



Fiscal Year 2015 Citizen Centric Report PUBLIC DEFENDER SERVICE CORPORATION

www.guampdsc.net

Government of Guam



Eric D. Miller, Esq.
PDSC EXECUTIVE DIRECTOR

About PDSC

Celebrating 40-years of existence, the Public Defender Service Corporation (PDSC) originated through the Public Defender Service Corporation Act of 1975. Since this enactment, the Corporation has grown significantly from a humble staff of five (5) staff attorneys - to include the Executive Director, Harold Frank "Hank" Parker. Today, the PDSC has fourteen (14) staff attorneys plus Executive Director Eric D. Miller. The staff size has also grown significantly with 36 support staff members providing services to over 2,000 clients a year.

Based on its mandate, the duties of the Corporation is to defend indigent persons charged in criminal and civil cases before the courts of Guam. However, with limited resources, the Corporation has had a moratorium in place since early 2000 restricting representation of clients in Civil Matters. Efforts have been made during this fiscal year to either obtain grant funding or request for additional funds from the legislature so that the Corporation can live up to its mandate of representing Guam's indigent population who are the under served, under privileged and under represented in both Criminal and Civil matters.

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 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.

CORE VALUES

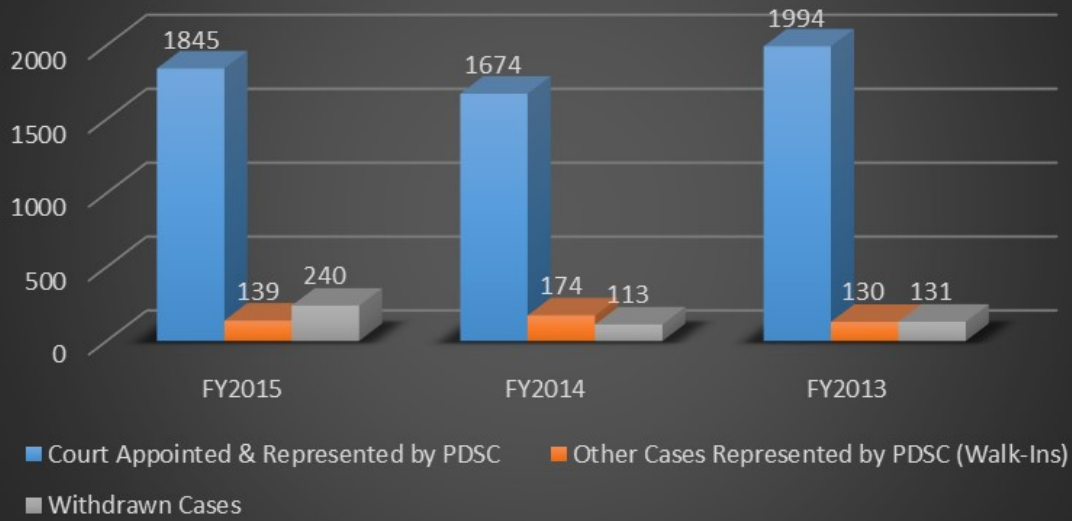
Respectful * Responsive * Efficient * Innovative * Collaborative



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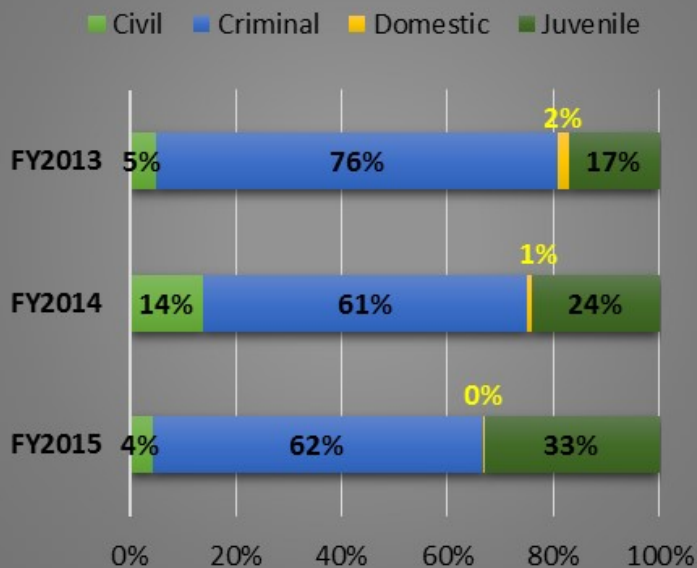
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CASES APPOINTED OR RECEIVED

