PUBLIC DEFENDER SERVICE CORPORATION
Board of Trustees Regular Meeting
Tuesday, August 28, 2012
Conference Room,
Public Defender Service Corporation
12:30 p.m.

A G E N D A

I. **Call to Order**

II. **Roll Call**

III. **Proof of Due Notice of Meeting:**

5 Working Days Notice:	Marianas Variety, Friday, August 17, 2012
48 Hours Notice:	Marianas Variety, Friday, August 24, 2012

IV. **Determination of Quorum**

V. **Approval of Minutes:** **(Regular Meeting of June 26, 2012)**

VI. **Old/Unfinished Business:**

A. Financial Status Update (PDSC and APD Allotment Releases)
B. Domestic Violence Program Update
C. Alternate Public Defender Update
D. Night Differential (Development and Implementation of Policy Governing Night Differential Pay) (Resolutions No. 04-12 and 05-12)
E. Director's Performance Review
F. Representation of Current Clients in Related Protective Order Cases
G. Resolution No. PDSC 13-12 (Continued Moratorium on Civil and Domestic Cases)
H. PDSC's Policy for Conflicts of Interest

VII. **New Business:**

A. Formation of Task Force re: Development of Civil Division Within the PDSC
B. For Informational Purposes: Purchase of Software Updates/Licenses for AbacusLaw (Case Management System)
C. Retirement of Florenzo P. Fejeran, Chief Special Investigator and Cecilia A.T. Lizama, Chief Fiscal Officer

VIII. **Public Discussion**

IX. **Adjournment and Next Meeting Date**

Motorcyclists busted for alleged meth possession

By Geraldine Castillo
geraldine@mvguam.com
Variety News Staff

TWO motorcyclists, who were initially pulled over concerning an expired registration and no license plate, ended up being caught with thousands of dollars worth of suspected methamphetamine.

Joselito Lumanlan Cura, 46, and Brian Guerrero Quinata, 35, are behind bars on drug charges after allegedly being found in possession of meth, drug paraphernalia and currency.

Cura was identified as the individual operating the motorcycle with an expired registration. According to Superior Court of Guam documents, police conducted a pat-down on Cura and found plastic wrapping material containing two 3-inch Ziploc bags full of suspected methamphetamines, and one 2-inch Ziploc bag half full of methamphetamines. Police estimated the suspected drugs' value to be $20,000, court documents indicated. In Cura's right pocket, police found and confiscated $1,640.

Quinata was identified as the individual operating the motorcycle without a license plate. Court documents state Quinata admitted the bag he was carrying contained drugs. Police confiscated from him four meth pipes with suspected methamphetamine residue, Ziploc bags containing suspected meth, packaging material, and other paraphernalia.

Quinata further informed police that Cura had given him meth the previous day and that he is a regular user. He reported that Cura is his drug provider. Both were charged yesterday in Superior Court of Guam with possession of a Schedule II controlled substance with intent to distribute as a first degree felony, and possession of a Schedule II controlled substance as a third degree felony.

Photo shows mainland China tourists visiting Tokyo. The Chinese overseas travel market has become one of the biggest tourist markets in the world and Guam wants a piece of the pie. Reuters

Resolution pushes for China visa waiver

By Joy White
joy@mvguam.com
Variety News Staff

IN ORDER to facilitate and push forward China visa waivers for Guam, Sens. Tina Muña-Barnes and Benjamin Cruz have introduced Resolution 486-31, which calls for a broader final decision on the Marianas visa waiver program.

The resolution also calls for U.S. Secretary of Homeland Security Janet Napolitano to expand the visa waiver program to Guam.

U.S. congressional support for the waiver is also being sought. In a letter dated Aug. 16, Muña-Barnes appealed to recent Guam visitor Rep. Joe Wilson to encourage support from other members of Congress for the China visa waiver program.

"I remain optimistic about the expansion of our visa waiver program and I am encouraged by the discussion with Congressman Wilson. I look forward to working with the gentleman from South Carolina, as well as our local and federal stakeholders in support of a solution that will keep our nation safe while strengthening Guam's tourism industry," Muña-Barnes said.

The China visa waiver will allow Chinese tourists to travel to Guam without a visa and as a result help expand Guam's tourist market and improve the island's economy.

