

**BEFORE THE  
BOARD OF TRUSTEES OF THE  
PUBLIC DEFENDER SERVICE CORPORATION  
RELATIVE TO THE USE OF LAPSED FUNDS  
TO COVER BUDGETARY SHORTFALLS FOR OPERATIONS  
IN FISCAL YEAR 2014**

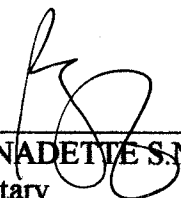
**RESOLUTION NO. PDSC 01-14**

- 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,** Public Law 32-068 ultimately appropriated **\$3,855,135** (\$3,661,522 in Chapter VII, Part II, Section 1; \$35,354 for Merit Bonus Awards in Chapter VII, Part II, Section 1; and \$158,259 for Medical, Dental and Life Insurance contributions in Chapter XIV, Part II, Section 4), which falls short of the funds required for the Corporation's fulfillment of its mandates and operational costs for this fiscal period; and
- WHEREAS,** the PDSC has certain operational needs which are imperative for the compliance of certain accounting principles, and Guam law regarding salary increments and/or pay adjustments for government employees, as well as the acquisition of various supplies and materials, and other purposes, and
- WHEREAS,** the PDSC has re-evaluated its spending priorities, and has determined that in order to meet the above-described needs in support of PDSC client services and operations, the use of lapsed funds in Fiscal Year 2014 is necessary; now therefore be it
- RESOLVED,** The Board of Trustees of the Public Defender Service Corporation, in its meeting of October 8 2013, hereby approves the Corporation's request for the expenditure of **\$6,415** of lapsed funds for the purposes described in the attached spreadsheet, which is made a part of this resolution, and such expenditures are to be implemented at the discretion of the PDSC Executive Director, in consultation with the Chief Justice and Chairman of the Board, not to exceed the amount of **\$6,415**.

**DULY AND REGULARLY ADOPTED** this 8<sup>th</sup> day of October, 2013.

  
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Chief Justice F. PHILIP CARBULLIDO

**ATTEST:**

  
\_\_\_\_\_  
BERNADETTE S.N. CHARGUALAF  
Secretary

AS400 Account Code	Appropriation Classification	A General Fund FY 2012 Expenditures & Encumbrances	B General Fund FY 2013 Authorized Level	C General Fund FY2014 Request	D General Fund FY2014 Adjusted
	<b>PERSONNEL SERVICES</b>				
111	Regular Salaries/Increments/Special Pay	2,422,682	2,444,401	2,521,339	2,390,353
	Merit Bonus				33,678
112	Overtime	0	0	0	0
	Benefits (Merit Bonus)				1,601
113	Benefits	731,660	787,590	832,161	765,969
114	Insurance Benefits (Medical / Dental / Life)	137,306	153,641	168,247	141,173
	<b>TOTAL PERSONNEL SERVICES</b>	<b>\$3,291,648</b>	<b>\$3,385,632</b>	<b>\$3,521,747</b>	<b>\$3,332,774</b>
	<b>OPERATIONS</b>				
220	TRAVEL- Off-Island/Local Mileage Reimburs.	0	0	0	0
230	CONTRACTUAL SERVICES:	97,151	40,054	123,096	127,096
233	OFFICE SPACE RENTAL:	271,200	112,557	271,200	271,200
240	SUPPLIES & MATERIALS:	21,703	11,911	13,900	28,700
250	EQUIPMENT:	16,504	9,587	19,700	19,800
270	WORKERS COMPENSATION	0	0	0	0
271	DRUG TESTING	0	0	2,000	2,000
280	SUB-RECIPIENT/SUBGRANT:	0	0	0	0
290	MISCELLANEOUS:	19,006	8,311	27,315	30,465
	<b>TOTAL OPERATIONS</b>	<b>\$425,564</b>	<b>\$182,420</b>	<b>\$457,211</b>	<b>\$479,261</b>
	<b>UTILITIES</b>				
361	Power	28,800	19,922	28,800	28,800
362	Water/ Sewer	0	0	0	0
363	Telephone/ Toll	8,784	13,248	20,640	20,640
	<b>TOTAL UTILITIES</b>	<b>\$37,584</b>	<b>\$33,170</b>	<b>\$49,440</b>	<b>\$49,440</b>
450	<b>CAPITAL OUTLAY</b>	<b>\$15,975</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	<b>TOTAL APPROPRIATIONS</b>	<b>\$3,770,771</b>	<b>\$3,601,222</b>	<b>\$4,028,398</b>	<b>\$3,861,475</b>
	1/ Specify Fund Source				
	<b>FULL TIME EQUIVALENCIES (FTEs)</b>				
	UNCLASSIFIED	1	1	1	
	CLASSIFIED	49	50	51	
	<b>TOTAL FTEs</b>	<b>50</b>	<b>51</b>	<b>52</b>	

