PUBLIC DEFENDER SERVICE CORPORATION
Board of Trustees Regular Meeting
Tuesday, June 23, 2009
Conference Room, Supreme Court of Guam
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, June 12, 2009
48 Hours Notice: Marianas Variety, June 19, 2009

IV. Determination of Quorum

V. Approval of Minutes: (Regular Meeting of February 24, 2009 and Special Meeting of March 13, 2009)

***** Meeting scheduled for April 28, 2009 was cancelled due to the lack of a quorum**

VI. Old/Unfinished Business:

A. Domestic Violence Program: Status of Memorandum of Understanding & Financial Update

B. Hiring of New Personnel Specialist IV (Mr. Edbert J. Quintanilla began employment with the PDSC on March 16, 2009)

C. Financial Status Update (PDSC and APD) (Allotment Releases)

D. Upgrading of APD's Broadband-Internet Speed

E. Director's Performance Review and Report (posted on PDSC's website on April 7, 2009)

VII. New Business:

A. PDSC's Fiscal Year 2010 Budget Request:

1. Meeting with Legislative Oversight Chair, Senator Adolpho B. Palacios on Wednesday, April 29, 2009 at 1:30 p.m.

2. Public Hearing held on June 10, 2009 at 8:00 a.m.

B. Alternate Public Defender Fiscal Year 2010 Budget Request (Resolution No. 04-09)

C. Renewal of Lease Agreement: Alternate Public Defender

VIII. Public Discussion

IX. Adjournment

Court denies Villagomez motion to disqualify Munson

By Raquel C. Bagnol
raquel.bagnol@mvariety.com
Variety News Staff

SAIPAN – The federal court has denied the motion filed by former Lt. Gov. Timothy Villagomez, former Commerce secretary James Santos and his wife Joaquina V. Santos to disqualify U.S. District Court for the NMI Chief Judge Alex R. Munson from handling the case.

Timothy Villagomez

In his 11-page order dated June 9, Munson said the court finds that the allegations in the defendant's motion do not reasonably call into question his impartiality.

"Most of the allegations are not supported by facts. None are directed at a party and none are based on extrajudicial conduct," Munson said.

"I cannot, in good conscience, recuse myself from a case just because a party that is dissatisfied with my rulings claims bias," Munson added.

On April 24, the three defendants were convicted by a jury for conspiracy to commit offenses against the U.S., wire fraud and theft concerning a program receiving federal funds.

The defendants later filed a motion to disqualify Munson from all additional proceedings in the case.

The defendants claimed that Munson had an ex-parte communication with a prospective juror/government witness, Joseph Muna Fejeran.

But Munson said Fejeran contacted the clerk of court to be excused.

The clerk of court instructed Fejeran that he would not be excused because the summons was for a new jury pool and not just for a jury selection.

The defendants also claimed that Munson's treatment of evidentiary matters during the trial amounted to biased conduct.

They said the judge ruled incorrectly on the defendants' evidentiary objections, made biased comments regarding defense counsel's cross examination efforts and assisted the prosecution in admitting evidence.

Munson said these allegations were not supported by facts.

He added that evidentiary objections must necessarily be sustained or overruled, and judgment is one of law and does not reflect the judge's personal feelings toward the attorneys.

The defendants further claimed that Munson made comments during the defense counsel's cross examination.

Munson said this supposed biased conduct was not directed at the defendants and was not "extrajudicial" – it did not reasonably implicate his impartiality.

Reacting to the defendants' criticism of his courtroom management, Munson said: "A courtroom and courthouse premises are subject to the control of the court."

He said the case was a criminal prosecution of one of the highest public officials in the CNMI, his sister and his brother-in-law.

"It was a case of heightened public scrutiny, concern and emotion," he said.

Munson added that the court had two additional U.S. Marshals for the duration of the trial to ensure the safety of the jurors, the court, the parties, the public, and the integrity of the jury by avoiding any potential for untoward jury interaction with the parties, the lawyers or the court.

Munson stated that on the first day of the trial, members of the public sat in their vehicles in the parking lot opposite the courthouse yelling obscenities and making obscene gestures at the courthouse.

Munson said during closing arguments, he was informed by defense counsel David Lujan that the public was concerned that the government witnesses and their families were being given preferential treatment.

Sablan meeting

Photo courtesy of Congressman Gregorio C. Sablan's office

State Independent Living Council member Tilde Rosario, Office of Vocational Rehabilitation staff members Elvira Seman, Fernando Romolor, John Arriola and the governor's special assistant for disability policy and programs, Thomas J. Camacho, pose with Congressman Gregorio C. Sablan in his Washington, D.C. office. The group from the CNMI presented several fact sheets and discussed with Sablan the disability legislation impacting local citizens with disabilities living in the CNMI.

NOTICE OF PUBLIC MEETING

The Public Defender Service Corporation Board of Trustees will conduct a regular meeting on **TUESDAY, JUNE 23, 2009** at **12:30 p.m.** at the Guam Supreme Court, Third Floor, Guam Judicial Center, 120 West O'Brien Drive, Hagatna, Guam 96910.

Copies of the agenda will be available at the Public Defender Service Corporation, 110 West O'Brien Drive, Hagatna, Guam 96910.

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

/s/ CHIEF JUSTICE ROBERT J. TORRES, JR.
Chairman

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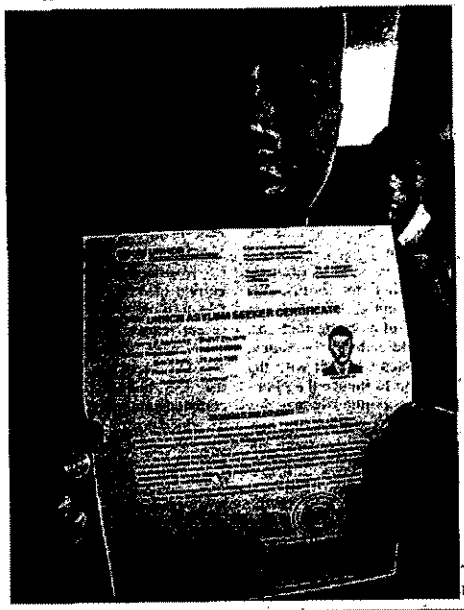
Marianas Variety
The Local & Regional Newspaper
Guam Edition

Myanmar asylum seekers also find safe haven in Palau



Myanmar Buddhist monk Agga Na Na shows off a UNHCR asylum seeker certificate. Fearing arrest, a group of the 11 asylum seekers fled their homes in Myanmar to Malaysia to the Philippines and finally found peace in Palau.

KOROR, Palau (AP) — The newcomers on this tiny Pacific nation are young and in limbo, scared that they'll be arrested if they're sent back to their native land. Most speak no English, but they say they're astounded by the generosity of Palau and its people.

They are not the Chinese Muslims from Guantanamo who made world news last week when Palau's president said the country would take them. Instead, they are 11 asylum seekers from Myanmar — and they may offer the best idea of what the freed detainees' new lives might be.

"They didn't know us," Aye Aye Thant, 34, the group's sole fluent English speaker and de facto spokeswoman, said Sunday. "We are not workers, and we don't serve their country. But we are treated as their own siblings."

Fearing arrest for their political activities, the 10 men and one woman fled military-run Myanmar to Malaysia and then to the Philippines, always moving on because they thought the countries might deport them. They had never heard of Palau, but friends suggested it. It also offered an attractive feature — visa-free entry.

They arrived in late February, and Palau has mobilized to protect them.

Once their money ran out, the local Roman Catholic church offered to house and feed them. A senator — the president's younger brother — will take over, letting them stay at his farmhouse as they await word on their application for asylum.

"It's our age-old tradition to receive those in need whenever they somehow arrive on our shores," President Johnson Toribiong said in an interview with The Associated Press. He said that idea is behind the decision to accept the Chinese Muslims, known as Uighurs, and rejected criticism that the move is somehow tied to U.S. aid.

The Myanmar asylum seekers say that in tropical Palau, one of the world's smallest countries, they finally feel free.

"We were going to be arrested by the military government (in Myanmar)," said Aye Aye Thant, a former English teacher who openly opposes Myanmar's ruling junta.

She decided to leave after a family friend and police officer warned her father that she appeared on a government arrest list. She had made unauthorized trips to the Irrawaddy Delta region, hit hard by last year's Cyclone Nargis, to pass out donated supplies and money.

Her cousin Agganana, another asylum seeker who goes by one name, said he led various anti-government demonstrations at home.

All but one in the group, which includes two Buddhist monks, are members of the overseas offshoot of the National League for Democracy led by pro-democracy leader Aung San Suu Kyi, who is currently being tried on charges of violating the terms of her house arrest by harboring an American who swam uninvited to her lakeside home.

Myanmar Buddhist monk Pyinna Nando speaks during a meeting with The Associated Press in Koror, Palau, Sunday, June 14.

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Mariana Variety

NOTICE OF PUBLIC MEETING

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Copies of the agenda will be available at the Public Defender Service Corporation, 110 West O'Brien Drive, Hagatna, Guam 96910.

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

/s/ CHIEF JUSTICE ROBERT J. TORRES, JR.
Chairman

PUBLIC DEFENDER SERVICE CORPORATION
BOARD OF TRUSTEES
Meeting of
Tuesday, February 24, 2009
12:45 p.m.
Justice Monessa G. Lujan Courtroom
Supreme Court of Guam

MINUTES

I. CALL TO ORDER: This meeting was called to order by the Chairman, Chief Justice Robert J. Torres, Jr. at 12:45 p.m.

II. ROLL CALL:

Present were:
Chief Justice Robert J. Torres, Jr., Chairman
Presiding Judge Alberto C. Lamorena III, Vice Chairman
Attorney Rawlen M.C. Mantanona, GBA President
CathyAnn C. Gogue, Member

Absent was: Donna Muna Quinata, Member (excused)

Others present were:
Attorney Mike A. Nisperos, Jr., Director
Bernadette S.N. Chargualaf, Administrative Director
Attorney Ana Maria C. Gayle, APD Supervising Attorney
Cecilia A.T. Lizama, Chief Fiscal Officer
Julito B. Tingson, Jr., MIS Administrator
Kevin J.M. Perez, Systems Analyst
Cecelia M. Fernandez, Administrative Assistant

III. PROOF OF DUE NOTICE OF MEETING:

"Notice of Public Meeting" was published in the Marianas Variety on Monday, February 16, 2009, and on Friday, February 20, 2009.

