITATION FOR BID

The GUAM WATERWORKS AUTHORITY, will receive sealed bids for **Water Pump and Motor for Uguam Treatment Plant, in GWA IFB NO. 2023-12.** Bids will be accepted **until 10:00 a.m.** Chamorro Standard Time, **March 02, 2023** at the GWA Procurement Office, first floor located at the Gloria B. Nelson Public Services Building in Mangilao at which time and place all bids will be publicly opened and read aloud. All bids must be accompanied by a Bid /Performance Bond, in the amount of fifteen percent (15%) of the total bid price. Bid security may be bid/performance bond, Surety Bond, certified check or cashier check made payable to Guam Waterworks Authority. A non-refundable amount of \$15. 00 is required for the purchase price of every set of bidding documents which are available at the GWA Procurement Office. Bidders can download a bid package at www.guamwaterworks.org without charge, although vendors are strongly encouraged to contact via e-mail at psbids@guamwaterworks.org or visit GWA Procurement to register to ensure that updated information, notices or bid amendments are distributed to you.

GWA reserves the right to revise or reject any or all proposals and to waive any minor imperfection in the bid proposal in the interest of the Guam Waterworks Authority

/s/ Miguel C. Bordallo, Jr.
General Manager

Judicial Council of Guam February 16, 2023 Regular Meeting Packet
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NOTICE OF REGULAR MEETING OF THE GUAM BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS, ARCHITECTS, AND LAND SURVEYORS (PEALS)

The Guam Board of Professional Engineers, Architects, and Land Surveyors (PEALS) will hold its Regular Meeting on **Thursday, February 16, 2023, at 3:00 p.m. in the GEDA Conference Room, 5th Floor, ITC Building.** The meeting is open to the public and can be viewed live via the Open Government of Guam Link as follows:

Open Government of Guam: https://go.opengovguam.com/meetings_list/peals

The Agenda Will Include: 1. CALL TO ORDER, 2. BOARD INVESTIGATOR'S REPORT 3. BOARD DISCUSSION a. GEPA Permitting Statistics for Engineers and Architects 2020-2021; b. AIA Marianas Letter – AIA Marianas Position on Professional and Ethical Practice (Responsible Control); c. NSPE-GU/GSPE Letter – Investigation of High-Volume Engineering and Architect Work; d. Rules & Regulations Updates, 4. ADJOURNMENT

**** Individuals with disabilities or requiring special accommodations are asked to contact Marie N. Villanueva at 671-646-3113. Publication of notice of this meeting to the public is paid for by government funds from the Guam Board of Registration for Professional Engineers, Architects, and Land Surveyors.**

GHURA

Guam Housing and Urban Renewal Authority
Aturidat Ginima' Yan Rinueban Siudat Guahan
117 Bien Venida Avenue, Sinajana, GU 96910
Phone: (671) 477-9851 • Fax: (671) 300-7565 • TTY: (671) 472-3701
Website: www.ghura.org



Lourdes A. Leon Guerrero
Governor of Guam

Joshua F. Tenorio
Lieutenant Governor of Guam

**Board of Commissioners Meeting
Tuesday, February 21, 2023 at 12:00 PM.
This meeting is open to the public via Zoom.**

Topic: GHURA BOC Mtg Tues., February 21, 2023 @12PM

Time: Feb 21, 2023 12:00 PM Guam, Port Moresby

Join Zoom Meeting:

<https://us06web.zoom.us/j/86298794471?pwd=cIV5aHdWRk91eE5IMDBzbDhvbmhPQT09>

Meeting ID: 862 9879 4471 • Passcode: 734298

Watch Youtube Live Stream: <https://www.youtube.com/channel/UCGqKWUokOmT0FOLyn48ULag>

AGENDA:

- I. ROLL CALL
- II. BOARD MEETING PUBLIC ANNOUNCEMENTS
- III. APPROVAL OF PREVIOUS BOARD MINUTES – January 24, 2023
- IV. NEW BUSINESS
 1. Resolution No. FY2023-008; Resolution Approving Above-Step Recruitment for a Program Coordinator III Position (Section 8 Division)
 2. Intent to Award for IFB#GHURA-23-05-MOD7-AMP1; Renovation of Seven (7) Public Housing Units
 3. Change Order No. 1 for IFB#GHURA-08-26-2021-HOME; Design-Build & Construction of Two New Homes in Agat & Dededo
 4. Notice of Award for Small Purchase of Professional Services GH12-14-22
- V. EXECUTIVE DIRECTOR REPORT
 1. Project Updates
 2. Division Updates
- VI. GENERAL DISCUSSION / ANNOUNCEMENTS
 1. HR Item: Executive Management Performance Evaluations for:
 - Executive Director, Elizabeth F. Napoli due on January 08, 2023 (Initial Evaluation)
 - Deputy Director, Fernando B. Esteves due on February 22, 2023 (Initial Evaluation)
 2. Next proposed scheduled Board Meeting – Tuesday, March 14, 2023 @ 12:00 p.m.
- VII. ADJOURNMENT

The complete Board packet may be viewed on our website at www.ghura.org.

For more information, please contact Audrey Aguon at 475-1378 and for special accommodations, please contact Chief Planner – Designated Section 504 / ADA Coordinator at 475-1322 or TTY 472-3701.

This advertisement was paid for by GHURA



JUDICIAL COUNCIL OF GUAM

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This ad was paid for with Government of Guam funds.

