clerks@guamlegislature.org

From: Speaker's Office <speaker@guamlegislature.org>
Sent: Thursday, July 2, 2020 4:34 PM
To: Clerks Office
Cc: Rennae Meno
Subject: M&C Fwd: M & C_Judicial Council June 18, 2020 Regular Meeting Packet
Attachments: Guam Judicial Council_June 18, 2020 Regular Meeting Zipped Packet.zip; Judicial Council of Guam_June 18, 2020 Regular Meeting Packet_Combined PDFs.pdf; Email-Judicial Council June 18, 2020 Regular Meeting Packet.pdf

07-02-20	2:51 PM	06-18-20	Regular Meeting Packet held on June 18, 2020.*	Judicial Council of Guam	35GL-20-1959

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
speaker@guamlegislature.org

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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: Thu, Jul 2, 2020 at 2:51 PM
Subject: M & C_Judicial Council June 18, 2020 Regular Meeting Packet
To: Speaker's Office <speaker@guamlegislature.org>
Cc: Staff Attorney Serge Quenga <aquenga@guamcourts.org>, Petrina Ula <pula@guamsupremecourt.com>

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 June 18, 2020 Judicial Council regular meeting. For your convenience, I've compiled all the documents into 1 PDF and a zipped folder.

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
Hagåtña, Guam 96910-5174

T: 671.475.3589 F: 671.475.3337
E-mail: salokoa@guamsupremecourt.com

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Speaker's Office <speaker@guamlegislature.org>

M & C_Judicial Council June 18, 2020 Regular Meeting Packet

1 message

Shelterihna Alokoa <salokoa@guamsupremecourt.com> Thu, Jul 2, 2020 at 2:54 PM
To: Speaker's Office <speaker@guamlegislature.org>
Cc: Staff Attorney Serge Quenga <aquenga@guamcourts.org>, Petrina Ula <pula@guamsupremecourt.com>

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

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35GL-20-1959
Speaker Tina Rose Muña Barnes

JUL 0 2 2020
Time 2:54 ( )AM, (X)PM
Received By: Mary

--

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***
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Please consider the environment before printing this e-mail.

2 attachments

Guam Judicial Council_June 18, 2020 Regular Meeting Zipped Packet.zip
2973K

Judicial Council of Guam_June 18, 2020 Regular Meeting Packet_Combined PDFs.pdf
3126K

JUDICIAL COUNCIL OF GUAM
REGULAR MEETING
THURSDAY, JUNE 18, 2020 | 12:00 PM
GUAM JUDICIAL CENTER
AND VIA VIDEOCONFERENCE

AGENDA

I. CALL TO ORDER

II. PROOF OF DUE NOTICE OF MEETING: June 11, 2020
June 16, 2020

III. DETERMINATION OF QUORUM

IV. READING AND DISPOSAL OF MINUTES: May 21, 2020 Regular Meeting

V. OLD BUSINESS
A. Judiciary FY20 Remittances pursuant to P.L. 35-36
B. Update on Capital Improvement Projects

VI. NEW BUSINESS
A. JC Resolution Memorializing the Passing of the Late Hon. Peter Siguenza, Jr.
B. JC Resolution Granting the 2020 Hustisia Award to the Late Hon. Peter Siguenza, Jr.
C. JC Resolution Relative to the Acquisition of Properties
D. Update on Judiciary's Response to COVID-19
E. Notice of Next Meeting (July 16, 2020)

VII. COMMUNICATIONS

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

IX. ADJOURNMENT

Senators to vote on giving family violence victims a way out of rent agreements

By John O'Connor
john@postguam.com

Sen. Mary Torres is calling on her colleagues to support the Guam Safe Housing Act of 2020 following criticism that the legislation interferes with contracts between landlords and tenants.

In addition to calling for support, the senator characterized certain concerns expressed about the measure as an "anti-victim rhetoric."

Bill 214-35, or the Safe Housing Act, creates several safeguards for renters or tenants who become victims of domestic abuse. In part, the measure would allow victims to terminate lease agreements early without suffering legal or financial consequences. Other protections include nondisclosure requirements, lock-changing requirements and protections against eviction and liability. As some lawmakers noted during the debate on the bill last week, the legislation is necessary to expand protections to victims of domestic violence on island.

Leonard P. Campos, director of operations for RE/MAX Diamond Realty, argues in his written testimony the bill would mandate lease conditions that are not mutually acceptable and infringe on parties' rights to enter into contracts free of government interference.

"I believe this is a violation of the Contract Clause within the U.S. Constitution," Campos said.

But as Torres stated, 30 states and the District of Columbia have already enacted early termination laws.

"I'm merely proposing to add Guam to that list. In the meantime, landlords remain free to hold abusers accountable for damages on their property," Torres stated.

