



PUBLIC DEFENDER SERVICE CORPORATION
(Kotperasion Setbision Defensot Pubbleku)

GOVERNMENT OF GUAM

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(Civil Law Center)

Shane G.L. Ngata
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BEFORE THE BOARD OF TRUSTEES OF THE PUBLIC DEFENDER SERVICE CORPORATION RELATIVE TO AUTHORIZING THE PDSC ADMINISTRATION TO UTILIZE UP TO \$1,499,315 IN PRIOR-YEAR LAPSES TO COVER FISCAL YEAR 2027 BUDGETARY SHORTFALLS ARISING FROM THE LEGISLATIVE APPROPRIATIONS PROVIDED IN P.L. 38-136

RESOLUTION NO. 01-27

WHEREAS, Chapter 11 of Title 12 Guam Code Annotated established the Public Defender Service Corporation (PDSC) to provide effective legal aid and assistance to individuals of Guam who are unable to afford counsel; and

WHEREAS, March 10, 2026 at its duly noticed regular meeting, the PDSC Board of Trustees approved a total operational budget for the Public Defender Services Corporation (PDSC) and all its divisions of **\$13,259,503**; and

WHEREAS, based on the Board of Trustees approval, the PDSC Administration submitted its official Fiscal Year 2027 Budget Request to the Office of Finance and Budget (OFB) with the approved amount of **\$13,259,503**; and

WHEREAS, on August 30, 2026 Bill No. 1 (10-S) lapsed into law and became P.L. 38-136, "General Appropriations Act of 2027"; and

WHEREAS, P.L. 38-136 appropriated **\$11,498,308** from the General Fund for the operations of the PDSC which created a shortfall of **\$1,761,195**; and

WHEREAS, the retirement contribution rate for FY 2027 was 28.14%, a reduction from 30.7% included in the original FY 2027 budget submission which resulted in a reduction in budgetary need by **\$261,000**. This reduced the estimated shortfall amount to **\$1,499,315**, as well as the overall operational budget request to **\$12,997,623**; and

WHEREAS, at its regular meeting held on September 22, 2026, the PDSC Administration requested authorization to utilize up to **\$1,499,315** in prior-year lapses to cover any Fiscal Year 2027 budgetary

shortfalls resulting from the difference between the legislative appropriations provided to the PDSC in P.L. 38-136 and the updated Board-approved operational budget; and

WHEREAS, the updated proposed Fiscal Year 2027 PDSC, APD, CLC and PAP Budget Summary was reviewed, discussed, and considered for approval; and

NOW, THEREFORE, BE IT RESOLVED that the PDSC Board of Trustees hereby authorizes the PDSC Administration to utilize up to **\$1,499,315** in prior-year lapses to cover any Fiscal Year 2027 budgetary shortfalls arising from the legislative appropriations provided to the PDSC in P.L. 38-136, including shortfalls affecting the operations of the PDSC, APD, CLC, and PAP.

BE IT FURTHER RESOLVED that the PDSC Administration shall track all expenditures of prior-year lapses authorized by this Resolution and report to the Board of Trustees if use of those funds becomes necessary for Corporation operations.

DULY ADOPTED this 22nd day of September 2026, at a duly noticed meeting of the Board of Trustees.



SHANE F.T. BLACK
Chairman

ATTEST:



SHANE G.L. NGATA
Board Secretary