CHIEF JUSTICE ROBERT J. TORRES
Chairman

JOB ANNOUNCEMENT FOR TEMPORARY POSITIONS

9 - PLUMBER

\$17.05 per hour (1 yr. exp.)

Apply at Clayarch, Inc. by calling (671) 646-8842 between 8:00 a.m. and 11:00 a.m.
References required upon request.



DIPATTAMENTON I KAOHAO GUINAHAN CHAMORU Department of Chamoru Affairs

193 Chalan Santo Papa Juan Pablo Dos Hagåtña, Guam 96910
Tel: (671) 989-2426 • Fax: (671) 989-7219

Regular Board of Trustees Meeting

Tuesday, February 21, 2023 - 10:00 A.M.

Guam Museum Conf. Rm, via Zoom & Facebook live

For special accommodations, please contact Marilyn Reyes at (671) 989-2426

Zoom Link: <https://us02web.zoom.us/j/86880889193>

Meeting ID: 868 8088 9193

AGENDA:

I. Call to order

II. Roll Call

III. Approval of Minutes

a. December 1, 2022

IV. President's Report

- a. Chamoru Village
- b. Guam Museum
- c. GCR Update
- d. Finance/Admin
 1. Financial Reports

V. Old Business

VI. New Business

- a. 2023 Mes CHamoru
- b. Professional Training & Certification for DCA Staff
- c. Resolution – P. Hernandez

VII. Adjournment

/s/ Melvin Won Pat-Borja, DCA President

This ad was paid for with government funds.



SENATOR SABINA FLORES PEREZ

Committee on Environment, Revenue and Taxation, Labor,
Procurement, and Statistics, Research, and Planning

Roundtable Discussion

Thursday, February 16, 2023

Guam Congress Building, Public Hearing Room

5:00PM

Regulating Open Detonation of Explosive Hazardous Waste

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JUDICIAL COUNCIL OF GUAM

Suite 300 Guam Judicial Center
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Hagåtña, Guam 96910-5174
Tel: (671) 475-3300 Fax: (671) 475-3140

★★★★

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

★★★★

Advisory Committee Members:

Hon. Arthur R. Barcinas

Hon. Vernon P. Perez

Hon. Elyze M. Iriarte

Hon. Dana A. Gutierrez

Hon. Alberto E. Tolentino

Atty. Jacqueline T. Terlaje

Atty. Frederick J. Horecky

★★★★

Administrator of the Courts:
Danielle T. Rosete

Judicial Council Secretary:
Jessica J. Perez-Jackson

Judicial Council Asst. Secretary:
Petrina M. Ula

JUDICIAL COUNCIL OF GUAM

REGULAR MEETING

WEDNESDAY, JANUARY 18, 2023

Justice Monessa G. Lujan Appellate Courtroom

Guam Judicial Center

And via Zoom Videoconference

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

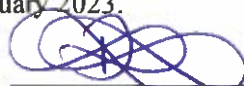
Chief Justice Robert J. Torres, Justice F. Philip Carbullido, Justice Katherine A. Maraman, Presiding Judge Alberto C. Lamorena III, Judge Maria T. Cenzone, AOC Danielle T. Rosete, Staff Attorney Daniel Mensching, Staff Attorney Suzane Santiago-Hinkel, Court Transcriber Jolena May San Agustin, and Council 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



JUDICIAL COUNCIL OF GUAM

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

★★★★

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

★★★★

Advisory Committee Members:

Hon. Arthur R. Barcinas

Hon. Vernon P. Perez

Hon. Elyze M. Iriarte

Hon. Dana A. Gutierrez

Hon. Alberto E. Tolentino

Atty. Jacqueline T. Terlaje

Atty. Frederick J. Horecky

★★★★

Administrator of the Courts:
Danielle T. Rosete

Judicial Council Secretary:
Jessica J. Perez-Jackson

Judicial Council Asst. Secretary:
Petrina M. Ula

JUDICIAL COUNCIL OF GUAM

EXECUTIVE SESSION

WEDNESDAY, JANUARY 18, 2023

Justice Monessa G. Lujan Appellate Courtroom
Guam Judicial Center

MINUTES

I. CALL TO ORDER

The Regular Meeting of the Judicial Council was recessed to Executive Session by the Chairman, Robert J. Torres, at the hour of 12:56 p.m.

IN ATTENDANCE IN THE MONESSA G. LUJAN APPELLATE COURTROOM:

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

Also, Present:
Ms. Danielle T. Rosete, Administrator of the Courts (AOC)
Mr. Daniel Mensching, Staff Attorney
Ms. Suzane P. Santiago-Hinkle, Staff Attorney
Ms. JolenaMay San Agustin, Court Transcriber, C&M Division
Ms. Petrina M. Ula, Judicial Assistant, Assistant Secretary

II. PROOF OF DUE NOTICE OF EXECUTIVE SESSION

Due publication of the five-day Notices of Executive Session 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 Robert J. Torres, Justice F. Philip Carbullido, Justice Katherine A. Maraman, Presiding Judge Alberto C. Lamorena III, and Judge Maria T. Cenzone were in attendance. AOC Danielle T. Rosete joined them, along with Staff Attorney Daniel Mensching, Staff Attorney Suzane P. Santiago-Hinkle, Court Transcriber JolenaMay San Agustin, and Judicial Council Assistant Secretary Petrina M. Ula.