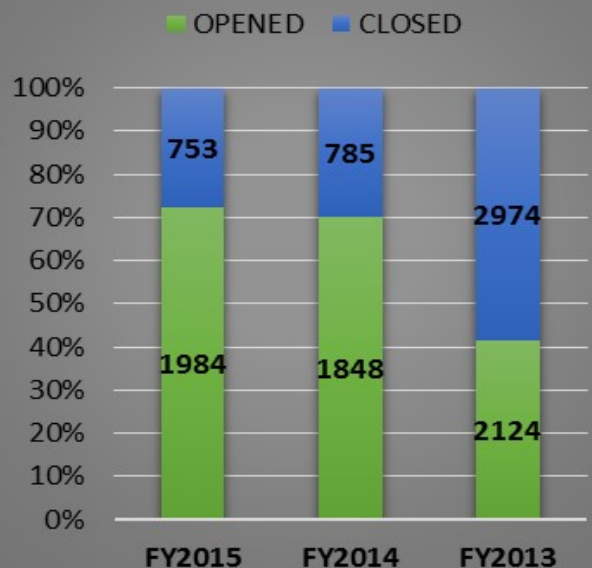


In Fiscal Year 2015, the PDSC received a total of 1,984 new cases. This was 136 cases more than the amount of cases received in FY2014. This indicates an increase in the amount of cases being represented by the PDSC by about 6.8% from the previous fiscal year. Court appointed cases to PDSC constitute approximately 93% of the case assignments while walk-in cases make up about 7% of the total case assignments. Out of the 1,984 new cases received in FY2015, approximately 12% of those were determined to have conflicting issues to where the PDSC was not able to represent the client and the case was forwarded to another resource for legal representation.

TYPES OF CASES CLOSED



OPENED v. CLOSED



In FY 2015 and 2014, 89% and 88% respectively, were spent on personnel costs. In FY 2015, 53 employees were paid from GF appropriations, 11 from Indigent Defense funds and 1 from Federal funds. An independent audit of the FY 2015 Government of Guam Financial Audit was

conducted by Deloitte & Touche LLP which resulted in a clean opinion. For more information, please visit the Office of Public Accountability's website.

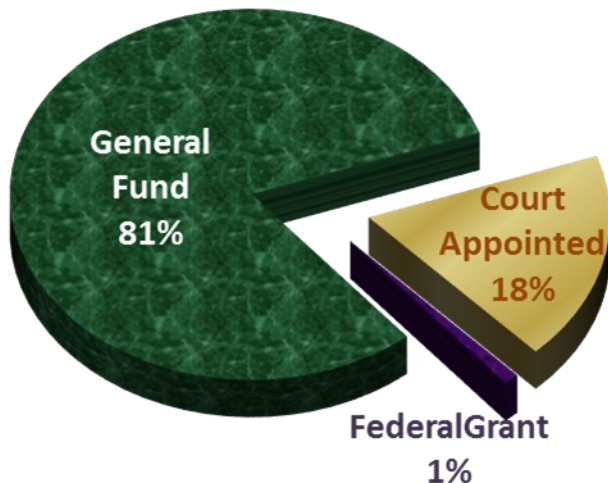
EXPENDITURES	FY 2015	FY 2014	FY 2013
Salaries and Wages	\$3,905,018	\$2,923,654	\$2,722,221
Benefits	1,402,695	1,073,921	1,041,965
Off-Island Travel/Mileage Reimbursement	-	-	-
Contractual	123,198	102,170	110,778
Office Space Rental	335,697	335,698	335,698
Supplies	23,321	33,002	19,411
Equipment < \$5,000	98,866	13,368	13,607
Drug Testing	160	-	-
Communications	-	-	10,105
Miscellaneous	58,870	34,635	21,220
Power	28,800	28,800	28,800
Capital Outlay >\$5,000	-	-	6,471
TOTAL EXPENDITURES	\$5,976,625	\$4,545,248	\$4,310,276

