



PUBLIC DEFENDER SERVICE CORPORATION
(Kotperasion Setbision Defensot Pupleku)

GOVERNMENT OF GUAM

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**BEFORE THE BOARD OF TRUSTEES
OF THE PUBLIC DEFENDER SERVICE CORPORATION
RELATIVE TO ESTABLISHING THE ELDER JUSTICE
CENTER AS A PERMANENT DIVISION**

RESOLUTION NO. PDSC 01-22

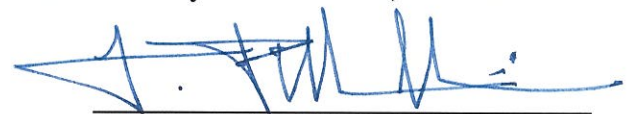
- WHEREAS,** on July 28, 2020, this body adopted Resolution No. 06-20 wherein the Public Defender Service Corporation (“PDSC”) was authorized to operate a pilot program known as the Elder Justice Center (“EJC”) for six months in duration from the adoption of said Resolution; and
- WHEREAS,** Resolution No. 07-20, amended the start date of the EJC pilot program to six months following the opening of the EJC on March 29, 2021; and
- WHEREAS,** Resolution No. 06-20 obligated PDSC management to periodically provide the PDSC Board of Trustees with information on case statistics, expenses, and other information concerning the work provided by the EJC. These updates have occurred frequently over the past six months, at regularly scheduled Board of Trustee meetings; and
- WHEREAS,** since the EJC opened its doors, the team committed to clearing a backlog of cases that had been waitlisted by the Division of Senior Citizens prior to the EJC opening. In the pilot period, the EJC team provided legal services on 356 matters from the original waitlist and created a new waitlist of nearly 600 matters requiring future services; and
- WHEREAS,** given the need for the services provided and the limited availability of funds, the EJC staff was asked to draft a series of scenarios under which the EJC could continue to operate after the pilot period. Attorney Kathy Siguenza presented the Board of Trustees with a detailed breakdown of operational scenarios at a Board of Trustees meeting on September 28, 2021; and
- WHEREAS,** despite a variety of pending legislative proposals that might put the EJC on better financial footing in the future, there is currently a limited availability of funds. Currently, the EJC receives \$192,144.00 in total funding as a sub-grantee of the Department of Health and Social Services, Division of Senior Citizens, Legal Assistance Services Program. Attorney Siguenza detailed exactly how many EJC staff members this amount of money would fund per year; and
- WHEREAS,** based on the current availability of funds and the need for services, Attorney Siguenza, presented a scenario (“scenario D”) under which the EJC would use the \$192,144.00 in current funding to staff the EJC with one attorney with benefits, and one special projects coordinator with leave benefits only. Under scenario D, the EJC and PDSC main office would share one legal secretary and one legal clerk. The PDSC Executive Director explained that the shared staff would handle

EJC matters as well as guardianships, protective orders, and other non-criminal matters the PDSC is already engaged in, in an effort to remain conflict neutral. Based on the calculations presented, the EJC would have \$4,417.00 in excesses from the original \$192,144.00 for Fiscal Year 2022.

WHEREAS, following the presentation of available scenarios, the PDSC Board of Trustees voted unanimously to adopt scenario D and establish the EJC as a permanent division of the PDSC, subject to the availability of funds. It was unanimously agreed that the EJC would use the \$4,417.00 in excess funding for Fiscal Year 2022, to purchase office supplies and items needed to implement the program; now

RESOLVED that the Elder Justice Center program, administered through the Guam Public Defender Service Corporation, is hereby established as a permanent division of the Guam Public Defender Service Corporation, subject to the availability of funds. The EJC shall fund operations as described in scenario D of Attorney Siguenza's presentation, and shall be staffed with one attorney and one special programs coordinator. The EJC and PDSC main office shall share one legal secretary and one legal clerk as described.

DULY AND REGULARLY ADOPTED THIS 26TH day of OCTOBER, 2021.



Chief Justice F. PHILIP CARBULLIDO
Chairman

ATTEST:



CATHY C. GOGUE
Secretary