IV. DETERMINATION OF QUORUM: With the presence of four board members, a quorum was determined for this meeting.

V. APPROVAL OF MINUTES: Minutes of the board meeting held on Tuesday, January 13, 2009 were approved, subject to corrections

VI. OLD/UNFINISHED BUSINESS:

A. Memorandum of Understanding re: Domestic Violence Program: This subject relates to the logistic transfer of the PDSC Domestic Violence Specialist from the premises of the PDSC to the Superior Court of Guam. PDSC Director and Attorney Mike Nisperos presented information indicating that respective agencies met, and determined that the courts could use the services presently provided by the program at the PDSC. Undoubtedly, these legal services are needed by victims of family violence. Another meeting was scheduled for February 25, 2009 at 3:30 p.m.

to discuss logistics and other matters. In addition, this program is only partially-funded, and does not have the necessary monies to carry it through Fiscal Year 2009. Another issue to be looked into involves the maternity leave that Ms. Charmaine San Nicolas will be taking when she has her baby sometime in June or July 2009. If program funds run out during this time, who will assume or pay for the benefits that she is entitled to?

Chief Justice Torres mentioned that the February 25th meeting will address this and other details, so that perhaps the updated Memorandum of Understanding will be ironed out by the next board meeting.

B. APD Supervising Attorney's Report on Attendance at ABA Mid-year Conference: APD Supervising Attorney AnaMaria C. Gayle reported on her attendance at the ABA Mid-year Conference which was held in Boston, Massachusetts. This was followed by the Chief Justice's presentation on the awards received by the Guam Bar Association from the American Bar Association, particularly for Law Day 2008.

VII. NEW BUSINESS:

A. Hiring of New Personnel Specialist IV (Request for Above-Step Recruitment): PDSC Administrative Director Bernadette Chargualaf informed those present of the situation regarding the hiring of a new Personnel Specialist IV who possesses educational and job credentials that exceed the mandated salary level for first-time government of Guam employees. In order to attract and retain the individual, the Corporation requests for an above-step recruitment. Having ascertained that required procedures were complied with, a motion to this effect was subsequently adopted and approved. Thus, Mr. Edbert J. Quintanilla will be hired as the PDSC's Personnel Specialist IV at pay grade N, step 5.

B. Financial Status Update (Delays in Allotment Releases): Information was provided to all present that allotments received from the Department of Administration for the PDSC were through January 2009. On the other hand, the APD is operating on lapsed funds at present; allotments due to the courts have not been fully released by the Department of Administration. The Chief Justice related that he would be meeting with Department of Administration officials on this matter later today, and will bring this up at the next meeting. The Chief Justice further instructed that this matter remain on future agendas for board meetings.

C. APD Request to Use Lapsed Funds for the Upgrading of Broadband-Internet Speed: PDSC MIS Administrator Julito Tingson explained the problems encountered by the APD relative to the speed of their internet reception. The current service provider is IT & E, who actually taps off GTA's lines, but IT & E will be terminate this arrangement on April 30, 2009. Chief Justice Torres instructed Mr. Tingson to let the two business entities compete for APD's internet services, and to look for the best deal available since the competition for these services is out there. PDSC Director Nisperos and the Chief Justice brought up the possibility of looking into the pricing of "bulk services" for both PDSC and APD, and perhaps the need to do a Request For Proposal for these services, so that we can see what deals are available to us.

VIII. PUBLIC DISCUSSION: None.

IX. NEXT BOARD MEETING: The next board meeting was scheduled for Tuesday, March 31, 2009.

IX. **ADJOURNMENT:** There being no further business up for discussion, this meeting was adjourned at 1:05 p.m.

Respectfully submitted,

BERNADETTE S.N. CHARGUALAF
Secretary

PUBLIC DEFENDER SERVICE CORPORATION
BOARD OF TRUSTEES
Special Meeting of
Friday, March 13, 2009
12:47 p.m.
Justice Monessa G. Lujan Courtroom
Supreme Court of Guam

MINUTES

I. CALL TO ORDER: This meeting was called to order by the Chairman, Chief Justice Robert J. Torres, Jr. at 12:47 p.m.

II. ROLL CALL:

Present were:
Chief Justice Robert J. Torres, Jr., Chairman
Attorney Mike Pangelinan, GBA Vice-President
(representing Attorney Cynthia Ecube, GBA President)
Donna Muna Quinata, Member
CathyAnn C. Gogue, Member

Absent was: Presiding Judge Alberto C. Lamorena III (excused)

Others present were:
Attorney Mike A. Nisperos, Jr., Director
Bernadette S.N. Chargualaf, Administrative Director
Attorney Ana Maria C. Gayle, APD Supervising Attorney
Cecilia A.T. Lizama, Chief Fiscal Officer
Julito B. Tingson, Jr., MIS Administrator

III. PROOF OF DUE NOTICE OF MEETING:

"Notice of Public Meeting" was published in the Marianas Variety on Friday, March 6, 2009, and on Wednesday, March 11, 2009.

IV. DETERMINATION OF QUORUM: With the presence of four board members, a quorum was determined for this meeting.

V. APPROVAL OF MINUTES: Since this was a Special Meeting, approval of the minutes from the previous board meeting held on Tuesday, February 24, 2009 was tabled until the next regular meeting.

VI. NEW BUSINESS:

A. PDSC Fiscal Year 2010 Budget Request: The PDSC received correspondence from Senator ben c. Pangelinan, Chairman of the legislative Appropriations Committee, indicating that the Corporation's Fiscal Year 2010 Budget Request must be submitted to the legislature by Monday, March 16, 2009. Therefore, Director Mike Nisperos requested that this meeting be convened in order to present the department's budget and get the necessary board approval.
Attorney Nisperos thus presented the Corporation's Fiscal Year 2010 Budget Request, which is primarily a "maintenance budget". Going on to explain the details of the document submitted, the total request for Fiscal Year 2010 is $3,137,894 which is an increase of 14% from Fiscal Year 2009's appropriation, or a 7% increase from Fiscal Year 2008's appropriation.

There will be no additional personnel/positions requested for FY2010.

Senator ben c. pangelinan's office has not provided any further communication as to when the committee hearing on this matter will take place.

A motion was then made and adopted thereafter to approve PDSC Board Resolution No. 03-09 relative to the approval of the PDSC' Fiscal Year 2010 Budget Request.

C. Director's Performance Review: Chief Justice Torres presented this matter and indicated that he has requested assistance from the Compiler of Laws as well as the courts' staff attorney.

Director Nisperos was instructed by the Chief Justice to list his "milestones of accomplishments" in the six-month period that he was the Corporation's director.

At this point, PDSC Director and Attorney Mike Nisperos was asked to leave the room, since he would be the subject of discussion.

The Chief Justice presented different samples of performance evaluations, including one from Denver, Colorado which Attorney Serge Quenga had suggested be used as a "template" when formulating an evaluation. Chief Justice Torres reiterated the importance of meeting the due date for this report, which has a deadline of April 6, 2009.

CathyAnn Gogue then proposed a "working session" involving board members and Director Nisperos to see where the agency was when he started, and where it's going. In addition, she asked if concrete goals can be set for the Director, so that at the end of the evaluation period, he can answer as to whether or not he accomplished these goals.

Further discussion ensued, including the involvement of all employees from both the PDSC and the APD in the Director's evaluation. Sessions are anticipated sometime between April to mid-June, inclusive of a meeting with Director Nisperos to establish goals and expectations. Attorney Mike Pangelinan then agreed to having two smaller

"group sessions", so that people would be more free to speak to board members regarding the Director's performance. This way, all perspectives of the Director's performance would be seen.

On this note, board members agreed to retain Attorney Mike Nisperos as the PDSC Director.

VIII. **PUBLIC DISCUSSION:** None.

IX. **NEXT BOARD MEETING:** The next board meeting was scheduled for Tuesday, April 28, 2009 at 12:30 p.m..

IX. **ADJOURNMENT:** There being no further business up for discussion, this meeting was adjourned at 1:22 p.m.

Respectfully submitted,

BERNADETTE S.N. CHARGUALAF
Secretary

Agenda Item #VI A

Domestic Violence Program

(Financial Update)

DIRECTOR
Mike A. Nisperos, Jr.

ADMINISTRATIVE DIRECTOR
Bernadette S.N. Chargualaf

PUBLIC DEFENDER SERVICE CORPORATION
(Kotperasion Setbision Defensot Pupbleku)

GOVERNMENT OF GUAM
200 Judicial Center Annex ♦ 110 West O'Brien Drive
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Tel: (671) 475-3100 ♦ Fax: (671) 477-5844

STAFF ATTORNEYS

Richard S. Dirkx
Jane L. Kennedy
Terrance A. Long
Loretta T. Gutierrez-Long
Pablo M. Aglubat
Raymond B. Ilagan
Jocelyn M. Roden
Peter J. Sablan
Maria G. Fitzpatirck
Rebecca M. Warfield

June 17, 2009

Ms. Cecilia A.Q. Morrison
Grants Administrator
Office of the Governor
Governor's Community Outreach and
Federal Programs Office

Dear Ms. Morrison:

In our letter dated January 22, 2009, we indicated to you that **the amount of $26,663 your office budgeted** as the Public Defender Service Corporation's share for the period of February through December 2009 **is not sufficient for our purposes**. As the program currently exists, funds are used to provide for the salary and benefits of the Domestic Violence Program Specialist. With the amount you have allotted to us, we will be forced to cease paying the current employee after September 12, 2009 when these funds run out.

We are enclosing two spreadsheets with detailed information as to the projected expenditures of the Fiscal Year 2008 grant monies, as well as information involving the realistic monetary needs of the program. As you will see, we must request additional funds in order to carry the program through January 1, 2010. By our calculations, this amount is $14,541.

Therefore, we humbly ask that monies be transferred to us in order to prevent any break in service for this program.

Since we will be bringing this matter before our Board of Trustees at our meeting on Tuesday, June 23, 20009, we would deeply appreciate your prompt response. You can reach me or Cis Lizama at the number listed above should you have any questions or need further clarification.

Sincerely,

Mike A. Nisperos, Jr.
Director

PUBLIC DEFENDER SERVICE CORP.
DOMESTIC VIOLENCE PROGRAM
GRANT#2008-WF-AX-0033
EXPENDITURE PROJECTION

Schedule A

Exp. Category	Allot. #	A Approved 2008 Budget	B Expenditures as of 05/31/09	C Projected Exp. 06/01-09/12/09	A-B-C=D Est Lapses (Shortall) as of ppe 09/12/09
SALARIES	110	19,472.00	8,220.80	11,093.76	157.44
A/L accrual ppe 6 hrs x $17.12					
BENEFITS	113	7,191.00	2,724.17	3,492.00	974.83
TOTAL		**26,663.00**	**10,944.97**	**14,585.76**	**1,132.27**

Note: This worksheet was prepared to project the expenditures to determine when the FY 2008 subgrant monies will exhaust. Based on the estimation, the monies will last until pay period ending 09/12/09. The remaining balance will not be sufficient to pay for the next pay period. Charmaine's total personnel cost in Fiscal Year 2009 amounts to $1,834.65.

