

# 2020 Judiciary of Guam ANNUAL REPORT







Cover art: Like the *latte*, *I Kotte* is strong, resilient, and able to withstand the challenges of our time. The Judiciary of Guam is reinforcing its infrastructure and growing steadily. As the *latte* symbolizes the solid foundation and strength of Guam's past and cultural heritage, so too, does it symbolize the strength of the Judiciary's role in upholding peace and order in our community. The Judiciary protects and interprets the rule of law on which a just and capable civilization may thrive.



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### Message from the Chief Justice and the Administrator of the Courts

*Håfa Adai!*

We are proud to present the Judiciary of Guam 2020 Annual Report. In a year that was filled with unprecedented challenges, we are pleased to report on the innovations, adjustments, and sheer determination on the part of all Judiciary divisions that allowed us to ensure that the doors of justice would never close.

Though everything seemed to be on a temporary hold due to the coronavirus pandemic, we kept our courts accessible by shifting our mode of delivering justice. Utilizing Zoom and teleconference lines to conduct remote hearings and client treatment sessions, keeping our proceedings transparent and accessible to the public by livestreaming to the Judiciary YouTube channel, and completing extensive capital improvement projects to create high-capacity courtrooms that comply with constitutional protections and public health guidelines, we transformed the way we do business, and we did so in a remarkably short period of time. We developed comprehensive plans to make swift changes while still keeping employees, patrons, and the public safe. Our dedicated employees remained at the forefront of our efforts to ensure rights were protected, the public was informed, and our mandates were met.

Please take this opportunity to read through the report, which we trust will give you a better understanding and appreciation of the Judiciary's commitment to providing our community with a justice system that is effective, adaptable, and responsive to their needs.

*Senseramente,*

F. PHILIP CARBULLIDO  
Chief Justice of Guam



KRISTINA L. BAIRD  
Administrator of the Courts





# **COURT GOVERNANCE AND ADMINISTRATION**





The Judicial Council of Guam is the governing body of the Judiciary of Guam. By law, it is composed of all full-time justices of the Supreme Court, the Presiding Judge of the Superior Court, and a delegated Superior Court Judge.

The Judicial Council recommends policies for the administration of the judicial branch and administers the merit system for the judicial branch, including hearing all classified employee appeals. With the advice of the Judicial Council, the Chief Justice governs the divisions of the Judiciary.

The Judicial Council meets once a month for its regular meeting; public notice is provided for each meeting and the public is welcome to attend. Beginning in March 2020, all Judicial Council meetings were held remotely and beginning in May 2020, were live streamed on the Judiciary of Guam's YouTube channel.

All Judicial Council resolutions can be found on the Judiciary of Guam's website. In 2020, the Judicial Council adopted 31 resolutions, including resolutions directly responding to the coronavirus pandemic, such as:

- *Temporarily Suspending the Merchant Services Fee Under Exigent Circumstances Caused by the COVID-19 Emergency*
- *Adopting Interim Judicial Council Rule 1.07, permitting Judicial Council members to vote during teleconference and videoconference meetings*
- *Proposing Legislation on the Conduct of Judicial Proceedings, regarding legislation on authority of magistrates, the use of six-person juries, the number of peremptory challenges, and speedy trial time limits in criminal cases*



The Judicial Council also adopted resolutions relating to court operations and activities, including:

- *Approving the Judiciary of Guam FY2021 Budget*
- *Authorizing the Acquisition of Properties, specifically, the San Ramon Building that was used as a high-capacity courtroom*
- *Recognizing the Importance of Jury Service and Declaring Jury Appreciation Week*
- *Reappointing Benjamin C. Sison, Jr. as Sitting Magistrate*
- *Reviewing the Jurisdictional Limit for Small Claims Court*
- *Approving Proposed Legislation on the Preservation and Disposition of Court Records*



## Current Judicial Council Members

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

## Judiciary of Guam Website:

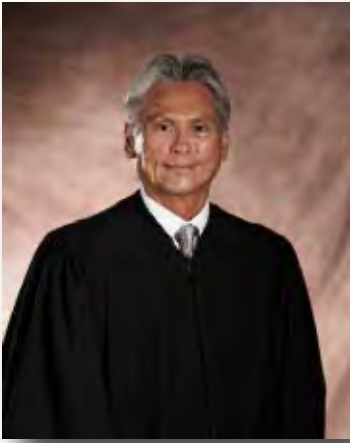
[www.guamcourts.org](http://www.guamcourts.org)

## Judiciary of Guam YouTube Channel:

<https://youtube.com/channel/UCfnFCWwllp99fAeh9zi4Q4g>



## Justices of the Supreme Court of Guam



**Chief Justice F. Philip Carbullido** was appointed to the Supreme Court of Guam in 2000 and is currently serving his fourth term as Chief Justice.

Chief Justice Carbullido formerly served as chair of the Education Committee of the Pacific Judicial Council (PJC), which consists of the Chief Justices of Guam, the CNMI, Palau, the Federated States of Micronesia, the Republic of the Marshall Islands, and American Samoa. The PJC provides training for judicial officers and administrators throughout the Pacific. Additionally, he previously served as Vice President and as a member of the Board of Directors of the Conference of Chief Justices, a forum comprised of the highest judicial officers of the United States, its commonwealths, and its territories. Chief Justice Carbullido continues to serve as Justice *Pro Tempore* for the Supreme Court of the CNMI. He chairs the Judiciary's 2020-2023 Strategic Plan Focus Area on Effective Case Management and Timely Resolution, the subcommittee on the Guam Rules of Appellate Procedure, and the Board of Trustees for the Public Defender Service Corporation.

Chief Justice Carbullido received his B.S. in Political Science in 1975 from the University of Oregon and his Juris Doctor degree in 1978 from the University of California, Davis School of Law. He and his wife Fay have four children and one grandson, Kellan Philip.



**Associate Justice Robert J. Torres, Jr.** was appointed to the Supreme Court of Guam in 2004 and has served two terms as Chief Justice.

Justice Torres presently serves as the Membership Secretary for NAPABA's Judicial Council. He is on the American Judges Association's Executive Committee and Board of Governors as the Immediate Past President and Board of Governors. Over the past few years, he has been selected by the National Center for State Courts to educate and assess the courts in various developing countries in Asia and the Pacific, lecturing in more than 20 countries on a variety of subjects including the International Framework for Court Excellence, cultural competency, court community communication, alternative dispute resolution, technology, and judicial ethics and discipline. Justice Torres also serves as Justice *Pro Tempore* for the Supreme Court of the CNMI and chairs various Judiciary subcommittees, including the 2020-2023 Strategic Plan Focus Area on Technology.

Justice Torres received a B.B.A. in Accounting (*magna cum laude*; Beta Gamma Sigma; Beta Alpha Psi) in 1980 from the University of Notre Dame, a Juris Doctor degree from Harvard Law School in 1985 and was awarded a Doctor of Laws (LL.D.), *Honoris Causa*, from the University of Cebu and from Centro Escolar University in the Philippines. He and his wife, Mary, have three children and 11 grandchildren.



**Associate Justice Katherine A. Maraman** was appointed to the Supreme Court of Guam in 2008 and served as Chief Justice from January 2017 to January 2020. She was the first female Chief Justice of Guam. Prior to her appointment to the Supreme Court, she served as a Judge for the Superior Court of Guam for 14 years.

Justice Maraman serves as a part-time Associate Justice for the Supreme Court of Palau and as Justice *Pro Tempore* for the Supreme Court of the CNMI. She chairs the Judiciary's 2020-2023 Strategic Plan Focus Area on Mental Health, Substance Use Disorders, and Treatment Courts; the Drafting & Grading Committee for the Board of Law Examiners; and the Criminal Justice Automation Commission. Additionally, Justice Maraman chairs the Judiciary's subcommittee on the Guam Rules of Criminal Procedure and co-chairs the subcommittees on the Guam Criminal Jury Instructions, Guam Rules of Evidence, and Guam Rules of Civil Procedure. She is also an Adjunct Professor at the University of Guam.

Justice Maraman received a B.A. in Economics, *cum laude*, from Colorado College and a Juris Doctor degree from the University of New Mexico.



## Judges of the Superior Court of Guam



**Presiding Judge Alberto C. Lamorena III** presides over the Superior Court of Guam and is a member and former chairman of the Judicial Council, the Guam Public Defender Service Corporation Board of Trustees, the Guam Board of Law Examiners, and the Board of Directors for the Guam Legal Services Corporation. He is Chairman of the Committee on Judicial Discipline, and founded and served as chairman of the Criminal Justice Automation Commission. Prior to his appointment to the bench in 1988, he maintained a private practice and served five terms as senator from the 15th through 19th Guam Legislatures. He established the Pacific Judicial Council (PJC) in 1991, whose membership includes the judiciaries of Western Pacific jurisdictions, and was elected the first PJC President. He currently serves as PJC's Treasurer.

Presiding Judge Lamorena initiated the concept of therapeutic courts and established the Adult Drug Court, Family Violence Court, Mental Health Court, and DWI Treatment Court. He served as chairman of the task force to create the Veterans Treatment Court, created the Adult Reentry Court for high- and medium-risk offenders likely to recidivate, the Family Drug Court, and the GIVE Program for defendants with multiple probation violations. He currently presides over the Criminal Docket, including the Veterans Treatment Court and the Family Violence Court in addition to General Jurisdiction cases. He co-chairs the Judiciary's 2020-2023 Strategic Plan Focus Area on Employee Excellence and Satisfaction, and he chairs the Criminal Sexual Offender Management Committee.

Presiding Judge Lamorena received a B.A. in Political Science from the University of Illinois, Urbana, a B.A. in Accounting from the University of Texas, Austin, and his J.D. from Drake University in Des Moines, Iowa. He was awarded an honorary Doctor of Law degree from the University of Guam for distinguished service towards the advancement of the people of Guam. He is active in various civic and community organizations and was named a Melvin Jones Fellow by the Lions Club International Foundation for dedicated humanitarian services.



**Judge Anita A. Sukola** served as a judge of the Superior Court for 19 years until her retirement in February 2021. Prior to her appointment to the bench in 2002, she maintained a private practice and was a full-time Assistant Professor at the University of Guam. Her public service includes: Director of Education (1989-1991), Deputy Director of Education (1987-1988), and Attorney at the Public Defender's Office. She also served as legal counsel for the Port Authority of Guam Board of Directors and the Chamorro Land Trust Commission, as well as Staff Attorney to Senator Don Parkinson (17th Guam Legislature). In 2020, she presided over the Adult Drug Court and was co-chair for the Judiciary's 2020-2023 Strategic Plan Focus Area on Effective Case Management and Timely Resolution.

Judge Sukola obtained a B.A. in History and Secondary Education from Washington State University in 1973, a Masters in Administration and Supervision from the University of Guam in 1975, and a J.D. from the People's College of Law in 1983.



**Judge Arthur R. Barcinas** has served as a Judge of the Superior Court of Guam since 2005. He maintained a private practice for 14 years prior to his judicial service, and he served as a Hearings Officer for Small Claims Court, as Traffic Court Judge *Pro Tempore*, and as an Administrative Hearings Officer prior to becoming a Judge. He also served as legal counsel to Governor of Guam Felix P. Camacho and as Chairman of the Chamorro Land Trust Commission Board of Directors.

Judge Barcinas currently presides over Mental Health Court, Juvenile Drug Court, and General Jurisdiction cases. He is a member of the Judicial Council and chairs the Education Committee of the Pacific Judicial Council. He co-chairs the Judiciary's 2020-2023 Strategic Plan Focus Area on Mental Health, Substance Use Disorders, and Treatment Courts, and the subcommittee on Rules Governing the Admission to the Practice of Law and the Rules for the Discipline of Attorneys. He is a member of several other Judiciary subcommittees on rule drafting and revision.

Judge Barcinas entered military service in 1982 and is a distinguished military graduate. He received his commission as Second Lieutenant while attending the University of Hawaii at Manoa, where he received a B.S. in Political Science in 1986. He received a J.D. from Gonzaga University School of Law in 1989. Judge Barcinas has three wonderful daughters.





**Judge Vernon P. Perez** was appointed to the Superior Court of Guam in 2008. He began his legal career as an Assistant Attorney General in the Family Division of the Office of the Attorney General of Guam. In 2002, he became a JAG for the Guam National Guard and serves part-time as the Staff Judge Advocate in the rank of Lieutenant Colonel. He previously served as: Executive Director of the Guam Civil Service Commission; Legislative Assistant to then-Senator Felix P. Camacho; Press Secretary to Congressman Ben Blaz, U.S. House of Representatives; and a Math and English teacher for the Guam Department of Education.

Judge Perez currently presides over the Criminal Docket including the DWI Treatment Court and Adult Reentry Court, as well as General Jurisdiction cases. He co-chairs the Judiciary's 2020-2023 Strategic Plan Focus Area on Community Relations/Stakeholders and the subcommittee on E-Filing Rules. He has also served as the President of the Guam Law Library Board of Trustees for several years.

Judge Perez obtained a B.A. from the University of California, San Diego in 1987 and a J.D. from the University of Hawaii William S. Richardson School of Law in 1997.



**Judge Maria Teresa Bonifacio Cenzone** was appointed to the Superior Court of Guam in 2012 after 15 years in private practice and government service and is the first Filipina-American to serve on the bench in the Guam courts.

Judge Cenzone currently presides over the Criminal Docket, including the Adult Drug Court II and Family Violence Court in addition to her civil, probate, domestic and other general jurisdiction cases. On September 10, 2015, she launched the Guam Veterans Treatment Court, which has graduated over 40 participants in a short five-year span. She presented at the 2019 National Association of Drug Court Professionals VetCourt Conference in National Harbor, MD, on the challenges of implementing the Veterans Treatment Court in a rural, resource-deficient jurisdiction. Judge Cenzone serves on numerous committees of the Judiciary as an appointee of the Chief Justice. She is a *Pro Tempore* Judge and *Pro Tempore* Justice in the Commonwealth of the Northern Mariana Islands.

Judge Cenzone received her B.A. from Marquette University and her J.D. from Loyola University Chicago School of Law, where she was the Cases Editor for the Loyola University Chicago Consumer Law Review. Judge Cenzone also holds Adjunct Faculty positions at the Guam Community College and at the University of Guam.



**Judge Elyze M. Iriarte** was appointed to the Superior Court of Guam in 2016 after 15 years of practice in the private sector. She currently presides over General Jurisdiction cases and is assigned the Civil docket which includes civil, domestic, probate, and family court cases. She is also tasked to handle the docket involving persons seeking relief due to quarantine and isolation during the COVID-19 pandemic. She spearheads the Judiciary's Civil Justice Reform Pilot Program, which seeks to improve access, ensure procedural fairness, and reduce cost and delay in civil cases. As part of that initiative, she created the Judiciary's Settlement Conference Program, which generates civil case settlement opportunities. She also leads the Judiciary's Online Dispute Resolution development team, which aims to digitize dispute resolution for civil and small claims cases.

Judge Iriarte co-chairs the Judiciary's 2020-2023 Strategic Plan Focus Area on Technology.

Judge Iriarte earned her B.A. in Law Letters & Society from the University of Chicago in 1998. She obtained her J.D. in 2001 from the University of Southern California School of Law, where she was the articles editor for the Southern California Review of Law & Women's Studies. She is admitted to practice law in Guam, California, Hawaii, Republic of Palau, and the Northern Mariana Islands.



**Judge Dana A. Gutierrez** was sworn in as a judge of the Superior Court of Guam on July 24, 2020. Judge Gutierrez presides over General Jurisdiction cases and is assigned the Civil Docket which includes civil, domestic, probate, and family court cases. Before her appointment, she worked in both the private and public sectors in Guam, including serving as the Judiciary's Director of Policy, Planning, and Community Relations. She has more than 20 years' experience in private practice in the areas of labor and employment law, business planning, corporate governance, and regulatory compliance. She was a frequent presenter on employment issues for the Society for Human Resource Management (SHRM) Guam Chapter, and has served on the SHRM Guam Chapter Board of Directors. Judge Gutierrez has also served on the Guam Bar Association Board of Governors, the Guam Law Library Board of Trustees, the Guam Girl Scouts Board of Directors, and the Guam Solid Waste Authority Board of Directors.

Judge Gutierrez attended the University of Southern California in Los Angeles, where she earned her B.A. in Political Science and East Asian Studies in 1993 and her J.D. from the University of Southern California Gould School of Law in 1997. She is married to David Hurchanik, and they have a son, Mateo David.



## Judicial Officers of the Superior Court of Guam



**Magistrate Judge Benjamin C. Sison, Jr.** was appointed to the Superior Court of Guam in 2016 and presides over various criminal and civil matters and serves on several court committees. He also serves as a member of the Board of Governors for District 5 of the American Judges Association. Prior to his appointment, he served for eight years as a Superior Court Referee presiding over traffic and small claims cases, and was in private practice for 22 years. He was an assistant professor at the Guam Community College for four years, and is currently an adjunct professor.

Magistrate Sison received his B.S. from the University of Hawaii at Manoa, his J.D. from Boston College Law School, his M.B.A. from Seattle University, and his LL.M in Taxation from the University of Washington. He has earned two Professional Certificates in Judicial Development (General Jurisdiction Trial Court Skills and Special Court Trial Skills) from the National Judicial College in Reno, Nevada.

Magistrate Sison is an avid traveler and has been to all seven continents, all 50 states, and over 106 countries and territories.