IV. STAFF ATTORNEY'S REQUEST FOR EXECUTIVE SESSION AND SUBJECT MATTER

Staff Attorney Daniel Mensching requested, in a memo addressed to the Judicial Council dated January 11, 2023, to hold an Executive Session to discuss three (3) ongoing litigation matters:

- *Gumataotao v. Judicial Branch*, Superior Court Civil Case No. CV0342-22;
- *Philips v. Guam Courts*, Ninth Circuit Case No. 22-16919; and
- EEO matter

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.

V. TRANSCRIPTS

Transcripts of this executive session are being prepared and will be sealed for six (6) months from the date of the executive session unless further sealed by a court order.

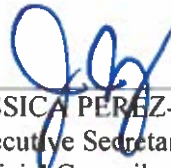
VI. ADJOURNMENT

At 1:11 p.m., Chief Justice Torres entertained a motion to rise to Regular Session. Presiding Judge Lamorena made the motion; Justice Maramba seconded. The public meeting of the Judicial Council resumed. Chief Justice Torres stated that no decision needs to be made in the Regular Session due to convening in Executive Session.

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


ROBERT J. TORRES
Chairman

Dated: 2/16/23



Certificate of Commendation

*On behalf of the Judiciary of Guam,
this Certificate of Commendation is presented to:*

Virginia W. Yasuhiro

Client Services and Family Counseling Administrator

for 39 years of service to the Judiciary of Guam.

In gratitude for your dedication and commitment to justice, we, the undersigned Justices and Judges of Guam, do hereby express our sincere appreciation and congratulations on your retirement from service.

F. PHILIP CARBULLIDO
Chief Justice of Guam
Chairman, Judicial Council of Guam

ROBERT J. TORRES
Associate Justice, Supreme Court of Guam
Member, Judicial Council of Guam

ALBERTO C. LAMORENA, III
Presiding Judge, Superior Court of Guam
Member, Judicial Council of Guam



KATHERINE A. MARAMAN
Associate Justice, Supreme Court of Guam
Member, Judicial Council of Guam

ARTHUR R. BARCINAS
Judge, Superior Court of Guam
Member, Judicial Council of Guam

Attested:

KRISTINA L. BAIRD
Administrator of the Courts

BARBARA JEAN T. PEREZ
Human Resources Administrator


BILL 24-37 (COR)

| BILL NO. | SPONSOR | TITLE | DATE INTRODUCED | DATE REFERRED | CMTE REFERRED | PUBLIC HEARING DATE | DATE COMMITTEE REPORT FILED | FISCAL NOTES | NOTES |
|-------------|--|---|---------------------|---------------|---------------|---------------------|-----------------------------|--------------|-------|
| 24-37 (COR) | Committee on Rules by request of <i>I Mago'hågan Guåhan</i> , the Governor of Guam, in accordance with the Organic Act of Guam. | AN ACT TO APPROPRIATE SIXTEEN MILLION DOLLARS (\$16,000,000) TO THE DEPARTMENT OF ADMINISTRATION FOR IMPLEMENTATION OF THE ADJUSTED GENERAL PAY PLAN. | 2/1/23 9:44 a.m. | | | | | | |

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2023 (FIRST) Regular Session

Bill No. 24-37 (COR)

Introduced by:


Committee on Rules
by request of *I Maga'hågan*
Guåhan, the Governor of
Guam, in accordance with the
Organic Act of Guam.

**AN ACT TO APPROPRIATE SIXTEEN MILLION
DOLLARS (\$16,000,000) TO THE DEPARTMENT OF
ADMINISTRATION FOR IMPLEMENTATION OF THE
ADJUSTED GENERAL PAY PLAN.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Title. This Act *shall* be known and cited as the *General Pay Plan
Adjustment Appropriation Act of 2023*.

Section 2. Legislative Intent. Pursuant to Chapters 4 and 6 of Title 4 Guam
Code Annotated, the Director of Administration has authority to review
compensation structures and administrative policies for employment compensation
within the government of Guam, to adopt and administer a unified pay schedule
based on Hay methodology, to reassign pay grades as necessary, and to delegate
authority to assess and update the unified pay schedule to certain agencies as
appropriate. Pursuant to this authority, on January 30, 2023, the Director of
Administration submitted to the Governor of Guam recommendations for a General
Pay Plan (GPP) update, which the Governor approved for implementation beginning
April 1, 2023.

1 **Section 3. Appropriation to the Department of Administration.** The
2 sum of Sixteen Million Dollars (\$16,000,000) *shall* be appropriated from the
3 General Fund to the Department of Administration (DOA) for the purpose of paying
4 salary adjustments to employees affected by the GPP. DOA is hereby authorized to
5 allocate funding to other departments and agencies for implementation of the GPP.

6 **Section 4. Severability.** *If* any provision of this Act or its application to
7 any person or circumstance is found to be invalid or contrary to law, such invalidity
8 *shall not* affect other provisions or applications of this Act which can be given effect
9 without the invalid provisions or application, and to this end the provisions of this
10 Act are severable.



