

Guam Public Defender Service Corporation

Citizen Centric Report

Fiscal Year 2009



In this issue

- P.1 Services
- P.2 Performance
- P.3 Finance
- P.4 Responsibility

Services

The incorporating statute of the Public Defender Service Corporation (12 GCA Chapter 11), provides that the Corporation will handle criminal and civil cases as follows:

11104. Duties: Criminal Cases. It shall be the duty of the Corporation to defend indigent persons charged in criminal cases before the courts of Guam. The determination as to whether a defendant is indigent and whether the case is to be referred to the Corporation shall be at the discretion of the judge before whom such defendant is appearing. The Corporation may assist the judges of the courts of Guam in ruling on cases of indigence and in establishing criteria for determining when the services of the Corporation are appropriate.

11105. Same: Civil Matters. The Corporation shall render legal aid and assistance to those persons in Guam, who, under rules established by the Corporation, are in need of legal assistance and representation and who are unable to afford an attorney in private practice. The Corporation shall not compete with attorneys engaged in the private practice of law in Guam and shall give legal assistance in civil matters only to those who would otherwise not receive such assistance. **In Fiscal Year 2003, a moratorium was implemented for civil and certain types of domestic cases due to overwhelming case loads within the agency. It is the intention of the agency to remove the moratorium in the upcoming years with increased staffing levels.**

Despite the overflow of case load, our attorneys remain committed to the zealous representation of their clients, and the mission of the Public Defender Service Corporation.

Our Vision

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 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.

PERFORMANCE: *the accomplishments of an agency, program, or employee relative to stated goals and objectives.*



Board of Directors

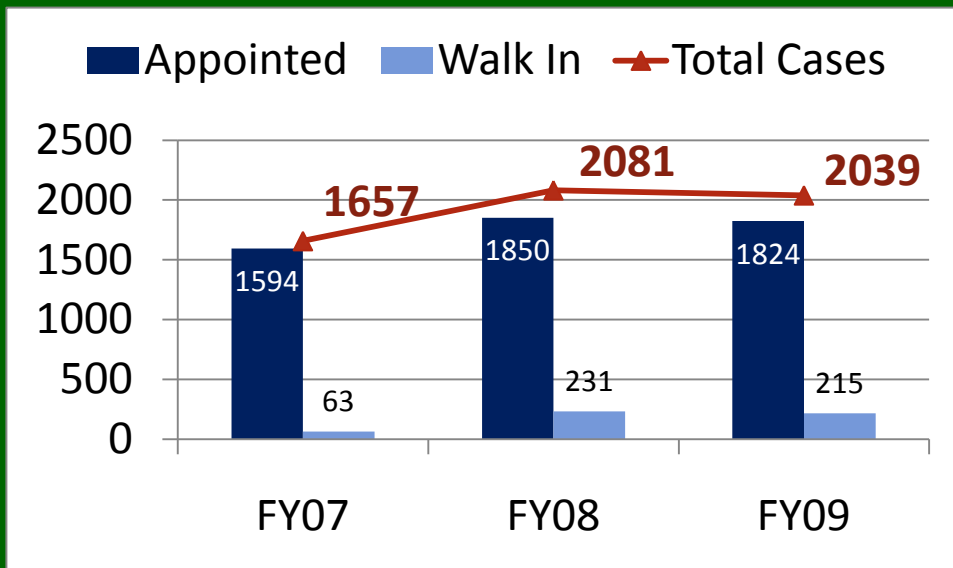
Chief Justice Robert J. Torres, Jr.,
Chairman

