

PUBLIC DEFENDER SERVICE CORPORATION
Board of Trustees Regular Meeting
Tuesday, September 20, 2016 – 12:30PM
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, Tuesday, September 13, 2016
 - B. Notice: 48 Hours The Guam Post, Friday, September 16, 2016
- IV. Determination of a Quorum**
- V. Approval of Minutes: Regular Meeting of Tuesday, July 19, 2016**
- VI. Old Business:**
 - A. Financial Status Update (PDSC and Domestic Violence) Allotment Releases
 - B. Public Defender Service Corporation Update
 - C. Alternate Public Defender Update
 - D. APD Corporate Vehicle Acquisition (Procure/Lease)
 - E. Internship Stipend
- VII. New Business:**
 - A. Managing Attorney Anamaria C. Gayle's Annual Performance Evaluation
 - B. Executive Director's Probationary Period
 - C. Request for Above-Step Recruitment for Attorney Level 4, Richard Hermes, Esq.
 - D. Domestic Violence Advance
 - E. Client's Off-island Travel – Passport Retrieval and Custodian
- VIII. Public Discussion:**
- IX. Adjournment and Next Meeting Date:**

Tuesday, October 18, 2016 at 12:30PM

PUBLIC DEFENDER SERVICE CORPORATION

BOARD OF TRUSTEES

Regular Meeting

of

Tuesday, July 19, 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
Acting Presiding Judge Vernon P. Perez
Attorney Jehan'ad G. Martinez, GBA President
Attorney Donna M. Cruz, Member

Absent: Mrs. Annette J.U. Ada, Member (Excused)

Others Present: Attorney Stephen P. Hattori, 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
Eleanor Quenga-Rios, Administrative Assistant
Joyce Trecepona, Accounting Tech
Robbie Call, Chief Investigator
Sea Alvarez, Investigator

III. PROOF OF DUE NOTICE OF MEETINGS:

“Notice of Public Meeting” was published in the Guam Post on Tuesday, July 12, 2016 and Friday, July 15, 2016.

IV. DETERMINATION OF QUORUM:

With the presence of four (4) 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 Tuesday, May 17, 2016 were adopted and approved, subject to corrections.

VI. OLD BUSINESS:

A. Financial Status Update (PDSC and APD Allotment Releases). Chief Fiscal Officer Michael Moreno reported that we are at seventy-eight percent (78%) collection level at this time. We are in constant communication with DOA and are pending three allotments; which we continue to remind and push DOA for receipt.

Domestic Violence (STOP 2014 Grant Funding). CFO Moreno reported that we are still awaiting the executed Memorandum of Understanding (MOU) – with all signatures in place from Federal Program. Based on information received, the MOU is with the AG for signature. Reviewing the MOU, we will only have enough money for the program up until December. Currently, we are using lapse funds, authorized by board. Chief Justice Torres mentioned that the board only authorized funds up to a specific date to cover DVP. Dwayne Sanchez – coordinator of the program – called before meeting and confirmed that the MOU is with the AG for signature.

APD Allotment. We received word from Judiciary’s F&B that the APD check is ready for pick up. With the receipt of this check, APD’s allotments will be at 100 percent.

B. Public Defender Service Corporation Update. Executive Director (ED) Hattori reported that the PD is in the process of hiring attorneys to fill vacancies of senior level attorney positions that were vacated at an Attorney 4, Step 10 pay grade. Being that we have lost experienced attorneys, we are having to request from the board

approval of above-step recruitment to fill the void left by experienced attorneys who have resigned since the start of the fiscal year.

Additionally, we recently hired Rocky Kingree as a Limited Term Employee (LTE) to cover the load of attorney James Mortland who is on extended sick leave.

ED Hattori advised the board that the corporation presented its FY2017 budget to Legislature. The senators present appeared supportive of the budget and we are hopeful that we are given the additional funding request to lift the moratorium on civil matters. ED Hattori thanked the board for their support – especially Chief Justice Torres – who stayed back after Judiciary’s budget hearing to support PD’s budget. We all appreciated Chief Justice Torres’ testimony that supported our request to fund the Civil Division.

ED Hattori provided the board with the following caseload statistics since the start of the fiscal:

- Through June, we opened 1,542 cases
- 462 potential conflict
- 146 closed due to conflict

Based on the data we are tracking, we are trying to keep our conflicts down. What we are finding is that most of our conflict cases are juvenile

C. Alternate Public Defender Update.

Since the last board meeting, APD hired George Valdez who has taken over Steve Hattori’s case load.