**Magistrate Judge Jonathan R. Quan** was appointed to the Superior Court of Guam in 2018, and in addition to magistrate duties, he serves as Judge *Pro Tempore*. Before his appointment, he was in private practice while also serving as an assistant professor (tenured) at the Guam Community College. He then served as an Assistant Attorney General, where he was a Senior Prosecutor, both prosecuting and supervising the prosecution of criminal cases, and then the Solicitor assigned to the Guam Police Department and the Guam Customs and Quarantine Agency. Magistrate Quan currently serves as a Major in the Guam Army National Guard.

Magistrate Quan received a B.A. in International Relations and Asian Middle Eastern Studies in 1993 from the University of Pennsylvania. He received a J.D. in 1996 from Loyola Law School in Los Angeles, California. In his spare time, he has earned a 1st Degree Black Belt in Tae Kwon Do, a 1st Degree Black Belt in Aikido, and a 5th Degree Black Belt ("Punong Guro – Lakan Lima") in Kali/Arnis/Eskrima.



**Family Court Referee Linda L. Ingles** has served as a judicial officer of the Superior Court of Guam for over 25 years. In 1993, she was appointed as a Judge *Pro Tempore*, adjudicating cases in Small Claims and Traffic Court, as well as domestic and family court matters. In 1995, she became the Administrative Hearings Officer, presiding over the Judicial Hearings Division of the Superior Court of Guam and providing expedited adjudication of child support matters. She currently presides over juvenile status offender cases, persons in need of services cases, designated family court matters, and the Guam Family Recovery Program. In 2018, she was appointed as a Judge *Pro Tempore* to conduct and oversee settlement discussions as part of the Superior Court's Settlement Conference pilot program.

Referee Ingles received a B.S. in Political Science from the University of Oregon and a J.D. from Whittier College School of Law.



**Administrative Hearings Officer B. Ann Keith** was appointed to the Judicial Hearings Division of the Superior Court of Guam in 2016 to adjudicate child support cases on a full-time basis. Since moving to Guam in 1984, she has held positions at the District Court of Guam, the Office of the Attorney General, and the Supreme Court of Guam. Prior to her appointment as hearings officer, she was the Judiciary's Staff Attorney for nine years.

Administrative Hearings Officer Keith graduated *magna cum laude* and *Phi Beta Kappa* from the University of Colorado at Boulder, and received her law degree from the University of Tulsa College of Law. She is a member of the Muscogee (Creek) Nation Native American tribe.



**Referee Maria G. Fitzpatrick** serves the Judiciary as referee in small claims and traffic court matters, and as needed for cases where there are conflicts or absences. She moved to Guam in 1984 on a two-year contract with the Office of the Attorney General and worked there for 21 years. She joined the Public Defender Service Corporation in 2008 and retired from government service in 2016. She was first appointed by the Judicial Council to serve as referee in 2018, and was reappointed in 2019 and in 2021.

Referee Fitzpatrick earned her B.A. from Ohio State University and her J.D. from Cleveland State University.



## In Memoriam: Chief Justice Peter C. Siguenza, Jr.



The judicial branch, legal profession, and the island mourned the loss of a great jurist, with the passing of Chief Justice Peter C. Siguenza, Jr. on March 30, 2020.

Chief Justice Siguenza dedicated much of his life serving the public and improving the administration of justice. He served 12 years as a trial judge of the Superior Court of Guam, and in 1996 he was appointed the first Chief Justice of *I Kotten Mas Takhelo Guåhan*, the first to lead the Supreme Court of Guam upon its establishment by the Organic Act. Throughout his term as Chief Justice and until his retirement in 2003, he was unwaveringly dedicated to ensuring the creation of a unified judicial branch, the establishment of the Judiciary in the framework of the Organic Act, and the reorganization of the Judiciary as the third co-equal and independent branch of the Government of Guam.

A son of Guam, Chief Justice Siguenza was a proud graduate of Father Duenas Memorial School. He received a Bachelor of Arts in Government from California State University, then attended McGeorge School of Law at the University of the Pacific in Sacramento, California, where he served as President of the Asian Law Student Association. He was admitted to practice in California, Guam, and the Commonwealth of the Northern Mariana Islands. He was active in numerous bar, community, and civic organizations for most of his life, and he served as chair of the Supreme Court of Guam Rules Commission in 1993 and chair of the Father Duenas Memorial School Board of Trustees in 1991.

During his 2020 State of the Judiciary Address, Chief Justice F. Philip Carbullido announced Chief Justice Siguenza as the posthumous recipient of the Hustisia Award, an honor given to an individual or organization for contributions to improving the administration of justice and good government.

Chief Justice Siguenza was crucial to the establishment and development of Guam's judicial branch, and he played an integral role in shaping the legal system and the administration of justice in Guam. Upon his passing, he leaves not only a legacy of a unified Judiciary, but a loving family, colleagues on the bench, lawyers and court employees who worked with him, and many others who gladly called him a friend. He will be missed.

*"Each of us wants a fair and objective court system that will protect our rights – one that will neutrally determine the truth of criminal allegations and factual disputes. We expect our judges to rise above personal prejudices and to remain beyond political concern.*

*In order for the Judiciary to accomplish our duty, we must – of necessity – be free from the trappings of power, of influence, of relationships, of emotions du jour. The weight of that awesome responsibility is what we have perhaps idealistically chosen. But in a real sense, that is the lonely – and often misunderstood – solemn duty of an independent Judiciary."*

*Chief Justice Peter C. Siguenza, Jr.  
State of the Judiciary Address  
May 1, 1998*



## Administrative Office of the Courts

The Administrative Office of the Courts oversees the Judiciary's Court Administrative Services Division, which consists of the following divisions: Court Programs, Financial Management, Human Resources, Management Information Systems, and Procurement and Facilities Management. The AOC also oversees offices and programs including the Judicial Educator, Employee Assistance Program, and the ADA Coordinator.

In 2020, Chief Justice F. Philip Carbullido made the following appointments to this office:



**Kristina Baird**, *Administrator of the Courts*

Attorney Kristina L. Baird was appointed by Chief Justice Carbullido as the Judiciary of Guam's Administrator of the Courts in January 2020. She is the first female and the first attorney appointed to this position. Previous to this appointment, she served as the Staff Attorney for the Judiciary of Guam from 2017-2020. Ms. Baird has over 25 years of practice in law outside the Judiciary of Guam in both the private and public sector. Ms. Baird holds a Master of Laws (LL.M.) in Taxation from Southern Methodist University Dedman School of Law and a Juris Doctorate from Capital University. She is admitted to practice law in Guam, Texas, Ohio, and Florida.



**Andrew Quenga**, *Staff Attorney*

Attorney Andrew "Serge" Quenga was appointed by Chief Justice Carbullido in January 2020 as a Staff Attorney for the Judiciary of Guam. He previously worked as an Assistant Attorney General in the Office of the Attorney General of Guam; Research Attorney and Staff Attorney of the Guam Supreme Court; Executive Director of the Guam Law Library; Compiler of Laws of Guam; and General Counsel for TeleGuam Holdings, LLC. Mr. Quenga was admitted to the Guam Bar in 1996 after attending the University of Hawaii William S. Richardson School of Law. He holds an additional graduate degree from the University of Guam and an undergraduate degree from the University of Oregon.



**Alicia Limtiaco**, *Director of Policy, Planning, and Community Relations*

In January 2020, Attorney Alicia Limtiaco was appointed by Chief Justice Carbullido as the Director of Policy, Planning, and Community Relations and has since been designated as Lead Litigation Counsel and appointed Acting Administrator of Court Programs for the Judiciary of Guam. With more than 30 years of legal experience in both the government and private sectors, she served as the U.S. Attorney for Guam and the Northern Mariana Islands from 2010 to 2017, and as the Attorney General of Guam from 2007 to 2010.

## New Appointments



**Carl Dominguez**, *Procurement and Facilities Administrator*

In January 2020, Chief Justice Carbullido appointed Carl Dominguez to serve as the Judiciary of Guam's Procurement & Facilities Management Administrator. He was previously the Director of the Bureau of Statistics and Plans and served as the Director of the Department of Public Works before that. Mr. Dominguez has a bachelor's degree in Electrical Engineering from Marquette University and has worked in the private sector for Xerox Corporation, Century 21 Commonwealth Realty, and Continental Micronesia, where he was their Facilities Manager for 14 years.



**Kristina "Tina" Blaz**, *Public Information Officer*

In February 2020, Tina Blaz was appointed to serve as Public Information Officer by Administrator of the Courts Kristina Baird. In this position, Ms. Blaz is responsible for responding to media inquiries and correspondence, and facilitating public awareness of court programs and activities. Ms. Blaz holds a Bachelor's Degree in Communications with a concentration in Mass Media and Public Relations from the University of Guam. Prior to joining the Judiciary, she was a communications specialist for Sen. James Moylan, and had served in the Communications Office during the Calvo administration.



## Supreme Court



The Supreme Court of Guam is the highest court of the judicial branch of Guam and has jurisdiction to hear appeals over any cause decided by the Superior Court of Guam or other courts created by Guam law. The Supreme Court also has supervisory jurisdiction over the Superior Court and all other courts created by Guam law, and it has original jurisdiction over proceedings necessary to protect its appellate jurisdiction and supervisory authority. The Supreme Court also has the authority to make and promulgate rules governing the practice and procedure in the courts of Guam.

The Supreme Court's authority also extends to attorney and judicial discipline and the practice of law in Guam, including admission to practice law and the conduct and discipline of persons admitted to practice law. The Board of Law Examiners is comprised of the Chief Justice of Guam (chairperson), the Associate Justices of the Supreme Court (members), and the Presiding Judge of the Superior Court and the President of the Guam Bar Association (ex-officio members). The Supreme Court Clerk of Court serves as the ex-officio secretary-treasurer of the Board. The Board administers the Guam bar examination and manages the review of the character and fitness of all applicants for admission.

The year opened with a historic milestone, with the January 21, 2020 swearing-in ceremony of Chief Justice F. Philip Carbullido to serve a fourth term as Chief Justice. Just a few weeks later, the governor imposed an islandwide stay-at-home order in light of the coronavirus pandemic. To ensure both the continued operations of the judicial branch and compliance with guidance and executive orders, the Supreme Court issued administrative orders that addressed safety precautions, scheduling of hearings, deadlines for court matters, and the use of videoconferencing and telephonic appearances.

Because the Supreme Court already had an electronic filing system in place, litigants were able to continue e-filing documents. The Clerk's Office, however, was able to accommodate parties who had not registered for e-filing, by accepting documents via email. In addition, service of documents was effectuated by email to limit in-person contact. Employees were placed on work-from-home status, although where necessary, the staff of the Clerk's Office worked in staggered shifts.

The work of the Supreme Court continued, even with limitations presented by the lockdown and stay-at-home orders. Justices continued the work of drafting and issuing opinions on pending cases, and issuing orders regarding the administration of the judicial branch. On Law Day, May 1, 2020, the Supreme Court held its first virtual appellate argument using videoconference technology. Attorneys Peter C. Perez and Genevieve Rapadas argued the case of *Palmer v. Mariana Stones Corp.*, arising from litigation over property in Urunao. This historic event was livestreamed on the Judiciary of Guam YouTube channel. From May to December 2020, the Supreme Court held 21 virtual hearings, which included appellate oral arguments, status and disqualification hearings, promulgation hearings, and attorney admission ceremonies.



Pursuant to its authority over the practice of law in Guam, the Board of Law Examiners took the unprecedented step of canceling the July 2020 bar exam, and had anticipated that the exam would be held in September. However, due to the rising number of cases in August and the return to PCOR 1 status, the Board subsequently canceled the September test dates and instituted a rule that temporarily permitted certain qualifying individuals to practice law under the supervision of a practicing lawyer. Six attorneys were granted temporary admission under this rule.

Despite the challenges posed by the pandemic, the Supreme Court was able to leverage its existing e-filing system to accommodate litigants, and expand its public outreach through use of livestreamed video conferencing.

The Justices of the Supreme Court of Guam are:

Chief Justice F. Philip Carbullido  
Associate Justice Robert J. Torres  
Associate Justice Katherine A. Maraman

Hannah G. Arroyo, Clerk of Court



## Supreme Court Statistics and Cases

Although public entry to the the Guam Judicial Center facility was limited for most of 2020, the Supreme Court continued to accept filings through its e-filing system for registered attorneys and also accommodated non-registered litigants by accepting documents by email. The number of filings from 2019 (49 filings) and 2020 (45 filings) reveal only a slight dip.

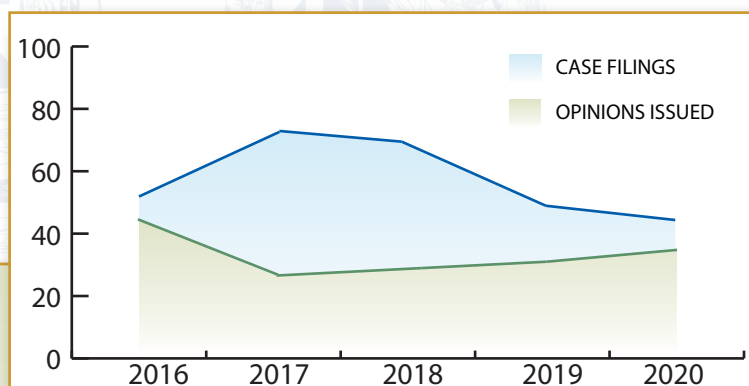
In light of the temporary suspension of criminal jury trials due to health and safety concerns, there were fewer appeals from criminal cases. In 2020, there were 12 criminal appeals, down from 20 cases in 2019. There were, however, other case types brought before the court, including certified questions, which involve formal requests by a court or governmental entity asking for an opinion on a question of law.

**CHART 1: TOTAL CASE FILINGS — FIVE-YEAR TREND**

CASE TYPE	2016	2017	2018	2019	2020
Appellate Procedure	0	0	0	0	0
Attorney Discipline	9	16	3	1	1
Certified Question	0	1	1	0	2
Civil Case	23	30	35	25	22
Criminal Case	15	19	15	20	12
Pro Hac Vice	0	0	0	0	0
Promulgation Order	1	1	3	1	3
Writ of Habeas Corpus	0	1	0	0	1
Writ of Mandamus	2	2	7	0	1
Writ of Prohibition	1	2	1	2	1
Writ of Certiorari	N/A	N/A	N/A	N/A	1
<b>GRAND TOTAL</b>	<b>51</b>	<b>72</b>	<b>65</b>	<b>49</b>	<b>44</b>

**CHART 2: TOTAL OPINIONS ISSUED — FIVE-YEAR TREND**

CASE TYPE	2016	2017	2018	2019	2020
Civil	14	13	14	15	19
Criminal	26	14	13	15	12
Certified Question	1	1	1	0	0
Writ	0	0	1	0	2
<b>GRAND TOTAL</b>	<b>41</b>	<b>28</b>	<b>29</b>	<b>30</b>	<b>33</b>



In 2020, the court issued 33 opinions. Notable opinions included:

*People v. White*, 2020 Guam 19

This appeal arose from the defendant's conviction of aggravated assault, and his argument that the trial court should have instructed the jury on the prosecution's burden of disproving his justification defense. The defendant claimed that he struck the victim in defense of another person, and that the trial court erred in failing to give the defense-of-another jury instruction. The Supreme Court reversed the conviction, and remanded the case for a new trial.

*Linsangan v. Government of Guam*, 2020 Guam 27

The Supreme Court affirmed the Superior Court's dismissal of a case that challenged governmental quarantine measures. A plaintiff had sought the release of passengers arriving from Manila on March 19, 2020, arguing they were subject to invidious discrimination. The court concluded in part that the plaintiff did not allege distinct or palpable injury or actual or imminent threat of injury, and therefore, he lacked constitutional standing to bring the claim. The court also found that dismissal was proper under mootness principles, because passengers in question had been released and subsequent guidance memos required all arriving passengers be quarantined.

*In re Paul's Guam Inc.*, 2020 Guam 30

In this case of first impression, the Supreme Court addressed its first writ of certiorari proceeding. The petitioner argued that the Superior Court had exceeded its jurisdiction in holding a party in contempt for several discovery violations. In a *per curiam* opinion, the court held that the time limitations for filing a notice of appeal under the appellate rules also apply to petitions for writ of certiorari challenging a contempt finding. The court annulled the finding of contempt and the imposition of fines.



## Superior Court of Guam

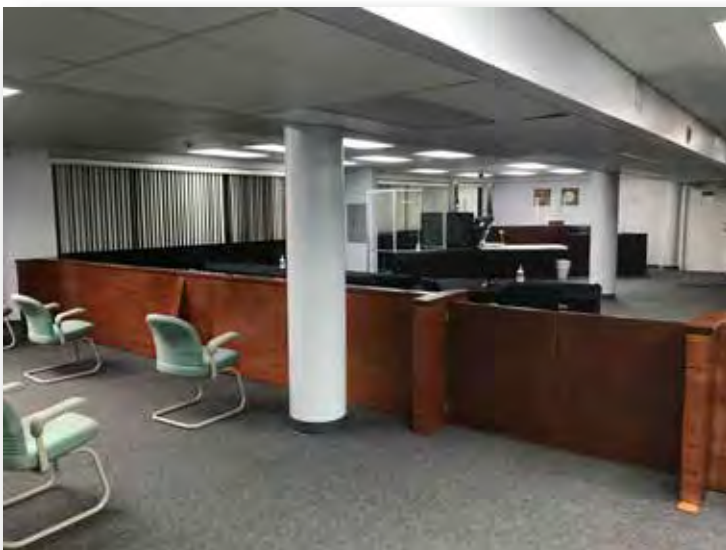
The Superior Court of Guam, our island's court of general jurisdiction, has seven judges, two magistrates, a Family Court Referee, and an Administrative Hearings Officer. These Superior Court judicial officers preside over a variety of cases at the Hagåtña Court and the Northern Court Satellite, from felony and misdemeanor cases, juvenile matters, civil matters, divorce and custody cases, to probate and special proceedings. The magistrates have jurisdiction over certain proceedings in criminal and civil cases, uncontested divorces, and matters heard before the Small Claims Court and Traffic Court. The Family Court Referee presides over juvenile, domestic custody, and child support matters. The Administrative Hearings Officer presides over child support cases.

