


I MINA' BENTE NUEBI NA LIHESLATURAN GUÅHAN
2008 (SECOND) Regular Session

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Bill No. 321(Ec)

Introduced by:

Ray Tenorio 

**AN ACT TO AMEND PUBLIC LAW SECTIONS 20(a)
AND 37(b) OF CHAPTER VI MISCELLANEOUS
PROVISIONS OF 29-19 RELATIVE TO AUTHORIZING
THE PUBLIC DEFENDER SERVICE CORPORATION
TO HIRE CONTRACT AND LIMITED-TERM
ATTORNEYS.**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

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3 **Section 1. Legislative Intent & Findings.** It is the intent of *I Liheslaturan*
4 *Guåhan* to streamline resources and conserve public funds wherever possible.
5 Allowing temporary attorney appointments and contract attorney authority to the
6 Public Defender Service Corporation would allow the Public Defender Service
7 Corporation to provide attorneys to indigent persons in the same manner that the
8 Attorney General provides public interest attorneys when there are insufficient
9 funds for a full time attorney or there is a need to provide a service on a temporary
10 basis. The purpose of these amendments are to provide the same terms for attorney
11 employment to the Public Defender Service Corporation that are provided by law
12 to the Attorney General. These amendments provide parity and balanced
13 representation between the Attorney General and the Public Defender Service
14 Corporation in the Public Interest.

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1 **Section 2. Contracts for the Public Defender Service Corporation.**

2 Section 20(a) of Chapter VI of Public Law 29-19 is hereby *amended* to read as
3 follows:

4 **“Section 20. Contracts (a)** *Except* for positions filled in accordance with the
5 merit system at the University of Guam, the Guam Community College, the Guam
6 Public School System, the Judiciary of Guam, the Department of Law, the Public
7 Defender Service Corporation, the Guam Police Department, *I Liheslaturan*
8 *Guåhan*, and licensed health professionals at the Guam Memorial Hospital, the
9 Department of Public Health and Social Services and the Department of Mental
10 Health and Substance Abuse, positions in the classified and unclassified service
11 shall *not* be filled pursuant to contractual arrangement. The Judiciary may hire
12 judges and justices pro tern, law clerks and legal interns by contract. The
13 University of Guam, the Guam Public School System and the Guam Community
14 College may hire retired faculty by contract. The Public Defender Service
15 Corporation may hire attorneys by contract.”

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18 **Section 3. Limited-term appointments for the Public Defender Service**
19 **Corporation.**

20 Section 37(b) of Chapter VI of Public Law 29-19 is hereby *amended* to read as
21 follows:

22 **“(b)** Attorneys at the Department of Law (within staffing pattern funding levels)
23 and attorneys at the Public Defender Service Corporation (within staffing pattern
24 and funding levels);”