D. APD Corporate Vehicle Acquisition (Procure/Lease)

We continue to wait for one of the car dealerships to announce their car rental opportunity that may be similar to mainland prices.

E. NADCP 22nd Annual Training Conference Up-date by APD Managing Attorney
Managing Attorney (MA) Annie Gayle attended the conference from June 1 – 4. She attended the conference with Judges Perez, Sukola and Cenzone as well as other team members from different therapeutic courts.

The conference was very interesting and covered a wide range of therapeutic courts, Veteran’s Court, Mental Health Court and Drug Court. She attended primarily Veteran’s Court and Mental Health Court tracks since she covers those types of cases. The Vet Court being the newest treatment court, she was able to get information that will be shared with the two offices. MA Gayle mentioned that we need to learn to treat drug court clients as clients with a substance disorder and NOT as drug abuse clients.

She thanked the board for letting her go.

VII. New Business

A. Request for Above Step Recruitment for Attorney Level 3, Haig T. Huynh, Esq.

ED Hattori brought before the board a request for an above-step recruitment of Attorney Haig Huynh. ED Hattori stated that right now Mr. Huynh is also being scouted by the AG's Office, and based on his experience – we would like to have him as a part of our team. In reviewing his résumé and work experience, Attorney Huynh has done 49 trials and 49 appeals – which means he won 49 trials.

In addition to his trial experience, within the board packet, we provided justification for the above-step recruitment; which is on page 9. Based on Attorney Huynh's trial experience, we would like to hire him as an Attorney IV but he doesn't have enough years to qualify as an Attorney IV. Therefore, we are requesting for the above-step hire.

Chief Justice Torres asked to see Mr. Huynh's résumé and asked what he would come in as before the above step hire. Personnel Specialist IV (PS), Bernie Lizama, stated that through the normal recruitment process, he would come in as an Attorney III, Step I. The current recruitment process does not take into account the applicant's professional experience or work history.

ED Hattori added that in the past we could hire an attorney based on years of experience. However, since the implementation of the CWA, there is some conflict as to whether or not we are able to do so with the new pay schedule. In a meeting with the AG, we both expressed the same concerns that came with the implementation of the CWA (Competitive Wage Act). We asked for an opinion from the AG, and we are now awaiting such opinion. In the meantime, so that we are able to recruit seasoned attorneys, we have gone through the above-step recruitment process.

Chief Justice Torres asked if there is a restriction on the number of steps you can recruit at. PS Lizama said that with the CWA, you can only go up to Step 7 as that would be the midpoint. The current pay structure only goes up to Step 10.

ED Hattori advised the board that there is a separate statute that states we can hire at a Step 10. PS Lizama mentioned that was based on the former pay scale; however, with the new pay scale under the CWA, we can only hire up to Step 7. PS Lizama mentioned we want to offer him an Attorney III, Step 6 at an annual salary of \$82,783.

Chief Justice Torres asked how this recruitment would relate to the other attorneys in the office with comparable experience. ED Hattori advised the board that Mr. Huynh would probably have the most experience as an attorney III.

Under the old attorney pay scale, he could have received extra credit and be hired as an Attorney IV. Since we lost four (4) senior attorneys, at the higher end of the Attorney IV pay scale, we need to replace attorneys with equal or greater experience to the attorneys we lost. However, while Attorney Huynh does not have the years under the new plan to qualify for an Attorney IV, we would like to compensate him for the experience he brings to PD. Therefore, we want to compensate him above-step so that he can handle first degree CSCs and homicides. Chief Justice Torres asked if there were any questions regarding the above-step recruitment request and asked for a copy of Attorney Huynh's résumé.

Trustee Donna Cruz asked if that above-step recruitment is used as the exception and not the rule. What we have heard in the past is that it is difficult to recruit for more senior attorneys and what you have also said is that the applicant has exceptional qualifications. Trustee Cruz added that we have asked for the above-step for the last position we filled. AD Gogue confirmed that we picked up the last two attorneys as an above-step recruitment. Based on their trial experience, we slotted them within appropriate pay scale.

