

PUBLIC DEFENDER SERVICE CORPORATION
Board of Trustees Regular Meeting
Thursday, April 28, 2011
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, Wednesday, April 20, 2011
48 Hours Notice: Marianas Variety, Tuesday, April 26, 2011

IV. Determination of Quorum

V. Approval of Minutes: (Regular Meeting of March 22, 2011)

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 Director's Performance Review
- E. APD Supervising Attorney's Administrative Pay

VII. New Business:

- A. APD Fiscal Year 2012 Budget Request (Resolution No. PDSC 03-11)
- B. APD: Request to Attend National Criminal Defense College Trial Practice Institute in Macon, Georgia On July 17-30, 2011 (Attorney Eric Overton)

- C. PDSC Financial Eligibility Criteria for PDSC Clients
- D. PDSC: Request to Use Lapsed Funds for Operational Needs
(Resolution No. PDSC 05-11)
- E. Open House for New PDSC Office Facilities

VIII. Public Discussion

IX. Adjournment and Next Meeting Date

Support Group.

small, it might be impractical

NOTICE OF PUBLIC MEETING

The Public Defender Service Corporation Board of Trustees will conduct a regular meeting on **THURSDAY, APRIL 28, 2011 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 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.



GUAM EDUCATION BOARD

P.O. Box DE
Hagåtña, Guam 96932
Telephone Numbers: (671) 900-1627/1629
Facsimile Number: (671) 472-5003
Website address: www.ged.gov.gu

PUBLIC NOTICE

Pursuant to 5 Guam Code Annotated, Chapter 8, Open Government Law Sections 8107(b) and 8016.

Guam Education Board
REGULAR MEETING

Wednesday, April 27, 2011, 8 AM
Finegayan Elementary School Cafeteria, Dededo

AGENDA

- Meeting Call to Order
- Roll Call of Members
- Public Participation (BP 125.6) - time limit 5 minute
- Approval of Minutes
- 1) October 18, 2010 Special Meeting
- 2) October 27, 2010 Regular Meeting
- 3) November 24, 2010 Regular Meeting
- 4) March 30, 2011 Regular Meeting
- 5) April 6, 2011 Special Meeting
- Receipt of Communications and Reports
- 1) Superintendent's Report and Communication
- 2) Head Start Program Director's Report
- Unfinished Business
- 1) Proposed Calendars for School Years 2011 and 2012
- 2) 2010 Consolidated Grant Revision
- 3) Rural, Low-Income Schools (RLIS) Program Grant Revision
- 4) Communication Corrective Action Plan



at the U.S. Army Reserve Center to participate in the annual consolidated Soldier Readiness Processing, April 8 to 10. The SRP brings together Soldiers from all over Guam to update records relating to medical and dental, personnel, family readiness, finance, security and legal. *Contributed photos*

► Sgt. Eric Garrido, a medic with the 368th Military Police Company, assists a Soldier during the annual consolidated Soldier Readiness Processing held at the U.S. Army Reserve Center, April 8 to 10.

to send dental treatment teams to provide services like fillings, tooth extractions or root canals."

High participation

Nearly 600 Soldiers took part in this year's event, helping achieve the 9th MSC's goal of 90 percent participation.

"Every one of my assigned Soldiers attended the event," said Lt. Col. Carl Cruz, commander, 3303rd Mobilization Support Battalion. "The SRP went better than expected. They have really ironed out some of the kinks

ment lessons learned from the previous year," said Phipps. "We will learn better ways to conduct the SRP for next year, but overall we accomplished our mission to ensure our Soldiers are ready."

Guam is home to numerous Army Reserve units to include the 302nd Quartermaster Company; 368th MP Co.; E Company, 100th Battalion, 442nd Infantry Regiment; 322nd Civil Affairs Brigade; 4960th Multifunctional Training Brigade; and the TSG.

and made it a smooth process for the Soldiers to go through expeditiously."