Appropriations from General Fund (Chp VII, Part II, Sec 1)	3,661,522
Appropriations from General Fund (Chp VII, Part II, Sec 3)	35,354
Allocations from Special Fund (Chp XIV, Part II, Sec 4)	158,259

General Appropriation  
Merit Bonus  
Allocation for Med, Den, Life

**FY 2014 budget CY2013**

**3,855,135**

Originally as requested

FY 2014	Adj	Adj FY 2014
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**FY 2014 BUDGET PROJECTION**

**111 Salaries**

Merit Bonus

**113 Benefits - Retirement, Medicare and DC D&D Ins**

Benefits - Merit Bonus

**114 Medical, Dental and Life**

<b>2,521,339</b>	(130,986)	2,390,353
	33,678	33,678
<b>832,161</b>	(66,192)	765,969
	1,601	1,601
<b>168,247</b>	(27,074)	141,173
<b>3,521,747</b>	<b>(188,973)</b>	<b>3,332,774</b>

Note: Reduction in the rate on retirement for FY14 to 30.03% and change in insurance rates

**FY 2014 BUDGET PROJECTION**

**220 Off-island travel**

FY 2014	Adj	Adj FY 2014
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Director

Attorneys 3 x 5000

-		-
-		-
-	-	-

amended 10/04/2013

**FY 2014 BUDGET PROJECTION**

**230 Contractual**

	FY 2014	Adj	Adj FY 2014
Prof Dues- Malpractice Ins.	14,500	-	14,500
Equipment Rental Copy/Scanning/Faxing/Printing 1250x 12= \$15,000	24,000	(9,000)	15,000
Westlaw Services \$1718 pdsc share x 12 mons added \$69	31,116	(8,116)	23,000
Lease of telephone system est \$1138 x 12 currently at \$991.70 x 12= \$11900, don't know who will get the bid leave at higher amt	-	13,656	13,656
Lease of vehicle -Rav 4 \$605 x 12	7,260	-	7,260
Lease of vehicle- Corolla le\$460 *12	5,520	-	5,520
Vehicle insurance	3,900	-	3,900
Services for Surveillance Camera \$80 x 12	960	-	960
Content insurance	8,000	-	8,000
<b>Sub total -Director's Office</b>	<b>95,256</b>	<b>(3,460)</b>	<b>91,796</b>
License for phone - proposed attorney	200	(200)	0.00
Abacus license for proposed attorney	300	(300)	0.00