PUBLIC DEFENDER SERVICE CORP.
DOMESTIC VIOLENCE PROGRAM
GRANT#2008-WF-AX-0033
SUPPORT FOR SCHEDULE A

The following is a detailed support for the numbers in (Column C).
Projection of salaries and benefits 06/01/09- ppe 09/12/09 = 75 days or 600 hrs

Salaries 06/01/09-09/12/09= 75 days or 600 hrs	$17.12 x 600 hrs=	10,272.00
Projected annual accrued leave 8ppe x 6 hrs = 48 hrs	$17.12 x 48 hrs=	821.76
		11,093.76

Calculation of benefits from 06/01/09 - ppe 09/12/09

Retirement		$10272 x 25.20% (rate for fy2009)=	2,589.00
Medicare	06/01/09 -09/12/09	$18.14/80*600 hrs=	137.00
Ret DC D&D	06/01/09 - 09/12/09	$15.52/80*600 hrs =	117.00
Medical	06/01/09 - 09/12/09	$70.68/80*600 hrs =	531.00
Dental	06/01/09 - 09/12/09	$8.88/80*600 hrs =	67.00
Life	06/01/09 - 09/12/09	$6.69/80*600 hrs =	51.00
		Total Projected Benefits 06/01/09-ppe 09/12/09	3,492.00

Total Projected Salaries & Benefits 06/01/09 - 09/12/09 **14,585.76**

PUBLIC DEFENDER SERVICE CORP.
DOMESTIC VIOLENCE PROGRAM
GRANT#2008-WF-AX-0033
REQUEST FOR ADDITIONAL FUNDING

Schedule B

Exp. Category	Allot. #	A Est Lapses (Shortall) as of ppe 09/12/09	B Projected Exp. 09/13/09 -01/01/10	B-A= C Additional Request
SALARIES	110	157.44	11,778.56	11,621.12
A/L accrual ppe 6 hrs x $17.12				
BENEFITS	113	974.83	3,894.00	2,919.17
TOTAL		**1,132.27**	**15,672.56**	**14,540.29**

Note: This worksheet was prepared to project the expenditures to determine the additional funding required to carry us through pay period ending 01/01/2010.

PUBLIC DEFENDER SERVICE CORP.
DOMESTIC VIOLENCE PROGRAM
GRANT#2008-WF-AX-0033
SUPPORT OF SCHEDULE B

The following is a detailed support for the numbers in (Column B).

Projection of salaries and benefits 09/13/09 - ppe 01/01/2010= 80 days or 640 hrs (7 pay periods)

Salaries 09/13/09-01/01/10= 80 days or 640 hrs	$17.12 x 640 hrs=	10,956.80
Projected annual accrued leave 8ppe x 6 hrs = 48 hrs	$17.12 x 48 hrs=	821.76
Total Projected Salaries		11,778.56

Note: The following benefits were projected with increases for Fiscal Year 2010.

Calculation of benefits from 09/13/09 - ppe 01/01/2010

Retirement	$1369.60 x 25.20% (rate for fy2009)=		346.00
Retirement	$9587.20 x 26.33% (rate for fy2010)=		2,525.00
Medicare	$10,956.80 x .0145=		159.00
Ret DC D&D	09/13/09 - ppe 01/01/2010	$16.66 x 7ppe=	117.00
Medical	09/13/09 - ppe 01/01/2010	est $88.00 x 7ppe=	616.00
Dental	09/13/09 - ppe 01/01/2010	est $12.00 x 7 ppe=	84.00
Life	09/13/09 - ppe 01/01/2010	$6.69 x 7ppe=	47.00

Total Projected Benefits 09/13/09-ppe 01/01/2010	3,894.00
Total Projected Salaries & Benefits 09/13/09 - ppe 01/01/2010	**15,672.56**

Guam awarded $662k through grant

Guam Delegate Madeleine Z. Bordallo announced yesterday that the U.S. Department of Justice has awarded the government of Guam $662,000 in financial assistance through the American Recovery and Reinvestment Act's STOP Violence Against Women Formula Grant Program. Through the American Recovery and Reinvestment Act, GovGuam has received more than $155 million since the recovery package was signed into law by President Obama on Feb. 17.

Pacific Daily News

Governor's Community Outreach-Federal Programs Office

From: Zita Y. Taitano [zita@mvguam.com]
Sent: Wednesday, June 17, 2009 3:09 PM
To: morrisonc@guam.net
Subject: Fwd: NEWS: Guam Awarded $662,000 in Recovery Funding for Violence Against Women Programs

Marianas Variety
Ixora Industrial Park, Suite 204
215 Rojas Street
Harmon, Guam 96913

Office - 671-649-1924
Cellular - 671-888-7863
Fax - 671-648-2007

5/1/09 - 4/24/2011

-----Original Message-----
From: Mateo, Matthew [mailto:matthew.mateo@mail.house.gov]
Sent: Wednesday, June 17, 2009 08:47 AM
To: 'Mateo, Matthew'
Subject: NEWS: Guam Awarded $662,000 in Recovery Funding for Violence Against Women Programs

News from Congresswoman Madeleine Z. Bordallo

Guam Awarded $662,000 in Recovery Funding for Violence Against Women Programs

FOR IMMEDIATE RELEASE ? June 16, 2009 ? Washington, D.C. ?

Congresswoman Madeleine Z. Bordallo today announced that the U.S. Department of Justice (DOJ) has awarded the Government of Guam $662,000 in financial assistance through the American Recovery and Reinvestment Act?s STOP Violence Against Women Formula Grant Program. The Government of Guam is eligible for more than $178,000,000 in financial assistance through the American Recovery and Reinvestment Act and has already received more than $155,000,000 since the recovery package was signed into law by President Barack Obama on February 17, 2009.

The financial assistance provided today through the STOP Violence Against Women Formula Grant Program will go towards the hiring and retention of criminal justice and victim services personnel who respond to violent crimes against women. The funding will also support other strategies to improve responses to domestic violence, dating violence, sexual assault, and stalking.

?The financial assistance received today from the Department of Justice will assist the Government of Guam and non-profit organizations who provide services to women who are victims of violent crimes,? Congresswoman Madeleine Z. Bordallo said today. **?The recovery**

package continues to benefit Guam, and I look forward to the continued implementation of the recovery package on Guam.?

# # #

Contact: Matthew Mateo in Washington, D.C. at 202-225-1188 or Andrew Tenorio at 671-477-4272/4.

matthew.mateo@mail.house.gov or andrew.tenorio@mail.house.gov

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Checked by AVG - www.avg.com
Version: 8.5.364 / Virus Database: 270.12.74/2181 - Release Date: 06/16/09 17:55:00

Agenda Item #VII B

ALTERNATE PUBLIC DEFENDER

Fiscal Year 2010 Budget Request

(Resolution No. 04-09)

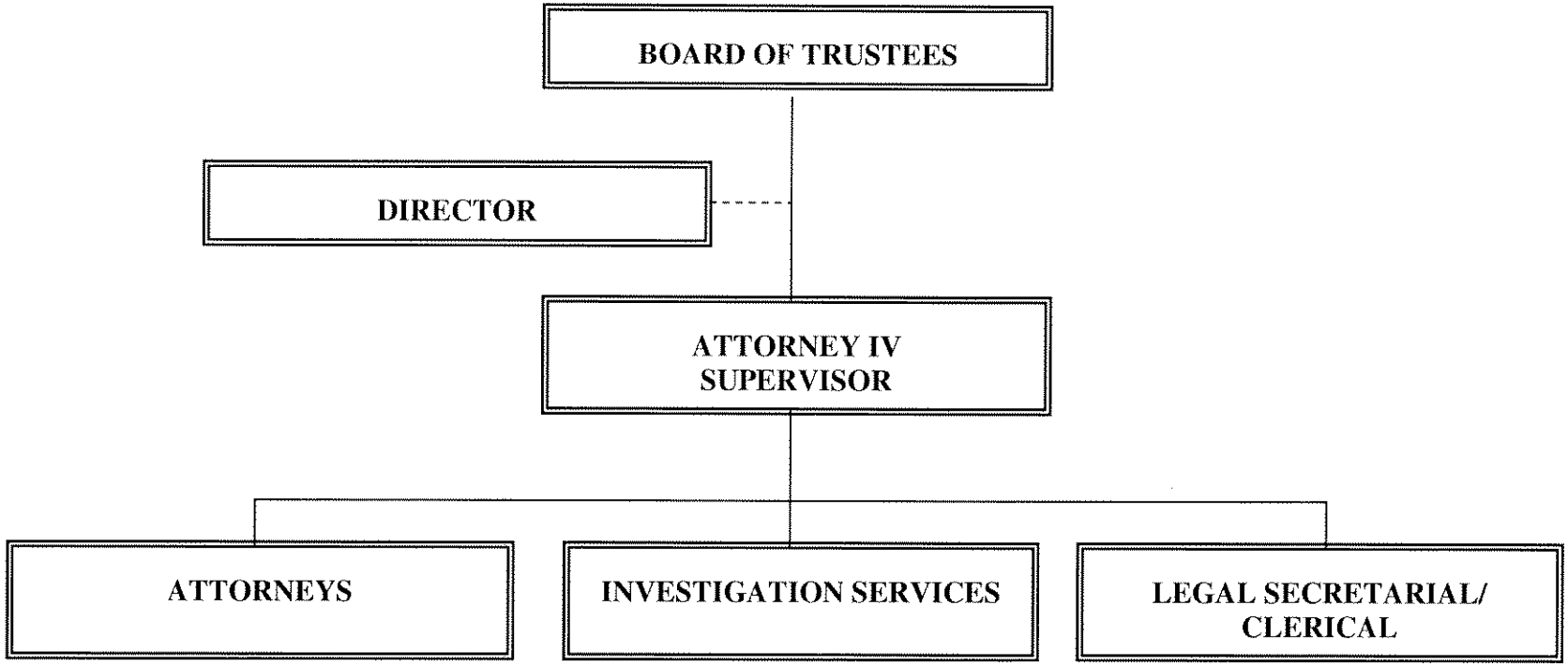
JUDICIARY
Agency: PUBLIC DEFENDER SERVICE CORPORATION
Program: ALTERNATE PUBLIC DEFENDER - COMBINED BUDGET DIGEST

