

PUBLIC DEFENDER SERVICE CORPORATION
Board of Trustees Regular Meeting
Tuesday, March 15, 2016 – 12:30 p.m.
Conference Room
Public Defender Service Corporation

A G E N D A

- I. Call to Order**
- II. Roll Call**
- III. Proof of Due Notice of Meeting:**
 - A. Notice: 5 Working Days The Guam Post, Wednesday, March 9, 2016
 - B. Notice: 48 Hours The Guam Post, Friday, March 11, 2016
- IV. Determination of a Quorum**
- V. Approval of Minutes:** Regular Meeting of Thursday, February 25, 2016
- VI. Old Business:**
 - A. Financial Status Update (PDSC and Domestic Violence) Allotment Releases
 - B. Financial Status Update (APD) Allotment Releases
 - C. Alternate Public Defender Update
 - F. Board Composition
 - G. APD Corporate Vehicle Acquisition (Procure/Lease)
 - H. APD Shanks Training – Co-share of Cost
- VII. New Business:**
 - A. APD FY2017 Budget
- VIII. Public Discussion:**
- IX. Adjournment and Next Meeting Date:**

Tuesday, April 26, 2016 at 12:30PM

Student back in court for alleged bomb threats

By Jacqueline Perry Guzman
jackie@postguam.com

Roger Dean Barcenilla, 18, a student of J.P. Torres Alternative School accused of writing bomb threats and placing them in the male and female restrooms at the school, was in Judge James L. Canto's courtroom yesterday.

Barcenilla's attorney, alternate public defender Ana Maria Gayle, told the court she wanted to see a disc which contained photographs of the alleged written notes taken by Guam Police Department officials.

The defendant was charged with two counts of terroristic conduct with a special allegation of crimes against the community. Barcenilla was booked and confined at the Guam Detention Facility where he remains behind bars. Judge Canto said he would issue trial dates from his chamber.

On Jan. 24, officers from the GPD Southern Precinct Command received a call from school administrators at J.P. Torres Alternative School regarding written bomb threats written on Post-it notes found in the male and female restrooms.

Upon discovery of the messages, school administrators conducted an administrative search of all students in the school. During the search, the same type of Post-it note with the same writing was reportedly found in Barcenilla's bag and notebook.

Blas seeks increased veteran compensation



COMPENSATION: Sen. Frank F. Blas is calling on the United States Congress to increase compensation for veterans residing in Guam and other geographically-challenged areas in the Pacific, especially for those who must travel to tend to medical needs. Post file photo

By Robert Q. Tupaz
robert@postguam.com

Sen. Frank F. Blas is calling on the United States Congress to increase compensation for veterans residing in Guam and other geographically-challenged areas in the Pacific, especially for those who must travel to tend to medical needs.

A resolution proposed and supported by three other colleagues – Sens. Tony Ada, Tom Ada and Frank Aguon Jr. – will be introduced in the Guam Legislature for consideration.

Resolution 302 asks the Congress to authorize the U.S. Department of Veterans Affairs to include an additional percentage to their benefit compensation for veterans residing in Guam and other geographically-challenged regions.

Blas said that amount should be increased in order to properly compensate island veterans for the costs

associated with obtaining medical treatment that is routinely available for all other U.S. veterans not living in geographically-disadvantaged areas.

In the resolution, Blas noted that since 1988, Guam has been classified as a medically underserved area by the U.S. Department of Health and Human Services.

"This classification recognizes that our health care system does not have the ability and full capability of meeting our island's health care needs," Blas said.

Blas noted that though the VA takes strides to improve the services for veterans, "many of these services are not available in (the) region and for this reason our veterans often have to travel by air, thousands of miles from their homes, to obtain their medical assistance from the U.S. Department of Veterans Affairs."

Other costs

The resolution noted that although airfare could be funded by the U.S. government, there are numerous other costs associated with obtaining off-island medical treatment while tending to needs at home.

Blas said the time difference and distance that veterans from the region have to travel to access VA services should be recognized as an additional factor that the veteran has to contend with when determining benefits.

The resolution states, "The current level of service rendered by the federal government to our veterans is not only a disservice to the American veterans who chose to reside on Guam and other geographically-challenged regions such as the CNMI, the Republic of Palau, the FSM, the RMI and American Samoa, but a disservice to all those American veterans who have fought for our freedom."

Blas said it was time for fluid and timely services for persons residing in geographically-challenged regions.

"Although for many years our region's veterans have waited patiently for the treatment and services afforded to their comrades elsewhere, their patience should no longer be taken for granted," stated the resolution.

The resolution is considered a substantive resolution and requires a public hearing for further action per the standing rules of the legislature.

NOTICE OF PUBLIC MEETING

The Public Defender Service Corporation Board of Trustees will conduct a regular meeting on **Tuesday, March 15, 2016 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 Ms. Cathy Gogue at 475-3100.

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

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GUAM VISITORS BUREAU

Public Notice Announcement

The Guam Visitors Bureau will hold a Regular Meeting of the Board of Directors on **Thursday, March 10, 2016 at 4:00 p.m.** in GVB's Main Conference Room. Any individuals needing special accommodations are requested to contact GVB at 646-5278 for assistance.

This ad was paid for by the Tourist Attraction Fund

Doctor: Concerns about Zika virus are overblown

By John O'Connor
john@postguam.com

A major focus of health agencies coming up to the 2016 Festival of Pacific Arts is the possibility of the Zika virus entering Guam. The virus has caused some concern in the community, with several Pacific nations involved in Fest-Pac having identified positive cases of infection.

But while Guam concerns itself with Zika prevention, at least one medical professional believes concerns over the virus contaminating the island through infected people is overblown.

"I think those fears are greatly exaggerated," said Dr. Thomas Poole, the territorial veterinarian at the Department of Agriculture. Instead, Poole said people should be more concerned with the insect responsible for spreading the disease, the mosquito species *Aedes aegypti*.

According to Poole, Guam used to host this species but it was eradicated sometime after World War II.

Another mosquito of the same genus – the *Aedes albopictus* – exists on island, but Poole said this species was not as efficient at transmitting the



VIRUS: Territorial veterinarian Tom Poole speaks about the Zika virus and other health issues at the Rotary Club of Guam's weekly luncheon at Pacific Star Guam in Tumon, Thursday, March 10. Matt Weiss/Post

virus between humans. Unlike *albopictus*, the *aegypti* species preferred human blood and is more capable of transmitting the disease.

Although *albopictus* is capable of

spreading the virus, Poole said the mosquito's lack of preference for humans and lesser ability to transmit the disease made it less of a threat.

"It's just not good enough at it to maintain the disease in the community," he added.

Overall, Poole thought of the Zika virus as a relative concern. He said he was more concerned with the West Nile virus, which kills between 150 and 250 Americans per year, entering Guam.

Zika, on the other hand, is known to be largely asymptomatic which is partly why the virus is difficult to detect. However, Zika has been linked to certain birth defects.

Emergency spending

President Barack Obama in late February authorized nearly \$2 billion in emergency spending to regulate the spread of the virus. Poole has suggested acquiring some of that funding to help prevent the introduction of *Aedes aegypti*. He said he would like to see more manpower invested in conducting thorough inspections for incoming containers.

Poole noted that the amount Obama authorized was nearly the same amount the nation spends on cancer research, which relayed to his earlier statement of Zika being a relative concern.

"That's kind of my concern ... the relative risk," Poole said. "I would love to spend \$1.9 billion on Zika. I just wished we had \$190 billion to spend on cancer."



Open and Promotional Examination for the Following Class to Establish A List of Eligibles (Subject to the availability of funds):

#055-16 CHEMIST II

Contact the Human Resources Office at (671) 735-2350 for additional information regarding requirements, qualifications and application deadline, 8:00 a.m. to 5:00 p.m., Monday through Thursday, and 8:00 a.m. to 1:00 p.m. on Friday, except holidays. View the Human Resources Office website at <http://www.uog.edu/hro> for detailed information on the job announcement.

The University of Guam is a U.S. accredited institution and an Equal Opportunity Employer and Provider and complies with the Americans with Disabilities Act. For assistance, please contact the Institutional Compliance Officer at (671) 735-2244; (671) 735-2243 (TTY).

/s/ LARRY G. GAMBOA, SPHR, SHRM-SCP
Chief Human Resources Officer

THIS AD IS PAID FOR BY UNIVERSITY OF GUAM FUNDS

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

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JUDICIARY OF GUAM

Guam Judicial Center
120 West O'Brien Drive
Hagatna, Guam 96910
www.guamcourts.org

REQUEST FOR PROPOSAL No. 16-05

The Judiciary of Guam is accepting proposals from qualified entities for a Part-time Research Partner/Evaluation Consultant for the Guam Adult Reentry Court Program.

Interested and qualified entities may pick up copies of the RFP at the Procurement Office located in the Guam Judicial Center, 1st floor, 120 West O'Brien Drive in Hagatna beginning **March 4, 2016** (Guam Standard Time) from 8:00 a.m. to 5:00 p.m. except holidays or visit the Judiciary's website <http://www.guamcourts.org/information/proc.html> to obtain an electronic copy of the RFP and for any periodic updates.

All proposals must be submitted to the Procurement Office **no later than 2:00 p.m. (Guam Standard Time), March 28, 2016.** Late proposals will not be considered.

For more information, please contact Gloria Long, Procurement & Facilities Management Administrator at 475-3433/3175/3393 or email at glong@guamcourts.org.

/s/ JOSHUA F. TENORIO
Administrator of the Courts

This project is funded with federal and local funding through the FY2015 Guam Adult Reentry Court Program. The Judiciary of Guam is an equal opportunity provider and employer.

**PUBLIC DEFENDER SERVICE CORPORATION
BOARD OF TRUSTEES
Regular Meeting
of
Thursday, February 25, 2016
12:30PM
Public Defender Service Corporation
Conference Room**

M I N U T E S

I. CALL TO ORDER:

The meeting was called to order by the Chairman, Chief Justice Robert J. Torres, Jr., at 12:41 PM.