Microsoft Office License	400	(400)	0.00
<b>Sub total - Attorney</b>	<b>900</b>	<b>(900)</b>	<b>0.00</b>
Notary bonding 2 x 250	-		0.00
License for phone - 1 new legal secretaries 200 x 1	-		0.00
Abacus license for proposed 1 new leg secre 1 x 300	-		0.00
<b>Sub total - Legal Secretaries</b>	<b>-</b>	<b>-</b>	<b>0.00</b>
Equipment Maintenance-Canon Archiving	3,500	(100)	3,400
Commercial Shredding of Documents			-
<b>Sub total - Records</b>	<b>3,500</b>	<b>(100)</b>	<b>3,400</b>
Equipment Maint- Gets Business 250 x 2	500		500
<b>Sub total - Legal Clerical</b>	<b>500</b>	<b>-</b>	<b>500</b>
Equipment Rental			
Pitney Bowes 150 x 4	600		600
Equipment Maintenance \$250 x 4	-	1,000	1,000
Purchase accounting software	1,300		1,300
Quickbooks payroll subscription	500		500
<b>Sub total - Fiscal</b>	<b>2,400</b>	<b>1,000</b>	<b>3,400</b>
HR Software	-	2,860	2,860
Adobe Acrobat X Suite	-	1,300	1,300
<b>Sub total - Personnel</b>	<b>-</b>	<b>4,160</b>	<b>4,160</b>
Annual renewal for Recorder Software (SonClear)	400	-	400.00
Off-site Data Backup Solution service (online backup)	-		0.00
Firewall Security Service (Sonic Wall)	1,500		1,500
Abacus Software Tech Support	13,140	-	13,140
Norton Endpoint Security (50 users license) Anti virus	1,000	-	1,000
Internet Domain name and hosting web site	500		500
Server Hard Disk Software Diskkeeper	-	1,200	1,200
Fixed Asset Software	-	500	500
Mobile access to Abacus (8)	-	1,600	1,600
Annual renewal for Archive Software	4,000		4,000
<b>Sub total - MIS</b>	<b>20,540</b>	<b>3,300</b>	<b>23,840</b>

<b>Total Contractual</b>	<b>123,096</b>	<b>4,000</b>	<b>127,096</b>
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amended 10/04/2013

**FY 2014 BUDGET PROJECTION**  
**233 Building Rental**

<b>FY 2014</b>	<b>Adj</b>	<b>Adj FY 2014</b>
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Base rent 1.88333 x 12000sf = \$22,600 x 12

271,200

-

271,200

**FY 2014 BUDGET PROJECTION**

**240 Supplies and Materials**

	<b>FY 2014</b>	<b>Adj</b>	<b>Adj FY 2014</b>
Director, added \$2800 for refueling of leased vehicles	2,800	1,000	3,800
Attorneys	500	1,100	1,600
Investigation	500	300	800
Legal Secretaries	900	1,800	2,700
Records/Property	300	300	600
Process	400	400	800
Legal Clerical	1,000	200	1,200
Fiscal	3,500	7,500	11,000
Personnel	500	200	700
MIS	3,500	2,000	5,500
<b>Total Supplies</b>	<b>13,900</b>	<b>14,800</b>	<b>28,700</b>

note> included \$300 postage replenishment under fiscal  
 added \$2800 for refueling of leased vehicles under Director's office

amended 10/04/2013

**FY 2014 BUDGET PROJECTION**

**250 Small Equipment**

	<b>FY 2014</b>	<b>Adj</b>	<b>Adj FY 2014</b>
Executive desk new atty	1,400	(1,400)	0.00
Executive chair - new atty	600	(600)	0.00
4-drawer filing cabinet	350	(350)	0.00
2-drawer filing cabinet	250	(250)	0.00
Client chairs 2 ea x 250	500	(500)	0.00
Book shelf 2 ea x 250	500	(500)	0.00
Telephone instrument	300	(300)	0.00
Computer work station	1,800	(1,800)	0.00
<b>For new atty</b>	<b>5,700</b>	<b>(5,700)</b>	<b>0.00</b>
	-		-
<b>Sub total - Attorney</b>	<b>5,700</b>	<b>(5,700)</b>	<b>0.00</b>
Computer work station for Vanessa Diaz	-		0.00
Client chair Cil Aquino	-		0.00
Secretarial Chair - Charmaine San Nicolas	-		0.00
<b>Sub total - Legal Secretaries</b>	<b>0.00</b>	<b>-</b>	<b>0.00</b>
Heavy duty shredder	0.00	2,000	2,000
<b>Sub total - Records</b>	<b>-</b>	<b>2,000</b>	<b>2,000</b>
External Drive for B/Up Fiscal Data	-	1,000	1,000

