

## NMI JUDICIAL COUNCIL

### Minutes of Meeting

Wednesday, February 19, 2014, 2:30 p.m.

Guma' Hustisia, Supreme Court Courtroom

#### **Present:**

Voting Members: Chief Justice Alexandro C. Castro, Associate Justice John A. Manglona, Associate Justice Perry B. Inos, Presiding Judge Robert C. Naraja, and Associate Judge Kenneth L. Govendo (arrived 2:44 p.m.)

Non-voting Members: Acting Director of Courts Sonia A. Camacho, Budget and Finance Director Juan Diego V. Tenorio, Clerk of the Supreme Court Deanna M. Manglona, Clerk of the Superior Court Patrick V. Diaz, Judicial Council Legal Counsel/Law Revision Commission Executive Director Michael Stanker, and NMI Bar Association President Sean E. Frink (arrived 2:24 p.m.)

Staff: Legal Secretary Martha B. Mendiola, Human Resource Officer Michelle V. Guerrero, Systems Administrator Michael Villacrusis, Commonwealth Recorder Lucy S. Deleon Guerrero, Deputy Marshal IV Anthony P. Benavente, Chief Probation Officer Ursula Lifofoi-Aldan, FCD Manager Joseph Kevin Villagomez, Accountant Evelyn Calvo, Building Superintendent Gerald E. Weaver, and Administrative Officer Jim Stowell

#### **Not Present:**

Voting Members: Associate Judge David A. Wiseman (off-island)

#### **Discussion:**

##### 1. Preliminary Matters

*Call to Order.* Chief Justice Castro called the regular business meeting to order in the Guma Hustisia/limwal Aweewe/House of Justice Supreme Court Courtroom at 2:22 p.m. on Wednesday, February 19, 2014.

*Roll Call and Establishment of Quorum.* A quorum was established with four voting members present.

*Adoption of Previous Meeting Minutes.* CJ Castro opened the floor for review and adoption of the minutes of January 16, 2013 and May 08, 2013. AJ Inos moved to adopt the meeting minutes, and PJ Naraja seconded. Without opposition, both meeting minutes were adopted.

*Adoption of Agenda.* CJ Castro opened the floor for review and adoption of the February 19, 2014, meeting agenda. Acting Director of Courts Camacho proposed to amend the agenda, striking out Item 8c. Marshals Service Division because it was previously listed on Item 7d. PJ Naraja moved to adopt the agenda with its amendment, and AJ Inos seconded. The agenda was unanimously adopted.

##### 2. Communication from Legislature, Executive Branch, and Other Government Agencies

*01/14/2014 Memorandum from the Office of Management and Budget.* OMB notified all departments and activity heads that the FY2015 budget submission deadline is Friday, February 28, 2014. An electronic and hard copy must be submitted.

*02/03/2014 Notice from NMIRF Re Amended Notice of 2014 Life Insurance Coverage.* NMIRF issued an amended notice to all life insurance enrollees to correct the January 31, 2014, notice entitled "2014 Life Insurance Coverage." The changes in the coverage were effective February 1, 2014.

*02/07/2014 Letter from NMIRF Re 2014 Health Insurance Coverage.* Aetna will continue to provide health insurance coverage to all CNMI government employees and retirees. The open enrollment period began February 12, 2014, and ends March 14, 2014.

*02/10/2014 Memorandum from NMIRF Re Health Insurance Program – Open Season, Notice of Change in Premiums, and New Plan Options.* NMIRF and Aetna announced new tiers, plan options and increases in premiums for health insurance members, effective March 1, 2014.

*02/11/2014 Notice from NMIRF Re Clarification and Expansion of February 3, 2014 Amended Notice of 2014 Life Insurance Coverage.* Notice issued from NMIRF to further clarify the February 3, 2014 Notice entitled “Amended Notice of 2014 Life Insurance Coverage.” The notice supersedes prior notices issued. Individual Assurance Company Life, Health and Accident (“IAC”) was chosen to continue to provide life insurance coverage to all government employees and retirees. The new life insurance policy is effective February 1, 2014.

