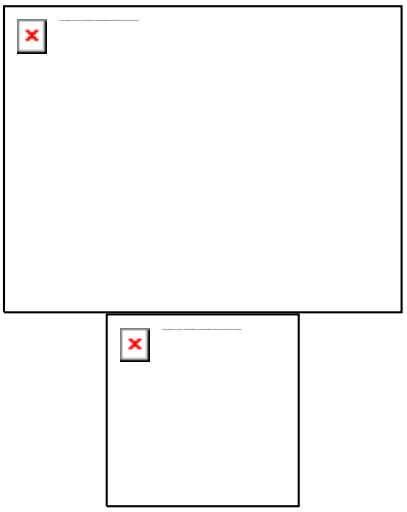
clerks@guamlegislature.org

From: Speaker's Office <speaker@guamlegislature.org>
Sent: Thursday, April 9, 2020 5:50 PM
To: Clerks Office
Cc: Rennae Meno
Subject: M&C Fwd: M & C_Judicial Council March 26, 2020 Regular Meeting Packet
Attachments: March 26, 2020 Judicial Council Regular Meeting.zip

04-08-20	5:13 PM	03-26-20	Judicial Council packet for the March 26, 2020 Regular Meeting*	Honorable Katherine A. Maraman, Supreme Court of Guam	35GL-20-1701



Sinseru yan Minagåhet,

Office of the Speaker • Tina Rose Muña Barnes
Committee on Public Accountability, Human Resources & the Guam Buildup

35th Guam Legislature
I Mina'trentai Singko na Liheslaturan Guåhan

Guam Congress Building | 163 Chalan Santo Papa | Hagatna, GU 96910
T: (671) 477-2520/1
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Gumai pribilehu yan konfedensia este siha na mensåhi. Solo espesiåtmente para hågu ma entensioña pat ma aturisa para unrisibi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespåtcha. Yanggen lachi rinisibu-mu nu este na mensåhi , put fabot ago' guatu gi I numa'huyong gi as speaker@guamlegislature.org yan despues destrosa todu siha I kopian mensåhi. Si Yu'os ma'åse'.

---------- Forwarded message ---------
From: **Shelterihna Alokoa** <salokoa@guamsupremecourt.com>
Date: Wed, Apr 8, 2020 at 5:13 PM
Subject: M & C_Judicial Council March 26, 2020 Regular Meeting Packet
To: <speaker@guamlegislature.org>
Cc: June Bells Cariño <jcarino@guamsupremecourt.com>, Staff Attorney Serge Quenga <aquenga@guamcourts.org>

Buenas yan hafa adai Messages and Communication Staff for the Honorable Tina Muña Barnes:

Pursuant to 5 GCA § 8113.1 and as the Judicial Council Assistant Secretary, I am sending an electronic copy of the Judicial Council Meeting packet. The packet contains the meeting materials from the recent March 26, 2020 Judicial Council regular meeting. The same materials may be found at http://www.guamcourts.org/Judicial-Council/Judicial-Council-of-Guam.asp

I respectfully request a reply to confirm receipt of the attached packet. Please also let me know if you have any questions, comments, or concerns.

--

Si Yu'us ma'åse' yan puedi ha' todu maolek.

(Thank you and have a great day.)

Respectfully,

Shelterihna Alokoa

Chamber/Courtroom Clerk for the ***Honorable Katherine A. Maraman***
Associate Justice of the Supreme Court of Guam
Suite 300, Guam Judicial Center
120 West O'Brien Drive
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JUDICIAL COUNCIL OF GUAM
REGULAR MEETING
THURSDAY, MARCH 26, 2020 | 12:00 PM
JUSTICE MONESSA G. LUJAN APPELLATE COURTROOM
AND VIA TELECONFERENCE

AGENDA

I. CALL TO ORDER

II. PROOF OF DUE NOTICE OF MEETING: March 18, 2020
March 19, 2020
March 26, 2020

III. DETERMINATION OF QUORUM

IV. READING AND DISPOSAL OF MINUTES: February 20, 2020 Regular Meeting

V. OLD BUSINESS
A. Judiciary FY20 Remittances pursuant to P.L. 35-36
B. Update on Loan and RFP for Interim Financing and On-going Renovation Projects

VI. NEW BUSINESS
A. JC Resolution Relative to Approving the Judiciary of Guam FY2021 Budget
B. JC Resolution Relative to Administrative Order Suspending Judicial Council Rules of Operation and Conduct 1.07
C. Update on Judiciary's Response to COVID-19
D. Notice of Next Meeting (April 16, 2020)

VII. COMMUNICATIONS

VIII. PUBLIC COMMENT
A. Guam Bar Association – President's Report
B. Court Employees Association

IX. ADJOURNMENT

IS warns terrorists to avoid Europe until coronavirus passes

By Brian Niemietz
New York Daily News

The Islamic State has warned its terrorist organization to stay clear of Europe until the coronavirus is under control.

Would-be martyrs learned of the travel ban in the Islamic State newsletter al-Naba just before the weekend got underway, according to outlets including Homeland Security Today.

The newsletter reportedly urges the group's militant operatives outside of Europe not to enter the continent while asking supporters and insurgents already there not to leave.

Terrorists serving the Islamic State are also reminded to wash their hands and cover their mouths when yawning and sneezing. The warning reportedly included a full page info-graphic teaching ISIS members how to avoid spreading the pandemic.

Nearly 175,000 cases of coronavirus have been confirmed worldwide – more that 6,700 of those cases fatal. Italy, where the virus spread quickly last week, has recorded 1,809 fatalities. There have been 335 coronavirus deaths in Spain and 127 in France, according to Johns Hopkins University's Coronavirus Resource Center map.

There have been no reports of coronavirus in Syria, where Islamic State formed, though health statistics coming from the war-torn country are likely to be incomplete.

Health officials have recommending "social distancing" as a means of containing the spread of the deadly virus worldwide.

Terrorists serving the Islamic State are also reminded to wash their hands and cover their mouths when yawning and sneezing.

In Italy, obituaries fill the paper, but survivors must mourn alone

By Chico Harlan
and Stefano Pitrelli
The Washington Post

ROME – In the part of Italy hit hardest by the coronavirus, the crematorium has started operating 24 hours a day. Coffins have filled up two hospital morgues, and then a cemetery morgue, and are now being lined up inside a cemetery church. The local newspaper's daily obituary section has grown from two or three pages to 10, sometimes listing more than 150 names, in what the top editor likens to "war bulletins."

By death toll alone, the coronavirus has landed in the northern province of Bergamo with the force of a historic disaster.

But its alarming power goes even further, all but ensuring that death and mourning happen in isolation – a trauma where everybody must keep to themselves.

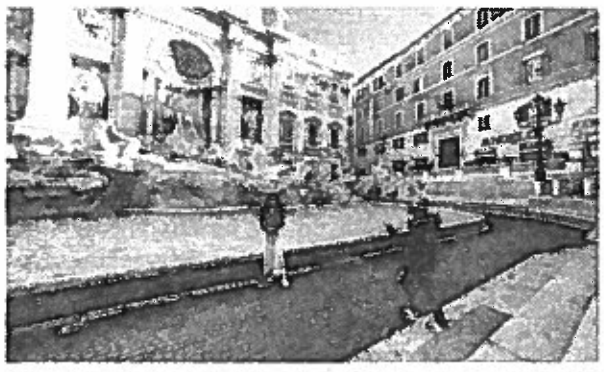
All across Bergamo, people are being picked up in ambulances, rushed to the hospital, and dying in sealed-off wards where even their closest relatives are not allowed. Many funerals are taking place with only a priest and funeral home employee present, while family members face restrictions on gathering, remain in quarantine or are too sick themselves.

So many have died that there is a waiting list for burial and cremation.

"I think it's worse than a war," said Marta Testa, 43, who is in self-quarantine, and whose father died last Wednesday of the virus at age 85. "Dad is waiting to be buried. And we are here waiting to tell him goodbye."

'Our family is living in a suspended state'

Other countries are only beginning to grapple with the pandemic's implications and the distance it forces between even the closest people. But in Italy, death by lonely death, its full cost is becoming apparent.



ROME: Spooked by coronavirus concerns, tourists are scarce at the usually packed Trevi Fountain in Rome on Saturday, March 7. Cecilia Fabiano/LaPresse/Zuma Press/Tribune News Service

More than 2,000 people have died of the virus in Italy – half of them over the most recent five-day stretch – and many of those cases have looked like that of Testa's father, Renzo, a former newspaper advertising executive who felt short of breath last Saturday, was taken to the hospital, and did not see or talk to his family again.

