

PUBLIC DEFENDER SERVICE CORPORATION
(Kotperasion Setbision Defensot Pupbleku)

GOVERNMENT OF GUAM
779 Route 4
Sinajaña, Guam 96910
Tel: (671) 475-3100 ♦ Fax: (671) 477-5844

STAFF ATTORNEYS
Richard S. Dirks
Terrance A. Long
Loretta T. Gutierrez-Long
Pablo M. Agjubaf
Raymond B. Hagan
Jocelyn M. Roden
Peter J. Sablan
Marla G. Fitzpatrick
Ali N. Nusbaum
Suresh Sampath
Brian E. Kegerreis
Mikaela S. Henderson
William B. Jones
J. Robert Mortland, III

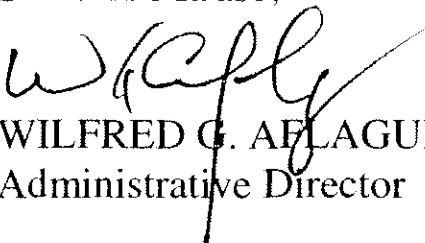
May 20, 2015

To: Speaker Judith T. Wonpat
I Mina' Trentai Tres Na Liheslaturan Guahan
Hagåtña, Guam 96910

Dear Speaker,

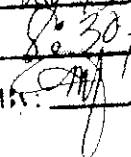
The Public Defender Service Corporation is pleased to present you with 2 copies of our Annual Report. This report is provided for your information and reference.

Si Yu'os Ma'ase,



WILFRED G. AFLAGUE
Administrative Director

2015 MAY 27 PM 2:52 

33-15-0478
Office of the Speaker
Judith T. Won Pat, Ed.D

Date: 05-26-15
Time: 8:30 AM
R: 

GUAM LEGISLATURE
CENTRAL FILES

ACKNOWLEDGEMENT RECEIPT
Received by: 
Time: 2:46 PM
Date: 5/22/15

0478



PUBLIC DEFENDER SERVICE CORPORATION

Kotperasion Setbision Defensot Publeku

&

ALTERNATE PUBLIC DEFENDER

2015

Annual Report

Doc No. 33GL-15-0478



Our Mission...

As public servants, the Public Defender Service Corporation exists to provide effective legal assistance to those unable to afford private counsel, thereby ensuring equal protection of their lawful rights, in accordance with prescribed ethics, laws, rules and regulations.

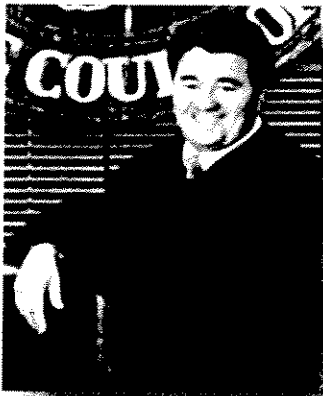


To maintain a dynamic, efficient, client-focused environment for both our clients and employees while defending justice and equality for the people of Guam.

Our Vision...

Board of Trustees

The Public Defender Service Corporation Board of Trustees is the policy-making body that is responsible for providing an effective legal aid and assistance program to those persons who are not able to afford legal counsel.



CHAIRMAN:

Honorable Robert J. Torres, Jr.
Chief Justice of the
Supreme Court of Guam

VICE-CHAIRMAN:

Honorable Alberto C. Lamorena, III
Presiding Judge of the
Superior Court of Guam



MEMBER:

Attorney

Jehan'ad G. Martinez
President, Guam Bar
Association



MEMBER:

Attorney Donna Cruz



MEMBER:

Mrs. Annette Ada

Message from the Executive Director:

It is the goal of the Public Defender Service Corporation and the Alternate Public Defender to make justice work for the people of Guam by tenaciously advocating to protect their constitutional rights and human dignity.

In our never ending aspiration to have the finest law firm possible, the Public Defender Service Corporation has begun a strategic planning process involving all staff: Legal Clerks, Process Officers, Investigators, Legal Secretaries, Attorneys, Fiscal Officers, and Administrative Staff.

We strive to excel by implementing strategies to improve our technology, outreach, data collection, trainings, operations and resource developments to better serve our clients.

Eric Donn Miller



**Eric Donn Miller, Executive Director
Public Defender Service Corporation**

"There can be no equal justice when the kind of trial a man gets depends on the amount of money he has."