Trustee Cruz asked if this would be a pattern in hiring. ED Hattori explained that Mr. Huynh's experience and the difficulty of hiring an attorney with his experience is the reason PD is asking for the above-step recruitment. The fact that PD lost four (4) attorney IVs in the last year – we now need to fill the void these vacancies have created for the organization.

ED Hattori again reiterated that with the old system of hiring, an attorney with 20 years of experience would not come in as an Attorney IV Step 1. Instead, we were able to hire at an above-step that would get them closer to the level that their experience dictates.

After a lengthy discussion, Chief Justice Torres asked what for the preference of the board. Trustee Martinez commented that it appears that PDSC has gone through all the hoops to justify hiring at above-step. He then made the motion to approve Attorney Haig Huynh's request for above-step recruitment as an Attorney 3, Step 7. Motion seconded by Trustee Cruz and approved by acclamation.

Resolution No. 22-16

B. PDSC Retro Pay Reconstruction for Attorney Brian E. Kegerreis

Chief Justice Torres asked PS Lizama how many reconstruction of personnel files are left in terms of evaluating attorneys' files and the amounts due them. PS Lizama mentioned that this is the last audit she will be conducting for the attorneys. According to PS Lizama, attorney Kegerreis transitioned from the former attorney pay scale to the CWA; which moved him from an Attorney I, Step 1, to where he should be at which is an Attorney II, Step 1. Additionally, Attorney Kegerreis was also due salary increments in the interim of transitioning him from the old pay plan and the CWA pay plan. In reviewing the break-down

provided, the schedule includes two (2) increments due in 2015 and 2016, and then his reclassification. ED Hattori mentioned to the board that Attorney Kegerreis was performing above and beyond the level of an Attorney II, which brought him to Attorney III, Step II. The payment we are to make to Mr. Kegerreis out of prior obligations is for 2014 and 2015. We are able to pay him out \$4,975.25 for FY2016. Prior year obligations amount to \$15,547.44.

Chief Justice Torres asked if the total amount for FY2016 is \$4,975.25 and prior year obligation is \$15,547.44. He also asked if this will be the last attorney with the reclassification and reconstruction of pay. PS Lizama confirmed it would be and that the \$4,975.25 is to be paid out of FY2016 funds and \$15,547.44 to be paid out of lapse funds. Chief Justice asked the board members if there were any questions regarding the reclassification.

Trustee Martinez asked if we account for lapse funds by year or do we group them all together. ED Hattori confirmed that lapse funds are grouped together. Trustee Martinez asked what the current amount is for lapse funds. CFO Moreno mentioned the approximate amount is about \$400,000.00.

There being no further questions, motion was made by Trustee Martinez to approve the reconstruction payment for Attorney Kegerreis. Seconded by Trustee Cruz and approved by acclamation.

Resolution No. 23-16

C. Internship Stipend

ED Hattori mentioned the problem we are having is attracting attorneys to return to Guam after graduating. We would like to set up an internship program so that we can bring in law students or recent law graduates to do everything an attorney does except sign documents. We would like for them to do research and write motions for our attorneys. Chief Justice Torres asked if the intern will be on contract or hired as a limited term employee or summer employee which will require that you pay them benefits.

The court hires summer interns and some interns use the internship towards credit. There is also the question of how much control you have over a contract employee versus a limited term employee. Chief Justice Torres mentioned that PD may might have to offer benefits in order to have some control with the worked provided. Rather than make a decision at this board meeting, Chief Justice Torres suggested that management get additional information since we are not planning for to implement the internship program until next summer.

D. PDSC Office Rental Up-date

AD Gogue mentioned that our lease has expired and we are now on a month-to-month rental with MVP Pangilinan. We put out an RFP and went through the processes of the bid opening. There were two (2) offerors – MVP and GCIC. The latter offered \$28,058 per month and MV Pangilinan brought their rental amount down to \$22,800 every month. This new amount will also include the renovation of extra space at no additional costs.

The board asked if we are entering into the lease agreement for five years with the option to renew on the sixth year with MV Pangilinan. Chief Justice Torres asked if the terms were satisfied with the renewal options and if rent was the same amount. AD Gogue mentioned the rent amount went down from the last contract and they are going to provide additional space at no additional cost. AD Gogue confirmed the contract will be for five years with the option to renew on the sixth year.

Motion was made by Trustee Vernon Perez to approve the rental agreement with MV Pangilinan. Seconded by Trustee Cruz and approved by acclamation.