Campos was speaking on behalf of his clients – property owners. As director of operations at RE/MAX Diamond Realty, Campos said he is responsible for overseeing more than 500 property management accounts.

Most property owners depend on the rental income to pay mortgages and property expenses, according to Campos. While Bill 214 does require payment within 90 days of vacating a rental in case of early lease termination, Campos argues that many owners cannot wait 90 days to receive their rent and don't have the resources to cover damages made by tenants.

"However, companies with a broad portfolio of rental units will chalk this up as additional expenses and adjust their rental rates to account for the extra cost. The bill, if passed, ultimately leads to increased rental rates and further hardship for already struggling property owners," Campos stated.

Torres said the 90-day period was determined after reviewing a summary of state and local laws providing housing rights to victims of violence. The public was invited to comment on this provision since October 2019, she added.

"No bill is perfect, but after multiple public notices, a public hearing, and full deliberation on the floor, I can't help that some are just discovering this bill now," Torres said. "In the meantime, let's not lose focus of this measure's intent - to protect our victims of violence."

Campos also raises due process concerns in relation to the bill's requirements. According to Campos, Bill 214 removes due process for the accused by allowing the alleged victim to place financial lease burdens on the accused, while only requiring a police report or statements from a medical or mental health professional to trigger the conditions of the bill. The substitute version of the bill also specifies a restraining order as one of the documents tenants can provide landlords as evidence of abuse.

$132K in attorney fees awarded in plebiscite challenge

Attorneys for Arnold "Dave" Davis were awarded $132,480 in attorneys fees and another $11,554 in non-taxable costs for the government of Guam's petition to the U.S. Supreme Court over Guam's plebiscite law.

District Court Chief Judge Frances Tydingco-Gatewood approved the proposed payments as the government of Guam filed no opposition to the fees.


Arnold Davis

The U.S. Supreme Court, in May, denied the government of Guam's writ request after an appeal to the 9th Circuit Court decision that overturned the island's plebiscite law and found it to be a race-based voting restriction.

Guam law permits only those who meet the definition of "native inhabitants of Guam" to vote in the plebiscite. It was this definition that Davis and the Center for Individual Rights alleged excluded Davis and other individuals who live on Guam and are otherwise registered to vote in Guam elections.

Davis' lawyers have asked to recover fees and costs associated with the Supreme Court matter.

The government of Guam was supposed to file an opposition by June 1 to the motion for attorneys' fees but it did not respond.

(Daily Post Staff)

GUAHAN ACADEMY CHARTER SCHOOL

Notice of Regular Board Meeting of
the Board of Trustees
of
GUAHAN ACADEMY CHARTER SCHOOL

Notice is hereby given that the Regular Board Meeting of the Board of Trustees is scheduled for:

Date: **Tuesday, June 16, 2020**
Time: **1:30 P.M.**
Place: **Bldg. E - Tiyan Main Campus**

Individuals requiring special accommodations or services should submit their request to the Executive Director/Board Liaison at 734-1066 or email at info.gacsbot@gmail.com.

/s/
Fe Valencia-Ovalles
Chairwoman, Board of Trustees

A.B. Won Pat International Airport Guam
Atturidet Puetton Batkan Airen Guahan Entensionat

The Honorable
Lourdes A. Leon Guerrero
Governor

The Honorable
Joshua F. Tenorio
Lt. Governor

PUBLIC NOTICE

The Board of Directors of the A.B. Won Pat International Airport Authority, Guam (GIAA) will convene a Special Board meeting on Monday, June 15, 2020 at 4:00 p.m. in Terminal Conference Room No. 3 to discuss Approval of Award for Legal Services - RFP No. RFP-003-FY20. In light of COVID19 public health emergency, GIAA will adhere to social distancing orders. For those who wish to participate telephonically, please call 642-4717 or email arios@guamairport.net for further information. Parking is available in the Public Parking Lot.

For special accommodations or agenda items, please call the Board Office at 642-4717/18.

(This ad paid for by GIAA)

JUDICIAL COUNCIL OF GUAM
Suite 300 Guam Judicial Center
120 West O'Brien Drive
Hagåtña, Guam 96910-5174
Tel: (671) 475-3589 Fax: (671) 475-3140
www.guamcourts.org

NOTICE OF PUBLIC MEETING

The Judicial Council will conduct its monthly meeting on **Thursday, June 18, 2020, at 12 Noon in the Guam Judicial Center, 120 West O'Brien Drive in Hagåtña by video-conference.** 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 YouTube at https://www.youtube.com/channel/UCfnFCWwIlp99fAeh9zi4Q4g/featured 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 Shelterihna T. Alokoa at 475-3589.