**BEFORE THE 2023 JUDICIAL COUNCIL OF GUAM
RESOLUTION NO. JC23-**

**RELATIVE TO COMMENDING THE HONORABLE ARTHUR R. BARCINAS
FOR HIS SERVICE TO THE JUDICIAL COUNCIL OF GUAM**

- WHEREAS,** the Honorable Arthur R. Barcinas has served as a judge of the Superior Court of Guam since 2005; and
- WHEREAS,** upon his appointment and confirmation, Judge Barcinas brought to the Superior Court a strong belief that the indigent have the same right as the wealthy to competent representation; and
- WHEREAS,** Judge Barcinas currently presides over General Jurisdiction cases, Juvenile Drug Court, and Mental Health Court and also chairs the Education Committee for the Pacific Judicial Council; and
- WHEREAS,** Judge Barcinas also co-chairs the Judiciary’s 2020-2023 Strategic Plan Focus Area on Mental Health, Substance Use Disorders, which strives to increase the availability of programs, treatment, and services for persons with mental illness and substance use disorders to improve positive outcomes and reduce recidivism; and
- WHEREAS,** Judge Barcinas was appointed to the Judicial Council in February 2008, and was instrumental throughout his tenure in the Council’s adoption of resolutions toward these efforts, as well as other court operations and activities, including:
- Establishment of a Guam Adult Reentry Court Program at the Judiciary of Guam
 - Recommending the establishment of a Veterans Treatment Court in the Superior Court of Guam
 - Recommending that the Driving While Intoxicated (DWI) Court be Converted to a Treatment Court in the Superior Court of Guam
 - Approving the Creation of a Mental Health Court Coordinator for the Judiciary of Guam
 - Approval of revisions to the Judiciary’s Equal Employment Opportunity Policy and Discrimination Charge Procedure
 - Approval of the Judiciary of Guam Disability Accommodation Policy and the Judiciary of Guam Temporary Modified Assignment Policy
 - Implementation of a Tax Refund Offset Program Relating to Past Due Legally Enforceable Debts Owed by Taxpayers to the Judiciary of Guam
 - Amending the Judicial Council of Guam Procurement Regulations
 - Approval of the Judiciary of Guam Equal Employment Opportunity Policy and Procedure, and the Judiciary of Guam Equal Employment Opportunity Policy and Procedure for Judicial Officers
 - Approval of the Revised Judiciary of Guam Personnel Rules and Regulations
 - Approval of the acquisition of the employee parking lot and the San Ramon Building
 - Approval of pay increases for law enforcement and non-law enforcement court personnel

NOW, THEREFORE, BE IT RESOLVED that the Judicial Council recognizes the immeasurable efforts of the Honorable Arthur R. Barcinas in his service to the Judicial Council; and

BE IT FURTHER RESOLVED that the Judicial Council hereby extends heartfelt *Dangkolo Na Si Yu’us Ma’ase* to Judge Arthur R. Barcinas for his service to the Council, the Judiciary, and the people of Guam; and

DULY ADOPTED this 16th day of February 2023 at a duly noticed meeting of the Judicial Council of Guam

ROBERT J. TORRES
Chief Justice of Guam &
Chairman, Judicial Council of Guam

F. PHILIP CARBULLIDO
Member
Justice, Supreme Court of Guam

KATHERINE A. MARAMAN
Member
Justice, Supreme Court of Guam

ALBERTO C. LAMORENA III
Member
Presiding Judge, Superior Court of Guam

MARIA T. CENZON
Member
Judge, Superior Court of Guam



**BEFORE THE 2023 JUDICIAL COUNCIL OF GUAM
RESOLUTION NO. JC23-**

**RELATIVE TO COMMENDING KRISTINA L. BAIRD
FOR HER SERVICE AS ADMINISTRATOR OF THE COURTS**

- WHEREAS,** on January 30, 2020, in Supreme Court of Guam Administrative Order No. ADM20-001 the Honorable F. Philip Carbullido, under 48 USCA 1424-1(b)(2) and (3), appointed Kristina L. Baird to the position of Administrator of the Courts of Guam; and
- WHEREAS,** prior to this appointment, Kristina provided exemplary service as the Staff Attorney for the Judiciary of Guam from 2017 - 2020 and gained much institutional knowledge of the Judiciary’s operational and administrative process and systems; and
- WHEREAS,** as Administrator of the Courts, Kristina maintained a stable and efficient Judiciary during an unprecedented and challenging period in the branch’s history—the COVID-19 pandemic; and
- WHEREAS,** throughout Kristina’s appointment, the Judiciary never wavered in its mandate to administer justice for the people of Guam while adapting essential court operations to accommodate social distancing requirements and remote work needs; and
- WHEREAS,** under the leadership of the Honorable F. Philip Carbullido, Kristina maximized efficiencies and streamlined operations to keep the wheels of justice turning, overseeing many important projects and undertakings, including the following:
- COVID-19 precautions and requirements, including industrial sanitation of Judiciary facilities and contact tracing operations
 - the Judiciary’s Teleworking Policy (UJ20-04) to control remote working by employees due to the pandemic
 - the Judiciary’s Laptop and Mobile Device Interim Policy and Procedures (UJ20-02) to control the remote use of Judiciary devices by teleworking employees
 - Administrative Orders relative to court operations under exigent circumstances related to the COVID-19 pandemic, including remote and hybrid hearings
 - the first fully-virtual Supreme Court appellate arguments
 - the first fully-virtual Judicial Council meetings in compliance with the Open Government Law
 - infrastructural upgrades, including replacement and upgrade of aged computer workstations and laptops, and technology utilization to make the courts more accessible and user-friendly
 - adoption of text messaging juror notification capabilities
 - updates to and official adoption of the Code of Judicial Conduct for Judicial Employees
 - updates to and modernization of the Personnel Rules and Regulations
 - renovations to the Guam Judicial Center, including the construction of an additional, high-technology courtroom, interior refurbishments such as replacement of carpeting and furniture, and constructing employee lounges
 - acquisition and refurbishment of the San Ramon Building
 - conversion of the Route 4 Building to a courtroom and later to office spaces
 - acquisition of the Judiciary of Guam employee parking lot
 - rehabilitation of the Guam Historic Courthouse
 - enhancement and beautification of the Judicial Center parking lot and landscaping
 - purchase of motor vehicles to replace the Judiciary’s aged fleet
 - improving pay parity for law enforcement and non-law enforcement court personnel