"Grief is a phase that requires closeness, but our grief has had to come via the telephone," said Testa, whose parents had been married for 50 years, and whose mother also appears to have the virus but is recovering.

Testa's siblings bring food to their mother. Out of precaution, they leave it on her front door.

"Right now," Testa said, "our family is living in a suspended state."

Even as the virus has spread around the world, it is in Italy where people are contracting the virus – and dying from it – more rapidly than anywhere else. On Sunday, the country reported 368 deaths, a toll exceeding even the highest daily figures from China. By Monday, another 349 died, bringing the total in less than one month to 2,158.

'It's as if a chemical bomb has exploded'

And within Italy, Bergamo, a wealthy province of 1.1 million to the east of Milan, has become the most worrying hotspot. Hospitals are at the breaking point there. Military doctors have been called in to assist. Residents describe Bergamo as a ghostly place where only ambulances and hearses are on the road at night. In the small town of Nembro, according to the Corriere della Sera, 70 people have died in the last 12 days. Some 120 died all of last year.

"It's as if a chemical bomb has exploded," said Daniela Taiocchi, 49, who helps handle obituaries for the local newspaper, L'Eco di Bergamo.

Bergamo also stands as a warning sign about how coronavirus cases can explode if restrictions aren't quickly put in place. Italy dealt with an initial hotspot, in the province of Lodi, but placing 10 small towns under lockdown more than three weeks ago. But the government waited far longer to place similar measures elsewhere. Bergamo now has three times the number of coronavirus cases as Lodi.

"Morgues and health institutions are collapsing," said Claudia Scotti, a funeral home co-owner. "We were absolutely unprepared for an emergency of this kind."

The people who are dying, memorialized in page after page of the L'Eco di Bergamo, are ex-politicians, electricians, emergency phone operators, priests. Most are in their 70s or 80s. Their short obituaries don't mention the cause of death but don't need to; 90 percent, the newspaper's editor estimated, died because of the coronavirus. Instead, the obituaries have other clues about how much grieving has changed during the emergency. They mention "direct transport to the crematorium." A public ceremony at a "date to be determined." A funeral held in a "strictly private form."

Ceremonies placed on hold

Across the country, funerals inside of churches have been put on hold, part of the government's absolute restriction on gatherings. For families cleared to leave their homes, some in Bergamo have still been allowed to meet for small burials at the cemetery, capped at 10 people. But aside from those moments, the city has closed the cemeteries entirely, fearing that residents would take public transportation, visit the graves of those who have died, and spread the virus themselves.

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NOTICE OF WORKING SESSION

The **Judicial Council of Guam** will conduct a working session to discuss the FY21 JOG Budget Proposal on **Wednesday, March 25, 2020 in the Justice Monessa G. Lujan Appellate Courtroom located on the 3rd Floor of the Guam Judicial Center, 120 West O'Brien Drive in Hagåtña at 12:00 p.m.**

Any person(s) needing special accommodations, auxiliary aids or services, please contact the Administrator of the Courts at 475-3544 or June Bells Cariño at 475-3413.

/s/ CHIEF JUSTICE F. PHILIP CARBULLIDO
Chairman

White House seeks $1T for economic stimulus

By Jennifer Haberkorn
Los Angeles Times

WASHINGTON — The Trump administration on Tuesday proposed a $1 trillion economic stimulus package to counter the effects of the coronavirus, including relief for small businesses and the airline industry, and sizable checks for Americans in the next two weeks.

Treasury Secretary Steven Mnuchin outlined the request to Senate Republicans at a closed-door lunch on Capitol Hill and has been in discussions with House Democratic leaders.

"It's going to be big and it's going to be bold," President Donald Trump said, praising the bipartisan commitment in Congress to move quickly.

Senate Republicans – having taken a backseat to the administration and House Democrats on two prior coronavirus response bills – indicated that they will take the lead on writing the latest stimulus measure, which is expected to track the administration's $1 trillion request.

Senate Majority Leader Mitch McConnell, R-Ky., said the Senate would remain in session until it enacts the measure.

"We are crafting the major legislation that the American people deserve in the face of this major challenge," McConnell said. "And it is my intention that the Senate will not adjourn until we have passed significant and bold new steps, above and beyond what the House passed, to help our strong nation and our strong underlying economy weather this storm."

Lawmakers on Capitol Hill expressed widespread support for a significant and immediate economic stimulus package – one that will likely top the response to the 2008 financial crisis. During that time, lawmakers quickly approved hundreds of billions of dollars to soften what would become the Great Recession.



MNUCHIN: *Treasury Secretary Steven Mnuchin delivers remarks alongside President Donald Trump during a briefing on the coronavirus COVID-19 pandemic at the White House on Tuesday, March 17, in Washington, D.C. Kevin Dietsch/Pool/Abaca Press/Tribune News Service*

The fast-moving coronavirus legislation reflects the urgent need to flush cash into a society that is rapidly changing as workers stay home, airlines cancel flights and restaurants and institutions close their doors to try to contain the spread of the virus. Mnuchin described much of the assistance as "business interruption" funding.

Per-person checks

A key component is expected to be checks sent to Americans in the coming weeks. Mnuchin, who has become the administration's frontman in negotiating the stimulus, said details would be announced shortly about how large the checks would be and when they would be sent. He suggested the amounts would be larger than the $1,000 checks proposed in recent days.

McConnell did not commit to including per-person checks in his package but did say there would be some component to put money directly into the hands of individuals. Rank-and-file Senate Republicans support the idea of quickly infusing society with cash and helping workers who face layoffs.



ILLINOIS: *Volunteers Linda Hull, left, and Carolyn Myers give instructions to a voter in Illinois on Tuesday. Despite worries about the novel coronavirus, Illinois, Florida and Arizona still held primaries. Youngrae Kim/For The Washington Post*

Big Florida win for Biden on day overshadowed by virus

By Michael Scherer, Annie Linskey and Sean Sullivan
The Washington Post

Former Vice President Joe Biden scored a decisive win in Florida on Tuesday, extending his run of victories on a primary election day in which the growing national response to the coronavirus pandemic complicated voting as it threatened to disrupt future contests.

The emphatic win raised further questions about the viability of the campaign of Sen. Bernie Sanders, I-Vt., and set Biden, who already was leading the contest by more than 100 delegates, on a clear course to a first-ballot victory at the Democratic National Convention in July, barring a seismic shift in the race's dynamics. This was the third consecutive week of voting in which he outperformed Sanders, including 16 of the past 21 contests before Tuesday's.

In the general election swing state of Florida, the biggest prize of the night with 219 pledged delegates, Biden was winning more than twice as many voters as Sanders after the vast majority of votes had been counted, amid a moderate increase in turnout compared to 2016, as projected by Edison Media Research. Results were still being tallied early Tuesday night in Illinois, which divvies up 155 delegates, and Arizona, which carried 67 delegates.

Historic conditions

Voters braved historic conditions in the three states that cast ballots a day after President Donald Trump requested that Americans stop congregating in groups of more than 10 people to reduce transmission of the novel coronavirus, which has sequestered millions in their homes, closed businesses across the country and hammered the financial markets.

Reports of polling place disruptions – with unopened precincts, a dearth of cleaning supplies and long lines in some places – emerged across the country. Both candidates urged voters to take extra precautions.

The Sanders campaign told supporters that "going to the polls amid the coronavirus outbreak is a personal decision and we respect whichever choice voters make." Biden told voters that they should vote by mail or from curbside if possible.

"If you vote in person, please wash your hands, don't touch your face, and stay 6' from others in line," Biden tweeted.

Sanders 'continuing to communicate'

Sanders made no mention of the elections Tuesday night when he addressed the nation about his proposed responses to the coronavirus pandemic. Shortly before Florida closed the last of its polling places, Sanders offered a long list of responses to the viral outbreak that would cost about $2 trillion, he said, including a monthly $2,000 check for every American household for the duration of the crisis.

Signaling an intent to stay involved in the political conversation, Sanders directed Americans to his campaign website and concluded by saying, "I look forward to continuing to communicate with you to tell you where we are coming from, what our ideas are and look forward to hearing from you."

Sanders was not expected to speak publicly again Tuesday night, according to a campaign official.

Sanders and his wife, Jane, spent the day in Washington, where the Senate is working on relief packages to respond to the virus, according to a campaign official. Biden met with advisers and public health experts at his home in Delaware.