Sgt. Michael Winn, 368th Military Police Company, described this year's event as very organized and efficient, noting the benefit to Soldiers as having a one-stop shop to keep records up-to-date.

Although he believes the SRP went extremely well, Phipps explained they expect to improve every year.

"Each year we try and imple-

Man arrested for harassing ex-GF

By **Geraldine Castillo**
geraldine@mvguam.com
Variety News Staff

A 49-year-old man was arrested for various acts of violence against his ex-girlfriend.

Michael Luis Tajjeron on Monday was charged with criminal mischief as a third degree felony; family violence as a misdemeanor; two counts of assault as a misdemeanor; and

her stalled vehicle. Tajjeron arrived at the scene as Officer Villagomez witnessed Palacios getting into her vehicle and locking herself in. Palacios asked Tajjeron to leave numerous times unsuccessfully. Tajjeron finally left after another officer ordered him to leave.

Palacios told Officer Villagomez that Tajjeron "calls her

but Tajjeron allegedly slapped Palacios across her face, causing her to fall back into her vehicle. She then locked herself in, but Tajjeron allegedly punched

Blas: Guam can sue feds over Compact Impact

By Therese Hart
therese@mvguam.com
Variety News Staff

SENATOR Frank F. Blas Jr. has sent a letter to Department of the Interior Secretary Ken Salazar, compelling the federal government to resolve the

sion and the knowledge that we need that money to improve our aging infrastructure."

After analyzing a provision in the 2011 National Defense Authorization Act, the lawmaker said the federal government may have admit-



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/s/ CHIEF JUSTICE F. PHILIP CARBULLIDO
Chairman

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AUTOPSIES were completed yesterday on the two fatalities (a 16-year-old boy and a 72-year-old woman) that occurred during separate incidents Saturday.

Medical Examiner Dr. Aurelio Espinola said the 16-year-old boy, identified by police as Zachery Evaristo Leonen, of Yoña, died from a laceration of the aorta with a bilateral hemothorax and whiplash injury to the neck.

Leonen was one of six people in a sedan that struck a concrete pole along Route 4a near the Onward Golf Resort in Talofoto at around 8:55 p.m. Saturday.

He was transported to Navy Hospital where he was pronounced dead by an attending physician in the emergency room.

One of the other teenagers,

Two other teens, a 15-year-old girl and a 16-year-old boy were treated at Guam Memorial Hospital and released. Two 16-year-old girls were also taken to GMH. One of them remains in the ICU but is in stable condition. The other teen is in the surgical ward and is in stable condition.

Meanwhile, Espinola said the 72-year-old woman, Nelia G. Gumpal, died from a skull fracture, whiplash injury to the neck and a crushed chest. Gumpal was one of four people in a Honda Civic that was struck by a pick-up truck, driven by Kris Ferreira, at around 4:30 p.m. Saturday in Harmon near the Route 16 Shell gas station.

Gumpal died hours later. She was with her son (the driver of the Honda Civic), her daughter-in-law and grandchild when the

of filing a suit, and has recently had similar discussions with his colleague in the 31st Guam Legislature, Senator B.J. Cruz.

In a March 28, 2011 letter to Calvo, Cruz suggested the governor file an immediate lawsuit and seek relief for at

Leonen was listed as the 9th traffic fatality this year and Gumpal as the 10th.

Guam Police Department spokesman Officer A.J. Balajadia meanwhile said the father of Leonen is asking the media to respect the family's privacy during their time of mourning.

Balajadia said the father learned of a reporter from one of the island's media attempting to contact Leonen's mother through the employer, and that, in the past, media has shown up during family rosaries.

"The father of Zachery is very concerned about his wife's frail state and will have the media removed if his wishes are not honored," Balajadia said.

Investigators from GPD's Highway Patrol Division continue to investigate both cases.

Marianas Variety-Guam Edition is circulated by home and office delivery, consignments, and vending machines throughout Guam, as mail delivery to the Federated States of Micronesia, the Marshall Islands, South Pacific, Hawaii, Japan and the continental U.S. Daily coverage can also be read from our website www.mvguam.com.