/s/ CHIEF JUSTICE F. PHILIP CARBULLIDO
Chairman

Record spikes in coronavirus cases, hospitalizations

(Reuters) — New coronavirus cases and hospitalizations in record numbers swept through more U.S. states, including Florida and Texas, as most push ahead with reopening and President Donald Trump plans an indoor rally in Tulsa, Oklahoma.

Alabama reported a record number of new cases for the fourth day in a row on Sunday. Alaska, Arizona, Arkansas, California, Florida, North Carolina, Oklahoma and South Carolina all had record numbers of new cases in the past three days, according to a Reuters tally.

Many state health officials partly attribute the increase to gatherings over the Memorial Day holiday weekend in late May.

In Louisiana, which had been one of the earlier virus hot spots, new cases were again on the rise with over 1,200 – the most there since May 21.

Nationally, there were over 25,000 new cases reported on Saturday, the highest tally for a Saturday since May 2, in part due to a significant increase in testing over the past six weeks.

Perhaps more troubling for health officials, many of these states are also seeing record hospitalizations – a metric not affected by increased testing.

Arkansas, North Carolina, Texas and Utah all had a record number of patients enter the hospital on Saturday. In South Carolina, 69% to 77% of hospital beds are occupied, depending on the region.

While Utah's governor announced last week that most counties there would pause their reopenings, most states are not considering a second shutdown as they face budget shortfalls and double-digit unemployment. Many went ahead with reopenings before meeting government infection rate guidelines for doing so.

Fuller's family mourns, demands truth over hanging death

PALMDALE, Calif. (Los Angeles Times) – Three Mylar balloons, tethered near the top of a thin tree, stirred in the breeze outside Palmdale City Hall on Saturday. At the base lay bouquets of flowers wrapped in plastic and more than two dozen votive candles, their flames flickering.

The tree, which stands on the edge of a 2-acre courtyard known as Poncitlán Square, is now a memorial, one an angry, frustrated but mainly heartbroken crowd of nearly 2,000 dedicated to the memory of a 24-year-old black man found hanging from its branches early Wednesday morning.

"This is Robert Fuller Memorial Park from this day forward," Pharaoh Mitchell of the Community Action League shouted into a microphone. "We want justice."

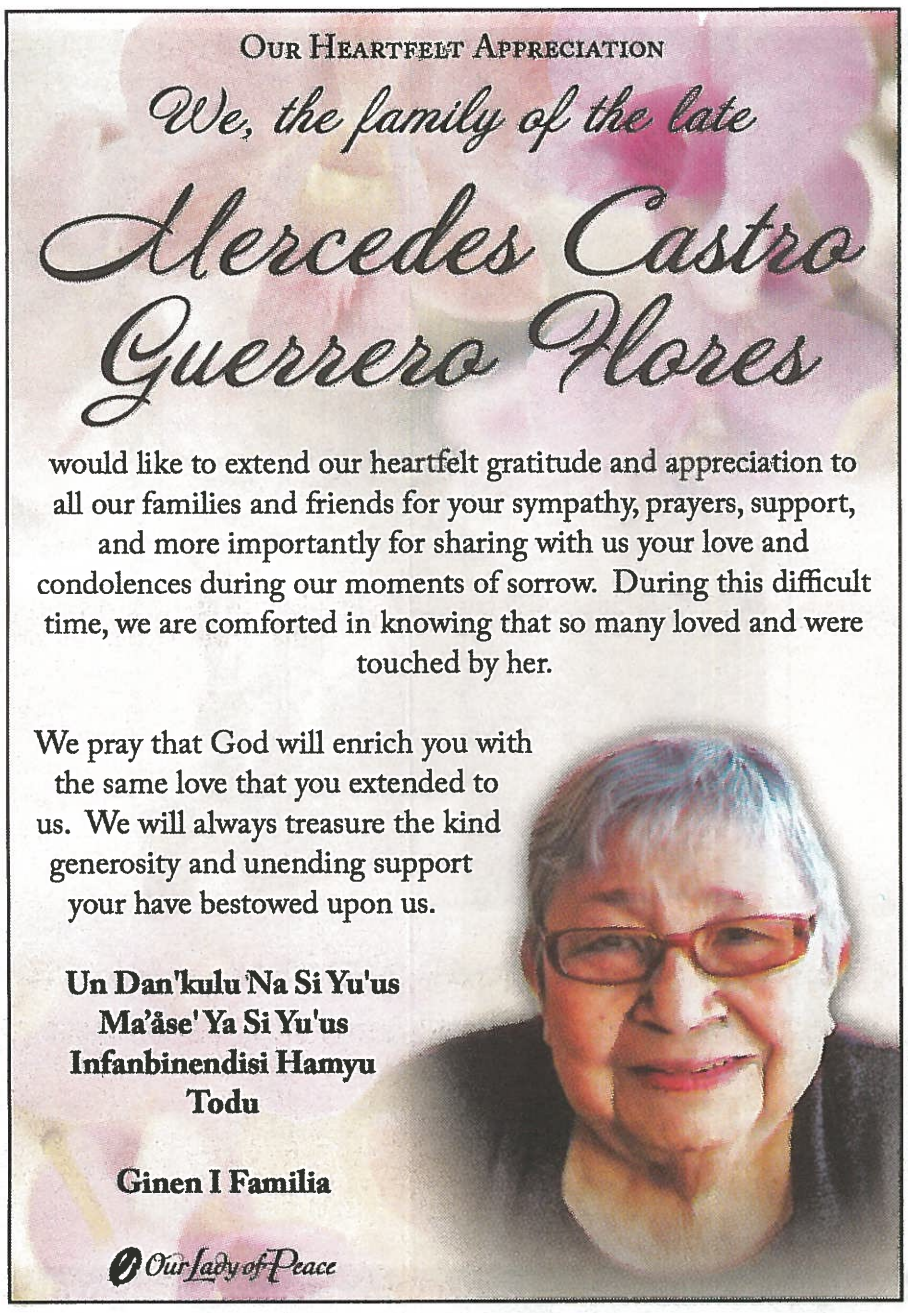
The Los Angeles County medical examiner-coroner's office initially called the death a suicide. Fuller's family and civic leaders quickly pushed back, insisting that it be investigated as a homicide and demanding an independent probe and autopsy, something the city also has requested.