Voting in Ohio, the fourth state that was to cast ballots Tuesday, was delayed at the last minute by Gov. Mike DeWine, a Republican, as a result of the growing viral infection, despite a court ruling that voting should take place.

JUDICIAL COUNCIL OF GUAM

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NOTICE OF PUBLIC MEETING

The Judicial Council will also conduct its monthly meeting on **Thursday, March 26th, 2020, 12 Noon in the Justice Monessa G. Lujan Appellate Courtroom located on the 3rd Floor of the Guam Judicial Center, 120 West O'Brien Drive in Hagåtña.** The agenda will be made available prior to the meeting.

Any person(s) needing special accommodations, auxiliary aids or services, please contact the Administrator of the Courts at 475-3544, or June Bells Cariño at 475-3413.

/s/ CHIEF JUSTICE F. PHILIP CARBULLIDO
Chairman

BEFORE THE 2020 JUDICIAL COUNCIL OF GUAM

RESOLUTION NO. JC20-009

RELATIVE TO SUPREME COURT OF GUAM ADMINISTRATIVE ORDER ADM 20-213 REGARDING THE SUSPENSION OF JUDICIAL COUNCIL RULE 1.07 AND ADOPTION OF INTERIM RULE 1.07 UNDER EXIGENT CIRCUMSTANCES CAUSED BY THE COVID-19 EMERGENCY

WHEREAS, the Governor of Guam in Executive Order 2020-03 declared a public health emergency in Guam because of the COVID-19 (Coronavirus) pandemic; and

WHEREAS, the Governor of Guam in Executive Order 2020-06 suspended certain parts of the Open Government Law to ensure the continuity of critical government functions during this emergency; and

WHEREAS, the Supreme Court of Guam, on March 25, 2020, approved Administrative Order ADM20-213, suspending Judicial Council Rule 1.07 and adopting Interim Rule 1.07 relative to voting during teleconference or video conference meetings, to allow Judicial Council meetings to continue during this emergency.

NOW, THEREFORE, the Judicial Council does hereby approve Interim Rule 1.07 as approved by the Supreme Court for the reasons and under the terms and conditions stated in Supreme Court Administrative Order ADM 20-213.

DULY ADOPTED this 26th day of March, 2020 at a duly noticed meeting of the Judicial Council of Guam.

F. PHILIP CARBULLIDO, Chairman

Dated: 3/26/2020

ATTEST:

June Bells Cariño, Executive Secretary

Dated: 3/26/2020

Filed
Supreme Court of Guam, Clerk of Court

IN THE SUPREME COURT OF GUAM

RE: RELATIVE TO THE SUSPENSION OF JUDICIAL COUNCIL RULE 1.07 AND ADOPTION OF INTERIM MEASURES UNDER EXIGENT CIRCUMSTANCES RELATED TO COVID-19 (CORONAVIRUS)	Supreme Court of Guam Administrative Order No. ADM20-213

Because of public health concerns arising from the COVID-19 (coronavirus) pandemic, *I Maga'hågan Guåhan* has issued a series of executive orders to stem the spread of the virus: Executive Order No. 2020-03, declaring a State of Emergency; Executive Order No. 2020-04, closing non-essential government operations through March 30, 2020; Executive Order No. 2020-05, prohibiting public gatherings and mandating social isolation; and Executive Order No. 2020-06, extending the closure of non-essential government operations and suspending certain provisions of the Open Government Law under Title 5, Chapter 8 of the Guam Code Annotated through April 13, 2020. The court, in accordance with its jurisdiction to issue orders necessary for the supervision of the judicial branch of Guam and to make and promulgate rules governing the administration of the judiciary, issues this **ORDER** regarding the suspension of Rule 1.07 of the Judicial Council Rules of Conduct and Operation (2003) and the adoption of interim emergency measures for meetings of the Judicial Council, to protect the public health by reducing the risk of exposure to the coronavirus and slowing the spread of the disease:

(1) Rule 1.07 of the Judicial Council Rules of Conduct and Operation currently provides:

> **1.07 Method of Voting.** Each member shall be entitled to one vote on each matter, motion or question submitted to a vote at a meeting of the Council. No proxy shall be valid. However, if a member of the Council is off island during a Council meeting, he or she may participate by conference call as if physically present.

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This rule is hereby suspended, and interim emergency Rule 1.07 is adopted as follows:

> **ER 1.07 <u>Method of Voting.</u>** Each member shall be entitled to one vote on each matter, motion or question submitted to a vote at a meeting of the Council. No proxy shall be valid. However, the meeting may be conducted through the use of, and each member may participate in the meeting by, conference call, videoconference, or other suitable technology, on condition that anyone taking part can be identified, that their identification is duly recorded in the minutes, that they can follow the proceedings, that they can speak in real time on the topics being discussed, and that the spirit and intent of the Open Government Law codified under Title 5, Chapter 8 of the Guam Code Annotated, are observed. The member's location and means of attendance shall be noted on the agenda and recorded in the minutes. Such participation by a member in a meeting shall constitute presence in person at such meeting for all purposes including establishment of a quorum.

(2) All rules of procedure, court orders, and opinions applicable to Judicial Council proceedings that limit or prohibit the use of communication equipment for the conducting of proceedings by remote electronic means are suspended from the close of business on Wednesday, March 25, 2020, until the close of business on Friday, May 1, 2020, or as provided by subsequent order.

(3) This interim emergency rule is consistent with Public Law 34-133 which expressed concerns about Government Boards and Commissions having enough members present to move actions forward and authorizes the use of video teleconferencing applications at meetings to guarantee a quorum, for convenience, and to allow members to participate from home or when traveling. This interim rule shall remain in effect until further order.

SO ORDERED this 25th day of March, 2020.

/s/
ROBERT J. TORRES
Associate Justice

/s/
KATHERINE A. MARAMAN
Associate Justice

/s/
F. PHILIP CARBULLIDO
Chief Justice

JUDICIAL COUNCIL OF GUAM
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★★★★

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

★★★★

Advisiory Committee Members:

Hon. Anita A. Sukola

Hon. Vernon G. Perez

Hon. Maria T. Cenzon

Hon. Elyze M. Iriarte

Atty. Jacqueline T. Terlaje

Atty. Frederick J. Horecky

★★★★

Administrator of the Courts:
Kristina L. Baird

Judicial Council Secretary:
June Bells Cariño

Judicial Council Asst. Secretary:
Shelterihna T. Alokoa

JUDICIAL COUNCIL OF GUAM
REGULAR MEETING
THURSDAY, FEBRUARY 20, 2020
Justice Monessa G. Lujan Appellate Courtroom
Guam Judicial Center

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 12:06 p.m.

ROLL CALL:

Chief Justice F. Philip Carbullido
Justice Katherine A. Maraman
Justice Robert J. Torres (present via teleconference)
Presiding Judge Alberto C. Lamorena III
Judge Arthur R. Barcinas

Advisory Committee Members:
Judge Vernon G. Perez
Judge Maria T. Cenzon
Judge Anita. A. Sukola
Mr. Frederick J. Horecky

Also Present:
Ms. Kristina Baird, Administrator of the Courts (AOC)
Ms. Marcelene Santos, Public Guardian
Ms. Hannah G. Arroyo, Clerk of Court, Supreme Court
Ms. Danielle Rosete, Clerk of Court, Superior Court
Ms. Erica Eschbach, Staff Attorney, Supreme Court
Mr. Andrew "Serge" Quenga", Staff Attorney Judiciary of Guam
Ms. Cerina Mariano, Court Programs Administrator
Mrs. Barbara Jean Perez, HR Administrator
Mr. Troy Pangelinan, Marshal of the Courts
Ms. Rossanna Villagomez-Aguon, Chief Probation Officer
Ms. Ma. Dianne Ollet Gudmalin, FMD Administrator

Mr. Carl Dominguez, Procurement & Facilities Management Administrator
Ms. Virginia Yasuhiro, CSFC Administrator, Client Services and Family Counseling Division
Ms. Joleen Cepeda, Management Officer, Procurement
Ms. Jaylene San Nicolas, IFIK Secretary
Mr. Lowella Caburian, IFIK Treasurer
Ms. June Bells Cariño, Chamber Administrator
Ms. Shelterihna Alokoa, Chamber/Courtroom Clerk

II. PROOF OF DUE NOTICE OF MEETING

Due publication of the five-day and two-day Notices of Meeting of the Judicial Council, as required under the Open Government Law, were published in the Guam Daily Post. Acknowledgements on file.

III. DETERMINATION OF QUORUM

With the presence of five (5) Judicial Council members, a quorum was determined for this meeting.

