

DIRECTOR
Eric D. Miller



ADMINISTRATIVE DIRECTOR
Bernadette L.P. Lizama, Acting

PUBLIC DEFENDER SERVICE CORPORATION
(Kotperasion Setbision Defensot Pubbleku)

STAFF ATTORNEYS
Richard S. Dirkx
Terrance A. Long
Loretta T. Gutierrez-Long
Pablo M. Agiubat
Raymond B. Ilagan
Jacelyn M. Roden
Peter J. Sablan
Maria G. Fitzpatrick
All N. Nusbaum
Suresh Sampath
Brian E. Kegerreis
William B. Jones
J. Robert Mortland, III

September 30, 2015

Hand-Delivered

Speaker Judith T. Won Pat, Ed. D.
I Mina'trentai Tres Na Liheslaturan Guåhån
155 Hesler Street, Suite 201
Hagåtña, Guam 96910

33-150896

Office of the Speaker
Judith T. Won Pat, Ed.D

Date: 9/30/2015
Time: 12:40
Received By: [Signature]

2015 SEP 30 PM 2:06

Dear Speaker Won Pat,

Håfa Adai. Pursuant to §8113.1 of Chapter 8 Title 5 GCA, enclosed you will find one (1) compact disc containing an electronic file of the meeting packet of the Public Defender Service Corporation Board of Trustees' meeting conducted on Tuesday, August 18, 2015.

We appreciate your attention to this matter, and look forward to answering any questions you may have in this regard. *Dangkolo na Agradesimento.*

Sincerely,


BERNADETTE L.P. LIZAMA, Acting
Board Secretary

Attachment

0896

PUBLIC DEFENDER SERVICE CORPORATION
Board of Trustees Regular Meeting
Tuesday, September 29, 2015 – 12:30 p.m.
Conference Room,
Public Defender Service Corporation

A G E N D A

- I. Call to Order**
- II. Roll Call**
- III. Proof of Due Notice of Meeting:**
 - A. 5 Working Days Notice: Marianas Variety, Monday, September 21, 2015
 - B. 48 Hours Notice: Marianas Variety, Friday, September 25, 2015
- IV. Determination of Quorum**
- V. Approval of Minutes:** Regular Meeting of Tuesday, August 18, 2015
- VI. Old Business:**
 - A. Financial Status Update (PDSC and APD) Allotment Releases
 - B. Domestic Violence Program Update
 - C. Alternate Public Defender Update
 - D. PDSC Executive Director – CWA 2014 Retro Payment
 - E. PDSC Executive Director Performance Evaluation
 - F. Amendments/Adoption of PDSC Personnel Rules and Regulations
 - G. Proposed Amendment to the By-Laws
- VII. New Business:**
 - A. PDSC Fiscal Year 2016 Budget Modifications
 - B. Resolution No. 24-15 Relative to the Use of Lapsed Funds for Five PDSC Attorneys to attend the Advanced Trial Advocacy Symposium, November 4-6, 2015 in Koror, Palau
 - C. Resolution No. 25-15 Relative to the Use of Lapsed Funds for Three APD Attorneys to attend the Advanced Trial Advocacy Symposium, November 4-6, 2015 in Koror, Palau
 - D. APD to Request to Use Lapsed Funds for One APD Defense Attorney to attend the 2015 NCDC DWI Court Planning Training, December 7-10, 2015 in Newport Beach, CA.
 - E. APD Attorney Level 5 (Managing Attorney) Performance Evaluation
 - F. New Administrative Director
 - G. Professor Laurie Shanks presented “Defending Allegations of Child Sexual Abuse” (CLE 6 hours), Friday, September 25, 2015
- VIII. Public Discussion:**
- IX. Adjournment and Next Meeting Date:**
 - Tuesday, October 27, 2015 at 12:30 p.m.
 - Confirmation for Friday, November 27, 2015 at 12:30 p.m.

GUAM DAILY POST - MONDAY, SEPTEMBER 21, 2015

Get results in our CLASSIFIEDS

GUAHAN ANCESTRAL LANDS COMMISSION
Kumlsion I Tano' Saina-Ta

NOTICE OF PUBLIC MEETING

The GUAHAN ANCESTRAL LANDS COMMISSION (GALC) Board Meeting will be held on Wednesday, September 23, 2015 at 2:00pm, Department of Land Management conference room, 3rd Flr. of the ITC Building, 590 S. Marine Corps Drive, Tamuning. Individuals requiring special accommodations, auxiliary aids or services, may contact 649-5263 ext 432.

This ad paid for by Government funds.

The Honorable **EDDIE B. CALVO** Governor

The Honorable **RAY TENORIO** Lt. Governor

PUBLIC NOTICE

The Board of Directors of the A.B. Won Pat International Airport Authority, Guam (GIAA) will convene its Regular Board meeting on Monday, September 28, 2015 at 3:00 p.m. in Terminal Conference Room No. 3. In addition to regular matters, pursuant to 5 G.C.A. §8111(c)(2), Executive Session will be held to discuss pending litigation to which GIAA is a party. Parking is available in the Public Parking Lot.

For special accommodations or agenda items, please call the Board Office at 642-4717/18.

(This ad paid for by GIAA)

GSA General Services Agency
(Aghensan Setblasion Hinirat)
Department of Administration
Government of Guam

148 Route 1 Marine Drive, PIB, Guam 96915
Tel: 476-1707-13 Fax: 472-4217/475-1727

THIS ADVERTISEMENT WAS PAID WITH SPECIAL FUNDS BY:

DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES

A non-refundable fee of \$10.00 per bid package will be assessed. Certified Check, Cashier's Check, Cash will be accepted. No personal or company check. Payment for bid package picked up after 3:00 pm will not be accepted.