Replace Obsolete Printer - for New Acctng Software	-	1,200	1,200
<b>Sub total - Fiscal</b>	-	<b>2,200</b>	<b>2,200</b>
Replace obsolete battery ups	2,500	-	2,500
Desktop Scanner	1,500	-	1,500
Replace obsolete computers	10,000	1,600	11,600
<b>Sub total - MIS</b>	<b>14,000</b>	<b>1,600</b>	<b>15,600</b>
<b>TOTAL SMALL EQUIPMENT</b>	<b>19,700</b>	<b>100</b>	<b>19,800</b>

amended 10/04/2013

**FY 2014 BUDGET PROJECTION**

**271 Drug Testing**

FY 2014	Adj	Adj FY 2014
2,000	-	2,000

**FY 2014 BUDGET PROJECTION**

**#290 MISCELLANEOUS**

	FY 2014	Adj	Adj FY 2014
Guam Bar Dues 300 x 16 +\$150	4,800	150	4,950
NACDL \$200,NLADA \$715	915		915
Training On-Island attys	6,000		6,000
Training On-Island staff	-	3,000	3,000
Advertising Cost-Board Meeting \$300 x 16 = \$4800	4,800		4,800
Advertising Cost-job announcement \$275 x 8	2,200		2,200
Advertising Cost-Bids, RFP \$430 x 4=1720	2,500		2,500
Board Stipends 2 x \$50 x 16	1,800		1,800
Anticipated fees for Payroll	1,300		1,300
Legal Subscriptions	2,100		2,100
Process Server Fees \$50 x 7	350		350
Other fees (police clearance, transcript copy)	300	-	300
Rental Safe Deposit Box (MIS B/Up Data)	250		250
<b>TOTAL MISCELLANEOUS</b>	<b>27,315</b>	<b>3,150</b>	<b>30,465</b>

09/04/12 Per Janet from Marianas Variety, they don't anticipate increase; maybe change in expedite fees; currently at \$256 monthly (\$128 x 2); decreased projection from \$340 to \$300 per month x 16 (projected at 16 months in the event emergency meeting)

Note 2: GBA fees calculated at \$300; fees may go up for 2014.

**FY 2014 BUDGET PROJECTION**

**361 Power**

FY 2014	Adj	Adj FY 2014
28,800		28,800

Power \$2400 x 12

based on current \$2400 x 12=28800 round up \$30,000

amended 10/04/2013

**FY 2014 BUDGET PROJECTION**

**363 Telephone/Toll- Charge to Director's Office**

Telecom Service 1720 x 12 mos  
 currently paying \$730 x 12 = \$8760 , but don't know who will get the bid for FY 2014  
 Toll Estimated \$25 per month included

FY 2014	Adj	Adj FY 2014
20,640		20,640
-		-
<b>20,640</b>	<b>-</b>	<b>20,640</b>

currently paying PDS 727.98 round up 800= \$9600  
 Est budget of \$31620 -9600=22020  
 round up 9900 to \$10000

09/04/13 per BSNC keep at same level as fy 2013; don't know who is going to win the bid  
 amended 10/04/2013

**FY 2014 BUDGET PROJECTION**  
**450 Capital Outlay >\$5000**

Data Storage Server

FY 2014	Adj	Adj FY 2014
-		-

amended 10/04/2013

**TOTAL**      **4,028,398**      **(166,923)**      **3,861,475**

Total: General Fund / Merit Bonus / Special Fund      3,855,060  
 (Shortfall)      6,415