Man accused of sexually abusing girls

By Geraldine Castillo
geraldine@mvguam.com
Variety News Staff

A 48-year-old man faces several criminal sexual conduct charges after allegedly sexually assaulting two female minors on different occasions since 2004. A third victim was reported; however, police are still investigating that incident.

Mariano Pere

Mariano Tacla Pere is behind bars pending $150,000 cash bail after police received reports that he had been sexually assaulting the girls known to him.

According to Superior Court of Guam documents, one of the victims, age 14, reported that Pere took her hand and placed it on his private part. This happened twice on October of last year.

Another victim, age 16, reported that when she was 8 years old, Pere sexually molested her twice.

"While he did not threaten her, [Pere] told the victim not to tell her mother about what he had done," court documents state.

A third incident occurred when the victim was 9 years old.

Meanwhile, the more recent incident happened last month with a third victim. The third victim, whose age wasn't disclosed in court documents, told police that Pere had touched her breasts under her shirt on July 5. Court documents indicate the investigation continues.

Meanwhile, Pere was charged in connection to the alleged sexual assault of the minors in Superior Court yesterday. Pere faces seven charges of second degree criminal sexual conduct as a first degree felony.

Masseuse, customer charged with prostitution

By Geraldine Castillo
geraldine@mvguam.com
Variety News Staff

THERE was no happy ending for a man who had his extra service cut short by a massage parlor employee who refused to return his money. Instead, he and the employee found themselves behind bars on charges of misdemeanor prostitution.

Ernesto Tapang

Ernesto S. Tapang admitted to police he was involved in prostitution that was taking place at New Pearl Massage in upper Tumon.

According to Superior Court of Guam documents, Tapang had flagged a police officer down early yesterday morning to report the incident he had with employee Shuzen H. Santos.

Court documents state Tapang asked Santos for a massage and Santos agreed. Thereafter, Santos allegedly offered Tapang "extra service" at $120 for one hour. After Tapang agreed, the two began to have sex. Santos allegedly told Tapang it was over after 20 minutes and sent him out.

"Tapang requested a refund but Santos refused and told Tapang to leave," court documents state. This prompted Tapang to report his complaint to police.

When police met Santos and informed her of the allegations, she denied it. Santos replied, "Me no sex the Filipino guy crazy make problem!" court documents stated.

Tapang and Santos were charged yesterday in Superior Court.

NOTICE OF PUBLIC MEETING

The Public Defender Service Corporation Board of Trustees will conduct a regular meeting on **Tuesday, August 28, 2012 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 Bernadette S. N. Chargualaf at 475-3100.

/s/ CHIEF JUSTICE F. PHILIP CARBULLIDO
Chairman

This public notice is paid for with government funds.

GOODYEAR
UPPER TUMON, BEHIND ACC BLDG. MARINE CORPS DRIVE
TEL: 646-8600 HOURS: MON-SAT 8-5:00PM • SUN 9-4PM

TIRE SALE	EACH	FOR 2	TIRE SALE	EACH	FOR 2
WESTLAKE			**TRAZANO**		
175/70R13	$ 61.00	$ 120.00	235/75R15	$ 124.00	$ 246.00
175/65R14	$ 67.00	$ 132.00	215/70R16	$ 104.00	$ 206.00
205/60R15	$ 82.00	$ 162.00	235/70R16	$ 129.00	$ 256.00
185/65R15	$ 73.00	$ 144.00	**RUNWAY**		
205/70R15	$ 98.00	$ 194.00	185/65R14	$ 73.00	$ 144.00
215/65R16	$ 110.00	$ 218.00	195/75R14	$ 93.00	$ 184.00
GOODRIDE			205/75R14	$ 104.00	$ 210.00
185/60R14	$ 70.00	$ 138.00	215/60R16	$ 106.00	$ 314.00
185/70R14	$ 68.00	$ 134.00	245/70R16	$ 158.00	$ 338.00
225/70R16	$ 115.00	$ 228.00	255/70R16	$ 170.00	$ 338.00
			265/65R17	$ 190.00	$ 378.00
			265/70R16	$ 169.00	$ 336.00

FREE MOUNTING, BALANCING & ROTATION WITH PURCHASE

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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Yap citizens raise ETG concerns with Legislature

COLONIA (YSG) – The 8th Yap State Legislature held a special meeting yesterday to entertain questions and comments by a group of concerned citizens who were seeking information on the investment agreement signed by Gov. Sebastian Anefal and chairman Deng Hong of ETG on Aug. 11.