Thousands march in Hollywood for gay rights, racial justice

LOS ANGELES (Los Angeles Times) – Thousands of participants in an "All Black Lives Matter" demonstration rallied in front of TCL Chinese Theatre in Hollywood on Sunday before marching to West Hollywood as part of nationwide protests against racial injustice and police brutality.

The march was organized by the Black Advisory Board, made up of Black LGBTQ+ leaders and organizations. On the event's website, the board posted a statement announcing a protest "in direct response to racial injustice, systemic racism, and all forms of oppression."

Some activists gathered around President Donald Trump's star on the Walk of Fame and demanded his removal from office because of his divisive rhetoric and insensitivity to racial justice issues.



JUDICIAL COUNCIL OF GUAM

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/s/ CHIEF JUSTICE F. PHILIP CARBULLIDO
Chairman

Guam Memorial Hospital Authority
Aturidåt Espetåt Mimuriåt Guåhan

850 GOV. CARLOS CAMACHO ROAD
OKA, TAMUNING, GUAM 96913
TEL.: (671) 647-2544 or (671) 647-2330; FAX: (671) 649-0145

This Public Notice is paid for by government funds, and is paid for by Guam Memorial Hospital Authority.

NOTICE OF ZOOM VIDEO PUBLIC HEARING

As mandated by Public Law 29-02, Chapter V, Part IX, Section 2, §3131, NOTICE IS HEREBY GIVEN that the Guam Memorial Hospital Authority (GMHA) will be conducting a Public Hearing on existing hospital rates, fees, and charges. Pursuant to Public Law 26-66, GMHA will also introduce at this public hearing the hospital's new rates, fees, and charges. Documents relating to these proceedings are available on our website at www.gmha.org under Patient Portal - GMHA Fee Schedule and under Public Information - GMHA Press Release – GMHA Public Hearing. Should you have any questions, please feel free to contact *Mr. Frumen Patacsil*, Hospital Quality Improvement Specialist at 648-7945 or *Ms. Yukari B. Hechanova*, Chief Financial Officer, Acting, at 648-6746.

Date:	**Friday, June 26, 2020**
Time:	**9:00 a.m.**
Zoom Video Conference:	**Zoom Video Public Hearing Details and Link to join:** https://zoom.us/j/94865462210?pwd=akJja2s1b3gyRnFvbm00NStUMlRsdz09 Meeting ID: 948 6546 2210 Password: 522890

The details and link to this public hearing was also available on the Office of the Attorney General website under www.oagguam.org/govguam-meetings/

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:
Petrina Ula

Judicial Council Asst. Secretary:
Shelterihna T. Alokoa

JUDICIAL COUNCIL OF GUAM
REGULAR MEETING
THURSDAY, MAY 21. 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 12:04 p.m.