**** Chief Justice Carbullido took a moment to introduce the newly appointed Judicial Council Advisory Committee Member, Attorney Fred Horecky. All present at the meeting welcomed Mr. Horecky with a round of applause.**

IV. READING AND DISPOSAL OF MINUTES: January 16, 2020 Regular Meeting

Presiding Judge Lamorena moved to approve the Minutes for the January 16, 2020 Regular Meeting, subject to correction. Justice Maraman seconded the motion. Chief Justice Carbullido called an oral vote. All Council members voted in favor; the minutes were approved.

****Chief Justice Carbullido noted Judge Barcinas' arrival at 12:08 p.m. for the record.**

V. OLD BUSINESS

A. Judiciary FY20 Remittances under P.L. 35-36

Ms. Gudmalin reported that an allotment payment totaling $1,233,377.00 had been received by the Judiciary of Guam (JOG) on February 11, 2020, and the next scheduled allotment is scheduled for February 25.

B. Update on Capital Improvement Projects

Ms. Kristina Baird announced that the purchase negotiations for the San Ramon building are almost complete. She presented a resolution to Council which authorizes the Chief Justice, Ms. Baird, and other designees to finalize the negotiations and purchase said building at a fair market price. Ms. Baird said that a report is being made regarding the San Ramon's structural, mechanical, and technical soundness. She noted that the Route 4 building and the Historic Courthouse will also undergo an architectural and engineering inspection.

Presiding Judge Lamorena suggested that the estimated price figure be added into the resolution. Council members discussed the possibility of the estimated price changing due to closing costs and other fees. Chief Justice suggested that the resolution remain as presented but he and the AOC will come back to Council for approval again if the finalized purchase price exceeds more than 10% of $1,625,000. Presiding Judge Lamorena agreed and withdrew his suggested resolution amendment. **Justice Torres moved to approve the resolution, as presented, and Judge Barcinas seconded the motion. Chief Justice Carbullido called an oral vote and all present Council members voted in favor of the resolution; the resolution was unanimously approved.**

VI. NEW BUSINESS

A. JC Resolution Commending Justice Katherine A. Maraman for term as Chief Justice

Chief Justice Carbullido presented a resolution that commends Justice Katherine A. Maraman for her service to the Judiciary of Guam during her term as the Chief Justice from January 2017 to December 2019. He suggested to Council that the resolution be presented during Law Week this coming May. **He asked if there was any objection to his suggestion and there was no objection from Council members.** Chief Justice and Council members thanked Justice Maraman for her leadership. He noted that the presentation date would be announced to Council once the Law Week schedule has been finalized. **Chief Justice Carbullido moved to adopt the resolution, subject to the review and amendment of Justice Maraman, and Presiding Judge Lamorena seconded the motion. Chief Justice Carbullido called an oral vote. Justice Maraman abstained from the vote. The other four Council members voted in favor of the resolution; the resolution was unanimously adopted.**

Chief Justice Carbullido asked Justice Maraman if she would like to make any statements. Justice Maraman thanked the management and staff for all their assistance and dedication during her term as Chief Justice and for all that they continue to do for the Judiciary and the People of Guam.

B. JC Resolution for Acquisition of Properties

*Resolution was unanimously approved early in the meeting. Please see Agenda Item V. B.

C. JC Resolution Certifying Need for Vacancy of Judge Michael J. Bordallo

Chief Justice Carbullido presented the resolution certifying the judiciary's need to fill the vacancy of a trial judge. He noted this resolution, if approved, will be sent to the Governor for the appointment process to begin. **Justice Torres moved to approve the resolution, as presented, and Presiding Judge Lamorena seconded the motion. Chief Justice Carbullido called an oral vote and all present Council members voted in favor of the resolution; the resolution was unanimously approved.**

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

Chief Justice Carbullido brought up a resolution that simply updates the names of personnel authorized to use the JOG debit/check card as there are a few new personnel with the transition to the new Chief Justice administration. Ms. Ollet added this resolution would also serve as a blanket resolution for all of the bank accounts held by the JOG. **Justice Maraman moved to adopt the resolution, as presented, and Presiding Judge Lamorena seconded the motion. Chief Justice Carbullido called an oral vote and all present Council members voted in favor of the resolution; the resolution was unanimously adopted.**

E. JC Resolution to Ratify Administrator of the Courts Kristina Baird

Chief Justice Carbullido brought forward a resolution that ratifies his appointment of Ms. Kristina Baird as the JOG Administrator of the Courts. He noted that the Chief Justice is given authority to oversee judicial divisions under the Organic Act, 48 U.S.C.A. §§ 1424-1(b) (2) and (3), under 7 GCA § 7103(c). **Presiding Judge Lamorena moved to adopt the resolution, as presented, and Judge Barcinas seconded the motion. Chief Justice Carbullido called an oral vote and all present Council members voted in favor of the resolution; the resolution was unanimously adopted.**

F. JC Resolution Amending the Job Standard and Pay Grade Reassignment of the Assistant Procurement Administrator Position

Ms. Barbara Jean Perez stated that Ms. Baird tasked the Human Resources (HR) division to evaluate the Assistant Procurement Administrator Position. She noted that after a thorough review, HR's recommendation is to upgrade the job standard and reassign the pay grade as the matters are outdated. She also stated that the position has evolved since the last evaluation, especially in the past few years with the recent JOG building renovation projects. Ms. Perez presented the amended job standard and reassigned pay grade attached to the resolution. **Justice Torres moved to adopt the resolution, as presented, and Presiding Judge Lamorena seconded the motion. Chief Justice Carbullido called an oral vote and all present Council members voted in favor of the resolution; the resolution was unanimously adopted.**

G. JC Resolution Appointing June Bells Cariño as the Judicial Council Secretary

Chief Justice Carbullido presented the resolution to Council which appoints a new Executive Secretary, Ms. June Bells Carino, and appoints Ms. Shelterihna T. Alokoa as the Assistant Secretary to the Judicial Council. He thanked Ms. Alokoa for her help in preparing the meeting and with the transition to the new Executive Secretary. Justice Maraman and Judge Barcinas also thanked Ms. Alokoa and commended her work as the Judicial Council Secretary for the past 3 years. **Presiding Judge Lamorena moved to adopt the resolution, as presented, and Judge Barcinas seconded the motion. Chief Justice Carbullido called an oral vote and all present Council members voted in favor of the resolution; the resolution was unanimously adopted.**

H. Appointment of Fred Horecky to Judicial Council Advisory Committee Board

Chief Justice Carbullido introduced in more detail the newly appointed Judicial Council Advisory Committee Board Member, Mr. Fred Horecky. The Chief Justice thanked Mr. Horecky for accepting the appointment. Council members welcomed Mr. Horecky.

I. Night Court Docket

Judge Barcinas presented a memorandum he sent to the Chief Justice with points of discussion regarding a possible night court docket for the JOG. He added that the main purpose for the memorandum was to begin discussion of not only a night court docket but also alternative scheduling options to efficiently manage court parking and the flow of court patrons. **After some discussion, Council members created a committee to further look in to the matter. Chief Justice Carbullido assigned Judge Barcinas as the chairman of the committee and Ms. Rosete as the vice-chairwoman. Chief Justice also noted that the committee has 60 days to submit a report of recommendations to the Council.**

Presiding Judge Lamorena suggested that the committee gather feedback from the divisions and personnel greatly affected by a night court docket such as the Marshals Division, Probationary Services, and the magistrate judges. Justice Maraman also suggested that cost-cutting measures be considered for the night court operations as well such as swing shifts and online dispute resolution.

J. FY2021 Budget Process Timeline

Chief Justice Carbullido presented a timeline for the FY2021 budget process. He noted that the JOG is preparing the FY21 budget and the presented timeline sets deadlines for different aspects of the budget. Ms. Gudmalin added that the templates have been distributed to the respective divisions and the narratives will be submitted by each division next week Wednesday, March 11, 2020. **As displayed in the timeline, Chief Justice announced that the Judicial Council will have a working session on Wednesday, March 25, 2020, to review the FY21 budget draft.**

K. Notice of Next Meeting (March 26, 2020)

Chief Justice Carbullido announced that the next Judicial Council regular meeting will be later in the month on Thursday, March 26, 2020 due to the Judicial Council's March 25, 2020 Working Session.