II. ROLL CALL:

Present: Chief Justice Robert J. Torres, Jr., Chairman
Presiding Judge Alberto C. Lamorena, III
Attorney Donna M. Cruz, Member

Absent: Attorney Jehan'ad G. Martinez, Guam Bar Assoc. President (Excused)
Mrs. Annette J.U. Ada, Member (Excused)

Others Present: Attorney Eric D. Miller, PDSC Executive Director
Attorney AnaMaria C. Gayle, APD Managing Attorney
Cathy Gogue, Administrative Director
Bernadette L.P. Lizama, Personnel Specialist IV
Michael S. Moreno, Chief Fiscal Officer
Julito B. Tingson, MIS Administrator
Kenneth A. Lim, Computer Systems Analyst
Cecelia M. Fernandez, Administrative Assistant
Attorney Stephen P. Hattori
Attorney Suresh Sampath
Robbie Call, Chief Investigator
Janet Rosario, Legal Secretary III

III. PROOF OF DUE NOTICE OF MEETINGS:

"Notice of Public Meeting" was published in the Guam Post on Wednesday, March 9, 2016 and Friday, March 11, 2016.

IV. DETERMINATION OF QUORUM:

With the presence of three (3) out of the five (5) board members, a quorum was determined for the meeting.

V. APPROVAL OF MINUTES: Minutes of the regular board meeting held on Thursday, February 25, 2016, were adopted and approved – subject to corrections.

VI. OLD BUSINESS:

- A. Financial Status Update (PDSC, Domestic Violence and APD Allotment Releases):** Chief Fiscal Officer Michael Moreno reported that PD continues to be in constant communication with Department of Administration regarding the release of allotments. From the last meeting, DOA sent a schedule that outlines PD releases for the remainder of the fiscal year. In addition to the schedule, we received the first-half of January's allotment and are now at a seventy-four percent (74%) level, compared to our last board meeting when our allotments were at sixty-five percent (65%) in February.

Chief Justice Robert J. Torres inquired about the set-side DOA withheld at the start of the fiscal year. CFO Moreno advised the board that the repayment of the garnishment is included in the schedule provided by DOA.

Domestic Violence (STOP 2014 Grant Funding): CFO Moreno reported that we submitted our request for grant funding through the STOP 2015 grant cycle. Currently, we have enough funds to support the program up until the end of March. We are now just waiting word from the Federal Programs Office relative to the approval of our request for the STOP 2015 funding. Chief Justice Torres suggested that we stay on top of this as funds will be exhausted at the end of March.

APD Allotment: CFO Moreno reported that we received from the Judiciary the second quarter allotment for APD. We are at a 100% funding level for APD.

- B. Alternate Public Defender Update:** Attorney Gayle reported that since the last meeting, Attorney Steve Hattori has transferred back to Public Defender as of February 12, and we are now going through the recruitment process to fill his position. The recruitment announcement is out and will close tomorrow (February 26) for an Attorney IV. No applications have been submitted to PD; however, we believe that the applications will come in tomorrow prior to the closure of the announcement.

In addition to filling this vacancy, all attorneys from APD attended the Shanks-Kindlon training – which was a success. We learned a lot from the duo and those who attended recommended the Shanks-Kindlon team provide additional training for PD/APD attorneys. Perhaps a session or two can be opened to the private bar; however, it is important for PD/APD attorneys continue to receive hands on training such as that provided by Shanks-Kindlon.

- C. APD Managing Attorney's Performance Evaluation:** The performance evaluation is complete for the APD's Managing Attorney. Chief Justice Torres stated that this item will be discussed in Executive Session first before we call in the Managing Attorney to go over her evaluation. We will reconvene the meeting once all matters are discussed in Executive Session.
- D. Executive Director Search:** Attorney Donna Cruz, the Executive Director Search Committee Chairperson, advised the board that the committee has completed their review and interviews with the applicants, and that the committee has a recommendation to present to the board. Chief Justice Torres stated that this item will also be addressed in Executive Session.

- E. Board Composition:** Chief Justice Torres reported that we have the final version of the board composition and that we have already met with a number of senators (Senators Aguon, Ada and Torres) and we are working on meeting with Senator Tina Muña-Barnes as well as Vice-Speaker BJ Cruz in the next couple of weeks. Of the senators whom we have met with, they are supportive of the recommended changes; however, a few have asked why we are recommending the removal of the Chief Justice and Presiding Judge from the PD board. Chief Justice Torres has requested that Executive Director Miller provide some sort of rationale that will help justify the recommendation to remove the Chief Justice and Presiding Judge from the board. While we have discussed the change during numerous board meetings, it would be advisable that we have something in writing so that we have a consistent theme when discussing such change. Some of the comments we have received from a few of the senators is that we have been existing with the current composition and they do not understand why there is a need to change the composition now. Consequently, it is important to have a fact sheet, which supports the change, available so that we can eliminate any perceived issues relative to having or not having the Chief Justice and Presiding Judge on the PDSC board.
- F. APD Corporate Vehicle Acquisition (Procure/Lease):** Attorney Gayle asked that this item continue to remain on the agenda. Chief Justice Torres advised Attorney Gayle that one of the auto dealerships here in Guam will soon be offering mainland leasing rates. Based on what he has learned, this dealership has been approved by the manufacturer to provide direct leases. With this alternative, it may make sense to lease a vehicle for APD. Attorney Gayle asked remain as status quo until such time that more information is gathered.

VII. New Business:

- A. PDSC Retro Pay Reconstruction (Attorneys: Richard Dirx, Ana Maria Gayle, Peter Sablan and William Jones):** Personnel Specialist Bernie Lizama explained to the board that as she continues to audit personnel files, she is ensuring that salary increments as well as Step Classifications are properly slotted for employees. With the implementation of the Competitive Wage Act (CWA) of 2014, the attorneys needed to be re-slotted, evaluated as well as accurately placed in the correct pay scale that would be reflective of their increments. That being said, we need to provide retro-pay, to include making the attorneys increments current for Attorneys Richard Dirx, Ana Maria Gayle, Peter Sablan and William Jones. The reconstruction schedule and payment amounts provided to the board for their review and approval, with some money coming from lapsed funds, totaling \$83,455.76.

The reconstruction schedule for each of the attorneys are attached to the minutes.

Based on the schedules presented, motion was made and seconded to approve \$83,455.76 from PDSC/APD lapsed funds and FY2016 budget to correct the salaries for the attorneys identified the Retro Pay Reconstruction. Motion carried.

Resolution No. 10-16

- B. PDSC Lapsed Funds for Pretrial Justice Reform Summit, May 11 – 14, 2016:** Chief Justice Torres advised the board that he wanted to include this item on the board agenda to have Attorney Steve Hattori attend the Pretrial Justice Reform Summit in New Mexico.

Chief Justice Torres stated that the material covered at the summit will be beneficial for an attorney at PDSC to attend. Subsequently, the following budget was prepared for board consideration:

Pretrial Justice Reform Summit (1/15/2016 Draft)

May 11 – 13, 2016

CCJ/COSCA Western Region

La Posada De Santa Fe, New Mexico

Budget (As of February 24, 2016)

Airfare Roundtrip (GUM-NEW MEXICO-GUM)	\$1,900.00
Per Diem (\$163/day X 5 days)	815.00
Registration	<u>\$1,000.00</u>
ESTIMATED BUDGET	\$3,715.00

Motion was made and seconded to approve \$3,715.00 from PDSC lapsed funds to have Attorney Stephen Hattori attend the pretrial Justice Reform Summit in Santa Fe, New Mexico from May 11 – 13, 2016. Motion carried.

Resolution No. 11-16

- C. APD Lapsed Funds for Shanks-Kindlon Training:** Administrative Director Gogue reported that this item was placed on the agenda in order to properly allocate actual cost between PDSC and APD. Once the cost is determined, we will make an amendment to **Resolution No. 04-16** that will properly charge PDSC and APD for the actual number of attorneys attending such training. With the completion of the training sessions, there was a total of ten (10) attorney in attendance – six (6) from PDSC and four (4) from APD, respectively. The total cost for the 3-day workshop was \$12,407.83. In splitting the cost between PD and APD, the split is cost for attorneys attending between both organizations would be \$8,271.89 for PD and \$4,145.94 for APF. Consequently, **Resolution No. 04-16** will be amended accordingly.
- D. Shanks-Kindlon Training Evaluation:** The board was provided with the consolidation of the evaluation provided by the attendees. The consolidation is provided in the attached report with a summary of responses.
- E. Executive Session:** Chief Justice Torres recessed the Board of Trustees' meeting at 1:05PM to discuss the following matters:
- i. Potential Liability**
 - ii. APD Managing Attorney Performance Evaluation**
 - iii. Executive Director – Search Committee Selection**

Resuming regular session at 1:20PM, Chief Justice Torres announced the renewal of appointment for Managing Attorney Annie Gayle as the Managing Attorney for Alternate Public Defender.

He then announced the recommendation and acceptance of the Executive Director's Search Committee of Attorney Stephen Hattori as the new Executive Director of the PDSC. Attorney Hattori's first official day as Executive Director will be on March 11, 2016, which

will allow for a transition between retiring Executive Director Miller and incoming Attorney Hattori.

Resolution No. 12-16 (Executive Director Eric Miller's Retirement)

Resolution No. 13-16 (Appointment of Attorney Stephen P. Hattori as the PD's Executive Director)

VIII. Public Discussion: None

IX. Adjournment and Next Meeting Date: The next PDSC board meeting is scheduled for Tuesday, March 15, 2016 at 12:30PM.

There being no further business to discuss, the meeting adjourned at 1:19PM.