Resolution No. 24-16

E. Wicklander-Zulawski Seminar – Interview & Interrogation

AD Gogue explained to the board that this seminar topic is usually conducted off-island. At this juncture, we are requesting approval for seven (7) investigators [5 from PD and 2 from APD] to attend seminar the 3-day seminar at \$750.00 each; with 10 percent off discount with early registration. The organizers will be offering Continuing Education credit for the investigators' national certification.

Chief Justice Torres asked who the contact person is for this seminar and who is hosting this event. Is there a local representative? Investigator Séa Alvarez mentioned we are not sure who is putting this seminar together but Julie Sablan, one of the investigators from APD – who does a lot of research for investigator training opportunities – found this group, which is similar to Re-Technique who provided us with our certification. Based on what she knows, the Re-Technique Group has no plans to provide training on Guam.

ED Hattori mentioned this group travels across the country to present to police departments and we are sure GPD uses them. Chief Justice Torres asked if this group is legitimate. AD Gogue mentioned that there is a registration site, and that they are offering the same training in Hawaii before coming to Guam.

Chief Justice Torres asked if the cost per investigator is \$500.00 per day per person. AD Gogue responded that the \$500 charge is just for just one day but they

would like to go for three days. Investigator Alvarez mentioned the first three days are evasive and the fourth day is advanced and the prerequisite to attend the fourth day is to attend the first three days. Trustee Perez mentioned that the total amount will be \$4,725.00. He then asked if there is any comparison to other training that is offered. Chief Justice Torres also asked if they have done this training off-island.

Chief Investigator Robbie Call mentioned that this training is more geared for law enforcement. The training the investigators have gone to is the one in Florida handled by the Parrin Brothers which is built for the defense investigation. Honestly, it would be pretty much the same thing except given a different name with the benefit of having the training on island.

Chief Justice Torres asked which investigators will be attending. CI Call informed the board that all investigators from PDSC and APD are slated to attend. Chief Justice Torres asked if the ones that went off island will be attending too. CI Call mentioned that the training the investigators attended require that they re-certify every two years and that they get 10 credit hours of continuing education hours.

Chief Justice Torres also asked if this training will qualify towards the re-certification or continuing education hours. CI Call advised the board that they will clarify this training will indeed qualify for continuing education hours.

Motion was made by Trustee Vernon Perez to approve seven (7) investigators to attend training at \$750.00 per person on the condition it qualifies towards recertification. Seconded by Trustee Martinez and approved by acclamation.

VIII. NEW BUSINESS:

Motion was made by Trustee Cruz to adjourn the meeting. Seconded by Trustee Martinez and approved by acclamation.

There being no further business to discuss, the meeting adjourned at 1:22 PM. The next regularly scheduled meeting is August 16, 2016 at 12:30 P.M. at the PDSC conference room.

Respectfully submitted,


CATHY GOGUE
Secretary

NOTICE OF PUBLIC MEETING

The Public Defender Service Corporation Board of Trustees will conduct its regular scheduled board meeting on **Tuesday, September 20, 2016 at 12:30 p.m.** at 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.

Individuals requiring special accommodations are asked to contact Ms. Cathy Gogue at 475-3100.

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

This public notice is paid for with government funds.

Motion for substitution considered in Pago Bay case

By Louella Losinio
louella@postguam.com

After a scheduling conference in the case related to the Pago Bay Marina Resort Hotel project, Mayor Jessy Gogue of Chalan Pago-Ordot said he will seek a motion to substitute the Mayors' Council of Guam in place of the mayors of Yona and Chalan Pago in the action filed in the court.

A petition for judicial review was filed by the mayors' offices of Chalan Pago-Ordot and Yona following the Guam Land Use Commission's approval of a height variance for the proposed project.

"Right now they see me as pro se, representing myself, representing me and not the office of the mayor of Ordot-Chalan Pago or the people of Ordot-Chalan Pago. That needs to be rectified. In order for the courts to rule upon that, we have to submit a motion to ask for substitution for the Mayors' Council of Guam," he said.

When the courts approve the motion for substitution, Gogue said it would be up to the attorney general's office to determine how to represent the Mayor's Council of Guam. "By law, even though it is not stipulated that the individual mayor's office is an entity that they are required to represent, the Mayors' Council is an entity defined in Guam Code Annotated that the attorney general must represent," he said.