INVITATION FOR BID

Bid No.: GSA-147-15
Opening Date: 10/2/2015 Time: 9:00 a.m.
FOR: PHARMACEUTICAL SUPPLIES

Note: GSA recommends that prospective bidders register current contact information with GSA to ensure they receive any notices regarding any changes or updates to the IFB. The procuring agency and GSA will not be liable for failure to provide notice to any party who did not register current contact information.

INTERESTED PARTY MAY PICK UP FORMS/SPECIFICATIONS AT SAID PLACE
/s/ CLAUDIA S. ACFALLE
Chief Procurement Officer

NOTICE OF PUBLIC MEETING

The Public Defender Service Corporation Board of Trustees will conduct a regular meeting on **Tuesday, September 29, 2015 at 12:30 p.m.** in the Conference Room of the Public Defender Service Corporation, located at the MVP Sinajana Commercial Building, Unit B, 779 Route 4, Sinajana, Guam 96910.

Copies of the agenda will be available prior to the meeting at the Public Defender Service Corporation (address above).

Individuals requiring special accommodations are asked to contact Mrs. Bernadette P. Lizama at 475-3100.

/s/ CHIEF JUSTICE ROBERT J. TORRES
Chairman

This public notice is paid for with government funds.

The Honorable **EDDIE B. CALVO** Governor

The Honorable **RAY TENORIO** Lt. Governor

IMPROVING our Infrastructure & ENHANCING GUAM'S BUSINESS Investment Potential

JOB ANNOUNCEMENT

The Antonio B. Won Pat International Airport Authority, Guam (GIAA), a public corporation and an autonomous instrumentality of the Government of Guam, seeks qualified individuals to establish a list for the following positions:

Announcement No. 15-15 HEAVY EQUIPMENT MECHANIC I

For complete details on this and other GIAA positions, please refer to www.guaairport.com. Submit all applications to the GIAA Personnel Office, 3rd floor Administrative Offices, Airport Terminal and also contact them at (671) 646-0300-3 for more information.

CHARLES H. ADA II Executive Manager PEDRO ROY MARTINEZ Deputy Executive Manager

SUBSCRIBE

TO THE **FASTEST GROWING NEWSPAPER IN THE REGION**

THE GUAM DAILY POST

PUBLICATION NOTICE

In accordance with the provisions of Guam Code Annotated, Title XI, Chapter III, Section 3315, notice is hereby given that:

JB, LLC
dba: Island Manufacturing & Wholesale

has applied for a Class:3 WHOLESALE said premises being marked as Lot: 5162-3-1, Guam Korean Trade Ctr., Harmon Industrial Park.

Sen. Thomas Ada
Public Hearing Notice
Friday, September 24, 2015
I Liheslaturan Guahan, Public Hearing Room

AGENDA

9:00 AM
Bill No. 147-33 (COR) - T.C. Ada
Relative to the authorities and responsibilities of the Department of Revenue and Taxation and the Department of Public Works to enforce weight limits and safe operations of commercial vehicles on Guam's highways; establishing penalties for violations; establishing permit requirements; and establishing a truck enforcement screening station (TESS) facility fund.

1:30 pm
Bill No. 181-33 (COR) - T.C. Ada
An act to amend § 3102.1 of Chapter 3 of Title 16 Guam Code Annotated, relative to waiver of fees for spouse and legal guardian of 100% disabled veterans and for Gold Star Widows/Widowers and Parents.

Bill No. 180-33 (COR) - T.C. Ada
An act to Title Lot 5138-2-R3 NEW-1-1, Ipao-Tumon, Municipality of Dededo in the name of the Chamorro Land Trust Commission and to authorize the commercial leasing of said lot.

Bill No. 170-33 (COR) - TR. Muña Barnes/VA. Ada/B.T. McCreadie/D.G. Rodriguez, Jr.
An act to authorize the Department of Integrated Services for Individuals with Disabilities (DISID) to enter into a memorandum of understanding with the Guam Trades Academy for the construction of the Guam Regional Workforce training and development center.

Bill No. 131-33 (COR) - VA. Ada/B.T. McCreadie
An act authorizing the Department of Integrated Services for Individuals with Disabilities DISID to partner with a private educational entity for the purpose of reconstructing the former department/division of vocational rehabilitation facility to provide services for individuals with disabilities and job training programs.

Bill No. 179-33 (COR) - T.C. Ada
An act to add a new Subsection (d) to §2107 of Chapter 2, Title 2, of the Guam Code Annotated to require a Department of Land Management recorded map be included in land bills.

Individuals requiring special accommodations should submit their request to Charlene Flores at 473-3301.

Paid for by funds of the
Committee on Transportation, Lands, and Procurement
www.senatorada.org

GUAM DAILY POST • THURSDAY, SEPTEMBER 24, 2015

NOTICE OF PUBLIC MEETING

The Public Defender Service Corporation Board of Trustees will conduct a regular meeting on **Tuesday, September 29, 2015 at 12:30 p.m.** in the Conference Room of the Public Defender Service Corporation, located at the MVP Sinajana Commercial Building, Unit B, 779 Route 4, Sinajana, Guam 96910.

Copies of the agenda will be available prior to the meeting at the Public Defender Service Corporation (address above).

Individuals requiring special accommodations are asked to contact Mrs. Bernadette P. Lizama at 475-3100.

/s/ CHIEF JUSTICE ROBERT J. TORRES
Chairman

This public notice is paid for with government funds.



The Honorable
EDDIE B. CALVO
Governor



The Honorable
RAY TENORIO
Lt. Governor

PUBLIC NOTICE

The Board of Directors of the A.B. Won Pat International Airport Authority, Guam (GIAA) will convene its Regular Board meeting on **Monday, September 28, 2015 at 3:00 p.m.** in Terminal Conference Room No. 3. In addition to regular matters, pursuant to 5 G.C.A. §8111(c)(2), Executive Session will be held to discuss pending litigation to which GIAA is a party. Parking is available in the Public Parking Lot.