ROLL CALL*:

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

Advisory Committee Members:
Judge Maria T. Cenzon
Judge Elyze M. Iriarte
Referee Linda Ingles
Ms. B. Ann Keith, Administrative Hearing Officer
Attorney Frederick J. Horecky
Attorney Jacqueline T. Terlaje

Also Present:
Ms. Kristina Baird, Administrator of the Courts (AOC)
Mr. Robert Cruz. Deputy Chief Administrator
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. Trish Suzuki, Probation
Ms. Ma. Dianne Ollet Gudmalin, FMD Administrator
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
Ms. Geraldine A. Cepeda, Compiler of Laws, Law Library Executive Director
Mr. Joseph Mannion, MIS Administrator
Ms. Jeanette M. Quintanilla, Senior Probation Officer/IFIK President
Ms. Kristina Blaz, Public Information Officer
Ms. Shelterihna T. Alokoa, Chamber/Courtroom Clerk
Ms. Petrina Ula, Chamber Clerk

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

II. PROOF OF DUE NOTICE OF MEETING

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

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: April 16, 2020 Regular Meeting

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

V. OLD BUSINESS

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

Ms. Dianne Gudmalin reported that, as of the meeting date, $20,967,329 of the FY20 $32,067,798 allotment had been paid to the Judiciary. She said that on May 20, 2020, the JOG received $1,233,377. Chief Justice Carbullido noted that the Judiciary of Guam (JOG) is receiving full allotments and up to date. Ms. Gudmalin stated that the April 2020 allotment was short $30 and that she is trying to collect that amount.

B. Update on Capital Improvement Projects

Ms. Kristina Baird announced that the two purchase agreements for the San Ramon building and the Santos Property behind the San Ramon building have been signed and are going through final closing. She added that the JOG has requested the first draw down from the Bank of Guam for the purchase of the San Ramon building and Santos Property. Ms. Baird asked that the draw down date be no sooner than June 02, 2020 and no later than June 24, 2020 so the JOG may close on the properties. Responding to Chief Justice Carbullido's questions, Ms. Baird reported that as far as she knows the draw down request has been approved by BOG. She added that the purchase agreements and all documentation have been provided to the bank. She noted the cost to replace one of the Carrier chillers for the JOG air conditioning system was included in the draw down.

VI. NEW BUSINESS

A. JC Resolution Relative to Memorializing the Passing of Chief Justice Camillo Noket

Chief Justice Carbullido recognized Judge Arthur Barcinas, as he prepared the resolution to memorialize Chief Justice Camillo Noket.

Judge Barcinas thanked the Judicial Council for remembering Chief Justice Noket. He stated that it is fitting and appropriate to recognize Chief Justice Noket's contribution to education. He added Chief Justice Noket has an impressive history of work and progress despite challenges and limited resources. **Judge Barcinas moved to adopt the resolution, memorializing the passing of Chief Justice Camillo Noket, with instructions to transmit the Resolution to the Government of the State of Chuuk and to his family. Presiding Judge Lamorena seconded the motion, subject to corrections. Justice Torres asked that the signatures of all Judicial Council members be included in the signature line.**

Chief Justice agreed and he shared there is a plan in place to meet Chief Justice Noket's family, if his remains are permitted to transit through Guam. At that time, the Resolution will be presented to his family. If that is not possible, the Resolution will be sent through the FSM Consulate in time for his funeral. **All Council members voted in favor; the resolution was unanimously adopted.**

B. JC Resolution Relative to Reappointing Judge Vernon P. Perez to the Guam Law Library Board

Chief Justice Carbullido noted that Judge Vernon P. Perez has been the chair on the Guam Law Library Board of Trustees for the last ten years and has done an excellent job. Judge Perez would like to continue to serve. Judge Perez was not part of the Zoom Virtual hearing. **Presiding Judge Lamorena moved to adopt the resolution reappointing Judge Vernon P Perez to the Guam Law Library Board. Judge Barcinas seconded the motion. All Council members voted in favor; the resolution was unanimously adopted.**

C. JC Resolution Relative to Ratifying Rescission of COVID-19 Differential Pay Policy

Chief Justice Carbullido reminded the Judicial Council that at the April 16, 2020 meeting, a resolution relative to differential pay for the pay period from April 16, 2020 to a time period to be determined was adopted. He stated that at that time, a budget was not in place to pay the differential pay. The Chief Justice reminded the Council that Governor Leon Guerrero extended the Emergency Declaration from May 4, 2020 to June 5, 2020. He stated that if the JOG had continued with the differential pay policy, the JOG would have been obligated to an expense for which there was no appropriation. Therefore, on May 4, 2020, he issued an Administrative Order as the Chief Justice to rescind the Differential Pay Policy. He told the Council that he meant no disrespect to the Council, but felt that action was needed urgently, as the cost of the differential pay had no budgeted appropriation. Chief Justice asked Ms. Gudmalin to report on the estimated cost to the JOG. She stated that if the JOG continued to offer differential pay through to September 30, 2020, the estimated cost would be $672,000.

