BEFORE THE BOARD OF TRUSTEES
OF THE PUBLIC DEFENDER SERVICE CORPORATION
RELATIVE TO THE RECRUITMENT ABOVE-STEP FOR
ATTORNEY THERESA G. ROJAS

RESOLUTION NO. PDSC 03-18

WHEREAS, Title 4 Guam Code Annotated (GCA), Chapter 6 §6205 provides for the Recruitment Above-Step for government of Guam departments/agencies; and

WHEREAS, the Public Defender Service Corporation (PDSC) has experienced challenges in recruiting and retaining seasoned attorneys with the experience and skill-set to immediately enter the courtroom for either trial and/or appeals; and

WHEREAS, over the past several years, the PDSC has lost five (5) Attorney Level 4 at Step 7 or higher and two (2) Attorney Level 3 at Step 2 or higher to either government transfers, retirement, resignations and promotions; and

WHEREAS, the PDSC continues to be in direr need to hire experienced attorneys to fill the void that exists as a result of the loss in seasoned as well as experienced Assistant Public Defenders to effectively handle the Corporation's caseload; and

WHEREAS, PDSC has received applications for attorneys who qualify for the Attorney Level 3, but without trial and/or appellate experience, PDSC needs experienced attorneys to handle complex litigation including any crime that involves a sentence for life imprisonment without parole; and

WHEREAS, based on the legal requirements and ramifications PDSC clients face, there is an immediate need to fulfill PDSC's mission of providing effective, efficient and adequate representation of indigent clients of Corporation; and

WHEREAS, PDSC needs to have the ability to attract talented and experience attorneys above the Attorney Levels 3 and 4, Step 1; and

WHEREAS, at the October 24, 2017 Board of Trustees meeting, a petition was submitted to have Theresa G. Rojas, Esq., to fill the vacancy of Attorney Level 3 under Job Announcement JA-17-17; and

WHEREAS, Attorney Theresa G. Rojas has close to 5-years of experience as a private legal counsel now serving as co-counsel for the Port Authority of Guam; and

WHEREAS, Attorney Rojas has performed litigation and transactional legal work for the firm she works at now. She has performed legal research and analysis on sovereign immunity, arbitration, contract formation, Civil Service Commission standards for making decisions on appeal as well as statutory and case law government claims rules; and

WHEREAS, Attorney Rojas drafted pre-trial pleadings in areas of civil, probate, special proceedings, and domestic practice, which included preparation and responses to pre-trial discovery and Motions for Summary Judgment particularly for personal injury and civil contract disputes; and

WHEREAS, she has extensive Appellate experience and conducted research and writing of briefs – which is of value to PDSC considering the fact that the Corporation's appellate work as well as experience is limited; and

WHEREAS, the Public Defender Service Corporation would like to concentrate a major part of Attorney Rojas' work experience on Appellate work so that she is able to share such experience with the PDSC team; and

WHEREAS, the PDSC submitted the Request for Recruitment Above-Step to hire Attorney Rojas at Attorney Level 3 Step 3 at an annual salary of $71,446; and

WHEREAS, the PDSC petitioned the Board of Trustees for final approval or rejection authority of all Recruitment Above -Step requests as outlined in Title 4 GCA, Chapter 6 §6205, Recruitment Above-Step; now therefore be it

RESOLVED, the Board of Trustees of the Public Defender Service Corporation, in its duly-noticed meeting of October 24, 2017, hereby approves the Corporation's Request for Recruitment Above-Step, pursuant to Title 4 GCA, Chapter 6 §6205, for Theresa G. Rojas, Esq., to Attorney Level 3, Step 3 at $71,446 per annum after the completion of the required posting and press release to the media.

DULY AND REGULARLY ADOPTED this 24th day of October, 2017.

Katherine A. Maraman

Chief Justice KATHERINE A. MARAMAN
Chairwoman

ATTEST:

CATHY GOGUE
Secretary

EXECUTIVE DIRECTOR
Stephen P. Hattori

DEPUTY DIRECTOR
Richard S. Dirkx
ADMINISTRATIVE DIRECTOR
Cathyann C. Gogue

PUBLIC DEFENDER SERVICE CORPORATION
(Kotperasion Setbision Defensot Pupbleku)

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October 19, 2017

MEMORANDUM

TO: Board of Trustees

FROM: Executive Director

SUBJECT: **Request for Recruitment Above-Step**
RE: Theresa Victoria G. Rojas, Esq.

Håfa Ådai. This memorandum is to respectfully request for the Recruitment Above-Step for the abovementioned attorney.

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 (PDSC) may petition the Corporation's governing board to recruit at a higher step due to recruitment difficulty or exceptional qualifications. On April 26, 2016, the Board of Trustees had approved the Corporation's request for continuous Recruitment Above-Step for Attorney Levels 3 and 4, Steps 1 through 5.

The Corporation held interviews for the Attorney Level 3 position on October 18, 2017 and selected Theresa Victoria G. Rojas, Esq. and would like to offer her Step 3 at $71,446 per annum. Attorney Rojas has over four years of attorney experience in civil, probate, special proceedings, domestic practice and small claims.

Attorney Rojas is currently employed with the Law Offices of Phillips and Bordallo, P.C. where she performs litigation and transactional legal work for their clients. She has co-counsel for the Port Authority of Guam cases. Performed legal research and analysis on sovereign immunity, arbitration, contract formation, Civil Service Commission standards for making decisions on appeal and statutory and case law government claims rules. She has briefed Appellant and Appellee briefs before the Supreme Court of Guam.

She was employed by Berman O'Connor and Mann, where she drafted pre-trial pleadings in areas of civil, probate, special proceedings, and domestic practice, which included preparation and responses to

pre-trial discovery and Motions for Summary Judgment particularly for personal injury and civil contract disputes. She had briefed and argued Appellant and Appellee briefs before the Supreme Court of Guam.

Attorney Rojas was also employed by the Personal Finance Center, where she was instrumental in PFC's first in-house attorney, creating policies and performing administrative duties to manage a single assistant and to maintain and develop a high-volume in-house debt collection practice.

She held a Teaching & Research Assistant position at the Thomas M. Cooley Law School, providing assistance to Associate Professor on research and development on practice teaching materials and one-to-one student conferences on final examination preparation. She has Extern at the U.S. Attorney's Office for the Districts of Guam and the Northern Marianas Islands and Intern at the Judiciary of Guam for the Honorable Justice Katherine A. Maraman, Supreme Court of Guam and Honorable Referee Linda L. Ingles, Superior Court of Guam.

This request, if approved will be posted on the PDSC's website for a period of 10 working days and shall be made prior to hiring the above selectee. 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 at 300-7823 or email blizama@guampdsc.net. *Dångkolo na Agradesimento.*

STEPHEN P. HATTORI