For special accommodations or agenda items, please call the Board Office at 642-4717/18

(This ad paid for by GIAA)

PUBLICATION NOTICE

In accordance with the provisions of Guam Code Annotated, Title XI, Chapter III, Section 3315, notice is hereby given that:

GSL CORPORATION

dba: PHO BASI VIETNAMESE RESTURANT & LOUNGE
has applied for a Class: (4) GENERAL ON SALE, ALCOHOLIC BEVERAGE LICENSE. said premises being marked as Lot: 2017-R1 UNIT 1 RK PLAZA, TAMUNING, GUAM.

PUBLICATION NOTICE

In accordance with the provisions of Guam Code Annotated, Title XI, Chapter III, Section 3315, notice is hereby given that:

MOYLAN'S WHOLESALE DISTRIBUTORS, INC. dba: MOYLAN'S WHOLESALE DISTRIBUTORS, INC.

has applied for a Class: THREE WHOLESALERS LICENSE. said premises being marked as Lot: B BLOCK 21 JULALE SHOPPING CTR. #115 424 W. O'BRIEN DR. HAGATNA

PUBLICATION NOTICE

In accordance with the provisions of Guam Code Annotated, Title XI, Chapter III, Section 3315, notice is hereby given that:

SOUTH NORTH AGAT II, LLC dba: RED DOOR PRODUCTIONS

has applied for a Class: 4 GENERAL ON SALE ALCOHOLIC BEVERAGE LICENSE. said premises being marked as Lot: 5135-R1 Fiesta Resort 801 Pale San Vitores Rd., Tumon

REQUEST FOR PROPOSAL REAL ESTATE BROKER SERVICES

UOGEF RFP NO. 2015-001

GENERAL INFORMATION: The University of Guam Endowment Foundation (UOGEF), a non-profit 501c3 corporation, is seeking proposals from qualified individuals or firms to perform real estate broker services for the organization.

All interested and qualified parties may pick copies of the Request for Proposal (RFP) at UOGEF, located at the University of Guam, Dean's Circle, Bldg #10, Mangilao, Guam, Monday through Friday between 8:00 am and 5:00 pm.

Date Issued: Wednesday, September 23, 2015

Deadline for Submission of proposals: 3:00 pm, October 7, 2015

Questions concerning this RFP should be addressed to:
University of Guam Endowment Foundation

JANIECE A. SABLAN

Executive Director
University of Guam Endowment Foundation
UOG Station
Mangilao, GU 96923

Bldg. #10, UOG Dean Circle Mangilao, GU 96913 • Tel: 735-2955 • Fax: 734-2952 • www.uogendowment.org

GUAM WATERWORKS AUTHORITY

"Better Water. Better Lives"

Gloria B. Nelson Public Services Building
688 Route 15, Mangilao, Guam 96913
Phone: (671) 300-6027 Fax: (671) 649-3750

(This Ad Paid By GWA (Public Law 26-12))

INVITATION TO BID

The GUAM WATERWORKS AUTHORITY will receive sealed bids for Wastewater Treatment Chemicals, in GWA IFB NO 2015-10 Bids in original with 6 copies sealed packages will be accepted until 10:00 a.m. Chamorro Standard Time, **October 15, 2015** at the GWA Procurement Office at which time and place all bids will be publicly opened and read aloud. All bids must be accompanied by a Bid / Performance Bond in the amount of 15 percent (15%) of the total bid price. Bid security may be bid/performance bond, certified check or cashier's check made payable to Guam Waterworks Authority. A non-refundable amount of \$15 00 is required for the purchase price of every set of bidding documents which are available at the GWA Procurement Office. Bidders can download a bid package at www.guamwaterworks.org without charge, although vendors are strongly encouraged to contact or visit GWA Procurement Office to register to ensure that updated information, notices or bid amendments are distributed to you.

GWA reserves the right to revise or reject any or all proposals and to waive any minor imperfection in the bid proposal in the interest of the Guam Waterworks Authority.

/s/ MARK G. MILLER
Interim General Manager



ANNUAL MEMBERSHIP LUNCHEON MEETING

Friday, October 2, 2015

Breakfast at 8:30 a.m.

Presentation from 9:00 a.m. - 11:00 a.m.

Hilton Guam Resort & Spa, Micronesia Ballroom

GUEST SPEAKER

Mr. Hiroshi Kurosu, Chief Researcher
Japan Travel Bureau

Topic: Japan Market Now

- Outbound, Inbound and the Future
- Overseas Market and Japanese travel trend
- Marketing Strategies and plans

\$21.00 per person

Please RSVP by **Wednesday, September 30, 2015**

**PUBLIC DEFENDER SERVICE CORPORATION
BOARD OF TRUSTEES
Regular Meeting
of
Tuesday, August 18, 2015
12:30 p.m.
Public Defender Service Corporation
Conference Room**

M I N U T E S

I. CALL TO ORDER:

This meeting was called to order by the Chairman, Chief Justice Robert J. Torres, Jr. at 12:46 p.m.

II. ROLL CALL:

Present: Chief Justice Robert J. Torres, Jr., Chairman
Presiding Judge Alberto C. Lamorena, III
Attorney Jehan'ad G. Martinez, Guam Bar Association President
Attorney Donna M. Cruz, Member
Mrs. Annette J.U. Ada, Member

Others Present: Attorney Eric D. Miller, PDSC Executive Director
Attorney AnaMaria C. Gayle, APD Managing Attorney
Bernadette L.P. Lizama, PDSC Acting Administrative Director
Michael S. Moreno, Chief Fiscal Officer
Julito B. Tingson, MIS Administrator
Kenneth A. Lim, Computer Systems Analyst
Cecelia M. Fernandez, Administrative Assistant
Robbie T. Call, Chief Investigator
Attorney Stephen P. Hattori
Janet Rosario, Legal Secretary III

III. PROOF OF DUE NOTICE OF MEETINGS:

"Notice of Public Meeting" were published in the Marianas Variety on Monday, August 10, 2015 and Friday, August 14, 2015.