Chief Justice asked the Council to ratify rescinding the special pay policy as of May 4, 2020, with the understanding that should the Legislature and the Governor pass a law regarding differential pay, the JOG will be obligated and a funding source would have to be identified. Chief Justice asked Ms. Baird to put together a plan, should we have to cover payroll costs.

Chief Justice discussed additional information regarding employee surveys, telework, leave, and the Cares Act family leave program. Members of the Council asked for consideration for differential pay for unclassified employees required to come into the Judiciary building to perform their job. **Justice Torres moved to adopt the resolution ratifying rescission of COVID-19 Differential Pay Policy. Judge Barcinas seconded the motion. All Council members voted in favor; the resolution was unanimously adopted.**

D. JC Resolution Relative to Appointing Petrina Ula as the Judicial Council Executive Secretary

Chief Justice Carbullido introduced the resolution to appoint Petrina "Trina" Ula as the Executive Secretary of the Judicial Council and Shelterihna Alokoa to remain the Assistant Secretary. **Presiding Judge Lamorena moved to adopt the resolution appointing Petrina Ula as the Judicial Council Executive Secretary. Judge Barcinas seconded the motion. All Council members voted in favor; the resolution was unanimously adopted.**

E. State of Judiciary Address (June 12, 2020)

Please see item F below

F. Update on Judiciary's response to COVID-19

Chief Justice Carbullido asked Ms. Baird to speak to the JOG's response to COVID-19. Ms. Baird reported the first progress billing for COVID-19 expenses were submitted to DOA under CARES Act funding and it has been approved by the Governor's office and by BBMR. Ms. Baird deferred to Ms. Gudmalin to explain the billing.

Ms. Gudmalin explained the billing amount of $82,754 covers the costs the JOG has incurred and paid as of May 15, 2020, excluding personnel costs. The expenses have been advanced and include sanitization efforts, PPE, teleworking supplies and subscriptions. Justice Torres asked if the JOG can seek additional CARES Act funding.

Chief Justice Carbullido confirmed there was and stated that the JOG has estimated a budget of $450,000, to include $200,000 allocated to construct three temporary courtrooms. He stated work will be done to reopen the 8th Courtroom within the Judiciary. Chief Justice Carbullido went onto to say that when the JOG closes on the San Ramon Building, that first floor of the building will be converted into a courtroom. He also stated that the JOG is in discussion with Mr. Jon Fernandez, Superintendent of the GDOE, about using school spaces temporarily. Chief Justice noted the budget referred to above has been preliminarily approved by the Governor.

Discussion ensued about which schools would be appropriate for use by the JOG.

Ms. Baird described the effectiveness of the soft opening of the Northern Court on May 11, 2020 following all guidelines laid out by the Transition Team and the CDC. The JOG's soft opening of Probation occurred on Monday, May 18, 2020 without issue. The next soft opening of Client Services will take place on Tuesday, May 26, 2020. She explained that all soft opening issues have been addressed and that the facilities have been prepared and markers for social distancing requirements are in place. Ms. Baird explained the signage committee has ensured that proper information for patrons and employees have been posted. She also noted that there is ample information on the JOG Intranet and Internet regarding entrance requirements and patron information. Ms. Baird added that JOG Procurement continues to struggle to find PPE and sanitization supplies, but doing their best to procure what they can.

Chief Justice stated that he asked to deliver the State of the Judiciary Address (SOJ) in the Legislative Session Hall on Friday, June 12, 2020 at 10:00 am. The SOJ Planning Committee had a meeting with the Legislature staff on Wednesday, May 20, 2020.

Ms. Baird was at the meeting and stated that with social distancing requirements there will be limited seating for the audience and more details will be shared. Ms. Baird clarified that the Robes, Chief Justice's guests, and some managers will be seated on the Session Hall floor.

Justice Torres and the Chief Justice shared that the SOJ will be livestreamed and televised.

G. Notice of Next Meeting (June 18, 2020)

Chief Justice Carbullido announced that the next Judicial Council regular meeting will be on Thursday, June 18, 2020.

VII. COMMUNICATIONS

Chief Justice reported that he received a letter of resignation from Ms. Cerina Mariano, the Court Programs Administrator. Chief Justice expressed that she will be sorely missed. He thanked her, on behalf of the Judicial Council, for the innovation and expertise that she brought to Court Programs. Chief Justice Carbullido gave members the opportunity to express gratitude and appreciation to Ms. Mariano. Presiding Judge Lamorena thanked her for her efforts to get grants to start or support the JOG programs. Ms. Mariano responded with gratitude for the opportunity to learn and serve for five years. She thanked her team and the JOG for supporting Court Programs. She thanked Ms. Alicia Limtiaco for her help to transition the Courts Program team.