Budget Account Code	Appropriation Classification	A FY 2008 Expenditures & Encumbrances	B FY 2009 Authorized Level	C FY 2010 Proposed Budget	C-B=D Increase/ (Decrease) in $$	D/B=E Increase/ (Decrease) in %
	PERSONNEL SERVICES					
111	Regular Salaries/Increments	$409,928	$431,441	$445,163	$13,722	3%
112	Overtime/Special Pay	0	$0	0	0	0
113	Benefits	$117,085	129,452	138,864	9,412	7%
	TOTAL PERSONNEL SERVICES	$527,013	$560,893	$584,027	$23,134	4%
	OPERATIONS					
220	TRAVEL - Off-Island/Local Mileage Reimburs.	$5,941	$11,500	$11,500	$0	0%
230	CONTRACTUAL SERVICES:	14,575	17,398	16,080	-1,318	-8%
233	OFFICE SPACE RENTAL:	46,896	48,000	48,000	0	0%
240	SUPPLIES & MATERIALS:	4,866	7,550	7,000	-550	-7%
250	EQUIPMENT: <$5000.00	9,683	0	0	0	0
	SUB-RECIPIENT/SUBGRANT:	0	0	0	0	0
290	MISCELLANEOUS:	1,575	3,700	4,685	985	27%
	TOTAL OPERATIONS	$83,536	$88,148	$87,265	-$883	-1%
	UTILITIES					
	Power	$0	$0	$0	$0	$0
	Water/ Sewer	0	0	0	0	0
363	Telephone/ Toll	0	4,080	4,080	0	0%
	TOTAL UTILITIES	$0	$4,080	$4,080	$0	0%
	INDIRECT COST	$0	$0	$0	$0	$0
450	CAPITAL OUTLAY >$5000.01	$3,314	$0	$0	$0	$0
	TOTAL APPROPRIATIONS	$613,863	$653,121	$675,372	$22,251	3%

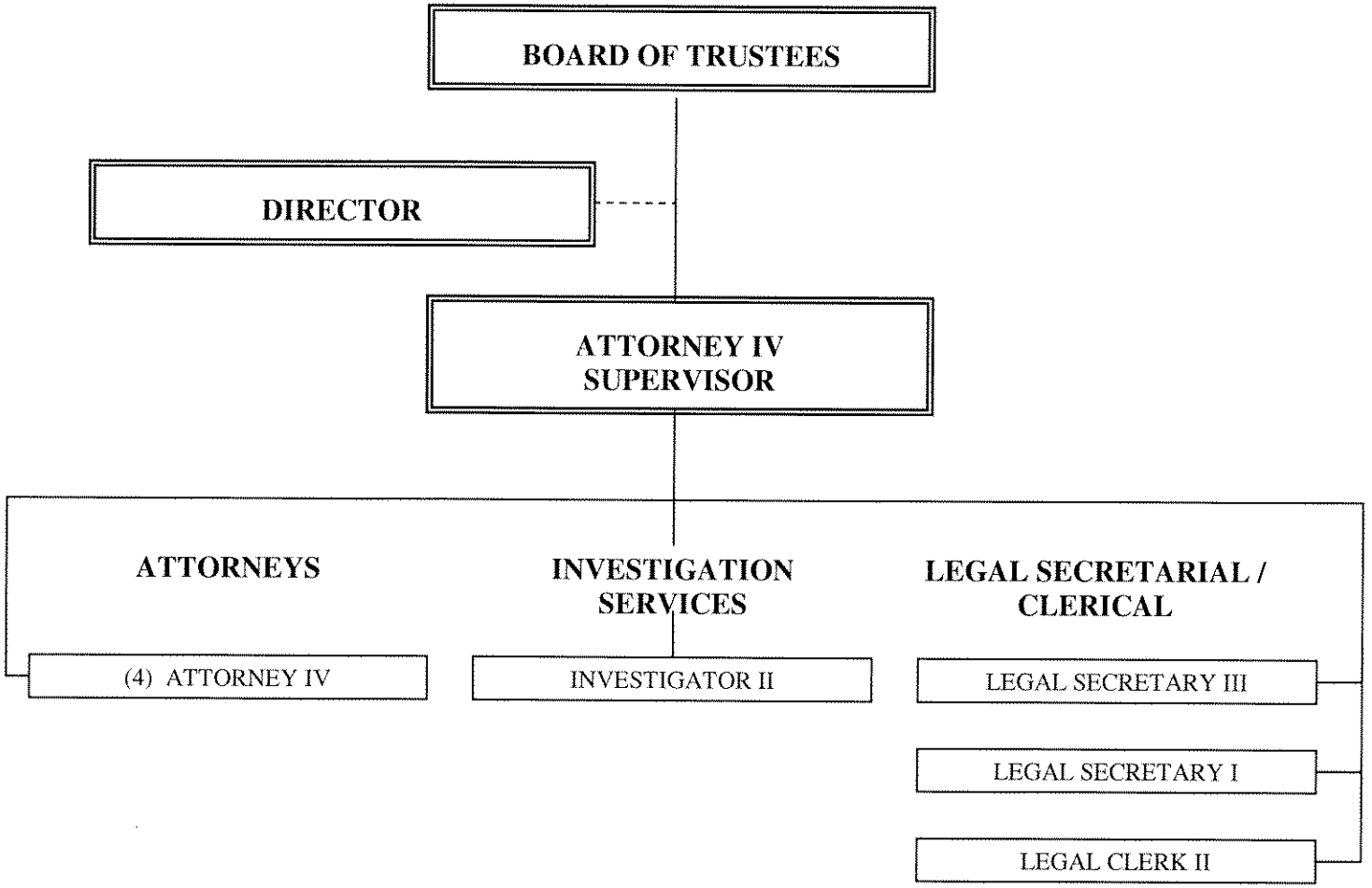
1/ Specify Fund Source

FULL TIME EQUIVALENCIES (FTEs)					
UNCLASSIFIED	0.00	0.00	0.00	0.00	0.00
CLASSIFIED	8.00	8.00	8.00	8.00	8.00
TOTAL FTEs	8.00	8.00	8.00	8.00	8.00

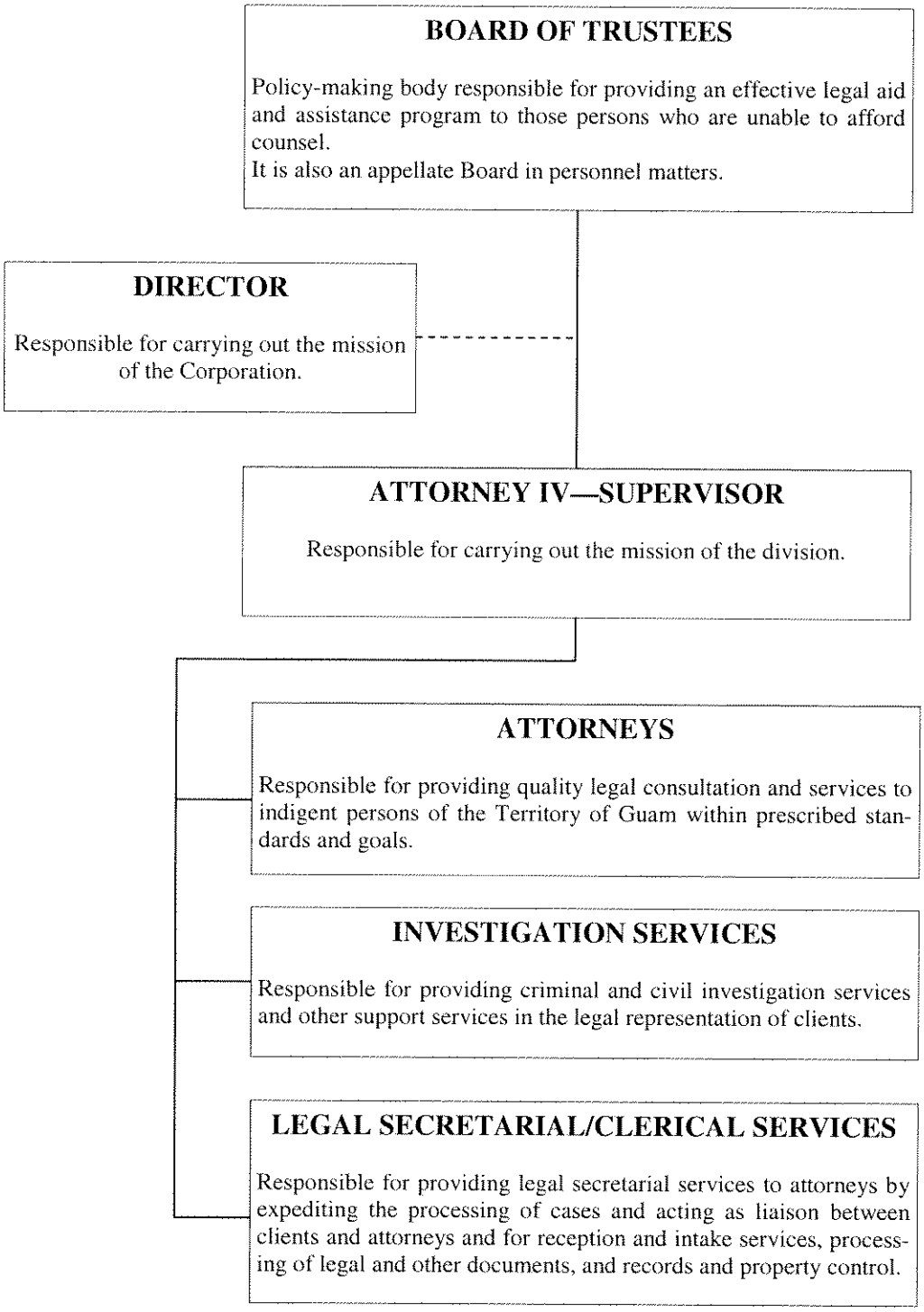
PUBLIC DEFENDER SERVICE CORPORATION
ALTERNATE PUBLIC DEFENDER DIVISION
ORGANIZATIONAL CHART—FY 2010