~U.S. Supreme Court Justice Hugo Black, 1964

Alternate Public Defender



Ana Maria C. Gayle, Managing Attorney
Alternate Public Defender

The Alternate Public Defender's (APD) office is a division of the Public Defender Service Corporation (PDSC). Established in October 2004, APD was created to replace the Associated Defense Advocate office in order to reduce the cost of legal services and representation for indigent defense and juvenile matters to the Government of Guam.

The Alternate Public Defender's Office provides legal services on court appointed matters or conflict cases by the Public Defender Service Corporation to adult, indigent persons accused of felony and misdemeanor criminal allegations, juveniles prosecuted for alleged conduct that would be criminal if they were adults; individuals involved in juvenile proceedings in which court supervision of minors is sought because of allegations of child abuse or neglect or whose liberty may be affected by the government.

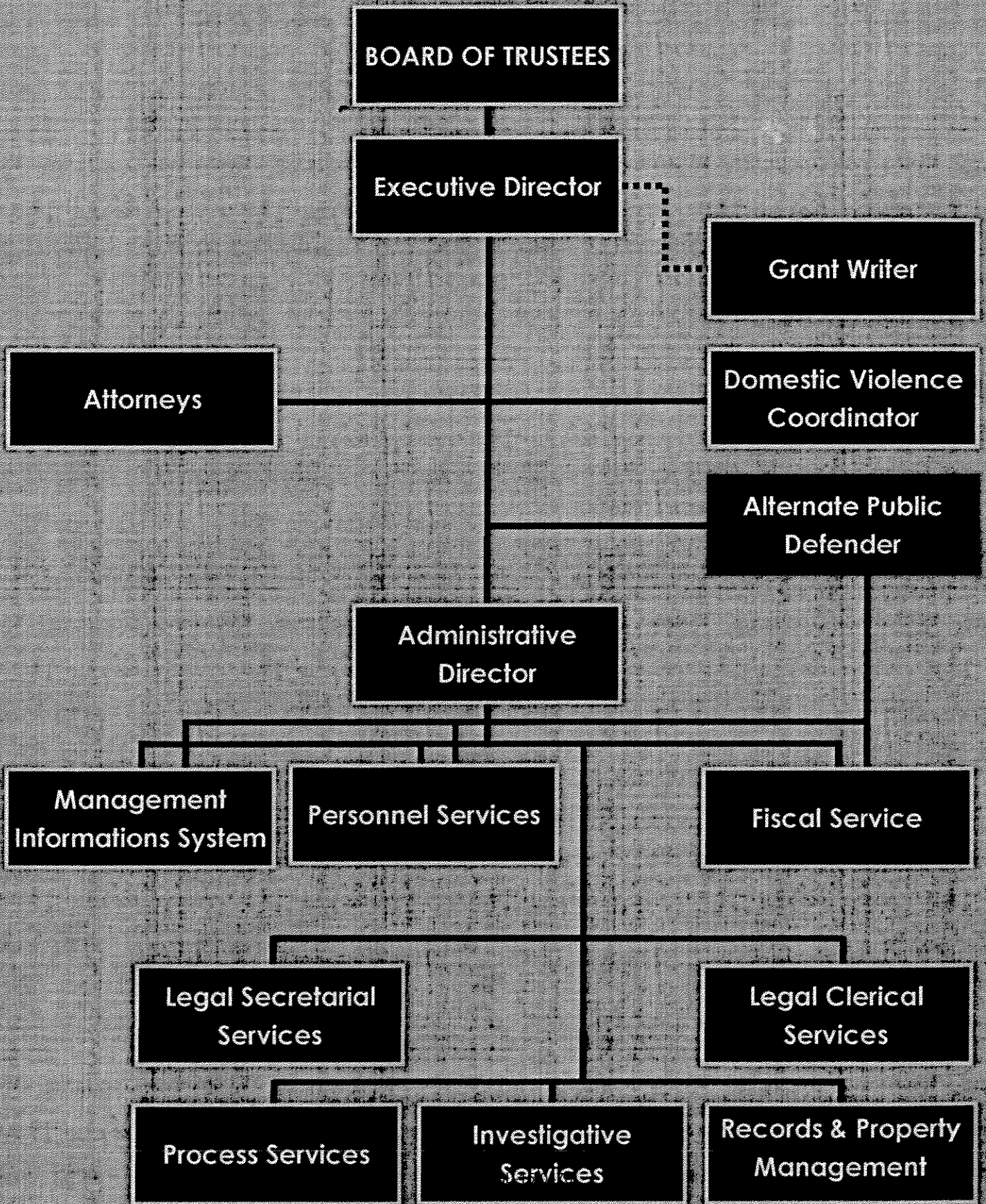
The Alternate Public Defender's office has grown through the years. APD originally operated with a staff of two attorneys, a legal secretary, a legal clerk, and an investigator. As of today, an ever increasing case load has made it necessary to expand the staff to five attorneys, two legal secretaries, two investigators, and two legal clerks.

