



PACIFIC JUDICIAL COUNCIL

DIGITAL EVIDENCE FOR JUDGES

Westin Resort Guam, Tumon, Guam
June 24-26, 2026

PROGRAM AGENDA

WEDNESDAY, June 24, 2026 DAY 1

12:30 p.m.–12:45 p.m. **Registration**

12:45 p.m. – 1:00 p.m. **Welcome & Introductions**

*Co-Emcee, Hon. Maria T. Cenzone, Judge, Superior Court of
Guam and Chair, PJC Education Committee*

*Co-Emcee, Hon. Elyze M. Iriarte, Judge Superior Court of
Guam*

*Hon. Robert J. Torres, Associate Justice, Supreme Court of
Guam and President, Pacific Judicial Council*

Hon. Joshua Tenorio, Lieutenant Governor of Guam

1:00 p.m. – 2:00 p.m. **Legal Considerations of Technology, Social Media, & Digital
Data**

[Judge Mark McGinnis & Judge Alison Emerson]

Upon completing this lesson, students will be able to:

- Make technical information relevant and practical for Judges (multiple states).
- Discuss our roles.
- Provide tips and best practices for judges when handling different types of cases.
- Identify legal issues.
- Provide a legal framework for working through these issues the same way every time.

2:00 p.m. – 2:15 p.m. **Break**



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DIGITAL EVIDENCE FOR JUDGES

Guam

June 24-26, 2026

PROGRAM AGENDA

- 2:15 p.m. – 3:15 p.m. **Fourth Amendment Framework for Judges**
[Mark McGinnis]
Upon completing this lesson, students will be able to:
- Discuss and build a 4th Amendment framework for analyzing and deciding admissibility issues.
 - Examine how the framework applies to digital devices and media
 - Review three Supreme Court decisions related to EOP.
- 3:15 p.m. – 4:15 p.m. **Private Search Doctrine, Search vs Seizure, REOP, and Third-Party Doctrine** *[Mark McGinnis]*
Upon completing this lesson, students will be able to:
- Examine where the private search doctrine fits in our 4th Amendment framework.
 - Discuss case examples that illustrate private search doctrine.
 - Discuss search versus seizure.
 - Review video examples of search and seizure during a forensic examination.
 - Compare third-party doctrine with third-party consent.
 - Examine how terms of service impact protections.
 - Review several cases that illustrate shared space and REOP.
 - Examine consent versus abandonment.
- 4:15 p.m.- 5:00 p.m. **AI for Judges- Introduction**
[Alison Emerson]
Upon completing this lesson, students will be able to:
- Know what AI is.
 - Examples of how AI is being used.
 - Know the risks of AI in legal filings.



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DIGITAL EVIDENCE FOR JUDGES

Guam
June 24-26, 2026

PROGRAM AGENDA

5:00 p.m. – 5:30 p.m. **Guam-CNMI Bar Reciprocity Agreement Signing**

5:30 p.m. **Adjournment and Dinner on your own**

Please remember to complete your evaluations!



PACIFIC JUDICIAL COUNCIL

DIGITAL EVIDENCE FOR JUDGES

Guam
June 24-26, 2026

PROGRAM AGENDA

THURSDAY, June 25, 2026 DAY 2

- 8:00 a.m. – 8:30 a.m. **Check-in and debrief from Day 1**
Judge Iriarte and Judge Cenzone
- 8:30 a.m. – 9:30 a.m. **Fourth Amendment Satisfaction Framework for Judges-
Exceptions**
[Alison Emerson]
Upon completing this lesson, students will be able to:
- Discuss the Fourth Amendment Satisfaction Framework
 - Discuss an overview of warrantless searches.
 - Explain exceptions to search warrant requirements and their requirements.
 - Examine example scenarios that illustrate processes and problems.
- 9:30 a.m. – 10:30 a.m. **Search Warrant Framework and Review- Warrants**
[Mark McGinnis & Alison Emerson]
Upon completing this lesson, students will be able to:
- Refresh and deepen our understanding of the Fourth amendment and warrant satisfaction.
 - Review and discuss several affidavits and search warrants.
- 10:30 a.m.–10:45 a.m. **Break**
- 10:45 a.m.–11:45 a.m. **Search Warrant Best Practices & Practical Exercises**
[Mark McGinnis & Alison Emerson]
Upon completing this lesson, students will be able to:
- Discuss the role of the trial court.



PACIFIC JUDICIAL COUNCIL

DIGITAL EVIDENCE FOR JUDGES

Guam

June 24-26, 2026

PROGRAM AGENDA

- Examine the search warrant procedure and constitutional requirements for every warrant.