The group of concerned citizens, involving men and women mostly from the Yap Catholic Faith, brought their complaints to the Legislature to perhaps find a way to have the governor cancel the signed investment agreement with ETG. The group said it was not happy about the deal because the plan may bring problems to the people.

Fr. John Hagileiram expressed concern that the investment agreement may not have been agreed upon by the whole state leadership before the signing ceremony took place, perhaps because of a lack of transparency. Others asked about issues regarding land and cultural identity.

After the group had voiced its concerns, Vice Speaker Ted Rutun responded by saying the Legislature did not have all the information needed to respond to all their questions and concerns.

Rutun apologized to the group and said the acting Attorney General, who negotiated with ETG on the investment agreement, was not available to shed light on some of the concerns brought forth by the people.

After this, the Legislature reviewed some of the questions and comments it had received from people who called in by phone during the morning meeting.

The callers expressed concern about ETG's background and experience with other projects, whether the government had performed a sufficient assessment of the project, land ownership rights, and if the proper legal procedures had been followed.

The concerned citizens have agreed to work with the 8th Yap State Legislature to meet with the governor and the Councils of Pilung and Tamol at a later date.

CHC: Fund us or face failure

By Tammy Doty
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Variety News Staff

SAIPAN – A stark choice was put forward at a special Commonwealth Healthcare Corp. board of trustees meeting. The Legislature must either allocate at least $10 million to the healthcare system or face a catastrophic failure.

In a unanimous vote, the board passed a motion to address a resolution to the lawmakers and administration detailing the financial failure shown in the CHC balance sheet, in a last ditch effort to appeal for funding in the Fiscal Year 2013 budget.

Genesis

Acting board chair Jack Dela Cruz stated it was time to place responsibility where it has belonged since last October when the healthcare system became a corporation and endured an immediate gutting of government funding from $20 million to $5 million.

"It's time to put the 'monkey' back on the shoulders of lawmakers," Dela Cruz stated.

Acting board chair Jack Dela Cruz stated it was time to place responsibility where it has belonged since last October when the healthcare system became a corporation and endured an immediate gutting of government funding from $20 million to $5 million.

It was agreed that either the Legislature considers health care a priority or not, and that the time had arrived to explain that the situation was unsustainable and the clock had reached the zero-hour.

As one attendee commented anonymously after the meeting, "The time is here to decide the 'life or death' of CHC, and the politicians either lead or take responsibility for blood on their hands."

Ironic timing

In a crazy twist of timing, CHC is set to celebrate its 25th anniversary next Friday with a parking lot ceremony and an empty bank account.

Santos confirmed payroll will be met today with the help of federal Medicaid funds, but CHC still needs to pay vendor invoices totaling more than $3 million in order to restock medicine and supplies.

Federal reaction

Region IX Centers for Medicare and Medicaid Services staff in San Francisco telephoned this reporter last Wednesday to respond to enquiries regarding CHC's certification status.

The two program officials declined to speak specifically about CHC's certification status or under what circumstances the corporation would be decertified.

"We are very aware of the issues facing CHC and are very concerned and monitoring events," was the only specific comment the officials would make on the record.

RETIREMENT FUND
424 Route 8 • Maite, Guam 96910
Tel. Nos.: 671.475.8900/1 • Fax No.: 671.475.8922

PUBLIC NOTICE

For: **Board of Trustees Regular Meeting**
Date: **Friday, August 31, 2012**
Time: **12:00 noon**
Place: **GGRF Conference Room (1st Floor)**

Agenda will be made available prior to the meeting. For individuals requiring special accommodations, please contact the GGRF Board of Trustees' Office at 475-8900/01.

/s/PAULA M. BLAS, Director

This ad is paid with government funds by Government of Guam Retirement Fund.

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).

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/s/ CHIEF JUSTICE F. PHILIP CARBULLIDO
Chairman

PUBLIC DEFENDER SERVICE CORPORATION
BOARD OF TRUSTEES
Regular Meeting of
Tuesday, June 26, 2012
12:46 PM
PDSC Conference Room

M I N U T E S

I. CALL TO ORDER:

This meeting was called to order by the Chairman, Chief Justice F. Philip Carbullido, at 12:46 p.m.