David Highsmith, assistant attorney general, is representing the GLUC in

the case.

In August, the Office of the Attorney General declined the MCOG's request for representation for the petition for judicial review of the action taken by the GLUC for the proposed Pago Bay Marina Resort Hotel. MCOG indicated its support for a proposal to elevate the petition for judicial review of the project into an MCOG petition, to substitute the mayors of Yona and Chalan Pago in the action. Part of the request to the attorney general is for an attorney to represent the petition.

Landmark case

Gogue described the action as a landmark case.

"This one of the few times that a municipality has stood up and said no. Have you ever seen any legal case where a municipality has stood up and said this is not right? This is a landmark case. And, if in fact, this is not heard or properly heard, then imagine how many of these kinds of events can occur in the other 18 jurisdictions and not just the villages of Chalan Pago and Yona," he emphasized.

The petition filed by the villages of Ordot-Chalan Pago and Yona states that the commission exceeded its authority when it approved the variance as the proposed towers exceed what is approved by Guam law.

According to the petition, the lot that is the site of the proposed resort is zoned R-2, which only allows for "multiple dwelling" structures built to a maximum of three stories high.

GEDA: Claims of bias unfounded

By Louella Losinio
louella@postguam.com

The Guam Economic Development Authority has opposed Purestone LLC's motion to disqualify Public Auditor Doris Flores Brooks from procurement appeal proceedings on the Lajuna Point Residential Community request for proposal.

Purestone had requested for the voluntary recusal of the public auditor due to her familial relationship with attorney Terrence Brooks, who was responsible for drafting and negotiating the development agreement referenced in the RFP.

GEDA's legal counsel Thomas Fisher filed the motion, which was received on Sept. 8 at the Office of Public Accountability.

In the documents, GEDA said that in order for Purestone to prevail in its motion to recuse, it must show actual bias on the part of the public auditor and cannot rest on an allegation of impartiality. "It is not enough that the public auditor be related to a

actual, concrete bias. Because Purestone has failed to make this threshold showing, its motion must be denied," the authority stated.

GEDA also responded to Purestone's objection to the appointment of a staff member or a hearing officer should the public auditor recuse herself from the proceedings. The possibility of another OPA staff member participating in the process was also mentioned by OPA officials in a pre-hearing.

In the document, GEDA responded, "Finally, in the event the public auditor were to recuse herself, Purestone objects to the appointment of a hearing officer stating it was unaware that the office had the ability to do so. A party's lack of knowledge in a change in law or regulation does not amount to a deprivation of due process."

Purestone legal counsel Jacqueline Taitano Terlaje filed the motion for disqualification and request for dismissal on Aug. 30. The firm also requested the dismissal to allow them to proceed in the Superior Court of

The Honorable
Eddie Baza Calvo
Governor

The Honorable
Ray Tenorio
Lieutenant Governor

INVITATION TO BID

The Honorable Eddie Baza Calvo, Governor of Guam, through the Director of Department of Public Works (DPW), Glenn Leon Guerrero, announces the solicitation of sealed bids for:



REPAIR OF UMATAC BRIDGE TOWERS, GUAM (Design - Build)

Project No. 330-S-1001-L-UMA

IFB Security must accompany -15% of total bid amount and may be Bond, Certified or Cashier's Check made payable to:

Treasurer of Guam

Non Refundable Fee: \$25.00 (Twenty Five Dollars) required as Payment for each IFB Documents.

Availability of Documents: -- September 13, 2016, Contracts Administration Technical Services, 151 Floor, Building B, DPW, Upper Tumon.

Please present receipt from the One-Stop Cashier - Building A, DPW, Upper Tumon.

Pre-Bid Conference: - September 20, 2016, 10:00 a.m., @ CIP 2nd Floor Building "B"

IFB Submittal: -October 04, 2016, 2:00 p.m. One (1) original and one (1) copy CIP Building "B", Ground Floor.

Department of Public Works reserves the right to reject any or all proposals and to waive any imperfection in the proposals, which in its sole and absolute judgment will serve the Government of Guam interests.

/s/ GLENN LEON GUERRERO
DIRECTOR

This Ad Paid for with Government Funds



GUAM HOUSING CORPORATION

P.O. Box 3457, Hagåtña, Guam 96932

EDDIE BAZA CALVO
Governor

RAYMOND S. TENORIO
Lieutenant Governor

REQUEST FOR PROPOSAL

Legal Services from one or more firms in the capacity of

LEGAL COUNSEL

RFP No. GHC 2016-01

This notice is paid by Guam Housing Corporation

Guam Housing Corporation (GHC) is soliciting proposals from interested and qualified offerers for Professional Services from one or more firms in the capacity of Legal Counsel.