Respectfully submitted,


CATHY GOGUE
Secretary

Agenda Item #VII-A

**Alternate Public Defender
FY2017 Budget Request
(Details to be Presented
at BOT Meeting)**

JUDICIARY

Agency: PUBLIC DEFENDER SERVICE CORPORATION

Program: ALTERNATE PUBLIC DEFENDER - COMBINED BUDGET DIGEST

Budget Account Code	Appropriation Classification	A	B	C	C-B	D/B
					D	E
		FY 2015 Expenditures & Encumbrances	FY 2016 Authorized Level	FY 2017 Proposed Budget	Increase/ (Decrease) in \$\$	Increase/ (Decrease) in %
PERSONNEL SERVICES						
111	Regular Salaries/Increments/Special Pay	\$760,612	\$715,639	\$814,616	\$98,977	14%
112	Overtime/Special Pay	0	0	0	0	0
113	Benefits	272,659	275,756	300,581	24,825	9%
	TOTAL PERSONNEL SERVICES	\$1,033,271	\$991,395	\$1,115,197	\$123,802	12%
OPERATIONS						
220	TRAVEL - Off-Island/Local Mileage Reimburs.	\$0	\$0	\$1,350	\$1,350	100%
230	CONTRACTUAL SERVICES:	17,994	26,143	33,052	6,909	26%
233	OFFICE SPACE RENTAL:	64,498	65,602	65,602	0	0%
240	SUPPLIES & MATERIALS:	3,854	5,690	5,690	0	0%
250	EQUIPMENT: <\$5000.00	22984.14	7,900	7,900	0	0%
271	DRUG TESTING	40	1,000	1,000	0	0%
290	MISCELLANEOUS:	13,682	9,700	9,700	0	0%
	TOTAL OPERATIONS	\$123,051	\$116,035	\$124,294	\$8,259	7%
UTILITIES						
	Power	\$0	\$0	\$0	\$0	\$0
	Water/ Sewer	0	0	0	0	0
363	Telephone Services	0	300	300	0	0%
	TOTAL UTILITIES	\$0	\$300	\$300	\$0	0%
	INDIRECT COST	\$0	\$0	\$0	\$0	0%
450	CAPITAL OUTLAY >\$5000.01	\$0	\$0	\$0	\$0	0%
	TOTAL APPROPRIATIONS	\$1,156,322	\$1,107,730	\$1,239,791	\$132,061	12%

1/ Specify Fund Source

FULL TIME EQUIVALENCIES (FTEs)					
UNCLASSIFIED	0	0	0	0	
CLASSIFIED	9	11	14	+3	
TOTAL FTEs	9	11	14	+3	

JUDICIARY

Agency: PUBLIC DEFENDER SERVICE CORPORATION

Program: ALTERNATE PUBLIC DEFENDER - COMBINED BUDGET DIGEST

Budget Account Code	Appropriation Classification	A	B	C
		FY 2015	FY 2016	FY 2017
		Expenditures &	Authorized	Proposed
		Encumbrances	Level	Budget
PERSONNEL SERVICES				
111	Regular Salaries/Increments/Special Pay	\$760,612	\$715,639	\$814,616
112	Overtime/Special Pay	0	\$0	0
113	Benefits	272,659	275,756	\$300,581
		\$0	0	0
	TOTAL PERSONNEL SERVICES	\$1,033,271	\$991,395	\$1,115,197
OPERATIONS				
220	TRAVEL - Off-Island/Local Mileage Reimburs.	\$0	\$0	\$1,350
230	CONTRACTUAL SERVICES:	17,994	26,143	33,052
233	OFFICE SPACE RENTAL:	64,498	65,602	65,602
240	SUPPLIES & MATERIALS:	3,854	5,690	5,690
250	EQUIPMENT: <\$5000.00	22,984	7,900	7,900
271	DRUG TESTING	40	1,000	1,000
290	MISCELLANEOUS:	13,682	9,700	9,700
	TOTAL OPERATIONS	\$123,051	\$116,035	\$124,294
UTILITIES				
	Power	\$0	\$0	0
	Water/ Sewer	0	0	0
363	Telephone Services	0	300	300
	TOTAL UTILITIES	\$0	\$300	\$300
	INDIRECT COST	\$0	\$0	\$0
450	CAPITAL OUTLAY >\$5000.01	\$0	\$0	\$0
	TOTAL APPROPRIATIONS	\$1,156,322	\$1,107,730	\$1,239,791

1/ Specify Fund Source

FULL TIME EQUIVALENCIES (FTEs)			
UNCLASSIFIED	0	0	0
CLASSIFIED	9	11	14
TOTAL FTEs	9	11	14

FOOTNOTES:

For Fiscal Year 2017, an increase of **\$132,061** or 12% is requested over the appropriation level for Fiscal Year 2016. The following are details for the additional requests:

1. PERSONNEL SERVICES:

\$98,977 **REGULAR SALARIES/INCREMENTS/SPECIAL PAY:** Increase is to pay for mandated attorneys' pay adjustments, employees' salary increments, night differential based on the salaries/wages amount through the implementation of the Competitive Wage Act of 2014 and 1 new Attorney I-1, 1 Legal Secretary – Supervisor, and 1 Administrative Assistant.

\$24,825 **BENEFITS:** Increase is needed to fund for mandated government's share of retirement contributions of 28.16% (basis: FY 2016 retirement rate). The health, dental and life insurance rates were calculated at current levels. Should the retirement, and/or insurance rates increase in FY 2017, we will be requesting a supplemental budget to cover these costs.

\$123,802 **SUB-TOTAL FOR PERSONNEL COSTS (12%)**

2. OPERATIONS:

a. \$1,350 **TRAVEL (Off-Island/Local Mileage Reimbursement):**
Local mileage reimbursement requested for FY 2017.

b. \$6,909 **CONTRACTUAL SERVICES:**

- Malpractice Insurance (\$4,000)
- Westlaw Services (\$8,405)
- Annual Phone Maintenance (\$4,847)
- Lease of Copier Machines (\$3,300)
- Internet Domain Name Renewal (\$500)
- Abacus Tech Support (\$6,000)
- Network Security Services (\$1,000)
- Antivirus Software License (\$600)
- Notary Bonding (\$400)
- Software Upgrade - Microsoft Office (3,000)
- Carbonite Server Essentials (\$1,000)

COMBINED BUDGET DIGEST

Page 3 of 3

- c. \$0 **OFFICE SPACE RENTAL:** Rental cost kept at FY 2016 level
- d. \$0 **SUPPLIES AND MATERIAL:** Cost kept at FY 2016 level.
- e. \$0 **SMALL EQUIPMENT:** Please refer to Form 96A for details.
- f. \$0 **MISCELLANEOUS:** Please refer to Form 96A for details
- g. \$0 **DRUG TESTING:** Costs kept at FY 2016 level.
- h. \$0 **UTILITIES:** Costs kept at FY 2016 level.

\$8,259 **SUB-TOTAL FOR OPERATIONAL COSTS** (Increase 7%)

\$132,061 **TOTAL INCREASE FOR FY 2017 OVER FY 2016
AUTHORIZED LEVEL**

Schedule B- Contractual

Item	Quantity	Unit Price	Total Price	Funded in FY 2016?	
				Yes	No
Malpractice Insurance	1 year		\$ 4,000.00	x	
Westlaw Services (+1 attorney)	1 year		\$ 8,405.00	x	
Annual Phone Maintenance	1 year		\$ 4,847.00	x	
Lease of Copier Machine (New Lease)	12 mons	\$249.00	\$ 3,300.00	x	
Internet - Domain Renewal	1 year		\$ 500.00	x	
Abacus Tech Support	1 year		\$ 6,000.00	x	
Network Security Services	1 year		\$ 1,000.00	x	
Antivirus Software License	1 year		\$ 600.00	x	
Notary Bond	1 year		\$ 400.00	x	
Software Upgrade (12 users)	1 year		\$ 3,000.00	x	
Carbonite Server Essentials	1 year		\$ 1,000.00		x
Total Contractual			\$ 33,052.00		

Schedule C - Supplies & Materials

Item	Quantity	Unit Price	Total Price	Funded in FY 2016?	
				Yes	No
Office Supplies (batteries, binders, calling cards, 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, staplers, staples two/three hole perforator, typewriter ribbon, correction tape, xerox paper, yellow pads)			\$ 5,690.00	x	
Computer supplies (computer parts, ink/toner cartridges)					
Sundries (hand sanitizer, clorox wipes, water).					
Total Supplies & Materials			\$ 5,690.00		

Schedule D - Equipment <\$5,000.00

Item	Quantity	Unit Price	Total Price	Funded in FY 2016?	
				Yes	No
Replace Obsolete Workstation @\$2000	3		\$ 6,000.00	x	
Desk, Chair, etc (New Attorney)	1		\$ 1,400.00	x	
Telephone Unit (PDS)	1		\$ 500.00	x	
Total Equipment			\$ 7,900.00		

Schedule E - Miscellaneous

Item	Quantity	Unit Price	Total Price	Funded in FY 2016?	
				Yes	No
Guam Bar Dues (+ 1 Attorney)			\$ 2,100.00	x	
Professional Dues for NACDL	1	\$200.00	\$ 200.00	x	
Legal Subscriptions/Training Materials			\$ 500.00	x	
Process Server Fees	4	\$50.00	\$ 200.00	x	
Local Training for Attorneys and Staff			\$ 3,500.00	x	
Off-Island Training for Investigators	2		\$ 2,000.00	x	
Publication of Job Announcements/Bids			\$ 1,200.00	x	
Total Miscellaneous			\$ 9,700.00		

Schedule F - Capital Outlay >\$5,000.01

Item	Quantity	Unit Price	Total Price	Funded in FY 2016?	
				Yes	No
Total Capital Outlay			0.00		

**Government of Guam
Fiscal Year 2017
Program Budget Digest**

[BD-1]

JUDICIARY

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

Budget Account Code	Appropriation Classification	A	B	C
		FY 2015	FY 2016	FY 2017
		Expenditures &	Authorized	Proposed
		Encumbrances	Level	Budget

PERSONNEL SERVICES				
111	Regular Salaries/Increments/Special Pay	\$366,557	\$389,517	\$491,087
112	Overtime/Special Pay	0	0	0
113	Benefits	135,356	146,400	175,345
		0	0	0
	TOTAL PERSONNEL SERVICES	\$501,912	\$535,917	\$666,432

OPERATIONS				
220	TRAVEL - Off-Island/Local Mileage Reimburs.	\$0	\$0	\$0
230	CONTRACTUAL SERVICES:	16,544	22,956	27,151
233	OFFICE SPACE RENTAL:	64,498	65,602	65,602
240	SUPPLIES & MATERIALS:	1,275	5,000	5,690
250	EQUIPMENT: <\$5000.00	0	0	3,900
271	DRUG TESTING	0	1,000	1,000
290	MISCELLANEOUS:	4,315	5,950	7,500
	TOTAL OPERATIONS	\$86,632	\$100,508	\$110,843

UTILITIES				
	Power	\$0	\$0	\$0
	Water/ Sewer	0	0	0
363	Telephone Services	1,278	2,100	300
	TOTAL UTILITIES	\$1,278	\$2,100	\$300

INDIRECT COST				
450	CAPITAL OUTLAY >\$5000.01	\$0	\$0	\$0

TOTAL APPROPRIATIONS	\$589,823	\$638,525	\$777,575
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1/ Specify Fund Source

FULL TIME EQUIVALENCIES (FTEs)				
UNCLASSIFIED		0	0	0
CLASSIFIED		5	5	6
TOTAL FTEs		5	5	6

Note 1 - Contractual: The request for funds under this category is to pay for Malpractice Insurance (\$4,000), lease of copy machine (\$3,300), West Law Services (\$8,405), maintenance agreement for PDS phones and internet services (\$4,847), and renewal for Internet Domain (\$500), Abacus tech support (\$6,000), to pay for off-site back up (\$1,000) and network security (\$1,000) and antivirus software license (\$600). The additional request is to pay upgrade of software (Microsoft Office) \$3,000, and Notary Bonding (\$400).