PUBLIC DEFENDER SERVICE CORPORATION
ALTERNATE PUBLIC DEFENDER DIVISION
STAFFING CHART—FY 2010



PUBLIC DEFENDER SERVICE CORPORATION
ALTERNATE PUBLIC DEFENDER DIVISION
FUNCTIONAL STATEMENT—FY 2010



JUDICIARY
Agency: PUBLIC DEFENDER SERVICE CORPORATION
Program: ALTERNATE PUBLIC DEFENDER - COMBINED BUDGET DIGEST

Budget Account Code	Appropriation Classification	A FY 2008 Expenditures & Encumbrances	B FY 2009 Authorized Level	C FY 2010 Proposed Budget
	PERSONNEL SERVICES			
111	Regular Salaries/Increments	$409,928	$431,441	$445,163
112	Overtime/Special Pay	0	$0	0
113	Benefits	$117,085	129,452	138,864
	TOTAL PERSONNEL SERVICES	$527,013	$560,893	$584,027
	OPERATIONS			
220	TRAVEL - Off-Island/Local Mileage Reimburs.	$5,941	$11,500	$11,500
230	CONTRACTUAL SERVICES:	14,575	17,398	16,080
233	OFFICE SPACE RENTAL:	46,896	48,000	48,000
240	SUPPLIES & MATERIALS:	4,866	7,550	7,000
250	EQUIPMENT: <$5000.00	9,683	0	0
	SUB-RECIPIENT/SUBGRANT:	0	0	0
290	MISCELLANEOUS:	1,575	3,700	4,685
	TOTAL OPERATIONS	$83,536	$88,148	$87,265
	UTILITIES			
	Power	$0	$0	$0
	Water/ Sewer	0	0	0
363	Telephone/ Toll	0	4,080	4,080
	TOTAL UTILITIES	$0	$4,080	$4,080
	INDIRECT COST	$0	$0	$0
450	**CAPITAL OUTLAY >$5000.01**	$3,314	$0	$0
	TOTAL APPROPRIATIONS	$613,863	$653,121	$675,372

1/ Specify Fund Source

FULL TIME EQUIVALENCIES (FTEs)			
UNCLASSIFIED	0.00	0.00	0.00
CLASSIFIED	8.00	8.00	8.00
TOTAL FTEs	8.00	8.00	8.00

PLEASE REFER TO FOOTNOTES ON FOLLOWING PAGES.

FOOTNOTES:

For Fiscal Year 2010, an increase of $22,251 or 3% is requested over the appropriation level for Fiscal Year 2009. The following is a justification for the increases:

1. PERSONNEL SERVICES:

$23,134 Increase is to pay for mandated attorneys' pay adjustments, employees' salary increments and government's share of retirement contributions. The increase is also attributed to higher salary and benefits for one attorney position.
Public Law 26-86 provides that upon retirement under the Defined Contribution (DC) Plan, 50% of the employees' unused accumulated sick leave shall be paid in cash. GASB Statement No. 16 requires that a liability be recognized if sick leave or other compensated absences are earned by employees and that it is probable the employer will compensate its employees by cash payments at termination or retirement.
A year end annual leave accrual adjustment (estimated at $5,107) and year end sick leave accrual adjustment (estimated at $7,764) is also proposed to reflect the leave balances at the close of the fiscal year.

2. OPERATIONS:

a. **$0 TRAVEL** (Off-Island/Local Mileage): Funds are used to reimburse eligible employees for utilizing their personally-owned vehicles for official purposes. The reimbursement rates are based on federal rates as required by local law. Funds are also requested to pay for off-island travel for the attorneys' training/conferences.

b. **($1,318) CONTRACTUAL SERVICES:** Funds are used to pay for the Lease of Xerox Machine ($4,560), Malpractice Insurance ($4,200), Westlaw Internet Services ($4,800), Internet Service ($600), PDS Lease of Phone System ($3,600), Internet Website Hosting ($130), and Notary Bonding ($250).

c. **$0 OFFICE SPACE RENTAL**: We do not anticipate an increase in our lease for FY 2010.

d. **($550) SUPPLIES & MATERIAL**: Funds are used to purchase office supplies and materials. Please refer to BBMR96A for details.

e. **$985 MISCELLANEOUS:** Funds are used to pay for Guam Bar Dues, the registration fees for our attorneys' off/on-island training/conferences, annual NACDL dues, legal subscriptions, and publication for job announcements.

f. **$0 UTILITIES:** Funds in this category is to pay for telephone services ($3,600) pager services ($120) and long distance calls ($360).

($883) SUB-TOTAL FOR OPERATIONAL COSTS IN FY2010

$22,251 TOTAL INCREASE FOR FY2010 OVER FY2009's AUTHORIZED LEVEL

Government of Guam
Fiscal Year 2010
Program Budget Digest

JUDICIARY
Agency: PUBLIC DEFENDER SERVICE CORPORATION
Program: ALTERNATE PUBLIC DEFENDER - ATTORNEYS

Budget Account Code	Appropriation Classification	A FY 2008 Expenditures & Encumbrances	B FY 2009 Authorized Level	C FY 2010 Proposed Budget
	PERSONNEL SERVICES			
111	Regular Salaries/Increments	$285,819	$304,182	$315,382
112	Overtime/Special Pay	0	0	0
113	Benefits	79,612	87,598	94,660
	TOTAL PERSONNEL SERVICES	$365,431	$391,780	$410,042
	OPERATIONS			
220	TRAVEL - Off-Island/Local Mileage Reimburs.	$5,941	$10,000	$10,000
230	CONTRACTUAL SERVICES:	14,575	17,398	15,830
233	OFFICE SPACE RENTAL:	46,896	48,000	48,000
240	SUPPLIES & MATERIALS:	4,866	7,550	7,000
250	EQUIPMENT: <$5000.00	9,683	0	0
	SUB-RECIPIENT/SUBGRANT:	0	0	0
290	MISCELLANEOUS:	1,575	3,700	4,685
	TOTAL OPERATIONS	$83,536	$86,648	$85,515
	UTILITIES			
	Power	$0	$0	$0
	Water/ Sewer	0	0	0
363	Telephone/ Toll	0	4,080	4,080
	TOTAL UTILITIES	$0	$4,080	$4,080
	INDIRECT COST	$0	$0	$0
450	**CAPITAL OUTLAY >$5000.01**	$3,314	$0	$0
	TOTAL APPROPRIATIONS	$452,281	$482,508	$499,637

1/ Specify Fund Source

FULL TIME EQUIVALENCIES (FTEs)			
UNCLASSIFIED	0.00	0.00	0.00
CLASSIFIED	4.00	4.00	4.00
TOTAL FTEs	4.00	4.00	4.00

Note 1- Travel (Off-Island Travel): The request for funds under this category is to pay for the attorneys travel for training/conference.

Note 2 - Contractual: The request for funds under this category is to pay for Malpractice Insurance ($2,500), Xerox Machine ($4,200), West Law Services ($4,800), PDS Phone Lease ($3,600), GTA Internet Services ($600), and Internet Domain ($130).

Note 3 - Telephone Utilities: Funds under this category is to pay for telephone service ($3,600), pager services ($120) and long distance calls ($360).

Government of Guam
Fiscal Year 2010 Budget
Program Budget Digest

JUDICIARY
Agency: PUBLIC DEFENDER SERVICE CORPORATION
Program: ALTERNATE PUBLIC DEFENDER - INVESTIGATIVE SERVICES

Budget Account Code	Appropriation Classification	A FY 2008 Expenditures & Encumbrances	B FY 2009 Authorized Level	C FY 2010 Proposed Budget
	PERSONNEL SERVICES			
111	Regular Salaries/Increments	$41,437	$42,625	$42,531
112	Overtime/Special Pay	0	0	0
113	Benefits	10,470	12,817	13,521
	TOTAL PERSONNEL SERVICES	$51,907	$55,442	$56,052
	OPERATIONS			
220	TRAVEL - Off-Island/Local Mileage Reimburs.	$0	$1,500	$1,500
230	CONTRACTUAL SERVICES:	0	0	0
233	OFFICE SPACE RENTAL:	0	0	0
240	SUPPLIES & MATERIALS:	0	0	0
250	EQUIPMENT: <$5000.00	0	0	0
	SUB-RECIPIENT/SUBGRANT:	0	0	0
290	MISCELLANEOUS:	0	0	0
	TOTAL OPERATIONS	$0	$1,500	$1,500
	UTILITIES			
	Power	$0	$0	$0
	Water/ Sewer	0	0	0
363	Telephone/ Toll	0	0	0
	TOTAL UTILITIES	$0	$0	$0
	INDIRECT COST	$0	$0	$0
450	**CAPITAL OUTLAY >$5000.01**	$0	$0	$0
	TOTAL APPROPRIATIONS	$51,907	$56,942	$57,552

1/ Specify Fund Source

FULL TIME EQUIVALENCIES (FTEs)			
UNCLASSIFIED	0.00	0.00	0.00
CLASSIFIED	1.00	1.00	1.00
TOTAL FTEs	1.00	1.00	1.00

Note 1- Travel (Local Mileage Reimb.): The request for funds under this category is to reimburse eligible employees for using their personal vehicles for official purposes. The reimbursement rates are based on federal rates as required by law.

Government of Guam
Fiscal Year 2010 Budget
Program Budget Digest

JUDICIARY
Agency: PUBLIC DEFENDER SERVICE CORPORATION
Program: ALTERNATE PUBLIC DEFENDER - LEGAL SECRETARIAL SERVICES

Budget Account Code	Appropriation Classification	A FY 2008 Expenditures & Encumbrances	B FY 2009 Authorized Level	C FY 2010 Proposed Budget
	PERSONNEL SERVICES			
111	Regular Salaries/Increments	$56,051	$57,950	$59,543
112	Overtime/Special Pay	0	0	0
113	Benefits	18,449	19,977	21,053
	TOTAL PERSONNEL SERVICES	$74,500	$77,927	$80,596
	OPERATIONS			
220	TRAVEL - Off-Island/Local Mileage Reimburs.	$0	$0	$0
230	CONTRACTUAL SERVICES:	0	0	250
233	OFFICE SPACE RENTAL:	0	0	0
240	SUPPLIES & MATERIALS:	0	0	0
250	EQUIPMENT: <$5000.00	0	0	0
	SUB-RECIPIENT/SUBGRANT:	0	0	0
290	MISCELLANEOUS:	0	0	0
	TOTAL OPERATIONS	$0	$0	$250
	UTILITIES			
	Power	$0	$0	$0
	Water/ Sewer	0	0	0
363	Telephone/ Toll	0	0	0
	TOTAL UTILITIES	$0	$0	$0
	INDIRECT COST	$0	$0	$0
450	**CAPITAL OUTLAY >$5000.01**	$0	$0	$0
	TOTAL APPROPRIATIONS	$74,500	$77,927	$80,846

1/ Specify Fund Source

FULL TIME EQUIVALENCIES (FTEs)			
UNCLASSIFIED	0.00	0.00	0.00
CLASSIFIED	2.00	2.00	2.00
TOTAL FTEs	2.00	2.00	2.00

Note 1- Contractual: The request for funds is to pay for notary bonding for one legal secretary.

