



Office of the Governor of Guam

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Office of the People's Speaker
vicente (ben) c. pangelinan

JAN 02 2004

TIME: 9:59 AM (1) PM
RECEIVED BY:

Felix Perez Camacho
Governor

Kaleo Scott Moylan
Lieutenant Governor

31 DEC 2003

The Honorable Vicente C. Pangelinan
Speaker
I Mina' Bente Siete Na Liheslaturan Guahån
Twenty-Seventh Guam Legislature
155 Hesler Street
Hagåtña, Guam 96910

Dear Speaker Pangelinan:

Transmitted herewith is Bill No. 171 (LS), "AN ACT TO *AMEND* §9502 OF CHAPTER 9.5, DIVISION 1 OF TITLE 7 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE JUDICIAL BUILDING FUND; TO *ADD* A NEW CHAPTER 9.6 TO DIVISION 1 OF TITLE 7 OF THE GUAM CODE ANNOTATED, TO ESTABLISH THE GUAM JUDICIAL CLIENT SERVICES FUND; TO *REPEAL* §22111 OF CHAPTER 22, DIVISION 2 OF TITLE 7 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE APPOINTED COUNSEL TRUST FUND; AND TO *REPEAL* AND *REACT* §22405 OF TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE JUDICIARY TRANSFER AUTHORITY," which I signed into law on December 17, 2003, as **Public Law No. 27- 55**.

Bill No. 171 creates the Guam Judicial Client Services Fund. The fund will be used to pay for the appointment of counsel of indigent defendants, law enforcement escort costs, and operation of Erica's House. Through the creation of this fund, these expenses would be segregated from the judicial building expenses. I would like to commend Senator F. Randall Cunliffe for authoring this legislation that would enable the judiciary to better serve the interest of our people.

Sincerely yours,

FELIX P. CAMACHO
I Maga'låhen Guåhan
Governor of Guam

Attachment: copy attached of signed bill

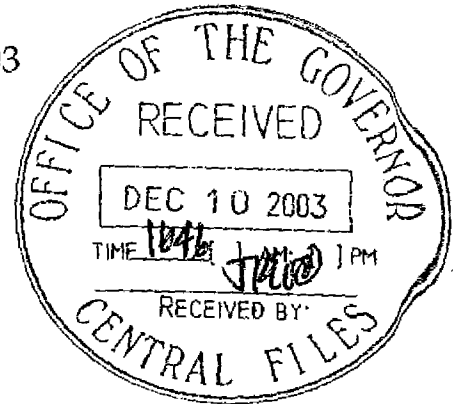
cc: The Honorable Tina Rose Muna-Barnes
Senator and Legislative Secretary



MINA' BENTE SIETE NA LIHESLATURAN GUÅHAN
TWENTY-SEVENTH GUAM LEGISLATURE
155 Hessler Place, Hagåtña, Guam 96910

December 10, 2003

The Honorable Felix P. Camacho
I Maga'lahaen Guåhan
Ufisinan I Maga'lahi
Hagåtña, Guam 96910



Dear *Maga'lahi* Camacho:

Transmitted herewith are Bill Nos. 60(COR), 62(COR), 78(LS), 107(COR), 139(COR), 154(COR) and 182(LS), and Substitute Bill Nos. 11(COR), 23(COR), 32(COR), 66(LS), 156(COR), 169(LS) and 171(LS) which were passed by *I Mina' Bente Siete Na Liheslaturan Guåhan* on December 6, 2003.

