

PUBLIC DEFENDER SERVICE CORPORATION
Board of Trustees Regular Meeting
Friday, May 31, 2013
Conference Room,
Public Defender Service Corporation
12:30 p.m.

A G E N D A

I. Call to Order

II. Roll Call

III. Proof of Due Notice of Meeting:

5 Working Days Notice: Marianas Variety, Friday, May 17, 2013
48 Hours Notice: Marianas Variety, Tuesday, May 28, 2013

IV. Determination of Quorum

V. Approval of Minutes: (Regular Meeting of March 22, 2013)

VI. Old/Unfinished Business:

- A. Financial Status Update (PDSC and APD Allotment Releases)
- B. Domestic Violence Program Update
- C. Alternate Public Defender Update
- D. PDSC's Policy for Conflicts of Interest
- E. PDSC's Fiscal Year 2014 Budget Request
(Informational Purposes: Submitted April 2, 2013)

VII. New Business:

- A. PDSC Client Eligibility Criteria
- B. Pacific Judicial Council Public Defender Training

VIII. Public Discussion

IX. Adjournment and Next Meeting Date

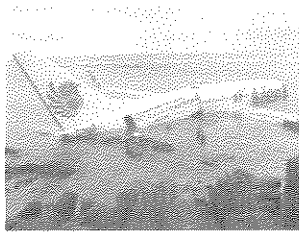
Lion Air pilots criticized over Bali crash

LONDON (Reuters) – Indonesia's largest low-cost carrier Lion Air has been criticized after a preliminary investigation into last month's Boeing 737 crash off Bali found a young, second-in-command pilot was at the controls at a "critical time."

The National Transportation Safety Committee said in a report that the budget carrier should immediately implement a number of safety measures related to landing procedures carried out by pilots, as well as to ensure pilots are properly trained.

The report, released late on Tuesday, did not give an exact cause of the crash, but ruled out any major problems with the new Boeing 737-800 passenger jet.

A spokesman for Lion Air, which has had six landing acci-



◀A Lion Air plane is seen in the water after it missed the runway in Denpasar, Bali in this picture provided by the Indonesian police April 13. Reuters

them starting or increasing flights to the United States.

Critical time

The preliminary report said that the 24-year-old second-in-command, who had 1,200 hours of flying experience, was in control during the descent into the airport and reported that he could not see the runway 900 feet above ground.

The captain then switched off the auto-pilot and the second-in-command handed over controls to him at 150 feet – or 1 minute, 6 seconds before the crash – after repeating that he could not see the runway.

dents in the past decade, said on Wednesday the airline had not "received the report yet."

All 108 passengers and crew survived when the passenger jet undershot the tourist island's main airport runway and belly-flopped into the water.

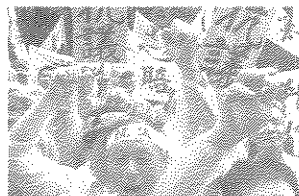
Indonesia has also failed U.N. agency the International Civil Aviation Organization's standards for aircraft operations and maintenance, and as a result American regulators have imposed restrictions on

Taiwan issues 'red' travel alert against Philippines

TAIPEI – The Tourism Bureau announced that tourists scheduled to go to the Philippines can receive full refunds after deducting a certain amount of regulated fees after the Executive Yuan announced a "red" travel alert against the Philippines among eight other sanctions issued over the shooting of a local fisherman in disputed waters.

According to the Tourism Bureau, the Ministry of Foreign Affairs listed all areas of the Philippines as being in the "red" travel alert zone, which suggests people should not travel to those areas.

Around 180,000 Taiwanese tourists travel to the Philippines annually, according to the Tourism Bureau, which placed local tourists in the top 10 of those who visit the Philippines.



◀Angry Taiwanese fishermen chant slogans at the Philippines' de facto embassy in Taipei during a protest on May 13. AFP

attention to their safety.

According to the Tourism Bureau, the exact number of tourists who

The Tourism Bureau said that tourists who are already scheduled to go to the Philippines and wish to cancel their trips can receive full refunds after a certain amount of fees are deducted according to regulations.

In a press release issued by the Tourism Bureau yesterday, the bureau asked all domestic travel agencies to stop forming tour groups to the Philippines and reminded tourists who will travel to the Philippines to pay

have made reservations with travel agencies to go to the Philippines has not been confirmed.