Note 2 - Equipment: The request for funds is to pay for replacement computers for 1 attorney (\$2,000) and desk, chair, and telephone for new attorney (\$1,900).

Note 3 - Miscellaneous: The request for funds is to pay for Guam Bar Dues (\$2,100), the registration fees for attorneys/staffs' on-island training/conference (\$3,500), annual NACDL dues (\$200), legal subscriptions/training materials (\$500), and publication for job/RFP/Bid announcements(\$1,200).

**Government of Guam
Fiscal Year 2017 Budget
Program Budget Digest**

[BD-1]

JUDICIARY

Agency: **PUBLIC DEFENDER SERVICE CORPORATION**

Program: **ALTERNATE PUBLIC DEFENDER - INVESTIGATIVE SERVICES**

Budget Account Code	Appropriation Classification	A	B	C
		FY 2015	FY 2016	FY 2017
		Expenditures & Encumbrances	Authorized Level	Proposed Budget

PERSONNEL SERVICES				
111	Regular Salaries/Increments/Special Pay	\$71,887	\$77,458	\$122,388
112	Overtime/Special Pay	0	0	0
113	Benefits	27,278	30,501	41,049
		0	0	0
	TOTAL PERSONNEL SERVICES	\$99,164	\$107,959	\$163,437

OPERATIONS				
220	TRAVEL - Off-Island/Local Mileage Reimburs.	\$0	\$0	\$1,350
230	CONTRACTUAL SERVICES:	0	0	1,899
233	OFFICE SPACE RENTAL:	0	0	0
240	SUPPLIES & MATERIALS:	0	0	0
250	EQUIPMENT: <\$5000.00	0	0	2,000
271	DRUG TESTING	0	0	0
290	MISCELLANEOUS:	0	100	2,100
	TOTAL OPERATIONS	\$0	\$100	\$7,349

UTILITIES				
	Power	\$0	\$0	\$0
	Water/ Sewer	0	0	0
363	Telephone Services	0	0	0
	TOTAL UTILITIES	\$0	\$0	\$0

	INDIRECT COST	\$0	\$0	\$0
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450	CAPITAL OUTLAY >\$5000.01	\$0	\$0	\$0
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	TOTAL APPROPRIATIONS	\$99,164	\$108,059	\$170,786
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1/ Specify Fund Source

FULL TIME EQUIVALENCIES (FTEs)				
	UNCLASSIFIED	0	0	0
	CLASSIFIED	1	2	2
	TOTAL FTEs	1	2	2

Note 1- Miscellaneous: The request for funds is to pay for process server fees and for off-island training for 1 investigators (\$2,000) and 2 process servers (\$100).

Note 2- Equipment: The request for funds is to pay for replacement of obsolete workstations (\$2,000)

**Government of Guam
Fiscal Year 2017 Budget
Program Budget Digest**

[BD-1]

JUDICIARY

Agency: PUBLIC DEFENDER SERVICE CORPORATION

Program: ALTERNATE PUBLIC DEFENDER - LEGAL SECRETARIAL SERVICES

Budget Account Code	Appropriation Classification	A	B	C
		FY 2015	FY 2016	FY 2017
		Expenditures & Encumbrances	Authorized Level	Proposed Budget
PERSONNEL SERVICES				
111	Regular Salaries/Increments/Special Pay	\$44,377	\$56,311	\$111,295
112	Overtime/Special Pay		0	0
113	Benefits	18,454	29,393	46,856
		0	0	0
	TOTAL PERSONNEL SERVICES	\$62,831	\$85,704	\$158,151
OPERATIONS				
220	TRAVEL - Off-Island/Local Mileage Reimburs.	\$0	\$0	\$0
230	CONTRACTUAL SERVICES:	0	0	1,999
233	OFFICE SPACE RENTAL:	0	0	0
240	SUPPLIES & MATERIALS:	0	0	0
250	EQUIPMENT: <\$5000.00	0	0	0
271	DRUG TESTING	0	0	0
290	MISCELLANEOUS:	0	0	0
	TOTAL OPERATIONS	\$0	\$0	\$1,999
UTILITIES				
	Power	\$0	\$0	\$0
	Water/ Sewer	0	0	0
363	Telephone Services	0	0	0
	TOTAL UTILITIES	\$0	\$0	\$0
	INDIRECT COST	\$0	\$0	\$0
450	CAPITAL OUTLAY >\$5000.01	\$0	\$0	\$0
	TOTAL APPROPRIATIONS	\$62,831	\$85,704	\$160,150

1/ Specify Fund Source

FULL TIME EQUIVALENCIES (FTEs)				
	UNCLASSIFIED	0	0	0
	CLASSIFIED	2	2	3
	TOTAL FTEs	2	2	3

**Government of Guam
Fiscal Year 2017 Budget
Program Budget Digest**

[BD-1]

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

Budget Account Code	Appropriation Classification	A	B	C
		FY 2015	FY 2016	FY 2017
		Expenditures & Encumbrances	Authorized Level	Proposed Budget

PERSONNEL SERVICES				
111	Regular Salaries/Increments/Special Pay	\$28,385	\$48,041	\$58,770
112	Overtime	0	0	0
113	Benefits	11,445	27,487	20,543
		0	0	0
	TOTAL PERSONNEL SERVICES	\$39,831	\$75,528	\$79,313

OPERATIONS				
220	TRAVEL - Off-Island/Local Mileage Reimburs.	\$0	\$0	\$0
230	CONTRACTUAL SERVICES:	0	1,050	1,499
233	OFFICE SPACE RENTAL:	0	0	0
240	SUPPLIES & MATERIALS:	0	0	0
250	EQUIPMENT: <\$5000.00	0	3,200	2,000
271	DRUG TESTING	0	0	0
290	MISCELLANEOUS:	0	50	100
	TOTAL OPERATIONS	\$0	\$4,300	\$3,599

UTILITIES				
	Power	\$0	\$0	\$0
	Water/ Sewer	0	0	0
363	Telephone Services	0	0	0
	TOTAL UTILITIES	\$0	\$0	\$0

	INDIRECT COST	\$0	\$0	\$0
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450	CAPITAL OUTLAY >\$5000.01	\$0	\$0	\$0
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	TOTAL APPROPRIATIONS	\$39,831	\$79,828	\$82,912
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1/ Specify Fund Source

FULL TIME EQUIVALENCIES (FTEs)				
	UNCLASSIFIED	0	0	0
	CLASSIFIED	1	2	2
	TOTAL FTEs	1	2	2

Note 1- Miscellaneous: The request is to pay for process server fees.

Note 2 - Contractual and Equipment<\$5000: For replacement of computer

**Government of Guam
Fiscal Year 2017 Budget
Program Budget Digest**

[BD-1]

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

Budget Account Code	Appropriation Classification	A	B	C
		FY 2015	FY 2016	FY 2017
		Expenditures & Encumbrances	Authorized Level	Proposed Budget

PERSONNEL SERVICES				
111	Regular Salaries/Increments/Special Pay	\$28,385	\$48,041	\$31,076
112	Overtime	0	0	0
113	Benefits	11,445	27,487	16,788
		0	0	0
	TOTAL PERSONNEL SERVICES	\$39,831	\$75,528	\$47,864

OPERATIONS				
220	TRAVEL - Off-Island/Local Mileage Reimburs.	\$0	\$0	\$0
230	CONTRACTUAL SERVICES:	0	0	504
233	OFFICE SPACE RENTAL:	0	0	0
240	SUPPLIES & MATERIALS:	0	0	0
250	EQUIPMENT: <\$5000.00	0	0	0
271	DRUG TESTING	0	0	0
290	MISCELLANEOUS:	0	0	0
	TOTAL OPERATIONS	\$0	\$0	\$504

UTILITIES				
	Power	\$0	\$0	\$0
	Water/ Sewer	0	0	0
363	Telephone Services	0	0	0
	TOTAL UTILITIES	\$0	\$0	\$0

	INDIRECT COST	\$0	\$0	\$0
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450	CAPITAL OUTLAY >\$5000.01	\$0	\$0	\$0
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	TOTAL APPROPRIATIONS	\$39,831	\$75,528	\$48,368
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1/ Specify Fund Source

FULL TIME EQUIVALENCIES (FTEs)				
	UNCLASSIFIED	0	0	0
	CLASSIFIED	0	0	1
	TOTAL FTEs	0	0	1

Government of Guam
Fiscal Year 2017
Agency Staffing Pattern
Summary
(PROPOSED)

[BBMR SP-1]

FUNCTIONAL AREA:

DEPARTMENT/AGENCY: ALTERNATE PUBLIC DEFENDER

PROGRAM: SUMMARY

Input by Department										Input by Department									
(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)		(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	(Q)	(R)	(S)
No.	Position Number	Position Title	Name of Incumbent	Grade/ Step	Salary	Overtime	Special*	Increment		(E+F+G+I) Subtotal	Benefits					Medical (Premium)	Dental (Premium)	Total Benefits (K thru Q)	(J + R) TOTAL
								Date	Amt.		Retirement (J) *28.16%	Retire (DDI) (\$19.02*26PP)	SS (6.2%*J)	Medicare (1.45%*J)	Life I/				
1	---	ATTORNEYS	---	---	\$483,000	\$0	\$2,200	-	\$5,887	\$491,087	\$137,670	\$2,970	\$0	\$7,121	\$1,068	\$24,757	\$1,759	\$175,345	\$666,432
2	---	INVESTIGATIVE SERVICES	---	---	114,677	6,616	0	-	1,095	122,388	34,465	495	0	1,775	356	3,496	463	41,049	163,437
3	---	LEGAL SECRETARIAL	---	---	111,206	0	0	-	89	111,295	31,341	1,485	0	1,614	534	11,016	866	46,856	158,151
4	---	LEGAL CLERICAL	---	---	58,251	0	0	-	519	58,770	16,550	990	0	852	356	1,572	224	20,544	79,313
5	---	ADMINISTRATIVE	---	---	31,076	0	0	---	0	31,076	8,751	495	0	451	178	6,510	403	16,788	47,864
			Grand Total:	---	\$798,210	\$6,616	\$2,200	---	\$7,590	\$814,615	\$228,776	\$6,435	\$0	\$11,812	\$2,492	\$47,352	\$3,715	\$300,582	\$1,115,197

* 10% of reg. rate, applicable from 6pm- 6am. **employee must work 4 hours consecutive after 6pm for entitlement of the pay**