NOW, THEREFORE, BE IT RESOLVED that the Judicial Council recognizes the efforts of Kristina L. Baird for her service to the Judiciary of Guam as Administrator of the Courts; and

BE IT FURTHER RESOLVED that the Judicial Council hereby extends heartfelt *Dangkolo Na Si Yu’us Ma’ase* to Kristina L. Baird for her service as Administrator of the Courts to the Judiciary of Guam and people of Guam; and

DULY ADOPTED this 16th day of February 2023 at a duly noticed meeting of the Judicial Council of Guam

ROBERT J. TORRES
Chief Justice of Guam &
Chairman, Judicial Council of Guam

F. PHILIP CARBULLIDO
Member
Justice, Supreme Court of Guam

KATHERINE A. MARAMAN
Member
Justice, Supreme Court of Guam

ALBERTO C. LAMORENA III
Member
Presiding Judge, Superior Court of Guam

MARIA T. CENZON
Member
Judge, Superior Court of Guam



BEFORE THE 2023 JUDICIAL COUNCIL OF GUAM

RESOLUTION NO. JC23-003

**RELATIVE TO RATIFYING THE APPOINTMENT OF DANIELLE T. ROSETE
TO THE POSITION OF ADMINISTRATOR OF THE COURTS**

- WHEREAS,** on January 17, 2023, in Supreme Court of Guam Administrative Order No. ADM23-001 Chief Justice Robert J. Torres, under 48 USCA 1424-1(b)(2) and (3), appointed former Superior Court Clerk of Court Danielle T. Rosete to the position of Administrator of the Courts of Guam; and
- WHEREAS,** Danielle was the Clerk of Court from 2013-2023 and provided exemplary service to the Judiciary and gained much institutional knowledge of the Judiciary's operational and administrative process and systems; and
- WHEREAS,** Danielle has nearly twenty years of experience working in the Judiciary of Guam including as the Clerk of Court, staff attorney for the Supreme Court of Guam, law clerk for the Honorable Katherine A. Maraman at the Superior Court of Guam, and research attorney for the Supreme Court of Guam; and
- WHEREAS,** Danielle is a Certified Court Manager with the Institute for Court Management (ICM) and is an ICM Instructor for several ICM courses, including Purposes & Responsibilities of Court, Fundamentals of Caseflow Management, and Accountability & Court Performance; and
- WHEREAS,** Danielle has excelled in promoting public awareness of the rule of law and the role of the courts through her involvement with various law-related education programs such as Law Month, Play By the Rules, and Mock Trial; and
- WHEREAS,** Danielle has presented at various Pacific Judicial Council conferences and trainings for judicial officers and court staff; and
- WHEREAS,** Danielle holds a Juris Doctorate from Thomas M. Cooley School of Law and Bachelor's Degree in Political Science from the University of Guam and has been a member of the Guam Bar Association since 2005; and
- WHEREAS,** as evidenced by her expansive knowledge, skills, and leadership experience she is well-qualified to serve as Administrator of the Courts of Guam; and
- WHEREAS,** prior to the enactment of 48 USCA §1424-1(b)(2) and (3), under 7 GCA 7103(c), the Judicial Council was given the authority to appoint the Administrator of the Courts of Guam

NOW, THEREFORE, the Judicial Council does hereby ratify the appointment of Danielle T. Rosete to the position of Administrator of the Courts of Guam by the Chief Justice in Supreme Court of Guam Administrative Order No. ADM23-001 together with all authority vested in such position.

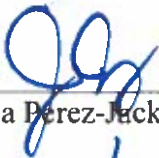
DULY ADOPTED this 16th day of February 2023 at a duly noticed meeting of the Judicial Council of Guam.



ROBERT J. TORRES, Chairman

Dated: 2/16/23

ATTEST:



Jessica Perez-Jackson, Executive Secretary

Dated: 2/16/23



BEFORE THE 2023 JUDICIAL COUNCIL OF GUAM

RESOLUTION NO. JC23-004

RELATIVE TO UPDATING SIGNATURE CARDS FOR JUDICIARY ACCOUNTS

WHEREAS, this Council, in its Resolution No. JC13-016 authorized the Administrator of the Courts and Controller to secure a debit/check card from a banking institution in Guam to be utilized in accordance with the Administrator of Court's Procurement Policy for Debit Cards; and

WHEREAS, the Administrator of the Courts and the Finance Administrator have opened debit/checking accounts at various Guam banks, on behalf of the Judiciary for this authorized purpose; and

WHEREAS, Danielle T. Rosete and Sophia Santos Diaz who currently are authorized signers have resumed the positions of Administrator of the Courts and Clerk of Court respectively; and

WHEREAS, some of the individuals whose signatures were denominated as authorized for the account in Judicial Council Resolution No. JC22-004 have since ceased employment with the Judiciary or are employed in a different capacity within the Judiciary; and

WHEREAS, the banks have requested updated signatory cards to reflect changes in authorized Judiciary signatories.