For much of 2020, the pandemic resulted in the shutdown of nearly all government operations and the issuance of mandatory stay-at-home orders. But even when the Judiciary's physical facilities were closed to the public, the Superior Court remained open for operations essential to the administration of justice. The circumstances required a rapid shift from in-person to virtual hearings, as the trial judges and magistrates continued to conduct magistrate hearings in criminal cases, as well as hearings for orders of protection from abuse, juvenile delinquency, and petitions arising from Covid-19 quarantine and isolation cases. During the strictest phase of the pandemic, nearly all hearings were held virtually and telephonically, which involved coordination and cooperation among court staff, attorneys, employees from other government agencies, and litigants, to ensure court proceedings adhered to both constitutional mandates and health requirements.

As restrictions gradually lifted, and more in-person services were made available, the Northern Court Satellite Courthouse in Dededo opened on May 11, 2020, followed by the Guam Judicial Center in Hagåtña on June 5, 2020. The investiture ceremony of the newest Superior Court Judge, Hon. Dana A. Gutierrez, was held at the Guam Judicial Center Atrium on July 24, 2020, and livestreamed on the Judiciary's YouTube channel.

To help prevent the spread of the virus, entry to Judiciary facilities was closely controlled for both duration and occupancy. Judiciary spaces were reconfigured to accommodate physical distancing, including the design and construction of the first high-capacity courtroom in the newly acquired San Ramon Building, located adjacent to the Hagåtña courthouse. During the latter part of the year, as restrictions were lifted, criminal jury trials were held in the San Ramon Building and the Supreme Court. Alternate spaces were used, including the Academy of Our Lady of Guam cafeteria for jury orientation and selection.

The dramatic changes brought about by the pandemic demonstrated both the reliance on technology for virtual hearings, videoconferencing and teleconferencing, as well as use of more traditional methods, such as filing paper copies through drop boxes. Throughout the year, the operations of Superior Court continued, ensuring fair and impartial access to justice.



*Above: The high-capacity courtroom located in the newly acquired San Ramon Building adjacent to the Hagåtña courthouse*

The judicial officers of the Superior Court of Guam are:

Presiding Judge Alberto C. Lamorena III  
Judge Anita A. Sukola  
Judge Arthur R. Barcinas  
Judge Vernon P. Perez  
Judge Maria T. Cenzone  
Judge Elyze M. Iriarte  
Judge Dana A. Gutierrez  
Magistrate Judge Benjamin C. Sison, Jr.  
Magistrate Judge Jonathan R. Quan  
Family Court Referee Linda L. Ingles  
Administrative Hearings Officer B. Ann Keith  
Referee Maria G. Fitzpatrick



*Above: At the reopening of the Northern Court Satellite for limited in-person services, Judiciary employees were welcomed back to work with reusable face masks.*

## Superior Court Statistics

### Five-Year Comparative Cases Filed

Cases Filed	2016	2017	2018	2019	2020
Adoption	39	42	36	47	23
Child Support	356	321	274	273	88
Civil	1,155	1,340	1,226	1,481	1,087
Criminal Felony	768	745	772	720	623
Criminal Misdemeanor	918	752	643	588	514
Domestic	647	683	691	720	458
Foreign Order	5	1	0	1	0
Juvenile Delinquency	208	286	196	202	126
Juvenile Drug Court	200	0*	0*	0*	0*
Juvenile Proceedings	504	395	436	355	259
Land Registration	3	4	6	5	0
Probate	168	204	223	202	168
Special Proceedings	220	203	218	216	238
Protective Orders	122	135	124	141	126
Restitution (Collection)	59	51	88	160	159
Small Claims	1,662	1,707	1,608	1,610	576
Traffic	8,023	7,543	4,480	5,167	3,369
<b>Total</b>	<b>15,057</b>	<b>14,412</b>	<b>11,021</b>	<b>11,888</b>	<b>7,814</b>

\*Since 2017, Juvenile Drug court cases that involve a drug or alcohol offense are filed as Juvenile Delinquency cases. Juvenile Proceedings cases include juvenile guardianship matters, truancy, status offenses, and juvenile abuse and neglect cases. Domestic cases include divorce actions, custody, paternity, and child support issues.

Because of the pandemic, there was a drastic decrease in the filings for the year 2020 for nearly all non-criminal case types. The drop of about 34% in Traffic cases from 2019 can be explained by the several weeks of "lockdown" orders, which prohibited travel on the roadways except for essential functions. Small Claims filings fell from 1,610 to 576 cases, and Domestic filings from 720 to 458 cases.

This reduction in case filings, however, did not apply to all cases. Filings of Special Proceedings cases were at their highest since 2011, although the five-year trend reflects only a slight increase from 216 in 2019 to 238 in 2020. This rise in 2020 may be attributed to the cases filed by petitioners challenging the Department of Public Health and Social Services quarantine and isolation orders. Criminal Misdemeanor filings saw a less than 12% decrease from 2019, and Protective Order filings dropped only 11% from 2019.

### TOP FELONY OFFENSES CHARGED

2020	# offenses
Possession of Schedule II Controlled Substance	224
Family Violence (as a 3rd Degree felony)	100
Burglary (as a 2nd Degree felony)	90
Criminal Mischief	75
Second Degree CSC - contact and victim is under 14	70

### TOP MISDEMEANOR OFFENSES CHARGED

2020	# offenses
Family Violence	216
Driving While Impaired	187
Assault - Recklessly Cause / Attempt to Cause Bodily Injury	94
Driving While Impaired (BAC)	91
Harassment	86

### TOP OFFENSES CHARGED OVERALL - THREE-YEAR TREND

2020	# offenses
Family Violence	329
Possession of Schedule II Controlled Substance	224
Driving While Impaired	187
Criminal Mischief	156
Family Violence (as a 3rd Degree Felony)	100
2019	# offenses
Family Violence	377
Driving While Impaired	237
Assault - Recklessly Cause / Attempt to Cause Bodily Injury	169
Possession of Schedule II Controlled Substance	150
Harassment	138
2018	# offenses
Possession of Schedule II Controlled Substance	302
Family Violence	287
Driving While Impaired	198
Assault - Recklessly Cause / Attempt to Cause Bodily Injury	168
Special Allegation - Commission of a Felony While on Felony Release	158



## TOP SPECIAL ALLEGATIONS CHARGED

2020	# offenses
Possession and Use of a Deadly Weapon in the Commission of a Felony	102
Commission of a Felony While on Felony Release	57
Vulnerable Victim	26
Crime Against the Community	19
Deadly Weapon Use in Felony [A Penalty Enhancement Section] Only to be Alleged as a Count Accompanying a Felony Count	18

## TOP CAUSES OF ACTION IN CIVIL CASES

2020	# offenses
Seller Plaintiff (Debt Collection)	883
Injunctive Relief	32
Contract Other	29
Civil Other	29
Automobile Tort	28

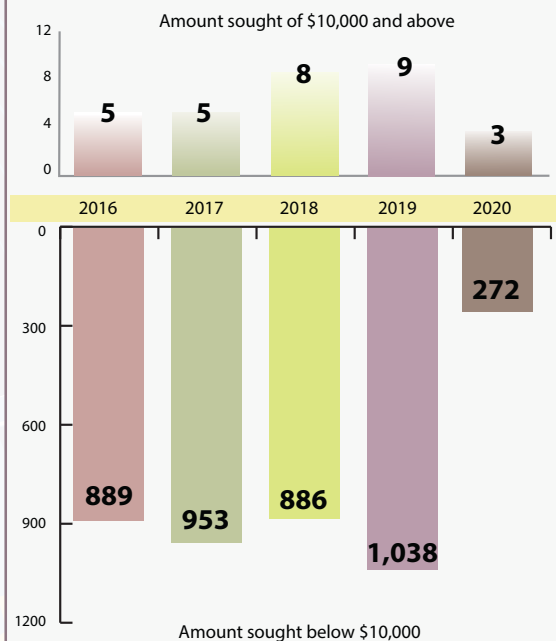
## TOP OFFENSES CHARGED IN JUVENILE CASES

2020	# offenses
Underage Consumption of Alcohol	40
Criminal Trespass	33
Assault - Recklessly Cause/Attempt to Cause Bodily Injury	32
Criminal Mischief	32
Curfew	32
Burglary (as a 2nd Degree felony)	31
Disorderly Conduct	26

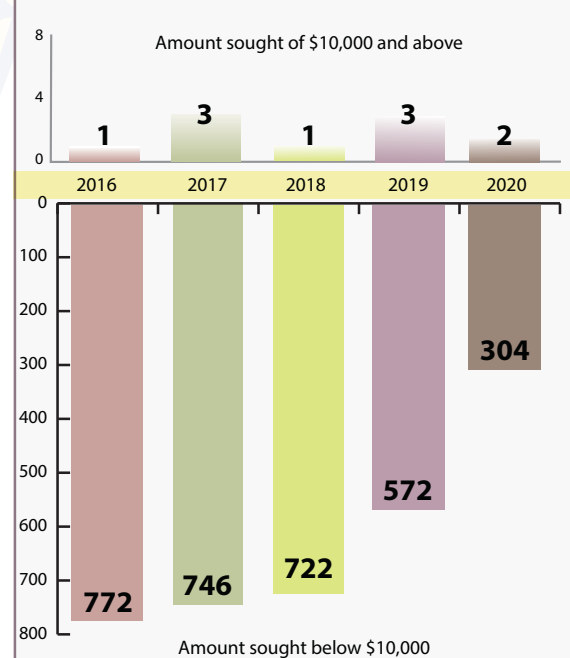
## TOP CAUSES OF ACTION IN DOMESTIC CASES

2020	# offenses
Uncontested Divorce	280
Contested Divorce	126
Child Custody	42
Annulment	3
Domestic Relations Other	1

**Small Claims Cases Filed - Five-Year Trend**  
Guam Judicial Center



**Small Claims Cases Filed - Five-Year Trend**  
Northern Court Satellite



## Superior Court Therapeutic Courts and Specialty Courts

### Adult Drug Court

The Adult Drug Court (ADC) involves cases where defendants are charged with a drug offense (and may include other criminal offenses in addition to the drug offense). The goal of the ADC program is to provide intensive treatment and counseling services to help participants with their substance abuse addictions. Participants eligible for the ADC program must undergo frequent random drug and alcohol testing, intensive supervision, and agree to sanctions for failure to comply with the program guidelines. There are two tracks to the ADC program: ADC I for first-time possession offenders and ADC II for repeat offenders whose offenses were related to drug or alcohol use.

In 2020, the ADC I Program provided drug and alcohol treatment services for 98 participants. Three graduation ceremonies were held virtually or via drive-thru, with 8 participants successfully graduating from ADC I. The year ended with 74 participants, as 14 were terminated for continued noncompliance with program requirements and cases were closed for 2 participants.

The ADC II Program provided drug and alcohol treatment services for 23 participants throughout 2020. In 2020, six new participants entered the program, and none were terminated from the ADC II Program. One participant successfully graduated, and the program ended the year with a total of 22 active participants.

*In 2020, Judge Anita A. Sukola presided over the Adult Drug Court docket.*

### Family Violence Court

The Family Violence Court is an integrated domestic violence court that allows a family to have civil and criminal cases arising from the same incident heard by the same judge who addresses legal issues that occur within families. The “One Judge, One Family” concept helps improve caseload efficiency while increasing the services provided to victims and increasing defendant accountability. User-friendly court forms for persons seeking a restraining order are accessible at the Judiciary’s Self Represented Kiosks and the court website. The Client Services and Family Counseling Division also provides individual and group counseling to defendants in criminal family violence cases.

*In 2020, Judge Vernon P. Perez presided over the Family Violence Court docket.*

#### Adult Drug Court filings:

##### 2016

Criminal Felony – 209

Criminal Misdemeanor – 16

##### 2017

Criminal Felony – 176

Criminal Misdemeanor – 14

##### 2018

Criminal Felony – 221

Criminal Misdemeanor – 1

##### 2019

Criminal Felony – 133

Criminal Misdemeanor – 1

##### 2020

Criminal Felony – 182

Criminal Misdemeanor – 0

#### Family Violence Court filings:

##### 2016

Criminal Felony – 146

Criminal Misdemeanor – 280

Protective Order – 122

Domestic – 8

Civil – 2

##### 2017

Criminal Felony – 154

Criminal Misdemeanor – 236

Protective Order – 135

Domestic – 13

Civil – 0

##### 2018

Criminal Felony – 119

Criminal Misdemeanor – 193

Protective Order – 124

Domestic – 31

Civil – 1

##### 2019

Criminal Felony – 150

Criminal Misdemeanor – 172

Protective Order – 141

Domestic – 49

Civil – 4

##### 2020

Criminal Felony – 139

Criminal Misdemeanor – 172

Protective Order – 126

Domestic – 18

Civil – 8



## Veterans Treatment Court

The Veterans Treatment Court (VTC) assists justice-involved veterans, diverting them into treatment, judicial monitoring, and supervision. Consistent with best practices, the VTC uses evidence-based screening and assessment tools to determine eligibility. Participants receive specialized services and support through a network of service providers including the Guam Community-Based Outpatient Clinic, Guam Behavioral Health and Wellness Center, Guam VET Center, and the Guam Veterans Affairs Office.

In 2020, 27 veterans actively participated in the program. While in the VTC program, three veterans were issued vouchers from the US Department of Housing and Urban Development – VA Supportive Housing Program, and five participants received intensive inpatient treatment at VA-supported off-island facilities.



The VTC held four graduations in 2020, on January 16, July 16, October 15, and December 17, 2020. A total of 10 veterans successfully graduated, and of this number, six were gainfully employed and/or maintained their employment throughout the program. The remaining 17 participants were carried over to the following year.

*In 2020, Judge Maria T. Cenzone presided over the Veterans Treatment Court docket.*

## Juvenile Drug Court

The Juvenile Drug Court (JDC) involves juvenile cases with a drug or alcohol offense. Probation officers use evidence-based risk assessment tools to determine if a youth is eligible for the JDC Program. Participants in JDC receive drug treatment services, have numerous hearings, random testing, group counseling sessions, life skills workshops, and recreational therapy sessions.

In 2020, there were 36 active participants in the program and 16 successfully completed the program. Since 2017, Juvenile Drug Court cases have been filed as Juvenile Delinquency cases, and are no longer reported as a separate case type.

*In 2020, Judge Dana A. Gutierrez presided over the Juvenile Drug Court docket.*



## Mental Health Court

The Mental Health Court strives to provide sustainable and adequate treatment for adult defendants who are mentally impaired or developmentally disabled – a segment of our population that too often is misunderstood and underserved. This specialty court provides wraparound community-based treatment and services to defendants diagnosed with a mental illness brought before the court for alleged criminal behavior. The court ensures that qualified defendants are appropriately screened, evaluated, and treated.

In 2020, the Mental Health Court served a total of 37 clients. Fourteen clients completed probation supervision, and 23 cases were carried over to 2021.

*In 2020, Judge Arthur R. Barcinas presided over the Mental Health Court docket.*

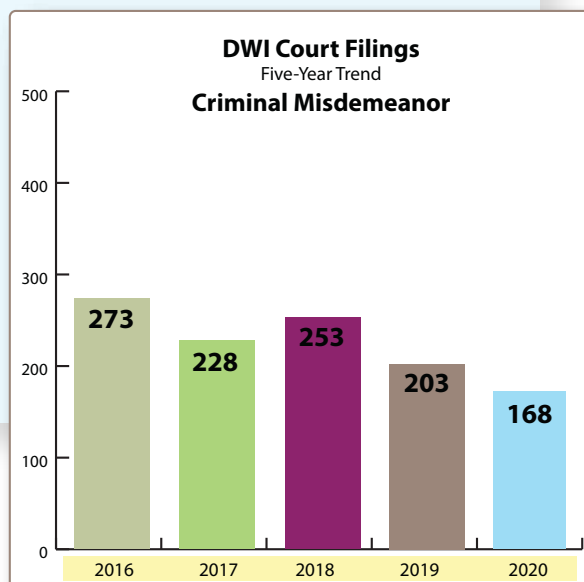
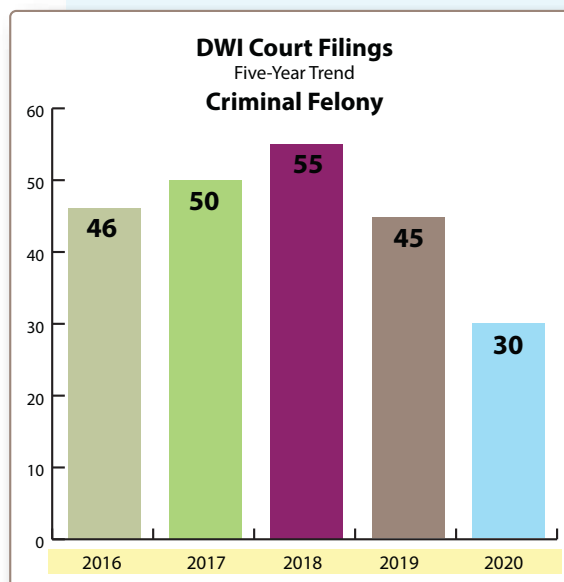
## DWI Treatment Court

The Driving While Impaired Treatment Court (DWITC) serves eligible defendants charged with Driving While Impaired and Driving Under the Influence offenses. Treatment aims to improve the quality of life of the participants by providing holistic supervised treatment to reduce recidivism.

