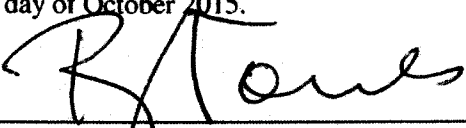


**BEFORE THE  
BOARD OF TRUSTEES OF THE  
PUBLIC DEFENDER SERVICE CORPORATION  
RELATIVE TO CHANGES TO THE  
PDSC PERSONNEL RULES & REGULATIONS**

**RESOLUTION NO. PDSC 03-16**

- WHEREAS,** On July 24, 2015, the Public Defender Service Corporation's Executive Director, Eric Miller, presented to the Board of Trustees an issue regarding the Board's ability to sit as the Appeals Board to hear grievances/appeals from employees of the PDSC/APD, or to refer such matters to the Civil Service Commission; and
- WHEREAS,** Present PDSC Rules and Regulations prepare by the Board of Trustees were originally adopted by the Judicial Council on June 11, 1985, prior to the passage of the Public Defender Service Corporation Act in 1975; and
- WHEREAS,** The Public Defender Service Corporation's By-Laws adopted on the 22<sup>nd</sup> day of June 2004, and amended on February 22, 2005, Article 4, Section 4.01, outlines Powers of the PDSC Board; and
- WHEREAS,** The Board of Trustees of the Public Defender Service Corporation, in its meeting of October 27, 2015, directed Executive Director Miller to amend and approve the "Article 4.01e that states that the PDSC Board of Trustees serve as the Appeals Board for such grievances and is authorized to delegate a Hearing Officer to hear and decide on the Corporation's personnel matters. The Appeals Board may adopt, reflect or modify the decision of the Hearing Officer."; and
- WHEREAS,** The Public Defender Service Corporation has amended the Rules and Regulations, Pages 53, 55 and 58 as stated in the attachment made hereto; and
- WHEREAS,** Implementation of the amendment is in compliance with Public Defender Service Corporation's By-Laws and Personnel Rules and Regulations; now therefore be it
- RESOLVED,** The Board of Trustees of the Public Defender Service Corporation, in its meeting of October 27, 2015, directed Executive Director Miller to amend and approve the "Rules and Regulations that identifies the PDSC Board of Trustees to serve as the Appeals Board for such grievances and is authorized to delegate a Hearing Officer to hear and decide on personnel matters. The Appeals Board may adopt, reflect or modify the decision of the Hearing Officer."; be it further
- RESOLVED,** The amendments to the Rules and Regulations shall be effective immediately.

**DULY AND REGULARLY ADOPTED** this 27<sup>th</sup> day of October 2015.

  
\_\_\_\_\_  
Chief Justice **ROBERT J. TORRES, JR.**

**ATTEST:**

  
\_\_\_\_\_  
**CATHY C. GOUGE**  
Secretary

**PDSC PERSONNEL RULES AND REGULATIONS**  
**AMENDMENTS**

**Page 53**

**14. Definitions.**

***Amended to read:***

E. Appeals Board of the Public Defender Service Corporation means the Board of Trustees of the Public Defender Service Corporation.

**Page 55**

**Section 117 Adverse Actions**

***Amended to read:***

19. Hearing Entitlement. An employee is entitled to a hearing on his/her appeal before the Appeals Board or the *Designated Hearing Officer*.

**Page 58**

**Section 118 Appeals**

***Amended to Read:***

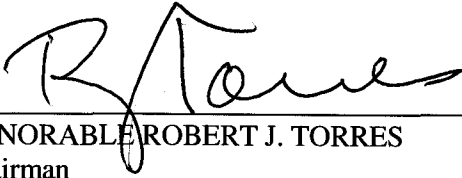
01. Appeals Board. There is hereby created an Appeals Board consisting of the Board of Trustees of the Public Defender Service Corporation, which shall sit as an appellate body solely to hear and decide appeals from dismissals, demotions for cause, suspensions, and certain other adverse personnel transactions, which actions are taken by supervisors, section heads or by the Director. The chairman shall be elected from among the members and shall serve for one (1) year from the date of election.

Three members present shall constitute a quorum, and the concurrence of two (2) members shall be necessary to make any action effective. The Director maintain records and files of the Board. Any citizen or employee shall be authorized to examine the minutes of the proceedings at such times and under such conditions as may be prescribed by the Director.

The Appeals Board may designate a Hearing Officer who will conduct the hearing and make such further investigation as is deemed necessary. The Hearing Officer shall file a written recommendation to the Appeals Board. The Appeals Board may adopt, or reject all or any portion of the Hearing Officer's recommendations.

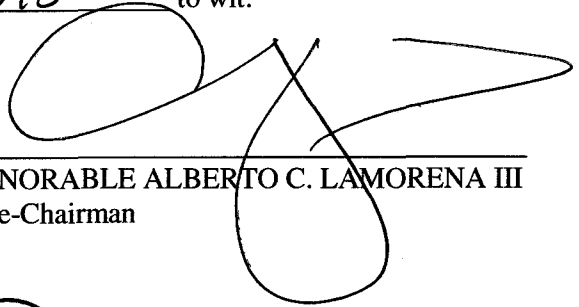
The Board of Trustees of the Public Defender Service Corporation hereby adopts these

Amendments on OCT. 27, 2015 to wit:



---

HONORABLE ROBERT J. TORRES  
Chairman



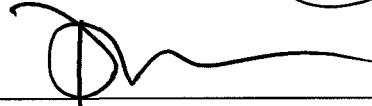
---

HONORABLE ALBERTO C. LAMORENA III  
Vice-Chairman



---

ATTORNEY JEHAN A. G. MARTINEZ  
Member



---

ATTORNEY DONNA CRUZ  
Member



---

ANNETTE ADA  
Member