VII. COMMUNICATIONS

Ms. Baird reminded all present that the next day, Friday, February 21, 2020 the JOG will have its first Friday Frolic, an employee appreciation luncheon event, hosted by the Human Resources and Administration divisions. She noted that the food trucks and canopies have been already set-up and division heads may allow 2 hours to personnel for lunch break. She added that JOG staff can get an "appreciation token" redeemable for either a free popcorn or ice-cream.

Ms. Baird also announced that the JOG will have a community clean-up in Piti on Saturday, February 22, 2020, beginning at 07:00 a.m. She stated that cleaning supplies would be donated by the Piti Mayor and the JOG will bring water for all. Mr. Dominguez explained how JOG personnel will be divided up and the assigned clean-up routes. Ms. Baird concluded stating that the judiciary has been helping the community in other ways such as the cleaning every other week of the Angel Santos Latte Stone Park and the Japanese Caves near the Guam Law Library.

Justice Maraman reminded all present that the Relay for Life (RFL) Committee will hold their Cookies for the Cure fundraiser on Monday, February 24, 2020. She said that all those interested in ordering cookies should see their RFL representative.

Presiding Judge Lamorena also noted that the Law Enforcement Morale Committee has a carwash fundraiser in the afternoon of the meeting date.

VIII. PUBLIC COMMENT

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

Ms. Terlaje, the GBA President, could not attend the meeting due to an emergency. There was no report.

B. Court Employees Association (IFIK) – Board of Governor's Report

IFIK Treasurer Lowella Caburian reported that IFIK has $7,565.98 in their account and 231 members. She announced that a membership drive would be done on February 27, 2020.

X. ADJOURNMENT

Justice Maraman moved to adjourn and Judge Barcinas seconded the motion. All other Council members voted in favor of the motion. The meeting was adjourned at 01:09 p.m.

Respectfully submitted this 11th day of March, 2020.

SHELTERIHNA T. ALOKOA
Assistant Secretary,
Judicial Council of Guam

JUNE BELLS CARIÑO
Executive Secretary,
Judicial Council of Guam

The February 20, 2020 Meeting Minutes as set out above were unanimously approved by all Council members at the March 26, 2020 Judicial Council Regular Meeting.

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

★★★★

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

★★★★

Advisiory Committee Members:

Hon. Anita A. Sukola

Hon. Vernon G. Perez

Hon. Maria T. Cenzon

Hon. Elyze M. Iriarte

Atty. Jacqueline T. Terlaje

Atty. Frederick J. Horecky

★★★★

Administrator of the Courts:
Kristina L. Baird

Judicial Council Secretary:
June Bells Cariño

Judicial Council Asst. Secretary:
Shelterihna T. Alokoa

JUDICIAL COUNCIL OF GUAM
REGULAR MEETING
THURSDAY, MARCH 26, 2020
Justice Monessa G. Lujan Appellate Courtroom
Guam Judicial Center
And via Videoconference

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 12:06 p.m.

ROLL CALL:

Chief Justice F. Philip Carbullido
Justice Katherine A. Maraman
Justice Robert J. Torres
Presiding Judge Alberto C. Lamorena III
Judge Arthur R. Barcinas

Advisory Committee Members:
Judge Maria T. Cenzon
Judge Elyze M. Iriarte
Judge Pro Temp Linda Ingles

Also Present:
Ms. Kristina Baird, Administrator of the Courts (AOC)
Mr. Robert Cruz. Deputy Administrative Director of the Courts
Ms. Alicia A.G. Limtiaco, DPPCR
Mr. Andrew "Serge" Quenga", Staff Attorney Judiciary of Guam
Ms. Dawn R. Blas, Judicial Educator
Ms. Marcelene Santos, Public Guardian
Ms. Hannah G. Arroyo, Clerk of Court, Supreme Court
Ms. Danielle Rosete, Clerk of Court, Superior Court
Ms. Erica Eschbach, Staff Attorney, Supreme Court
Ms. Cerina Mariano, Court Programs Administrator
Mrs. Barbara Jean Perez, HR Administrator

Mr. Troy Pangelinan, Marshal of the Courts
Ms. Rossanna Villagomez-Aguon, Chief Probation Officer
Ms. Trisha T. Suzuki, Probation Officer Supervisor
Ms. Ma. Dianne Ollet Gudmalin, FMD Administrator
Ms. Francine Brillantes, Court Fiscal Supervisor
Mr. Carl Dominguez, Procurement & Facilities Management Administrator
Ms. Marissa C. Antonio, Deputy Procurement & Facilities Mgt. Administrator
Ms. Virginia Yasuhiro, CSFC Administrator, Client Services and Family Counseling Division
Mr. Joseph Mannion, MIS Administrator
Ms. Jeanette M. Quintanilla, Senior Probation Officer/IFIK President
Ms. Kristina Blaz, Public Information Officer
Mr. Renato "Nato" Alviedo, Audio Security Technician
Ms. June Bells Cariño, Chamber Administrator
Ms. Shelterihna T. Alokoa, Chamber/Courtroom Clerk

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. Acknowledgements are on file. Chief Justice Carbullido informed all those present that the Daily Post failed to publish the judiciary's two-day notice.

Staff Attorney Serge Quenga stated that Governor Leon Guerrero's recent Executive Order No. 2020-06 (EO2020-06) signed on March 24, 2020 suspends certain provisions of the Open Government Law including 5 GCA §8107. **He informed Council that his legal opinion was that the Judicial Council meeting could proceed even without the 48hour notice due to said suspension in EO2020-06.** A copy of Attorney Quenga's legal opinion is attached. He noted that Executive Order No. 2020-06 does not suspend 5 GCA 8113.1, the submission of meeting materials to the offices of Governor Leon Guerrero, Speaker Muna Barnes, and Public Auditor Cruz. Mr. Quenga recommended that Council make a motion to authorize Chief Justice Carbullido to approve the meeting minutes after transcription. Chief Justice Carbullido stated that Council would vote on the matter later in the meeting.

****Chief Justice Carbullido informed all present that the Supreme Court issued Administrative Order 20-213 the day before, March 25, 2020. He stated that the order suspends Judicial Council Rules of Operation and Conduct 1.07 and replaces the rule with Emergency Interim Rule 1.07 which permits Judicial Council members to participate in Council meetings via videoconference. He added that the order requires Council members to respectively identify themselves and their location.**

III. DETERMINATION OF QUORUM

Chief Justice Carbullido began the roll call. Chief Justice F. Philip Carbullido, Justice Katherine A. Maraman, Justice Robert J. Torres, Presiding Judge Alberto C. Lamorena III, and Judge Arthur R. Barcinas identified themselves and their location over videoconference, respectively. With the presence of five (5) Judicial Council members, a quorum was determined for this meeting.

IV. READING AND DISPOSAL OF MINUTES: February 20, 2020 Regular Meeting

Justice Torres moved to approve the Minutes for the February 20, 2020 Regular Meeting, subject to correction. Presiding Judge Lamorena seconded the motion. Chief Justice Carbullido called an oral vote. All Council members voted in favor; the minutes were approved.

***At this time, Chief Justice Carbullido asked Council members if Meeting Agenda item VI. B. could be discussed. There was no objection from Council members**. The Chief Justice presented a resolution which approves Interim Rule 1.07 of the Judicial Council Rules of Conduct and Operation for the reasons stated in Guam Supreme Court Administrative Order 20-213. He reminded Council members that he spoke on this matter at the beginning of the meeting. **Justice Torres moved to adopt the resolution and Justice Maraman seconded the motion. Chief Justice Carbullido called an oral vote. All Council members voted in favor; the resolution was approved.**

V. OLD BUSINESS

A. Judiciary FY20 Remittances under P.L. 35-36

Ms. Gudmalin reported that, as of the meeting date, $15,952,862.00 of the FY20 $32,670,798.00 allotment had been paid to the judiciary. She informed Council that the judiciary was notified by the Department of Administration that there would be an FY20 allotment cut of $1,133,838.00 which would be divided through the bi-weekly remittances from March 24, 2020 to September 22, 2020. She stated that this decrease was reflected in the latest allotment payment. Ms. Gudmalin said that on March 25, 2020, the JOG received $1,152,338.00 which was $81,039.00 less than the usual bi-weekly allotment payment of $1,233,377.00. She concluded that the JOG will now receive regular remittances of $1,152,338.00 until the end of the fiscal year.

Chief Justice noted there has been a cut in the allotment and not in the JOG's appropriation. He stated that the whole appropriation amount will be paid to the JOG before the end of the fiscal year. He added that, in the meantime, he and the

administration division will draft a plan to effectively continue JOG operations at lower costs. The Chief Justice informed Council members he will share the plan with Council members for approval and a special meeting may be called if action is needed before the April 2020 Judicial Council Regular Meeting.