*Notice of Change in Premiums – Government Group Health Insurance Open Enrollment Notice from February 12, 2014 – March 14, 2014.* NMIRF and Aetna announced new tiers, plan options and increases in premiums for health insurance members, effective March 1, 2014.

3. Communication from Other Entities

None.

4. NMI Bar Association

Bar President Frink stated that the Bar Association will hold elections on February 20, 2014. Maya Kara is running for President and Jen Dockter is seeking the Vice-President seat. The Bar will also add two new board members hoping to recruit new attorneys.

5. Budget and Finance Director’s Report.

For informational purposes, Budget and Finance Director Tenorio gave a power point presentation on the judiciary’s financial status. Copies of his presentation were distributed to Council members.

*FY 2013: Year End Report.* PL 17-85 allocated \$3.739M to the judiciary. At the end of the FY2013, the judiciary had a \$95,000 surplus.

*FY 2014: Fund Status for Current Operations.*

*FY 2015: Judiciary’s Proposal for Budget Call.* The judiciary’s proposed submission is \$6.69M for FY2015: (1) Superior Court - \$2.69M; (2) Supreme Court - \$866,000; (3) Administration - \$2.8M; and (4) LRC – \$300,000.

Priorities for FY 2015 are roof repairs, courtroom upgrades (i.e. sound system, computers), Rota retro-fit air-conditioner, purchase a dehumidifier, etc.

The judiciary has allocated \$208,000 for professional services which include court appointed attorneys and transcription services.

AJ Inos moved to adopt the \$6.69M figure, and AJ Manglona seconded. Without opposition the motion was carried.

*Fiduciary Account Project – Sage 50.* The judiciary has implemented new accounting software with the services of R&R Associates.

6. Clerk of Court Reports

*Clerk of Court for the Supreme Court.* COC Ogo provided her quarterly report to the Council. Council members did not have any questions regarding her report or the Clerk of Supreme Court’s Office.

*Clerk of Court for the Superior Court.* COC Diaz stated that there has been a dramatic increase in traffic cases and jury trials.

7. Division Reports

*Family Court Division.* Family Court Manager Villagomez provided his quarterly report to the Council. Council members did not have any questions regarding his report or the Family Court Division.

*Office of the Commonwealth Recorder.* Recorder Guerrero informed the Council that she obtained two Co-Op students from Marianas High School who come in every afternoon to scan binders. On average, two binders are scanned weekly. To date, there are approximately 94,000 documents and 8,000 maps in the Recorder's Office. A second scanner has been installed in the Recorder's Office to speed up the project.

*Office of Adult Probation Supervision.* Chief Probation Officer Ursula Lifofoi-Aldan provided her quarterly report to the Council. Council members did not have any questions regarding her report or the Office of Adult Probation.

*Marshal Service Division.* Chief Probation Officer Ursula Lifofoi-Aldan provided her quarterly report to the Council. Council members did not have any questions regarding her report or the Marshal Service Division.

#### 8. Commonwealth Judiciary Administrative Office Reports

*Information Systems Unit.* System Administrator Villacrusis provided his quarterly report to the Council. Council members did not have any questions regarding his report or the Information Systems Unit.

*Building Maintenance Unit.* Building Superintendent Weaver provided his quarterly report to the Council. Council members did not have any questions regarding his report or the Building Maintenance Unit.

~~*Marshal Service Division.*~~

*Human Resources Unit.*

Open enrollment for health insurance coverage begins February 12, 2014 through March 14, 2014. Existing members' coverage will automatically default to "Low Option" unless their application is updated. Members who wish to terminate their coverage must complete a GGHI Enrollment/Waiver/Change Request form.

- CY 2014: Professional Development Schedule. "Court Rules: Civil Procedure" training is scheduled for May 24, 2014. The training includes staff from Saipan, Tinian and Rota.