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**PUBLIC DEFENDER SERVICE CORPORATION
BOARD OF TRUSTEES**

Meeting of
Tuesday, March 22, 2011
12:54 p.m.
Conference Room,
Public Defender Service Corporation

MINUTES

- I. CALL TO ORDER:** This meeting was called to order by the Chairman, Chief Justice F. Philip Carbullido at 12:54 p.m.
- II. ROLL CALL:**
- Present were: Chief Justice F. Philip Carbullido, Chairman
Presiding Judge Alberto C. Lamorena III, Vice-Chairman
Attorney Cynthia V. Ecube, Guam Bar President
CathyAnn C. Gogue, Member
- Absent: Donna Muña Quinata, Member
- Others present were: Attorney Mike A. Nisperos, Jr., Director
Bernadette S.N. Chargualaf, Administrative Director
Attorney AnaMaria C. Gayle, APD Supervising Attorney
Cecilia A.T. Lizama, Chief Fiscal Officer
Edbert J. Quintanilla, Personnel Specialist IV
Cecelia M. Fernandez, Administrative Assistant
Julito B. Tingson, MIS Administrator
- III. PROOF OF DUE NOTICE OF MEETING:**
- “Notice of Public Meeting” was published in the Marianas Variety on Monday, March 14, 2011 and on Friday, March 18, 2011.
- IV. DETERMINATION OF QUORUM:** With presence of four (4) board members, a quorum was determined for this meeting.
- V. APPROVAL OF MINUTES:** Minutes of the regular board meeting held on February 23, 2011 were approved, subject to corrections.

VI. OLD/UNFINISHED BUSINESS:

A. Financial Status Update: Chief Fiscal Officer Cecilia Lizama reported that as of March 2011, the PDSC has received 77% of its scheduled allotment releases for Fiscal Year 2011.

Due to the Department of Administration's inability to release allotments for the courts in a timely manner, the allotment releases for the Alternate Public Defender continue to lag. Cis Lizama was assured that the January 2011 allotment will be released on Friday, March 26, 2011.

B. Domestic Violence Program: The PDSC Chief Fiscal Officer indicated that as of March 18, 2011, the 2010 Memorandum of Understanding for this program remains with the Department of Administration pending processing. In addition, even with the release of these funds, the program will only be provided for from May through September 2011.

Board members were also informed that Ms. Charmaine San Nicolas, former Family Violence Specialist (FVS), has transferred to a classified position as Legal Secretary II with the PDSC. However, she continues to perform the duties of the FVS as a collateral assignment until the position vacancy is filled.

Chief Justice Carbullido instructed Director Nisperos to continue to pursue funding for the program until the monies are released. At that point, we can regroup to see how best to use these funds. (An example given was the "Pro Bono" program being developed in conjunction with the Guam Bar Association; these funds may be used for training in the area of family violence, as a component of this endeavor.)

Presiding Judge Lamorena also indicated that a subcommittee within the courts is working on this matter; hopefully the PDSC position can be used to assist victims, or to help coordinate efforts with other victims' advocacy groups.

C. Alternate Public Defender Update: APD Supervising Attorney Annie Gayle reported that the APD has an opening for a Legal Secretary I position, due to the transfer and promotion of Ms. Nadine Gogue to Legal Secretary with the PDSC.

D. Hay Study Implementation: At the urging of Chief Justice Carbullido, PDSC has transmitted two (2) letters to date, requesting the release of funds for the implementation of the Hay Study recommendations for PDSC employees. Employees in the executive branch and other government entities received monies for this purpose; PDSC is simply seeking equity for its personnel.

E. PDSC Office Relocation Update: Resolution No. 04-11 was presented to board members requesting the use of additional lapsed funds for the purpose of purchasing equipment and/or supplies and other moving-related expenses related to the new PDSC office facilities. Resolution No. 04-11 was adopted and approved as presented.

VII. NEW BUSINESS:

A. PDSC Fiscal Year 2012 Budget Request: Director Mike Nisperos presented the PDSC's Budget Request for Fiscal Year 2012. Highlights included the addition of one (1) Attorney (in lieu of the two Special Investigators approved for Fiscal Year 2011), one (1) Accounting Technician and one (1) Clerk (for the Records and Property Management Division). In addition, funds are being requested for the purchase of software associated with the implementation of the New Dawn case management software by the courts. This software will allow the PDSC to link its MIS to the courts' in order to access information pertinent to its caseload, as well as bring parity to the judicial system in that the office of the Attorney General will also be linked.

Resolution No. 02-11 relative to the PDSC Fiscal Year 2012 Budget Request was subsequently adopted and approved.

B. APD Fiscal Year 2012 Budget Request: APD Supervising Attorney Annie Gayle presented this matter to the board, emphasizing that funding levels for Fiscal Year 2012 are requested at the same level initially proposed for Fiscal Year 2011.

With the recusals of Chief Justice Carbullido and Presiding Judge Lamorena from voting on this matter (in order for them to be able to vote when this is presented to the Judicial Council), a quorum was lacking for this subject to be voted upon. Therefore, it was tabled until the next meeting. However, Chief Justice Carbullido noted that the Judicial Council will be meeting on March 31, 2011 to specifically discuss the Judiciary's Budget for Fiscal Year 2012. He instructed that a copy of the APD's budget request be forwarded to Tony Meno, Comptroller, indicating that the document is pending board approval, just so that the amount can be incorporated into the Judiciary's Budget Request for FY2012.

At this point, board member CathyAnn Gogue brought up the issue of additional pay for the Supervising Attorney's administrative functions. It was decided that Attorney Gayle would make this request to the board, whereupon she asked for additional time to consider the matter. Should this be implemented, the Supervising Attorney's position would be changed from "classified" to "unclassified" status.

VIII. PUBLIC DISCUSSION: None.

IX. ADJOURNMENT AND NEXT MEETING DATE: There being no further business up for discussion, this meeting was adjourned at 1:50 p.m.

Respectfully submitted,


BERNADETTE S.N. CHARGUALAF
Secretary

Agenda Item #VII (A)

APD Fiscal Year 2012
Budget Request
(Resolution No. 03-11)

JUDICIARY

Agency: PUBLIC DEFENDER SERVICE CORPORATION

Program: ALTERNATE PUBLIC DEFENDER - COMBINED BUDGET DIGEST

| Budget Account Code | Appropriation Classification | A | B | C | C-B=D | D/B=E |
|---------------------------|---|-------------------------------------|--------------------------|-------------------------|------------------------------|---------------------------|
| | | FY 2010 Expenditures & Encumbrances | FY 2011 Authorized Level | FY 2012 Proposed Budget | Increase/ (Decrease) in \$\$ | Increase/ (Decrease) in % |
| PERSONNEL SERVICES | | | | | | |
| 111 | Regular Salaries/Increments | \$461,796 | \$489,145 | \$561,843 | \$72,698 | 15% |
| 112 | Overtime/Special Pay | 0 | 0 | 0 | 0 | 0 |
| 113 | Benefits | 141,237 | 171,940 | 211,988 | 40,048 | 23% |
| | TOTAL PERSONNEL SERVICES | \$603,033 | \$661,085 | \$773,831 | \$112,746 | 17% |
| OPERATIONS | | | | | | |
| 220 | TRAVEL - Off-Island/Local Mileage Reimburs. | \$3,326 | \$11,500 | \$12,000 | \$500 | 4% |
| 230 | CONTRACTUAL SERVICES: | 11,707 | 18,200 | 31,145 | 12,945 | 71% |
| 233 | OFFICE SPACE RENTAL: | 52,763 | 65,602 | 65,602 | 0 | 0% |
| 240 | SUPPLIES & MATERIALS: | 5,545 | 7,000 | 7,000 | 0 | 0% |
| 250 | EQUIPMENT: <\$5000.00 | 8,115 | 5,150 | 10,760 | 5,610 | 109% |
| | SUB-RECIPIENT/SUBGRANT: | 0 | 0 | 0 | 0 | 0 |
| 290 | MISCELLANEOUS: | 3,338 | 5,460 | 6,650 | 1,190 | 22% |
| | TOTAL OPERATIONS | \$84,794 | \$112,912 | \$133,157 | \$20,245 | 18% |
| UTILITIES | | | | | | |
| | Power | \$0 | \$0 | \$0 | \$0 | \$0 |
| | Water/ Sewer | 0 | 0 | 0 | 0 | 0 |
| 363 | Telephone/ Toll | 3,354 | 4,080 | 2,690 | -1,390 | -34% |
| | TOTAL UTILITIES | \$3,354 | \$4,080 | \$2,690 | -\$1,390 | -34% |
| | INDIRECT COST | \$0 | \$0 | \$0 | \$0 | 0% |
| 450 | CAPITAL OUTLAY >\$5000.01 | \$0 | \$0 | \$20,000 | \$20,000 | \$0 |
| | TOTAL APPROPRIATIONS | \$691,181 | \$778,077 | \$929,678 | \$151,601 | 19% |