Sincerely,

TINA ROSE MUÑA BARNES
Legislative Secretary

Enclosures (14)


CFI# 1203-4250

I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN
2003 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

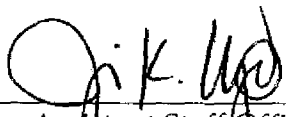
This is to certify that Substituted Bill No. 171 (LS), "AN ACT TO AMEND §9502 OF CHAPTER 9.5, DIVISION 1 OF TITLE 7 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE JUDICIAL BUILDING FUND; TO ADD A NEW CHAPTER 9.6 TO DIVISION 1 OF TITLE 7 OF THE GUAM CODE ANNOTATED, TO ESTABLISH THE GUAM JUDICIAL CLIENT SERVICES FUND; TO REPEAL §22111 OF CHAPTER 22, DIVISION 2 OF TITLE 7 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE APPOINTED COUNSEL TRUST FUND; AND TO REPEAL AND REENACT §22405 OF TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE JUDICIARY TRANSFER AUTHORITY," was on the 6th day of December, 2003, duly and regularly passed.

Attested:

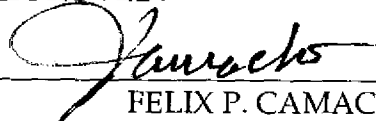

Tina Rose Muña Barnes
Senator and Legislative Secretary

vicente (ben) c. pangelinan
Speaker

This Act was received by *I Maga'lahaen Guåhan* this 10th day of December, 2003, at 4:50 o'clock P.M.


Assistant Staff Officer
Maga'lahaen's Office

APPROVED:


FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: 12/17/03

Public Law No. 27-55

**I MINA'BENTE SIETE NA LIHESLATURAN GUAHAN
2003 (FIRST) Regular Session**

Bill No. 171 (LS)

As substituted by the Committee
on Judiciary & Transportation and
amended on the Floor.

Introduced by:

F. R. Cunliffe
J. M. Quinata
R. J. Respicio
T. R. Muña Barnes
F. B. Aguon, Jr.
J. M.S. Brown
C. Fernandez
Mark Forbes
L. F. Kasperbauer
R. Klitzkie
L. A. Leon Guerrero
J. A. Lujan
v. c. pangelinan
Toni Sanford
Ray Tenorio

AN ACT TO AMEND §9502 OF CHAPTER 9.5, DIVISION 1 OF TITLE 7 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE JUDICIAL BUILDING FUND; TO ADD A NEW CHAPTER 9.6 TO DIVISION 1 OF TITLE 7 OF THE GUAM CODE ANNOTATED, TO ESTABLISH THE GUAM JUDICIAL CLIENT SERVICES FUND; TO REPEAL §22111 OF CHAPTER 22, DIVISION 2 OF TITLE 7 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE APPOINTED COUNSEL TRUST FUND; AND TO REPEAL AND REENACT §22405 OF TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE JUDICIARY TRANSFER AUTHORITY.

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

1 **Section 1.** §9502 of Chapter 9.5 of Division 1, Title 7 of the Guam
2 Code Annotated, is hereby *amended* as follows:

3 “§9502. **Fund Sources.** (a) All income and interest earned on
4 such income received by the Courts for the filing of documents, or
5 imposition of fines based on the fee schedule in existence as of
6 September 12, 2002, except as otherwise mandated by 7 GCA Chapter
7 5, Article 3 and Chapter III, Title II of Part I of Division Fourth of the
8 Civil Code, relative to the Territorial Law Library and the Criminal
9 Injuries Compensation, respectively, and from rent paid by other
10 tenants or government departments or agencies occupying the
11 Judicial Building shall be deposited in the Judicial Building Fund.
12 All interest income earned by the Courts from interest bearing bank
13 accounts not part of the Judicial Building Fund shall likewise be
14 deposited in the Judicial Building Fund as provided in §9505 of this
15 Chapter.

16 (b) Subject to approval by the Judicial Council, the Superior
17 Court may charge reasonable fees for providing certain services or
18 programs that the court determines are necessary for the proper
19 administration of justice. Revenue received from such programs may
20 be deposited within revolving accounts set up to support the
21 programs or in the Judicial Building Fund, as the Council may
22 provide.

23 (c) All increase in fees, fines or revenues approved by the
24 Supreme Court of Guam or the Judicial Council and collected by the
25 Courts of Guam, which are over and above the fee schedule in

1 existence as of September 12, 2002, shall be deposited into the Judicial
2 Client Services Fund.”

