



**PUBLIC DEFENDER SERVICE CORPORATION**  
*(Kotperasion Setbision Defensot Pupleku)*

GOVERNMENT OF GUAM

779 Route 4

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**BEFORE THE BOARD OF TRUSTEES  
OF THE PUBLIC DEFENDER SERVICE CORPORATION  
RELATIVE TO THE RECRUITMENT ABOVE-STEP FOR  
ATTORNEY BRIAN P. SCANLON**

**RESOLUTION NO. PDSC 02-23**

- WHEREAS,** Title 4 Guam Code Annotated (GCA), Chapter 6, § 6205 provides for the Recruitment Above-Step for Government of Guam department/agencies; and
- WHEREAS,** the Alternate Public Defender (APD) has experienced challenges in recruiting and retaining seasoned attorneys with the experience and skill-set to immediately enter the courtroom for either trials and/or appellate cases; and
- WHEREAS,** within the last three months, the APD lost an attorney at an Attorney Level 4 Step 8 due to retirement; and
- WHEREAS,** the APD is in dire need to hire experienced attorneys to fill the void that exists as a result of recruitment difficulty; and
- WHEREAS,** APD has received a qualifying application for Attorney Level 4 with complex felony criminal trial experience that APD is in need of to handle complex criminal trial experience that involves a sentence of life imprisonment; and
- WHEREAS,** based on the legal requirements and ramifications APD clients face, there is an immediate need to fulfill APD’s mission of providing effective, efficient and adequate representation of indigent clients of APD; and
- WHEREAS,** APD needs to have the ability to attract talented and experience attorneys above the Attorney Level 4, Step 1; and
- WHEREAS,** at the October 25, 2022 Board of Trustees Meeting, a petition was submitted to have Brian P. Scanlon, Esq. to fill the vacancy of Attorney Level 4 under Job Announcement JA-01-22, which was opened on October 21, 2021; and
- WHEREAS,** Attorney Brian P. Scanlon has been practicing since 2001, having bar license in ILLINOIS (2000); and
- WHEREAS,** the APD submitted the Request for Recruitment Above-Step to hire Attorney Brian P. Scanlon at Attorney Level 4, Step 6 at an annual salary of \$94,194.00; and
- WHEREAS,** the APD petitioned the Board of Trustees for final approval or rejection authority of all Recruitment Above-Step requests as outlined in Title 4 GCA, Chapter 6, § 6205, Recruitment Above-Step; now therefore be it; it is now therefore

**RESOLVED** the Board of Trustees of the Public Defender Service Corporation, in its duly-noticed meeting of October 25, 2022, hereby approves Alternate Public Defender's Request for Recruitment Above-Step, pursuant to Title 4, Chapter 6, § 6205, for Brian P. Scanlon, Esq., to Attorney Level 4, Step 6 at \$94,194.00 per annum after the completion of the required posting and press release to the media.

**DULY AND REGULARLY ADOPTED THIS 25TH day of OCTOBER, 2022.**



Chief Justice F. PHILIP CARBULLIDO  
Chairman

ATTEST:



CATHY GOGUE  
Secretary