Meanwhile, tourism authorities and travel agents from the Philippines have withdrawn from participation in the upcoming 2013 Taipei Tourism Expo, assuming that their presence will not attract Taiwanese tourists. The move will cost the Philippine participants NT\$240,000 (\$8,000) in penalties. (TurboNews)

China prepares to host Pacific Island Leaders in November

BELING – China has upped the ante on the race to win the hearts of Pacific Island Countries.

In November this year the Beijing leadership is hosting the leaders of the Pacific Islands Forum for the first China-Pacific Leaders' Dialogue to be held in its south-west coastal city of Guangzhou.

Although officials have been tight-lipped about the event and its details, they have confirmed in private that the three-day meeting will take place from Nov. 9 this year.

It will follow a similar format to the annual Japan-South Pacific Leaders' Summit.

Officials said that although Solomon Islands does not have diplomatic relations with China, it will be on the list of invitees.

Solomon Islands has diplomatic ties with Taiwan, which

China continues to claim is a renegade province of the Mainland.

Guangzhou was chosen by the Beijing Government to showcase China's economic miracle because of the south-west coastal city's thriving economic development, ranking it at the top of China's most successful domestic economies.

"China will announce a package of assistance it has for the Pacific Island nations at the meeting," one senior Pacific Islands official said in Beijing on the weekend.

"In the package will be China's offer of a \$1 billion soft loan, which will be available to all Pacific Islands nations," the official said.

This will be the second time China has offered the Pacific Island countries a soft loan.

For example, a senior Chinese government official told visiting the Pacific Island countries' delegation last Wednesday that Beijing is ready to assist Pacific Island Countries by way of providing concessional loans and other forms of assistance.

"China's assistance comes in different forms, which include grants, concessional loans and in-kind assistance.

"These are available to all Pacific Island Countries," Vice Minister, Liu Jieyi, of the International Department of the Communist Party of China (CPC) Central Committee, said.

It is not clear whether Prime Minister Gordon Darcy Lilo would be attending, particularly at a time when Taiwan has been very sensitive about approaches to Solomon Islands by Beijing. (PACNEWS)

Indonesia extends forest-clearing ban

JAKARTA (AP) – Indonesia has approved a two-year extension to a landmark ban on clearing primary rainforests and peatlands, officials said Thursday. Environmentalists praised the move but said the government must do more to curb the nation's burgeoning production of greenhouse gases.

President Susilo Bambang Yudhoyono signed the decree on Monday to continue the 2011 moratorium, which barred new logging and palm oil plantation permits under a \$1 billion deal with Norway, said his environment adviser, Pungki Agus Purnomo.

He said the ban will preserve 64 million hectares (158 million acres) until 2015. It will not affect areas where concessions were granted before the moratorium.

Environmentalists hailed the extension while also urging leaders to better enforce the law. They say some protected areas continue to be exploited because

of corruption and illegal fires and logging.

"It is just like a presidential instruction to his subordinates ... it has no power to sanction against violators," said Walhi environmentalist Berry Nahdian Furqan, who added that the ban should be made permanent.

Indonesia is one of the world's biggest greenhouse gas emitters, largely because many of the palm oil plantations on the islands of Borneo and Sumatra are planted on carbon-rich peatland that must be drained first, releasing vast amounts of carbon dioxide into the atmosphere each year.

Rapid deforestation has occurred in recent years in Indonesia as it feeds the world's hunger for palm oil, pulp and paper. The destruction has caused damage ranging from deadly flash floods and landslides to a loss of habitat for endangered species such as orangutans, elephants, tigers and rhinos.

ATTENTION FARMERS AND RESIDENTS

Southern Soil and Water Conservation District Regular Monthly Board Meeting

DATE: Wednesday, May 29, 2013

Time: 10:30 a.m. - 12:00 p.m.

Place: UOG Agriculture and Life Science ALS Conference Bldg Rm. 104

Paid for by Government Funds



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Department of Parks and Recreation

NOTICE OF PUBLIC MEETING

The Guam Historic Preservation Review Board will meet Thursday, May 23, 2013, 4:00 p.m. at the Department of Parks and Recreation Conference Room located at 490 Chalan Palasyo, Agana Heights (across Naval Hospital).

For special accommodations and further information contact the Guam Historic Resources Division at 475-6294/6295.

Raymond F.Y. Blas,
Director

NOTICE OF PUBLIC MEETING

The Public Defender Service Corporation Board of Trustees will conduct a regular meeting on **Friday, May 31, 2013 at 12:30 p.m.** in the Conference Room of the Public Defender Service Corporation, located at the MVP Sinajana Commercial Building, Unit B, 779 Route 4, Sinajana, Guam 96910.