PUBLIC DEFENDER SERVICE CORPORATION

Merit Bonus  
10/01/08 - 09/30/12

PUBLIC DEFENDER SERVICE CORPORATION									Employer M/Care	Employer RET NB	W/H Status
EMP NO.	LAST NAME	FIRST NAME	TITLE	MERIT AMT	RET NB	MEDIC	W/H	TOTAL			
1103	ALVAREZ	SEA	Investigator II	\$ 2,892.19		\$ 41.94	\$ 331.50	\$ 2,518.76	\$ 41.94		M-10
1004	AQUINO	CECILIA	Legal Secretary III	\$ 1,641.61		\$ -	\$ 123.14	\$ 1,518.48	\$ -		M-4
1099	CALL	ROBBIE	Chief Investigator	\$ 2,860.69		\$ 41.48	\$ 322.56	\$ 2,496.65	\$ 41.48		M-3
1108	CAMACHO	AGNES	Legal Secretary I	\$ 742.81		\$ 10.77	\$ 25.06	\$ 706.98	\$ 10.77		M-1
1011	CHARGUALAF	BERNADETTE	Administrative Director	\$ 5,424.09		\$ -	\$ 944.00	\$ 4,480.09	\$ -		M-0
1110	CRUZ	JOLEEN	Legal Secretary I	\$ 742.81		\$ 10.77	\$ 33.13	\$ 698.91	\$ 10.77		M-2
1118	GOGUE	NADINE	Legal Secretary II	\$ 2,726.50		\$ 39.53	\$ 492.74	\$ 2,194.23	\$ 39.53		S-9
1018	GOGUE	MICHAEL	Legal Clerk Supervisor	\$ 1,345.89		\$ 19.52	\$ 171.98	\$ 1,154.39	\$ 19.52		S-0
1096	LIM	KENNETH	Computer Systems Analyst I	\$ 1,616.69		\$ 23.44	\$ 211.23	\$ 1,382.02	\$ 23.44		S-1
1097	TAIMANAO	RICARDO	Investigator III	\$ 4,022.17		\$ 58.32	\$ 593.13	\$ 3,370.72	\$ 58.32		M-1
1113	TRECEPONA	JOYCE	Legal Secretary I	\$ 786.49		\$ 11.40	\$ 42.43	\$ 732.66	\$ 11.40		M-3
				<b>\$ 24,801.94</b>	<b>\$ -</b>	<b>\$ 257.18</b>	<b>\$ 3,290.90</b>	<b>\$ 21,253.87</b>	<b>\$ 257.18</b>	<b>\$ -</b>	

ALTERNATE PUBLIC DEFENDER									Employer M/Care	Employer RET NB	W/H Status
EMP NO.	LAST NAME	FIRST NAME	TITLE	MERIT AMT	RET NB	MEDIC	W/H	TOTAL			
APD05	BORRETA	MICHAEL	Legal Clerk II	\$ 2,901.29		\$ 42.07	\$ 530.73	\$ 2,328.49	\$ 42.07		S-1
APD02	ROSARIO	JANET	Legal Secretary III	\$ 2,368.80	\$ 225.04	\$ 34.35	\$ 388.05	\$ 1,721.37	34.35	712.77	S-6
APD04	SALAS	NORMA	Investigator II	\$ 1,678.78	\$ 159.48	\$ 24.34	\$ 150.61	\$ 1,344.35	24.34	505.14	M-4
				<b>\$ 6,948.87</b>	<b>\$ 384.52</b>	<b>\$ 100.76</b>	<b>\$ 1,069.38</b>	<b>\$ 5,394.21</b>	<b>\$ 100.76</b>	<b>\$ 1,217.92</b>	

INACTIVE PDSC/APD									Employer M/Care	Employer RET NB	W/H Status
EMP NO.	LAST NAME	FIRST NAME	TITLE	MERIT AMT	RET NB	MEDIC	W/H	TOTAL			
N/A	BALAJADIA	NORMA	Legal Secretary I	\$ 1,085.39		\$ 15.74	0.00	\$ 1,069.65	\$ 15.74		S-0
N/A	LEON GUERRERO	CLARISSA	Legal Secretary II	\$ 842.17		\$ 12.21	0.00	\$ 829.96	\$ 12.21		S-0
				<b>\$ 1,927.56</b>	<b>\$ -</b>	<b>\$ 27.95</b>	<b>\$ -</b>	<b>\$ 1,899.61</b>			