11:45 a.m. – 1:00 p.m. **Lunch: Photos & Presenter Appreciation**

1:00 p.m. – 2:00 p.m. **Geofence Warrants & Location Data**

[Alison Emerson]

Upon completing this lesson, students will be able to:

- Identify and describe a geofence warrant.
- Know the difference between a geofence warrant, a tower dump, and HSCLI.
- Know the geofence 3 step process.
- Know best practices when reviewing, limiting, and granting a geofence warrant.

2:00 p.m. – 3:00 p.m. **Motion Practice: Best Practices, Legal Considerations**

[Alison Emerson & Mark McGinnis]

Upon completing this lesson, students will be able to:

- Discuss best practices for motions.
- Review motions to quash and/or return property.
- Review examples of motion practice involving the Confrontation Clause.
- Discuss motion considerations when media or the public requests documents.

3:00 p.m. – 3:15 p.m. **Break**

3:15 p.m. – 4:15 p.m. **Fifth Amendment Framework for Judges**

[Mark McGinnis]

Upon completing this lesson, students will be able to:

- Discuss rights and privileges outlined in the 5th Amendment.



PACIFIC JUDICIAL COUNCIL

DIGITAL EVIDENCE FOR JUDGES

Guam
June 24-26, 2026

PROGRAM AGENDA

- Discuss forced self-incrimination and the 5th Amendment.
- Discuss compulsion of biometrics v. password or PIN.
- Review potential 5th Amendment exception- foregone conclusion.
- Discuss noteworthy cases
- Review best practices.

4:15 p.m. – 5:00 p.m. **AI Practical Experience for Judges and Evidentiary Issues**
[Alison Emerson & Mark McGinnis]

Upon completing this lesson, students will be able to:

- Use AI for Legal Research and Other Judicial Tasks
- Understand the Ways Litigants/Counsel Use AI
- Use the admissibility framework for AI issues.

5:00 p.m. **Wrap up & Adjourn**

5:30 p.m. **Welcome Dinner for Attendees**

Please remember to complete your evaluations!



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DIGITAL EVIDENCE FOR JUDGES

Guam
June 24-26, 2026

PROGRAM AGENDA

FRIDAY, June 26, 2026 DAY 3

- 8:00 a.m. – 8:15 a.m. **Check-in and debrief from Day 2**
Judge Iriarte and Judge Cenzon
- 8:15 a.m. – 9:15 a.m. **Admissibility Framework for Judges**
[Mark McGinnis]
Upon completing this lesson, students will be able to:
Review the legal framework for analyzing and deciding admissibility issues.
- 9:15 a.m. – 10:15 a.m. **Admissibility Framework of Digital Evidence**
[Mark McGinnis]
Upon completing this lesson, students will be able to:
- Review the legal framework for analyzing and deciding admissibility issues.
- 10:15 a.m.–10:30 a.m. **Break**
- 10:30 a.m –11:30 a.m. **Expert Testimony and Expert Opinions**
[Mark McGinnis]
Upon completing this lesson, students will be able to:
- Discuss federal rules of evidence, and opinion testimony by law witnesses and expert witnesses.
 - Review the legal framework for admissibility of evidence.
- Examine our role as gatekeeper of the evidence.
- 11:30 a.m.–12:30 p.m. **Lunch**



PACIFIC JUDICIAL COUNCIL

DIGITAL EVIDENCE FOR JUDGES

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June 24-26, 2026

PROGRAM AGENDA

- 12:30 p.m. – 1:30 p.m. **Discovery and E-Discovery for Judges**
[Mark McGinnis]
Upon completing this lesson, students will be able to:
- Analyze discovery issues for requests of digital data.
 - Review E-discovery best practices and emerging issues.
 - Examine discovery of digital data scenarios.
- 1:30 – 2:00 p.m. **Protecting Judges' Privacy in Cyberspace**
[Mark McGinnis]
Upon completing this lesson, students will be able to:
- Discuss general guidelines for all internet activity.
 - Review security concepts.
 - Examine online ethics and security.
 - Discuss reasonable preventative measures.
- 2:00 p.m. – 2:10 p.m. **Break**
- 2:10 p.m. – 3:00 p.m. **Electronic Media and Use Issues for Judges**
[Mark McGinnis]
Upon completing this lesson, students will be able to:
- Discuss our use of social media.
 - Evaluate the appropriate use of social media.
 - Discuss cellphones in the courtroom.
- 3:00 p.m. **Closing Announcements & Adjournment**

Thank you for your attendance! Please remember to complete your evaluations.