In 2020, 43 participants entered the program. Despite the pandemic and the challenges with maintaining communication, DWITC personnel conducted client contact and case management meetings through telephone calls and videoconferencing meetings. The program also facilitated individual sessions with counselors to give participants additional support.

The DWITC program had two graduations, and nine participants successfully graduated. On July 31, 2020, the DWITC held the first ever virtual graduation.

*In 2020, Presiding Judge Albert C. Lamorena III presided over the DWI Treatment Court.*







# HIGHLIGHTS OF 2020



# 2020 *Highlights*

## Judicial Installation Ceremony of Chief Justice F. Philip Carbullido January 21, 2020

On January 7, 2020, Associate Justice F. Philip Carbullido was elected to serve a fourth term as Chief Justice, succeeding Chief Justice Katherine A. Maraman. He is the first to serve four terms as Chief Justice, having previously held this position from 2004 to 2008, and from 2011 to 2014. The formal oath of office ceremony was held on January 21, 2020, at the Monessa G. Lujan Appellate Courtroom. During his installation ceremony, Chief Justice Carbullido conveyed plans for the judicial branch during his three-year term, including the expansion of court facilities, strategies for generating revenue and the effective expenditure of funds, and proposals to raise employee morale and participate in community outreach events.



## Coronavirus Pandemic: The Judiciary's Response

In March 2020, the announcement of coronavirus cases in Guam resulted in an island-wide shutdown and the suspension of all but essential government services and private industry business.

When judicial facilities were closed to the public, the Judiciary continued to meet local and federal mandates by providing functions essential to the fair administration of justice. In addition, the Judiciary did its part to assist in government-wide efforts. Thirteen marshals and five probation officers volunteered to serve at quarantine and isolation sites and Guam Homeland Security offices. Court interpreters helped produce and record public service announcements, helping the community understand the importance of complying with stay-at-home orders, and guidelines for physical distancing and face masks.

By April 2020, the Judiciary was already planning for reopening, with a transition team comprised of court managers tasked with developing a plan for resumption of judicial branch operations. The team recommended a phased-in approach for employees' safe return to the workplace and preparation for the eventual reopening to the public.

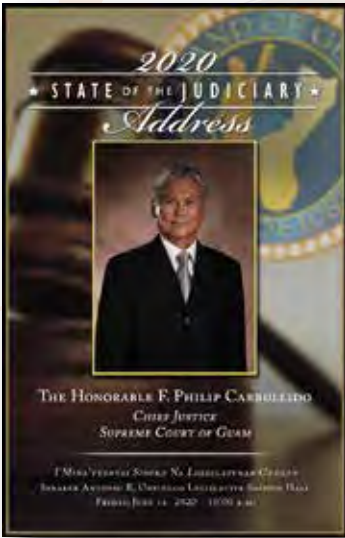


Soon after, Chief Justice Carbullido appointed judicial officers and court managers to the Remote Hearings Committee to review and make recommendations on the Judiciary's operations and services, in the areas of case management and virtual hearings. He also created the Implementation Committee on Virtual and In-Person Hearings, to develop policies and procedures in light of the increased use of virtual hearings. Despite the challenges posed by the pandemic, the Judiciary did not falter in its efforts to expand and improve access to justice and ensure the fair administration of justice. Throughout the remainder of 2020, the Judiciary continued to refine its processes and procedures for both in-person services and virtual proceedings.





## State of the Judiciary Address June 12, 2020



Chief Justice F. Philip Carbullido delivered his State of the Judiciary Address on June 12, 2020, at the Guam Congress Building. He first announced the late Chief Justice Peter C. Siguenza, Jr. as the posthumous recipient of the 2020 Hustisia Award. Chief Justice Carbullido then discussed how the Judiciary developed and executed comprehensive plans in response to the pandemic, which included shifting from in-person proceedings to holding court hearings via teleconference and video-conference, conducting the work of the courts almost entirely on a virtual platform for teleworking employees, and sanitizing court facilities from top to bottom to make them safe for employees and for the public.



"[I]t is primarily because of the strong and solid foundation upon which we have built our Judiciary that we have been able to persevere, evolve, and remain responsive to our mission. The success we have achieved is because of the remarkable dedication, imagination, resilience, and hard work of our judges, clerks, MIS staff, probation officers, facilities staff, and other court employees, aided by the equally remarkable cooperation of the bar and public."

-- Chief Justice F. Philip Carbullido



## Investiture Ceremony for Judge Dana A. Gutierrez July 24, 2020

On July 24, 2020, Dana A. Gutierrez was sworn in as a Judge of the Superior Court of Guam. Prior to her investiture, she worked in the private sector, practicing in the areas of labor and employment law, business planning, corporate governance and regulatory compliance for over 20 years. She has also served in the public sector, as the Judiciary's Director of Policy, Planning, and Community Relations. Judge Gutierrez received a Bachelor of Arts in Political Science and East Asian Area Studies from the University of Southern California, and received her Juris Doctor from University of Southern California Gould School of Law.



## The Critical Role of the Judiciary's Contact Tracing Team

Six months after the declaration of the public health emergency in Guam, the Judiciary received its first report of employees testing positive for COVID-19. In September 2020, Senior Human Resources Management Officer Rhonda Nelson Calvo, Deputy Marshal Supervisor Josef K. Sablan, and Program Coordinator IV Elaine M. Naputi volunteered to serve as the Judiciary's in-house contact tracing team. The team completed week-long training in COVID-19 Case Investigation and Contact Tracing, and developed contact tracing forms to guide investigations of exposed and potentially exposed Judiciary employees. This dedicated team gave 24/7 assistance to Judiciary employees who reported exposure to the virus and worked to identify, contain, and limit exposure of the virus within the Judiciary facilities. In addition to their tracing duties, they provided daily monitoring of employees who were quarantined or isolated.

Contact tracing was conducted for 133 Judiciary employees and nine Executive Branch employees. The efforts of the Contact Tracing Team, Human Resources Administrator Barbara T. Perez, and Marshal of the Courts Troy Pangelinan, helped to contain the spread of COVID-19 among employees. The benefit of having an internal team conduct investigation and tracing also alleviated the burden on DPHSS, which was facing a steady rise in positive cases in the greater community.



## Recognizing the Judiciary's Rising Stars

In October 2020, six Judiciary employees were recognized in 50 Under 40: Emerging Leaders in the Government of Guam, a publication of the Association of Government Accountants Guam Chapter. The publication was undertaken as part of the AGA Guam Chapter's 50th Anniversary and highlights the future of the island's government by featuring younger employees who have made an impact in their organization. To be selected, a nominee must be a current, full-time government employee, have at least five years of work experience, and demonstrate skills to be an outstanding leader and commitment to improving government operation.

The Judiciary employees recognized are:

- Victor Michael C. Camacho, Deputy Marshal Supervisor
- Ana S.M. Cornwell, Attorney II
- Emma Ford Gillan, Judicial Therapist
- Joanna McDonald, Civil Case Manager
- Aaron T.L. Quitugua, Administrative Services Officer
- David Welle, Language Assistance Manager

In recognizing these employees, Chief Justice Carbullido stated, "[N]ot only do you represent a cross-section of our workforce, but you also represent all the good that comes from investing in and nurturing our young employees. Individually and as a group, you are shining examples of dedication, motivation, and innovation in all the ways you contribute to the work of justice. Your talents and efforts have helped our success as an institution."





## Judiciary of Guam Leadership Development Academy

The inaugural cohort of twelve supervisors received intensive training from October 26-29, 2020, as part of the launch of the Judiciary's Leadership Development Academy (LDA). The LDA supervisor training curriculum, designed by Judicial Educator Dawn Blas in collaboration with HR Administrator Barbara Jean Perez, focuses on issues arising from and related to judicial branch operations. The curriculum is a blend of 12 units of e-learning from the National Center for State Courts, which all participants had completed by August 2020, and classroom training.



Artist's interpretation of logo:

*"Lady Justice leads the way, as the green drop-shadowed people signify new/green/novice/beginners ready to be led/taught/guided. I used some elements of the official IOG logo to keep in line with our theme."*

--J. Perez-Jackson



In 2020, the classroom training was conducted virtually via Zoom, by Judiciary managers and subject matter experts. The class sessions consisted of the following modules:

- Overview of the Courts, and Leadership Roles and Responsibilities
- Judiciary of Guam Performance Evaluation System
- Managing Human Resources
- Employee Engagement
- Communication and Interpersonal Skills
- Understanding EEO and ADA Complaint Process
- Behavioral Wellness
- Employee Assistance Program (EAP)
- Leadership vs. Management
- Employment Policies and Leave Benefits
- Managing Stress
- Mindfulness in the Workplace



The second LDA cohort completed their classroom training from November 30 to December 4, 2020. It is anticipated that more LDA cohorts will undergo training in the future.

## 2019 Citizen-Centric Report Receives Award

The Judiciary of Guam released its 2019 Citizen-Centric Report in October 2020, in accordance with Guam law that requires a government entity to publish and distribute its Citizen-Centric Report (CCR) no later than 60 calendar days after its independent audit report has been released by the Office of Public Accountability for each fiscal year.

The Judiciary's 2019 CCR received the Bronze Award for Excellence in Citizen-Centric Reporting from the Guam Chapter of the Association of Government Accountants (AGA) – the third consecutive year the Judiciary's CCR has received this honor. The Judiciary was also the recipient of the Accountability and Transparency in Citizen-Centric Reporting Award for issuing and posting its citizen-centric reports for Fiscal Years 2010-2019.

The awards were formally recognized and virtually presented during the December 23, 2020 general membership meeting of the AGA Guam Chapter.



# Judiciary of Guam

Here are some interesting statistics about our court in 2020.

Number of divorces filed

**406**



**8**  
ABA  
Law Day  
Awards Won



Retired employees

Court Patrons screened at the  
Guam Judicial Center

**68,614**



**1,526**

VTC Client Contacts

Court Patrons screened at the  
Northern Court Satellite

**14,307**

Court Patrons screened at the  
Historic Courthouse

**23,654**



**23**  
Adoptions

Court Patrons screened at the  
San Ramon Building

**878**



Adult Drug Court participants



Wills Deposited



**85**

Children in the  
Guam Family  
Recovery Program




**9**  
DWITC  
Graduates



Sex Offender Registry  
home verifications



**1,725**   
twitter followers



**10**  
Veteran Treatment Court Graduates



**36**  
Supervisors Completed the  
Leadership Development Academy



**2473**



**2** Vietnamese interpreters



**16**  
Juvenile Drug Court Graduates



**6,476**  
Jurors present



**35**  
Number of Marriages



**150**  
Registered Court Interpreters



**190**  
Virtual Case Management  
Meetings for Adult  
Reentry Court



**95**  
**51** Deputy Marshals +  
Probation Officers Completed  
Firearms Qualification Training

**Court Clearances:**

**Dededo: 4,367**

**Hagåtña: 4,698**





## Farewell and Best Wishes!

Judge Michael J. Bordallo resigned from the bench in February 2020, after 22 years of service as a Superior Court Judge. During that time, he presided over nearly every case type, from complex civil litigation to criminal jury trials to juvenile cases. He served as co-chairperson of the Judiciary's subcommittees on Civil Jury Instructions and Alternative Dispute Resolution, and the Guam Board of Law Examiners Drafting and Grading Committee. He also presided over numerous treatment courts and co-chaired subcommittees on Juvenile Justice Reform. We extend our best wishes on his new position as the Magistrate Judge of the District Court of Guam.

## Retirements

The Judiciary saw the retirement of eight longtime employees in 2020.

Senior Alternative Sentencing Officer **Anthony "Tony" L.G. Aguon** retired in January 2020 after a 21-year career with the Probation Services Division. Mr. Aguon began his career as a Probation Officer I in 1998, after graduating with a Criminal Justice degree from California State University.

**Robert J. Gaminde**, Planning and Systems Design Supervisor in the Management Information Systems (MIS) Office, retired after 16 years of service to the Judiciary. His expertise and professionalism were instrumental during the Superior Court's transition to a computerized case management system.

**John Q. Lizama** retired as the Administrator of the Courts in January 2020, after more than 28 years of service to the Judiciary. Mr. Lizama first joined the court as a Probation Officer III in 1991, and brought his prior work experience with the Department of Corrections and Department of Youth Affairs. He was promoted to Probation Officer Supervisor, then Deputy Chief Probation Officer, and then served as the Chief Probation Officer for ten years. In 2017, Mr. Lizama was appointed to Administrator of the Courts by Chief Justice Katherine Maraman.

Senior Probation Officer **Anthony L. Morcilla** retired in September 2020, after a 27-year career with the Judiciary. Mr. Morcilla was first employed as an Alternative Sentencing Officer in 1993, and steadily rose through the ranks, serving as Probation Officer I, II, and III during his career with the court.

**Jeannette M. Quintanilla**, Senior Probation Officer, retired in December 2020 after nearly 28 years with the Probation Services Division. She was promoted to the position of Drug Court Coordinator in 2001 and served in that capacity for more than 12 years. Ms. Quintanilla played a critical role in building one of the first treatment court programs.

Management Officer **Bernie M. Rosario** gave more than 29 years of service to the Judiciary before her well-deserved retirement in September 2020. During her career with the Probation Services Division, she served as an Administrative Secretary, Administrative Services Assistant, Management Officer, and Management Secretary.

**Cynthia C. Sablan**, Courtroom/Chamber Clerk, retired after more than 33 years of service to the Superior Court. Ms. Sablan rose through the ranks as Deputy Clerk I, II, and III and was promoted in 1999 to Courtroom/Chamber Clerk for Superior Court Judge Michael Bordallo, where she served until her retirement in March 2020.

Senior Probation Officer **David C. Uson** retired in February 2020, after serving more than 28 years in the Probation Services Division.

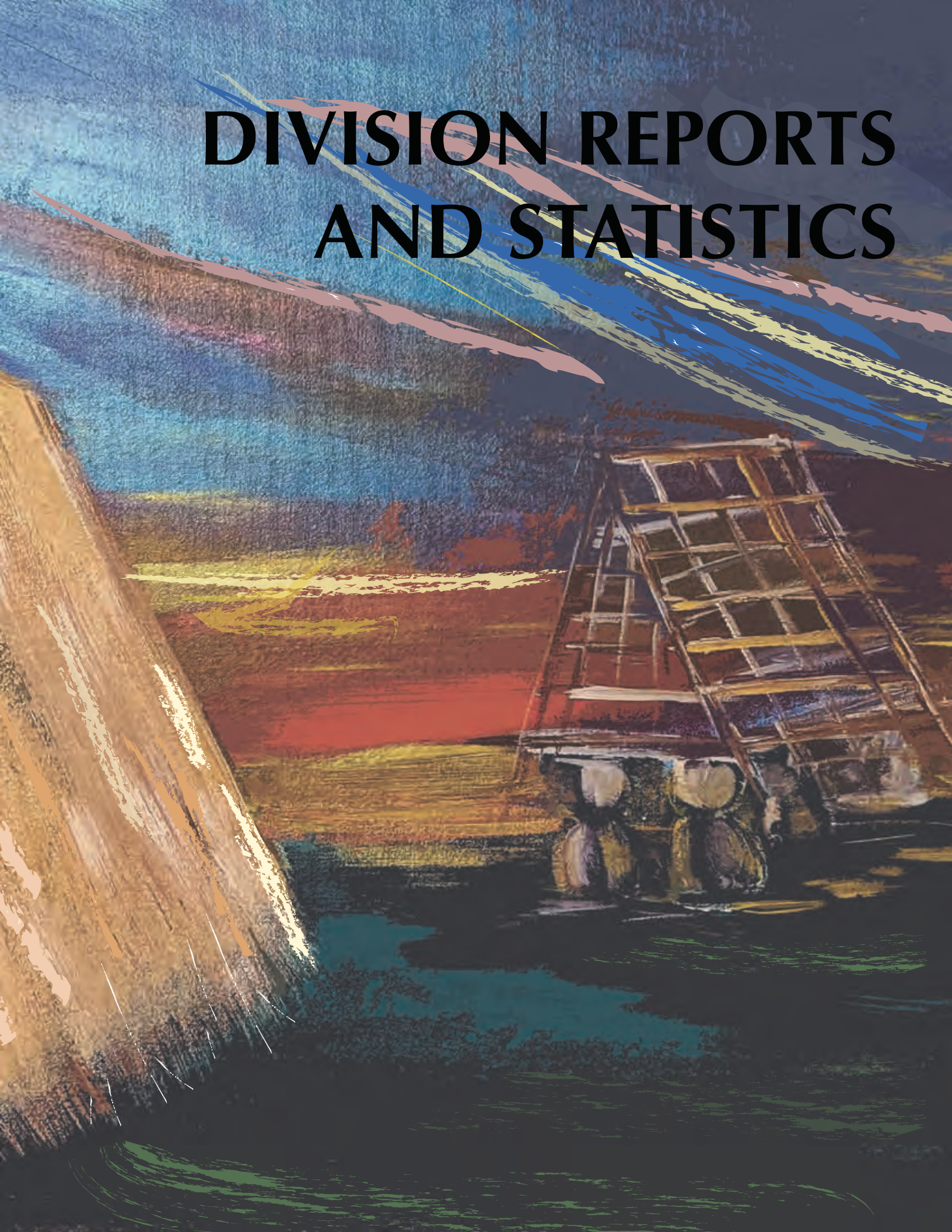
## In Memoriam



*The Judiciary Family was saddened by the loss of longtime employee Barry J. Quinata, who passed away on January 2, 2020. Mr. Quinata first joined the court in 1995 as a Facilities Maintenance Worker, and rose through the ranks to serve as Maintenance Leader (Electrician), Facilities Maintenance Supervisor, and then his most recent promotion to Facilities Maintenance Superintendent in 2019. Mr. Quinata was part of the Judiciary family for nearly 25 years, and he was honored with a ceremonial drive-by on January 15, 2020, when judicial officers, managers, staff and law enforcement personnel of the Judiciary of Guam gathered outside the Guam Judicial Center, prior to his funeral service in Umatac.*



# **DIVISION REPORTS AND STATISTICS**





## Court Administrative Services Division

The following reports reveal the work of Judiciary employees, who were reporting in-person as essential employees as well as teleworking from home, to ensure the fair and impartial administration of justice despite the pandemic.