1/ FY 2016 (Proposed) GovGuam contribution rate of 28.16% for the Government of Guam Retirement is subject to change

2/ FY 2016 (Proposed) GovGuam contribution rate of \$19.01 (bi-weekly) for DDI is subject to change

3/ FY 2016 (Proposed) GovGuam contribution rate of \$178 (per annum) for Life Insurance is subject to change

FUNCTIONAL AREA:

DEPARTMENT/AGENCY: ALTERNATE PUBLIC DEFENDER

PROGRAM: ATTORNEYS

**Government of Guam
Fiscal Year 2017
Agency Staffing Pattern
(PROPOSED)**

[BBMR SP-1]

Input by Department										Input by Department									
(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)		(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	(Q)	(R)	(S)
No.	Position Number	Position Title	Name of Incumbent	Grade / Step	Salary	Overtime	Special*	Increment		(E+F+G+I) Subtotal	Benefits					Medical (Premium)	Dental (Premium)	Total Benefits (K thru Q)	(J+R) TOTAL
								Date	Amt.		Retirement (J *28.16%)	Retire (DDI) (\$19.01*26PP)	SS (6.2%*J)	Medicare (1.45%*J)	Life I/				
1	APD-100	ATTORNEY-SUPERVISOR	ANA MARIA C. GAYLE	AL5-6	\$106,835	\$0	\$0	9/27/2017	\$71	106,906	\$ 30,105	\$495	\$0	\$ 1,550	\$178	\$3,781	\$224	\$ 36,333	\$143,239
2	APD-101	ATTORNEY IV	VACANT	AL4-1	75,780	0	0	10/1/2017	0	75,780	21,340	495	-	1,099	178	6,510	403	30,025	105,805
3	APD-102	ATTORNEY IV	JOHN P. MORRISON	AL4-5	89,057	0	1200	3/16/2017	2,786	93,043	25,863	495	-	1,349	178	4,809	278	32,972	126,015
4	APD-103	ATTORNEY IV	JAMES N. SPIVEY, JR.	AL4-5	89,057	0	0	8/13/2017	731	89,788	25,284	495	-	1,302	178	1,464	224	28,947	118,735
5	APD-108	ATTORNEY II	ERIC R. OVERTON	AL3-3	71,446	0	1000	1/27/2017	2,299	74,745	20,766	495	-	1,084	178	1,683	226	24,432	99,177
6		ATTORNEY I	NEW	AL1-1	50,825	0	0	10/1/2017	0	50,825	14,312	495	-	737	178	6,510	403	22,636	73,461
Grand Total:				---	\$483,000	\$0	\$2,200	---	\$5,887	\$491,087	\$ 137,670	\$2,970	\$0	\$ 7,121	\$1,068	\$24,757	\$1,759	\$ 175,345	\$666,432

- * Night Differential / Hazardous / Worker's Compensation / etc
- 1/ FY 2016 (Proposed) GovGuam contribution rate of 28.16% for the Government of Guam Retirement is subject to change
- 2/ FY 2016 (Proposed) GovGuam contribution rate of \$19.01 (bi-weekly) for DDI is subject to change
- 3/ FY 2016 (Proposed) GovGuam contribution rate of \$178 (per annum) for Life Insurance is subject to change

Input by Department											
Special Pay Categories											
(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	
No.	Position Number	Position Title	Name of Incumbent	Holiday Pay	Night Differential Pay Reg + 10%	Hazard 10%	Hazard 8%	Nurse Sunday Pay 1.5	Nurse Pay 1.5	EMT Pay 15%	(D+E+F+G+H+I+J) Subtotal
1	APD-100	ATTORNEY-SUPERVISOR	ANA MARIA C. GAYLE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
2	APD-101	ATTORNEY IV	VACANT	0	0	0	0	0	0	0	0
3	APD-102	ATTORNEY IV	JOHN P. MORRISON	0	1,200	0	0	0	0	0	1,200
4	APD-103	ATTORNEY IV	JAMES N. SPIVEY, JR.	0	0	0	0	0	0	0	0
5	APD-108	ATTORNEY II	ERIC R. OVERTON	0	1,000	0	0	0	0	0	1,000
6		ATTORNEY I	NEW	0	0	0	0	0	0	0	0
Grand Total:				\$0	\$2,200	\$0	\$0	\$0	\$0	\$0	\$2,200

- 1/ 10% of reg. rate, applicable from 6pm- 6am, ~~employee must work 4 hours consecutive after 6pm for entitlement of the pay~~
- 2/ Applies to law enforcement personnels
- 3/ Applies to solid waste employees
- 4/ 1 1/2 of reg. rate of pay from 12nm Friday to 12 midnight Sunday
- 5/ 1 1/2 of reg. rate of pay on daily work exceeding 8 hours
- 6/ Applicable only to GFD ambulatory service personnel. 15% of reg. rate of pay

**Government of Guam
Fiscal Year 2017
Agency Staffing Pattern
(PROPOSED)**

[BBMR SP-1]

FUNCTIONAL AREA:

DEPARTMENT/AGENCY: ALTERNATE PUBLIC DEFENDER

PROGRAM: INVESTIGATIVE SERVICES

Input by Department										Input by Department									
(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)		(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	(Q)	(R)	(S)
No.	Position Number	Position Title	Name of Incumbent	Grade / Step	Salary	Overtime	Special*	Increment		(E+F+G+I) Subtotal	Retirement (J*28.16%)	Retire (DDI) (\$19.01*26PP)	SS (6.2%*J)	Medicare (1.45%*J)	Life I/	Medical (Premium)	Dental (Premium)	Total Benefits (K thru Q)	(J + R) TOTAL
								Date	Amt.										
1	APD-104	INVESTIGATOR II	NORMA L. SALAS	ML04-15	\$71,529	\$4,127	\$0		\$0	\$75,656	\$21,305	\$0	\$0	\$1,097	\$178	\$1,924	\$240	\$24,744	\$100,399
2	APD-109	INVESTIGATOR I	JULIE ANN G. SABLAN	KL04-5	43,148	2,489	0	2/13/2017	1,095	46,733	13,160	495	0	678	178	1,572	223	16,306	63,038
3																			
4																			
5																			
			Grand Total:	---	\$114,677	\$6,616	\$0	---	\$1,095	\$122,388	\$34,465	\$495	\$0	\$1,775	\$356	\$3,496	\$463	\$41,049	\$163,437

* Night Differential / Hazardous / Worker's Compensation / etc.

- 1/ FY 2016 (Proposed) GovGuam contribution rate of 28.16% for the Government of Guam Retirement is subject to change
- 2/ FY 2016 (Proposed) GovGuam contribution rate of \$19.01 (bi-weekly) for DDI is subject to change
- 3/ FY 2016 (Proposed) GovGuam contribution rate of \$178 (per annum) for Life Insurance is subject to change

Input by Department											
Special Pay Categories											
(A)	(B)	(C)	(D)	(E)						(K)	
No.	Position Number	Position Title	Name of Incumbent	Overtime Pay	1/	2/	3/	4/	5/	6/	(D+E+F+G+H+I+J) Subtotal
					Night Differential Pay Reg + 10%	Hazard 10%	Hazard 8%	Nurse Sunday Pay 1.5	Nurse Pay 1.5	EMT Pay 15%	
1	APD-104	INVESTIGATOR II	NORMA L. SALAS	\$4,127	\$0	\$0	\$0	\$0	\$0	\$0	\$4,127
2	APD-109	INVESTIGATOR I	JULIE ANN G. SABLAN	2,489	0	0	0	0	0	0	2,489
			Grand Total:	\$6,616	\$0	\$0	\$0	\$0	\$0	\$0	\$6,616

- 1/ 10% of reg. rate, applicable from 6pm- 6am. **employee must work 4 hours consecutive after 6pm for entitlement of the pay**
- 2/ Applies to law enforcement personnels
- 3/ Applies to solid waste employees
- 4/ 1 1/2 of reg. rate of pay from 12am Friday to 12 midnight Sunday
- 5/ 1 1/2 of reg. rate of pay on dnily work exceeding 8 hours
- 6/ Applicable only to GFD ambulatory service personnel. 15% of reg. rate of pay

FUNCTIONAL AREA:

DEPARTMENT/AGENCY: ALTERNATE PUBLIC DEFENDER

PROGRAM: LEGAL SECRETARIAL

FUND:

**Government of Guam
Fiscal Year 2017
Agency Staffing Pattern
(PROPOSED)**

[BBMR SP-1]

Input by Department											Input by Department								
(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)		(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	(Q)	(R)	(S)
No.	Position Number	Position Title	Name of Incumbent	Grade / Step	Salary	Overtime	Special*	Increment		Subtotal (E+F+G+I)	Benefits					Medical (Premium)	Dental (Premium)	Total Benefits (K thru Q)	(J + R) TOTAL
								Date	Amt.		Retirement (J * 28.16%)	Retire (DDI) (\$19.01 * 26PP)	SS (6.2% * J)	Medicare (1.45% * J)	Life 1/				
1		LEGAL SECRETARY - Supervisor	NEW	L-4	\$41,479	\$0	\$0		\$0	\$41,479	\$11,680	\$495	\$0	\$601	\$178	\$6,510	\$403	\$19,868	\$61,347
2	APD-105	LEGAL SECRETARY III	JANET L. ROSARIO	J-8	40,077	0	0		0	40,077	11,286	495	0.00	581	178	1,924	240	14,704	54,781
3	APD-106	LEGAL SECRETARY I	FELICIA M. CRUZ	H-4	29,650			8/26/2017	89	29,739	8,375	495	0.00	431	178	2,582	223	12,284	42,023
Grand Total:				---	\$111,206	\$0	\$0	---	\$89	\$111,295	\$31,341	\$1,485	\$0	\$1,614	\$534	\$11,016	\$866	\$46,856	\$158,151

* Night Differential / Hazardous / Worker's Compensation / etc

1/ FY 2016 (Proposed) GovGuam contribution rate of 28.16% for the Government of Guam Retirement is subject to change

2/ FY 2016 (Proposed) GovGuam contribution rate of \$19.01 (bi-weekly) for DDI is subject to change

3/ FY 2016 (Proposed) GovGuam contribution rate of \$178 (per annum) for Life Insurance is subject to change

