


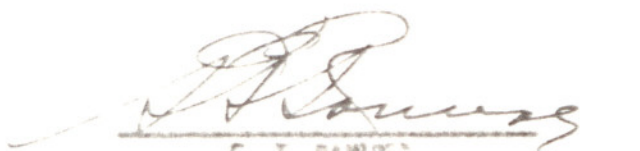
NINTH GUAM LEGISLATURE
1967 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT BY THE GOVERNOR

This certifies that Bill No. 70, "An Act to add a new Subchapter E to Chapter 2 of Title 10 of the Government Code of Guam to establish the office of Public Defender", was on the 7th day of February, 1967, duly and regularly passed.


J. C. ARIOLA
Speaker

ATTESTED:


F. T. RAMIREZ
Legislative Secretary


This Act was received by the Governor this 14th
day of February, 1967 at 9:08 o'clock A. M.

RUDOLPH G. SABLON
RUDOLPH G. SABLON
Acting Secretary of Guam

RECEIVED

/s/ Manuel F. L. Guerrero
MANUEL F. L. GUERRERO
Governor of Guam

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NINTH GUAM LEGISLATURE
1967 (FIRST) Regular Session

Bill No. 70

Introduced by _____
Committee on Judiciary

AN ACT TO ADD A NEW SUBCHAPTER E TO CHAPTER 2 OF
TITLE 10 OF THE GOVERNMENT CODE OF GUAM TO ESTABLISH THE OFFICE OF PUBLIC DEFENDER.

BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

Section 1. Subchapter E is hereby added to Chapter 2 of Title 10 of the Government Code of Guam to read as follows:

"Subchapter E
Public Defender

Section 9130. Public Defender. There is hereby established within the Division of Public Welfare in the Department of Public Health and Welfare, the office of the Public Defender of Guam, which shall be filled by an attorney duly admitted and licensed to practice before the District Court of Guam, who shall be appointed by the Governor and who shall be a member of the Classified Service of the Government of Guam.

Section 9131. Same: Duties: Criminal Cases. It shall be the duty of the Public Defender to defend indigent defendants charged in criminal cases before the Courts of Guam, the determination as to whether a defendant be indigent and his referral to the Public Defender to be at the discretion of the judge before whom such defendant is appearing. The Division of public welfare is authorized and directed to assist the judges of the Courts of Guam in ruling on cases of indigency and in establishing criteria for determining whether the services of the Public Defender are appropriate.

Section 9132. Same: Same: Civil matters. The Public Defender shall render legal aid and assistance to those persons in the territory of Guam, who, under rules established by the Division of Public Welfare, are in need of legal counselling and who are unable to afford an attorney in private practice. The Public Defender is not authorized to compete with attorneys engaged in the private practice of law in the territory of Guam and shall give legal assistance in civil matters only to those who would otherwise not receive such assistance.

Section 9133. Same: Rules and Regulations. The Director of public Health and Welfare shall make and may alter, amend or repeal rules and regulations as required to carry out the purposes of this subchapter, which, after approval and promulgation by the Governor as executive order, shall have the force and effect of law; provided that such rules and regulations may be made, altered, amended or repealed by the Director of public

1 Health and welfare only after a public hearing thereon. Public notice of such hearing
2 shall be published at least twice in a newspaper of general circulation in Guam, not
3 more than thirty (30) nor less than ten (10) days prior to the scheduled date for such
4 hearing, and by such other method as the Director may prescribe."

5 Section 2. This Act is an urgency measure.