Government of Guam
Fiscal Year 2010 Budget
Program Budget Digest

JUDICIARY
Agency: PUBLIC DEFENDER SERVICE CORPORATION
Program: ALTERNATE PUBLIC DEFENDER - LEGAL CLERICAL SERVICES

Budget Account Code	Appropriation Classification	A FY 2008 Expenditures & Encumbrances	B FY 2009 Authorized Level	C FY 2010 Proposed Budget
	PERSONNEL SERVICES			
111	Regular Salaries/Increments	$26,621	$26,684	$27,707
112	Overtime/Special Pay	0	0	0
113	Benefits	8,554	9,060	9,630
	TOTAL PERSONNEL SERVICES	$35,175	$35,744	$37,337
	OPERATIONS			
220	TRAVEL - Off-Island/Local Mileage Reimburs.	$0	$0	$0
230	CONTRACTUAL SERVICES:	0	0	0
233	OFFICE SPACE RENTAL:	0	0	0
240	SUPPLIES & MATERIALS:	0	0	0
250	EQUIPMENT: <$5000.00	0	0	0
	SUB-RECIPIENT/SUBGRANT:	0	0	0
290	MISCELLANEOUS:	0	0	0
	TOTAL OPERATIONS	$0	$0	$0
	UTILITIES			
	Power	$0	$0	$0
	Water/ Sewer	0	0	0
363	Telephone/ Toll	0	0	0
	TOTAL UTILITIES	$0	$0	$0
	INDIRECT COST	$0	$0	$0
450	**CAPITAL OUTLAY >$5000.01**	$0	$0	$0
	TOTAL APPROPRIATIONS	$35,175	$35,744	$37,337

1/ Specify Fund Source

FULL TIME EQUIVALENCIES (FTEs)			
UNCLASSIFIED	0.00	0.00	0.00
CLASSIFIED	1.00	1.00	1.00
TOTAL FTEs	1.00	1.00	1.00

Schedule A - Off-Island Travel

Department/Agency: Alternate Public Defender
Division: Attorneys
Program:

Purpose / Justification for Travel				
Travel Date: _____			**No. of Travelers:** _____ 1/	
Position Title of Traveler(s)	**Air Fare**	**Per diem 2/**	**Registration**	**Total Cost**
Attorney	$ 3,600.00	$ 1,400.00	$ 750.00	$ 5,750.00
	$ -	$ -	$ -	$ -

Purpose / Justification for Travel				
Travel Date: _____			**No. of Travelers:** _____ 1/	
Position Title of Traveler(s)	**Air Fare**	**Per diem 2/**	**Registration**	**Total Cost**
Attorney	$ 3,600.00	$ 1,400.00	$ 750.00	$ 5,750.00
	$ -	$ -	$ -	$ -

Purpose / Justification for Travel				
Travel Date: _____			**No. of Travelers:** _____ 1/	
Position Title of Traveler(s)	**Air Fare**	**Per diem 2/**	**Registration**	**Total Cost**
	$ -	$ -	$ -	$ -
	$ -	$ -	$ -	$ -

1/ Provide justification for multiple travelers attending the same conference / training / etc.
2/ Rates must be consistent with Title 5 GCA, Div.2, Ch.23, §23104 and federal Joint Travel Regulations

Schedule B- Contractual

Item	Quantity	Unit Price	Total Price	Funded in FY 2009? Yes	No
Prof. Dues- Malpractice Ins.	1 year	2500	$ 2,500.00	x	
Internet Service	12 mons	50	$ 600.00	x	
Internet - Domain	1 year	130	$ 130.00	x	
Phone Lease	12 mons	300	$ 3,600.00	x	
Equipment Rental - Xerox Machine	12 mons	350	$ 4,200.00	x	
West Law	12 mons	400	$ 4,800.00	x	
Notary Bonding for Legal Secretary	1 year	250	$ 250.00		x
Total Contractual			$ 16,080.00		

Schedule C - Supplies & Materials

Item	Quantity	Unit Price	Total Price	Funded in FY 2008? Yes	No
Office Supplies (batteries, binders, calling cards,			$ 7,000.00	x	
computer disks, daily appointment calendars,					
computer cdr/disks, daily appointment calendars,					
envelopes, expandable folders, fasteners,					
file folders, file labels, index cards, notary books,					
notary seals, paper clips, pens/pencils, post it,					
stamps for mailing, scotch tape, typewriter ribbon/					
correction tape, xerox paper, yellow pads)					
Computer supplies (computer parts, ink/toner					
cartridges)					
Sundries (water).					
Total Supplies & Materials			$ 7,000.00		

Schedule D - Equipment<$5,000.00

Item	Quantity	Unit Price	Total Price	Funded in FY 2008? Yes	No
Total Equipment			$ -		

Schedule E - Miscellaneous

Item	Quantity	Unit Price	Total Price	Funded in FY 2008? Yes	No
Training (On/Off Island)			$ 2,500.00	x	
Guam Bar Dues	4	300	$ 1,200.00	x	
Legal Subscriptions			$ 500.00		x
Annual NACDL membership dues	1	125	$ 125.00		x
Publication of Job Announcements			$ 360.00		x
Total Miscellaneous			$ 4,685.00		

Schedule F - Capital Outlay>$5,000.01

PUBLIC DEFENDER SERVICE CORPORATION
ALTERNATE PUBLIC DEFENDER DIVISION
STAFFING PATTERN - FISCAL YEAR 2009
SUMMARY

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)
Position Number	Position Title	Name of Incumbent	Grade/ Step	Salary	Increment Date	Increment Amt	(E+G) Subtotal	Benefits Ret	Ret (DDI)	Medi care	Life (Prem)	Med (Prem)	Den (Prem)	Total Benefits (I thru N)	(H + O) TOTAL
APD-100	ATTORNEY IV-SUPERVISOR	ANA MARIA C. GAYLE	IV-6	80,580	9/27/10	0	80,580	20,306	404	1,168	174	1,838	231	24,121	104,701
APD-101	ATTORNEY IV	STEPHEN P. HATTORI	IV-6	80,580	12/15/10	0	80,580	20,306	404	1,168	174	1,381	180	23,613	104,193
APD-102	ATTORNEY IV	JOHN P. MORRISON	IV-1	62,114	3/16/10	0	62,114	15,653	404	901	174	2,233	270	19,635	81,749
APD-103	ATTORNEY IV	JEFFERY L. WARFIELD, SR.	IV-5	77,894	5/11/11	0	77,894	19,629	404	1,129	174	1,381	180	22,898	100,792
APD-104	INVESTIGATOR II	NORMA L. SALAS	M-9	41,584	3/27/10	0	41,584	10,479	0	603	174	1,381	180	12,817	54,401
APD-105	LEGAL SECRETARY III	JANET L. ROSARIO	J-8	32,119	9/20/10	0	32,119	8,094	0	466	174	1,838	231	10,803	42,922
APD-106	LEGAL SECRETARY I	NADINE T. GOGUE	H-5	24,968	10/18/09	0	24,968	6,292	404	362	174	1,838	231	9,301	34,269
APD-107	LEGAL CLERK II	MICHAEL S. BORRETA	H-6	25,967	10/4/09	0	25,967	6,544	404	377	174	1,381	180	9,060	35,027
	GRAND TOTAL			425,806		0	425,806	107,303	2,424	6,174	1,392	13,271	1,683	132,247	558,053

PUBLIC DEFENDER SERVICE CORPORATION
ALTERNATE PUBLIC DEFENDER DIVISION
STAFFING PATTERN - FISCAL YEAR 2009
ATTORNEYS

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)
Position Number	Position Title	Name of Incumbent	Grade/ Step	Salary	Increment Date	Increment Amt	(E+G) Subtotal	Benefits Ret	Ret (DDI)	Medi care	Life (Prem)	Med (Prem)	Den (Prem)	Total Benefits (I thru N)	(H+O) TOTAL
APD-100	ATTORNEY IV-SUPERVISOR	ANA MARIA C. GAYLE	IV-6	80,580	9/27/10	0	80,580	20,306	404	1,168	174	1,838	231	24,121	104,701
APD-101	ATTORNEY IV	STEPHEN P. HATTORI	IV-6	80,580	12/15/10	0	80,580	20,306	404	1,168	174	1,381	180	23,613	104,193
APD-102	ATTORNEY IV	JOHN P. MORRISON	IV-1	62,114	3/16/10	0	62,114	15,653	404	901	174	2,233	270	19,635	81,749
APD-103	ATTORNEY IV	JEFFERY L. WARFIELD, SR.	IV-5	77,894	5/11/11	0	77,894	19,629	404	1,129	174	1,381	180	22,898	100,792
	GRAND TOTAL			301,168		0	301,168	75,894	1,616	4,366	696	6,833	861	90,266	391,434

PUBLIC DEFENDER SERVICE CORPORATION
ALTERNATE PUBLIC DEFENDER DIVISION
STAFFING PATTERN - FISCAL YEAR 2009
INVESTIGATION SERVICES

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)
Position Number	Position Title	Name of Incumbent	Grade/ Step	Salary	Increment Date	Increment Amt	(E+G) Subtotal	Benefits Ret	Benefits Ret (DDI)	Benefits Medi care	Benefits Life (Prem)	Benefits Med (Prem)	Benefits Den (Prem)	Total Benefits (I thru N)	(H + O) TOTAL
APD-104	INVESTIGATOR II	NORMA L. SALAS	M-9	41,584	3/27/10	0	41,584	10,479	0	603	174	1,381	180	12,817	54,401
	GRAND TOTAL			41,584		0	41,584	10,479	0	603	174	1,381	180	12,817	54,401

PUBLIC DEFENDER SERVICE CORPORATION
ALTERNATE PUBLIC DEFENDER DIVISION
STAFFING PATTERN - FISCAL YEAR 2009
LEGAL SECRETARIAL