3 **Section 2.** A new Chapter 9.6 is added to Division 1, Title 7 of the
4 Guam Code Annotated to read as follows:

5 **“Chapter 9.6**

6 **Judicial Client Services Fund**

7 **§9600. Judicial Client Services Fund.** There is hereby created
8 a Judicial Client Services Fund for the Courts of Guam. All money
9 collected for the Fund shall be deposited in interest-earning bank
10 accounts as provided in §9602 and §9604 of this Chapter.

11 **§9601. Fund Sources.** All increase in fees, fines or revenues
12 approved by the Supreme Court of Guam or the Judicial Council and
13 collected by the Courts of Guam, which are over and above the fee
14 schedules in existence as of September 12, 2002, for the filing of
15 documents, or imposition of fines, except as otherwise mandated by 7
16 GCA Chapter 5, Article 3 and Chapter III, Title II of Part I of Division
17 Fourth of the Civil Code, relative to the Territorial Law Library and
18 the Criminal Injuries Compensation, respectively, shall be deposited
19 into the Judicial Client Services Fund.

20 **§9602. Separation of Accounts.** The Superior Court of Guam
21 shall establish an account or accounts for the Judicial Client Services
22 Fund, separate and apart from that of the government of Guam
23 General Fund accounts, the Judicial Building Fund, and the existing
24 accounts of the Superior Court. The new account or accounts

1 established for the Fund together with the interest earned thereon
2 shall be for the following activities:

3 (a) Appointment of Counsel of Indigent Defendants
4 including, but not limited to, attorney fees, investigator fees,
5 interpreter fees, expert fees, jury fees, and any other related expenses
6 approved by the Superior Court of Guam or the Supreme Court of
7 Guam;

8 (b) Law Enforcement Escort Costs; and

9 (c) Operations of Erica's House.

10 **§9603. Reporting Requirements.** The Judicial Client
11 Services Fund shall be under the stewardship of the Judicial Council.
12 The Judicial Council shall prepare, or cause to be prepared, full
13 statements of accounts of all money received and expended out of the
14 account or accounts of the Judicial Client Services Fund, and shall
15 transmit such report to *I Liheslatura* each fiscal year, together with the
16 Budget Request of the Superior Court for the ensuing fiscal year.

17 **§9604. Legislative Appropriations.** *I Liheslatura* may, from
18 time to time, appropriate funds from the General Fund for deposit in
19 the Judicial Client Services Fund. Such funds, when appropriated,
20 shall be paid directly to the Judicial Client Services Fund.

21 **§9605. Line of Credit Authorized.** The Judicial Client
22 Services Fund may be encumbered as collateral for a line of credit to
23 pay for court appointed attorney fees and any other expense
24 approved by the Judicial Council of Guam or the Supreme Court of
25 Guam, which may be entered into by the Superior Court of Guam,

1 through its Judicial Council, and a lending institution chosen under
2 its procurement regulations.”

3 **Section 3.** §22111 of Chapter 22, Division 2, Title 7 of the Guam
4 Code Annotated is hereby *repealed*. All existing funds in and
5 appropriations to the Appointed Counsel Trust Fund shall be deposited to
6 the Judicial Client Services Fund.

7 **Section 4.** §22405 of Article 4, Chapter 22, Division 2 of Title 5 of the
8 Guam Code Annotated, is hereby *repealed* and *reenacted* as follows:

9 **“§22405. Transfer Authority. Judiciary.** Notwithstanding
10 any other provision of law, the Judicial Council is hereby authorized
11 to transfer up to ten percent (10%) of funds appropriated by *I*
12 *Liheslatura* to various divisions or categories within the Judicial
13 Branch; provided, that notice of each transfer and justification
14 therefore are delivered by the end of the month in which the transfer
15 takes place to the Speaker of *I Liheslaturan Guåhan*.”