



COMMITTEE ON RULES

I Mina'trentai Unu na Liheslaturan Guåhan • The 31st Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

December 27, 2011

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

MEMORANDUM

To: Patricia C. Santos
Clerk of the Legislature

MAJORITY
MEMBERS:

From: Judith P. Guthertz, DPA
Acting Chairperson, Committee on Rules

Speaker
Judith T. Won Pat

Subject: Supplement to Committee Report - Bill No. 312

Vice Speaker
Benjamin J. F. Cruz

Senator
Tina Rose Muña Barnes
LEGISLATIVE SECRETARY
MAJORITY WHIP

Hafa Adai!

Senator
Dennis G. Rodriguez, Jr.
ASST. MAJORITY WHIP

Transmitted herewith is a memo from Senator Adolpho B. Palacios, Sr., Chairperson, Committee on Public Safety, Law Enforcement & Judiciary, forwarding additional testimony on Bill No. 312.

Senator
Thomas C. Ada

Please include this memo and the attachment as a "Supplement" to the Committee Report on Bill No. 312-31 (COR).

Senator
Adolpho B. Palacios, Sr.

Please make the appropriate indication in your records; and forward to MIS for posting on our website. I also request that the same be forwarded to all Senators of *I Mina'trentai Unu na Liheslaturan Guåhan*.

Senator
vicente c. pangelinan

MINORITY
MEMBERS:

Si Yu'os ma'åse'!

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

2011 12 29 AM 9:55
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Christopher M. Duenas

Supplement to the Committee Report on Bill No. 312-31 (COR)

**“AN ACT TO AMEND § 11107 OF TITLE 12 OF
THE GUAM CODE ANNOTATED RELATIVE
TO THE COMPOSITION OF THE PUBLIC
DEFENDER SERVICE CORPORATION BOARD
OF TRUSTEES.”**

*NOTE: The original Committee Report on
Bill No. 312-31 (COR)
was filed on November 9, 2011.



Thirty-First
Guam Legislature

Committee Members:

- Senator Thomas C. Ada
Vice Chairman
- Speaker Judith T. Won Pat, Ph.D.
Member
- Senator Tina R. Muna Barnes
Member
- Senator Judith P. Guthertz, DPA
Member
- Senator Rory J. Respicio
Member
- Senator Dennis G. Rodriguez, Jr.
Member
- Senator V. Anthony Ada
Member
- Senator Christopher M. Duenas
Member
- Senator Mana Silva Tajeron
Member
- Senator Aline A. Yamashita, Ph.D.
Member

*Other Committee
Membership:*

- Vice Chairman, Committee on
Utilities, Transportation, Public
Works and Veterans Affairs
- Vice Chairman, Committee on
Health and Human Services,
Senior Citizens, Economic
Development and Election
Reform
- Member, Committee on
Education and Public Libraries
- Member, Committee on Rules,
Federal, Foreign & Micronesian
Affairs and Human & Natural
Resources
- Member, Committee on Guam
Military Buildup and Homeland
Security
- Member, Committee on
Municipal Affairs, Tourism,
Housing and Recreation

COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY

I Mina'Trentai Uno Na Liheslaturan Guåhan


SENATOR ADOLPHO B. PALACIOS, SR.

Chairman

December 27, 2011

MEMORANDUM

To: Senator Rory J. Respicio
Chairman, Committee on Rules

From: Senator Adolpho B. Palacios, Sr. 
Chairman, Committee on Public Safety,
Law Enforcement and Judiciary

SUBJECT: Supplemental written testimony on Bill No. 312-31 (COR)

Buenas yan Håfa Adai! The Committee on Public Safety, Law Enforcement and Judiciary filed the Committee Report on Bill No. 312-31 (COR) on November 3, 2011. Please include the attached testimony from Chief Justice F. Phillip Carbullido as an addendum to the Committee Report. It was received via email on December 23, 2011.

Attachment.

COMMITTEE ON RULES	
Name	LIV
Date/Time:	12/27/11 10:19am
Rec'd	



Adolpho Palacios <senabpalacios@gmail.com>

Bill No. 312-31(COR)

Joshua Tenorio <jtenorio@guamcourts.org>

Fri, Dec 23, 2011 at 4:01 PM

To: senator@senatorpalacios.com

Hafa Adai Chairman Palacios:

Please find the attached letter from Chief Justice Carbullido regarding Bill No. 312-31(COR) relative to the composition of the Public Defender Service Corporation Board of Trustees.

Merry Christmas to you and your family.

Senseramente,

JOSHUA F. TENORIO

Director of Policy, Planning & Community Relations

Judiciary of Guam

120 West O'Brien Drive

Hagatna, Guam 96910

671.475.3278

671.482.6904 (mobile)



Letter - Hon. Senator Adolpho Palacios, Sr. re Bill No. 312-31(COR) 12.23.11[1].pdf

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Supreme Court of Guam

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www.guamsupremecourt.com

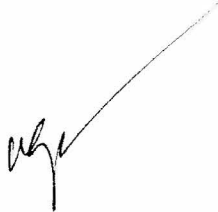
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F. PHILIP CARBULLIDO

Chief Justice of Guam

December 23, 2011

The Honorable Adolpho B. Palacios, Sr. 
Chairman
Committee on Public Safety, Law Enforcement & Judiciary
Mina Trentai Unu Na Liheslaturan Guahan
155 Hesler Place
Hagatna, Guam 96910

RE: Bill No. 312-31(COR)

Dear Chairman Palacios:

I am writing to you regarding Bill 312-31(COR), "*An act to amend § 11107 of Title 12 of the Guam Code Annotated relative to the composition of the Public Defender Service Corporation Board of Trustees,*" sponsored by Vice Speaker Benjamin J.F. Cruz.

I understand that Bill No. 312-31(COR), as introduced, has been reported out by the Committee on Public Safety, Law Enforcement & Judiciary with the recommendation TO PASS.

I support the efforts of Vice Speaker Cruz to amend the enabling act of the Public Defender Service Corporation (PDSC) and remove any unnecessary liability and conflicts of the Chief Justice and Presiding Judge as fiduciaries of the PDSC.

However, I do not believe that private attorneys or former judicial officers should be excluded from serving on the Board. There are a growing number of retired judicial officers that may be available to serve on the Board of Trustees. In making appointments to the PDSC Board of Trustees, the Chief Justice can take steps to ensure that only private attorneys with no conflicts are appointed to the PDSC.

Private Attorneys and retired judicial officers can play an important role in the governance and quality of the management of the PDSC. Tapping on the legal and courtroom expertise of private attorneys and retired judicial officers will make the PDSC a more effective organization.

I hope you will consider these factors when deliberating on Bill 312-31(COR).

Senseramente,

F. PHILIP CARBULLIDO
Chief Justice of Guam