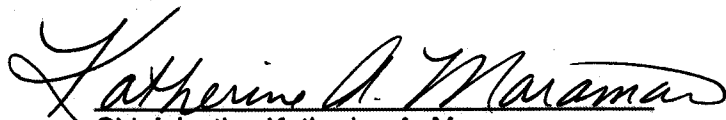


**BEFORE THE  
BOARD OF TRUSTEES OF THE  
PUBLIC DEFENDER SERVICE CORPORATION  
RELATIVE TO THE APPROVAL OF  
AN AMENDMENT TO THE  
PDSC RECORDS RETENTION POLICY/SCHEDULE  
INVOLVING THE ARCHIVING AND RETENTION PERIOD OF CLIENT FILES**

**RESOLUTION NO. 05-17**

- WHEREAS,** On June 13, 1995, the Board of Trustees of the Public Defender Service Corporation adopted Resolution Number PDSC 95-04 reflecting a Records Retention Schedule in order to provide for the preservation and/or disposition of PDSC records in a manner consistent with Government of Guam records retention policies and procedures; and
- WHEREAS,** Authorization to dispose of PDSC Client Files (Reproduction on Microfilm Completed) after seven (7) years was designated; and
- WHEREAS,** On March 21, 2017, the Board Trustees discussed the PDSC Record Retention Schedule and suggested that changes be made to the BOT Resolution No. 95-04 relative to retention and storage files; and
- WHEREAS,** PDSC Records Retention Schedule reflect the retention period for all closed client files, archived or not, at seven (7) years from the **closed date**, based on the judgment or order provided by the court; and
- WHEREAS,** The PDSC retention of files can be through the archiving process via ABACUS or other means of scanning digitally and storing documents on a server; which will then allow the immediate destruction of physical files; now therefore be it
- RESOLVED,** The Board of Trustees of the Public Defender Service Corporation, in its meeting of March 21, 2017 hereby approves the changes and up-dates to the Corporation's Record and Retention Policy.

**DULY AND REGULARLY ADOPTED this 21<sup>st</sup> day of March, 2017.**

  
Chief Justice Katherine A. Maraman  
Chairwoman

ATTEST:

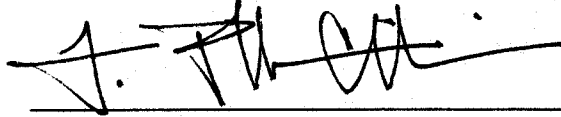
  
\_\_\_\_\_  
CATHY GOGUE  
Secretary

**BEFORE THE  
PUBLIC DEFENDER SERVICE CORPORATION  
BOARD OF TRUSTEES  
RESOLUTION NO. 04-05  
RELATIVE TO THE APPROVAL OF  
AN AMENDMENT TO THE  
PDSC RECORDS RETENTION SCHEDULE  
INVOLVING THE RETENTION PERIOD OF  
CLIENT FILES**

- WHEREAS,** On June 13, 1995 the Board of Trustees of the Public Defender Service Corporation adopted Resolution Number PDSC 95-04 reflecting a Records Retention Schedule in order to provide for the preservation and/or disposition of PDSC records in a manner consistent with Government of Guam records retention policies and procedures; and
- WHEREAS,** Authorization to dispose of PDSC Client Files (Reproduction on Microfilm Completed) after seven (7) years was designated; and
- WHEREAS,** The Corporation's previous archiving method of microfilming has proven obsolete and is no longer an acceptable method of archiving clients' records, while budgetary constraints have prevented the acquisition of updated equipment; and
- WHEREAS,** Storage space for these records has become extremely limited, forcing the PDSC to place boxes of files in areas which are hazardous to the operations of the organization; and
- WHEREAS,** Duplicates of these documents are also on file with the courts of Guam, thereby providing another source of records retention for PDSC clients; and
- WHEREAS,** It has become impractical, unfeasible and hazardous for the PDSC to continue to retain these records; now therefore be it
- RESOLVED,** The Board of Trustees of the Public Defender Service Corporation, in its meeting of April 5, 2005, authorized the amendment of the PDSC Records Retention Schedule to reflect the retention period for all closed client files, archived or not, at ten (10) years from the opening dates; and be it further
- RESOLVED,** The PDSC Executive Director, or her designee, shall develop standard operating procedures specifically describing the archiving methods to be used by the Corporation, and is also authorized to dispose of these records in a safe and orderly fashion, provided that prior notice to PDSC clients is published in a newspaper of general circulation, giving them an opportunity to take

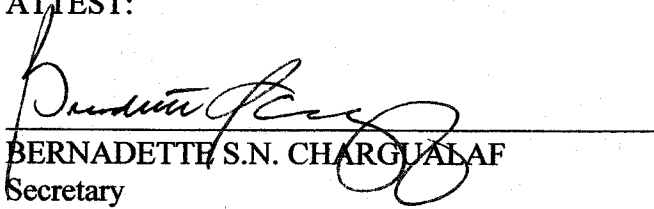
possession of their respective files, with an assurance that the confidentiality of clients' records is preserved and well-guarded at all times.

**DULY AND REGULARLY ADOPTED** this 5<sup>th</sup> day of April, 2005.



Chief Justice F. PHILIP CARBULLIDO  
Chairman

ATTEST:



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BERNADETTE S.N. CHARGUALAF  
Secretary

**BEFORE THE BOARD OF TRUSTEES  
OF THE PUBLIC DEFENDER SERVICE CORPORATION  
RELATIVE TO  
THE ADOPTION OF A "RECORDS RETENTION SCHEDULE"  
FOR THE PUBLIC DEFENDER SERVICE CORPORATION**

**RESOLUTION NO. PDSC 95-04**

WHEREAS, The Public Defender Service Corporation is in need of a Records Retention Schedule in order to provide for the preservation and/or disposition of its records in a manner consistent with the Government of Guam's records retention policies and procedures; and

WHEREAS, The attached Records Retention Schedule was developed specifically for the use of the Public Defender Service Corporation; and

WHEREAS, The implementation of this schedule will ensure the following:

1. The preservation of records deemed of permanent value;
2. The timely and systematic removal of records from office space to less expensive storage facilities (i.e., GSA Storage Warehouse and/or reproduction on microfilm); and
3. The destruction of records no longer considered useful;


now therefore be it

RESOLVED: The Board of Trustees of the Public Defender Service Corporation, in its meeting of June 13, 1995, directed the Executive Director to approve and implement the attached "**RECORDS RETENTION SCHEDULE**"; be it further

RESOLVED: This "**RECORDS RETENTION SCHEDULE**" shall take effect immediately upon adoption by the Public Defender Service Corporation Board of Trustees.

DULY AND REGULARLY ADOPTED this 13th day of June, 1995.

  
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Honorable ALBERTO C. LAMORENA III  
Chairman

  
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ROBERT J. TORRES, Esq.  
Member

  
\_\_\_\_\_  
Senator MARK C. CHARFAUROS  
Member

**PUBLIC DEFENDER SERVICE CORPORATION**

**RECORDS RETENTION SCHEDULE**

**DESCRIPTION  
OF RECORDS:**

**FILING  
ARRANGEMENT:**

**RECOMMENDED  
DISPOSITION:**

**PERSONNEL & COMPUTER SERVICES DIVISION:**

**OFFICIAL PERSONNEL FILES**

a. Active

Alphabetically

Permanent;  
Microfilm

b. Inactive

Alphabetically

Permanent;  
Microfilm

**CORRESPONDENCE, PUBLIC  
LAWS, FEDERAL REGULA-  
TIONS, DIRECTIVES, POLICIES  
AND PROCEDURES FOR ADMIN-  
ISTERING TERRITORIAL AND/OR  
FEDERAL LAWS PERTAINING TO  
PERSONNEL FUNCTIONS AND  
COMPUTER SERVICES**

Subjectively/  
Numerically

Permanent

**CORRESPONDENCE AND  
RECORDS PERTAINING TO  
THE RECRUITMENT OF  
EMPLOYEES AND OFFERING  
APPOINTMENTS TO POTENTIAL  
EMPLOYEES**

Subjectively

Job applications  
are filed and  
destroyed after  
1 year; if  
appointment is  
accepted, job  
application is  
filed with  
personnel  
folder

**CORRESPONDENCE  
AND SUBJECT FILES  
RELATING TO THE  
ADMINISTRATION AND  
OPERATION OF PERSONNEL  
FUNCTIONS AND COMPUTER  
SERVICES HAVING NO  
HISTORICAL OR LEGAL VALUE**

Subjectively/  
Chronologically

Destroy after  
3 years

**OFFICIAL PAYROLL FILES**

a. Time Cards

Numerically/  
Chronologically

Destroy after  
receipt of audit  
report

b. Employee Service Cards

Numerically/  
Chronologically

Permanent

**RECORDS, PROPERTY & MICROFILM SECTION:**

Client Files (Reproduction on Microfilm completed)	Numerically	Destroy after 7 years
Microfilm Rolls	Numerically	Permanent
Attorneys' Monthly Dockets	Chronologically	Destroy after 1 year
Clientele Log Books	Numerically	Permanent
Microfilm Log Books (Master Copy)	Numerically	Permanent
Statistical Reports (Quarterly)	Chronologically	Destroy after 2 years
<b>General Correspondence--- Administrative/Management</b>		
a. Intra-Office Memoranda	Chronologically	Destroy after 3 years
b. Inter-Office Memoranda	Chronologically	Destroy after 3 years
c. PDSC Property Receipts/ Property Inventory	Chronologically	Destroy obsolete records
d. Transfer Receipts For Records Storage	Chronologically	Permanent
e. Governor's Circular	Chronologically	Destroy after 2 years
f. Executive Orders/ Directives	Chronologically	Destroy after 2 years
g. Proclamations	Chronologically	Destroy after 1 year

**SPECIAL INVESTIGATIONS DIVISION:**

Investigator's Log Book	Chronologically	Destroy after 2 years
Notary Public Record Book	Chronologically	Permanent
Notary Public Appointment Book	Chronologically	Destroy after 1 year

**PROCESS OFFICERS DIVISION:**

Documents Received For Services (Log Book)	Chronologically	Destroy after 1 year
Completed Services (Log Book)	Chronologically	Destroy after 1 year

**LEGAL SECRETARIAL DIVISION:**

Notary Public Record Books	Chronologically	Permanent
Minutes of Division Meetings	Chronologically	Destroy after 3 years
Attorneys' Appointment Books/Calendars	Chronologically	Destroy after 2 years

**LEGAL CLERICAL DIVISION:**

Incoming Court Documents Log	Chronologically	Destroy after 2 years
Agana Services Log	Chronologically	Destroy after 1 year
Incoming Documents (other than Court) Log	Chronologically	Destroy after 1 year
Client Reception Log	Chronologically	Destroy after 1 year
File Disbursement Log	Chronologically	Destroy after 1 year

**FISCAL/ACCOUNTING DIVISION:**

Payroll Registers	Chronologically	Destroy after 10 years
Cancelled/Voided Checks	Numerically/ Chronologically	Transfer to storage after 5 years; Destroy after 10 years

Check Register	Numerically/ Chronologically	Transfer to storage after 5 years; Destroy after 10 years
Purchase Orders	Numerically	Destroy after 3 years
Vouchers (for Check Issuance)	Numerically/ Chronologically	Transfer to storage after 6 years; destroy 10 years after completion of audit and receipt of audit report; microfilm audit report
Vendors' Records	Alphabetically	Destroy after receipt of audit report; microfilm audit report
Income Tax Withholdings/ W-2s (copies)	Chronologically	Destroy 10 years after completion of audit and receipt of audit report; microfilm audit report
Contracts (Equipment Maintenance/Service Agreements)	Alphabetically/ Subjectively	Destroy 5 years after completion of services and receipt of audit report; microfilm audit report
Bank Statements	Chronologically	Transfer to storage after 5 years; Destroy after 10 years
<b>LAND CLAIMS DIVISION:</b>		
Land Claims Motions filed with District Court of Guam	Numerically	Destroy after 5 years
Land Claims Orders filed with District Court of Guam	Numerically	Destroy after 5 years
Correspondence from Land Claims Class Attorney	Subjectively (Estates)	Destroy after 5 years



Correspondence from  
Land Claims Probate Attorneys

Subjectively  
(Estates)

Destroy after  
5 years

Correspondence from Judge,  
District Court of Guam

Subjectively  
(Estates)

Destroy after  
5 years

Client Files

Alphabetically/  
Numerically

Permanent

Land Claims Database  
by Payees

Alphabetically

Permanent

Land Claims Database  
by Lot Numbers

Numerically

Permanent

Updated Land Claims  
Listings, by Payee and  
Lot Numbers

Alphabetically/  
Numerically

Destroy after  
5 years