The Court Administrative Services Division is comprised of the Office of the Administrator of the Courts (AOC), Procurement and Facilities Management, Management Information Systems, Human Resources, Court Programs, and Financial Management. The AOC also oversees offices and programs including Staff Attorneys, the Judicial Educator, the Public Information Officer (PIO), the Employment Assistance Program (EAP), and the Americans with Disabilities Act (ADA) Coordinator.

### Administrative Office of the Courts

Upon her appointment in January 2020, Attorney Kristina Baird assumed leadership of a court management team composed of both longtime employees and new faces in key leadership positions. The Judiciary began planning for the execution of several initiatives envisioned by Chief Justice F. Philip Carbullido, including capital improvement projects and employee programs focused on morale and professional development.

The declaration of a public health emergency in March 2020 temporarily disrupted these plans, and the Judiciary shifted its priorities in response to the pandemic. By April 2020, the AOC called on Judiciary division heads to prepare for the eventual reopening of the courthouse and the resumption of operations, by formulating a transition plan that adhered to health and safety protocols. Even in light of the volatility of the public health situation, the Judiciary prepared a comprehensive plan that highlighted the protection and safety of employees and patrons, and compliance with federal and local guidance.

Whether reporting in-person or teleworking Judiciary employees regularly received information through the Employee Assistance Program (EAP). From March to December, the EAP kept employees connected through near weekly flyers covering topics such as teleworking, emotional health resources, and cybersecurity. From August to December, the EAP also coordinated 15 free virtual yoga sessions for employees and their families.

### Procurement and Facilities Management

The Procurement and Facilities Management (PFM) Office has two primary responsibilities in supporting Judiciary operations. PFM administers the purchases and contracts for supplies, services, construction, professional engineering services, professional consulting services, and group health insurance for Judiciary employees. It also provides contract management services and performs other duties related to negotiation and management with vendors. PFM is responsible for the maintenance and upkeep of Judiciary facilities and properties in Hagåtña and Dededo and the official vehicles fleet. PFM also manages capital improvement projects and executes Judicial Building Fund projects.





PFM directly supported essential judicial functions by processing hundreds of purchase orders for procurement of personal protective equipment, and supplies and equipment for cleaning and sanitizing, such as face masks, hand sanitizer and dispensers, disinfectants, and cleaning materials. The office also used federal funding to procure laptops, webcams, and office equipment for use in virtual court hearings and videoconferences, and by employees on work-from-home status. With many employees teleworking, PFM crews worked on the courthouse parking areas, repainting existing lines and creating additional stalls in the employee lot.

Facilities Management maintains, repairs, and is responsible for the upkeep of:

- 180,000 square feet of office, courtroom, training, and storage space
- 7.5 acres of grounds and parking
- Lighting – buildings (interior and exterior) and parking areas
- Air conditioning – central, split and mini-split units
- Fire alarms and smoke detectors
- Fire suppression equipment (sprinklers, hoses, and extinguishers)
- Elevators
- Roll-up doors
- Back-up generators
- Fuel storage
- Trash and hazardous waste disposal
- Pest control
- Official vehicle fleet

Upon the acquisition of the San Ramon Building (SRB) in June 2020, PFM successfully converted the building's second floor offices into a high-capacity courtroom, jury deliberation room, and judge's chambers. The construction of the SRB space, and the conversion of the Supreme Court appellate courtroom to a second high-capacity courtroom, were important accomplishments that ensured compliance with both public health mandates and the constitutional rights of criminal defendants. When safety protocols permitted, both courtrooms were in constant use for criminal trials and proceedings throughout the remainder of the year.

In addition to their work on the Judiciary's facilities and contracts, PFM team members provided and participated in training activities such as the Judiciary's Leadership Development Academy. Notably, at the beginning of the year, all Procurement staff, other than the newly appointed Administrator, were certified and in compliance with Guam law regarding formal procurement training.

Mr. Carl Dominguez joined the Judiciary as the PFM Administrator in January 2020, and began the planning process for several capital improvement projects. These projects included the acquisition of two properties adjacent to the Guam Judicial Center, the renovation of the Hagåtña courthouse for a dedicated server room and spaces to accommodate jury services, and the renovation of the Route 4 building leased by the Judiciary.

The closure of the courthouse due to the coronavirus pandemic did not halt work of PFM. Maintenance staff continued to report to work daily, making it a priority that the Judiciary employees return to work in a safe and sanitized facility. In addition to the building and vehicle cleaning and sanitation performed by staff, PFM procured vendor services for air conduit cleaning, carpet extraction for common area spaces, and janitorial cleaning and sanitizing. PFM personnel fabricated numerous plexiglass shields for use throughout the Judiciary facilities, from courtrooms, to intake counters, to marshal checkpoints at the building entrances. Protective shields were also constructed for GPD clearance offices, grand jury proceedings, counseling sessions, and at official functions, such as the State of Judiciary Address.

Carl V. Dominguez, *Procurement and Facilities Management Administrator*

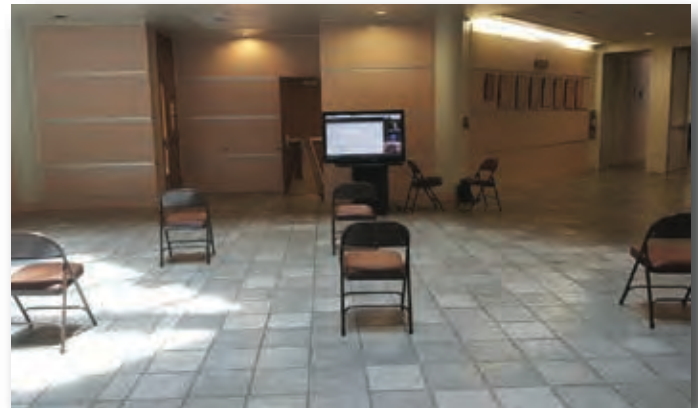


## Management Information Systems

Management Information Systems (MIS) is responsible for all aspects of the Judiciary's computer network and information systems at Judiciary facilities in Hagåtña, including the Guam Judicial Center, Historic Courthouse, San Ramon Building, Route 4 Building, and the Office of the Compiler of Laws. The office also has responsibility for court operations in the Northern Court Satellite (NCS) in Dededo. MIS provides technical support for JustWare, the Judiciary's case management system, and the Enterprise Resource Planning (ERP)/Logos software database application used to manage all human resource, purchasing, and accounting transactions of the Judiciary. MIS also maintains all security access servers for entrance throughout Judiciary facilities, video conferencing for appearances for court hearings, and facility management servers that control the air conditioning systems and elevators. The office is also responsible for preparing and deploying computer systems and peripherals, and other hardware necessary for judiciary operations. MIS holds a critical role in supporting law enforcement operations for the island by maintaining databases that provide information relating to criminal history, background checks, warrants, sex offender history, and other information vital to enforcement of all local and federal laws.

Throughout 2020, MIS took the lead in steering the Judiciary in the effective use of digital technology in response to the COVID-19 pandemic. This important role has placed MIS at the forefront in supporting the essential operations of the Judiciary and has required MIS to adopt an open approach to provide more reliable and adaptable support. The office responded to the pandemic by adapting to courtroom changes, embracing policies and rapid technological changes, and demonstrating the inevitability of technological advancements.

The work of MIS has enabled the Judiciary to safely and securely conduct courtroom operations by using remote and mobile technology to bridge physical distance and bring together judges, clients, attorneys, court staff and service providers both on-island and abroad. The office coordinated with PFM to prepare and deploy laptops and webcams to support remote hearings and teleworking employees and implemented security measures to tighten internal firewall configurations to ensure that remote access to the Judiciary remained secure and systems and data were protected. MIS identified and created Zoom rooms within the Hagåtña courthouse for attorneys and clients to appear in court hearings, and created public observation areas that allowed attendance at Judicial Council meetings and court hearings, while also complying with physical distancing guidelines.



Joseph Mannion, *Management Information Systems Administrator (2020)*

Robert S. Rabago, *Management Information Systems Administrator (effective 2/2021)*

### Notable accomplishments in 2020:

- Reconfigured Wi-Fi and network access to create a more stable and secure connection and to meet the demands of higher bandwidth needed for virtual hearings, meetings, and group presentations.
- Planned and deployed nearly 200 laptops and computers to court employees to support remote access for court hearings, meetings, and telework.
- Worked to set up the courtroom, audio equipment, and closed circuit TV cameras, and coordinated with vendor for fiber connection for the San Ramon Building high capacity courtroom.
- Oversaw the changeover of the Judiciary's internet service provider, a new contract that tripled the internet broadband speed and nearly doubled the Wi-Fi broadband speed.
- Relocated audio equipment and courtroom recording systems and configured special connections for VPN access to support the use of alternate spaces for jury and courtroom proceedings.
- Planned and executed the relocation of the Judiciary's main jury servers for primary court applications, including JustWare, ERP/Logos software, the jury system, calendar system, email, and domain network servers.
- Prepared and executed annual ERP/Logos system upgrade.
- Prepared and executed upgrades to the jury system.



## Human Resources Office

The Human Resources (HR) Office oversees and manages recruitment and selection, compensation and benefits, training and development, performance management, and workforce discipline of Judiciary employees. The office also ensures compliance with federal and local employment-related statutes, administrative employee management policies, and personnel rules and regulations promulgated by the Judicial Council. HR's primary goals involve aligning the Judiciary's mission and vision statement in conjunction to the Judiciary's Strategic Plan, and continuously improving standards to attract and maintain a competent, skilled, and professional workforce.

In response to the pandemic, and in compliance with executive and Judiciary administrative orders, HR staff was initially placed on work from home status but later shifted to using staggered shifts to decrease in-person contact and to adhere to the occupancy limits of Judiciary facilities. The HR Office was instrumental in the creation and implementation of the following administrative policies, as the Judiciary continued essential operations while adapting to a virtual work environment:

- Contact tracing processes in compliance with the Protocol for Communicable Disease Exposure or Symptoms by a Participant in Judiciary of Guam Facilities
- Teleworking Policy
- Laptop and Mobile Device Interim Policy
- Password Management Policy

The HR Office was also responsible for implementing special leave policies in accordance with federal legislation passed in response to the pandemic, including the Emergency Paid Sick Leave Act and the Emergency Family Medical Leave Expansion Act. These special leave policies applied to a specific time period, and to eligible employees under certain qualifying reasons related to the pandemic.

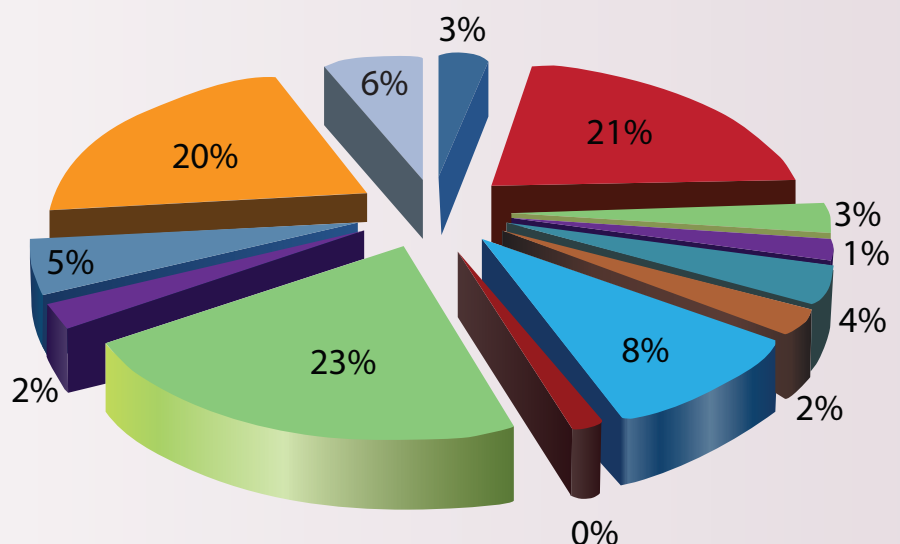
Despite the challenges posed by the pandemic, the HR Office undertook many important projects in 2020. A key accomplishment was completing an updated draft of Judiciary Personnel Rules and Regulations, which were more than 35 years old. The proposed rules were submitted for legal review incorporating the Revised Code of Conduct and the general policies governing Progressive Discipline, Attendance, Fitness, Outside Employment, and the Fair Chances Hiring Process Act and Background Check Procedures.

Significant accomplishments of the HR Office in 2020 also include:

- EEO/ADA training on the Code of Conduct, Professionalism and Customer Service for all Judiciary employees (in-person session before the pandemic)
- Launch of the Leadership Development Academy and completion of two cohorts in virtual platform
- Audit of 145 law enforcement officers relating to compliance with POST Commission requirements
- Physical Fitness Qualifying Tests for Judiciary law enforcement officers
- First Virtual Onboarding (new employee orientation)
- Virtual Open Enrollment for FY2021 Health Insurance, GovGuam Life Insurance, and Cafeteria Plan

### 2020 Staffing Levels

- Administrator of the Courts (11)
- Courts and Ministerial (85)
- Client Services and Family Counseling (12)
- Court Programs (5)
- Financial Management (16)
- Human Resources (8)
- Judges Chambers (34)
- Judicial Hearings (2)
- Marshals (94)
- Management Information Systems (10)
- Procurement & Facilities Management (22)
- Probation Services (79)
- Supreme Court (26)



## Financial Management

The Financial Management Services division (FMD) is responsible for effectively managing the Judiciary's financial resources and obligations. FMD also spearheads the preparation of the Judiciary's annual budget. FMD conducts internal audits and prepares financial reports, including revenue and expenditure forecasts, accounts payable, payroll, federal and local appropriations, accounts receivable, and cash collection and disbursement. FMD is also responsible for various funds under the Judiciary's purview, including the Operational Fund; various fiduciary funds such as Trust, Traffic Court, Guardianship, Land Condemnation, Jury, Judicial Client Services and Safe Streets Act; and the Judicial Building Fund, a capital project fund.

Although the COVID-19 pandemic brought many challenges to the island of Guam and to the operations of the Judiciary, FMD maintained and provided continual support for the Judiciary's operations. Despite the pandemic, staff of FMD constantly worked to ensure the timely release of payments and restitution to vendors, jurors, court-appointed attorneys, victims, and court-involved individuals and entities. FMD consistently processed payroll on time to alleviate any financial strains and uncertainty created by the pandemic. Further, FMD oversaw tax garnishment collection and processing, which yielded collections of \$39,000 in 2020. FMD also played an important role in the annual upgrade and testing of the Enterprise Resource Planning (ERP)/Logos software database application.