II. ROLL CALL:

Present:
Chief Justice F. Philip Carbullido, Chairman
Presiding Judge (Acting) James L. Canto II, Vice-Chairman
Attorney Cynthia V. Ecube, GBA President
CathyAnn C. Gogue, Member
Donna Muna-Quinata, Member

Others Present:
Attorney Eric D. Miller, PDSC Executive Director
Attorney Ana Maria Gayle, APD Attorney Supervisor
Bernadette S.N. Chargualaf, PDSC Administrative Director
Attorney Stephen P. Hattori (APD)
Cecilia A. T. Lizama, Chief Fiscal Officer
Edbert J. Quintanilla, Personnel Specialist IV
Cecelia M. Fernandez, Administrative Assistant
Julito B. Tingson, Jr., MIS Administrator
Norma L. Salas, APD Special Investigator

III. PROOF OF DUE NOTICE OF MEETING:

"Notice of Public Meeting" was published in Marianas Variety on Friday, June 15, 2012 and Friday, June 22, 2012.

IV. DETERMINATION OF QUORUM:

With the initial presence of four (4) board members, a quorum was determined for this meeting. (Board member Donna Muna Quinata arrived after the start of this meeting; her presence was then noted and recorded.)

V. APPROVAL OF MINUTES: Minutes of the regular board meeting held on Tuesday, May 22, 2012 were adopted and approved subject to corrections.

VI. OLD BUSINESS:

A. **Financial Status Update:** Chief Fiscal Officer, Cecilia A.T. Lizama, reported that PDSC received the first half of June, as of this date, which is 95% of the scheduled allotments. For Alternate Public Defender (APD), 100% of the scheduled allotment releases have been received to date.

B. **Domestic Violence Program Update:** Chief Fiscal Officer Cecilia A.T. Lizama informed those present that funding through April 2012 was the last receipt for the program. However, May's release should be received sometime this week.

C. **APD Update:** APD Supervising Attorney Annie Gayle distributed copies of her report reflecting "case-aging" statistics. Chief Justice Carbullido requested information regarding the aging of domestic cases, to which Attorney Gayle gave examples of cases where the defendant is already a client of the APD in a criminal matter, and has a new domestic case related to it. APD is then appointed counsel for the domestic case as well.

D. **Trial College (Conference Training):** This item was removed from the agenda, as it was finalized at the previous board meeting on May 22, 2012.

E. **Committee on APD's Restructuring / Reorganization Report:** Board member Cathy Gogue asked that this matter also be taken off the agenda, since the board had previously decided to create a new position of APD Managing Director/Managing Attorney dependent upon an evaluation of the program's funding.

F. **Resolution No. 04-12: Request to Use PDSC Lapsed Funds To Cover Night Differential Payments (4 GCA §6217):** PDSC Executive Director Eric Miller reported that no word has been received from the office of the Attorney General on this issue. Chief Justice requested Attorney Miller's opinion, to which he indicated that the law says night differential must be paid to eligible employees. It was agreed that applicable payments may be made, however, guidelines and limitations involving PDSC's liability must be put in place, so that any abuse is minimized.

Board member Donna Muna Quinata inquired as to whether the PDSC would continue to wait for an opinion from the Attorney General, to which the Chief Justice reminded everyone that we had waiting for more than three (3) months for their response, and to date have yet to receive any information.

Chief Justice Carbullido instructed Director Miller to prepare a memorandum to the board setting forth a policy for night differential pay as it applies to PDSC and APD employees. This item will then be acted upon at the next board meeting.

G. **Resolution No. 05-12: Request to Use APD Lapsed Funds To Cover Night Differential Payments (4 GCA §6217):** This item was combined with the above item, since it deals with the same issue of night differential pay.

H. **Director's Performance Review (5GCA §43201):** Ms. Cathy Gogue distributed copies of a draft report on this subject to board members, with the assurance that she will send an electronic copy of all of them. Chief Justice Carbullido then indicated that he and Cathy Gogue will schedule a meeting with Director Miller to discuss his performance evaluation.