<b>Grand Total</b>	<b>\$33,678.37</b>	<b>\$384.52</b>	<b>\$385.88</b>	<b>\$4,360.28</b>	<b>\$28,547.69</b>	<b>\$357.93</b>	<b>\$1,217.92</b>
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Merit Bonus Period - 10/01/08- 09/30/12

Note:

Superior Court Period for pay out 10/0/08 - 09/30/12

Merit Bonus Period - 10/01/91 - 09/30/12

Periods not covered due to freeze of Merit Bonus - 10/01/95 - 09/30/96 & 10/01/01 - 09/30/04

What is paid for Active Employees - Taxes, MediCare and DB Non-Base Pay "Inclusion"

What is paid for Inactive - Taxes & MediCare

The Employees highlighted in yellow are those who contribute to the DB Non-Base Pay "Inclusion"

The Employees highlighted in blue are those exempted from M/Care deduction

Withholding Tax Calculation for INACTIVE PDSC / APD was calculated using W/H Status at S-0 (Annual)

Total Cost	\$35,254.22
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**Public Defender Service Corporation - ACTIVE EMPLOYEES  
 Meritorious Service Award Summary 10/01/08 - 09/30/12**

No.	Last Name	First Name	Title	Merit Amount
1	Aguon	Norma	Legal Secretary II	\$ -
2	Aquino	Cecilia	Legal Secretary III	\$ 1,641.61
3	Call	Robbie	Chief Investigator	\$ 2,860.69
4	Camacho	Agnes	Legal Secretary I	\$ 742.81
5	Castro	Vanessa	Legal Clerk I	\$ -
6	Chargualaf	Bernadette	Admin. Director	\$ 5,424.09
7	Guzman	Joleen	Legal Secretary I	\$ 742.81
8	Alvarez	Sea	Investigator II	\$ 2,892.19
9	Cruz	StaceyAnn	Legal Secretary III	\$ -
10	Delos Santos	Joaquin	Process Officer I	\$ -
11	Diaz	Vanessa	Legal Secretary Supervisor	\$ -
12	Fernandez	Cecelia	Admin. Assistant	\$ -
13	Gogue	Joey	Records & Property	\$ -
14	Gogue	Michael	Legal Clerk Supervisor	\$ 1,345.89
15	Gogue	Nadine	Legal Secretary II	\$ 2,726.50
16	Halmi	Nikki	Legal Secretary I	\$ -
17	Lim	Kenneth	Comp Sys Analyst I	\$ 1,616.69
18	Marquez	Joselito	Investigator I	\$ -
19	Mesubed	Rachel	Legal Secretary I	\$ -
20	Quenga-Rios	Eleanor	Legal Secretary III	\$ -
21	Reyes	Christine	Legal Secretary I	\$ -
22	Rivera	Randolph	Legal Clerk II	\$ -
23	San Nicolas	Charmaine	Legal Secretary II	\$ -
24	Serafico	Reynaldo	Process Supervisor	\$ -
25	Taimanao	Ricardo	Investigator III	\$ 4,022.17
26	Tingson	Julito	M.I.S. Administrator	\$ -
27	Trecepona	Joyce	Legal Secretary I	\$ 786.49

**TOTAL MERITORIOUS BONUS AMOUNT: \$ 24,801.91**

Alternate Public Defender - ACTIVE EMPLOYEES  
Meritorious Service Award Summary 10/01/08 - 09/30/12

No.	Last Name	First Name	Title	Merit Amount
1	Borreta	Michael	Legal Clerk II	\$ 2,901.29
2	Rosario	Janet	Legal Secretary III	\$ 2,368.80
3	Sablan	Julie	Investigator I	\$ -
4	Salas	Norma	Investigator II	\$ 1,678.78
TOTAL MERITORIOUS BONUS AMOUNT:				<b>\$ 6,948.87</b>