Presiding Judge Alberto C. Lamorena III,
Vice Chairman

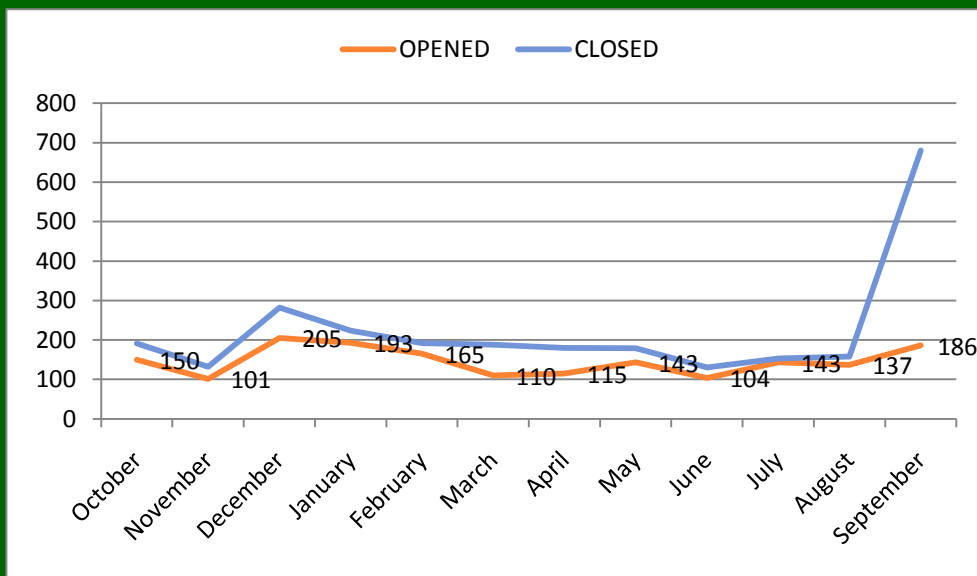
Attorney Cynthia V. Ecube, Guam Bar
Association President

Cathy Ann C. Gogue, Member

Donna Muna Quinata, Member



There were 2,039 cases referred to the Public Defender Service Corporation in Fiscal Year 2009, a 23.05% increase compared to 1,657 in Fiscal Year 2007. 89.5% of the referrals in Fiscal Year 209 were appointed by the court system. The remaining 10.5% were cases directly acquired by walk-in referral.



The number of cases opened staggered from 150 to 186 at the end of the year, highest points around December and January. The number of closed cases was consistently above the number of opened cases. *Note: the significant increase in September for closed cases was mainly due to technological updates in the PDSC Case Management System.*





FINANCE: *the branch of economics that studies the management of money and other assets.*

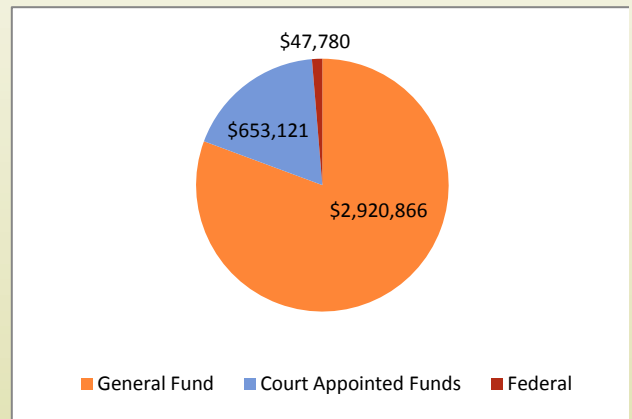
Revenues

Public Defender Service Corporation relies solely on the General Fund for its operations.

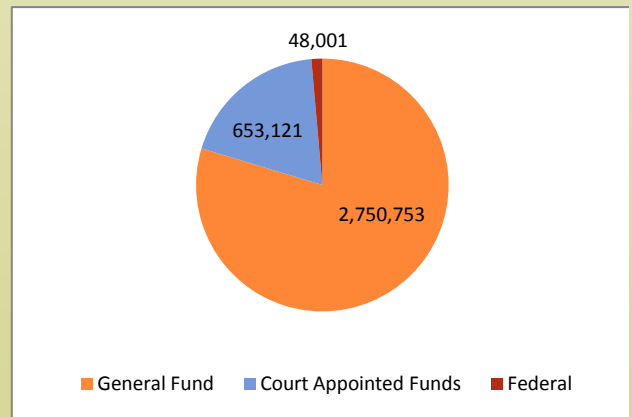
The Alternate Public Defender, established as a separate division of the PDSC in 2004, receives funding from the Judiciary of Guam – Appointed Counsel Fund.

