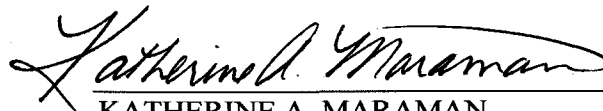


**BEFORE THE BOARD OF TRUSTEES  
OF THE PUBLIC DEFENDER SERVICE CORPORATION  
RELATIVE TO THE USE OF LAPSED FUNDS  
TO COVER BUDGETARY SHORTFALLS  
IN FISCAL YEAR 2018**

**RESOLUTION NO. PDSC 03-20**

- 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 and/or spending authorization(s) for these lapsed funds; and
- WHEREAS,** the Government of Guam's general fund ended Fiscal Year 2018 with a \$10.4 million deficit, despite the implementation of an increase in the business privilege tax; and
- WHEREAS,** the Guam Department of Administration (DOA) withheld \$202,000 from the Corporation's FY2018 budget as a part of Government of Guam's reserves for this particular year, and was categorized as unrecoverable; and
- WHEREAS,** the DOA, in addition to the unrecoverable reserves, withheld an additional \$362,849.59 from the Corporation's FY2018 budget allocation, bringing the total shortfall to \$567,148.70; and
- WHEREAS,** the PDSC's Fiscal Services Division initially identified a budget shortfall for FY2018 in the amount of \$267,035; however, identified additional funds that were withheld and not factored into DOA's monthly allotment schedule to PDSC and now required to fulfill the Corporation's obligation in personnel and operational expenses totaling \$300,113.70; and now therefore be it
- RESOLVED,** The Board of Trustees of the Public Defender Service Corporation, in its meeting of November 26, 2019, hereby approves the Public Defender Service Corporation's request to use lapsed funds to cover expenditures for FY2018, as a result of the Guam Department of Administration withholding the Corporation's budget appropriation, necessitating approval of PDSC's budget shortfall in the amount of \$300,113.70 for the purposes described above.

**DULY AND REGULARLY ADOPTED** this 26<sup>th</sup> day of November, 2018.



KATHERINE A. MARAMAN  
Chairwoman

ATTEST:

  
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CATHY GOGUE  
Secretary

PDSC

Use of Lapsed Funds Request for FY 2018

12/12/2019

	Personnel	Operations	Total
Authorized PL 34-42 FY 2018	3,813,893.00	527,480.00	4,341,373.00
Fiscal Realignment Plan PL 34-87	(119,946.78)	(16,589.22)	(136,536.00)
	<u>3,693,946.22</u>	<u>510,890.78</u>	<u>4,204,837.00</u>
Unrecoverable Allotment Receivable	(202,000.00)		
Allotment Receivable	<u>(362,849.59)</u>		
Allotment Received	3,129,096.63	510,890.78	3,639,987.41
<b>Expense for FY 2018</b>	<u>3,793,109.81</u>	<u>414,026.30</u>	<u>4,207,136.11</u>
	<u>(664,013.18)</u>	<u>96,864.48</u>	<u>(567,148.70)</u>
Shortfall for FY 2018	(567,148.70)		
Authorized use of Lapsed by Board	200,331.00	<b>PDSC 08-18</b>	
Authorized additional use of Lapsed by Board	<u>66,704.00</u>	<b>PDSC 02-19</b>	
	<u>(300,113.70)</u>	<b>Request Authorization</b>	