IV. DETERMINATION OF QUORUM:

With the presence of all five (5) board members, a quorum was determined for this meeting.

V. APPROVAL OF MINUTES: Minutes of the regular board meeting held on Friday, July 24, 2015 were adopted and approved, subject to corrections.

VI. OLD BUSINESS:

- A. Financial Status Update (PDSC and APD Allotment Releases):** Chief Fiscal Officer Michael Moreno reported that PDSC is operating at 87% and has received allotments through second half of June 2015. As for APD, we have received the letter reducing our 4th quarter allotment by \$100,000, so we are at 85%. We have issued an invoice to the Judiciary for the last allotment of \$150,000.
- B. Domestic Violence Program Update:** Chief Fiscal Officer Moreno reported that we are operating under the STOP 2014, which would be sufficient for the next 16 pay periods.
- C. Alternate Public Defender Update:** No new information to report.
- D. PDSC Executive Director – CWA Retro Payment:** After extensive research and several board discussions, Chief Justice Robert J. Torres, Jr. has determined that the PDSC Executive Director is a part the Competitive Wage Act of 2014, Executive Pay Plan. There were 3 pay grade proposals – two from DOA HRD (E-U and E-W) and one from our HR (E-X). The PDSC Board recommended and approved Pay Grade E-W at Step 10, \$125,742 per annum. However, Chief Fiscal Officer Moreno inquired if funding would be from lapsed funds. Chief Justice Torres requested for a calculation of payment for approval at the next board meeting.
- E. PDSC Executive Director Performance Evaluation:** Executive Session. Chief Justice Torres
- F. Amendments/Adoption of PDSC Personnel Rules and Regulations:** Executive Director Eric Miller reported that the Board might want to consider modifying the grievance procedures to have the Board of Trustees as the Appeals Board instead of the Judicial Council. In order for this to take affect the by-laws and the Personnel Rules and Regulations need to be amended. This item was tabled for the next Board meeting with the proposed amendments to the By-Laws.

VII. NEW BUSINESS:

- A. Resolution No. 22-15: Relative to the Use of Lapsed Funds for the Expenses of the Celebration of the 40th Anniversary of the Public Defender Service Corporation:** Executive Director Miller requested the use of lapsed funds to pay for the catering of 200 people; liability insurance; decorations; honorary award for Mr. Hank Parker; honorarium for table blessings which rounds to about \$3,366. Invitations are being sent out and were also issued to the Board of Trustees.
- B. Executive Session: Procedural Discussion – Grievance of CSN:** Chief Justice Torres stated that the issue here was whether there was a request based on the process that had to be done and was it returned back by the Judicial Council and that there has to be a request from the Executive Director to the Board. Executive Director Miller reported that if the Executive Director wishes to invoke the procedures set forth in the by-law, he must first indicate to the Judicial Council that he has consulted with the PDSC Board. We had to consult the Board before asking the Judicial Council. Chief Justice Torres confirmed that there has been consultation with the Board and the Executive Director. The Board approved the authorization for the Executive Director to communicate with the Judicial

Council for requesting appointment of a Hearing Officer in the existing adverse action or grievance.

- C. **Private Bar Panel Training by Professor Laurie Shanks:** Visiting Emerita Clinical Professor of Law at Albany Law School, Albany, New York will be conducting training for PDSC, APD and other Defense Attorneys, Friday, September 25, 2015. Executive Director Miller presented that Professor Shanks is a presenter for the PJC Conference scheduled in September. He was able to contact her and she agreed to conduct a 6 hours CLE training on defending child sexual abuse cases for PDSC and APD. PDSC will be utilizing training budget to pay for the share cost and venue.
- D. **Proposed Amendment to By-Laws:** This item was tabled.
- E. **Resolution No. 23-15: Relative to the Use of Lapsed Funds to enable PDSC Defense Attorney to attend the 2015 NCDC DWI Court Planning Training, December 7-10, 2015 in Newport Beach, CA:** Chief Justice Torres stated that this for informational purposes. Presiding Judge Alberto C. Lamorena, III reported that Guam was able to obtain a training grant to make the DWI Court a treatment court. This is the first step in the process. He requested that PDSC provide a resolution for appropriating funds to send one PDSC attorney who deal with DWI cases to the training. Executive Director Miller stated that the attorney may be either Ali Nusbaum or Brian Kegerreis. Presiding Judge Lamorena stated that attendance confirmation was needed by September 4, 2015. APD Managing Attorney AnaMaria Gayle inquired if APD could send one of their attorneys as well. Chief Justice Torres stated that the NCDC DWI Court Planning training to be held on November 7-10, 2015 in Newport Beach and that PDSC use lapsed funds of \$5,000 for the PDSC attorney to join the team of six that is required to attend this training.

Resolution Nos. 22-15 and 23-15 were then duly adopted and approved.

VIII. **PUBLIC DISCUSSION:** None.

IX. **ADJOURNMENT AND NEXT MEETING DATE:** The next meeting will take place on Tuesday, September 29, 2015 at 12:30 p.m.

There being no further business up for discussion, this meeting was adjourned at 1:22 p.m.

Respectfully submitted,



BERNADETTE L.P. LIZAMA, Acting
Secretary

Agenda Item #VI-D

PDSC

Executive Director

CWA 2014 Retro Payment

Eric D. Miller

Retro Calculation

Gross	Retirement 29.85%	M/Care	TOTAL
9,273.60	2,768.17	134.47	12,176.24

Agenda Item #VI-G

Proposed Amendment to the By-Laws

**Proposed Amendment to the By-Laws
Public Defender Service Corporation
Board of Trustees**

That Article 4.01 e be amended to delete the following:

“The Executive Director after consultation with the PDSC Board shall apply to the Judicial Council which is authorized to designate and delegate a hearing officer, to hear and decide personnel matters, whose decision shall be final and may be appealed to the superior Court of Guam.”