As the Alternate Public Defender, I am proud of the commitment of our Office to provide legal representation and services mandated by the Constitution and Organic Act of Guam that guarantee indigent persons the effective assistance of counsel before the courts. The attorneys and support staff of this Office seek to provide the mandated legal services in an efficient and cost-effective manner while holding ourselves to the highest professional and ethical standards.

Ana Maria C. Gayle

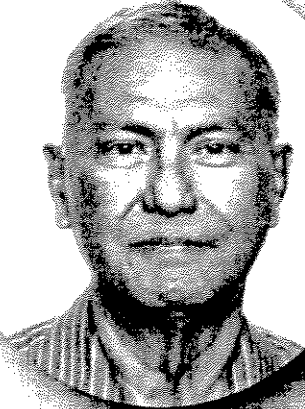
Doc No. 33GL-15-0478

Organizational Chart



Departments

Administration Support Division



Wilfred G. Aflague
Administrative Director

The Administration Support Division consists of the Administrative Director, Human Resources Office, Fiscal Office and Procurement.

The Human Resources office is staffed with one Personnel Specialist IV. The Office provides full human resources management to the Public Defender Service Corporation and the Alternate Public Defender in the areas of recruitment, classification and compensation, training and development, employee records, employee benefits and employee management relations.



Bernadette P. Lizama
Personnel Specialist IV



Michael S. Moreno
Chief Fiscal Officer

The Fiscal Office is staffed with one Chief Fiscal Officer and one Administrative Assistant. The Fiscal Office is committed in ensuring

that we are able to accomplish our mission by acquiring and maintaining the necessary annual funding for both the Public Defender Service Corporation and the Alternate Public Defender



Cecelia M. Fernandez
Administrative Assistant

Departments

Legal Secretaries



The Legal Secretarial Division of the Public Defender Service Corporation consists of the Legal Secretarial Supervisor and thirteen Legal Secretaries. Considered to be the largest administrative division in the PDSC, the legal secretarial division provides direct assistance to fifteen

attorneys performing a variety of duties such as scheduling hearings, preparing legal documents and correspondence, docketing cases and maintaining court dockets and providing information and direction to others.

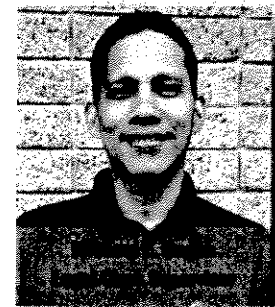


Top left-right: Joyce, Alana, Cecille, Lisa, Mikki, Terri, Jennifer
Bottom left-right: Cherrisse, Hanna, Karina, Stacy, Vanessa, Nadine

Legal Clerks

Departments

The mission of the Legal Clerical Division is to provide the initial eligibility determination of potential clients as mandated by law for legal representation and performs administrative support services such as reception,



telephone operations, and receipt and delivery of documents. Its function is critical in order to provide efficient service to the public, and effective administrative services to the overall mission of the Public Defender Service Corporation.

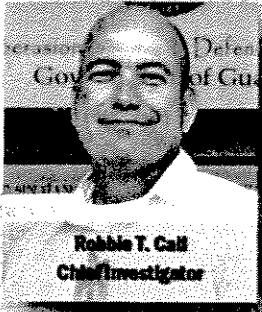


Left-right: Michael, Alyssa, Khawana, Shannel

Doc No. 33GL-15-0478

Departments

Investigations



The Investigation Section is comprised of a Chief Investigator Robbie Call, Investigator III Ricardo Taimanao, Investigator II Séa Alvarez, Investigator II Joselito Marquez, and Investigator I Randolph Rivera. Investigation's main function is to support the attorneys by getting and providing factual information that will assist in their representation of our clients.

Investigators interview clients, witnesses, victims, professionals and the common layperson. Each investigator is a certified Process Officer and Notary Public. Professionalism, education, communication, and work experiences are highly relied upon to be a successful investigator.



Process Services

Departments

The Process Officer Division is made up of a Process Officer Supervisor and a Process Officer I. This division is responsible for filing and serving legal documents generated by the attorneys of the PDSC, issued by the Superior Court of Guam to the Public Defender Service Corporation clients, the Office of the Attorney General, private attorneys and Government of Guam agencies in a timely manner. They are also responsible for scanning all documents received from the Superior and Supreme Courts of Guam and distributing documents to the assigned attorneys.