Copies of the agenda will be available prior to the meeting at the Public Defender Service Corporation (address above).

Individuals requiring special accommodations are asked to contact Mrs. Bernadette S.N. Chargualaf at 475-3100.

/s/ CHIEF JUSTICE F. PHILIP CARBULLIDO
Chairman

This public notice is paid for with government funds administered by the Public Defender Service Corporation.

Sentencing set for marriage fraud case

By Gina Tabonares-Reilly
gina@mvguam.com
Variety News Staff

BRADLEY Jiblits, the man who admitted his role in a conspiracy to commit marriage fraud, is set for sentencing on June 5.

Jiblits was indicted earlier on Aug. 22, 2012, along with Jian Bing Wu and Yingzi Zhang. Wu was charged with conspiracy to commit marriage fraud, marriage fraud, and false statements.

He entered a plea agreement on Nov. 28, 2012 and confessed that he introduced a man to his friend who was looking to marry fraudulently to obtain a U.S. visa.

According to the indictment, Jiblits introduced Wu, a Chinese national, to Lynda Kathryn Laracuente, a U.S. citizen, for the purpose of entering into a civil marriage in November 2007 for financial reasons, among others.

Wu was found guilty of conspiracy to commit marriage fraud and marriage fraud on May 13. The guilty verdict is the result of a six-day jury trial. Wu's sentencing hearing is scheduled for Aug. 22. He faces a statutory maximum penalty of five years' imprisonment and a maximum fine of \$250,000.

Laracuente pleaded guilty to marriage fraud on Nov. 4, 2011 and Zhang pleaded guilty to aiding and abetting statements on May 3, 2012.

Jiblits, in his plea agreement, admitted he was a close friend of Laracuente, who was in need of money. Jiblits indicated he was aware that Wu was looking for a U.S. citizen to marry so he could receive a "green card," the plea agreement stated. Jiblits and others then introduced Laracuente and Wu, who both later entered into a civil marriage on Nov. 3, 2007.

As part of the plea agreement, Jiblits must cooperate with federal authorities as they continue their investigation into the matter. Prosecutors will determine what sentence to recommend.

Jiblits may face up to five years' imprisonment, a \$250,000 fine, and a term of three years' supervised release.

The case was investigated by the Department of Homeland Security and prosecuted by Assistant U.S. Attorney Stephen F. Leon Guerrero and First Assistant U.S. Attorney Stephen P. Sinnott.

Intermittent lane closures

(DPW) — The Department of Public Works is reminding motorists that Route 1 between Route 4 and Route 8 is reduced to two lanes in each direction.

Motorists traveling through this area are advised to be aware of new lane configurations, lane shifts and detours and should expect travel delays. Alternative routes and/or adjusting drive times when feasible are encouraged.

Motorists are also advised to be

aware of the tight right-turn from Route 8 to Chalan Santo Papa Juan Pablo and to drive cautiously through this construction zone.

Meanwhile, construction work on the bridge abutments on the Route 4 Ylig Bridge continues this week. Due to the proximity of the construction work to travel lanes, intermittent traffic delays and lane closures may be required for the safety of motorists traveling in the area.

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/s/ CHIEF JUSTICE F. PHILIP CARBULLIDO
Chairman

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Variety file photo

Guam's visitor arrival figure for May is up 7.1 percent compared to the number of arrivals during the same period last year.

Guam visitor arrivals up 7 percent

By Joy White
joy@mvguam.com
Variety News Staff

GUAM'S visitor arrival figure for May is up 7.1 percent compared to the same period last year, according to a preliminary report from the Guam Visitors Bureau.

The report tracked visitor arrivals to Guam from May 1 to 23.

In May 2012, Guam saw a total of 59,964 arrivals. This year Guam saw more than 64,000 arrivals.

The top five markets for Guam are Japan, Korea, Taiwan, the People's Republic of China, and the U.S.

mainland.

Visitors from Japan were down 2.9 percent in May, dropping to 41,082 from 42,298 in 2012.

The decrease came despite Golden Week, which occurred in the first week of the month. Golden Week is one of Japan's three busiest holiday seasons, besides New Year and Obon Week.

Korea, Guam's next largest tourist market, saw more than 13,000 visitors this month, a 72 percent increase from last year's arrival figure of almost 8,000.

Arrivals from Taiwan decreased by almost 4

percent, dropping from 2,555 in May of last year to 2,457 this month. However, the People's Republic of China saw an almost 60 percent increase from just 315 in May 2012 to 503 visitors this month.