And add the following:

“The Board of Trustees shall serve as the Appeals Board for such grievances and is authorized to delegate a hearing officer to hear and decide the personnel matter. The Appeals Board may adopt, reject or modify the decision of the hearing officer”

3.04 RELATION TO STATUTE. These Rules are subject to and are governed by the applicable statutes.

3.05 AMENDMENTS. These Bylaws may be amended by the PDSC Board at any regular meeting only upon the concurrence of at least three (3) members of the Board provided, the proposed amendment was submitted in writing at the previous regular meeting by a member of the PDSC Board. An approved amendment shall go into effect immediately.

Article 4

4.01 POWERS OF THE PDSC BOARD. The Board shall have the following powers:

- a. To adopt policies and its own rules, in conjunction with the Board appointed Executive Director, for the PDSC Board and the Public Defender Service Corporation and make requests to *I Lehislaturan* as may be deemed appropriate for the effective and expeditious administration of the PDSC with the purpose of improving and streamlining indigent criminal defense services and legal services provided to all those who cannot afford a lawyer;
- b. To make other recommendations regarding legal representation of the indigent community to *I Maga'lahaen Guahan*, or to *I Lehislatura* as it deems proper;
- c. To follow the Judicial Council's adopted unified pay schedule for the employees of the Judicial Branch consistent with the Hay Study and Unified Pay Schedule adopted in 1991, as amended and 4 G.C.A. §6208 codifying the attorney salary scale into law as amended by PL 27-106;
- d. To adopt policy and rules for the operation of the PDSC, including but not limited to, personnel, procurement, facilities and property, financial and travel (the provisions of §§ 6302(c), 6303 and 4105 of Title 4 of the Guam Code Annotated and 5 G.C.A. § 23109 of the Guam

Code Annotated having been reaffirmed);

e. To follow and implement establish rules and regulations for appeals and grievances brought upon by classified employees of the PDSC, who have exhausted administrative remedies. The Executive Director after consultation with the PDSC Board shall apply to the Judicial Council which is authorized to designate and delegate a hearing officer, to hear and decide personnel matters, whose decision shall be final and may be appealed to the Superior Court of Guam;

f. To review and approve the budget for the operation of the PDSC and its divisions, and submit its recommendations to *I Lehislaturan Guahan*, under the signature of its Chairperson, by the first day of May of each year;

g. To employ, retain or contract for the services of qualified specialists or experts, as individuals or as organizations, to advise and assist the PDSC in the fulfillment of its duties;

h. To sue on behalf of the PDSC, including on behalf of the PDSC's employees, or itself to enforce any rights granted to the PDSC;

i. To lease, evict, or sue on behalf of the PDSC, relative to Court properties, equipment, and facilities;

j. To approve and appoint an Executive Director who shall be unclassified and have at least five(5) years experience in the practice of law. The Executive Director shall have sole responsibility to carry out the purposes and duties of the Corporation pursuant to P.L 13-51 codified in 12 G.CA.§ 11108.

(1). The Director is authorized to appoint attorneys and such other personnel and fix their duties, under and in accordance with 4 G.C.A., as may be necessary to fulfill the Director's

Agenda Item #VII-A

PDSC

Fiscal Year 2016

Budget Modifications

Function: Public Safety

Department/Agency: Public Defender Service Corporation

BD-1

Program: Summary

AS400 Account Code	Appropriation Classification	B	C	D	Decrease	%
		General Fund FY2015 Authorized Level	General Fund FY2016 Authorized	General Fund FY2016 Requested		
PERSONNEL SERVICES						
111	Regular Salaries/Increments/Special Pay	2,670,398	2,787,773	2,933,343	(145,570)	5%
	Merit Bonus	0				
112	Overtime	0	0	0		
113	Benefits	851,322	835,847	879,492	(43,645)	5%
	Benefits - Merit Bonus	0				
114	Insurance Benefits (Medical / Dental / Life)	141,476	170,505	179,409	(8,904)	5%
	Prior Year Obligation (CWA 2014)	163,805				
	Prior Year Obligation FY09-FY13(Law Enforcement)	489,326				
Note Only	TOTAL PERSONNEL SERVICES (Include Prior Year)	\$4,152,522				
	TOTAL PERSONNEL SERVICES (Exclude Prior Year)	3,499,391	\$3,794,125	\$3,992,244	(198,119)	5%
OPERATIONS						
220	TRAVEL- Off-Island/Local Mileage Reimburs.	0	0	0		
230	CONTRACTUAL SERVICES:	125,230	121,515	164,763	(43,248)	26%
233	OFFICE SPACE RENTAL:	271,200	271,200	271,200	0	0%
240	SUPPLIES & MATERIALS:	32,340	28,800	32,340	(3,540)	11%
250	EQUIPMENT:	59,320	24,768	32,120	(7,352)	23%
270	WORKERS COMPENSATION	0	0	0		
271	DRUG TESTING	2,000	2,000	2,000	0	0%
280	SUB-RECIPIENT/SUBGRANT:	0	0	0		
290	MISCELLANEOUS:	31,465	30,855	39,855	(9,000)	23%
	TOTAL OPERATIONS	\$521,555	\$479,138	\$542,278	(63,140)	12%
UTILITIES						
361	Power	28,800	28,800	36,000	(7,200)	20%
362	Water/ Sewer	0	0	0		
363	Telephone	16,812	16,812	16,812	0	0%
	TOTAL UTILITIES	\$45,612	\$45,612	\$52,812	(7,200)	14%
450	CAPITAL OUTLAY	\$0	\$0	\$0		
Note Only	TOTAL APPROPRIATIONS (Include Prior Year)	\$4,719,689	\$4,318,875			
	TOTAL APPROPRIATIONS (Exclude Prior Year)	\$4,066,558	\$4,318,875	\$4,587,334	(268,459)	6%