B. Update on Capital Improvement Projects

Ms. Kristina Baird announced that the purchase negotiations and sale agreement for the San Ramon building are being finalized; however, a 90-day extension was approved due to Guam's State of Emergency with the COVID-19 pandemic. She stated that the JOG may open the escrow by Monday, March 30, 2020. She added that the JOG will go to the Bank of Guam for the first loan draw down with the purchase price of the San Ramon building as well as for the Carrier cooler for one of the JOG's air conditioning chillers.

Ms. Baird also reported that, once the architectural and engineering soundness report for the Route 4 building is received, the JOG will send out the renovation plans for bid. She noted that an RFI will go out on March 30 for an employee timekeeping system and a software program similar to JustWare. She added that a RFHP for health insurance will also go out on May 01, 2020. Chief Justice Carbullido mentioned that Ms. Gudmalin will set aside six to nine months revenue from the Judicial Building Fund to pay the Bank of Guam loan in case of future difficulties related to the current pandemic.

VI. NEW BUSINESS

A. JC Resolution Relative to Approving the Judiciary of Guam FY2021 Budget

Chief Justice Carbullido reminded Council that usually the JOG works on the budget in April but the timeline of the JOG budget must be moved up due to several pressing reasons including the effects of the COVID-19 pandemic on the Government of Guam and Senator San Agustin's request to submit the budget as soon as possible. He informed Council that the JOG hopes to submit the FY2021 Budget Proposal to the Legislature by April 09, 2020.

Chief Justice Carbullido presented a resolution that approves the FY2021 JOG budget as summarized in the resolution's Exhibit A. He noted that the resolution also authorizes the Chief Justice and Administrator of the Courts to finalize all remaining supporting information relative to the Fiscal Year 2021 Judiciary of Guam Budget and need not present the supporting information to the Judicial Council for further approval. **Presiding Judge Lamorena moved to adopt the resolution and Justice Torres seconded the motion.**

Ms. Gudmalin explained the changes in the budget made after the Judicial Council working session on March 25, 2020. She stated that the majority of the changes were just terminology. **After some discussion, Chief Justice Carbullido called an oral vote; however, there was a problem with contacting Presiding Judge Lamorena's line in the videoconference. Once it was resolved, Presiding Judge Lamorena moved to have the audio clips of the videoconference difficulty removed from the meeting recording and Chief Justice Carbullido seconded that motion. There was no objection**,

Chief Justice Carbullido called an oral vote again regarding the resolution. **All Council members voted in favor; the FY2021 JOG budget was unanimously approved.**

B. JC Resolution Relative to Administrative Order Suspending Judicial Council Rules of Operation and Conduct 1.07

*This resolution was unanimously approved early in the meeting. Please see page 3.

C. Update on Judiciary's Response to COVID-19

Ms. Baird reported to all present that several sanitizing measures have been ongoing since the beginning of the GovGuam isolation period. She thanked the JOG facilities team for their hard work in the heavy sanitization of all the judiciary buildings. She added that the Guam Judicial Center's entire Heating, Ventilation, and Air Conditioning (HVAC) system is being professionally cleaned by a third party which should be done by April 13, 2020. She said that GTA is also in the JOG facilities installing the new telephone system and handsets. She concluded saying that more may be done depending on funding such as professional common area carpet cleaning.

Chief Justice Carbullido informed Council he received a request for assistance from Lieutenant Governor Joshua Tenorio. He described that the Executive Branch is requesting any available Law Enforcement Officers (LEOs) to assist in the security and monitoring of individuals in the government quarantine facilities. He added that 10 marshals and 5 probation officers have been identified by Chief Marshal Pangelinan and Chief Probation Officer Villagomez-Aguon. Chief Justice Carbullido clarified that the identified LEOs are not being ordered to assist and have the option to opt out. He noted that the Executive Branch will provide the necessary training and safety equipment plus Staff Attorney Quenga will prepare an Agreement to state the terms of the intra-branch agreement. **All Council members agreed that the JOG can help in this way with the consent of the involved LEOs.** Chief Justice Carbullido thanked all Council members and said he will sign the agreement.

D. Notice of Next Meeting (March 26, 2020)

Chief Justice Carbullido announced that the next Judicial Council regular meeting will be later in the month on Thursday, April 16, 2020. He added that a special meeting may be called prior to April 16 if needed.

VII. COMMUNICATIONS

Judge Barcinas reminded Council members that he was tasked with the Night Court Docket Committee and possible measures. He asked that the matter be tabled until the JOG is past the State of Emergency with the COVID-19 pandemic. **Council members agreed that the Night Court Docket topic will be deferred until further notice.**

Chief Justice Carbullido stated, for the record, that the Judicial Council Meeting was made available to the public by having a laptop and large monitor set up in the Guam Judicial Center atrium with Mr. Joseph Mannion. He noted that any member of the public that came to the courthouse wishing to attend the meeting could participate via videoconference in the atrium.

The Chief Justice reminded Council of Mr. Quenga's recommendation for a motion authorizing the Chief Justice to approve the meeting minutes after transcription. Justice Torres made the motion and Judge Barcinas seconded. Chief Justice Carbullido called an oral vote. All Council members voted in favor; the motion was approved.

VIII. PUBLIC COMMENT

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

There was no report as no one from the GBA Board attended the meeting.

B. Court Employees Association (IFIK) – Board of Governor's Report

IFIK President Jeanette Quintanilla shared thanks from all the IFIK members for the JOG Administration's continued efforts and hard work. She also thanked Ms. Nikki Cruz for her regular Employee Assistance Program e-mails that contain helpful information such as tips for working and schooling from home.

**Chief Justice Carbullido concluded the meeting by wishing everyone well and thanked everyone for their patience and understanding.

X. ADJOURNMENT

Presiding Judge Lamorena moved to adjourn and Judge Barcinas seconded the motion. All other Council members voted in favor of the motion. The meeting was adjourned at 12:51 p.m.

Respectfully submitted this 1st day of April, 2020.

SHELTERIHNA T. ALOKOA
Assistant Secretary,
Judicial Council of Guam

JUNE BELLS CARIÑO
Executive Secretary,
Judicial Council of Guam

The March 26, 2020 Minutes of Regular Meeting as set out above are approved.

F. PHILIP CARBULLIDO
Chairman

Dated: 4/1/2020

Legal Memorandum

Date: March 26, 2020

To: Chief Justice and Chairman of the Judicial Council

From: Staff Attorney

Subject: Legal Opinion on Whether the Open Government Law's Two Day Notice Requirement for Today's Judicial Council Meeting is Necessary in Light of Executive Order 2020-06

I have been advised that the 5 day notice for today's scheduled Judicial Council meeting was published by the Court's vendor newspaper of general circulation, but the 48 hour notice was not published. These requirements are contained in the Open Government Law at 5 GCA § 8107. However, because of the on-going COVID-19 (Coronavirus) public health emergency declared by the Governor of Guam in Executive Order 2020-03 and subsequent measures enacted by the Governor in Executive Order 2020-06, the lack of the 48 hour notice does not prohibit the Judicial Council meeting from being conducted today.

Specifically, Paragraph 5 of EO 2020-06 temporarily suspends the public notice requirements in 5 GCA § 8107 and other parts of the Open Government Law. This EO provides in relevant part:

> 5. SUSPENSION OF CERTAIN PROVISIONS OF THE OPEN GOVERNMENT LAW.
>
> The application of Sections 8103, 8107, 8108, 8109, 8110, 8114, and 8115 of Title 5 of the Guam Code Annotated are temporarily suspended until April 13, 2020. To ensure the public is well-informed in this time of emergency, public agencies shall document their meetings in minutes and continue compliance with Section 8113.1, Title 5 of the Guam Code Annotated. Actions taken at meetings of public agencies without compliance with all provisions of the Open Government Law shall not be effective until compliance with Section 8113 .1, Title 5 of the Guam Code Annotated.

Thus, it is clear that the lack of the 48 hour notice does not prohibit today's meeting. However, it is equally clear that compliance with Section 8113.1 of the Open Government Law is required in order for any action taken by the Judicial Council to be effective. Section 8113.1 provides:

> Reporting Requirements for Boards and Commissions. The governing Boards and Commissions of all agencies, public corporations, and departments of the government of Guam shall provide electronic copies of the monthly Board and Commission meeting agendas, approved minutes, and other attachments and addendums as discussed in each monthly meeting, to I Maga'lahen Guåhan and the Speaker of I Liheslaturan Guåhan no later than fifteen (15) days after the end of said meeting and post the same on its website

of the agency, public corporation, or department to which it governs. The audio recording of each meeting shall be provided to the Office of Public Accountability within seven (7) calendar days after the meeting. The Office of Public Accountability shall post these audio files on its website upon receipt of audio files.