I. **Representation of Current Clients in Related Protective Order Cases:** Chief Justice Carbullido conjoined this item with item A under New Business on the agenda for this meeting (PDSC's Handling of Non-Criminal Cases). Director Miller was asked to explain these situations, whereupon Attorney Miller stated that when the PDSC represents a defendant in a criminal cases involving family violence, and another attorney represents the victim who is seeking a Protective Order in that matter, Presiding Judge Lamorena had asked that the PD represent the defendant with respect to the Protective Order sought by the victim.

Apparently, the Domestic Violence Program within the PDSC could pose conflicts with defendants and victims being assisted. Director Miller then suggested that a "Civil Division" with the PDSC be established to mitigate the conflicts. It was also suggested that the Domestic Violence Program be moved to the APD, with APD's lawyers assisting in these matters.

As to the establishment of a "Civil Division", Chief Justice Carbullido informed Director Miller that a Task Force can be formed if this matter was to be pursued. Presently, the types of non-criminal cases that the Corporation continues to accept include uncontested guardianships, domestic cases (where violence or the threat of violence exists), and "bury the body" types of cases, which require minimal time from attorneys.

Chief Justice Carbullido instructed Director Miller and APD Supervising Attorney Gayle to explore this process, keeping in mind that the Grantor (Federal Programs Office) must be included in this discussion.

Due to the existing caseload, the moratorium currently in effect will be continued indefinitely. (A resolution to this effect will be prepared and presented at the next board meeting.) Non-criminal cases that are currently handled by the PDSC will continue to be accepted for a six-month period from this date, upon which this matter will be re-visited and re-evaluated for further action.

This matter will be reported upon at the next board meeting along with a recommendation from Director Miller.

VII. NEW BUSINESS:

A. **PDSC's Handling of Non-Criminal Cases:** (Combined with Item "I" under Old Business by Chief Justice Carbullido)

B. **PDSC's Policy for Conflicts of Interest:** PDSC Director Eric Miller was instructed by Chief Justice Carbullido to prepare a written policy on this issue, following the guidelines used by the courts. To assist him in this matter, a sub-committee was formed, and included:

PDSC Director Eric Miller, Chairman
Attorney Rebecca M. Warfield
Attorney Richard S. Dirkx
APD Supervising Attorney AnaMaria C. Gayle
Attorney Stephen P. Hattori

PDSC Director Miller will make a presentation on this subject at the next board meeting.

VIII. **PUBLIC DISCUSSION:** Attorney Eric Miller requested that the issue of the PDSC handling appeals be addressed. Chief Justice Carbullido responded that he will arrange a meeting with Director Miller to discuss this subject.

IX. **ADJOURNMENT AND NEXT MEETING DATE:** There being no further business up for discussion, this meeting was adjourned at 1:55 p.m. The next meeting was then scheduled for August 28, 2012 at 12:30 p.m.

Respectfully submitted,

BERNADETTE S.N. CHARGUALAF
Secretary

BEFORE THE BOARD OF TRUSTEES
OF THE
PUBLIC DEFENDER SERVICE CORPORATION (PDSC)
RELATIVE TO
NIGHT DIFFERENTIAL PAYMENTS
FOR PDSC EMPLOYEES
IN FISCAL YEAR 2012

Resolution No. 04-12

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 not customarily made by the agency due to the nature of work and services provided; and

WHEREAS, funds were neither requested nor approved to fund night differential payments to employees of the agency in the Fiscal Year 2012 Budget Request; and

WHEREAS, over three months ago, the PDSC requested an opinion from the office of the Attorney General of Guam relative to the eligibility of attorneys and/or exempt employees for night differential pay, and has yet to receive a reply; and

WHEREAS, it is the intent of the Board of Trustees 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, the Board of Trustees, at its duly-noticed, regular meeting on August 28, 2012 approved the Corporation's policy with respect to night differential pay, which is incorporated herein and made a part thereof; and be it further

RESOLVED, the use of PDSC lapsed funds for night differential payments, not to exceed $5,000 in Fiscal Year 2012, is hereby approved. Should additional funding become necessary, a request may be submitted to the Board for their consideration and disposition.

DULY AND REGULARLY ADOPTED this 28th day of August , 2012.