Input by Department											
Special Pay Categories											
(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	
No.	Position Number	Position Title	Name of Incumbent	Overtime Pay	1/	2/	3/	4/	5/	6/	(D+E+F+G+H+I+J) Subtotal
					Night Differential Pay Reg + 10%	Hazard 10%	Hazard 8%	Nurse Sunday Pay 1.5	Nurse Pay 1.5	EMT Pay 15%	
1		LEGAL SECRETARY - Supervisor	NEW	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
2	APD-105	LEGAL SECRETARY III	JANET L. ROSARIO	0	0	0	0	0	0	0	0
3	APD-106	LEGAL SECRETARY I	FELICIA M. CRUZ	0	0	0	0	0	0	0	0
Grand Total:				\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

1/ 10% of reg. rate, applicable from 6pm- 6am, **employee must work 4 hours consecutive after 6pm for entitlement of the pay**

2/ Applies to law enforcement personnel

3/ Applies to solid waste employees

4/ 1 1/2 of reg. rate of pay from 12am Friday to 12 midnight Sunday

5/ 1 1/2 of reg. rate of pay on daily work exceeding 8 hours

6/ Applicable only to GFD ambulatory service personnel. 15% of reg. rate of pay

FUNCTIONAL AREA:

DEPARTMENT/AGENCY: ALTERNATE PUBLIC DEFENDER

PROGRAM: LEGAL CLERICAL

**Government of Guam
Fiscal Year 2017
Agency Staffing Pattern
(PROPOSED)**

[BBMR SP-1]

Input by Department										Input by Department									
(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	(Q)	(R)	(S)	
No.	Position Number	Position Title	Name of Incumbent	Grade / Step	Salary	Overtime	Special*	Increment		(E+F+G+I) Subtotal	Benefits					Medical (Premium)	Dental (Premium)	Total Benefits (K thru Q)	(J + R) TOTAL
								Date	Amt.		Retirement (J *28.16%)	Retire (DDI) (\$19.01*26PP)	SS (6.2%*J)	Medicare (1.45%*J)	Life 1/				
1	APD-107	LEGAL CLERK II	MICHAEL S. BORRETA	H-8	\$34,202	\$0	\$0		\$0	\$34,202	\$9,631	\$495	\$0	\$496	\$178	\$1,572	\$224	\$12,596	\$46,798
2		LEGAL CLERK I	LEONA J. SISON	F-2	24,049	0	0	2/23/2017	\$519	24,568	6,918	495	0	356	178	0	0	7,947	32,515
Grand Total:				—	\$58,251	\$0	\$0	—	\$519	\$58,770	\$16,550	\$990	\$0	\$852	\$356	\$1,572	\$224	\$20,544	\$79,313

* Night Differential / Hazardous / Worker's Compensation / etc.

1/ FY 2016 (Proposed) GovGuam contribution rate of 28.16% for the Government of Guam Retirement is subject to change

2/ FY 2016 (Proposed) GovGuam contribution rate of \$19.01 (bi-weekly) for DDI is subject to change

3/ FY 2016 (Proposed) GovGuam contribution rate of \$178 (per annum) for Life Insurance is subject to change

Input by Department											
No.	Position Number	Position Title	Name of Incumbent	Overtime Pay	Special Pay Categories						(D+E+F+G+H+I+J) Subtotal
					(E)	(F)	(G)	(H)	(I)	(J)	
					1/	2/	3/	4/	5/	6/	
				Night Differential Pay Reg + 10%	Hazard 10%	Hazard 8%	Nurse Sunday Pay 1.5	Nurse Pay 1.5	EMT Pay 15%		
1	APD-107	LEGAL CLERK II	MICHAEL S. BORRETA	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
2		LEGAL CLERK I	LEONA J. SISON	0	0	0	0	0	0	0	0
Grand Total:				\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

1/ 10% of reg. rate, applicable from 6pm- 6am, ~~employee must work 4 hours consecutive after 6pm for entitlement of the pay~~

2/ Applies to law enforcement personnels

3/ Applies to solid waste employees

4/ 1 ½ of reg. rate of pay from 12am Friday to 12 midnight Sunday

5/ 1 ½ of reg. rate of pay on daily work exceeding 8 hours

6/ Applicable only to GFD ambulatory service personnel. 15% of reg. rate of pay

FUNCTIONAL AREA:

DEPARTMENT/AGENCY: ALTERNATE PUBLIC DEFENDER

PROGRAM: ADMINISTRATIVE

**Government of Guam
Fiscal Year 2017
Agency Staffing Pattern
(PROPOSED)**

[BBMR SP-1]

Input by Department										Input by Department									
(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)		(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	(Q)	(R)	(S)
No.	Position Number	Position Title	Name of Incumbent	Grade / Step	Salary	Overtime	Special*	Increment		(E+F+G+I) Subtotal	Benefits					Medical (Premium)	Dental (Premium)	Total Benefits (K thru Q)	(J + R) TOTAL
								Date	Amt.		Retirement (J *28.16%)	Retire (DDI) (\$19.01*26PP)	SS (6.2%*J)	Medicare (1.45%*J)	Life 1/				
1		ADMINISTRATIVE ASSISTANT	NEW	J-1	\$31,076	\$0	\$0	10/1/2016	\$0	\$31,076	\$8,751	\$495	\$0	\$451	\$178	6,510	403	\$16,788	\$47,864
Grand Total:				---	\$31,076	\$0	\$0	---	\$0	\$31,076	\$8,751	\$495	\$0	\$451	\$178	\$6,510	\$403	\$16,788	\$47,864

* Night Differential / Hazardous / Worker's Compensation / etc.

1/ FY 2016 (Proposed) GovGuam contribution rate of 28.16% for the Government of Guam Retirement is subject to change

2/ FY 2016 (Proposed) GovGuam contribution rate of \$19.01 (bi-weekly) for DDI is subject to change

3/ FY 2016 (Proposed) GovGuam contribution rate of \$178 (per annum) for Life Insurance is subject to change

Input by Department											
No.	Position Number	Position Title	Name of Incumbent	Overtime Pay	Special Pay Categories						(D+E+F+G+H+I+J) Subtotal
					(E)	(F)	(G)	(H)	(I)	(J)	
					1/	2/	3/	4/	5/	6/	
1		ADMINISTRATIVE ASSISTANT	NEW	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Grand Total:				\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

1/ 10% of reg. rate, applicable from 6pm- 6am, **employee must work 4 hours consecutive after 6pm for entitlement of the pay**

2/ Applies to law enforcement personnels

3/ Applies to solid waste employees

4/ 1 1/2 of reg. rate of pay from 12am Friday to 12 midnight Sunday

5/ 1 1/2 of reg. rate of pay on daily work exceeding 8 hours

6/ Applicable only to GFD ambulatory service personnel. 15% of reg. rate of pay

**SHANKS-KINDLON TRAINING
EVALUATION SUMMARY
February 18-20, 2016**

Training was conducted over a 3-day period with two half sessions and one full day session. The half day sessions were on Thursday and Saturday, and the one full day session was on Friday.

In planning the training with SHANKS-KINDLON, we were hoping to have all attorneys from PDSC and APD present at the 3-day lecture and practicum. However, several APD attorneys were unable to attend as they were covering court, preparing for trial or on sick leave. The attorneys who attended were as follows:

Public Defender (6)

Richard Dirx
Peter Sablan
Steve Hattori
Amber Robinson
Will Jones
Kristine Borja

Alternate Public Defender (4)

Annie Gayle
John Morrison
James Spivey
Eric Overton

Based on the surveys received from the ten (10) participants, they generally thought that the trial clinic was worth the investment. For the three days, the Shanks-Kindlon team came in above average – with stellar ratings from most of the attendees. The lawyers appreciated the format and balance between lecture and hands-on experience. The attorneys also appreciated having jurors and receiving feedback from the jury panel relative to their “trial delivery skills.”

Overall, the attorneys would like to see the Shanks-Kindlon team return in provide more trial training for the PDSC/APD team. They also wanted to be provided with lecture material for them to keep.

Of the responses received for Day 1, Thursday, February 18, the results are as follows (rating from 1 – 10: with 10 being excellent):

QUESTION	10	9	8	7
Theme & Theory	7	2	1	
Investigation	7		3	
Story Telling	8	1	1	
Opening	5	3	2	
Closing	7	1	1	1

Day 1 Comments – What things you like best:

- Brainstorming exercise
- Constantly used examples
- Lecture
- Opening lecture
- Story telling
- Good energy
- Anecdotes of presentation / drawing from experience of presenters

- I liked how they could each give their own stories. Both very good speakers.
- Discussing roles of investigators

Day 1 Comments – What could be approved:

- Maybe a longer description of storytelling with more examples
- A complete example before we do it
- More lecture
- Less ridicule of political views you disagree with. This should be non-partisan event.
- Examples
- Handouts
- Spread it over more days. Fewer hours. (More time for individual preparation).
- More examples
- Great balance of on-hands and lecture

Day 1 Comments – Other Comments:

- These are solid presenters
- More lecture
- EXCELLENT
- Room too cold

Day 2, Friday, February 19, the results are as follows (rating from 1 – 10: with 10 being excellent):

QUESTION	10	9	8	7
Opening Statement Breakout Session	10	1		
Cross Examination of Expert Witness	6	3	1	
Direct Examination	7	2	1	
Closing Arguments	7	1	2	

Day 2 Comments – What things you like best:

- Very practical advice with specific application. I appreciate the fact that non-lawyer staff participated.
- Breakout session
- The opening statement breakout was a great opportunity to brainstorm and get ideas from other lawyers. So many great ideas came out and every lawyer had such different styles. It was scary and helpful at the same time, to stand up and do the opening and the cross-examination. Both so very important. I liked that even the critique was not too bad. All comments were good. It was great having a jury.
- Goo, practical advice.
- Used an example every time gave a point or tip; presented each session in a relatable manner and in an interesting manner; wealth of knowledge/experience; takes difference of styles/opinions with an open mind.
- Lecture
- Feedback; homework is horrible, but feedback was great

Day 2 Comments – What could be approved:

- Maybe specific assault legal topics

- Direct examination lecture
- Today was a little long. I felt exhausted by the end and the last hour or so was difficult.
- The room, unfortunately, is very cold – need to control temperature better. It is hard to balance working and trying to prepare for this training – but this is so very helpful.
- Copies of material talked about (e.g. Witness Tips)
- More lecture
- Venue set-up should feel more like courtroom.

Day 2 Comments – Other Comments:

- One of the best trial practice programs I have attended. Very practical, productive and jammed with useful tips. Very credible presenters who were able to debunk common myths and pitfalls.
- An incredibly beneficial day. I learned a lot and was impressed with the improvements and confidence the other attorneys demonstrated. The inclusion of non-lawyers was great.
- Terry and Laurie are very good speakers. I have enjoyed their comments and help.