The 3 requirements of this Section are itemized as follows for easy reference:

- submission of electronic copies of the agenda, approved minutes, attachments and addendums to the Governor and Speaker,
- post the same information on the court's website, and
- provide the audio recording to the OPA.

Please note that the approval of the minutes is required by this Section 8113.1. Because of the exigency of the items to be approved by the Judicial Council during this state of emergency, the Council may consider, upon motion, authorizing the Chair to approve the minutes after transcription subject to ratification of the Chair's approval at the next meeting of the Council.

It is worth noting that notwithstanding the suspension of the notice requirements by EO 2020-06, the Council made best efforts to comply with such requirements and that the public will be allowed to view the meeting through videoconferencing at the Judicial Center, with all mandated safety precautions pursuant to the Governor's applicable Executive Orders and directives being observed.

To conclude, pursuant to EO 2020-06, the lack of a 48 hour notice does not prohibit today's Judicial Council meeting from being conducted. However, compliance with Section 8113.1 is necessary for any action taken today to be effective.

Respectfully submitted,

Andrew S. Quenga, Staff Attoney

BEFORE THE 2020 JUDICIAL COUNCIL OF GUAM

RESOLUTION NO. JC20-010

RELATIVE TO APPROVING THE JUDICIARY OF GUAM BUDGET FOR FISCAL YEAR 2021

WHEREAS, the proposed Fiscal Year 2021 Judiciary of Guam Budget was presented by the Administrator of the Courts and the Finance Administrator for the Courts at the Judicial Council's Working Session of March 25, 2020; and

WHEREAS, the proposed Fiscal Year 2021 Judiciary of Guam Budget was further presented for discussion and action at this duly noticed meeting.

NOW, THEREFORE BE IT RESOLVED, that the Fiscal Year 2021 Judiciary of Guam Budget, the 2021 Budget Summary as shown in the attached Exhibit "A" is hereby APPROVED by the Judicial Council for submission to the *I Liheslaturan Guåhan* and subject to legislative appropriation.

BE IT FURTHER RESOLVED that the Chief Justice and Administrator of the Courts are authorized to finalize all remaining supporting information relative to the Fiscal Year 2021 Judiciary of Guam Budget and need not present the supporting information to the Judicial Council for further approval.

DULY ADOPTED this 26th day of March 2020, at a duly noticed meeting of the Judicial Council of Guam.

F. PHILIP CARBULLIDO, Chairman

Dated: 3/26/2020

ATTEST:

June Bells Cariño, Executive Secretary

Dated: 3/26/2020

JC20-0__ Exhibit A

JUDICIARY OF GUAM
SUMMARY OF EXPENDITURES

	General Fund					Special Funds					Federal Grants Funds					Grand Total (All Funds)				
	FY2017 Actual	FY2018 Actual	FY2019 Actual	FY2020 Budget	FY2021 Request	FY2017 Actual	FY2018 Actual	FY2019 Actual	FY2020 Budget	FY2021 Request	FY2017 Actual	FY2018 Actual	FY2019 Actual	FY2020 Budget	FY2021 Request	FY2017 Actual	FY2018 Actual	FY2019 Actual	FY2020 Budget	FY2021 Request
PERSONNEL SERVICES																				
Regular Salary/Increment	$ 20,088,135	$ 19,962,882	$ 19,461,680	$ 20,157,485	$ 22,124,653	$ 75,396	$ 177,293	$ 130,630	$ 166,668	$ 176,358	$ 1,078,318	$ 945,825	$ 971,287	$ 1,057,220	$ 714,086	$ 21,241,849	$ 21,086,000	$ 20,563,597	$ 21,381,373	$ 23,015,097
Special Payments:																				
Hazardous Pay	$ 244,678	$ 246,428	$ 251,049	$ 241,520	$ 346,768	$ -	$ -	$ -	$ -	$ -	$ 5,496	$ 5,751	$ 5,067	$ 6,313	$ 6,506	$ 250,173	$ 252,179	$ 256,117	$ 247,833	$ 353,274
Night Differential	$ 9,412	$ 10,611	$ 9,001	$ 8,480	$ 8,839	$ -	$ -	$ -	$ -	$ -	$ 1,237	$ 637	$ 807	$ 4,266	$ 37	$ 10,649	$ 11,248	$ 9,807	$ 12,746	$ 8,876
Merit Bonus	$ 303,814	$ 298,657	$ 24,920	$ -	$ -	$ -	$ 3,726	$ -	$ -	$ -	$ 6,535	$ 3,920	$ -	$ -	$ -	$ 310,349	$ 306,303	$ 24,920	$ -	$ -
Other (i.e. Typhoon, Pandemic & Emergencies)	$ 33,152	$ 15,063	$ 21,576	$ -	$ 19,171	$ -	$ -	$ -	$ -	$ -	$ 51,973	$ 47,155	$ 38,758	$ 28,734	$ 196	$ 85,125	$ 62,218	$ 60,334	$ 28,734	$ 19,367
Total Special Payments	$ 591,055	$ 570,758	$ 306,546	$ 250,000	$ 374,778	$ -	$ 3,726	$ -	$ -	$ -	$ 65,241	$ 57,463	$ 44,632	$ 39,313	$ 6,739	$ 656,296	$ 631,946	$ 351,178	$ 289,313	$ 381,516
Benefits:																				
Retirement	$ 5,489,600	$ 5,574,483	$ 5,175,579	$ 5,277,959	$ 6,303,544	$ 11,072	$ 48,993	$ 34,695	$ 43,803	$ 49,821	$ 261,968	$ 253,099	$ 255,080	$ 287,102	$ 203,633	$ 5,762,640	$ 5,876,575	$ 5,465,354	$ 5,608,864	$ 6,556,998
Medical Insurance	$ 895,967	$ 953,363	$ 953,322	$ 1,193,376	$ 1,656,771	$ 3,065	$ 13,643	$ 9,353	$ 9,604	$ 10,713	$ 54,940	$ 61,676	$ 63,063	$ 113,994	$ 64,341	$ 953,972	$ 1,028,682	$ 1,025,739	$ 1,316,974	$ 1,731,825
Dental Insurance	$ 72,367	$ 73,874	$ 84,923	$ 105,942	$ 148,409	$ 203	$ 861	$ 699	$ 588	$ 1,250	$ 4,360	$ 4,084	$ 5,073	$ 15,945	$ 6,010	$ 76,931	$ 78,819	$ 90,694	$ 122,475	$ 155,669
Medicare Tax	$ 282,844	$ 280,061	$ 274,266	$ 292,296	$ 326,242	$ 544	$ 2,436	$ 1,778	$ 2,411	$ 2,557	$ 20,274	$ 12,845	$ 13,787	$ 16,038	$ 10,452	$ 303,661	$ 295,342	$ 289,831	$ 310,745	$ 339,251
DC Death & Disability Insurance	$ 154,755	$ 109,370	$ 97,372	$ 108,009	$ 123,002	$ 399	$ 783	$ -	$ 418	$ 494	$ 12,548	$ 8,939	$ 7,833	$ 15,878	$ 6,989	$ 167,702	$ 119,093	$ 105,206	$ 124,306	$ 130,485
Life Insurance	$ 70,123	$ 70,216	$ 68,245	$ 69,731	$ 75,974	$ 151	$ 636	$ 468	$ 616	$ 655	$ 3,803	$ 4,328	$ 4,249	$ 8,646	$ 3,594	$ 74,076	$ 75,180	$ 72,962	$ 78,993	$ 80,223
Wellness Benefits	$ 37,577	$ 35,191	$ 38,971	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 321	$ -	$ 385	$ 7,190	$ -	$ 37,898	$ 35,191	$ 39,356	$ 7,190	$ -
Total Benefits	$ 7,003,232	$ 7,096,558	$ 6,692,679	$ 7,047,312	$ 8,633,942	$ 15,434	$ 67,353	$ 46,993	$ 57,441	$ 65,490	$ 358,214	$ 344,971	$ 349,469	$ 464,794	$ 295,019	$ 7,376,881	$ 7,508,882	$ 7,089,141	$ 7,569,547	$ 8,994,450
TOTAL PERSONNEL SERVICES	$ 27,682,423	$ 27,630,198	$ 26,460,905	$ 27,454,797	$ 31,133,372	$ 90,830	$ 248,372	$ 177,623	$ 224,108	$ 241,848	$ 1,501,773	$ 1,348,258	$ 1,365,389	$ 1,561,327	$ 1,015,843	$ 29,275,025	$ 29,226,829	$ 28,003,916	$ 29,240,232	$ 32,391,063
OPERATIONS																				
Contractual Services	$ 1,304,206	$ 1,242,318	$ 1,118,545	$ 1,503,456	$ 1,619,971	$ 1,070,183	$ 1,149,803	$ 993,618	$ 1,157,187	$ 1,115,298	$ 219,737	$ 183,275	$ 692,125	$ 1,313,312	$ 41,351	$ 2,594,127	$ 2,575,395	$ 2,804,288	$ 3,973,954	$ 2,776,621
Supplies & Materials	$ 190,712	$ 93,054	$ 124,713	$ 274,766	$ 294,261	$ 13,337	$ 2,898	$ 8,271	$ 9,600	$ 9,600	$ 69,384	$ 35,566	$ 108,759	$ 327,844	$ 56,682	$ 273,433	$ 131,518	$ 241,742	$ 612,210	$ 360,543
Modernization, Improvements & Maintenance	$ 344,446	$ 1,142,074	$ 97,182	$ 2,500	$ 207,165	$ 205,210	$ 53,897	$ 43,157	$ -	$ -	$ 404,322	$ 253,031	$ 161,162	$ 148,908	$ 40,901	$ 953,978	$ 1,449,002	$ 301,501	$ 151,408	$ 248,066
Equipment	$ 249,113	$ 8,510	$ 50,963	$ 104,936	$ 155,389	$ 69,051	$ 150,540	$ 48,395	$ 96,306	$ 105,306	$ 22,803	$ 14,416	$ 130,320	$ 223,384	$ -	$ 340,967	$ 173,466	$ 229,678	$ 424,626	$ 260,695
Travel/Off-island Escort	$ 217,852	$ 27,625	$ 16,001	$ 17,580	$ 18,000	$ 46,826	$ 22,826	$ 22,646	$ 22,500	$ 29,784	$ 200,802	$ 204,951	$ 207,345	$ 222,391	$ 2,605	$ 465,480	$ 255,402	$ 245,992	$ 262,471	$ 50,389
Drug Testing	$ 5,558	$ 5,547	$ 3,983	$ 10,000	$ 11,000	$ -	$ -	$ -	$ -	$ -	$ 761	$ -	$ -	$ -	$ -	$ 6,319	$ 5,547	$ 3,983	$ 10,000	$ 11,000
Miscellaneous-CAF/Pro Temp	$ 22,371	$ 64,239	$ 14,823	$ 16,500	$ 11,500	$ 849,040	$ 822,035	$ 964,586	$ 1,288,669	$ 1,288,669	$ -	$ -	$ -	$ -	$ -	$ 871,411	$ 886,274	$ 979,408	$ 1,305,169	$ 1,300,169
Miscellaneous-Jury Stipend	$ 530,220	$ 28,950	$ 136,758	$ 128,099	$ 143,000	$ (30)	$ 386,340	$ 366,642	$ 298,897	$ 360,000	$ -	$ -	$ -	$ 2,700	$ -	$ 530,190	$ 415,290	$ 503,400	$ 429,695	$ 503,000
Miscellaneous-Interpreters	$ -	$ -	$ -	$ -	$ 15,000	$ 154,489	$ 132,874	$ 141,330	$ 140,000	$ 140,000	$ -	$ -	$ 2,208	$ 12,480	$ -	$ 154,489	$ 132,874	$ 143,538	$ 152,480	$ 155,000
Miscellaneous-Investigator Claims	$ -	$ -	$ -	$ -	$ -	$ 74,195	$ 42,940	$ 36,618	$ 40,000	$ 40,000	$ -	$ -	$ -	$ -	$ -	$ 74,195	$ 42,940	$ 36,618	$ 40,000	$ 40,000
Miscellaneous-Jury Subsistence	$ 13,175	$ 14,298	$ 18,570	$ 20,000	$ 20,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 13,175	$ 14,298	$ 18,570	$ 20,000	$ 20,000
Miscellaneous-Loan Payments	$ -	$ -	$ -	$ -	$ -	$ 993,005	$ 993,005	$ 925,482	$ 993,004	$ 520,000	$ -	$ -	$ -	$ -	$ -	$ 993,005	$ 993,005	$ 925,482	$ 993,004	$ 520,000
Miscellaneous-Licensures, CPEs and others	$ 143,274	$ 44,608	$ 19,173	$ 72,847	$ 129,646	$ 262,373	$ 317,185	$ 203,410	$ 210,012	$ 205,012	$ 4,424	$ 5,846	$ 68,299	$ 568,606	$ -	$ 410,070	$ 367,639	$ 290,882	$ 851,465	$ 334,658
Indirect Cost	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 179,919	$ -	$ -	$ -	$ -	$ 179,919	$ -
TOTAL OPERATIONS	$ 3,020,927	$ 2,671,224	$ 1,600,711	$ 2,150,683	$ 2,624,932	$ 3,737,678	$ 4,074,341	$ 3,754,154	$ 4,256,175	$ 3,813,669	$ 922,233	$ 697,086	$ 1,370,218	$ 2,999,543	$ 141,539	$ 7,680,838	$ 7,442,650	$ 6,725,082	$ 9,406,401	$ 6,580,140
UTILITIES																				
Power	$ 801,462	$ 928,241	$ 904,271	$ 931,500	$ 966,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 801,462	$ 928,241	$ 904,271	$ 931,500	$ 966,000
Water/Sewer/Waste	$ 40,974	$ 56,620	$ 59,528	$ 67,388	$ 73,150	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 40,974	$ 56,620	$ 59,528	$ 67,388	$ 73,150
Phone/Cable/Internet	$ 125,947	$ 96,219	$ 78,416	$ 87,167	$ 96,545	$ -	$ -	$ 247	$ -	$ -	$ 4,865	$ 88	$ 810	$ 4,923	$ 2,101	$ 130,813	$ 96,307	$ 79,473	$ 92,090	$ 98,646
TOTAL UTILITIES	$ 968,383	$ 1,081,080	$ 1,042,215	$ 1,086,055	$ 1,135,695	$ -	$ -	$ 247	$ -	$ -	$ 4,865	$ 88	$ 810	$ 4,923	$ 2,101	$ 973,249	$ 1,081,167	$ 1,043,273	$ 1,090,978	$ 1,137,796
							$ -					$ -								
TOTAL APPROPRIATIONS	$ 31,671,733	$ 31,382,501	$ 29,103,831	$ 30,691,536	$ 34,893,999	$ 3,828,508	$ 4,322,713	$ 3,932,024	$ 4,480,283	$ 4,055,517	$ 2,428,871	$ 2,045,432	$ 2,736,417	$ 4,565,793	$ 1,159,483	$ 37,929,112	$ 37,750,646	$ 35,772,271	$ 39,737,612	$ 40,108,999

JUDICIARY OF GUAM
SUMMARY OF GENERAL FUND APPROPRIATION REQUEST

A. SUMMARY OF GENERAL FUND BUDGET

Expenditure Type	FY2020 Budget	% from total cost	FY2021 Budget Request	% from total cost
TOTAL PERSONNEL SERVICES	$ 27,454,797	**89%**	$ 31,133,372	**89%**
TOTAL OPERATIONS	$ 2,150,683	**7%**	$ 2,624,932	**8%**
TOTAL UTILITIES	$ 1,086,055	**4%**	$ 1,135,695	**3%**
TOTAL	**$ 30,691,536**		**$ 34,893,999**	
Below the line:				
Sex Offender Assessment & Treatment Program per P.L. 35-071	$ -		$ 55,264	
TOTAL GENERAL FUND APPROPRIATIONS	**$ 30,691,536**		**$ 34,949,263**	

B. FY2021 BUDGET REQUEST AGAINST GOVGUAM'S TOTAL GENERAL FUND AVAILABLE

TOTAL GENERAL FUND REVENUE AVAILABLE FOR APPROPRIATIONS PER FY2021 EXCEUTIVE BUDGET	**$ 664,820,425**
TOTAL GENERAL FUND APPROPRIATIONS (ABOVE THE LINE)	**$ 34,893,999**
PERCENTAGE OF FY2021 BUDGET REQUEST	**5.25%**