NOW THEREFORE, BE IT RESOLVED that Judicial Council Resolution No. JC22-004 supersedes and replaces in their entirety any and all prior Judicial Council Resolutions that approved bank card signatories and the signatory authorizations are no longer authorized; and

BE IT FURTHER RESOLVED that the Judicial Council hereby authorizes the following individuals to serve as authorized signers for the Judiciary's accounts at First Hawaiian Bank, Bank of Hawaii, Bank of Guam, and Bank Pacific:


Danielle T. Rosete, Administrator of the Courts
Ma. Dianne O. Gudmalin, Finance Administrator
Sophia Santos Diaz, Clerk of Court
Francine B. Brillantes, Deputy Administrator, Financial Affairs
Marcelene C. Santos, Public Guardian

DULY ADOPTED this 16th day of February 2023 at a duly noticed meeting of the Judicial Council of Guam.



ROBERT J. TORRES, Chairman

Dated: 2/16/23

ATTEST:


Jessica Perez Jackson, Executive Secretary

Dated: 2/16/23



BEFORE THE 2023 JUDICIAL COUNCIL OF GUAM

RESOLUTION NO. JC23-

RELATIVE TO CREATING THE POSITION OF CRIMINAL DOCKET MANAGER

WHEREAS, in its efforts toward improvements, the Judiciary has determined it is appropriate to create a position that supports its continuing efforts to improve and enhance case flow and case management of criminal cases that are aligned with strategic mission objectives; and

WHEREAS, recognizing the need for a workforce structure that reflects the scope and specializations now necessary to effectively manage the Judiciary's criminal docket, the Administrator of the courts, in a request submitted to the Judicial Council on February 13, 2023, formally requested that the position of Criminal Docket Manager be created; and

WHEREAS, the provision of 4 GCA §6303 requires that the position description for the requested position of Criminal Docket Manager is posted on the Judiciary's website.

NOW, THEREFORE, BE IT RESOLVED that the position of CRIMINAL DOCKET MANAGER is hereby APPROVED as a position at the Judiciary of Guam, which duties are reflected in the job description shown in the attached Exhibit A.

BE IT FURTHER RESOLVED that the attached position description shall be posted on the Judiciary's website in accordance with 4 GCA §6303.

DULY ADOPTED this 16th day of February 2023 at a duly noticed meeting of the Judicial Council of Guam.

ROBERT J. TORRES, Chairman

Dated: _____

ATTEST:

Jessica Perez-Jackson, Executive Secretary

Dated: _____

Exhibit A

Criminal Docket Manager Job Description

Resolution, JC 23- Relative to Creating the Position of Criminal Docket Manager



Judiciary of Guam

Administrative Office of the Courts
Guam Judicial Center • 120 West O'Brien Dr • Hagåtña, Gu. 96910
Tel: (671) 475-3514 • Fax: (671) 475-3181



DANIELLE T. ROSETE, ESQ.
ADMINISTRATOR OF THE COURTS

HON. ROBERT J. TORRES
CHIEF JUSTICE
HON. ALBERTO C. LAMORENA, III
PRESIDING JUDGE

February 13, 2023

MEMORANDUM

To: Chief Justice Robert J. Torres
Members, Judicial Council of Guam

From: Administrator of the Courts

Subject: **Creation of Position**
Ref: **Criminal Docket Manager**

Chief Justice and Members of the Guam Judicial Council:

In compliance with Title 4 GCA Subsection 6303(a), I hereby request Judicial Council's approval to create a new position, namely Criminal Docket Manager in the Judiciary of Guam. The creation of this position supports our continuing efforts to identify resources to improve and enhance case flow management of criminal cases that are aligned with strategic mission objectives.


The Criminal Docket Manager position will be responsible for identifying and implementing a variety of case management techniques to improve case processing standards that promote case progression and disposition. Some examples of the duties performed include evaluating criminal cases for compliance with Guam law, local rules, and administrative orders to assure completeness and readiness for hearings; assisting with the case management of judicial caseloads and maintaining a database of open cases needing attention; and developing case management plans based on case types and/or case management issues.

The job standard for the **Criminal Docket Manager** position has a proposed pay grade of **N**. This pay grade assignment is a result of the Hay Guide Chart Methodology. The position will be assigned to the Courts and Ministerial Division under the overall supervision of the Superior Court Clerk of Court, or designee.

The Judicial Council's approval of this position reaffirms the Judiciary's commitment to promote an efficient and effective justice system.

