

**BEFORE THE BOARD OF TRUSTEES
OF THE PUBLIC DEFENDER SERVICE CORPORATION
RELATIVE TO
REQUESTING REIMBURSEMENT FROM THE
GOVERNMENT OF GUAM'S
GENERAL FUND
FOR EXPENSES RESULTING FROM
LEGAL SERVICES RENDERED
TO CITIZENS OF
THE FEDERATED STATES OF MICRONESIA
(IMPACT OF COMPACT OF FREE ASSOCIATION)**

RESOLUTION NO. PDSC 02-01

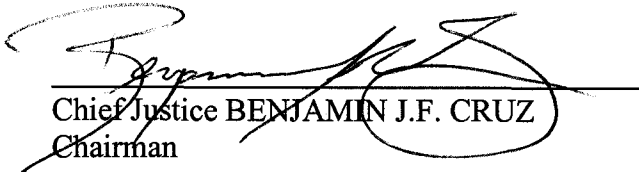
- WHEREAS,** Chapter 11 of Section 12 Guam Code Annotated, also known as the Public Defender Service Corporation Act of 1975, established the Public Defender Service Corporation (PDSC) “in order to provide effective legal aid and assistance to those persons in Guam who are unable to afford counsel . . .”; and
- WHEREAS,** On March 30, 1977 the PDSC was adjudicated a part of the Judiciary Branch of the Government of Guam as outlined in Superior Court of Guam Civil Case Number 642-76; and
- WHEREAS,** In 1986, a Compact of Free Association was executed between the United States of America, the Federated States of Micronesia and the Republic of the Marshall Islands, allowing, among other things, unlimited migration of citizens from these areas into the island of Guam and other parts of the United States; and
- WHEREAS,** The government of Guam has experienced a significant impact on its programs and resources as a direct result of this Compact of Free Association, and has in fact, requested and received reimbursement from the United States Government for these purposes; and
- WHEREAS,** These Requests for Reimbursement included expenditures made by the PDSC in providing legal services and/or representation to citizens of the Freely-Associated States (FAS); and
- WHEREAS,** Reimbursements for these purposes went directly to the Government of Guam’s General Fund, without any monies being returned to the PDSC either through direct payments to the Corporation, or through subsequent legislative appropriations; and

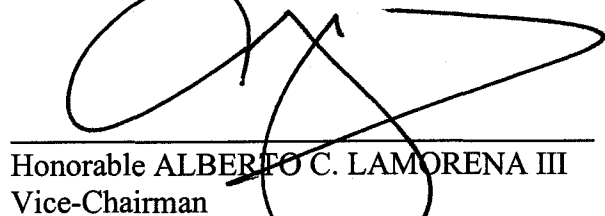
WHEREAS, A **Fiscal Year 2000 Annual Compact Impact Report** was submitted to the Director of the Bureau of Planning by the PDSC depicting the total number of FAS clients at 298, or 15.41% of the total of new cases received by the Corporation; and

WHEREAS, Based on the above statistics, the PDSC estimates the corresponding **Cost of Services for Fiscal Year 2000 associated with FAS citizens is \$365,582 (15.41 % of the Corporation's FY2000 authorized budget)**; now therefore be it

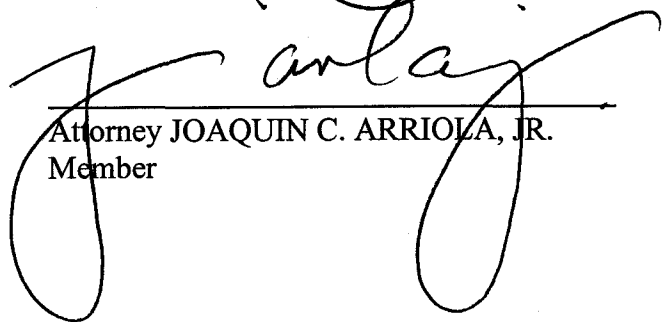
RESOLVED, The Board of Trustees of the Public Defender Service Corporation, in its meeting of February 22, 2001, instructed the Director of the Corporation to submit a request to I Mina' Bente-Sais Na Liheslaturan Guahan for a **separate appropriation of \$365,582 from the General Fund as reimbursement for the Corporation's expenditures associated with legal services provided to FAS citizens in Fiscal Year 2000.**

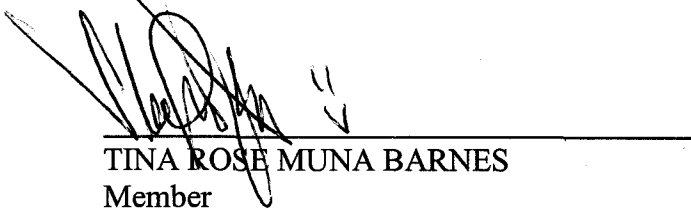
DULY AND REGULARLY ADOPTED this 11th day of May, 2001.


Chief Justice BENJAMIN J.F. CRUZ
Chairman


Honorable ALBERTO C. LAMORENA III
Vice-Chairman

Senator JOSEPH F. ADA
Member


Attorney JOAQUIN C. ARRIOLA, JR.
Member


TINA ROSE MUNA BARNES
Member