Day 3, Saturday, February 20, the results are as follows (rating from 1 – 10: with 10 being excellent):

QUESTION	10	9	8	7
Closing Argument	8		1	
Questions & Answer	7	1		1

Day 3 Comments – What things you like best:

- The comments - critique
- Practical application of lectures
- I liked being able to have a mock jury to listen to us. Having time to critique each other – was important. Being taped was also a positive thing – it helped to see how you look and improve.
- Great feedback from Terry and Laurie and the jurors. Thank you for helping raise our standards of practice.
- Everyone’s improvement over a short period of time was impressive. Even though we are all friends, this brought us closer together.
- The hands-on practice took some effort, but feedback was great.
- Group participation exercises

Day 3 Comments – What could be approved:

- Nothing
- Have a full example of each section by presenters
- So far I can’t think of anything
- Maybe hold it again annually?
- Could be more constructive criticism. Different experience levels of experience made some exercises difficult.
- Venue set-up [courtroom]
- More role play by instructors

Day 3 Comments – Other Comments:

- The jurors had really good and productive comments and is well appreciated

- Thank you so much for being here and sharing your knowledge and experience with us.
- A great experience I hope we can get you to come back again.
- Presenters were awesome and dynamic.

**BEFORE THE BOARD OF TRUSTEES
OF THE PUBLIC DEFENDER SERVICE CORPORATION
RELATIVE TO THE USE OF LAPSED FUNDS FOR
TRIAL ADVOCACY TRAINING FOR PDSC/APD ATTORNEYS
FEBRUARY 18-20, 2016**

RESOLUTION NO. PDSC 04-16 (AMENDED)

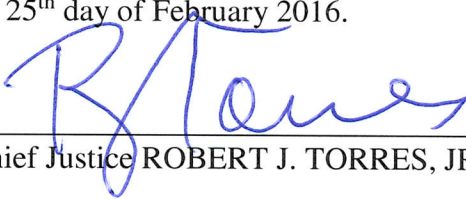
- WHEREAS,** §11113.1 of 12 GCA authorizes the Public Defender Service Corporation (PDSC) to retain unexpended appropriations beginning with Fiscal Year 2000, and to carry these funds over into succeeding fiscal years; and
- WHEREAS,** the PDSC Board of Trustees adopted Resolution No. 99-07 requiring Board approval for the budgeting of and/or spending authorization(s) for these lapsed funds; and
- WHEREAS,** the PDSC recognizes the need to stay current with the changes in trial preparation for its attorneys; and
- WHEREAS,** the PDSC recognizes that a criminal defense lawyer's job is to not only give fair representation to a person charged with a crime, but to also challenge any improper admission of evidence from the prosecution; and
- WHEREAS,** Professor Laurie Shanks of Albany Law School, who concentrates on criminal defense and personal injury litigation, served as the training director for the Maricopa County Public Defenders Office and Teaches CLE seminars and trial advocacy workshops throughout the nation; and
- WHEREAS,** Attorney Terence L. Kindlon has practiced as a criminal defense lawyer in New York's capital city since 1974 and has defended many people charged with serious crimes and has tried more than 175 felony cases to verdict; and
- WHEREAS,** the cost to be shared between PDSC and APD based on the number of attorneys attending the workshop were six (6) attorneys from PDSC and four (4) attorneys from APD with a cost allocation of \$8,271.80 and \$4,135.94, respectively at a total cost of \$12,407.83; and
- WHEREAS,** the initial budget was approved by the Board of Trustees at their regularly scheduled meeting held on December 1, 2015 in the of \$14,256.00; which would provide twelve (12) CLEs for attendees in addition to associated costs of have the Shanks-Kindlon training from February 18 – 20, 2016; now therefore be it

RESOLUTION NO. PDSC 04-16 (AMENDED)


Page 2 of 2

RESOLVED, The Board of Trustees of the Public Defender Service Corporation, in its meeting of February 25, 2016 hereby approves the cost share allocation between APD (\$4,135.94) and PDSC (\$8,271.89) for the actual cost of **\$12,407.83** of lapsed funds from APD and PDSC, respectively, for the purposes described above as specified in the attachments hereto, which are made a part of this resolution.

DULY AND REGULARLY ADOPTED this 25th day of February 2016.



Chief Justice ROBERT J. TORRES, JR.

ATTEST:


CATHY GOGUE
Secretary

Cost of Workshop - Shanks - Kindlon

Air Fare L.Shanks	3,469.39
T. Kindlon	3,469.39
Honorarium	2,440.80
Hotel Accommodations	832.50
Venue: Sheraton Laguna	<u>2,195.75</u>
	<u><u>12,407.83</u></u>

Number of Attorneys:

PDSC	8
APD	<u>4</u>
	<u><u>12</u></u>

Cost per attorney	<u><u>1,033.99</u></u>
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PDSC SHARE	8,271.89
APD SHARE	<u>4,135.94</u>
	<u><u>12,407.83</u></u>

**BEFORE THE
BOARD OF TRUSTEES OF THE
PUBLIC DEFENDER SERVICE CORPORATION
RELATIVE TO THE USE OF PD AND APD LAPSED FUNDS
TO RECTIFY ERRORS IN PAY GRADE/STEP
(AMENDEMED BASED ON CWA 2014)
AND PAY ADJUSTMENTS
FOR ATTORNEYS RICHARD DIRKX, ANA MARIA GAYLE,
PETER SABLAN AND WILLIAM JONES**

RESOLUTION NO. PDSC 10-16

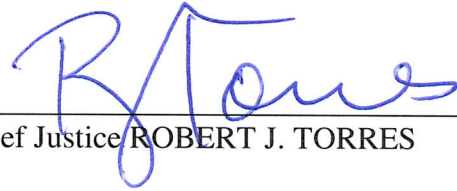
- WHEREAS,** Section 6208, Chapter 6 of Title 4 Guam Code Annotated provides the pay scale for government of Guam attorneys, as well as the methodology for pay increases occurring on their anniversary date of hire; and
- WHEREAS,** audits were made to attorneys Richard Dirkx, Ana Maria Gayle, Peter Sablan and William Jones’ personnel jackets and pay adjustments needed to be made as a result of the enactment of the Government of Guam’s Competitive Wage Act 2014; and
- WHEREAS,** with the implementation of the Government of Guam’s Competitive Wage Act 2014, increment dates and performance evaluations also needed to be adjusted for each of the attorneys previously mentioned; and
- WHEREAS,** Personnel Specialist IV Bernadette Lizama evaluated as well as verified the Personnel Jackets to ensure that “Pay Adjustments and Increment Dates” due for each of the attorneys; consequently assessing retro payments due for attorneys Richard Dirkx (\$22,475.68), Ana Maria Gayle (\$29,058.48), Peter Sablan (\$16,176.96) and William Jones (\$15,744.64) for FY2014/2015; and
- WHEREAS,** details of Mrs. Lizama’s assessment are included and specified on the attached spreadsheets, as well as the proper advancement(s) associated with these individuals’ employment at the Public Defender Service Corporation and/or Alternate Public Defender; and
- WHEREAS,** the amounts were not budgeted for in this current fiscal year’s obligations, necessitating the use of lapsed funds to satisfy this debt; now therefore be it
- RESOLVED,** The Board of Trustees of the Public Defender Service Corporation, in its duly-noticed meeting of February 25, 2016, hereby approves the Corporation’s request for the expenditure of **\$84,455.66** from the PDSC and APD lapsed funds in order to resolve and correct the errors described above; and be it further

RESOLUTION NO. PDSC 10-16

Page 2 of 2

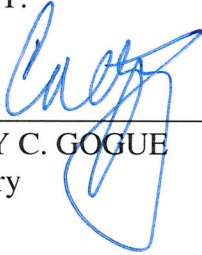
RESOLVED, the spreadsheets prepared by Personnel Specialist IV Bernadette Lizama, which details the adjustments for attorneys Richard Dirkx (\$22,475.68), Ana Maria Gayle (\$29,058.48), Peter Sablan (\$16,176.96) and William Jones (\$15,744.64) for FY2014/2015, are attached hereto and made a part of this resolution.

DULY AND REGULARLY ADOPTED this 25th day of February, 2016.



Chief Justice ROBERT J. TORRES

ATTEST:



CATHY C. GOGUE
Secretary

**BEFORE THE BOARD OF TRUSTEES
OF THE PUBLIC DEFENDER SERVICE CORPORATION
RELATIVE TO THE USE OF LAPSED FUNDS FOR EXECUTIVE DIRECTOR
STEPHEN P. HATTORI TO
ATTEND THE PRETRIAL JUSTICE REFORM SUMMIT
FROM MAY 11 - 13, 2016 IN SANTA FE, NEW MEXICO**


RESOLUTION NO. 11-16

- WHEREAS,** §11113.1 of 12 GCA authorizes 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,** the PDSC Board of Trustees recognizes the need to have Executive Director Stephen P. Hattori attend the Pretrial Justice Reform Summit from May 11 – 13, 2016 in Santa Fe, New Mexico; and
- WHEREAS,** the Pretrial Justice Reform Summit provide a national perspective of pretrial reform efforts; and
- WHEREAS,** the inconsistency of policy and guidelines for pretrial release decisions across the U.S. creates a volatile public safety crisis leading to dangerous and even deadly consequences; and
- WHEREAS,** the PDSC board recognizes that public defenders are critical stakeholders in their local criminal justice systems, and as such, have a powerful voice to open the discussion on how pretrial decision-making is handled and the consequences of that system; and
- WHEREAS,** the goal of attending the summit is to help raise awareness among local law enforcement leaders about pretrial decision-making and the impact it has on public safety within communities; now therefore be it
- RESOLVED,** The Board of Trustees of the Public Defender Service Corporation, in its meeting of February 25, 2016 hereby approves the Corporation's request for the expenditure of \$3,715.00 of lapsed funds for the purposes described above as specified on the attachments hereto, which are made a part of this resolution.

DULY AND REGULARLY ADOPTED this 25th day of February 2016.



Chief Justice ROBERT J. TORRES, JR.