Guam also saw 2,275 arrivals from the U.S. mainland this month compared to 2,636 from May 2012, indicating a decrease close to 14 percent.

In addition, Guam's newest market, Russia, continues to see a large influx with an increase of close to 90 percent, from 181 arrivals in May 2012 to 343 arrivals this month.



GHURA
Guam Housing and Urban Renewal Authority
Atridad Ginima' Yan Rinneban Sindat Guahan
117 Bien Venida Avenue • Sinajana Guam 96910
Phones: (671) 477-9851 • Fax: (671) 300-7565 TTY# (671) 472-3701



Ray Tenorio
Lieutenant Governor

Request For Qualifications
RFQ # GHURA 5-20-2013-ITan

This is ad paid with Rural Development Funds by GHURA

Guam Housing and Urban Renewal Authority (GHURA) is soliciting proposal from consultants, CNA Providers, Architectural/Engineering (A/E) firms for the purpose of selecting a firm to conduct a Cost Needs Assessment (CNA) Report to be used by Rural Development of GHURA's Guma Trankilidat Development in Tumon, Guam.

Interested firms may obtain copies of RFQ at the GHURA Main Office, Procurement Office starting May 20, 2013 between the hours of 8:00 a.m. and 12:00 p.m. and between 1:00 p.m. and 4:00 p.m. Monday through Friday except on holidays. Original and four copies of proposals containing Qualification Statements will be accepted until 2:00 P.M. (Guam Standard Time). Monday, June 10, 2013, at the GHURA Main Office, Sinajana, Guam.

GHURA hereby notifies all firms that it will affirmatively insure that in any contract entered into pursuant to this advertisement, small business enterprises will be afforded full opportunity to submit proposals and will not be discriminated against on grounds of race, color, religion, sex, or handicapped status, or national origin.

GHURA reserves the right to reject any or all proposals.

GHURA is an Equal Opportunity Employer.

Michal J. Duenas
Executive Director

**PUBLIC DEFENDER SERVICE CORPORATION
BOARD OF TRUSTEES
Regular Meeting
of
Friday, March 22, 2013
12:50 p.m.
PDSC Conference Room**

MINUTES

I. CALL TO ORDER:

This meeting was called to order by the Chairman, Chief Justice F. Philip Carbullido at 12:50 p.m.

II. ROLL CALL:

Present: Chief Justice F. Philip Carbullido, Chairman
Presiding Judge Alberto C. Lamorena III, Vice-Chairman
Attorney Cynthia V. Ecube, GBA President
Donna Muna-Quinata, Member
CathyAnn C. Gogue, Member

Others Present: Attorney Eric D. Miller, PDSC Executive Director
Attorney Ana Maria Gayle, APD Supervising Attorney
Bernadette S.N. Chargualaf, PDSC Administrative Director
Julito B. Tingson, Jr., MIS Administrator
Kenneth A. Lim, Computer Systems Analyst
Cecelia M. Fernandez, Administrative Assistant

III. PROOF OF DUE NOTICE OF MEETING:

“Notice of Public Meeting” was published in Marianas Variety on Friday, March 14, 2013 and Wednesday, March 30, 2013.

IV. DETERMINATION OF QUORUM:

With the presence of all board members, a quorum was determined for this meeting.

V. APPROVAL OF MINUTES: Minutes of the regular board meeting held on Tuesday, January 22, 2013 were adopted and approved.

VI. OLD BUSINESS:

- A. Financial Status Update (PDSC and APD Allotment Releases):** Administrative Director Bernadette Chargualaf reported that PDSC received allotments through the first half of March 2013.

For Alternate Public Defender (APD), allotments for the first quarter of FY2013 were released; a request was made on January 2, 2013 for the second quarter of FY2013. Chief Justice Carbullido recommended that Bennette Chargualaf contact Norma Sablan, Acting Controller, regarding this matter, and that he be kept informed as to the status of the allotment release.

- B. Domestic Violence Program Update:** The Memorandum of Understanding for Fiscal Year 2012 is now complete, with all required signatures reflected. Funds are now authorized and will be released as agreed upon.

- C. Alternate Public Defender Update:** APD Supervising Attorney Annie Gayle reported that the Mock Trial team coached by APD attorneys took second place in the island-wide competition. She also mentioned the Legal Secretary I opening, brought on by the resignation of former Legal Secretary I Tammy Amuan.

Attorney Gayle also indicated that Senior Judge Pro Tem Elizabeth Barrett-Anderson has been very accommodating with respect to the APD's needs for court interpreters.