Chief Justice F. PHILIP CARBULLIDO
Chairman

ATTEST:

BERNADETTE S.N. CHARGUALAF
Secretary

BEFORE THE BOARD OF TRUSTEES
OF THE
PUBLIC DEFENDER SERVICE CORPORATION (PDSC)
RELATIVE TO
NIGHT DIFFERENTIAL PAYMENTS
FOR EMPLOYEES OF THE
ALTERNATE PUBLIC DEFENDER
IN 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 not customarily made by the agency due to the nature of work and services provided; and

WHEREAS, funds were neither requested nor approved to fund night differential payments to employees of the agency in the Fiscal Year 2012 Budget Request; and

WHEREAS, over three months ago, the Public Defender Service Corporation requested a legal opinion from the office of the Attorney General of Guam relative to the eligibility of attorneys and/or exempt employees for night differential pay, and has yet to receive a reply; and

WHEREAS, it is the intent of the Board of Trustees 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, the Board of Trustees, at its duly-noticed, regular meeting on August 28, 2012 approved the PDSC's policy with respect to night differential pay, which is incorporated herein and made a part thereof; and be it further

RESOLVED, the use of APD lapsed funds for night differential payments, not to exceed $5,000 in Fiscal Year 2012, is hereby approved. Should additional funding become necessary, a request may be submitted to the Board for their consideration and disposition.

DULY AND REGULARLY ADOPTED this 28th day of August , 2012.

Chief Justice F. PHILIP CARBULLIDO
Chairman

ATTEST:

BERNADETTE S.N. CHARGUALAF
Secretary

BEFORE THE BOARD OF TRUSTEES
OF THE
PUBLIC DEFENDER SERVICE CORPORATION
RELATIVE TO THE CONTINUATION OF A
MORATORIUM INVOLVING
CIVIL AND DOMESTIC CASES

RESOLUTION NO. 13-12

WHEREAS, the American Bar Association has established guidelines involving the number of cases an individual attorney can handle in order to provide appropriate and adequate service to all clients; and

WHEREAS, the Public Defender Service Corporation (PDSC), as with other Government of Guam entities, continues to experience serious budgetary constraints while its caseload continues to increase; and

WHEREAS, this situation has required, and continues to require the PDSC to limit the number of cases that each attorney is handling, or face the possibility of malpractice suits with regard to some cases; now therefore be it

RESOLVED, the Board of Trustees of the Public Defender Service Corporation, in its meeting of August 28, 2012, imposed an indefinite continuation of the previous moratorium involving non-criminal cases (with certain exceptions); and be it further

RESOLVED, the Board of Trustees of the Public Defender Service Corporation recognizes that certain exceptions (i.e., uncontested guardianships, burial of expired bodies, and domestic cases involving violence or the threat of violence) exist. Cases of this nature may continue to be accepted by the PDSC (within the Corporation's prescribed eligibility criteria), through December 31, 2012, whereupon this matter will be reviewed for further action.

DULY AND REGULARLY ADOPTED this 28th day of August, 2012.

Chief Justice F. PHILIP CARBULLIDO,
Chairman

BERNADETTE S.N. CHARGUALAF
Secretary

Option1

VIP Plan for 36 months	Amount
45 AbacusLaw Licenses Includes: 45 AbacusLaw Update Licenses from v19 to 2012 45 VIP Updates and support for 36 months	**$1,095.00 /mo***

This option includes:

- All new software updates for the term of the agreement
- Unlimited toll-free support for term of the agreement
- Price freeze for the term of the agreement
- Remote Installation and Setup ($250 value – no charge)
- Migrating your data into the new version – no charge
- Implementation Consulting ($250 value – no charge)
- Unlimited access to Live Webinar Training Classes and Training Videos
- 100 day, 100% money back guarantee (less S & H)
- Initial payment + shipping required to start

Option 2

AbacusLaw	Amount
45 AbacusLaw Update Licenses from v19 to 2012	**$19,710.00**
Total	**$19,710.00**

This option includes:

- 1 year of Unlimited Technical Support
- Remote Installation and Setup ($250 value – no charge)
- Migrating your data into the new version – no charge
- Implementation Consulting ($250 value – no charge)
- Unlimited access to Live Webinar Training Classes and Training Videos
- 100 day, 100% money back guarantee (less S & H)