ATTEST: 

CATHY GOGUE
Secretary

Pretrial Justice Reform Summit (1/15/2016 Draft)

CCJ/COSCA Western Region
La Posada De Santa Fe
330 East Palace Ave.
Santa Fe, New Mexico
87501

Wednesday, May 11, 2016

4:00 PM – 7:30 PM **Registration** – Montana Ballroom Foyer

6:00 PM – 6:30 PM **Welcome** – Outdoor Lawn

*Hosts: CCJ/COSCA Western Region Co-Chairs: Chief Justice Robert J. Torres, Jr., Guam and State Court Administrator Robin Sweet, Nevada
New Mexico Hosts: Chief Justice Charles Daniels and State Court Administrator Arthur W. Pepin*

6:30 PM – 7:30 PM **Reception** – Outdoor Lawn

Evening **Dinner on Your Own**

Thursday, May 12, 2016

7:30 AM – 5:30 PM **Registration** – Montana Ballroom Foyer

7:30 AM – 8:30 AM **Breakfast Buffet** – Restaurant

8:30 AM – 8:45 AM **Opening Remarks** – Montana Ballroom

Hosts: CCJ/COSCA Western Region Co-Chairs: Chief Justice Robert J. Torres, Jr., Guam and State Court Administrator Robin Sweet, Nevada

Speaker: Soledad McGrath, John D. and Catherine T. MacArthur Foundation

8:45 AM – 9:45 AM **Keynote Address** – Pretrial Reform Efforts: The National Perspective and What the Public Expects – Montana Ballroom

*Speakers: Timothy Murray, Director Emeritus, Pretrial Justice Institute
Daniel Gotoff, Lake Research Partners*

9:45 AM – 10:00 AM **Break** – Montana Ballroom Foyer

10:00 AM – 12:00 PM **Plenary Session** – How Chief Justices are Leading Reform: Approaches, Strategies, and Challenges – Montana Ballroom

Moderator: (Ret.) New York Chief Judge Jonathan Lippman

*Speakers: Chief Justice Matthew B. Durrant, Utah
Chief Justice Scott Bales, Arizona
Chief Justice Charles Daniels, New Mexico*

12:00 PM – 1:15 PM **Luncheon & State Team Meetings** (see room assignment list in the conference folder for the team meeting locations or Outdoor Lawn)

1:30 PM – 3:00 PM **Practices in Pretrial: What Do We Know and Where Do We Go From Here?** – Montana Ballroom

Speaker: Professor Ed Latessa, University of Cincinnati

3:00 PM – 3:15 PM **Break** – Montana Ballroom Foyer

3:15 PM – 4:45 PM **Overcoming Barriers: How do We Change the Culture?** – Montana Ballroom

Moderator: Daniel Becker, Utah State Court Administrator

*Speakers: Bo Zeerip, Prosecuting Attorney, Mesa County, Colorado
Former Sheriff Gary Raney, Ada County, Idaho, Chair, Board of Directors, PJI
Hon. Todd M. Shaughnessy, District Court Judge, Third District Court, Utah
Hon. Charles W. Brown, District Court Judge, 2nd Judicial District, New Mexico*

5:00 PM – 6:00 PM **State Team Meetings** (see room assignment list in the conference folder for the team meeting locations)

6:30 PM – 8:30 PM **Reception & Dinner for State Teams, Faculty and Guests** – Montana Ballroom

Friday, May 13, 2016

7:00 AM – 2:30 PM **Registration** – Montana Ballroom Foyer

7:00 AM – 8:30 AM **Breakfast Buffet** – Restaurant

8:30 AM – 9:30 AM **What is Preventive Detention?** – Montana Ballroom

Speaker: Chief Judge Eric T. Washington, District of Columbia

9:30 AM – 9:45 AM **Break** – Montana Ballroom Foyer

9:45 AM – 11:00 AM **Developing Your State's Strategies to Reform Pretrial Practices: Legal and Practical Approaches, as well as Challenges and Lessons Learned** – Montana Ballroom

Moderator: David K. Byers, Arizona Administrative Director of the Courts

Speakers: Tim Schnacke, Center for Legal and Evidence Based Practices

11:00 AM – 11:15 AM **Break** – Montana Ballroom

11:15 AM – 12:45 PM **Luncheon & State Team Meetings – Developing Your State's Next Steps** (see room assignment list in the conference folder for the team meeting locations or Outdoor Lawn)

1:00 PM – 2:30 PM **State Team Reports (including reports from the John D. and Catherine T. MacArthur Foundation Safety and Justice Challenge sites in the Western Region) – Montana Ballroom**

Facilitators: Chief Justice Torres, Guam and State Court Administrator Sweet, Nevada

*Closing Remarks: (Ret.) New York Chief Judge Jonathan Lippman
Chief Judge Eric T. Washington, District of Columbia*

2:30 PM Summit Concludes



**BOARD OF TRUSTEES OF THE
PUBLIC DEFENDER SERVICE CORPORATION
RELATIVE TO EXTENDING OUR
PROFOUND GRATITUDE
TO EXECUTIVE DIRECTOR
Eric Donn Miller
FOR HIS DEDICATED SERVICE TO THE
PUBLIC DEFENDER SERVICE CORPORATION**

Resolution No. PDSC 12-16

WHEREAS, on June 6, 1983, Attorney Eric D. Miller commenced his employment as an Attorney II at the Public Defender Service Corporation (PDSC) of Guam and two (2) years later becoming the Deputy Director of PDSC from February 6, 1985 through December 12, 1986; and

WHEREAS, Executive Director Miller relocated to Guam to be the Executive Director of the Public Defender Service Corporation from August 29, 2011 through March 11, 2016; and

WHEREAS, during his tenure as Executive Director, Attorney Miller realized many accomplishments despite the fact that across the nation, to include Guam, public defender offices were under-funded, under-staffed and inundated with enormous caseloads, resulting in a fundamentally unfair criminal justice system; and

WHEREAS, Executive Director Miller has spent the last five (5) years of his legal career in Guam committed to changing the standard of practice for defendants who are caught in the criminal justice system and are unable to afford an attorney by increasing efficiencies within the PDSC and ensuring that all employees within the Corporation are dedicated to changing the culture of indigent representation and systemic reform; and

WHEREAS, Executive Director Miller has worked tirelessly with the Judiciary of Guam and the Guam Bar Association in helping to build the Public Defender Service Corporation into one of the most highly respected government of Guam organizations in the territory; and

WHEREAS, throughout his career as Executive Director, Attorney Miller has lived the mission of the Guam Public Defender Service Corporation by ensuring equal access to justice and the protection of individual rights by providing legal representation and services to persons who cannot afford a private attorney. Through his leadership, the Public Defender Service Corporation continues to foster understanding of, involvement in and access to the justice system; and

WHEREAS, Executive Director Miller was instrumental in the formulation of a 5-year strategic plan; employee recognition program; the successful celebration of the Corporation's 40th Anniversary; bringing hands on legal clinics for public defender attorneys; and developing a "Grants" section within PDSC; and


WHEREAS, after 8 years of exemplary service to the Public Defender Service Corporation, Eric D. Miller has decided to retire as Executive Director of the Guam Public Defender Service Corporation as of March 11, 2016 to enjoy the passage of time with family and friends.

NOW THEREFORE BE IT RESOLVED THAT:

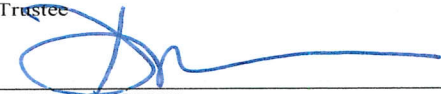
The Board of Trustees of the Public Defender Service Corporation, in its meeting February 25, 2016 meeting, conveys its deepest *Un Dangkolo na Si Yu'us Ma'ase* to Eric Donn Miller for distinguished service to the legal profession and the community and congratulates him on the occasion of his retirement as Executive Director.


DULY AND REGULARLY ADOPTED THIS 25th day of February, 2016.


Chief Justice ROBERT J. TORRES
Chairman


Attorney JEHAN'AD MARTINEZ
President, Guam Bar Association
Board Trustee


Presiding Judge ALBERTO C. LAMORENA III
Vice-Chairman


Attorney DONNA CRUZ
Board Trustee


ANNETTE U. ADA
Board Trustee

**BEFORE THE BOARD OF TRUSTEES
OF THE PUBLIC DEFENDER SERVICE CORPORATION
RELATIVE TO THE APPOINTMENT OF
ATTORNEY STEPHEN P. HATTORI
AS THE EXECUTIVE DIRECTOR OF THE
PUBLIC DEFENDER SERVICE CORPORATION**

RESOLUTION NO. 13-16

WHEREAS, Executive Director Miller announced his retirement from the Public Defender Service Corporation on December 1, 2015, thereby vacating the position; and

WHEREAS, Pursuant to 12GCA, Section 11108, the Board of Trustees is given the authority and responsibility to appoint a Director (Executive Director) of Public Defender Service Corporation; and

WHEREAS, at the December 1st Board of Trustees meeting, a Search Committee was formed for the purposes of announcing the opening of the position, soliciting qualified applicants, receiving applications, interviewing qualified applicants and presenting a list of the three most qualified applicants to the Board of Trustees; and

WHEREAS, after discussing the Search Committee's recommendation in filling the Executive Director vacancy in executive session on February 25, 2016; now therefore, be it

RESOVLED, that Attorney Stephen P. Hattori is hereby appointed Executive Director of the Public Defender Service Corporation; and be further

RESOVLED, that Attorney Stephen P. Hattori will serve at the pleasure of the Board of Trustees of the Public Defender Service Corporation, subject to a six-month performance review in September 2016 as required by Public Law 27-20.

DULY AND REGULARLY ADOPTED this 25th day of February 2016.



Chief Justice ROBERT J. TORRES, JR.

ATTEST:



CATHY GOGUE
Secretary

**BEFORE THE BOARD OF TRUSTEES OF THE
PUBLIC DEFENDER SERVICE CORPORATION
RELATIVE TO THE APPROVAL OF THE
ALTERNATE PUBLIC DEFENDER
FISCAL YEAR 2017 BUDGET REQUEST
RESOLUTION NO. PDSC 14-16**

- 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 Services 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 2016; 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, presented the APD's Fiscal Year 2017 Budget Request of \$1,239,791 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 2017; now therefore be it
- RESOLVED,** the Board of Trustees of the Public Defender Service Corporation, in its meeting of March 15, 2016 hereby approves the **APD Fiscal Year 2017 Budget Request of \$1,239,791** with all its provisions contained therein being attached hereto and made a part of this resolution.

DULY AND REGULARLY ADOPTED this 15th day of March, 2016.



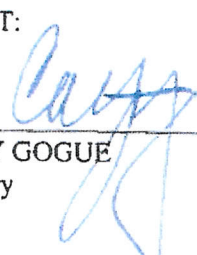
Trustee ANNETTE U. ADA

Chairperson

(Upon Recusal and Appointment By

Chief Justice Robert J. Torres, Jr., Chairman)

ATTEST:



CATHY GOGUE
Secretary