*Administrative Services Unit.*

Public Information Officer Stowell provided his quarterly report to the Council. Council members did not have any questions regarding his report, the status of the 2013 Annual Report and progress of the judiciary's new website.

#### 9. Law Revision Commission

LRC Director Stanker provided his quarterly report to the Council. Council members did not have any questions regarding his report or the Law Revision Commission.

#### 10. Legal Counsel's Report [*Executive Session*]

None.

#### 11. Unfinished Business

*SJI Grant: NCSC Contract Deliverables Completed in November 2013.* The National Center for State Courts (NCSC) completed the Desk Audit and Personnel Study on the judiciary in November 2013. The State Justice Institute transmitted funds for the grant, and a check in the amount of \$50,000 was issued to the NCSC.

Acting DOC Camacho proposed that the Council meet in a special session to discuss the recommendations in the NCSC report and its impact on personnel and procurement policies and amend the Judicial Organization Chart of 1989.

*COOP Plan.* This item was deferred to the next meeting.

*NCSC 2008 Report: Strategic Plan and Time Standards for CNMI Judicial Branch.* This item was deferred to the next meeting.

*Formation of Standing Committees.* This item was deferred to the next meeting.

*Homeland Security Assistance: Guma' Hustisia door locks.* The RFP was published in the local newspapers. The pre-bid conference was held last week.

## 12. New Business

*Associate Judge Teresa K. Kim-Tenorio: December 2013 Ascension to the Bench.* Acting DOC Camacho thanked the Northern Mariana Judiciary Historical Society for its assistance in the public swearing-in ceremony of Judge Kim-Tenorio.

*May 2014 – Judiciary's 25th Anniversary Calendar.* CJ Castro will send an updated calendar of the Judiciary's 25th Anniversary list of events. Upon approval, it will be posted on the ABA website.

*Telephone System RFP.* The RFP was announced in the local newspapers. Bids have been submitted and are currently being reviewed.

*Law Library.* AJ Govendo motioned to remove the Hilbloom Law Library sign from the Law Revision Commission, and AJ Inos seconded. Without opposition, the motion was carried.

With the removal of the library books from the LRC Law Library, over 40 shelves were handed over to different divisions in the judiciary, as well as DPS and the Public Defender's Office.

*Time Clock.* Chief Probation Officer Ursula Lifofoi-Aldan recommended that the time clock be centralized in one location. AJ Inos motioned that this item be discussed further at the managers' meeting and recommendations from that meeting be tabled at the next Council meeting. AJ Govendo seconded. Without opposition, the motion was carried.

## 13. Other Business

*Public Law 18-36, Abandoned Funds Act.* On February 14, 2014, Governor Eloy S. Inos signed PL 18-36, "Abandoned Funds Act," which allows the judiciary to claim unclaimed third party funds from the fiduciary account. The time frame for parties to claim the funds is 180 days after announcement. Unclaimed funds will be placed in a revolving account and used for indigent defense, pro-se legal services, and payments to the NMIRF for the building loan.

*Immunization Program: Flu-Shot Vaccination.* Commonwealth Healthcare Corporation's, Division of Public Health's Immunization Program will be on the judiciary grounds on Thursday, February 20, 2014, from 9:00 a.m. – 10:00 a.m. to administer the flu shot.

*Loading Dock.* Building Superintendant Weaver requested that an internal memorandum be issued to cease employee parking by the loading dock area in the rear of the judiciary building.

## 14. Announcements

*Pacific Judicial Council: Public Defender's Conference in Guam.* The PJC: Public Defender's Conference in Guam is scheduled for February 25, 2014.

*Pacific Judicial Council: Executive Committee Meeting.* The meeting is scheduled for September 2014 in Yap.

## 15. Adjournment

AJ Govendo moved to adjourn the regular business meeting, and AJ Inos seconded. The motion was carried, and the Council adjourned on Wednesday, February 19, 2014, at 3:39 p.m.

Minutes submitted by:

Martha B. Mendiola, Legal Secretary

Approved by:

Alexandro C. Castro, Chief Justice