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)
					Increment			Benefits						Total	
Position Number	Position Title	Name of Incumbent	Grade/ Step	Salary	Date	Amt	(E+G) Subtotal	Ret	Ret (DDI)	Medi care	Life (Prem)	Med (Prem)	Den (Prem)	Benefits (I thru N)	(H + O) TOTAL
APD-105	LEGAL SECRETARY III	JANET L. ROSARIO	J-8	32,119	9/20/10	0	32,119	8,094	0	466	174	1,838	231	10,803	42,922
APD-106	LEGAL SECRETARY I	NADINE T. GOGUE	H-5	24,968	10/18/09	0	24,968	6,292	404	362	174	1,838	231	9,301	34,269
	GRAND TOTAL			57,087		0	57,087	14,386	404	828	348	3,676	462	20,104	77,191

PUBLIC DEFENDER SERVICE CORPORATION
ALTERNATE PUBLIC DEFENDER DIVISION
STAFFING PATTERN - FISCAL YEAR 2009
LEGAL CLERICAL

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)
Position Number	Position Title	Name of Incumbent	Grade/ Step	Salary	Increment Date	Increment Amt	(E+G) Subtotal	Benefits Ret	Benefits Ret (DDI)	Benefits Medi care	Benefits Life (Prem)	Benefits Med (Prem)	Benefits Den (Prem)	Total Benefits (I thru N)	(H + O) TOTAL
APD-107	LEGAL CLERK II	MICHAEL S. BORRETA	H-6	25,967	10/4/09	0	25,967	6,544	404	377	174	1,381	180	9,060	35,027
	GRAND TOTAL			25,967		0	25,967	6,544	404	377	174	1,381	180	9,060	35,027

PUBLIC DEFENDER SERVICE CORPORATION
ALTERNATE PUBLIC DEFENDER DIVISION
PROPOSED STAFFING PATTERN - FISCAL YEAR 2010
SUMMARY

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)
					Increment			Benefits						Total	
Position Number	Position Title	Name of Incumbent	Grade/ Step	Salary	Date	Amt	(E+G) Subtotal	Ret	Ret (DDI)	Medi care	Life (Prem)	Med (Prem)	Den (Prem)	Benefits (I thru N)	(H + O) TOTAL
APD-100	ATTORNEY IV-SUPERVISOR	ANA MARIA C. GAYLE	IV-6	80,580	9/27/10	43	80,623	21,228	404	1,169	174	1,838	231	25,044	105,667
APD-101	ATTORNEY IV	STEPHEN P. HATTORI	IV-6	80,580	12/15/10	0	80,580	21,217	404	1,168	174	1,381	180	24,524	105,104
APD-102	ATTORNEY IV	JOHN P. MORRISON	IV-1	62,114	3/16/10	3,513	65,627	17,280	404	952	174	2,233	270	21,313	86,940
APD-103	ATTORNEY IV	JEFFERY L. WARFIELD, SR.	IV-5	77,894	5/11/11	0	77,894	20,510	404	1,130	174	1,381	180	23,779	101,673
APD-104	INVESTIGATOR II	NORMA L. SALAS	M-9	41,584	3/27/10	837	42,421	11,170	0	616	174	1,381	180	13,521	55,942
APD-105	LEGAL SECRETARY III	JANET L. ROSARIO	J-8	32,119	9/20/10	96	32,215	8,482	0	467	174	1,838	231	11,192	43,407
APD-106	LEGAL SECRETARY I	NADINE T. GOGUE	H-5	24,968	10/18/09	999	25,967	6,837	404	377	174	1,838	231	9,861	35,828
APD-107	LEGAL CLERK II	MICHAEL S. BORRETA	H-6	25,967	10/4/09	998	26,965	7,100	404	391	174	1,381	180	9,630	36,595
	GRAND TOTAL			425,806		6,486	432,292	113,824	2,424	6,270	1,392	13,271	1,683	138,864	571,156

PUBLIC DEFENDER SERVICE CORPORATION
ALTERNATE PUBLIC DEFENDER DIVISION
PROPOSED STAFFING PATTERN - FISCAL YEAR 2010
ATTORNEYS

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)
					Increment			Benefits						Total	
Position Number	Position Title	Name of Incumbent	Grade/ Step	Salary	Date	Amt	(E+G) Subtotal	Ret	Ret (DDI)	Medi care	Life (Prem)	Med (Prem)	Den (Prem)	Benefits (I thru N)	(H+O) TOTAL
APD-100	ATTORNEY IV-SUPERVISOR	ANA MARIA C. GAYLE	IV-6	80,580	9/27/10	43	80,623	21,228	404	1,169	174	1,838	231	25,044	105,667
APD-101	ATTORNEY IV	STEPHEN P. HATTORI	IV-6	80,580	12/15/10	0	80,580	21,217	404	1,168	174	1,381	180	24,524	105,104
APD-102	ATTORNEY IV	JOHN P. MORRISON	IV-1	62,114	3/16/10	3,513	65,627	17,280	404	952	174	2,233	270	21,313	86,940
APD-103	ATTORNEY IV	JEFFERY L. WARFIELD, SR.	IV-5	77,894	5/11/11	0	77,894	20,510	404	1,130	174	1,381	180	23,779	101,673
	GRAND TOTAL			301,168		3,556	304,724	80,235	1,616	4,419	696	6,833	861	94,660	399,384

PUBLIC DEFENDER SERVICE CORPORATION
ALTERNATE PUBLIC DEFENDER DIVISION
PROPOSED STAFFING PATTERN - FISCAL YEAR 2010
INVESTIGATIVE SERVICES

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)
Position Number	Position Title	Name of Incumbent	Grade/ Step	Salary	Increment Date	Increment Amt	(E+G) Subtotal	Benefits Ret	Ret (DDI)	Medi care	Life (Prem)	Med (Prem)	Den (Prem)	Total Benefits (I thru N)	(H + O) TOTAL
APD-104	INVESTIGATOR II	NORMA L. SALAS	M-9	41,584	3/27/10	837	42,421	11,170	0	616	174	1,381	180	13,521	55,942
	GRAND TOTAL			41,584		837	42,421	11,170	0	616	174	1,381	180	13,521	55,942

PUBLIC DEFENDER SERVICE CORPORATION
ALTERNATE PUBLIC DEFENDER DIVISION
PROPOSED STAFFING PATTERN - FISCAL YEAR 2010
LEGAL SECRETARIAL

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)
Position Number	Position Title	Name of Incumbent	Grade/ Step	Salary	Increment Date	Increment Amt	(E+G) Subtotal	Benefits Ret	Benefits Ret (DDI)	Benefits Medi care	Benefits Life (Prem)	Benefits Med (Prem)	Benefits Den (Prem)	Total Benefits (I thru N)	(H+O) TOTAL
APD-105	LEGAL SECRETARY III	JANET L. ROSARIO	J-8	32,119	9/20/10	96	32,215	8,482	0	467	174	1,838	231	11,192	43,407
APD-106	LEGAL SECRETARY I	NADINE T. GOGUE	H-5	24,968	10/18/09	999	25,967	6,837	404	377	174	1,838	231	9,861	35,828
	GRAND TOTAL			57,087		1,095	58,182	15,319	404	844	348	3,676	462	21,053	79,235

PUBLIC DEFENDER SERVICE CORPORATION
ALTERNATE PUBLIC DEFENDER DIVISION
PROPOSED STAFFING PATTERN - FISCAL YEAR 2010
LEGAL CLERICAL

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)
Position Number	Position Title	Name of Incumbent	Grade/ Step	Salary	Increment Date	Increment Amt	(E+G) Subtotal	Benefits Ret	Ret (DDI)	Medi care	Life (Prem)	Med (Prem)	Den (Prem)	Total Benefits (I thru N)	(H + O) TOTAL
APD-107	LEGAL CLERK II	MICHAEL S. BORRETA	H-6	25,967	10/4/09	998	26,965	7,100	404	391	174	1,381	180	9,630	36,595
	GRAND TOTAL			25,967		998	26,965	7,100	404	391	174	1,381	180	9,630	36,595

Government of Guam
Fiscal Year 2009 Budget
Equipment / Capital and Space Requirement

Function : Judiciary
Department/Agency: Alternate Public Defender
Program: Attorneys

EQUIPMENT/CAPITAL LISTING:

Description	Quantity	Percentage of Use	Comments
20" Color TV	1	100%	
4-Drawer Filing Cabinet Black	2	100%	
Air-Purifier Ionic Breeze	1	100%	
All in One Desk Stand Dell SFF Chassis	2	100%	
APC Battery Back Ups BE 500	4	100%	
Bainbridge High Back Chair	1	100%	
Chair	1	100%	
Computer Desk	4	100%	
Computer Workstations	4	100%	
Conference Table	1	100%	
Crendenza	1	100%	
DVD/VCR Player PV-D4745S	1	100%	
Executive Desk Rosewood Color	4	100%	
Internet Security Appliance Sonic Wall Soho3	1	100%	
Microsoft SBS SVR 2003-Prem	1	100%	
Mitsubishi Electric Fan	1	100%	
Modem	1	100%	
Network Server	1	100%	
Office Executive High Back chair	3	100%	
Optiplex 740 Desktop	2	100%	
Power Supply BPA SUCA-02-C-0050	1	100%	
Refurbished Office Chairs	18	100%	
TV Stand	1	100%	
Water Dispenser	1	100%	
Wooden Book Shelf	2	100%	

SPACE REQUIREMENT (for Personnel and Equipment/Capital)	Total Program Space (Sq. Ft.):	1,098	Total Program Space Occupied (Sq. Ft.):	321
Description	**Square Feet**	**Percent of Total Program Space**	**Comments**	
Attorney Office (ACG)	195	30%	59	
Attorney Office (SPH)	141	30%	42	
Attorney Office (JPM)	195	30%	59	
Attorney Office (JLW)	141	30%	42	
Conference Room	139	35%	49	
Hallway	201	5%	10	
Storage Room	86	70%	60	

Government of Guam
Fiscal Year 2009 Budget
Equipment / Capital and Space Requirement

Function : Judiciary
Department/Agency: Alternate Public Defender
Program: Investigative Services

EQUIPMENT/CAPITAL LISTING:

Description	Quantity	Percentage of Use	Comments
56K U.S. Robotics 5633 Externa1	1	100%	
APC Battery Back Ups BE 500	1	100%	
Computer Desk White Top with Black Legs	1	100%	
Computer Workstation	1	100%	
Office Chair Mid Back Black	1	100%	
Pedestal Mobile	1	100%	
Writing Table	1	100%	

SPACE REQUIREMENT (for Personnel and Equipment/Capital)	Total Program Space (Sq. Ft.):	122	Total Program Space Occupied (Sq. Ft.):	37	
Description	**Square Feet**	**Percent of Total Program Space**	**Comments**		
Investigator	122	30%	37		

