PUBLIC DEFENDER SERVICE CORPORATION
Board of Trustees Regular Meeting
Tuesday, December 20, 2011
PDSC Conference Room
12:30 PM

A G E N D A

I. Call to Order

II. Roll Call

III. Determination of Quorum

IV. Proof of Due Notice of Meeting:

A. 5 Working Days Notice: Marianas Variety, Friday, December 09, 2011
B. 48 Hours Notice: Marianas Variety, Friday, December 16, 2011

V. Approval of Minutes: Regular Meeting of October 25, 2011; and Special Meeting of November 08, 2011

VI. Old Business:

A. Financial Status Update (PDSC and APD Allotment Releases)
B. Domestic Violence Program Update
C. Alternate Public Defender Update
D. Interpreters
E. Trial College

VII. New Business:

A. Alternate Public Defender
   1. Committee to revisit APD organizational/reporting structure
   2. Agreement to Provide Services for Indigent Defendants
   3. Resolution No. 03-12: *Request to use lapsed funds to award Pedro Doc Sanchez Scholarship Program recipient, Norma L. Salas, of two (2) merit pay increases.*

B. Night Differential Payments
   1. Resolution No. 04-12: *Request to use PDSC lapsed funds to cover night differential payments as required by Public Law 30-105:2.*
   2. Resolution No. 05-12: *Request to use APD lapsed funds to cover night differential payments as required by Public Law 30-105:2.*

C. Domestic Violence Program Update
   1. Resolution No. 06-12
      Request to use lapsed funds to advance salaries and benefits under the Domestic Violence Program for the months of January, February, and March of 2012.
D. Moratorium Strategic Planning
E. Abacus Update
F. PDSC Employee Newsletter
G. PDSC Christmas Luncheon and Caroling Competition

VIII. Public Discussion

IX. Adjournment and Next Meeting Date

Alleged sexual assault may be gang related

◀ Alaph Mounik and Petrus Martin Jr. appeared in magistrate's court Tuesday and were each confined on $250,000 bail. The alleged sexual assault of a 15-year-old girl may have been gang related. Mounik, Martin and a 15-year-old boy were arrested in connection with the incident.

Matt Weiss / Variety

By Zita Y. Taitano
zita@mvguam.com
Variety News Staff

THE alleged sexual assault of a 15-year-old girl this past Saturday night may have been gang related. Two men and a 15-year-old boy were arrested in connection with the incident.

According to detectives of the Guam Police Department's Criminal Investigation Division, during interviews with the victim, she indicated the males who allegedly abducted her were members of a gang named "KB."

Detectives note the gang allegedly named by the girl is not on the list the division has compiled of all gangs on the island.

The two men, Petrus Martin Jr., 21, and Alaph Mounik, 25, both of Mangilao, and a 15-year-old boy were charged for the alleged crime.

Petrus and Mounik appeared in court on Tuesday afternoon before magistrates and were each confined on $250,000 bail. They were charged with two counts first degree criminal sexual conduct as a first degree felony; two counts second degree criminal sexual conduct as a first degree felony; and felonious restraint as a third degree felony.

The 15-year-old boy, who is from Harmon, was charged with first degree criminal sexual conduct and consumption of alcohol. He is confined at the Department of Youth Affairs, and is expected to appear in Juvenile Court today.

Martin and Mounik are scheduled to appear in court again on Dec. 16 at 4 p.m. for a preliminary hearing.

A ribbon-cutting ceremony for Guam Community College's new student center will commence 10 a.m. today at the Mangilao campus. Matt Weiss / Variety

GCC opens new student center today

By Geraldine Castillo
geraldine@mvguam.com
Variety News Staff

TODAY, the Guam Community College opens its student center, their newest building for a third year in a row.

A ribbon-cutting ceremony for the GCC student center will be held at the Mangilao campus today beginning at 10 a.m.

For three consecutive years in December, the institution has welcomed a new building. In 2009, GCC opened the Anthony A. Leon Guerrero Allied Health Center, and in 2010 opened the Learning Resource Center, which is gold-certified by the Leadership in Energy and Environmental Design.

According to Jayne Flores, assistant director of communications and promotions for GCC, the student center is a two-story, 22,000-square foot facility that houses its Center for Student Involvement and Council on Postsecondary Student Affairs, the Health Center, a computer lab, the federally-funded College Access Challenge Grant Program and Project Aim offices, an education training room, a student lounge, and a student meeting room.

The $3.9 million project was constructed by Asanuma Corporation and funded by the American Recovery and Reinvestment Act. Additionally, the GCC Foundation provided the $253,423 for the A&E design by TRMA. Asst. Secretary of the Interior Tony Babauta, who helped secure funding for the student center, will be present to help cut the ribbon and provide welcoming remarks.

While there is no name for the student center yet, Flores stated the GCC Foundation is working on partnering with a family or business to provide a naming opportunity donation to the center.

GUAM POWER AUTHORITY
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P.O. BOX 2977 • AGANA, GUAM U.S.A. 96932-2977
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Simon A. Sanchez II
CCU Chairman

Joaquin C. Flores, P.E.
General Manager

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INVITATION FOR BID

This notice is paid for by the GUAM POWER AUTHORITY Revenue Funds
Public Law 26-12

BID NO.:	DUE DATE:	TIME:	DESCRIPTION:
GPA-025-12	12/28/2011	2:00 P.M.	Indefinite Quantity Contract for Wires
GPA-026-12	12/28/2011	2:30 P.M.	Indefinite Quantity Contract for Wires
GPA-027-12	12/29/2011	2:00 P.M.	Indefinite Quantity Contract for Wires
GPA-028-12	12/29/2011	2:30 P.M.	Indefinite Quantity Contract for Pole Mounted Transformers

Bid packages may be picked up at the GPA Procurement Office, 1st Floor, GPA Central Office, 1911 Route 16, Harmon, Guam 96911 or downloaded from GPA website: guampowerauthority.com. All interested firms should register with our GPA's Procurement Division to be able to participate in the bid. Please call our office at (671) 648-3054/3055 to register. Registration is required to ensure that all "Amendments and Special Reminders" are communicated to all bidders throughout the bid process.

NOTICE OF PUBLIC MEETING

The Public Defender Service Corporation Board of Trustees will conduct a regular meeting on **Tuesday, December 20, 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 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.

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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Carol Laughlin and her dog Bumper read to children during the 4 Paws and A Tale reading program at the Nieves M. Flores public library in Hagåtña Nov. 29. The reading program was started by a new organization Fur-ever Kinda Love whose mission is to create a safe environment for animals by creating a society of engaged and responsible pet owners.

New group helps animals, kids

By David Jay Morris
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Variety News Staff

Dozens of children took turns reading to Bumper the dog during the 4 Paws and A Tale reading program at the Nieves M. Flores public library in Hagåtña Nov. 29. The program is fostered by a new organization Fur-ever Kinda Love.

HAVE kids who love animals but are having trouble with reading? Bring them down to the Nieves M. Flores public library in Hagåtña this Saturday between 10 and 11 a.m. for a one-on-one session with Duke or Bumper, Guam's only reading therapy dogs.

In recent years, educational experts have found that many children who are unsure of their reading abilities can relax and get into it much more easily by reading to a completely non-judgmental four-legged friend.

This is just one of the programs instituted by a new organization, Fur-ever Kinda Love. Established in October by Carol Laughlin of Yoña, the group's mission is "to create a safer, happier environment for the animals within our communities by creating a society of engaged, responsible and caring pet owners."

According to Laughlin, one of the best ways to do this is by making use of the natural affinity most children feel for animals, and teaching them at an early age how to respect and care for man's four-legged companions.

With the help and support of Sen. Sam Mabini, Laughlin was able to start the innovative "4 Paws and a Tale" reading program at the Hagåtña library, now held once a month. In the near future, she hopes to expand it and other animal related educational programs to schools as well.

In the short time it has been in existence, Fur-ever Kinda Love has also managed to develop a network of volunteers willing to provide foster care for rescued homeless animals until they can be adopted into a "forever home." This is one key component in the "no-kill" philosophy of mainstream stray animal care in the mainland U.S., Europe and Japan, in which shelters and animal rescue organizations don't kill the animals that are brought to them, and instead focus on spaying, neutering, adoption and foster care.

Laughlin believes that for the no-kill philosophy to succeed, it is critical for people to understand the importance of spaying and neutering, and that even pet owners with very limited resources have access to these services. For this reason, Fur-ever Kinda Love is working to develop a variety of programs in support of them, including the prevention of animal cruelty and microchipping, which allows the identification of lost and abandoned pets.

The organization has also started a program aimed at providing foster care and emergency transportation services for pets of active duty military personnel who are suddenly deployed overseas or called on emergency leave.

Fur-ever Kinda Love is now looking for volunteers interested in participating in its programs. For further information, visit their Facebook page at www.facebook.com/furever.kinda.love, or call Carol Laughlin at 486-6028.

UOG students publish tourism planning book

By Geraldine Castillo
geraldine@mvguam.com
Variety News Staff

A BOOK on developing heritage tourism in Guam's capital is being presented today at the Historic Lujan House at 10:30 a.m.

The book, titled "Heritage Tourism Planning Guidebook: Methods for Implementing Heritage Tourism Programs in Downtown Hagatna, Guam," will be presented by the University of Guam's School of Business and Public Administration (SBPA), along with the UOG Pacific Center for Economic Initiatives.

Authored by graduating seniors and graduates from the Special Projects in Tourism Research class in SBPA, the book presents an adaptation of National Trust and Historic Preservation's four basic steps to promote heritage tourism, and localizes these steps for possible adaptation in Hagåtña, a UOG press release stated.

Authors include Kristine Pangelinan, Bryan Hoya, Raymond Aguon and Jon Quidachay.

The students wrote the book under the guidance of SBPA faculty member Dr. Fred R. Schumann.

The UOG press release states the book also shares best practices from other destinations that can be used to develop and implement heritage tourism programs in Hagåtña. This is all presented with the understanding that heritage tourism is an effective way to develop and diversify the local economy.

The Heritage Tourism Planning Guidebook focuses on four basic steps identified by the NTHP to help communities with ideas on how to promote heritage tourism locally: assess the potential; plan and organize; prepare, protect, and manage; and market for success.

The book presentation will be held at the Lujan House – Guam Preservation Trust Office, 157 Padre Palomo Street, Hagåtña.

For more information on Heritage Tourism, visit the NTHP's website at www.culturalheritagetourism.org.

PUBLICATION NOTICE

In accordance with the provisions of Guam Code Annotated, Title XI, Chapter III, Section 3315, notice is hereby given that:

Quichocho, Mijung Kim
dba: Club Dash

has applied for a Class: **Four General On Sale** said premises being marked as Lot: **5142-1-1-R1 Carlrose Bldg Harmon**

NOTICE OF PUBLIC MEETING

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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.

PUBLIC DEFENDER SERVICE CORPORATION
BOARD OF TRUSTEES
Regular Meeting of
Tuesday, October 25, 2011
12:45 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 12:45 p.m.

II. ROLL CALL:

Present were: Chief Justice F. Philip Carbullido, Chairman
Attorney Cynthia V. Ecube, Guam Bar President
Donna Muña Quinata, Member
CathyAnn C. Gogue, Member

Absent: Presiding Judge Alberto C. Lamorena III, Vice-Chairman (off-island)

Others present were: Attorney Eric D. Miller, Executive Director
APD Supervising Attorney AnaMaria C. Gayle
Bernadette S.N. Chargualaf
Cecilia A.T. Lizama
Edbert J. Quintanilla
Cecelia M. Fernandez

III. PROOF OF DUE NOTICE OF MEETING:

"Notice of Public Meeting" was published in the Marianas Variety on Friday, October 14, 2011 (5 days), and on Friday, October 21, 2011 (48 hours).

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 meeting held on July 12, 2011 and the special meetings held on July 26, 2011 and September 9, 2011 were approved, subject to corrections.

VI. OLD/UNFINISHED BUSINESS:

A. **Financial Status Update:** Chief Fiscal Officer Cecilia Lizama reported that the PDSC, as well as APD, received their entire Fiscal Year 2011 allotments.

B. **Domestic Violence Program Update:** The STOP 2011 grant was in fact awarded, according to Mrs. Morrison of the Federal Programs Office. However, Cis Lizama will follow up to ensure the release of funds for this purpose. It was also mentioned that Program Specialist Jacob Perez was hired for the position, and is working out of the PDSC's current office space.

C. **Alternate Public Defender Update:** Supervising Attorney Annie Gayle stated that she had nothing to report.

VII. NEW BUSINESS:

A. **Resolution No. 11-11 (Request to Use Lapsed Funds to Cover FY2012 Shortfall):**

Please Note: Resolution No. 11-11 was incorrectly assigned, and should have read Resolution 01-12 since we have begun FY2012.

Cis Lizama informed those present that the PDSC's legislative appropriation for Fiscal Year 2012 was insufficient to meet the needs of the Corporation, and therefore the use of lapsed funds was imperative. Chief Justice Carbullido questioned whether the FY2012 Budget Act included language authorizing the PDSC to carry lapsed funds into FY2012. Administrative Director B. Chargualaf indicated that it was, and provided a copy for the Chief Justice to view (§3 of Chapter VII, Public Law 31-77).

A request for a "contingency fund" to be used for personnel benefits, in case the GWA funding issue did not materialize was denied. Chief Justice Carbullido indicated that this was not necessary, as the legislature will work this out.

Subsequent motions to amend Resolution No. 11-11 (to include language authorizing the carryover of lapsed funds from FY2011 to FY2012) and to adopt the amended version were approved and adopted.

B. **Malpractice Insurance Coverage (Increase Requested):** Chief Justice Carbullido mentioned that the PDSC is covered under the Government Claims Act, and wondered if the increase in coverage is really needed at this time. Attorney Ecube stated that the Guam Bar Association has coverage for the directors on our board, with a maximum of $500,000. She was willing to share this material with PDSC Director Eric Miller. Chief Justice Carbullido then indicated that coverage of $100/$300,000 should be sufficient at this time. Thereafter, a motion authorizing PDSC to procure malpractice insurance coverage of $100/$300,000, with premiums not to exceed $3,500 per year was adopted.

C. **Bill No. 312-31 (Changes in the Composition of the PDSC Board of Trustees):** Executive Director Eric Miller reported that he attended a public hearing on Bill No. 312-31 introduced by Senator B. J. Cruz, which would basically change the composition of the PDSC Board of Trustees.

Chief Justice Carbullido indicated that retired judges/justices as well as retired attorneys should not be excluded, and that written testimony to this effect should be submitted. Attorney Ecube declared that the PDSC Board of Trustees needs a "balance", and that other attorneys should be included as members. Chief Justice Carbullido suggested that both he and Attorney Ecube write a letter to Senator Cruz, to which Attorney Ecube stated that she will send her letter to the Chief Justice for his review.

D. **Risk Management:** PDSC Executive Director Eric Miller presented this item, and informed the board of changes he has made at the PDSC including training sessions (Time and Attendance, Harassment, etc.). Chief Justice Carbullido commended Attorney Miller for his proactive approach, and for taking positive steps toward efficiency and accountability at the PDSC.

E. **Interpreters:** Director Miller informed the board of problems the Corporation has with ensuring "Equal Access to Justice" for its non-English speaking clients. He has met with the Clerk of Court in an attempt to make improvements. The Chief Justice then mentioned that the judiciary will work with the PDSC toward revamping the current process involving court interpreters in order to ensure availability and a more efficient system/method of compensation. Furthermore, training is necessary, since speaking the language isn't enough to become an interpreter. He assured Attorney Miller's inclusion in any group that may be formed to address this matter. Director Miller then recommended the Probation Office be involved in this endeavor.

Attorney Ecube then questioned if anyone has contacted the FSM Consulate for assistance. Because of the financial burden associated with the provision of these services, the consulate should be involved.

F. **Trial College:** PDSC Director Miller reported on this item. Assistant Public Defender Rebecca Warfield suggested and has been in contact with Judge Richard McGee of Tennessee for the purpose of bringing a "Trial College" to Guam. Judge McGee has agreed not to charge for his work, but would need his airfare and lodging accommodations paid for. The Guam Bar Association is also involved in this endeavor, since training will count as CLEs.

The training sessions will take place over a 3-4 day time period. The federal courts are willing to have their facilities used for this purpose. Local attorneys with extensive experience will be assisting the main presenters/trainers.

Chief Justice asked who the "target group" would be, in case the judiciary is to get involved with funding. Attorney Miller answered that this will definitely include

PDSC and private attorneys who want to attend the training. Plans are being worked on with regards to curriculum, and details of training sessions. The Chief Justice requested a written report on this matter so that he can take it to the Executive Committee of the Pacific Judicial Council.

G. New PDSC Staff Attorney: Director Eric Miller reported on the resignation of former Assistant Public Defender Emily Snider, and the filling of that vacancy by Attorney Mikaela Silkey.

VIII. PUBLIC DISCUSSION: None

IX. ADJOURNMENT AND NEXT MEETING DATE: There being no further business up for discussion, this meeting was adjourned at 1:51 p.m.

Respectfully submitted,

BERNADETTE S.N. CHARGUALAF
Secretary

PUBLIC DEFENDER SERVICE CORPORATION
BOARD OF TRUSTEES
Special Meeting of
Tuesday, November 08, 2011
12:30 PM
PDSC Conference Room

MINUTES

I. CALL TO ORDER: This meeting was called to order by the Chairman, Chief Justice F. Philip Carbullido at 12:30 PM.

II. ROLL CALL:

Present were:
Chief Justice F. Philip Carbullido, Chairman
Attorney Cynthia V. Ecube, GBA President
Cathy Ann C. Gogue, Member
Donna Muna-Quinata, Member

Others present were:
Attorney Eric D. Miller, PDSC Executive Director
Attorney Anna Maria Gayle, APD Attorney Supervisor
Cecilia A. T. Lizama, Chief Fiscal Officer
Edbert J. Quintanilla, Personnel Specialist IV
Attorney David W. Dooley, Legal Counsel

III. PROOF OF DUE NOTICE OF MEETING:

"Notice of Public Meeting" was published in Marianas Variety on Monday, October 31, 2011 and Friday, November 04, 2011.

IV. DETERMINATION OF QUORUM: With the presence of four (4) board members, a quorum was determined for this meeting.

V. OLD BUSINESS:

A. Without opposition from any board member present, the meeting was convened into **EXECUTIVE SESSION** at 12:34 PM for the purpose of discussing a personnel matter, specifically District Court of Guam Case No. CV 11-00022, as recommended by the agency's legal counsel David W. Dooley.

Motions to adjourn the Executive Session and reconvene into Regular Session were unanimously adopted at 12:50 PM. (First Motion: Board Member Gogue, Second Motion: Board Member Quinata)

VI. NEW BUSINESS:

A. Board Resolution No. 02-12 (Relative to District Court of Guam Case No. CV 11-00022): Motions to adopt Board Resolution No. 02-12 were unanimously accepted, authorizing Attorney Dooley to accept, on behalf of the Corporation, the settlement offer in the amount of $3,000.00 and to authorize the usage of lapsed funds of the Corporation in return for the Plaintiff's proper written release. (First Motion: Board Member Gogue, Second Motion: Board Member Ecube)

VII. **ADJOURNMENT AND NEXT MEETING DATE:** There being no further business up for discussion, the meeting was adjourned at 1:04 PM. The next meeting date was agreed upon to be held on December 20, 2011, 12:30 PM.

Respectfully submitted,

EDBERT J. QUINTANILLA
Acting Board Secretary

AGENDA ITEM # VIIA

RESOLUTION NO. 03-12

RE: Pedro 'Doc' Sanchez Scholarship Program recipient,
Norma L. Salas

BEFORE THE BOARD OF TRUSTEES
OF THE PUBLIC DEFENDER SERVICE CORPORATION
RELATIVE TO THE TWO STEP MERIT PAY INCREASE OF NORMA L. SALAS
PEDRO 'DOC' SANCHEZ SCHOLARSHIP PROGRAM RECIPIENT

Resolution No. 03-12

WHEREAS, the Pedro 'Doc' Sanchez Scholarship Program was created with the intent of providing career government personnel with opportunities for professional academic growth and development, then discontinued in 1998 as a result of austerity measures implemented government-wide and reinstated through Public Law 29-137, effective January 30, 2009; and

WHEREAS, scholarship program recipients are required to enroll in the undergraduate studies of public administration or in other undergraduate degree programs offered at the College of Business and Public Administration, University of Guam and the graduate M.P.A. and M.B.A. Programs offered at the College of Business and Public Administration, University of Guam; and