DTR
DANIELLE T. ROSETE

Attachments

| | | |
|---|---|--|
|  | JUDICIARY OF GUAM | HUMAN RESOURCES DEPARTMENT JOB STANDARD |
| CLASSIFICATION TITLE: CRIMINAL DOCKET MANAGER | | EFFECTIVE DATE: |
| PAY GRADE: N | TOTAL HAY EVALUATION POINTS: 406 | POSITION STATUS: [X] Classified [] Unclassified [X] FT [] PT |
| FLSA CATEGORY: [X] Exempt [] Non-Exempt | | EEO CATEGORY: Professional |
| REPORTS TO: Superior Court Clerk of Court or Designee | | APPROVED BY: DANIELLE T. ROSETE, Esq. |

NATURE OF WORK:

This professional and highly responsible position is assigned to manage criminal cases filed in the Superior Court of Guam using benchmark case management techniques to promote case progression and disposition. This position includes assisting the Courts and Ministerial Division in scheduling and monitoring compliance with requirements for handling criminal cases under the Guam Code Annotated, Local Rules of Court, and Administrative Rules.

ESSENTIAL FUNCTIONS: (This is not designed to cover or contain a comprehensive listing of activities, duties or responsibilities required of the incumbent for this position. Duties, responsibilities, and activities may change at any time with or without cause.)

Identifies and implements a variety of case flow techniques to improve case processing standards that promote case progression and disposition.

Evaluates criminal cases for compliance with Guam law, local rules, and administrative orders to assure completeness and readiness for hearings.

Assists with the case management of judicial caseloads and maintains a database of open cases needing attention.

Reviews court files where issues arise and responds to inquiries from judicial officers regarding criminal cases and statuses.

Evaluates the status of case-related matters; performs required actions to move the cases forward; and consults with the judicial officer to facilitate case progression.

Provides the court with case status information at hearings or through periodic reports.

Creates and maintains a record system for efficient case management.

Collects and analyzes statistical data, and prepares case management reports.

Confers with judicial officers, law clerks, attorneys, self-represented litigants, the public, and employees.

Adheres to and complies with all promulgated policies, standards, and codes of ethical conduct.

Performs other related duties as assigned.

MINIMUM KNOWLEDGE, ABILITIES & SKILLS:

Knowledge of legal terminology and legal format.

Thorough knowledge of criminal documents and criminal case rules and procedures.

Thorough knowledge of legal secretarial practices and procedures.

Thorough knowledge of business English, spelling, punctuation, and arithmetic.

Knowledge of court case management principles.

Knowledge of Microsoft Office, including Microsoft Word, Excel, and PowerPoint.

Knowledge of courtroom protocol.

Ability to develop, layout, and implement clerical procedures and operations from general instructions and guidelines.

Ability to make routine decisions by established policies and procedures.

Ability to compose correspondence on routine matters and to perform everyday tasks without referral to supervision.

Ability to maintain confidentiality and discretion concerning case management.

Ability to maintain a professional demeanor and work efficiently with judicial officers, officials, attorneys, self-represented litigants, the public, and employees.

Ability to identify problems and make recommendations for improvements.

Ability to establish work priorities and meet deadlines.

Ability to analyze data and case information.

Ability to communicate clearly and concisely, orally and in writing.

MINIMUM EDUCATION, EXPERIENCE & TRAINING:

- A. Graduation from a recognized college or university with a Bachelor's degree in criminal justice or public administration, or a closely related field, plus three (3) years of experience as a Paralegal or equivalent work; or
- B. Any equivalent combination of experience and training which provides the minimum knowledge, abilities, and skills.



Judiciary of Guam

Administrative Office of the Courts
Guam Judicial Center • 120 West O'Brien Dr • Hagåtña, Gu. 96910
Tel: (671) 475-3544 • Fax: (671) 475-3184



DANIELLE T. ROSETE, ESQ.
ADMINISTRATOR OF THE COURTS

HON. ROBERT J. TORRES
CHIEF JUSTICE
HON. ALBERTO C. LAMORENA, III
PRESIDING JUDGE

PRESS RELEASE CREATION OF POSITION PURSUANT TO 4GCA § 6303 (a) & 6303.1

The Judiciary of Guam is creating a new position, **CRIMINAL DOCKET MANAGER** in the **CLASSIFIED SERVICE**, at pay grade N, with a salary range from \$47,714.84 to \$84,098.28. A copy of the position description is available on the **Judiciary of Guam's website** at www.guamcourts.org. This notice is made in order to comply with 4GCA § 6303.1.

For more information regarding this release, contact **BARBARA JEAN T. PEREZ**, Human Resources Administrator at 475-3422.

DANIELLE T. ROSETE, ESQ.
Administrator of the Courts

4 GCA PUBLIC OFFICERS & EMPLOYEES
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by P.L. 28-112:6 (April 14, 2006). Amended by P.L. 36-107:XII:33 (Sept. 12, 2022).

§ 6303. Creation of Positions.

(a) Creation of Positions in the Judiciary. New positions may be created by the Administrator of the Courts for the Judicial Branch, when necessary for the efficient performance of the duties and functions of the Judiciary.

(1) The Administrator of the Courts shall submit to the Judicial Council the position descriptions for the positions within thirty (30) calendar days after creation and post the position descriptions on the Judiciary website.

(2) The positions shall be terminated unless approved by the Judicial Council within ninety (90) days after submission.

(3) No newly created position shall be filled in the absence of appropriations to pay the salary of the proposed position.

(b) This Section shall not apply to positions required by law to be filled by persons confirmed by *I Liheslaturan Guåhan*.