1/ Specify Fund Source

| FULL TIME EQUIVALENCIES (FTEs) | | | | | | |
|---------------------------------------|-------------------|----------|----------|-----------|----------|------------|
| | UNCLASSIFIED | 0 | 0 | 0 | 0 | 0% |
| | CLASSIFIED | 9 | 9 | 11 | 2 | 22% |
| | TOTAL FTEs | 9 | 9 | 11 | 2 | 22% |

PLEASE REFER TO FOOTNOTES ON FOLLOWING PAGES.

**BEFORE THE BOARD OF TRUSTEES
OF THE
PUBLIC DEFENDER SERVICE CORPORATION
RELATIVE TO THE APPROVAL OF THE
ALTERNATE PUBLIC DEFENDER
FISCAL YEAR 2012 BUDGET REQUEST**

RESOLUTION NO. PDSC 03-11

- 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 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 2011; 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 Service 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, presented the APD's Fiscal Year 2012 Budget Request of **\$929,678** 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 for Fiscal Year 2012; now therefore be it
- RESOLVED,** The Board of Trustees of the Public Defender Service Corporation, at its meeting of March 22, 2011 hereby approves the APD Fiscal Year 2012 Budget Request of \$929,678 with all its provisions contained therein being attached hereto and made a part of this resolution.

DULY AND REGULARLY ADOPTED THIS 28th DAY OF APRIL, 2011.

Donna Muna Quinata
Acting Chairperson
(Upon Recusal and Appointment By
Chief Justice F. Phillip Carbullido, Chairman)

ATTEST:

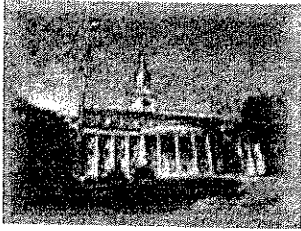
BERNADETTE S.N. CHARGUALAF
Secretary

Agenda Item #VII (B)

APD: Request to Attend
National Criminal Defense
College Trial Practice Institute
In Macon, Georgia
(July 17-30, 2011)
(Attorney Eric Overton)

**Alternate Public Defender
Breakdown of Estimated Cost for Eric Overton's request to
Attend the National Criminal Defense College Trial
Practice Institute 07/17-30/ 2011**

| | |
|----------------|-----------------|
| Transportation | \$ 2,200 |
| Per Diem | \$ 2,214 |
| Tuition | \$ 500 |
| | <hr/> |
| | \$ 4,914 |
| | <hr/> <hr/> |



Mercer University
Walter F. George School of Law
Home of the Trial Practice Institute

NATIONAL CRIMINAL DEFENSE COLLEGE

Trial Practice Institute

[The College](#)

June 12-25 and July 17-30, 2011

[Trial Practice
Institute](#)

Macon, Georgia

[Theories and
Themes](#)

Each two-week session is limited to 96 participants, who are divided into small groups according to trial experience. The least experienced groups normally have no jury trials. It is not unusual for members of the most experienced group to have tried 75 or more jury cases.