Schedule B- Contractual

Item	Quantity	Unit Price	Total Price	Funded in FY 2015?	
				Yes	No
Malpractice Insurance			\$ 14,500.00	x	
Equipment Rental - Copy Machine			\$ 8,160.00	x	
Westlaw Service			\$ 29,750.00	x	
Lease of 3 Vehicles			\$ 10,620.00	x	
Vehicle Insurance			\$ 3,412.00	x	
Service for Surveillance Cameras			\$ 960.00	x	
Notary Bonding			\$ 1,800.00	x	
Equipment Maintenance - Archiving System			\$ 4,000.00	x	
Equipment Maintenance - Office Equipment			\$ 10,450.00	x	
Internet Domain-MIS Website Hosting			\$ 500.00	x	
Firewall Security Service (SonicWall)			\$ 2,500.00	x	
Contents Insurance			\$ 3,273.00	x	
Software for General Ledger (Microsoft-based)			\$ 4,000.00		x
Software for Payroll System (Microsoft-based)			\$ 4,950.00		x
HR Software			\$ 3,000.00	x	
Adobe Acrobat X Suite			\$ 1,300.00	x	
Off-site Data Backup Solution Service (Online)			\$ 3,000.00	x	
Annual Renewal for Recorder Software (SonClear)			\$ 400.00	x	
Abacus Maintenance			\$ 13,140.00	x	
Server Hard Disk Software Keeper			\$ 1,200.00	x	
Abacus Additional Licenses			\$ -		x
Mobile Access to Abacus (8)			\$ -	x	
Fixed Asset Software			\$ -	x	
APC Server for Abacus Cloud			\$ -		x
Abacus Cloud User Access License			\$ -		x
Microsoft Office 365			\$ -		x
Mobile Broadband (Personal Wi-Fi)			\$ 600.00		x
Total Contractual			\$ 121,515.00		

**Eliminated
\$22,248**

**Reduced to 1 user
Removed \$8,400**

Schedule C - Supplies & Materials

Item	Quantity	Unit Price	Total Price	Funded in FY 2015?	
				Yes	No
Office supplies (batteries, binders, binder clips, calling cards, checks, computer cdr/disks, 1 ply/2 plycomputer paper, daily appointment calendars, dryline correction tapes, envelopes, expandable folders, fasteners, file folders, file labels, index cards, notary books, notary seals, paper clips, paper clips, pens/pencils, pen refills, postage replenishment, scotch tape, scotch tape dispenser, stapler, staples, storage boxes, thumb drive, typewriter ribbons, two/three hole perforator, typewriter correction tapes, xerox paper, yellow/white pads) Computer supplies (computer parts, ink/toner cartridges) Sundries (dish soap, hand soap, paper towels, toilet paper, water)				x	
Total Supplies & Materials			\$ 28,800.00		

**Reduced by
\$3,540**

Schedule D - Equipment

Item	Quantity	Unit Price	Total Price	Funded in FY 2015?	
				Yes	No
Office furniture for Proposed Staff			\$ 1,400.00		x
Computer workstations for Proposed Staff			\$ 2,088.00		x
Telephone units			\$ 240.00		x
Replace obsolete workstations			\$ 8,800.00		x
Potable video/digital camera			\$ -		x
Replace battery back-ups			\$ 1,000.00	x	
Replace office furniture - chair			\$ -		x
Replace office furniture - Desk			\$ 1,600.00		x
"Received" Stamp Machine			\$ 3,000.00		x
External Drives for Back Up			\$ 2,000.00		x
Printer for new Accounting System			\$ 3,380.00		x
Clothing Steamer			\$ 200.00		x
Replace DVR for Surveillance			\$ 1,060.00		x
Total Equipment			\$ 24,768.00		

Reduced by \$9,792

Eliminate \$800

Eliminate \$1,200

Schedule E - Miscellaneous

Item	Quantity	Unit Price	Total Price	Funded in FY 2015?	
				Yes	No
Guam Bar Dues			\$ 4,650.00	x	
Professional Dues - NACDL, NLADA			\$ 915.00	x	
Training and or Career Development			\$ 6,000.00		x
Advertising Cost - Board Meeting			\$ 4,800.00	x	
Advertising Cost - Job Announcement			\$ 3,700.00	x	
Advertising Cost - RFP's/Bids			\$ 2,500.00	x	
Board Stipends			\$ 1,800.00	x	
Payroll Fees			\$ 1,300.00	x	
Legal Subscriptions			\$ 2,100.00	x	
Process Server Fees			\$ 350.00	x	
Other Fees (ie,police clearance, transcript copies)			\$ 300.00	x	
SHRM Membership			\$ 190.00		x
Rental Safety Box (MIS Backup Data)			\$ 250.00	x	
Board Meeting Expenses			\$ 2,000.00		x
Total Miscellaneous			\$ 30,855.00		

Reduce \$9,000

Schedule F - Capital Outlay

Item	Quantity	Unit Price	Total Price	Funded in FY 2015?	
				Yes	No
			\$ -		
Total Capital Outlay			\$ -		

Agenda Item #VII-B

**Relative to the
Use of Lapsed Funds
For Five PDSC Attorneys to
Attend the Advanced Trial
Advocacy Symposium
November 4-6, 2015
Koror, Palau**

(Resolution No. 24-15)

**BEFORE THE
BOARD OF TRUSTEES OF THE
PUBLIC DEFENDER SERVICE CORPORATION
RELATIVE TO THE USE OF LAPSED FUNDS FOR
FIVE PDSC ATTORNEYS TO ATTEND THE
ADVANCED TRIAL ADVOCACY SYMPOSIUM
NOVEMBER 4-6, 2015 IN KOROR, PALAU**