WHEREAS, scholarship recipients are required to maintain an overall grade point average of 2.5 for undergraduate studies, 3.0 for graduate studies, and to submit semester reports of course grades and class schedules to their respective agency head; and

WHEREAS, scholarship recipients shall be entitled to receive a one (1) step merit pay increase upon successful completion of an undergraduate or graduate degree, following official certification by the University that the recipient has completed all degree requirements; and

WHEREAS, Norma L. Salas, scholarship program recipient and classified employee of the Alternate Public Defender, has successfully completed all requirements of the program for both her Bachelor of Science undergraduate degree in Criminal Justice, with a minor in Public Administration, and a Master in Public Administration graduate degree; therefore be it

RESOLVED, by the Board of Trustees at its regular meeting, hereby approves the usage of lapsed funds, in the amount of **$14,106.00** to award a one (1) step merit pay increase for the successful completion of the undergraduate degree, conferred December 17, 2000, and an additional one (1) step merit pay increase for the successful completion of the graduate degree, conferred June 02, 2002, to Norma L. Salas for her educational accomplishments under the Pedro 'Doc' Sanchez Scholarship Program, effective January 30, 2009.

DULY AND REGULARLY ADOPTED THIS 20th DAY OF DECEMBER, 2011.

_____
Chief Justice F. Philip Carbullido
Chairman

ATTEST:

_____
Bernadette S.N. Chargualaf, Board Secretary

Employee: NORMA L. SALAS

WITH MERIT INCREASE

	Law reenacted (FY09)	New Fiscal Year (10)	Salary Increment (FY10)	New Fiscal Year (11)	New Fiscal Year (12)	Salary Increment (FY12)	TOTAL
Grade - Step	M-11	M-11	M-12	M-12	M-12	M-13	
Hourly Rate	21.41	21.41	22.15	22.15	22.15	22.93	
From	1/30/2009	10/1/2009	3/27/2010	10/1/2010	10/1/2011	3/27/2012	
To	9/30/2009	3/26/2010	9/30/2010	9/30/2011	3/26/2012	9/30/2012	
Gross Pay	$ 29,460.16	$ 21,410.00	$ 23,744.80	$ 46,249.20	$ 22,327.20	$ 24,580.96	$ 167,772.32
GG Retirement Rate	25.20%	25.20%; 26.04%	26.04%	26.04%; 27.46%, 21.44%	27.46% and 28.30%	28.30%	
GG Retirement Amount	$ 7,424.03	$ 3,708.54	$ 6,183.16	$ 11,831.53	$ 6,311.20	$ 6,956.47	$ 42,414.93
Medicare (1.45%)	$ 407.77	$ 296.28	$ 329.37	$ 641.54	$ 309.71	$ 341.57	$ 2,326.24
Total Compensation	$ 37,291.96	$ 25,414.82	$ 30,257.33	$ 58,722.27	$ 28,948.11	$ 31,879.00	$ 212,513.49

WITHOUT MERIT INCREASE

	Law reenacted (FY09)	New Fiscal Year (10)	Salary Increment (FY10)	... (FY11)	... (FY12)	Salary Increment (FY12)	TOTAL
Grade - Step	M-9	M-9	M-10	M-10	M-10	M-11	
Hourly Rate	19.99	19.99	20.68	20.68	20.68	21.41	
From	1/30/2009	10/1/2009	3/27/2010	10/1/2010	10/1/2011	3/27/2012	
To	9/30/2009	3/26/2010	9/30/2010	9/30/2011	3/26/2012	9/30/2012	
Gross Pay	$ 27,506.24	$ 19,990.00	$ 22,168.96	$ 43,179.84	$ 20,845.44	$ 22,951.52	$ 156,642.00
GG Retirement Rate	25.20%	25.20%; 26.04%	26.04%	26.04%; 27.46%, 21.44%	27.46% and 28.30%	28.30%	
GG Retirement Amount	$ 6,931.60	$ 3,462.58	$ 5,772.80	$ 11,046.33	$ 5,892.37	$ 6,495.25	$ 39,600.93
Medicare (1.45%)	$ 379.56	$ 275.77	$ 306.59	$ 597.17	$ 288.29	$ 317.85	$ 2,165.23
Total Compensation	$ 34,817.40	$ 23,728.35	$ 28,248.35	$ 54,823.34	$ 27,026.10	$ 29,764.62	$ 198,408.16
Request for Retro Pay	$ 2,474.56	$ 1,686.47	$ 2,008.98	$ 3,898.93	$ 1,922.01	$ 2,114.38	$ 14,105.33