The Domestic Violence Program receives Stop VAW funds from the Governor’s Community Outreach – Federal.

FISCAL YEAR 2009



FISCAL YEAR 2008

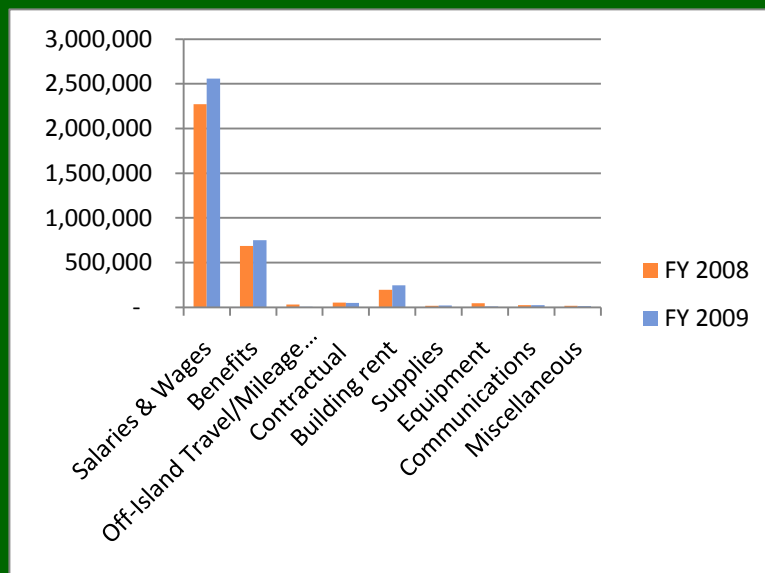


Expenditures

Salaries, Wages & Benefits comprise approximately 90% of the total expenditures for both Fiscal Year 2008 and 2009.

Most of the increase in salaries and benefits is due to the audit adjustment to reconcile from the fund level to the government wide financial statements.

Expenditures	FY2008	FY2009
Salaries & Wages	\$2,272,363	\$2,558,162
Benefits	685,047	751,375
Off-Island Travel/Mileage Reimbursement	29,898	6,054
Contractual	52,145	49,471
Building rent	196,896	244,896
Supplies	18,698	19,791
Equipment	44,257	9,034
Communications	25,550	25,880
Miscellaneous	15,656	12,748
Total	\$3,340,510	\$3,677,411





Feedback

We welcome any feedback you may have regarding this publication or any other feedback pertaining to our corporation. Please contact Bernadette S.N. Chargualaf at (671) 475-3100 or via email at bsnchargualaf@guampdsc.net.

We're on the web!

<http://www.guampdsc.net>

CITIZEN CENTRIC REPORT – FY2009

Corporate Responsibility

Overall, the Corporation continues to exercise frugality and sound, fiscal responsibility in carrying out its mission of providing quality legal representation to its indigent clients. The office of the Alternate Public Defender (APD), a subsidiary of the PDSC, remains in operation, and continues to mitigate the financial burden of indigent defense on our island. In its fifth year of operations, the APD retains a shared workload with the administrative staff of the PDSC (barring any potential conflicts of interest where clients are concerned), in order to keep spending levels in these areas to a minimum. In this manner, we are able to contain the costs of indigent defense at levels far below those of previous years, when they exceeded \$1,000,000 annually.

PDSC is also a sub-grantee of the STOP Violence Against Women federal program administered by the Office of the Governor. Thus, federal funds ensure the presence of a Domestic Violence Program Specialist who assists attorneys in the provision of the legal services to victims of family violence.

The bottom line remains the same. To work at the Public Defender Service Corporation, it takes “heart”. One cannot otherwise understand and work with the clientele we serve – the less fortunate residents of Guam with limited resources. At the end of the day, the gratification we get is the fact that we have made a difference in a person’s life.

Guam Public Defender Service Corporation

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