RESOLUTION NO. PDSC 24-15

- WHEREAS,** §11113.1 of 12 GCA authorizes the Public Defender Service Corporation (PDSC) to retain unexpended appropriations beginning with Fiscal Year 2000, and to carry these funds over into succeeding fiscal years; and
- WHEREAS,** the PDSC Board of Trustees adopted Resolution No. 99-07 requiring Board approval for the budgeting of and/or spending authorization(s) for these lapsed funds; and
- WHEREAS,** the Supreme Court of the Republic of Palau is hosting the Advanced Trial Advocacy Symposium from November 4-6, 2015 in Koror, Palau; the presenters are noted and experience trial lawyers from the American College of Trial Lawyers; and
- WHEREAS,** the PDSC would like to send Attorneys Eric Miller, Maria Fitzpatrick, Brian Kegerreis, Suresh Sampath and Ali Nusbaum; and
- WHEREAS,** the anticipated cost per person is \$75.00 for registration, \$952.00 for airfare and \$340.00 for per diem; and
- WHEREAS,** the anticipated total cost is \$11,935.00 for registration fee, per diem and airfare; FY2016 Authorized Budget is \$6,000.00 and the requested lapsed funds is \$5,935.00; now therefore be it
- RESOLVED,** The Board of Trustees of the Public Defender Service Corporation, in its meeting of September 29, 2015 hereby approves the Corporation's request for the expenditure of **\$5,935.00** of lapsed funds for the purposes described above, and as specified on the attachments hereto, which are made a part of this resolution.

DULY AND REGULARLY ADOPTED this 29th day of September 2015.

Chief Justice ROBERT J. TORRES, JR.

ATTEST:

BERANDETTE L.P. LIZAMA
Secretary (Acting)



Pacific Judicial Council

Suite 300 Guam Judicial Center • 120 West O'Brien Drive • Hagatña, Guam 96910-5174
Tel: (671) 475-3413 • Fax: (671) 475-3164
jcepeda@guamsupremecourt.com

July 31, 2015

ELECTRONIC-MAIL: jgmartinez@kbsllaw.com

Attorney Jehan'ad G. Martinez
President, Guam Bar Association
and Chair, GBA Legal Education Committee
Supreme Court of Guam, Suite 300
120 West O'Brien Drive
Hagatna, Guam 96910-5174

RE: Advanced Trial Advocacy Symposium - Koror, Palau

Dear Jehan'ad:

The Supreme Court of the Republic of Palau is hosting an advanced trial practice seminar from November 4 – 6, 2015 in Koror, Palau. The presenters are noted and experienced trial lawyers from the American College of Trial Lawyers. Copies of the program agenda as well as the biographies of the fourteen (14) presenters are enclosed. As you can see from the materials provided, the symposium promises to be a superb trial advocacy training program. Judges from Guam and the region will also be in attendance to learn from the excellent faculty assembled for the seminar.

Associate Justice R. Ashby Pate of the Palau Supreme Court is the symposium organizer. I am assisting Justice Pate in disseminating the information to the PJC judiciaries and the Guam Bar Association. I would appreciate your help in sending out the information to the members of the Guam Bar.

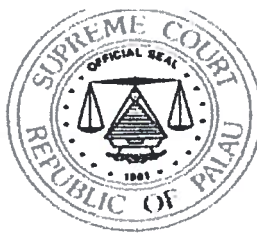
Your assistance and support is appreciated.

Sincerely,

F. PHILIP CARBULLIDO
Justice, Supreme Court of Guam
Chairman, Pacific Judicial Council Education Committee

Enclosures: *Program Agenda*
Presenters' Biographies

cc: Hon. R. Ashby Pate, *Associate Justice, Supreme Court of the Republic of Palau*
Hon. Frances Tydingco Gatewood, *Chief Judge, District Court of Guam*
President, Pacific Judicial Council
Mr. Bruce Bradley, *Executive Director, Guam Bar Association*



**THE AMERICAN COLLEGE OF TRIAL LAWYERS'
ADVANCED TRIAL ADVOCACY SYMPOSIUM**



**Koror, Palau
November 4-6, 2015
REGISTRATION FORM**

Please complete this form and send by email or fax before **September 4, 2015**. Should you have any questions, please do not hesitate to contact **Ms. Ikrebai Blesam in Justice Pate's chambers**.

Tel: 680-488-2934

Fax: 680-488-2708

iblesam@palausupremecourt.net

Personal Information (Please type or print clearly in CAPITAL LETTERS)

First name: _____ Middle: _____ Last (Family) name: _____

Position Title: _____ Bar Membership: _____

Address: _____

Postal code: _____ City: _____ Country: _____

Tel: _____ Fax: _____

Email address: _____

Registration Fee

	Deadline	Reg Fee	Late Fee
--	----------	---------	----------

Bar Members

<input type="checkbox"/> Bar Member	By September 4	\$ 15	After September 4 \$75
-------------------------------------	----------------	-------	------------------------

The registration fee covers costs associated with administration, the provision of CLE materials, and lunches. Also, Palau Bar Members applying for CLE credit will be charged \$25.00 per hour of CLE applied for. Non-Palau Bar Members seeking CLE credit in other jurisdictions will be charged \$25.00 per hour of CLE applied for, plus a \$20.00 flat fee for processing and administration costs, payable to the Palau Bar Association. All checks shall be made payable to the Palau Bar Association.