VIII. PUBLIC COMMENT

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

GBA President Jacqueline T. Terlaje reported that the JOG has approved the rescheduling and moving of the GBA Annual meeting to no later than July 31st, 2020. She added that the GBA anticipates that they will have a notice of the opening of nominations of the election for the upcoming election year of 2021 disseminated soon.

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

IFIK President Jeanette Quintanilla shared that the Board met via virtual meeting on May 14, 2020. The Board discussed how to support employees as a result of COVID-19 and how to support the AOC's request to purchase 'Welcome Back' items for employees. The Board also worked on rescheduling assignment of employee parking slots. The Board fundraisers & events have been pushed back due to the pandemic. Membership remains the same at 224. The Board continues to support IFIK Law Enforcement sub-committee with a donation to non-profit food donations efforts. Their next meeting will be the second week of June.

X. ADJOURNMENT

Presiding Judge Lamorena III moved to adjourn and Justice Torres seconded the motion. All other Council members voted in favor of the motion. The meeting was adjourned at 1:06 pm.

Respectfully submitted this 17th day of June, 2020.

SHELTERIHNA T. ALOKOA
Assistant Secretary,
Judicial Council of Guam

PETRINA M. ULA
Executive Secretary,
Judicial Council of Guam

The Minutes of the May 21, 2020 Regular Meeting as set out above was approved by the Judicial Council at the June 18, 2020 Regular meeting.

F. PHILIP CARBULLIDO
Chairman

Dated: 6/17/2020

BEFORE THE 2020 JUDICIAL COUNCIL OF GUAM

RESOLUTION NO. 20-021

RELATIVE TO MEMORALIZING THE PASSING OF THE HONORABLE PETER C. SIGUENZA, JR., RETIRED CHIEF JUSTICE OF THE SUPREME COURT OF GUAM

WHEREAS, the late Honorable Peter C. Siguenza, Jr., dedicated his life to promoting the rule of law and advancing the administration of justice in Guam; and

WHEREAS, the Honorable Peter C. Siguenza, Jr., was a graduate of Father Duenas High School, earned his Bachelor of Arts degree from California State University in 1976, and his Juris Doctor degree from McGeorge School of Law at the University of the Pacific in Sacramento, California, in 1980, where he also served as President of the Asian Law Student Association from 1977-78, eventually becoming a member of the Guam bar, the CNMI bar, and the California bar; and

WHEREAS, the Honorable Peter C. Siguenza, Jr., served as a judge of the Superior Court of Guam from April 18, 1984, to April 20, 1996; and

WHEREAS, the Honorable Peter C. Siguenza, Jr., was appointed to the Supreme Court of Guam as established in 1996 by the Organic Act of Guam, becoming its first Chief Justice, from 1996-1999, and from 2001 until his retirement on January 23, 2003; and

WHEREAS, the Honorable Peter C. Siguenza, Jr., served as a Designated Judge in the District Court of Guam and Designated Justice in the Supreme Court of the Federated States of Micronesia, and was active in numerous bar, community, and civic organizations for most of his life, including Chair of the Supreme Court of Guam Rules Commission in 1993 and Chair of the F.D.M.S. Board of Trustees in 1991; and

WHEREAS, the Honorable Peter C. Siguenza, Jr., served his term on the Supreme Court of Guam during some very tumultuous times, with the challenges of re-establishing the Supreme Court of Guam and forging a Unified Judiciary; and

WHEREAS, the Honorable Peter C. Siguenza, Jr., unwaveringly dedicated the latter part of his career to ensuring the unification of the Superior and Supreme Courts, establishing the Judiciary in the framework of the Organic Act, and reorganizing the Judiciary as the third co-equal and independent branch of the Government of Guam; and

WHEREAS, the Honorable Peter C. Siguenza, Jr., played an invaluable role in the establishment and development of Guam's Judicial Branch and helped shape the legal system and the way in which justice is administered in Guam; and

NOW, THEREFORE, BE IT RESOLVED that the Judiciary of Guam expresses its sincere condolences and gratitude to the family of the late Honorable Peter C. Siguenza, Jr. for his dedication and friendship. We are forever grateful to him and always mindful that we work in a justice system he fought untiringly to establish.

DULY ADOPTED this 18th day of June, 2020 at a duly noticed meeting of the Judicial Council of Guam.

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

KATHERINE A. MARAMAN
Member
Justice, Supreme Court of Guam

ROBERT J. TORRES
Member
Justice, Supreme Court of Guam

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

ARTHUR R. BARCINAS
Member
Judge, Superior Court of Guam

BEFORE THE 2020 JUDICIAL COUNCIL OF GUAM

RESOLUTION NO. JC 20-022

RELATIVE TO GRANTING THE 2020 HUSTISIA AWARD TO THE LATE HONORABLE CHIEF JUSTICE PETER C. SIGUENZA, JR.