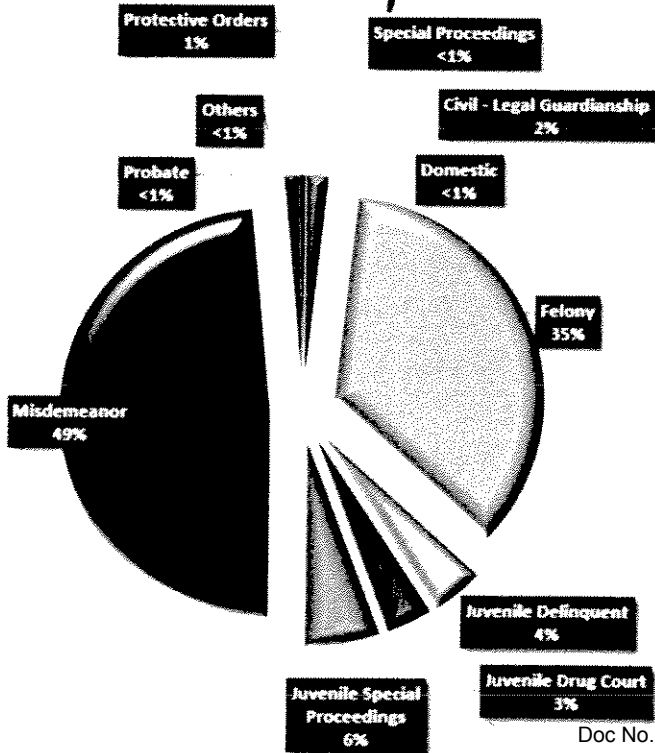


PDSC ACTIVE CASELOAD - FISCAL YEAR 2014

<u>Types of Cases</u>	<u>FY2014 Cases Opened</u>	<u>Prior to FY2014 Pending Cases</u>
Criminal (Felony)	565	675
Criminal (Misdemeanor)	838	876
Juvenile Delinquent	104	39
Juvenile Drug Court	105	19
Juvenile Special Proceedings	136	62
Civil—Legal Guardianship	54	5
Domestic	0	1
Others	0	2
Probate	0	1
Protective Orders	34	3
Special Proceedings	12	2
TOTAL:	1848	1685

Performance

Active Caseload Comparison



Closing out Fiscal Year 2014, the Public Defender Service Corporation had an active caseload of 3,533. This active caseload is determined by combining the number of cases opened during FY2014 with the number of cases that were opened prior to FY2014 but which are not yet closed or have future events scheduled.

Doc No. 38-15-0478

Jury Trials

2014 was a very challenging year for trial work. The office has been engaged in much more trial work than in previous years. In 2014, staff attorneys had 20 jury trials, one of which was a multiple homicide case which tied up two attorneys for over six weeks.



Average Caseload per Attorney

According to the American Bar Association: Defense Counsel should not carry a workload that interferes with their ability to provide quality representation for their clients. The optimum workload limits for ONE attorney are:

150 Felonies -or- 200 Juveniles -or- 400 Misdemeanors

For the period from January 1, 2014 through December 31, 2014, the PDSC had a total of **5,655** misdemeanor equivalent cases. Divided by 14.5 staff attorneys that are currently employed at the PDSC, and this averages to **390** misdemeanor equivalent cases per attorney, putting the PDSC within the ABA's guidelines for being able to provide quality representation.

WEIGHTED CASE LOAD

Misdemeanor Equivalency

- ONE Felony = 2.7 Misdemeanors
- ONE Juvenile = 1 Misdemeanor
- ONE Misdemeanor = 1 Misdemeanor
- ONE Civil = 1 Misdemeanor
- ONE Domestic = 2 Misdemeanors

Cases Assigned Converted Into Misdemeanor Equivalencies

Case Type	Number of Cases		Misdemeanor Equivalent	Weighted Caseload
Felony	1256	X	2.7	3391.2
Juvenile	207	X	2	414
Misdemeanor	1802	X	1	1802
Civil	48	X	1	48
Domestic	0	X	2	0
TOTAL MISDEMEANOR EQUIVALENCIES:				5,655

Budget Summary

FY2014 REVENUES

	PDSC	APD	DVP	TOTAL
PDSC (General Fund)	3,613,941.38	-0-	-0-	3,613,941.38
APD (Court Appointed (Indigent Funds))	-0-	920,381.12	-0-	920,381.12
DVP (Federal Grant)	-0-	-0-	33,523.60	33,523.60
TOTAL	3,613,941.38	920,381.12	33,523.60	4,567,846.10