AMERICAN COLLEGE OF TRIAL LAWYERS ADVANCED TRIAL ADVOCACY SYMPOSIUM

KOROR PALAU
Nov 04 - 06, 2015

Amounts as at 09/23/2015

	Rate	Per Person
Registration Fee	75.00	75.00
Air Fare	952.00	952.00
Per Diem (Includes travel days)	340.00	1,360.00
		2,387.00



Attendees:

- PDSC Eric Miller
 Maria Fitzpatrick
 Brian Kegerreis
 Suresh Sampath
 Ali Nausbum

FY 16 Authorized Budget	Total Cost	Lapsed funds
6,000.00	11,935.00	5,935.00

Agenda Item #VII-C

**Relative to the
Use of Lapsed Funds
For Three APD Attorneys to
Attend the Advanced Trial
Advocacy Symposium
November 4-6, 2015
Koror, Palau**

(Resolution No. 25-15)

**BEFORE THE
BOARD OF TRUSTEES OF THE
PUBLIC DEFENDER SERVICE CORPORATION
RELATIVE TO THE USE OF THE
ALTERNATE PUBLIC DEFENDER LAPSED FUNDS
FOR THREE APD ATTORNEYS TO ATTEND THE
ADVANCED TRIAL ADVOCACY SYMPOSIUM
NOVEMBER 4-6, 2015 IN KOROR, PALAU**

RESOLUTION NO. PDSC 25-15

- WHEREAS,** the office of the Alternate Public Defender (APD), a separate division of the Public Defender Service Corporation (PDSC), was established through PDSC Board of Trustees Resolution No. 08-04; and
- WHEREAS,** the PDSC Board of Trustees approved the APD's Fiscal Year 2016 Budget Request through PDSC Resolution No. 07-15; and
- WHEREAS,** the Judicial Council of Guam subsequently approved the APD's Fiscal Year 2016 Budget Request at its meeting on March 30, 2015 through JC Resolution No. JC15-006; and
- WHEREAS,** the Supreme Court of the Republic of Palau is hosting the Advanced Trial Advocacy Symposium from November 4-6, 2015 in Koror, Palau; the presenters are noted and experience trial lawyers from the American College of Trial Lawyers; and
- WHEREAS,** the APD would like to send Attorneys Stephen Hattori, Eric Overton and James Spivey; and
- WHEREAS,** the anticipated cost per person is \$75.00 for registration, \$952.00 for airfare and \$340.00 for per diem; and
- WHEREAS,** the anticipated total cost is \$7,161.00 for registration fee, per diem and airfare; FY2016 Authorized Budget is \$3,500.00 and the requested lapsed funds is \$3,661.00; now therefore be it
- RESOLVED,** The Board of Trustees of the Public Defender Service Corporation, in its meeting of September 29, 2015 hereby approves the Alternate Public Defender's request for the expenditure of \$3,661.00 of lapsed funds for the purposes described above, and as specified on the attachments hereto, which are made a part of this resolution.

DULY AND REGULARLY ADOPTED this 29th day of September 2015.

Chief Justice ROBERT J. TORRES, JR.

ATTEST:

BERANDETTE L.P. LIZAMA
Secretary (Acting)

AMERICAN COLLEGE OF TRIAL LAWYERS ADVANCED TRIAL ADVOCACY SYMPOSIUM

KOROR PALAU
Nov 04 - 06, 2015

Amounts as at 09/23/2015

	Rate	Per Person
Registration Fee	75.00	75.00
Air Fare	952.00	952.00
Per Diem (Includes travel days)	340.00	1,360.00



FY 16 Authorized Budget	Total Cost	Lapsed funds
3,500.00	7,161.00	3,661.00

APD Stephen Hattori
 Eric Overton
 James N. Spivey, Jr.

Agenda Item #VII-D

**APD to Request to
Use Lapsed Funds
For One APD Attorney to
Attend the 2015 NCDC DWI
Court Planning Training
December 7-10, 2015
Newport Beach, CA**



Judiciary of Guam

Administrative Office of the Courts
Guam Judicial Center • 120 West OBrien Dr • Hagatna Gu 96910
Tel: (671) 475-3544/3278 • Fax: (671) 477-3184



HON. ROBERT J. TORRES
CHIEF JUSTICE

HON. ALBERTO C. LAMORENA III
PRESIDING JUDGE

JOSHUA F. TENORIO
ADMINISTRATOR OF THE COURTS

September 21, 2015

Attorney Ana Maria C. Gayle
Managing Attorney
Alternate Public Defender
238 AFC Flores Street, #902 DNA Bldg.
Hagatna, Guam 96910

Re: National Center for Driving While Intoxicated (DWI) Courts Training

Dear Attorney Gayle,

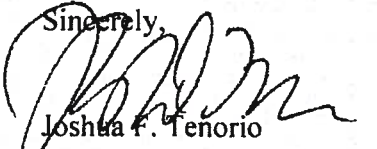
Hafa adai! We are pleased to share that the Judiciary of Guam's application for the DWI Court Planning Training sponsored by the National Highway Traffic Safety Administration (NHTSA) and the National Center for DWI Courts (NCDC) has been partially approved.

This national training initiative is designed to assist communities in developing DWI Court programs in cooperation with the NCDC, a division of the National Association of Drug Court Professionals (NADCP). Guam is one of 20 communities selected to participate in a facilitated planning process. Participating communities must identify a team of professionals comprised of a Judge, Prosecutor, Defense Counsel, Treatment Professional, Coordinator and Probation/ Law Enforcement who will take part in the regionalized training.

The training is scheduled for December 7-10, 2015 in Newport Beach, California. The Judiciary looks forward to this opportunity to collaborate further with the Alternate Public Defender's Office through the participation of Attorney Eric R. Overton as part of this DWI Court Team. We appreciate your support in funding the travel costs for Attorney Overton. The success of our drug court is greatly dependent on the continued support of key stakeholders like you.

Should you have any questions or concerns, please contact Court Programs Administrator Cerina Mariano or Special Projects Coordinator Raymond Dungea at 475-3270 or 300-3202 respectively, or by email at cmariano@guamcourts.org or rdungea@guamcourts.org.

Sincerely,



Joshua F. Tenorio
Administrator of the Courts

"The Judiciary of Guam is an equal opportunity provider and employer."