WHEREAS, as a regular part of Law Week, the Judiciary of Guam presents the Hustisia Award, an award recognizing a community member or organization that has made an outstanding contribution to strengthening the rule and role of law throughout our island. Modeled on the American Bar Association's Liberty Bell Award, the Guam Judiciary Hustisia Award is meant to honor individuals and community partners who contribute to the betterment of our island and the rule of law; and

WHEREAS, in considering the criteria used in determining worthy recipients, specifically, promotion of a better understanding of the rule of law, encouraging a greater respect for law, generating a sense of civic responsibility, and contributing to good government in the island, it is our distinct honor to give this award to the late Honorable Chief Justice Peter C. Siguenza, Jr.

Chief Justice Siguenza dedicated so much of his life to serving the public and improving the administration of justice. After 12 years as a trial judge in the Superior Court of Guam, he was appointed as the first Chief Justice of *I Kotten Mås Takhelo Guåhan* in 1996. He served the people of Guam as a judicial officer for nearly 19 years, retiring from the bench in January 2003.

Chief Justice Siguenza served his term during a very formative, and often tumultuous, time in the history of the Guam judicial system, with the challenges of re-establishing the Supreme Court of Guam and forging a Unified Judiciary. He unwaveringly dedicated the latter part of his career to ensuring the unification of the Superior and Supreme Courts, establishing the Judiciary in the framework of the Organic Act, and reorganizing the Judiciary as the third co-equal and independent branch of the Government of Guam. Although he retired before the unification, the Unified Judiciary we all serve in today is a credit to his efforts.

NOW, THEREFORE, BE IT RESOLVED, that the 2020 Hustisia Award be given posthumously to the late Honorable Chief Justice Peter C. Siguenza, Jr. Our participants and their families, our court, and our island owe Chief Justice Siguenza great thanks for his dedication and friendship. We are forever grateful to him and always mindful that we work in a justice system he fought untiringly to establish.

DULY ADOPTED this 18th day of June, 2020.

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

KATHERINE A. MARAMAN
Member
Justice, Supreme Court of Guam

ROBERT J. TORRES
Member
Justice, Supreme Court of Guam

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

ARTHUR R. BARCINAS
Member
Judge, Superior Court of Guam

BEFORE THE 2020 JUDICIAL COUNCIL OF GUAM

RESOLUTION NO. JC20-023

RELATIVE TO THE ACQUISITION OF PROPERTIES

WHEREAS, recognizing the need to expand the capacity of the Judiciary to improve the efficient administration of justice to the people of Guam, in JC Resolution No. 10-021 the Judicial Council approved the 2010 Facilities Master Plan; and

WHEREAS, the Master Plan contemplated the purchase or condemnation of land and structures across Esperanza Street and adjacent to the Judicial Center, which includes the abandoned house on Lot No. 3226-A, Hagåtña, also known as the "Santos Property."

WHEREAS, in 2015, *I Liheslaturan Guåhan* in Public Law 33-066, codified at 7 GCA § 9512, authorized the Judicial Council to seek financing for facility repairs, improvements and acquiring real property delineated in the Master Plan approved in JC Resolution No. 10-021; and

WHEREAS, in JC Resolutions No. 15-025 and No. 17-016, the Judicial Council authorized a Request for Proposals, RFP No. 19-03, to secure financing under 7 GCA § 9512 and set forth a priority list of projects to be paid for by the financing; and

WHEREAS, in JC Resolution No. 19-026, the Judicial Council set forth a revised list of priority projects to be undertaken and financed under 7 GCA § 9512, which includes the Santos Property; and

WHEREAS, the Judicial Council now desires to purchase the Santos Property to meet the expanding needs of the Judiciary.

NOW, THEREFORE, BE IT RESOLVED that the Chief Justice, along with his designees, to include the Administrator of the Courts, are authorized to enter into negotiations and consummate the purchase of the Santos Property; and

BE IT FURTHER RESOLVED, that the Chief Justice shall negotiate a fair price considering the fair market value of the Santos Property.

BE IT FURTHER RESOLVED, that the Chief Justice and the Administrator of the Courts are authorized to finalize negotiations and execute any documents or instruments required for the purchase of the Santos Property.

DULY ADOPTED this 18th day of June, 2020 at a duly noticed meeting of the Judicial Council of Guam.

F. PHILIP CARBULLIDO, Chairman

Dated: 6/19/2020

ATTEST:

Petrina M. Ula, Executive Secretary

Dated: JUNE 18, 2020