AGENDA ITEM # VIIB

RESOLUTION NO. 04-12

RE: PDSC Night Differential Payments

AGENDA ITEM #VIIB

RESOLUTION NO. 05-12

RE: APD Night Differential Payments

BEFORE THE BOARD OF TRUSTEES
OF THE PUBLIC DEFENDER SERVICE CORPORATION
RELATIVE TO NIGHT DIFFERENTIAL PAYMENTS FOR APD EMPLOYEES
WITHIN FISCAL YEAR 2012

Resolution No. 05-12

WHEREAS, Public Law 30-105:2 was enacted, effective March 11, 2010, to amend §6217 of 4 GCA "for the purpose of ensuring that public employees that work at night receive night differential pay"; and

WHEREAS, a minimum of more than four (4) consecutive hours working within the time period of 6:00 p.m. and 7 a.m., in order to be entitled to night differential pay, was repealed; and

WHEREAS, §6217 of 4 GCA now declares "All employees of the government of Guam, except the department or agency heads and the Deputy Directors, shall be entitled to night differential pay, calculated at the rate of their regular wage plus ten percent (10%), for all periods worked between the hours of 6:00 p.m. and 6:00 a.m."; and

WHEREAS, night differential payments are uncustomary to the practice of the agency due to the nature of work and services provided; and

WHEREAS, funds were neither requested or approved to fund night differential payments to employees of the agency in the Fiscal Year 2012 Budget Request; and

WHEREAS, it is the intent of the Board of Trustees, 'the Board', to afford all employees equitable treatment and well deserved compensation for all work performed, in compliance with all employment laws pertaining to the government of Guam; now therefore be it

RESOLVED, by the Board at its regular meeting, hereby approves the usage of lapsed funds from the account of the *Alternate Public Defender*, with a cap of **$5,000.00**, to fund night differential payments, as mandated by §6217 of 4 GCA, for Fiscal Year 2012; be it further

RESOLVED, additional funding for night differential payments may be requested to the Board, if necessary to carrying out the agency's mission of providing quality legal representation to indigent clients.

DULY AND REGULARLY ADOPTED THIS 20th DAY OF DECEMBER, 2011.

_____
Chief Justice F. Philip Carbullido
Chairman

ATTEST:

_____
Bernadette S.N. Chargualaf, Board Secretary

AGENDA ITEM # VIIC

RESOLUTION NO. 06-12

RE: Domestic Violence Program

BEFORE THE BOARD OF TRUSTEES
OF THE PUBLIC DEFENDER SERVICE CORPORATION
RELATIVE TO FUNDING ADVANCE FOR THE
DOMESTIC VIOLENCE PROGRAM

Resolution No. 06-12

WHEREAS, the agency is a sub-grantee of the STOP Violence Against Women federal program, administered by the Office of the Governor; and

WHEREAS, the above mentioned federal grant has historically funded the position of Family Violence Program Specialist, within the agency's Domestic Violence Program, which assists attorneys in the adjudication of legal services to victims of family violence; and

WHEREAS, the 2010 funds provided by the federal grant to fund the position and program will be exhausted by January 2012; and

WHEREAS, the 2011 contract for the federal grant is currently pending award and disbursement; and

WHEREAS, loss of services, provided by the Domestic Violence Program, due to local and federal contract administration would be detrimental to the overall public image and obligation of the agency and the well-being of clients; therefore be it

RESOLVED, by the Board at its regular meeting, hereby approves the usage of lapsed funds to advance the amount of **$7,855.00** to pay for the salaries and benefits of the Family Violence Program Specialist for the the months of January, February and March of 2012; be it further

RESOLVED, immediately upon receipt of the federal grant's awarding of funds, funds advanced from the Public Defender Service Corporation's account shall be replenished.

DULY AND REGULARLY ADOPTED THIS 20th DAY OF DECEMBER, 2011.

Chief Justice F. Philip Carbullido
Chairman

ATTEST:

Bernadette S.N. Chargualaf, Board Secretary