Although many other government services were closed in 2020, FMD did not close its doors to any bail payment transactions, and continued to assist other court divisions, including Procurement, Marshals, Probation, Courts and Ministerial, the Office of the Public Guardian and all other divisions to support the essential functions of the Judiciary. FMD was able to quickly adapt to the challenges brought by the pandemic, from developing an electronic timesheet system that helped account for employees and their telework activities, to completing reports and audits, to providing and completing training. Specific FMD accomplishments during 2020 include:

### Audits:

- Completed Equitable Sharing Program Audit of FY 2018 to FY 2020 (reinstating compliance status)
- Completed FY 2019 Unified Judiciary of Guam Audit as part of the Government of Guam
- Prepared audit and corrective action plan to six Department of Justice (DOJ) federal grant award audit (pending response)

### Reporting:

- Assisted in the FY 2019 Citizen-Centric Report (which won the AGA Guam Chapter Award)
- Took the primary lead in preparing the Judiciary's FY 2021 Annual Budget request, with Finance Administrator presenting FY 2021 Annual Budget request to the Guam Legislature
- Filed financial reports for federal grant awards consistently and timely
- Ensured compliance with CARES Act budget, reporting and reimbursement requirements
- Oversaw tax garnishment collection and processing

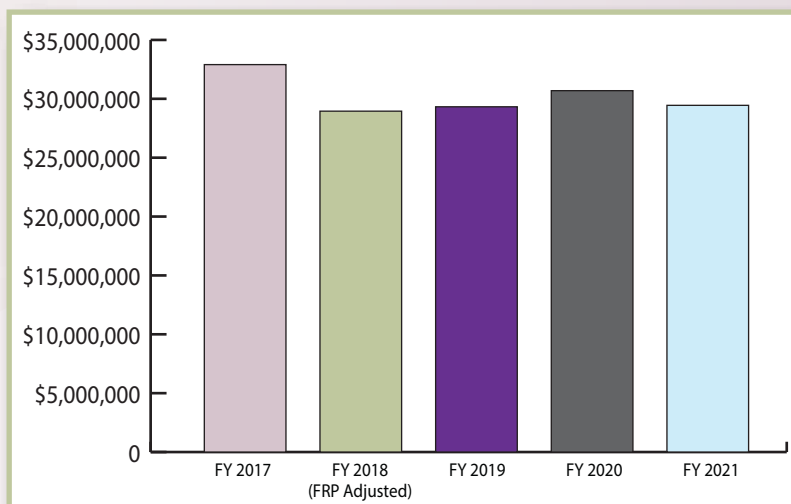
### Training:

- Conducted presentations in the Leadership Development Academy (LDA)
- Completed LDA training by the Deputy Finance Administrator
- Completed various Federal Grants programs training

### SOP and other processes:

- Drafted Federal Program Management SOP
- Completed Equitable Sharing SOP
- Updated and streamlined the Voucher Process and related SOP
- Created electronic timesheets

Ma. Dianne O. Gudmalin, *Finance Administrator*



To explain the Judiciary's financial position in 2020, FMD reports that it is critical to understand the history of the Judiciary's appropriations, resources, and obligations. In this analysis, FMD has emphasized the dramatic decrease of the Judiciary's General Fund appropriations over the last five years. At the time of the writing of this report, the Judiciary saw a 6.7% drop in appropriations from FY2017 to FY2020, and an anticipated drop of 10.51% for FY2021. The reduction in General Fund appropriations has a significant impact on operations, as an average, 83% of the Judiciary's expended resources is funded by General Fund appropriations, and nearly 90% of this funding source covers personnel costs. Consequently, the Judiciary's workforce count decreased by 5.81% from FY2017 to FY2020, which challenges the Judiciary's capability to meet mandates, support operations, and create succession plans for professional development and workforce continuity. With increasing numbers of eligible retirees, the Judiciary must address unfunded retirement payout obligation. In addition to personnel cost matters, the Judiciary also continues to be challenged with limited infrastructure, outdated equipment, and software and rising security threats.



## Court Programs

The Court Programs Office (CPO) is responsible for the administration of grant funds, final approval of grant-related encumbrances, and the timely submission of programmatic and financial reports. As of December 2020, CPO had oversight over approximately 30 grant awards that support Judiciary programs, the total of which amounts to more than \$10 million. The total grant funds awarded to the Judiciary in 2020 was in excess of \$3.8 million.

In collaboration with Judiciary stakeholders, CPO monitors the progress and ensures the goals and objectives of the programs are achieved. The CPO acts as the primary liaison between the Judiciary programs and grantors, ensuring compliance with all grant requirements. The CPO staff work diligently and collaboratively with Judiciary divisions and community stakeholders, including government, civil society, and private sector organizations, in the preparation and submission of grant applications. This requires communicating and meeting with stakeholders, extensive research, data gathering and analysis, creative and innovative thinking, and effective writing.

Upon the declaration of a public health emergency due to the COVID-19 pandemic, CPO staff volunteered to telework, allowing their offices to be utilized by colleagues whose duties require them to report to the worksite. While on telework status, the CPO staff continued to perform their grant administration duties, as well as expand their professional development by participating in online training, attending conferences, webinars, and other educational events.

Due to the challenges posed by the pandemic, grant funds were not fully utilized as originally planned; however, the CPO worked with stakeholders to prepare and submit reprogramming requests to the grantors regarding identified lapsed/excess grant funds for the following top priorities: (1) to build capacity and support the recruitment of critical positions, including direct service providers; (2) to purchase technology equipment and services to increase and enhance technological capacity and virtual/remote platforms; and (3) to purchase sanitizing supplies and PPE to promote and protect the health and safety of Judiciary employees and the public.

Alicia Limtiaco, *Acting Court Programs Administrator*

In 2020, the following grant awards were received by the Judiciary:

- FY 2020 Guam Sex Offender Registry Project: \$399,312 over a three-year period
- FY 2020 NCHIP: \$537,425 for one year for the Judiciary case management system
- FY 2020 Innovations in Supervision Initiative: Guam Adult Probation Reform Initiative Project: \$263,341
- FY 2020 OJJDP Juvenile Drug Treatment Court Project: \$600,000 over a four-year period
- FY 2018 STOP VAW: \$29,744 until June 30, 2021
- FY 2021 DPW DWI Alcohol Education Project: \$10,522 until September 30, 2021
- FY 2020 SAMHSA Adult Drug Court Enhancement Project: \$1,997,980 over a five-year period

## Judicial Education Center

In collaboration with HR, Judicial Educator Ms. Dawn Blas designed, developed, and implemented the Leadership Development Academy (LDA) curriculum, training content, course materials, and a variety of training and learning methods for the Judiciary's first supervisor training program. The LDA launched in November, and was hosted 100% online with presentation material archived for participants to access on-demand.

In 2020, the Judiciary's training and education initiatives moved from in-person services to an online environment. The work of the Judicial Educator included creating an online virtual library that enabled employees to access free online courses through the National Center for State Courts' Institute of Court Management, and other learning resources, including sessions of the National Association of Drug Court Professionals Rise20 Virtual On-Demand Conference. This virtual library included curriculum focused on employee roles within the Judiciary, such as FIT TIPS with Roy and Bobby, training videos for law enforcement officers preparing for the annual physical fitness qualifications test. The JEC also hosted training for court law clerks and research attorneys, and guardianship classes with the Office of the Public Guardian.



**FIT TIPS WITH ROY AND BOBBY**

## Courts and Ministerial Division

The Courts and Ministerial Division (C&M) holds a critical role in the administration of justice and is often the first point of contact for those seeking help through the judicial process. Staff of this division provide quality, efficient, and effective service to judicial officers, attorneys, and the public at two court locations – the Guam Judicial Center in Hagåtña and the Northern Court Satellite in Dededo.

Essential duties of the division include managing and processing all Superior Court case filings, maintaining the custody and control of all Superior Court records, assembling juries, providing court transcription services, preparing court clearances, and processing traffic citations. Other essential services include the fair and equitable assignment of cases to Superior Court judicial officers, providing support staff for judges' chambers, managing the Court Interpreter Registry Program, and facilitating the use of the Self-Represented Litigants Kiosk by persons representing themselves in court proceedings.

C&M includes the following units:

- Intake, Mid-intake, and E-Filing
- Records
- Traffic Violations Bureau
- Small Claims Court
- Team Units
- Appeals
- Jury Unit
- Master Calendar Cases
- Court Reporters Unit
- Court Interpreter Registry Program



The work of C&M continued throughout 2020, despite the global coronavirus pandemic that shutdown much of the island, as the division was classified as providing essential court services. Division accomplishments related to the pandemic response include: reviewing and revising court processes and SOPs to adapt to a virtual platform; training judicial officers, staff, and stakeholders in using the Zoom platform for court interpreter services; assisting with the drafting and completion of the Judiciary's Transition Plan, Remote Hearings Implementation, and the Implementation Committee Plan; and training DPHSS staff on citation issuance for violation of COVID-19 regulations.

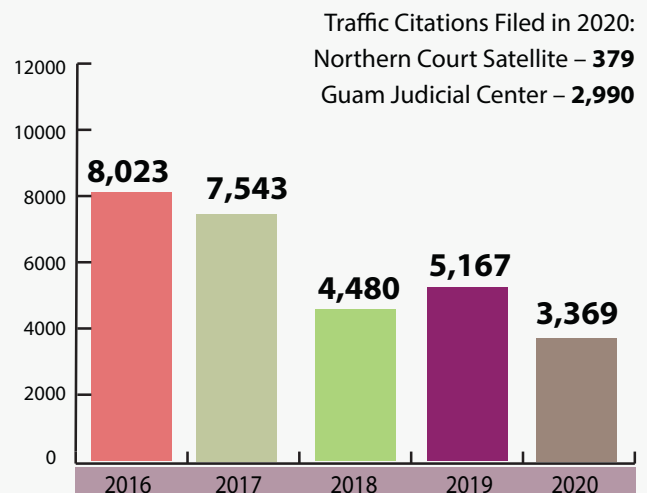
During the period when judicial facilities were closed to the public, C&M staff continued to report to work to review and process court paper filings and email filings, respond to patron requests, and provide support to judicial officers. Staff also completed assignments while on telework status, including completing online courses from the National Center for State Courts (NCSC), attending webinars and listening to podcasts from the National Center for Court Management, and reviewing and revising workflow and caseflow SOPs.

In addition to directly supporting both virtual and in-person court hearings, C&M staff also provided case reports to judges to assist with the docket rotation, assisted judicial officers with drafting and finalizing the case assignment procedures for adoption and implementation in 2021, and collected and submitted Superior Court case data for the NCSC Court Statistics Project.

Despite the challenges posed by the pandemic, C&M staff quickly adapted to new ways of processing court documents and providing service virtually and electronically to jurors, attorneys, self-represented litigants, interpreters, and court patrons.

Danielle T. Rosete, *Clerk of Court*

### Traffic Citations Filed - Five-Year Trend





## Jury Unit

The Jury Unit oversees the jury process for matters brought before the Superior Court and is primarily responsible for ensuring the availability of grand jurors and trial jurors. Each year, thousands of island residents, representing a fair cross-section of the community are summoned for jury duty. The Jury Unit conducts orientations for the summoned jurors to provide jurors the necessary information for jury service.

Due to the pandemic, there was a significant drop in the number of jurors reporting for jury service. When it was safe to resume in-person operations, the Judiciary implemented measures to ensure juror safety, such as requiring jurors to complete COVID-19 screening questionnaires, and to comply with safety protocols when reporting for duty.

### JURY MANAGEMENT STATISTICS Five-Year Comparative January 1, 2016 through December 31, 2020

CATEGORY	2016	2017	2018	2019	2020
Petit Jury Orientations	29	37	29	31	24
Petit Jury Trial Case Appearance (Days)	208	226	193	242	64
Grand Jury Selections	1	2	2	2	3
Grand Jury Appearance (Days)	192	188	180	187	102
Grand Jury Cases Heard	742	747	788	712	498
Jurors Present	15,200	16,878	14,400	16,270	6,476

### Jury-Related Expenses and Trials (Fiscal Year)

	2016	2017	2018	2019	2020
Number of Jury Trials	45	53	48	53	7
Expenses	\$456,000	\$455,000	\$443,000	\$537,000	\$194,280

## Court Interpreter Registry Program

The Court Interpreter Registry Program (CIRP) promotes the accuracy and integrity of judicial proceedings and preserves fundamental principles of fairness and access to justice by providing interpreter services to persons with limited English proficiency. Judiciary staff train interpreters and provide interpreter services in both court hearings and non-courtroom matters.

In 2020, changes in court operations and the move to virtual hearings required a different mechanism for how interpreters appeared in court hearings to assist persons with limited English proficiency. Nine new interpreters were recruited and trained by the CIRP, and sworn in during a virtual ceremony on July 17, 2020. Much of the year was spent training court staff and interpreters on using the Zoom virtual platform for remote hearings and appointments. The CIRP registered interpreters also had to quickly learn how to participate in court hearings by telephone conference.



Currently, the CIRP has a total of 150 registered interpreters, 42 active who provide interpreter services for more than 22 languages. The Program provided interpreter services in nearly 5,000 court hearings and almost 1,000 non-courtroom matters.

## Client Services and Family Counseling

Client Services and Family Counseling Division (CSFC) holds an important role in the judicial process, by providing clinical and forensic evaluation services. The work of the division focuses on evaluating defendants, juveniles and their families, and advising the court regarding their behavioral health care needs and additional supports. CSFC provides court-involved individuals and their families with a variety of therapeutic, psychological, consultative and educational services, which include:



- Forensic evaluations
- Psychological evaluations
- Psychosexual assessments
- Risk Assessments
- Individual, family, and couples counseling
- Group counseling

The division coordinates and collaborates with the Probation Division, Guam Behavioral Health and Wellness Center, Department of Corrections, Department of Youth Affairs, Sanctuary, Inc., Oasis Empowerment, Lighthouse Recovery Center, and private providers, as part of its services, case management practices, and programs.

CSFC is comprised of ten full time clinical staff and two administrative support staff. The clinical staff consists of both doctoral and masters level psychologists and therapists: an Administrator, a Clinical Psychologist, four Senior Judicial Therapists, and two Judicial Therapists; all hold professional clinical licenses. Two Judicial Therapist Interns, who have completed their degree program, provide services under the supervision of a licensed therapist.

The COVID-19 pandemic radically and rapidly altered how treatment was, and continues to be, provided at CSFC. The government-wide shutdown in March 2020 resulted in the temporary suspension of in-person services, with CSFC continuing to provide immediate telephonic services to those most at risk.

CSFC moved quickly to address the immediate service needs of its clientele, and began exploring telehealth services, an option that was not in its plans prior to the pandemic. Staff completed telehealth training online, and developed policies and procedures to ensure both consistency of access and protection of privacy, including revising intake, assessment, and consent forms. CSFC also developed internal processes for e-filing reports to the court and the CSFC electronic case management system. CSFC staff also began exploring and testing available telehealth video platforms that were HIPAA-compliant, and obtained Zoom for Healthcare licenses for all of its clinical staff in November.

Many of CSFC's clientele, however, have neither the technology nor the financial means for telehealth. CSFC created a return to work plan that addressed the safety of both staff and clients, which included installing physical (plexiglass) shields in clinical rooms, and reconfiguring workspaces, and waiting areas, as well as using alternative work and meeting sites. Upon the reopening of the judicial building, in-person contact has been controlled by using phone or video meetings and staggering work shifts, creating a system of clinical staff rotation for in-person and telehealth sessions, and enforcing physical distancing and use of personal protective equipment.

The pandemic, however, has also resulted in the expansion of CSFC services, to include both in-person and telehealth, and the creation of new internal processes to better address client needs. It is anticipated that these changes will have lasting effects on CSFC practice. CSFC clinicians now have a more nuanced appreciation of the strengths and weaknesses of telehealth. Importantly, clients are able to comply with court conditions, and in some cases, maintain their employment while still receiving treatment.

Virginia W. Yasuhiro, CSFC Division Administrator

CY 2016 - 2020 Case Referrals by Case Type Comparison					
	2016	2017	2018	2019	2020
Criminal Felony	266	286	288	328	196
Criminal Misdemeanor	277	321	220	218	127
Domestic	8	8	10	6	2
Juvenile Delinquency	171	161	101	108	64
Juvenile Proceeding	77	70	83	75	62
Juvenile Drug Court	102	38	3	1	0
Protective Order	1	2	5	2	3
<b>TOTAL</b>	<b>903</b>	<b>886</b>	<b>710</b>	<b>738</b>	<b>454</b>

This table shows the five-year trend of new case types received. There was a significant decrease in comparison to 2019, due to the pandemic. For most of 2020, court hearings were permitted in criminal cases and not civil proceedings, therefore, the majority of referrals arose from Criminal Felony and Criminal Misdemeanor cases, with the remainder in juvenile cases.



### Services - Performance Outcome 2020

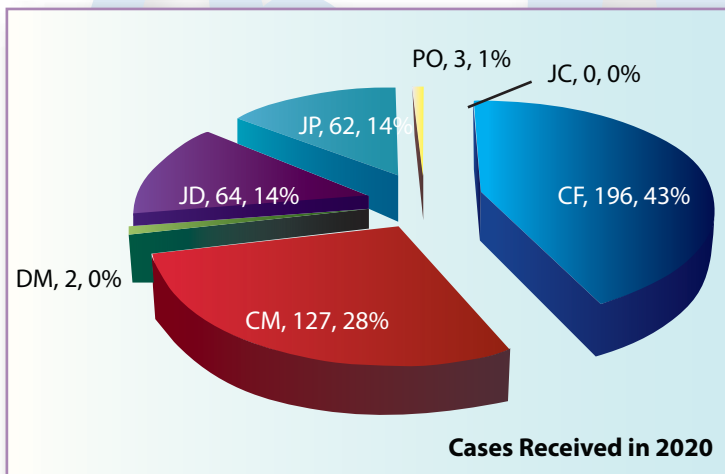
	In-person	Telehealth	No Shows
Forensic Evaluations	65	7	14
Psychological Evaluations	12	2	8
Psychosexual Assessments	4	0	1
Intake and Assessments	306	10	130
Individual Counseling	638	794	323
Couples Counseling	6	0	1
Family Counseling	44	29	4
Therapeutic Visit	11	0	0
Supervised Visitation	13	0	0
Group Counseling (FVMG/MRT-DC/MRT-AM)	134	83	231
WRAP/Treatment Team	5	0	0
Victim Counseling	163	147	72
<b>Grand Total</b>	<b>1,401</b>	<b>1,072</b>	<b>784</b>

Left: The Services – Performance Outcomes chart depicts the type and quantity of services provided by CSFC in 2020.

Due to the restrictions imposed by the government's response to the pandemic, there was a reduction of about 19% in the number of treatment services in 2020 (2,473), from 2019 (3,056). The demand on CSFC clinicians, however, has grown. Because in-person group counseling sessions have been postponed indefinitely, due to the limitation on gatherings and the use of group meeting rooms for individual sessions, CSFC clinicians must meet individually with each client.