A Copy of Request for Proposal can be obtain with a receipt of payment of a non-refundable fee of Ten U.S. (\$10.00) payable by Money order or Cashiers check payable to the Guam Housing Corporation. Office is located at ITC Building, Suite 514, 590 South Marine Corps Drive, Tamuning, Guam, Monday through Friday excluding holidays, between 8:00 a.m. and 4:00 p.m.

Proposal should be submitted no later than 4:00 p.m. ChST on Monday, October 17, 2016.

GHC hereby notifies all offerors that it will affirmatively insure that in any contract entered into pursuant to this advertisement, small business enterprises will be afforded full opportunity to submit proposal and will not be discriminated against on grounds of race, color, national origin, political affiliation, creed, sex, religion, age, familial status, and disability status.

Should you require any information, please contact Cassandra C. Santos, Assistant Supply Management Administrator at 647-4143 Ext. 146 or e-mail at cassandra.santos@ghc.guam.gov

/s/ MICHAEL G. MARTINEZ

NOTICE OF PUBLIC MEETING AND EXECUTIVE SESSION

The Judicial Council of Guam will conduct its monthly meeting on Friday, September 23, 2016, in the Justice Monessa G. Lujan Appellate Courtroom located on the 3rd Floor of the Guam Judicial Center, 120 West O'Brien Drive in Hagåtña at 4:00 p.m. The agenda will be made available prior to the meeting. In addition, there will be an Executive Session of the Judicial Council of Guam following the discussion of regular meeting agenda items. The agenda for the Executive Session will be to discuss Adverse Action AA12-001.

Any person(s) needing special accommodations, auxiliary aids or services, please contact the Administrator of the Courts at 475-3544, or Joanna S. McDonald at 475-3300.

/s/ CHIEF JUSTICE ROBERT J. TORRES
Chairman

PALAU WOMEN'S CLUB OF GUAM

P.O. Box 315711, Tamuning GU, 96931
Financial Statement from Jan. 1st to Dec. 31st 2015

Starting Balance	\$ 7,982.24
Income	\$ 434.00
Membership Dues	\$ 4,768.00
Fundraising	\$ 5202.00
Total Income	\$ 5202.00
Expenses	
University of Guam Scholarship	\$ 1,000.00
Fundraising costs	\$ 761.89
Marianas Variety Advertisement	\$ 96.00
Post Office	\$ 72.00
Bank charge	\$ 36.00
Total Expenses	\$ 1,965.89
Ending Balance	\$ 6,016.35

JEWEEEN MUCHUCHEU - TREASURER

Guam Fishermen's Cooperative Association

proudly presents the following
Fishing Events:

21st Annual Guam Marianas International Fishing Derby

\$200 Entry Fee, 100 Boat Limit
Registration Ongoing at the
Guam Fishermen's Co-op

Derby Schedule: Hagåtña & Agat Marinas ONLY

Saturday, September 17th, 2016, 5:00 am - 7:00 pm
Sunday, September 18th, 2016 am - 7:00 pm

Categories:

• Marlin • Yellow Fin Tuna • Wahoo • Mahi Mahi • Bonita

Special Category To Be Announced

THE SECRET OF CHANGE IS TO FOCUS ALL
OF YOUR ENERGY, NOT ON FIGHTING
THE OLD, BUT ON BUILDING THE NEW.



NOTICE OF PUBLIC MEETING

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

This public notice is paid for with government funds.



GHURA

Guam Housing and Urban Renewal Authority
Anuridat Giniana' Yan Rinaschen Sindat Guahan
117 Biaz Venida Avenue • Sinajana Guam 96910
Phone: (671) 477-9851 • Fax: (671) 300-7565 TTY: (671) 472-3701



Eddie B. Calvo
Governor of Guam

Ray Tenorio
Lt. Governor of Guam

INVITATION FOR BID IFB NO.: GHURA -09-16-2016-DPHSS

This ad is paid with DOI Funds by GHURA

For: Installation of surveillance camera and equipment

Due Date & Time: Tuesday, Oct. 4, 2106, 2:00 PM at the GHURA Main Office. Copies of the Bid Packet are available at the GHURA Main Office in Sinajana starting Sept. 16, 2016 between the hours of 8:00 A.M. - 12:00 P.M. and from 1 :00 P.M. - 4:00 P.M. except on weekends and holidays. GHURA reserves the right to waive minor informalities, cancel this solicitation at any time and reject any and all bids. For more information please call the Procurement Office Ms. Priscilla K. Rideb email priscilla@ghura.org at 475-1356, or A/E Department Albert Santos email alsantos1@ghura.org at 475-1404 or visit the GHURA website: www.ghura.org

/s/ MICHAEL J. DUENAS
Executive Director



GSA General Services Agency

(Añensien Seibiston Hinirat)
Department of Administration

Government of Guam
148 Route 1 Marine Corps Drive, P.O. Box 96915
Tel: 475-1707/29 Fax: 472-4217/475-1727

Eddie Baza Calvo
Governor



Ray Tenorio
Lt. Governor

THIS ADVERTISEMENT WAS PAID WITH GOVERNMENT FUNDS BY:
General Services Agency

A non-refundable fee of \$10.00 per bid package will be assessed. Certified Check, Cashier's Check, Cash will be accepted. No personal or company check. Payment for bid package picked up after 3:00 pm will not be accepted.

SURPLUS SALE BID INVITATION

Bid No. GSA-SS-003-16

For: Dog Kennel, Forklifts, Sedans, Vans, Trucks, Police Vehicles, Buses, Temporary Bldg., Computers, Cafeteria Equipment, Ambulance, Medical Equipment, Tractor Trucks, Office Furniture, Generators, Boat and many more.

OPENING DATE: September 26, 2016 **TIME:** 9:00 A.M.
INSPECTION DATES: September 19, 2016 through September 22, 2016
TIME OF INSPECTION: 8:00AM - 3:00PM
PLACE: GENERAL SERVICES AGENCY, PTI GUAM

"Inspection will be afforded to interested bidders as scheduled above."
INTERESTED PARTY MAY PICK UP BID FORMS/SPECIFICATIONS AT SAID PLACE

"SURPLUS MAKES SENSE!"

/s/ CLAUDIA S. ACFALLE

**Old Business
Agenda Item VI-E**

Internship Stipend

Law Students Internship Stipend

The Public Defender Service Corporation would like to design a program that will give law students not just an understanding of the criminal justice system, but hands-on experience with representing clients. The interns who are selected will be assigned to work with a staff attorney, write motions, meet clients, review investigation results and attend meetings with witnesses/experts.

In developing this program, we would like to offer a maximum stipend of \$3,600 for a maximum of six weeks or \$15 an hour for 40 hours a week. We are hoping to attract law students who are:

- Committed to indigent criminal defense
- Interest in criminal law or who view being a criminal defense attorney as a possible career choice.
- Have a passion for working for the underprivileged, the marginalized, and the underserved.

While we have had interns in the past, we have not kept for a significant amount of time due to their need to find employment that pays. We believe that by providing a stipend, we will be able to attract students with strong written and oral communication skills – who are willing to think like advocates and fight for our clients.

Based on Judiciary of Guam's practices, they pay college students \$8.48 as a Summer/Judicial intern

For law school students, the court pays:

- 1st yr. law school - \$12.75
- 2nd yr. law school - \$13.79. For PDSC/APD, we would like to propose \$15.00/hr.

We will compensate interns for actual hours worked, no holiday pay or benefits. We will recruit interns as an Unclassified/Exempted Appointment. Like the court, PDSC will put a start and end date for recruited interns. Based on what the budget allows, we would suggest a 4 - 6 week internship period.

**New Business
Agenda Item VII-C**

**Above Step Recruitment
Attorney Level 4
Richard R. Hermes, Esq.**

EXECUTIVE DIRECTOR
Stephen P. Hattori



DEPUTY DIRECTOR
Richard S. Dirix
ADMINISTRATIVE DIRECTOR
Cathynn C. Gogue

PUBLIC DEFENDER SERVICE CORPORATION
(Kotperasion Setbision Defensot Pubbleku)

GOVERNMENT OF GUAM
779 Route 4
Sinajaña, Guam 96910
Tel: (671) 475-3100 ♦ Fax: (671) 477-5844

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Alsha L. Molyneux
Haig T. Huynh

September 19, 2016

MEMORANDUM

TO: Board of Trustees

FROM: Executive Director

SUBJECT: **Request for Recruitment Above-Step**
RE: **Richard R. Hermes, Esq.**

Håfa Ådai. This memorandum is to respectfully request for the Recruitment Above-Step for Richard R. Hermes, Esq.

Pursuant to Title 4 Guam Code Annotated, Chapter 6 §6205 Recruitment Above-Step, initial employment in any department or agency shall be at Step 1 of the assigned Pay Grade. However, the Executive Director of the Public Defender Service Corporation may petition our governing board to recruit at a higher step due to recruitment difficulty or exceptional qualifications.

Based on the above, our office is requesting to offer Attorney Hermes Step 10 at \$117,880 per annum under the exceptional qualifications criteria.

Attorney Hermes has a total of 27 years and 9 months of attorney experience to include teaching experience. From June 1991 – August 2006 and August 2008 – present, he was hired on a contractual appointment as a Public Defender for the Minnesota Public Defender, while maintaining his private practice. From August 2006 – August 2008, he was a Public Defender for Yap, Federated State of Micronesia Public Defender. The cases he handled were felony level offenses including high level assaults, controlled substance charges, attempted murder and homicide, assault and other serious felony charges, gross misdemeanor, misdemeanor, juvenile and child protection matters. In Yap, he handled international immigration and refugee status cases, jail reform, environmental legislation and juvenile justice issues.

Attorney Hermes has been a frequent lecturer on issues of public defense such as trial tactics and theories of cases, cross examination techniques, motion practice and sentencing guidelines for the Minnesota Public Defender's Office, Minnesota Public Defender Association and other continuing education organizations. In Yap, he was the primary trainer for all attorneys, trial counselors,

Request for Recruitment Above-Step

RE: Richard R. Hermes, Esq.

Page 2 of 2

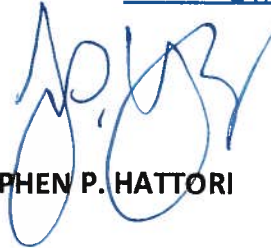
investigators and secretaries, which included him conducting a continuing legal education conference for about 50 Public Defender staff members.

He is currently mentoring certified student attorneys, who are authorized to appear in court under the supervision of a licensed attorney. He is teaching them how to conduct interviews with clients, making initial appearances with defendants and training them on how to make arguments in bail hearings and sentencing hearings.

In addition to him being a lecturer and mentoring student attorneys, Attorney Hermes has also taught at the Minnesota School of Business (MSB) as a part-time adjunct professor teaching paralegal studies on campus and online from 2004 to 2011. He taught subjects such as Litigation and Trial Practice, Criminal Law and Procedure, Legal Writing I and II, Civil Procedure, Legal Research I and II, Business Organization and other law courses. He has also taught with Kaplan University online teaching Legal Writing, Ethics, Introduction to Paralegal Studies, Torts, Family Law, Legal Terminology and Business Organizations.

This request will be posted on our website for a period of 10 working days and shall be made prior to hiring Attorney Hermes. Your favorable consideration and approval of this matter is greatly appreciated.

Should you have any questions or require additional information, please contact our Human Resources, Bernadette Lizama, Personnel Specialist IV at 300-7823 or email blizama@guampdsc.net. *Dangkolo na Agradesimento.*



STEPHEN P. HATTORI

New Business
Agenda Item VII-D

Domestic Violence Program
Advance

NEW BUSINESS
Agenda Item VII-D

Public Defender Service Corp.

Projection for DVP's Reimbursement

From October 1, 2016 to December 31, 2016

Salary	80 hrs x \$16.30	1,304.00
Annual Leave accrual	6 x \$16.30	97.80
Total Sal		<u>1,401.80</u>
Benefits		519.85
Total Personnel per PPE		<u><u>1,921.65</u></u>

PPE 10/01/16	\$ 1,921.65
PPE 10/15/16	\$ 1,921.65
PPE 10/29/16	\$ 1,921.65
PPE 11/12/16	\$ 1,921.65
PPE 11/26/16	\$ 1,921.65
PPE 12/10/16	\$ 1,921.65
PPE 12/24/16	\$ 1,921.65
12/31/2016 (40 HRS)	\$ 960.83
	<u><u>14,412.38</u></u>