[Advanced Cross
Examination](#)

Topics covered in the group exercises include client interviews, jury selection, direct and cross examination, impeachment and closing arguments, among others. Each participant performs daily assignments under the supervision of a member of the nationally recognized faculty. Faculty members rotate daily, and video is provided in every room.

[Staff](#)

[Faculty](#)

[Donations](#)

Small group exercises are supplemented by faculty lectures and demonstrations. Professional actors from [Laughing Matters](#) are used in the roles of clients and witnesses.

[Paraphernalia](#)

[Links](#)

[Email signup!](#)

[Sitemap](#)

What They're Saying about the TPI

"Not only have my skills been increased vastly, but I have also discovered a family of dedicated people to whom I can turn for help within the field...It is rare that a person gets to learn so much from such enlightened people."

"You folks not only taught skills, but you have imparted great confidence. I can't thank you enough."

TRIAL PRACTICE INSTITUTES 2011
June 12-25 and July 17-30, 2011
NATIONAL CRIMINAL DEFENSE COLLEGE
C/O MERCER LAW SCHOOL
MACON, GA 31207
(478) 746-4151 FAX (478) 743-0160
EMAIL: OFFICE@NCDC.NET
Tax ID# 59-2506611

DATE: 04/11/2011

INVOICE # 2506

Eric Overton
Alternate Public Defender
DNA Bldg., #902, 238 AFC, Flores St.
Hagatna, GU 96910

| CHARGES | SESSION | TUITION | HOUSING |
|--------------------------------|-------------------------|-----------|------------------|
| Overton, Eric | JUNE JULY | \$1500.00 | DOUBLE-\$550.00 |
| DEPOSIT PAID: \$25.00 | | | |
| SCHOLARSHIP AWARDED: \$1000.00 | | | |
| ADJUSTMENT/CREDITS: \$1025.00 | | | |
| BALANCE DUE | | | \$1025.00 |

Please make check payable to the **National Criminal Defense College**. Amount billed is due upon receipt. Extra charge will be added if payment is not received within 30 days of receipt of invoice.

We also accept Mastercard, Visa and American Express. Please complete the following if you wish to charge your invoice.

Cardholder name: _____

Cardholder number: _____ Exp. date: _____

Please charge: _____ to my card listed above.

Signature _____ Date signed _____

Agenda Item #VII (C)

PDSC Financial Eligibility
Criteria for PDSC Clients

Director
Mike A. Nisperos, Jr.



ADMINISTRATIVE DIRECTOR
Bernadette S.N. Chargualaf

PUBLIC DEFENDER SERVICE CORPORATION
(Kotperasion Setbision Defensot Pupbleku)

GOVERNMENT OF GUAM
MVP Sinajana Commercial Building, Unit B
779 Route 4
Sinajana, Guam 96910-5174
Tel: (671) 475-3100 □ Fax: (671) 477-5844

STAFF ATTORNEYS
Richard S. Dirks
Jane L. Kennedy
Terrance A. Long
Loretta T. Gutierrez-Long
Pablo M. Aglubat
Raymond B. Ilagan
Jacelyn M. Roden
Peter J. Sablan
Maria G. Fitzpatrick
Rebecca M. Warfield
Ali N. Nusbaum
Emily A. Snider
Suresh Sampath

MEMORANDUM

TO: PDSC Board of Trustees
From: MIKE A. NISPEROS, JR., Director, PDSC
DATE: April 14, 2011
RE: Financial Eligibility Criteria for PDSC Clients

The historical practice of the PDSC Board of Trustees is to follow the guidelines used by the Guam Legal Services in determining the financial eligibility of prospective clients. Guam Legal Services uses the poverty guidelines issued by the U.S. Department of Health and Human Services, at the 125% level. I recommend we continue the practice and the Board continue to adopt criteria used by Guam Legal Services (highlighted in the chart below).