An unexpected positive outcome has been the dramatic reduction of no-shows for counseling sessions. In 2020, there were only 784 no-shows, while 2019 had 2,015 no-shows. While the change may be attributed to fewer overall sessions, another likely reason is the shift to telehealth services. Because CSFC clinicians were holding sessions telephonically or by videoconference, clients could attend from their home.

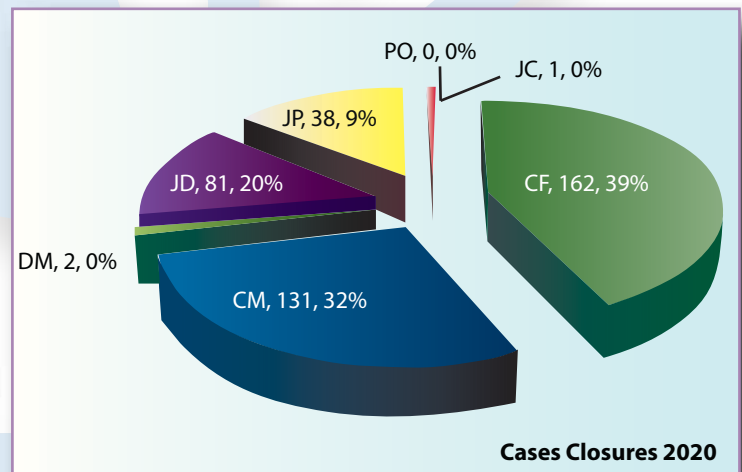
### Case Referrals by Case Type (CY 2020)



Left: This chart depicts the number of new case types received in 2020. A total of 454 cases were referred, a reduction from 738 cases referred in 2019.



### Case Closures (CY 2020)



Above: This chart shows there were 415 cases closed in 2020. Of them, 71% were criminal felony and misdemeanor cases, and 29% involved adolescents and children. Two domestic cases were closed in 2020.

## Probation Services Division

The Probation Services Division's mission is to reduce the incidence and impact of criminal behavior of court-involved juveniles and adults by using evidence-based practices and treatment strategies that change criminal thinking, produce positive outcomes, and ultimately increase community safety.

The division is comprised of the Intake/Drug Testing Unit, Pretrial Services Section, Adult Probation Office, Sex Offender Registry, Adult Drug Unit, Juvenile Probation Office, Alternative Sentencing Office, the Guam Immediate Violations Enforcement (GIVE) Program, and seven treatment courts: Adult Drug Court, Mental Health Court, Veterans Treatment Court, Juvenile Drug Court, Guam Reentry Court, Driving While Impaired Treatment Court, Guam Family Recovery Program, and the Electronic Monitoring (EM) Unit, which saw its first full year of operation in 2020.

In 2020, the division was responsible for managing and monitoring 5,636 court involved juveniles and adults placed on supervised release, pre- and post-adjudicated, deferred, and regular probation. As the entity responsible for administrative maintenance of the Sex Offender Registry, the division managed the 1,249 sex offenders who were required to register. In 2020, Probation had oversight over the cases of 6,885 individuals.

The Year 2020 proved to be a tumultuous one. The COVID-19 pandemic challenged the division to be creative in developing ways to meet client and staff safety needs, while also complying with court-ordered and statutory mandates, and providing the continuity of services during this difficult time. The public health and safety guidelines established by the Governor's Executive Orders and the Judiciary's Administrative Orders resulted in challenges to the staff and to clients. There was a shift from in-person interaction to using the telephonic, email or mail for check-in, interviews and investigation, and counseling services. For high risk clients and high risk situations, officers provided more direct supervision. Other changes to accommodate the pandemic included drug testing conducted by urine testing only and the temporary suspension of breathalyzer testing. The year proved to be a challenge with regard to staffing as well, as the division saw the retirement of five longtime employees, including three Senior Probation Officers, each with at least 27 years with the Judiciary; one Senior Alternative Sentencing Officer with 21 years experience; and one Management Officer with 29 years of Judiciary experience.

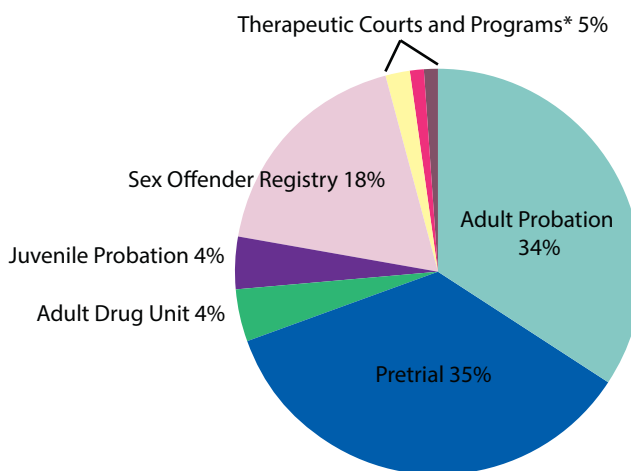
Despite the challenges, Probation staff continued providing services to clients during the lockdown and while on work-from-home status. Probation officers reported more meaningful engagement with clients with personal one-to-one communication, in contrast to meeting several clients during in-person reporting. Clients have been able to check-in using alternative methods, thereby being able to remain at their workplace rather than leaving to comply with in-person reporting. The division also began offering clients education programs in a virtual format, allowing those clients with laptops/mobile devices and internet access to benefit from completing their conditions on an individualized schedule.

Probation officers and staff learned to be creative in providing services and assisting clients toward completion of their conditions. Probation staff also gained the opportunity to attend professional development, as they saw the benefit of webinars and completed online courses, despite the time difference for some of the trainings. The division faced the challenges placed by the pandemic, and worked to change the mindset, culture, and way of doing business in the Probation Services Division.

Rossanna Villagomez-Aguon, *Chief Probation Officer*

5,636	Individuals on Supervised Release
1,249	Sex Offenders Required to Register
<b>6,885</b>	<b>TOTAL Individuals Served by PSD</b>

### 2020 PROBATION SERVICES CASELOAD DISTRIBUTION



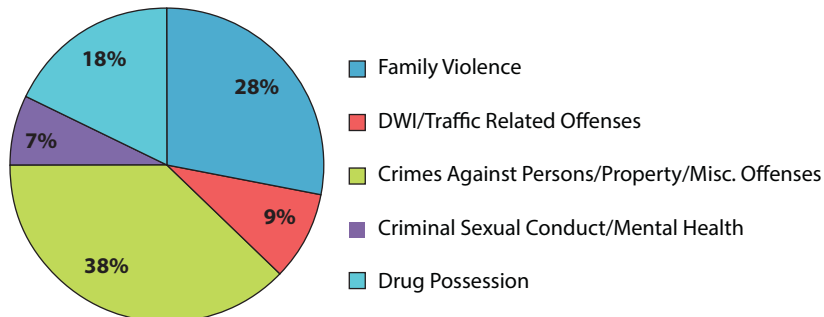
\*Adult Drug Courts, Mental Health Court, Veterans Treatment Court, Guam Adult Reentry Court, DWI Treatment Court, Guam Family Recovery Program, GIVE Program, Electronic Monitoring Unit



## Pretrial Services Office 2020 Statistics:

- 2,399 Defendants under supervision
- 989 Overnight detainees interviewed
- 989 Magistrate hearings attended
- 409 Cases transferred to Adult Probation Office after adjudication
- 125 Cases closed

### CASE BREAKDOWNS



Family Violence: 671 active cases reflect 28% of the Pretrial Caseload; three probation officers are assigned to this specialized section.

DWI and Traffic Related Offenses: 220 active cases reflect 9.1% of the Caseload; currently one probation officer is assigned to supervise this population.

Crimes Against Person/Property/Miscellaneous Offenses: 921 active cases reflect 38% of the Pretrial Caseload; currently five probation officers are assigned to this particular group of defendants.

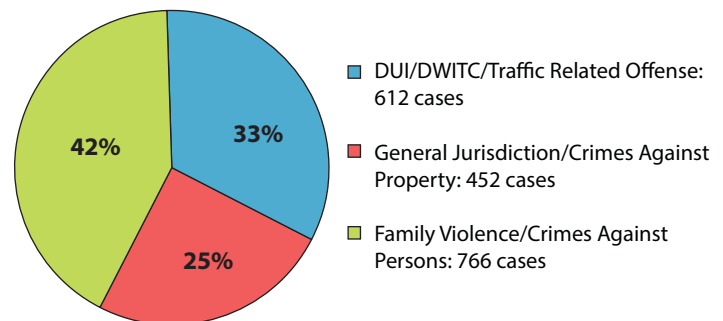
Sex Crimes/Mental Health Clients: 165 active cases represent 7% of the Pretrial total population. One Senior Probation Officer handles these specialized cases.

Drug Possession: 422 active cases represents 17.5% of the Pretrial population. There are four probation officers assigned to this unit.

Warrants of Arrests: There are at least 722 cases of arrest warrants or bench warrants that are currently active.

## Adult Probation Office 2020 Statistics:

- 1,830 Active cases under supervision
- 173 New felony cases transferred from Pretrial Services Office
- 236 New misdemeanor cases transferred from Pretrial Services Office
- 780 Violation reports filed
- 216 Home visits/house arrest checks conducted



## Electronic Monitoring (EM) Unit 2020 Statistics:

- 72 Referrals for EM assessments
- 34 Defendants ineligible for EM supervision
- 20 Defendants released to the supervision of the EM Unit
- 17 Participants eligible for EM
- 12 Participants on active EM supervision

## Guam Family Recovery Program 2020 Statistics:

- 28 Active program participants, involving 85 children
- 22 Referrals received
- 11 Parents accepted into the program
- 129 In-person check-ins
- 1,167 Telephonic check-ins
- 17 Email check-ins

## Adult Drug Unit 2020 Statistics:

- 299 Clients under supervision
- 55 New cases received
- 32 Cases closed
- 195 Violation reports filed
- 1,428 Drug tests (urinalysis) performed
- 2,033 In-person client check-ins
- 6,409 Telephonic client check-ins

## Sex Offender Registry Office 2020 Statistics:

- 674 Physical addresses verified
- 4 Registered sex offenders deported to country of origin
- 10 Registered sex offenders relocated off-island
- 4 Registered sex offenders successfully completed probation term
- 16 Convicted sex offenders registered

## Marshals Services Division

The Marshals Division holds responsibility for all aspects of security of the judicial branch, from the judicial officers and employees, to jurors and court patrons. The division also oversees and manages the security and safety of the physical facilities, including the Judicial Center, Historic Courthouse, Judicial Education Center, San Ramon Building and Route 4 facility in Hagåtña, the Northern Court Satellite in Dededo, and Erica's House Family Visitation Center. The statutory mandate of the Marshals Division includes providing security for all court hearings in the various judicial facilities, serving process, writs and orders, executing warrants, and performing duties as provided by law, rule or Judicial Council resolution.



The division has six sections: Administrative; Security; Civil and Small Claims; Northern Court Satellite; Training and Staff Development; and Warrant and Intel. There are also three units: Child Support Unit; National Criminal Information Center (NCIC) Unit; and Supreme Court Security Unit. There are 94 full-time employees, 60 deputy marshals, six administrative staff, 22 limited term deputy marshals, and six limited term administrative staff.

The Marshals division continues to overcome staffing challenges, as there have been three unfilled vacancies since 2017 and 11 unfilled vacancies since 2019. Further, the division has become responsible for providing security for court operations at additional locations. But with the implementation of the Volunteer Deputy Marshal Reserve Program and the efficient assignment of existing personnel, the Marshals Division continues to meet its mandates, and provide for the safety and security of court employees and all who seek justice from the courts.

The first three months of the year saw the regular performance of duties for Marshals Division personnel, including providing security in the court facilities, performing service of documents and execution of warrants, and ensuring that information and records were validated, processed, and updated in the appropriate criminal history databases.

In March 2020, however, came the two-week government-wide shutdown due to the coronavirus pandemic and the subsequent extensions of the order. Because of the essential nature of the work of the Marshals Division, much of their work continued during this time period. Moreover, 13 deputy marshals provided front-line work at government quarantine and isolation sites, and at Guam Homeland Security.

Upon receiving training and personal protective equipment, Judiciary marshals were able to safely perform their duties, with personnel from the Security Section enforcing the restrictions regarding entry, and providing security within the building for judicial officers, court employees, and outside vendors contracted to sanitize the facilities. The Warrant and Intel Section continued to serve protective orders and temporary restraining orders, and process all returns of warrants, which the NCIC Unit continued limited operations essential to the unit.

The Northern Court Satellite opened for limited in-person business in May, which enabled the marshals and other judicial divisions to evaluate operations, and safety security protocols prior to the re-opening of the main Hagåtña facilities the following month for limited in-person business.

With the need to comply with physical distancing requirements, marshals became responsible for court hearings at the San Ramon Building acquired by the Judiciary, and the Academy of Our Lady of Guam, which was used temporarily for jury-related proceedings.



Troy M. Pangelinan, *Marshal of the Courts*



Security Services Section and Northern Court Satellite Section	
Adult detainees managed	1,882
Department of Youth Affairs clients managed	157
Visitors to the Judicial Center (Hagåtña)	68,614
Visitors to the Historic Courthouse (Hagåtña)	23,654
Visitors to Northern Court Satellite (Dededo)	14,307
NCIC Unit	
Criminal misdemeanor and felony files processed	1,024
Firearm ID applicant checks processed and submitted to the FBI	867
Background history checks for the courts and law enforcement agencies	153
Warrants entered	188
Warrants cleared	316
Training and Staff Development Services Section	
Types of classes conducted	26
Total number of persons trained	462
Warrant and Intel Section	
Criminal documents handled	4,844
Warrants handled (Criminal, traffic, restitution, domestic, juvenile cases)	2,557
Temporary restraining and protection orders served	207
Civil and Small Claims Section	
Documents handled	1,722
Levies handled	264
Warrants handled (Civil and Small Claims)	255



Training Conducted	#Classes	#DM	#VDMR	#PO	Other
Firearms Qualification	2	95	0	51	0
Basic Firearms Training	1	0	11	0	0
Court Security Training	1	0	11	0	0
OCAT	1	0	11	0	0
MEB Cert & Recert	1	0	11	0	12 (DOC)
Marshal's SOP	1	0	11	0	0
Combatives	1	0	11	0	0
Tactical Handcuffing	1	0	11	0	0
Judicious Use of Force	1	0	11	0	0
Naloxone Training	1	2	0	0	0
COVID 19 Decon, PPE, Safety Training	4	79	0	0	0
On Boarding	2	14	0	3	13 (JOG Employees)
Glock Armorer School	1	2	0	0	0
Advanced Glock Armorer School	1	2	0	0	0
Multi-Weapon Platform Armorer	1	2	0	0	0
TRICOM	1	0	11	0	0
Professionalism Training	5	62	15	0	11 (Civilians)
Total Numbers	26	258	114	54	36
Total Numbers of Persons Trained	462				
Total Number of Classes	26				

## Supreme Court Offices

### Office of the Public Guardian

The Office of the Public Guardian (OPG) serves as a guardian of the person or estate of adults who, by reason of age, disease, or disability, cannot properly manage and take care of themselves or their property without assistance. Referrals for guardianship services are received from judges, family members, and government offices, including Guam Memorial Hospital and Skilled Nursing Unit, Guam Behavioral Health and Wellness Center, and Adult Protective Services. Community organizations, such as Catholic Social Services and St. Dominic's, also reach out for referrals and assistance.

Despite the COVID-19 pandemic, staff at the OPG never stopped assisting wards, in accordance with DPHSS and the Judiciary procedures and precautions. Despite suspension of many other government services, the OPG continued to attend to the medical, financial and personal needs of the wards throughout the shutdown, including: dispensing allowances and supplies, making medical appointments and transport arrangements, accompanying wards to medical appointments, accounting for their income and paying their bills and services, and making funeral arrangements. The OPG also monitored the care of wards who were hospitalized throughout the year for illness, injury, and surgical procedures.

The office also gained new wards and additional work as a result of the pandemic. When the Skilled Nursing Facility was designated for COVID-19 cases, the Public Guardian was petitioned to be the guardian of patients who had no one willing and able to help them, and facilitated their safe transfer to other facilities. The OPG also applied for and received stimulus checks for 51 non-filer wards.

The Public Guardian often made virtual appearances at court proceedings and annual reviews for wards in on- and off-island group homes. She continued to conduct training for court appointed guardians (except in March and April 2020) and starting in May, held sessions via Zoom. She also conducted six presentations (virtual and in-person) on legal issues for the elderly on behalf of the University of Guam/Micronesia Geriatrics Workforce Enhancement Program.

The OPG wards again ended the year with holiday treats from the "Cookie Elves" led by Mrs. Cynthia Cabot. They also received thoughtful and practical gifts from the judicial officers, managers, and staff of the Kotte Family, to assist with their daily living needs.

Marcelene C. Santos, *Public Guardian*

### Office of the Ethics Prosecutor

The Office of the Ethics Prosecutor is responsible for the investigation and prosecution of all matters involving allegations of professional misconduct by lawyers and judicial officers in the lawyer and judicial disciplinary systems, respectively, and the investigation into allegations of the unauthorized practice of law.