FY2014 EXPENDITURES

	PDSC	APD	DVP	TOTAL
Salaries & Wages	2,362,052.32	555,763.47	72,553.19	2,935,654.48
Benefits	564,053.66	199,753.30	10,495.53	1,074,332.49
Off-Island Travel/Mileage Reimbursement	332	332	332	332
Contractual	75,133.76	23,991.01	332	104,197.75
Building Rent	271,200.00	44,497.60	332	339,977.60
Supplies	24,914.21	7,711.51	523.38	33,609.91
Equipment <\$5,000	9,399.00	3,733.37	332	13,677.57
Drug Testing	332	433	332	433
Communications	5,940.00	2,733.67	332	10,795.67
Power	25,980.00	332	332	28,900.00
Miscellaneous	28,333.72	5,340.00	332	34,233.72
Capital Outlay >\$5,000	332	332	332	332
TOTAL	3,673,232.24	847,123.24	84,725.10	4,595,080.52

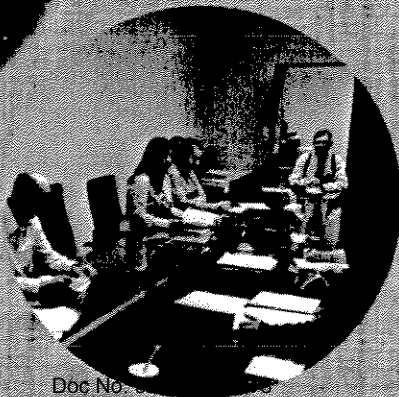
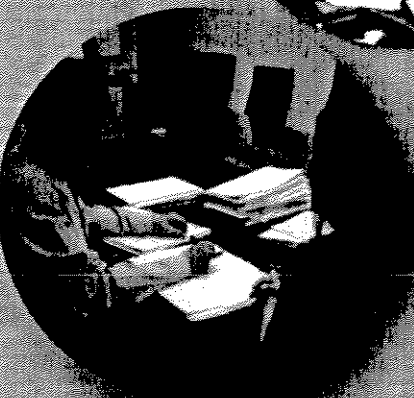
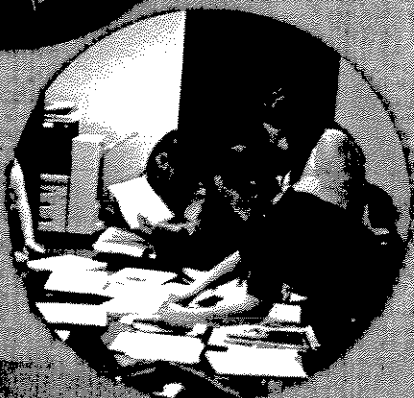
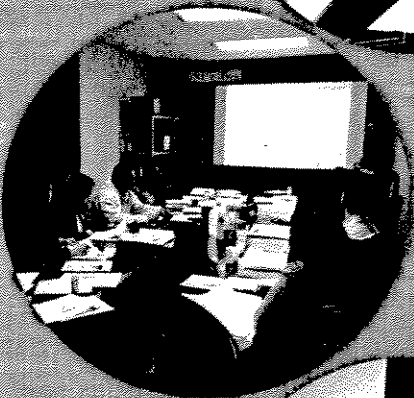


Strategic Planning

The PDSC began its strategic planning with all employees working in specific groups providing recommendations and solutions to improve our office in the following critical areas:

- Database Protocols
- Brief Bank Maintenance
- Emergency Response and Crisis Management
- Operations
- Public Relations
- Resource Development
- Outreach Programs
- Technology
- Website
- Training

The PDSC along with the Judiciary of Guam will be working with a facilitator from Praxis Consulting, Inc.





Eric D. Miller
Executive Director
Public Defender Service Corporation

STAFF ATTORNEYS

Richard S. Dirkx	Terrance A. Long
Loretta T. Gutierrez-Long	Pablo M. Aglubat
Raymond B. Ilagan	Jocelyn M. Roden
Peter J. Sablan	Maria G. Fitzpatrick
Ali N. Nusbaum	Suresh Sampath
Brian E. Kegerreis	Mikaela S. Henderson
William B. Jones	J. Robert Mortland, III

Ana Maria C. Gayle
Managing Attorney
Alternate Public Defender

STAFF ATTORNEYS

Stephen P. Hattori	John P. Morrison
Eric R. Overton	James N. Spivey, Jr.