2011 HHS Poverty Guidelines

| Size of Family Unit | 100% of Poverty | 125% of Poverty | Hourly wage for 125% |
|---------------------|-----------------|-----------------|----------------------|
| 1 | \$10,890 | \$13,612.50 | \$6.55 |
| 2 | 14,710 | 18,387.50 | \$8.84 |
| 3 | 18,530 | 23,162.50 | \$11.14 |
| 4 | 22,350 | 27,937.50 | \$13.43 |
| 5 | 26,170 | 32,712.50 | \$15.73 |
| 6 | 29,990 | 37,487.50 | \$18.02 |
| 7 | 33,810 | 42,262.50 | \$20.32 |
| 8 | 37,630 | 47,037.50 | \$22.62 |

For family units with more than 8 members, add \$3,820 for each additional person at 100% of poverty and \$4,775 at 125% of poverty level.

Agenda Item #VII (D)

Request to Use Lapsed Funds
For Operational Needs
(Resolution No. PDSC 05-11)

**BEFORE THE
BOARD OF TRUSTEES OF THE
PUBLIC DEFENDER SERVICE CORPORATION
RELATIVE TO THE USE OF LAPSED FUNDS
TO COVER BUDGETARY SHORTFALLS FOR OPERATIONS
IN FISCAL YEAR 2011**

RESOLUTION NO. PDSC 05-11

- WHEREAS,** Public Law 25-76 authorized the Public Defender Service Corporation (PDSC) to retain unexpended appropriations beginning with Fiscal Year 2000, and to carry these funds over into succeeding fiscal years; and
- WHEREAS,** The PDSC Board of Trustees adopted Resolution No. 99-07 requiring Board approval for the budgeting of and/or spending authorization(s) for these lapsed funds; and
- WHEREAS,** Public Law 30-196 appropriated \$3,708,020 to the PDSC for Fiscal Year 2011, which falls short of the funds required for the Corporation's fulfillment of its mandates and operational costs for this fiscal period; and
- WHEREAS,** Recent board authorizations have been extended to the PDSC for the use of lapsed funds for certain purposes, but the Corporation finds itself needing more monies to provide for small equipment needs (please refer to the attached spreadsheet for details), in order to promote a more efficient and effective working environment for employees; now therefore be it
- RESOLVED,** The Board of Trustees of the Public Defender Service Corporation, in its meeting of April 28, 2011, hereby approves the Corporation's request for the expenditure of **\$7,000** of lapsed funds for the purchase of the equipment described in the attached spreadsheet, which is made a part of this resolution.

DULY AND REGULARLY ADOPTED this 28th day of April, 2011.

Chief Justice F. PHILIP CARBULLIDO
Chairman

ATTEST:

BERNADETTE S.N. CHARGUALAF
Secretary

Public Defender Service Corp.

| Price Quote for Dividers for Legal Secretarial Division | M80 Office Systems | Integrated Office Solutions | CJ Professional Environments |
|---|--------------------|-----------------------------|------------------------------|
| | \$ 3,401.20 | \$ 3,791.75 | No quote received |

| Price Quote for Investigative Division | Dell Marketing, L.P. |
|--|----------------------|
| | \$ 1,600.00 |

Note: The request is to replace the Chief Investigator's computer which is obsolete and beyond warranty service.

| Price Quote for Legal Clerical Division | Dell Marketing, L.P. |
|---|----------------------|
| | \$ 1,600.00 |

Note: The request is to purchase a workstation for the Legal Clerk Supervisor. His current workstation is being utilized by his staff to input information for interviews.

TOTAL REQUEST \$ 7,000.00