In 2020, eighteen new lawyer discipline matters were opened, and an additional 62 matters were open when the year began. At year end, 39 matters remain open, including a number which were stayed or held in abeyance. Thus, 41 matters were brought to conclusion during 2020. The 39 open and active matters at year-end consisted of 10 opened in 2020, 3 opened in 2019, 13 opened in 2018, 7 opened in 2017, and 6 that were opened prior to 2017.

Two new judicial discipline matters were opened in 2020. One matter opened in 2018 remains pending.

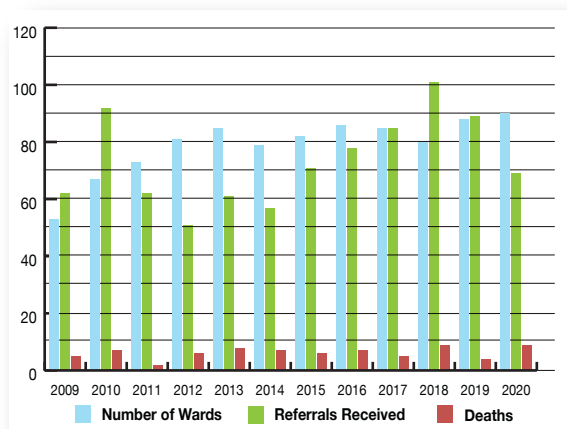
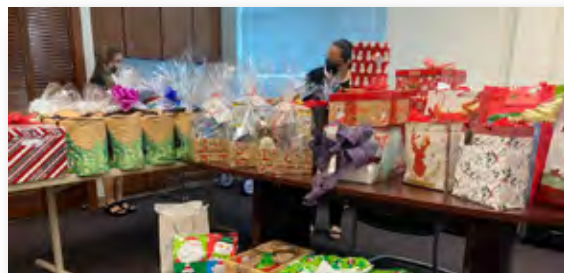
The Office of the Ethics Prosecutor also addressed informal inquiries from members of the bar and the public regarding the lawyer and judicial discipline systems, explaining the disciplinary process to complainants and apprising them of the status of their complaints including final disposition.

Alberto E. Tolentino, *Ethics Prosecutor*

### Office of the Compiler of Laws

The Office of the Compiler of Laws is responsible for publishing the Guam Code Annotated (Guam's statutory code) and other primary legal materials. Despite the challenges posed by the pandemic and an ongoing staffing shortage, the Compiler's Office continued to publish statutory code, administrative rules and regulations, and Supreme Court appellate opinions. The decisions and orders of the Superior Court were also uploaded to the Compiler's website and available on the Judiciary of Guam Web Search feature. The Compiler of Laws, who also serves as the Executive Director and Librarian of the Guam Law Library, ensured that the library continued to meet the legal research and information needs of the judicial officers, court staff, lawyers, and the public. Library staff developed a transition and reopening plan, and the building has been open for limited in-person activities since June 2020.

Geraldine Amparo Cepeda, *Compiler of Laws and Guam Law Library Executive Director/Librarian*





An abstract painting featuring a wooden lattice or bridge structure in the upper half, rendered in warm tones of brown, orange, and red. Below this, there are dark, textured shapes that could be interpreted as figures or objects, set against a background of dark blue and green. The overall style is expressive and textured, with visible brushstrokes and a rich color palette.

# COMMUNITY OUTREACH AND EDUCATION



## Community Clean up Events: Preserving Guam's Beauty

The Judiciary of Guam launched its first Community Outreach of the year on Saturday, February 22, 2020, when more than 100 employees and family members supported the beautification efforts of Piti Mayor Jesse Alig and the Piti Municipal Planning Council. "Team Kotte" volunteers picked up trash along high visibility areas of Piti, including the beachside and along Marine Corps Drive from Fish Eye Marine Park to the Cabras intersection, along Cabras Road, and in the Nimitz Hill area from the War in the Pacific National Historic Park to the Veterans Cemetery. The clean up yielded 67 bags of trash (33-gallon size) and 17 tires.

On June 27, 2020, the Judiciary joined the island in the "Give Us A Moment" Island Pride Beautification Cleanup, sponsored by the Island Beautification Task Force led by Lt. Governor Joshua Tenorio. As part of this effort, the Judiciary was designated to three areas: Tutujan ("Triangle") Park, Sen. Angel L.G. Santos Latte Stone Memorial Park, and beachside along the Hagåtña coastline. Court employees and family members spent their morning supporting the beautification effort, collecting trash and tires for disposal and clearing green waste.

In addition to these special events, the employees of the Marshals Division volunteer throughout the year, and perform regular clean ups of both Triangle and Latte Stone Parks.



"Great things can happen when different sectors of our island community join forces to make Guam better – one small effort at a time."

- Chief Justice F. Philip Carbullido





## Law Week 2020: “Your Vote, Your Voice, Our Democracy: The 19th Amendment at 100”

Despite the upheaval caused by the coronavirus pandemic, the Guam Law Week Committee, made up of representatives from the Judiciary of Guam, the District Court of Guam, and the Guam Bar Association, planned events to promote and educate the public about the 2020 Law Day theme, “Your Vote, Your Voice, Our Democracy: The 19th Amendment at 100,” which recognizes how American women fought for, and won, the right to vote through their voice and action.

At the first-ever virtual proclamation signing, Governor Lourdes Leon Guerrero and Lt. Governor Joshua Tenorio declared May 1, 2020 Law Day, and May 31 to June 12 as Law Week.



### Law Day Virtual Appellate Argument

Law Day, May 1, 2020 was a historic day for Guam, as the Supreme Court of Guam held its first virtual appellate argument using videoconference technology. The oral argument was livestreamed on the Judiciary of Guam’s YouTube channel, enabling all members of the public to observe the proceeding in real time. In past outreach events, justices held oral argument at the island’s high schools and university, but this year’s milestone expanded the court’s appellate argument outreach to the entire island.

### Fairy Tale Mock Trial

Although the most popular Law Week event, fairy tale mock trial plays could not be held in person, the students of Adacao Elementary School performed the first-ever virtual mock trial play on May 26, 2020. The students, who had already been rehearsing the mock trial of *People of Guam v. Harry Potter* in anticipation of Law Week, donned their costumes in a criminal trial that accused Harry Potter of the murder of Professor Quirrel. Participating via Zoom from their homes, the students’ performance was livestreamed on the Judiciary’s YouTube channel.



### Hustisia Award

Retired Chief Justice Peter C. Siguenza, Jr. was posthumously named the recipient of the Hustisia Award, which recognizes a person or organization that has contributed significantly to the administration of justice and good government in Guam. The selection was made by Chief Justice F. Philip Carbullido, who formally announced the award during his annual State of the Judiciary Address on June 12, 2020. He recognized that Chief Justice Siguenza “gave a lifetime of service to the people of Guam and the legal system, with a brand of justice that was as unique as it was thoughtful, deliberate, and reasoned.” The Hustisia Award has been historically presented in conjunction with Guam’s Law Week celebration, but a formal ceremony was not possible in light of the pandemic.

### Coloring, Art, and Essay Contests

Guam’s Law Week events wrapped up on June 19, 2020, with the virtual Law Week Awards Ceremony. Chief Justice F. Philip Carbullido, Law Week Chair Justice Robert J. Torres, Chief Judge Frances Tydingco-Gatewood, and Guam Bar President Jacqueline Terlaje recognized the winners of the Coloring Contest, Art Contest, and the Middle School and High School Essay Contests. Middle and High School students participated in the local Law Day Essay Contest, which asked them to write about what the Law Week theme, “Your Vote, Your Voice, Our Democracy: The 19th Amendment at 100,” meant to them, and were also asked to include an example of a contemporary problem that still persists, with respect to equality in voting rights.

### Guam’s Law Week Program Honored by American Bar Association

The American Bar Association recognized the island’s 2020 Law Week celebration as the best in the nation, naming it the recipient of the 2020 Outstanding Law Day Activity Award for Best Public Program. The award was formally recognized during a March 2021 virtual ceremony, during which ABA recognized the Judiciary of Guam, District Court of Guam, and the Guam Bar Association, and commended the Law Week Committee for its efforts. The ABA highlighted how the Committee held its events in the face of a national pandemic that forced everyone to rethink their programs under extraordinarily uncertain conditions. Although stay-at-home and physical distancing directives meant that long-time Law Week events, including the Law Fair and “Race Judicata” 5K Fun Run could not be held in 2020, the Law Week events continued to promote the importance of the rule of law and showcase Guam’s commitment to the Law Day educational program.

## Law Day Art and Essay Contest Winners

The following winners of the Coloring, Art, and Essay contests were honored at a virtual awards ceremony held June 19, 2020:



Haiden Desamito

### Coloring Contest (K – 2nd Grade)

- First Place, Kindergarten – Haiden Desamito
- Second Place, Kindergarten – Linus Wolff, *Bishop Baumgartner Memorial Catholic School*
- Third Place, Kindergarten – Micah Perez, *PC Lujan Elementary School*
- First Place, 1st Grade – Emma Chargualaf, *Bishop Baumgartner Memorial Catholic School*
- First Place, 2nd Grade – Rhianne Caraig, *Daniel Perez Elementary School*
- Second Place, 2nd Grade – Hailee Desamito
- Third Place, 2nd Grade – Alric Wolff, *Bishop Baumgartner Memorial Catholic School*



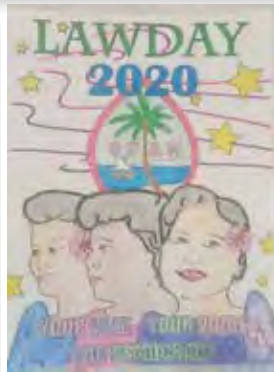
Linus Wolff



Micah Perez



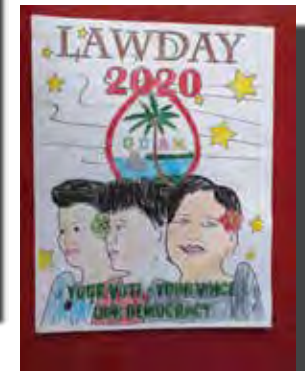
Emma Chargualaf



Rhianne Caraig



Hailee Desamito



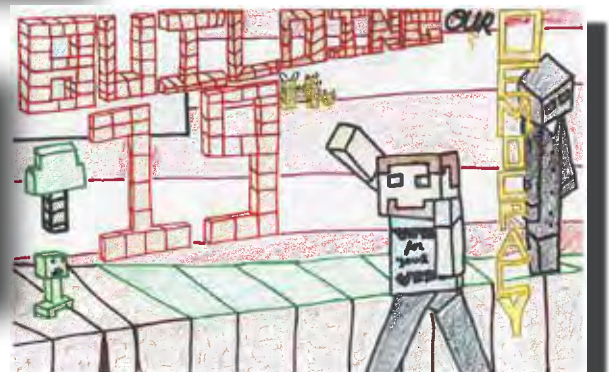
Alric Wolff

### Art Contest (3rd – 5th Grade)



Left: First Place, 3rd Grade – Gabriella McDonald, *Agana Heights Elementary School*

Right: First Place, 5th Grade – Cameron Reyes, *Agana Heights Elementary School*



### Middle School

- First Place – Jaelamae Manibusan, *V.S.A. Benavente Middle School*
- Second Place – Teah McDonald, *Saint Anthony Catholic School*
- Third Place – Pak Ho Remigio Ho, *Guahan Academy Charter School*

### Essay Contest

- First Place – Angelica Gomez, *Academy of Our Lady of Guam*
- Second Place – Maya Quilit Andres, *John F. Kennedy High School*
- Third Place – Kylie McDonald, *Academy of Our Lady of Guam*
- Honorable Mention – Jessica Jin, *Academy of Our Lady of Guam*

### High School

## Constitution Week 2020

Each year on September 17, the nation celebrates Constitution Day to commemorate the signing of the Constitution in 1787. Led by the efforts of Presiding Judge Alberto Lamorena III, the Judiciary of Guam conducts annual educational outreach presentations to the island's youth.

In 2020, Constitution Day was celebrated with first-ever virtual presentations to both public and private school students, by Superior Court Clerk of Court Danielle Rosete, Supreme Court Clerk Hannah Arroyo and Staff Attorney Erica Eschbach, and Compiler of Laws Geri Cepeda. In interactive videoconference sessions, they engaged with students from social studies classes at Agueda Johnston Middle School, Finegayan Elementary School, and Bishop Baumgartner Memorial Catholic School, and discussed the 100th anniversary of the 19th Amendment and the history of voting rights in the United States.



## Judiciary Employees Giving Back

### Relay for Life 2020

The Judiciary continued to support the American Cancer Society's Relay for Life, by participating in the Virtual Relay for Life event on June 27, 2020. The first-time virtual event featured a Survivor's Lap photo montage, and a Parade of Teams where Chief Justice F. Philip Carbullido represented Team Kotte with a recorded message of encouragement. With just three fundraising events, including the highly popular Cookies 4 the Cure, Team Kotte raised more than \$2,500 and achieved Bronze donor status.



### Food Drives

As many in the island struggled with the loss of jobs and income, Judiciary employees did their part to give back to those facing economic difficulty. In July 2020, Judiciary employees gathered nonperishable food and supplies for those in the community struggling during the lockdown. Donations were made to two organizations, the Salvation Army and Catholic Social Services, which have food pantries for the needy. The wards of the Office of the Public Guardian, the elderly or disabled who are unable to manage or care for themselves, also received donations of toiletries and personal care supplies.



The Judiciary is grateful for the opportunity to give back to the community.





## Operation Christmas Drop

In only three working days, Judiciary of Guam employees rallied to gather monetary donations to help their brothers and sisters in neighboring islands throughout Micronesia, as part of Operation Christmas Drop. Since 1952, this organization has been giving aid to residents of the Western Pacific, and in 2020 had a goal to air drop 125 relief boxes throughout Micronesia.

Chief Justice F. Philip Carbullido presented a donation of \$2,500 to Jason Ornellas, the U.S. Air Force Representative for Operation Christmas Drop, and former Governor Carl T. C. Gutierrez, President and CEO of the Guam Visitors Bureau. This donation is especially meaningful, noted Chief Justice Carbullido, in light of the Judiciary's 30-year membership in the Pacific Judicial Council. "We know the needs of our brothers and sisters in these islands, and we are happy to help in whatever way we can."



## Donation to OPG Wards

Continuing its holiday season tradition, Judiciary employees once again made generous donations to the wards of the Office of the Public Guardian. They are members of our community who, because of age, physical or mental disability or disease, are under the court-ordered stewardship of the Office of the Public Guardian. The 85 wards received festively wrapped packages of treats and much needed personal and household supplies. Due to physical distancing protocols, the gifts could not be presented as in the past, but were picked up individually or were delivered.





# DIRECTORY



## SUPREME COURT OF GUAM

Chambers of

<b>Chief Justice F. Philip Carbullido</b> .....	475-3413
<b>Associate Justice Robert J. Torres</b> .....	475-3300
<b>Associate Justice Katherine A. Maraman</b> .....	475-3589

Clerk of Court.....	475-3120/3162
Staff Attorney.....	475-3395
Supreme Court Security Section.....	475-3119
Facsimile.....	475-3140

Guam Board of Law Examiners (BOLE)	
C/O Supreme Court.....	475-3180
Facsimile.....	475-3181

Office of the Public Guardian.....	475-3173
Facsimile.....	472-0381

Guam Law Library	
Compiler of Laws.....	477-7623
Facsimile.....	472-1246

## SUPERIOR COURT OF GUAM

Chambers of

<b>Presiding Judge Alberto C. Lamorena III</b> .....	475-3410
<b>Judge Arthur R. Barcinas</b> .....	475-3502
<b>Judge Vernon P. Perez</b> .....	475-3223
<b>Judge Maria T. Cenzon</b> .....	475-3346
<b>Judge Elyze M. Iriarte</b> .....	475-3336
<b>Judge Dana A. Gutierrez</b> .....	475-3384

## GENERAL ADMINISTRATION

Administrator of the Courts.....	475-3544
Deputy Administrative Director.....	475-3128
Director of Policy Planning and Community Relations.....	300-9282
Court Programs.....	475-3202
Judicial Educator.....	475-3191
Equal Employment Opportunity (EEO) Office .....	475-3374
Employee Assistance Program & ADA Coordinator.....	300-7993
Facsimile.....	477-3184

## CLIENT SERVICES AND FAMILY COUNSELING DIVISION

Main.....	475-3383/3101
Facsimile.....	472-5450

## COURTS AND MINISTERIAL DIVISION

Main.....	475-3449
Clerk of Court.....	475-3331
Traffic Violations Bureau.....	475-3121/3326
Small Claims.....	475-3326/3274
Jury Commissioner.....	475-3440
Facsimile.....	472-2856

### Northern Court Satellite

Main/Traffic/Small Claims.....	635-2510
MCC.....	635-2513
Judicial Hearings Division	
Child Support Office.....	635-2501

## MARSHALS DIVISION

Marshal of the Courts.....	475-3216
Deputy Chief Marshal.....	475-3315
Security Section.....	475-3161

## PROBATION DIVISION

Chief Probation.....	475-3448
Pre-Trial.....	475-3466/3318
Alternative Sentencing Office.....	475-0079
Juvenile Probation Services.....	475-3453
Adult Probation Services.....	475-3375
Office Duty/Intake.....	475-3388/300-6733/2174
Adult Drug Court.....	475-3362
Adult Drug Unit.....	475-3461
Facsimile.....	477-4944



**Judiciary of Guam**  
**120 West O'Brien Drive**  
**Hagåtña, Guam 96910**