BEFORE THE 2004 JUDICIAL COUNCIL OF GUAM
RESOLUTION NO. JC04-003
RELATIVE TO AUTHORIZING USE OF THE
JUDICIAL BUILDING FUND FOR UTILITY PAYMENTS

WHEREAS, pursuant to 7 GCA § 5102 (n) the Judicial Council has authority over all matters relating to the Judicial Building Fund;

WHEREAS, in light of increasing budget cuts and untimely release of monthly cash allotments, it has become extremely difficult to meet all the financial obligations facing the Judiciary, including utility payments;

WHEREAS, without utilities the maintenance and security of the Judicial Center would be impossible, and the ability to collect fines and fees to supplement the Judicial Building Fund would be compromised;

WHEREAS, the Judicial Building Fund has been used for building maintenance;

WHEREAS, the Judicial Council recognizes that the Farmers Home Administration has a security interest in the Judicial Building Fund;

WHEREAS, in March of 2002, the Farmers Home Administration approved the Superior Court's request to use the Judicial Building Fund for maintenance of the Judicial Center, including utility payments, for the remainder of Fiscal Year 2001-2002;

WHEREAS, the use of the Judicial Building Fund for utility payments for Fiscal Year 2003-2004 would not negatively affect the Judiciary's ability to pay the Farmers Home Administration loan or threaten the Judiciary's debt service;

WHEREAS, Judicial Council Resolution JC09-003 deappropriated and unencumbered all funding for capital improvement projects, which as of December 1, 2003 had not been reduced to written contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Judicial Council hereby approves the use of the Judicial Building Fund for utility payments for Fiscal Year 2003-2004. The Acting Administrator of the Superior Court is hereby directed to seek the approval of the Farmers Home Administration for the use of the Judicial Building Fund for the purpose herein described.

DULY ADOPTED this 15th day of January, 2004 at a duly noticed meeting of the Judicial Council of Guam.

F. PHILIP CARBULLIDO, Chairman

Date: January 15, 2004

ATTEST:

JULIE M. LUJAN-TORRES, Secretary

Date: January 15, 2004