(c) (1) The petition of the head (Department Head) of a line agency or department to create a position shall include:

(A) the justification for the new position;

(B) the essential details concerning the creation of the position;

(C) an analysis of the similarities and differences between the position to be created and positions listed pursuant to 4 GCA § 4101.1(d);

(D) the position description;

(E) the proposed pay range and demonstration of compliance with § 6301 of this Title;

(F) a fiscal note as that term is described in 2 GCA § 9101 *et seq.*; and any other pertinent information.

(2) The Department Head and the Director of Administration shall post the petition on their respective

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respective websites for ten (10) days (Saturdays, Sundays, and government of Guam holidays excepted).

(ii) After the posting, the Director of Administration shall forward the petition with his recommendation to *I Maga'låhi* who, if he approves the same, shall so indicate and file it for record with the Director of Administration and the Legislative Secretary.

(C) Autonomous Agencies and Public Corporations. The head of an autonomous agency or public corporation shall forward the petition, along with evidence of his compliance with § 6303.1(a), to the governing board or commission, who, if it approves the same, shall approve the petition by resolution and file the petition and resolution for record with the Director of Administration and the Legislative Secretary.

(3) No amended position may be filled until after compliance with the provisions of this Section, and one hundred eighty (180) days have elapsed from the date of filing with the Legislative Secretary.

(4) If a position's qualifications were amended and the position must be filled prior to the one hundred eighty (180) day period, the last approved position qualification shall be used for selection. No penalty shall be applied to any applicant who does not meet requirements from an amended position description that did not complete the one hundred eighty (180) day period.

SOURCE: GC § 4114. Repealed and reenacted by P.L. 21-059:7. Amended by P.L. 22-144:5 (12/27/94), P.L. 24-327:16, P.L. 28-068:IV:45 (Sept. 30, 2005). Subsection (a) amended by P.L. 28-112:7 (April 14, 2006). Subsections (c) added by P.L. 28-112:8 (April 14, 2006). Subsection (d) added by P.L. 28-112:9 (April 14, 2006). Subsection (e) added by P.L. 34-131:2 (Oct. 17, 2018).

2018 NOTE: Subsection designations have been added/altered pursuant to authority granted by 1 GCA § 1606.

§ 6303.1. Transparency and Disclosure.

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(a) Prompt notice of the postings required by 4 GCA §§ 6205 and 6303 shall be provided to each newspaper of general circulation and broadcasting station which airs a regular local news program within Guam.

(b) The petitions required by 4 GCA §§ 6205 and 6303 are public documents for the purposes of 5 GCA, Ch.10, Art 1. (The Sunshine Law.)

(c) Any attempted creation of a position or above-step recruitment not in compliance with the provisions of 4 GCA §§ 6205, 6303, and 6303.1(a) is void.

SOURCE: Added by P.L. 28-112:10 (April 14, 2006).

§ 6304. Differential Pay.

The Director of Administration and the Judicial Council shall establish and implement uniform differential pay policies. All statutes, rules, regulations, and policies which are not covered by or inconsistent with the policies set forth herein, are hereby repealed upon establishment of uniform pay policies.

SOURCE: GC § 4115; Repealed and reenacted by P.L. 21-059:7.

NOTE: Effective January 1, 2006, reference to the "Civil Service Commission," amended to "Director of Administration" pursuant to P.L. 28-68:IV:45 (Sept. 30, 2005).

**ARTICLE 4
ELECTED OFFICIALS' COMPENSATION COMMISSION**

SOURCE: Added by P.L. 21-058:1. Repealed by P.L. 28-068:IV:41 (Sept. 30, 2005), effective January 1, 2006.

**ARTICLE 5
MISCELLANEOUS PERSONNEL LAWS**

2013 NOTE: P.L. 21-059:7(e) (Sept. 27, 1991) added a new Article 4 to Chapter 6, Title 4 and transferred §§ 6213-6216.1 and §§ 6311-6312 to the newly created article. However, Article 4 had been previously codified by another subject; therefore, the Compiler



HON. ROBERT J. TORRES
CHIEF JUSTICE

Judiciary of Guam

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HON. ALBERTO C. LAMORENA, III
PRESIDING JUDGE

DANIELLE T. ROSETE, ESQ.
ADMINISTRATOR OF THE COURTS

January 27, 2023

TO: JUDICIAL COUNCIL MEMBERS

FROM: STAFF ATTORNEY, SUZANE SANTIAGO-HINKLE

SUBJECT: Recommendation for Executive Session to Discuss Pending Litigation at the Judicial Council Regular Meeting of February 16, 2023

Pursuant to 5 GCA § 8111(c)(1), I recommend that the Judicial Council hold an executive session at its regular meeting scheduled for February 16, 2023, for the limited purpose of discussing the following ongoing legal matters:

- *CV0342-22, Gumataotao v. Judicial Branch:* Complaint filed by Gary W.F. Gumataotao in the Superior Court of Guam on June 10, 2022, seeking damages for an alleged slip and fall.
- *Ninth Circuit Case No. 22-16919, Philips v. Guam Courts:* Notice of appeal filed by Dr. Sherif Philips in the U.S. Court of Appeals for the Ninth Circuit, appealing the District Court of Guam's order dismissing his request to review several cases filed in the Superior and Supreme Courts of Guam.
- EEO Matter.

Further pursuant to Section 8111(c)(1), an affirmative vote of the Judicial Council will be necessary to hold this executive session.

Submitted for your consideration.

Suzane Santiago-Hinkle, Staff Attorney

CC: Danielle T. Rosete, Administrator of the Courts