Government of Guam
Fiscal Year 2009 Budget
Equipment / Capital and Space Requirement

Function : Judiciary
Department/Agency: Alternate Public Defender
Program: Legal Secretarial Services

EQUIPMENT/CAPITAL LISTING:

Description	Quantity	Percentage of Use	Comments
2-Drawer Filing Cabinet Black	3	100%	
4-Drawer Filing Cabinet Black	11	100%	
Air-Purifier Ionic Breeze	2	100%	
APC Battery Back Ups BE 500	2	100%	
Binding Machine C100	1	100%	
Computer Desk (Model#120a)	2	100%	
Computer Workstation	2	100%	
Crosscut Paper Shredder	1	100%	
Dell 5100CN Color Printer	1	100%	
Digital Recorder RR-US395	1	100%	
Electric Pencil Sharpener	1	100%	
L-Type Desk NBK160/NBK1269S	2	100%	
Metal Shelve SS301	1	100%	
Mini Cassette Recorder	1	100%	
Mitsubishi Electric Fan	1	100%	
Office Chair Mid Back Black	2	100%	
Paper Cutter	1	100%	
Paper Shredder	1	100%	
Pigeon Hole Storage Cabinet	1	100%	

SPACE REQUIREMENT (for Personnel and Equipment/Capital)	Total Program Space (Sq. Ft.):	277	Total Program Space Occupied (Sq. Ft.):	139
Description	**Square Feet**	**Percent of Total Program Space**	**Comments**	
Legal Secretaries	277	50%	139	

Government of Guam
Fiscal Year 2009 Budget
Equipment / Capital and Space Requirement

Function : Judiciary
Department/Agency: Alternate Public Defender
Program: Legal Clerical Services

EQUIPMENT/CAPITAL LISTING:			
Description	**Quantity**	**Percentage of Use**	**Comments**
APC Battery Back Ups BE 500	1	100%	
Apollo 777 Numeric Black Pager	1	100%	
Bench CN-30	2	100%	
Computer Stand	1	100%	
Computer Workstation	1	100%	
Mid-Back Chair NL-2	2	100%	
Refurbished Office Chairs (Client)	3	100%	

SPACE REQUIREMENT (for Personnel and Equipment/Capital)	Total Program Space (Sq. Ft.):	395	Total Program Space Occupied (Sq. Ft.):	158
Description	**Square Feet**	**Percent of Total Program Space**	**Comments**	
Legal Clerk	395	40%	158	

Public Defender Service Corporation
Alternate Public Defender
FY 2010 Allotment Schedule

	Appropriation	Reserve	Release								
111 Regular Salaries	445,163			Oct	37,523	Jan	35,818	Apr	37,523	Jul	37,523
				Nov	35,818	Feb	34,112	May	35,818	Aug	37,523
				Dec	39,229	Mar	39,229	Jun	37,523	Sep	37,524
112 Overtime	0			Oct	0	Jan	0	Apr	0	Jul	0
				Nov	0	Feb	0	May	0	Aug	0
				Dec	0	Mar	0	Jun	0	Sep	0
113 Benefits	138,864			Oct	11,705	Jan	11,173	Apr	11,705	Jul	11,705
				Nov	11,173	Feb	10,641	May	11,173	Aug	11,705
				Dec	12,237	Mar	12,237	Jun	11,705	Sep	11,705
Sub-Total Personnel	584,027				147,685		143,210		145,447		147,685
220 Local Mileage Reimburs.	11,500			Oct	5,125	Jan	5,125	Apr	125	Jul	125
				Nov	125	Feb	125	May	125	Aug	125
				Dec	125	Mar	125	Jun	125	Sep	125
230 Contractual	16,080			Oct	13,330	Jan	0	Apr	0	Jul	250
				Nov	0	Feb	0	May	2,500	Aug	0
				Dec	0	Mar	0	Jun	0	Sep	0
240 Supplies	7,000			Oct	2,000	Jan	2,000	Apr	2,000	Jul	1,000
				Nov	0	Feb	0	May	0	Aug	0
				Dec	0	Mar	0	Jun	0	Sep	0
250 Equipment<$5000	0			Oct	0	Jan		Apr	0	Jul	0
				Nov	0	Feb	0	May	0	Aug	0
				Dec	0	Mar	0	Jun	0	Sep	0
290 Misc	4,685			Oct	1,600	Jan	0	Apr	0	Jul	0
				Nov	1,600	Feb	0	May	0	Aug	0
				Dec	1,485	Mar	0	Jun	0	Sep	0
Sub-Total Operating Exp	39,265				25,390		7,375		4,875		1,625

Public Defender Service Corporation
Alternate Public Defender
FY 2010 Allotment Schedule

233 Rental	48,000			Oct	4,000	Jan	4,000	Apr	4,000	Jul	4,000
				Nov	4,000	Feb	4,000	May	4,000	Aug	4,000
				Dec	4,000	Mar	4,000	Jun	4,000	Sep	4,000
Sub-Total Rental	48,000				12,000		12,000		12,000		12,000
361 Power	0			Oct	0	Jan	0	Apr	0	Jul	0
				Nov	0	Feb	0	May	0	Aug	0
				Dec	0	Mar	0	Jun	0	Sep	0
362 Water	0			Oct	0	Jan	0	Apr	0	Jul	0
				Nov	0	Feb	0	May	0	Aug	0
				Dec	0	Mar	0	Jun	0	Sep	0
363 Telephone/Toll	4,080			Oct	450	Jan	330	Apr	330	Jul	330
				Nov	330	Feb	330	May	330	Aug	330
				Dec	330	Mar	330	Jun	330	Sep	330
Sub-Total Utilities	4,080				1,110		990		990		990
450 Capital Outlay>$5000.01	0			Oct	0	Jan	0	Apr	0	Jul	0
				Nov	0	Feb	0	May	0	Aug	0
				Dec	0	Mar	0	Jun	0	Sep	0
Sub-Total Capital Outlay	0				0		0		0		0
Grand Total	**675,372**				186,185		163,575		163,312		162,300

Oct	75,733	Jan	58,446	Apr	55,683	Jul	54,933
Nov	53,046	Feb	49,208	May	53,946	Aug	53,683
Dec	57,406	Mar	55,921	Jun	53,683	Sep	53,684
	186,185		**163,575**		**163,312**		**162,300**

BEFORE THE BOARD OF TRUSTEES
OF THE
PUBLIC DEFENDER SERVICE CORPORATION
RELATIVE TO THE APPROVAL OF THE
ALTERNATE PUBLIC DEFENDER
FISCAL YEAR 2010 BUDGET REQUEST

RESOLUTION NO. 04-09

WHEREAS, Public Defender Service Corporation (PDSC) Board of Trustees Resolution No. 08-04 established the office of the Alternate Public Defender (APD) as a separate section/division of the PDSC, answerable to the PDSC Board of Trustees and subject to funding by the Judicial Client Service Fund under the stewardship of the Judicial Council of Guam; and

WHEREAS, On June 15, 2004 an Agreement to Provide Attorney Services For Indigent Defendants was executed by and between the PDSC and the Judicial Council of Guam through the Administrator of the Courts, providing funding for this program through Fiscal Year 2004; and

WHEREAS, As provided for by Section Four of the above-described Agreement, subsequent instruments were executed by the PDSC and the Judicial Council of Guam thereby funding the office of the APD through Fiscal Year 2009; and

WHEREAS, In order to extend the services rendered by the APD into the next fiscal year, and to allow for the renewal of the Agreement to Provide Attorney Services For Indigent Defendants, a budget plan must be submitted for consideration and approval by the PDSC Board of Trustees; and

WHEREAS, The Alternate Public Defender, by and through its Supervising Attorney and the Director of the PDSC, presented the APD's Fiscal Year 2010 Budget Request of **$675,372** to the PDSC Board of Trustees; and

WHEREAS, The Board of Trustees finds this budget request appropriate and adequate to carry out the APD's mission in Fiscal Year 2010; now therefore be it

RESOLVED, The Board of Trustees of the Public Defender Service Corporation, at its meeting of **June 23, 2009**, hereby approves the APD Fiscal Year 2010 Budget Request of $675,372 with all provisions contained therein being attached hereto and made a part of this resolution.

DULY AND REGULARLY ADOPTED this 23rd day of June, 2009.

Donna Muna Quinata
Acting Chairperson
(Upon Recusal and Appointment By
Chief Justice Robert J. Torres, Jr., Chairman)

ATTEST:

BERNADETTE S.N. CHARGUALAF
Secretary

Agenda Item #VII B

Renewal of Lease Agreement

(ALTERNATE PUBLIC DEFENDER)

Director
Mike A. Nisperos, Jr.

ADMINISTRATIVE DIRECTOR
Bernadette S.N. Chargualaf

PUBLIC DEFENDER SERVICE CORPORATION
(Kotperasion Setbision Defensot Pupbleku)

GOVERNMENT OF GUAM
110 West O'Brien Drive
Hagåtña, Guam 96910-5174
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Jocelyn M. Roden
Peter J. Sablan
Maria G. Fitzpatrick
Rebecca M. Warfield

June 17, 2009

Mr. Marion S. Lujan
DNA, Inc.
Suite 1002, DNA Building
238 A.F.C. Flores Street
Hagåtña, Guam 96910

Re: Fifth Renewal of Lease Agreement dated August 5, 2004
(For one additional year, from October 1, 2009 to September 30, 2010)

Dear Mr. Lujan:

This letter is to provide you with written notice of our intention to renew the current lease agreement originally signed on August 5, 2004 relative to the space now occupied by the Alternate Public Defender. The extended rental period will run from October 1, 2009 through September 30, 2010.

The Public Defender Service Corporation Board of Trustees will be meeting on Tuesday, June 24, 2009; this matter will be included on their agenda. Subsequently, the Fiscal Year 2010 Budget Request of the Alternate Public Defender will be presented to the Guam Judicial Council for their review and approval. The current rental rate of $3,908 per month as set forth in the August 5, 2004 lease will remain throughout the next fiscal year (October 1, 2009 to September 30, 2010), and is subject to the availability of funds through legislative appropriation to the Courts of Guam.

Please confirm our continued lease agreement at your earliest convenience.

Your kind and favorable consideration in this regard is most appreciated.

Sincerely,

MIKE A. NISPEROS, JR.
Director

RECEIVED
DNA
Date: 6/17/09
Time: 2:53 PM
By: