

PUBLIC DEFENDER SERVICE CORPORATION
Board of Trustees Regular Meeting
Tuesday, December 20, 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, Monday, December 13, 2016
 - B. Notice: 48 Hours The Guam Post, Friday, December 16, 2016
- IV. Determination of Quorum**
- V. Approval of Minutes:** Regular Meeting of Tuesday, October 17, 2016
- VI. Old Business:**
 - A. Financial Status Update (PDSC, Domestic Violence and APD) Allotment Releases
 - B. Public Defender Service Corporation Update
 - C. Alternate Public Defender Update
 - D. APD Corporate Vehicle Acquisition (Procure/Lease)
 - E. DPHSS – Division of Sr. Citizens’ Legal Assistance Services Program
- VII. New Business:**
 - A. Shanks’ Training – April 6 – 8, 2017 (**Exhibit A**)
- VIII. Executive Session**
 - A. APD Attorney Level 5 (Managing Attorney) Performance Evaluation
- IX. Public Discussion**
- X. Adjournment and Next Meeting Date**

Tuesday, January 17, 2017 at 12:30PM

*Kumision Inangokkon Tano' Chamoru
Chamorro Land Trust Commission*

The Chamorro Land Trust Commission Board Meeting will be held on **Thursday, December 15, 2016 at 1:00 pm**, Department of Land Management conference room, 3rd Flr. of the ITC Building 590 S. Marine Corps Drive, Tamuning.

Individuals requiring special accommodations, auxiliary aids or services, may contact 649-5263 ext 617.

This ad paid for by Government funds.

NOTICE OF PUBLIC MEETING

The Public Defender Service Corporation Board of Trustees will conduct its regular scheduled board meeting on **Tuesday, December 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.

GUAM HOUSING AND URBAN RENEWAL AUTHORITY

Board of Commissioners Meeting
12:00 P.M., Thursday, December 15, 2016
GHURA Main Office
1st floor Conference Room
117 Bien Venida Avenue, Sinajana

Agenda

- I. ROLL CALL
- II. APPROVAL OF PREVIOUS BOARD MINUTES – November 30, 2016
- III. CORRESPONDENCE AND REPORTS
- IV. OLD BUSINESS
- V. NEW BUSINESS
- VI. GENERAL DISCUSSION/ANNOUNCEMENT
- VII. ADJOURNMENT

For special accommodation, contact Ms. Kathy Taitano
Tele No. 475-1322 or TTY #472-3701

FELLOWSHIP ASSOCIATION OF GUAM

A Non-Profit Association

Financial Statement as of December 31, 2015

BALANCE SHEET	
Cash In Bank (ANZ)	\$5,843.16
Cash in Bank (PFC) TCD	36,000.00
Total Assets	\$41,843.16
LIABILITIES AND FUND BALANCE	
Fund Balance	\$41,843.16
Total liabilities & Fund Balance	\$41,843.16
REVENUE AND EXPENSES	
REVENUES	
Membership Dues & Support	\$3,920.00
Interest Income	<u>541.28</u>
EXPENSES:	\$4,461.28
Monthly Meeting	\$690.18
Mother & Father's Day lunch Party	1,014.00
X'mas lunch Party	1,240.00
One Member Death Benefit	1,000.00
Association Publishing & Supply	<u>199.28</u>
	\$4,461.28
Fund Balance Beginning Dec. 31, 2014	\$5,525.26
Change In Fund Balance (Current Transaction 2015)	317.90
Sub--Total at AN.Z Bank December 31, 2015	\$5,843.16
Plus TCO at Personal Finance Center	<u>\$36,000.00</u>
TOTAL ASSET	\$41,843.16



GUAM DEPARTMENT OF EDUCATION

OFFICE OF SUPPLY MANAGEMENT



JOSEPH L.M. SANCHEZ
Superintendent of Education, Acting

500 Mariner Avenue, Suite A-13 Barrigada, Guam 96913-1608
Telephone 671-475-0438 Fax 671-472-5001
Website: www.gdoe.net/procurement

CARMEN T. CHARFAUROS
Supply Management Administrator

INVITATION FOR BID

GDOE IFB 001-2017

Indefinite Quantity Bid Purchase of Microsoft Academic Select Plus Product Software

SUBMISSION DATE: Thursday, December 29, 2016 at 10:00 a.m. ChST

Note: It is solely the Bidder's responsibility to review the website on a daily basis for the issuance of Amendments/Clarifications for any possible changes to the IFB.

INTERESTED BIDDERS MAY DOWNLOAD THE IFB PACKAGE AT
<http://www.gdoe.net/procurement>

IFB packages are available for download on the GDOE website and can be reviewed at the GDOE Office of Supply Management.

A non-refundable fee of \$10.00 (cash only) is required upon pick-up or submission.

This advertisement is One Hundred Percent (100%)
LOCALLY FUNDED

/s/ CARMEN T. CHARFAUROS
SUPPLY MANAGEMENT ADMINISTRATOR
For: **JOSEPH L.M. SANCHEZ**
SUPERINTENDENT OF EDUCATION, ACTING



**Notice of Regular Meeting of the Board of Trustees of
GUAHAN ACADEMY CHARTER SCHOOL**

Notice is hereby given that the Regular Meeting of the Board of Trustees is being called as follows:

Date: Tuesday, December 20, 2016
Time: 6:15 P.M.
Place: GACS Board Administration Office
Suite 10, Castle Mall Mangilao, Guam

Individuals requiring special accommodations or services should submit their request to the Board Liaison at 483-3044 or email at: info.gacsbot@gmail.com

/s/FE VALENCIA-OVALLES
Chairwoman, Board of Trustees

GUAM DAILY POST • FRIDAY, DECEMBER 16, 2016

Famine may have killed 2,000 people in parts of Nigeria cut off from aid by Boko Haram



DAKAR (Thomson Reuters Foundation) - More than 2,000 people may have died of famine this year in parts of northeast Nigeria that can't be reached by aid agencies due to an insurgency by Islamic militant group Boko Haram, hunger experts said on Tuesday.

BLEAK OUTLOOK: A man cycles past a military truck in Maiduguri, Borno State, Nigeria, on Aug. 31. Reuters

The deaths occurred in the town of Bama in Nigeria's Borno state, the jihadists' former stronghold, a report by the U.S.-based Famine Early Warning Systems Network (FEWS NET) said.

High risk

While food aid is staving off famine for people uprooted by conflict who can be reached, the outlook is bleak for those in parts of the northeast cut off from help, according to FEWS NET.

"The risk of famine in inaccessible areas of Borno State will remain high over the coming year," the report said.

Around 4.7 million people are in need of emergency food aid in Borno, Adamawa, and Yobe states - nearly two-thirds of them in Borno alone - according to FEWS NET.

Philippine official says Duterte is exaggerating on killings

MANILA (AP) - The Philippine justice secretary said Wednesday that President Rodrigo Duterte often exaggerates killings of criminals he supposedly carried out to send a chilling warning to lawbreakers.

Vitaliano Aguirre II told reporters that Duterte may have been resorting to hyperbole when he suggested in a recent speech that he used to go around his southern Davao city as mayor on a big motorcycle to look for criminals to kill so policemen would emulate him.

"The president always resorts to hyperbole, he always exaggerates just to put his message across," Aguirre told reporters.

Duterte said in a speech to business executives at the presidential palace Monday that he used to hunt down criminals himself to set an example.

PUBLICATION NOTICE

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

DAY BEGINS CORPORATION dba: Merizo Papa Niyok Mart

has applied for a Class: 5 General Off- Sale, Alcoholic Beverage License said premises being marked as Lot: 255-1 First Floor JCT Building, Merizo.

GUAM SUPERVALUE STORE

TAMUNING ITC
TAMUNING POST OFFICE

TAMUNING FHP
GUAM SUPERVALUE STORE

OPEN MON-FRI 9AM-7PM & SUN 10AM-6PM TEL: (671) 648-2016 1ST FLOOR HAKUBOTAN BLDG

HOME SCHOOL OFFICE PARTY AUTO TOYS GROCERY SAFETY

<p>LARGE PORTABLE SPEAKER FIRST TO CUSTOMERS TO PURCHASE LARGE SPEAKER GETS A FREE STAND</p> <p>\$349.99 REG. \$399.99</p> <ul style="list-style-type: none"> - Bluetooth - USB/SD Card Reader - 400 Watts - SD Card Reader - (2) Wireless Microphone - Remote Control - Rechargeable Battery 	<p>MEDIUM PORTABLE SPEAKER</p> <p>\$199.99 REG. \$349.99</p> <ul style="list-style-type: none"> - Bluetooth - USB/SD Card Reader - 300 Watts - SD Card Reader - Wireless Microphone - Remote Control - Rechargeable Battery 	<p>4WD RC RACING CAR GAS AND BATTERY POWER</p> <p>\$499.99 REG. \$699.99</p> <p>MAX SPEED 60MPH</p>
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<p>PORTABLE BLUETOOTH SPEAKER</p> <p>\$39.99 REG. \$49.99</p>	<p>SMART BALANCE WHEEL</p> <p>\$199.99 REG. \$399.99</p>
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<p>MEMORY FOAM PILLOW</p> <p>\$19.99 REG. \$29.99</p>	<p>SMART BALANCE WHEEL WITH HANDLE</p> <p>\$399.99 REG. \$499.99</p>
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<p>INFLATABLE AIR LOUNGER</p> <p>\$39.99 REG. \$89.99</p>	<p>HEAVY DUTY CANOPY</p> <p>METAL FRAME 10 X10 \$399.99</p> <p>ALUMINUM FRAME 10 X10 \$599.99</p>
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GIVE AWAY! FIRST 100 CUSTOMERS TO SPEND \$100 GETS A FREE BLUETOOTH SPEAKER CHRISTMAS SALE DEC. 16 - 31

BIG SALE

AND MANY MORE ITEMS ON SALE! COME BY TODAY!



Sen. Thomas Ada Committee on Procurement

Public Hearing

Friday, December 23, 2016

1 Liheslaturan Guahan, Public Hearing Room

AGENDA

9:00am

Bill No. 411-33 (COR) - T.C. Ada

AN ACT TO AMEND § 58D105, § 58D106, § 58D108 OF CHAPTER 58D OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE USE OF THE MULTI STEP BID SOURCE SELECTION METHOD FOR THE RENOVATION OR CONSTRUCTION OF SIMON SANCHEZ HIGH SCHOOL.

Individuals requiring special accommodations should submit request to Rik Salas at 473-3301.
Paid for by funds of the Committee on Procurement
www.senatorada.org

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

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**PUBLIC DEFENDER SERVICE CORPORATION BOARD
OF TRUSTEES
Regular Meeting of
Tuesday, October 18, 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 12:38 PM.

II. ROLL CALL:

Present: Chief Justice Robert J. Torres, Jr., Chairman
Attorney Jehan’ad G. Martinez, GBA President Mrs.
Annette J.U. Ada, Member

Absent: Presiding Judge Alberto C. Lamorena, III (Excused)
Attorney Donna M. Cruz, Member (Excused)

Others Present: Attorney Stephen P. Hattori, PDSC Executive Director
Attorney Anamaria C. Gayle, APD Managing Attorney
Richard S. Dirks, PDSC Deputy Director
Cathy C. Gogue, Administrative Director
Michael S. Moreno, Chief Fiscal Officer
Bernadette L.P. Lizama, Personnel Specialist IV
Julito B. Tingson, MIS Administrator
Kenneth A. Lim, Computer Systems Analyst
Cecelia M. Fernandez, Special Projects Coordinator
Eleanor Quenga-Rios, Administrative Assistant
Jacob Perez, Family Violence Program Specialist

III. PROOF OF DUE NOTICE OF MEETING:

Notice of Public Meeting” was published in the Guam Post on Tuesday, October 11, 2016 and Friday, October 14, 2016.

IV. DETERMINATION OF A QUORUM:

With the presence of three (3) 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, September 18, 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 ninety-five percent (95%) collection level for FY2016. We continue to be in constant communications with DOA and have been ensured that we will receive the balance of our funds for FY2016. CFO Moreno continued on by advising the board that Fiscal has set up the accounts for the FY2017 budget in addition to requesting for the first and second halves of October's allotment. We were provided with a payment schedule from DOA and will track as well as report to the board receipt of our allotments.

In terms of the FY2017 budget, the amount signed into law for PD was \$4,341,373. CFO Moreno reported that of that amount \$3,813,393 was allotted for personnel cost. While the FY2017 budget was an increase from FY2016, the approximate \$200,000 is not enough for PDSC to fully open the Civil Division budgeted for FY2017. Based on his projections, CFO Moreno added that the new budget will not allow for above-step recruitment of attorneys in FY2017. However, if an attorneys leaves the organization, we will not be able to go any higher than the incumbent's current salary.

APD Allotment. In terms for APD's allotment, as reported at the last board meeting, we received the entire FY2016 budget allotment. For FY2017 budget, since the requested amount is included with the Unified Courts' budget, under indigent defense, we are not too sure if APD will receive their entire FY2017 request. Chief Justice Torres advised both ED Hattori and Managing Attorney (MA) Gayle meet with Court Administrator Josh Tenorio and Comptroller Chris Budasi to see what APD will receive for the fiscal year. The money allocated, which includes funding of APD, is identified as the Indigent Defense Fund. This fund is not only for APD but for the attorneys on the indigent defense panel as well as other associated expenses. Chief Justice Torres added that it is important that they both be at the Judicial Council meeting so that if there are any proposed cuts to the APD budget there is representation from PD to help defend APD's FY2017 request. Chief Justice Torres added that he will include APD's budget on the JC meeting set for Thursday. CFO Moreno commented that PDSC is looking at exercising reimbursement of administrative cost to PD as we continue to provide services and resources to help APD with their administrative functions.

Domestic Violence (STOP 2014 Grant Funding). CFO Moreno reported that after September's disbursement, we have \$1,107.00 in the DVP account. CFO Moreno mentioned that the remaining balance of fourteen thousand dollars (\$14,000) that PDSC requested from Federal Programs is currently with BBMR.

Beyond December, we are still in discussion with Federal Programs relative to the 50/50 split that the board approved and will begin in January 2017.

- B. **Public Defender Service Corporation Update.** Executive Director (ED) Hattori advised the board that we were looking to hire two (2) attorney 4s, Richard Hermes and Gloria Lujan-Rudolf. However, with the legislature passing some bill, Gloria decided to work for her father's firm. As for Richard Hermes, he wanted us to consider paying for relocation cost – which we said we were not able to do so. While he did not officially withdraw his application,

it does not seem like he will relocate without us picking up the relocation cost for him to do so. Consequently, we are looking at hiring two more attorney level 4's at Step 1. Currently, we have 1,026 open cases – which is about an average of 70 pre-judgement cases per attorney. ED Hattori added that we have a manageable caseload right now; however, we will need to fill these vacancies over the next two (2) months. Chief Justice Torres concurred with ED Hattori's recommendation to fill the vacancies especially if PDSC is to do civil cases. For last fiscal year, we withdrew from 161 cases due to conflict and 62 cases due to substitution of counsel. All together that is a total of 223 cases we have withdrawn from and we will work to keep this number down.

- C. **Alternate Public Defender Update.** Managing Attorney Annie Gayle informed the board that it is official that they will be moving from the DNA Building to the MVP Complex in Sinajaña. We will be moving into the Civil Service's current space at the end of March. In the upcoming months, APD will bring in associated moving expenses for board consideration and approval.
- D. **APD Corporate Vehicle Acquisition (Procure/Lease).** MA Gayle stated that while we have put this request on hold, now that APD is moving – we will be looking at either leasing or buying a car. MA Gayle said that she has not heard of that particular car dealership opening up their leasing side of the business yet. Bar president Martinez suggested that MA Gayle also consider looking at Enterprise to provide competitive pricing. He suggested that MA Gayle also contact Enterprise, Toyota and Nissan. AD Gogue advised the board that when we brought this item for consideration back in December 2015, we received quotes from Toyota, Nissan and Triple J. Chief Justice Torres added at the time the board did not believe that the leasing options were competitive and suggested that we wait for GMC's in-house leasing program. He added that APD should look at the cost to buy or lease a car and then bring it up at the next meeting.
- E. **Internship Program.** AD Gogue provided an up-date to the board relative to PDSC's Internship Program. She advised the board that the program guidelines will be added to PDSC's website so that we are able to recruit interns for the summer.
- F. **APD Managing Attorney Evaluation.** According to AD Gogue, the Managing Attorney's evaluation was conducted through Survey Monkey. We sent out the survey instrument to nineteen (19) participants. Through Survey Monkey, thirteen (13) surveys were completed with six (6) surveys that did not get recorded as complete. Of the six (6) outstanding surveys, three (3) of these employees were off-island. We did extend the deadline due to internet problems we were experiencing during the survey period; however, we are not certain if internet issues may have been a challenge to get all surveys in. Based on the surveys completed, AD Gogue advised the board that she believed there was enough input to contribute to MA Gayle's evaluation.

The board members present have been given the complete survey. The members absent today, Presiding Judge Lamorena and Attorney Cruz will be given the survey in an envelope marked confidential.

Chief Justice Torres stated that the board will address Annie Gayle's evaluation in executive

session at the next board meeting.

G. Probationary Period for Executive Director Hattori. Chief Justice Torres advised the board that during the September BOT meeting, ED Hattori was instructed to provide goals for the upcoming year as a part of his 6-month probationary period. ED Hattori presented the following goals to the board:

- 1) **Attorney Presence at Magistrate.** Implement policy requiring attorneys to be present at Magistrate hearings. This was implemented early July. Indigent defendants have a right to counsel at the first appearance.
- 2) **Improve Client Contact/Customer Service.** Our clients' two areas of improvement, based on a survey conducted in 2015, were in regards to Trial Practices and Access/Customer Service. Specifically, clients desired better communication, more time and meeting with their attorneys. They desired returned phone calls. To address some of these concerns, we have structured courtroom assignments to ensure attorneys have no less than two office days a week to satisfy the primary concern of clients. Steps have been taken to accomplish this goal. A) Secretarial time has been lightened by removing responsibility for cleaning out closed files, responsibility for scanning documents have been transferred and will be transferred to other divisions. B) Telephone standard operating procedure has been developed to ensure that clients' calls are returned in a timely manner by the attorney and/or secretary. Attorneys have designated appointment days.
- 3) **Reduce Redundancy and Improve Efficiencies.** Align staff to facilitate records/archiving and reduce duplicative archiving functions. Case management system requires documents to be scanned into our system. The Legal Clerk division and Process division have been assigned this task. Current gaps in the scanning/archiving process will be closed with the assignment of the Records Division to fill the existing gap. Current scanning gap is filled by the legal secretaries which reduces their time to serve the clients and meet the needs of their attorneys.
- 4) **Monitor and Evaluate Workload Indicators for the Benefit of our Clients.** Develop accurate workload indicators that provide current prejudgment caseloads to ensure that the office is in compliance with ABA caseload standards.
- 5) **Develop Standards for Defense Counsel.** Currently, a Judiciary Committee has been meeting to develop defense standards for Juvenile Defense. Similar standards exist for adult defendants. The plan will be to establish a working group to modify standards used in other jurisdictions to apply to Guam.
- 6) **Complete Integration of E-Filing.** E-Filing discussions have been initiated with the Superior Court's Clerk of Court to implement the court e-filing system. E-filing will require some training in the use of PDF programs but will increase productivity by eliminating the need for scanning such documents and serving copies of such documents by hand. Procedures for printing e-filed documents will need to be established.

- 7) **Employee Professional Development Plan.** Each employee will be required to provide a professional development plan that will correlate with the performance evaluation. Employees will be evaluated based on what they want to achieve at a professional and personal level. Targeting in house talent for development in future leadership roles within the organization to ensure succession planning. Ensuring that the merit based compensation plan is followed in a timely manner. Fostering relationships with the Judiciary with the aim of implementing our own LMS program to track and encourage employee development.
- 8) **Assist in Maximizing Employee Potential.** Evaluate current staffing pattern to ensure that employee duties and functions are maximized to provide attorneys the litigation support they need. Specific plans include converting positions into paralegal/litigation specialists to assist attorneys prepare for trial.
- 9) **Increase PD Appellate Presence.** Two additional attorneys have been added to the panel since the Executive Director's appointment. Additional attorneys will be applying for inclusion into the Appellate Panel. A standard operating procedure will be developed to guide trial attorneys in determining the propriety of withdrawing from the appeal where ineffective assistance of counsel claims can be raised directly on appeal. Policy will be instituted to discourage withdrawal from an appeal without a good faith showing that the ineffective assistance claim may be properly raised on direct appeal.
- 10) **Lift the Moratorium on Civil Matters.** As a part of PD's Strategic Plan Initiative, the Corporation was to lift the moratorium on civil matter. While PD requested funding for a separate civil section, beginning in FY2017, the additional funds were not provided by the Legislature. Given current caseloads, a partial lifting of the moratorium should be possible. Meetings have commenced to determine priorities. Other funding sources are being sought, specifically, the Senior Citizen Legal services contract.

ED Hattori advised the board that the aforementioned goals were in no particular order of priority but compliments the strategic plan outlined for PDSC/APD. Chief Justice Torres thanked ED Hattori for putting these goals together. He added that the goals provided will be useful to evaluate ED Hattori's success over the year.

- H. **APD Attorney Level 5 (Managing Attorney) Performance Evaluation.** This item was previously discussed and will be addressed at the next board meeting in Executive Session.
- I. **DPHSS – Division of Sr. Citizens' Legal Assistance Services Program.** The Seniors Legal Assistance Services Program was referenced in ED Hattori's goals presentation. AD Gogue explained Exhibit B to the board, which was a letter sent to the Senior Citizens Legal Assistance Program Administrator, Arthur San Agustin. As highlighted in ED Hattori's goals is to obtain that contract, which is currently with Tom Fisher. Understanding how there is a large void of Guam's elderly who are unable to obtain service through the current contract, PDSC would like to provide such services to Guam's elderly. Based on what we have learned about this contract, Attorney Fisher was awarded the contract in 2015 and it is renewable up until the end of FY2017. In speaking with Art San Agustin, he mentioned that because we are a government entity, there is a possibility that DPHSS could do a work order with us so

that we are not turning in a proposal to the program but handling the overflow that Fisher is unable to get to. Chief Justice Torres asked how much the contract was for. AD Gogue responded that Fisher receives over \$250,000 per year. Based on what we believe we would need, we asked DPHSS if they would consider supplementing our needs at \$231,869. PDSC is meeting with Mr. San Agustin and his team tomorrow. Chief Justice Torres asked if they have the RFP out and AD Gogue confirmed they had one out – which was awarded in 2015. ED Hattori says there is a huge overflow that they might want us to do. Chief Justice Torres requested that we get more information and put it back on the agenda for the next board meeting.

- J. **NACDL’s 37TH Annual Seminar: Winning Strategies for the Defense.** MA Gayle requested approval for Attorney John Morrison to attend the NACDL’s 37th Annual Seminar for Advanced Criminal Law: Winning Strategies for the Defense – that will be held in Aspen, Colorado from January 15 -18, 2017. Chief Justice Torres mentioned that based on his review, there is a lot of free time during this 3-day conference. MA Gayle stated that some of the interesting topics include Policeman’s Conduct, Autism Spectrum Disorder and Online Sexual Offenses as well as Mitigation Evidence for Sentencing – which we do get a few cases that come through our office relative to these topic matters.

Chief Justice Torres added that with the free time, the conference only ends up being a day and a half. He asked MA Gayle if there was another advanced criminal law conference that Attorney Morrison can attend aside from this conference either later in the year or after this particular conference. Chief Justice Torres added that the aforementioned budget is a lot of money for just a day and a half seminar:

Travel Budget for APD Attorney to Attend

Airline Tickets (GUM-ASE – RT)	\$1,772.45
Registration	\$479.00
Per Diem (\$338/day X 5 Days).....	<u>\$1,690.00</u>
TOTAL	<u>\$3,941.45</u>

He added that the one thing he found interesting in the seminar packet was the Scotus update. There is a possibility that we might have Chemerinsky coming to Guam in March 2017. Chief Justice Torres continued with the sentiments that he did not see too much on the program that would be applicable to APD. He then suggested that MA Gayle consider looking for another conference that would provide more substance to the attorney wanting to attend this conference. Chief Justice Torres suggested that the request be tabled and that MA Gayle consider bringing back another conference that would be more applicable to their practice.

- K. **2017 Appellate Defender Training, January 19 – 22, 2017.** As PDSC works to lift the moratorium on civil matters, AD Gogue stated that she had put this training on the board agenda to help PD attorneys acquire the necessary skills and knowledge to handle appellate work. Being that PDSC has lost several seasoned attorneys with appellate work experience, we would like to provide such training/experience to an attorney on staff that would like to specialize in appeals.

ED Hattori added that during this training, participants will analyze fact and law issues,

develop case theories and themes, and incorporate them into their motion, brief, or writ drafting. ADT is the only national trial and appellate defender conference where participants work on their own cases, not just hypothetical problems.

Chief Justice Torres stated that this type of training is more of what we would like to see our attorneys participate in. He then told MA Gayle to see if this is something Attorney Morrison would like to go to. If so, Chief Justice Torres stated that he can see the board approve the budget provided below:

Travel Budget for PD Attorney to Attend

Airline Tickets (GUM-MSY (New Orleans) – RT)	\$1,387.55
Registration	\$825.00
Per Diem (\$156/day X 6 Days)	\$936.00
TOTAL	\$3,148.00

ED Hattori asked for clarification if attending attorneys needed to be on the Appellate Panel. Chief Justice Torres confirmed that the attorneys attending the aforementioned training needed to be on the panel.

Trustee Ada motioned to approve \$3,148.00 to send a PDSC attorney to attend the 2017 Appellate Defender Training that will be held in New Orleans from January 19 – 22, 2017. Seconded by Attorney Martinez and approved by acclamation.

Resolution No. 01-17


VII. **PUBLIC DISCUSSION:** None

VIII. **ADJOURNMENT AND NEXT MEETING DATE:**

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

There being no further business to discuss, the meeting adjourned at 1:15 PM. The next regularly scheduled meeting is Tuesday, October 18, 2016 at 12:30PM in the PDSC conference room.

Respectfully submitted,


CATHY GOGUE
Secretary

Agenda Item #VII-A

**Shanks' Training
April 6 – 8, 2017**

**PDSC/APD Legal Clinic
Tamuning/Tumon, Guam
April 5-8, 2017**

To help PDSC/APD attorneys and investigators obtain the hands on training they need to better serve our clients, we are proposing to hold a legal clinic for our attorneys/investigators in April 2017. We have polled our attorneys over the summer, and the following are what they would like the Shanks/Kindlon team to cover:

- Training on competency hearings and mounting insanity defenses as well as working with experts in this regard
- How attorneys can best utilize investigators at trial
- *Voir dire*
- Working with investigators
- Witness preparation
- Jury selection

We will request that all PDSC and APD attorneys as well as the investigators from PDSC/APD attend this clinic. We will use lapsed funds, with a 60/40 split from PDSC/APD budgets (\$9,926.50).

PDSC/APD Legal Clinic

Airline Tickets (NY-GUM: RT) \$6,939 X 2 Trainers	\$13,878.00
Hotel Accommodations (\$195 X 5 Days)	\$975.00
Venue Rental for 3 Days (Refreshments / Lunch)	<u>\$5,000.00</u>
TOTAL	\$19,853.00