

DIRECTOR
Eric D. Miller



ADMINISTRATIVE DIRECTOR
Bernadette S.N. Chargualaf

PUBLIC DEFENDER SERVICE CORPORATION (Kotperasion Setbision Defensot Pupleku)

GOVERNMENT OF GUAM
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June 27, 2013

Honorable Judith T. Won Pat, Ed. D.
Speaker,
I Mina' Trenta-Dos Na Liheslaturan Guahan
155 Hesler Street, Suite 201
Hagåtña, GU 96910

32-13-543
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 6/27/13
Time 11:11 AM
Received by [Signature]

2013 JUL -2 AM 8:52
[Signature]

Dear Speaker Won Pat:

The General Appropriations Act of 2013 (Public Law 31-22) authorized \$3,601,222 for the Public Defender Service Corporation (\$3,796,755 in Section 1, Part II of Chapter VII minus a de-appropriation of \$195,533 in Section 1(e), Chapter XI). It was further specified that "no more than \$3,535,663 shall be expended for personnel object categories (111 to 115)."

Section 2, Part II, Chapter VII of Public Law 31-22 provides "Transfer Authority for the Public Defender Service Corporation". In granting such authority, the Corporation is also required to provide your office and the Governor of Guam with notification no later than fifteen (15) working days before the transfer is made.

Immediately after we became aware of the authorized funding level, we began extensive planning and taking necessary cost-saving measures in order to live within our means for Fiscal Year 2013. Among these, we decided to forego filling new positions, and to defer the filling of vacant positions until later in the fiscal year. This meant that current employees picked up the slack, preventing any lay-offs and other drastic actions as we continued to fulfill our mission of providing quality legal representation and services to those we serve.

In an inadvertent oversight, we failed to provide the mandatory notice to your office regarding the "transfer" of funds from the object category of Personnel Services (monies authorized for new positions, and the savings realized from staggering the filling of vacant positions throughout the fiscal year), and distributing these among the object categories under Operations. To comply with the provisions of PL 31-22, should PDSC expend \$3,535,663 for Personnel Services in Fiscal Year 2013, the organization would be left with a mere \$65,559 for operations. This amount is definitely insufficient, since our rental premiums alone total more than \$200,000 for the year!

Please pardon our error in failing to provide adequate notice to you.

Should you have any questions or desire additional information, please feel to call me at (671) 475-8301 or email me at bchargualaf@guampdsc.net.

Your kind attention and understanding in this regard are most appreciated.

Sincerely,

[Signature]
BERNADETTE S.N. CHARGUALAF

pc: Senator Vicente C. Pangelinan

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[Signature]