- D. PDSC's Policy for Conflicts of Interest:** At the direction of Chief Justice Carbullido, this matter was deferred for thirty (30) days so that board members can read and submit comments regarding the draft previously submitted by Executive Director Eric Miller.

- E. Formation of Task Force re: Development of Civil Division Within the PDSC:** (This item was consolidated with the "PDSC Fiscal Year 2014 Budget Request" under New Business.)

- F. Hiring of Chief Fiscal Officer:** Administrative Director Bernadette Chargualaf informed all present that Mr. Michael S. Moreno will be filling the position of Chief Fiscal Officer beginning Monday, March 25, 2013. Mr. Moreno is transferring from the Judiciary where he held the position of Court Fiscal Officer I.

VII. NEW BUSINESS:

- A. PDSC's Fiscal Year 2014 Budget Request:** Prior to the actual presentation of the Corporation's Fiscal Year 2014 Budget Request, Chief Justice Carbullido related that the Governor's Office is requesting an across-the-board cut of five percent (5%) from Fiscal Year 2013's approved budgets. (For PDSC's purposes, FY2013's appropriation level was actually at FY2012 levels, minus approximately five percent (5%)).

Therefore, board members have to decide as to how to proceed with the PDSC's budget request. Priorities need to be determined; choices involve the addition of a Civil Division, or additional staff to handle the extensive caseload. The Chief Justice revealed his perspective of deferring the establishment of a PDSC Civil Division for now, and letting the Task Force created for this purpose go through the process methodically.

Executive Director Miller requested that the new Attorney I-1 position be approved, on the premise that attrition will assist in the funding of this position. (Attorney Jane Kennedy will be retiring toward the end of the current fiscal year.) Presiding Judge Lamorena suggested that if the PDSC can justify the additional attorney position (entry level), then the Corporation should go forward with this request. In addition, statistics should be made available when the PDSC Budget Request is heard before the legislature.

It was then decided that information contained in the PDSC's Fiscal Year 2014 Budget Request that pertained to the establishment of a Civil Division be deleted. The request for an additional attorney (Attorney I-1) will be retained.

A comparative analysis between funding levels for Fiscal Years 2012 and 2013 was to be included in the agency's budget document for submittal to the legislature.

- VIII. RECESS AND RECONVENING DATE:** Due to the significant changes that must be made to the PDSC Fiscal Year 2014 Budget Request, this meeting was recessed at 1:27 p.m. and was set to reconvene at 12:30 on Wednesday, March 27, 2013.

RECONVENING OF REGULAR MEETING
(recessed on March 22, 2013)
Wednesday, March 27, 2013 at 12:55 p.m.

I. ROLL CALL:

Present: Chief Justice F. Philip Carbullido, Chairman
Presiding Judge Alberto C. Lamorena III, Vice-Chairman
Attorney Cynthia V. Ecube, GBA President
Donna Muna-Quinata, Member
CathyAnn C. Gogue, Member

Others Present: Attorney Eric D. Miller, PDSC Executive Director
Bernadette S.N. Chargualaf, PDSC Administrative Director
Julito B. Tingson, Jr., MIS Administrator
Michael S. Moreno, Chief Fiscal Officer
Kenneth A. Lim, Computer Systems Analyst
Cecelia M. Fernandez, Administrative Assistant

With the presence of all board members, a quorum was determined.

II. PDSC Fiscal Year 2014 Budget Request:

Administrative Director Bernadette S.N. Chargualaf presented the agency's Budget Request in "absolute priorities". However, board members instructed that several items that were removed should be restored. These included:

- Employees' Salary Increments/Pay Adjustments
- Drug Testing (\$2,000)
(The Corporation was also directed to develop a Drug-Free Workplace policy, using the courts' as a guide.)

Subsequently, a motion was made relative to the "approval in substance" of the PDSC Fiscal Year 2014 Budget Request, with revisions to Column D which should include the amendments made at this meeting. In addition, the Chief Justice was given authorization by board members to make minor changes to the document as he saw fit.

Executive Director Eric Miller asked that the agency be given permission to request an extension of the submittal deadline from Senator Ben Pangelinan's office. Instead of the April 1, 2013 deadline, the Corporation would seek an extension to April 5, 2013.

III. PUBLIC DISCUSSION: None.

IV. ADJOURNMENT AND NEXT MEETING DATE: There being no further business up for discussion, this meeting was adjourned at 2:00 p.m. The next regular board meeting was then tentatively scheduled for Tuesday, April 23, 2013.

Respectfully submitted,



BERNADETTE S.N. CHARGUALAF
Secretary