REVENUES	FY 2015	FY 2014	FY 2013
General Fund	\$4,728,060	\$3,613,941	\$3,601,222
Court Appointed	1,068,715	912,116	846,896
Federal Grant	60,085	33,523	34,761
TOTAL	\$5,856,860	\$4,559,580	\$4,482,879

Public Defender Service Corporation (PDSC) relies solely on the General Fund for its operations. FY2015's appropriation increased by \$1,114,119 or 31% over FY 2014. The increase is mainly attributed to the pay adjustments, employees salary increments and mandated increases in the

government's share of retirement contributions due to the implementation of the CWA Act of 2014.

FY2015 REVENUES



The Alternate Public Defender, established as a separate division of the PDSC in 2004, receives funding from the Judiciary of Guam - Indigent Defense Fund. Funding increased by \$156,599 or 17% over FY 2014. The increase is mainly attributed to the pay adjustments, employees salary increments and mandated increases in the government's share of retirement contributions due to the implementation of the CWA Act of 2014.

The Domestic Violence Program receives Stop VAW funds from the Governor's Community Outreach - Federal Program Office.

CHALLENGES & OUTLOOK

OUTLOOK

In the landmark 1963 case of *Gideon v. Wainwright*, the U.S. Supreme Court interpreted the Constitution and held that a fundamental and essential prerequisite to a fair criminal justice system is the right to be defended by competent and effective lawyers. Living up to the *Gideon Promise*, the Public Defender Service Corporation wants to ensure that its office is able to provide a fair criminal justice system to residents in Guam who are unable to afford legal representation in Criminal and Civil matters. We are hoping that the grants we turn in to federal and local funders would bring in adequate resources so that the Corporation can open up a separate Civil Division similar to that of the Alternate Public Defender — which is a separate division of the PDSC.

We believe that with adequate resources, we are working to achieve greater effectiveness and efficiency, as well as to ensure maximum cyber security that protects lawyer-client confidentiality. We will be investing in hardware and software so that the office is changing with the advancement of technology. Additionally, we would like to rely on our case management system, Abacus Law, so that our client information is at the fingertips of attorneys, investigators, secretaries and legal clerks so that we are able to provide immediate assistance to our clients.

In addition to representing people individually, PDSC will continue to provide a system of checks and balances on the criminal justice system as a whole. PDSC will work to ensure that no agency — whether that be the Attorney General's Office or police department — is allowed to operate unchallenged and unquestioned. The Corporation will be diligent in ensuring that the criminal justice system is fair for all citizens in Guam.



CHALLENGES

PDSC continues to live up to only half of its mandate of providing services for Criminal matters. We remain hopeful that if we do not receive grant funds that maybe the Guam Legislature will provide the Corporation with the funds needed to lift the moratorium on Civil matters. As we want to take on more work by opening up the Civil Division, a continuous challenge as a public defender can mean a grueling schedule and difficult clients as well as cases. The attorneys who work for the Corporation know that it's not about the money but the rewards of the job often make up for the challenges. The attorneys at PDSC know that they are helping someone's Father, Mother, Son, or Daughter by providing effective as well as efficient legal representation within the justice system. The Public Defender Service Corporation continues to live within its means, doing more with less. We hope that in the proceeding fiscal years, we are able to obtain the funds necessary to provide legal representation for Guam's underprivileged and under served no matter what that case is — Criminal or Civil.

We are Guam's public defender, and we stand willing and ready to serve!

HOW CAN WE SERVE YOU BETTER?

Please contact us if you would like more information to be included in our CCR or if you have any suggestions that can help us improve our services to the community. Call the Corporation's Administrative Director, Cathy Gogue, at 475-3100 or email her at cgogue@guampdsc.net.

Address: 779 Route 4, Sinajana, Guam 96910 * Tel: 475-3100 * Fax: 477-5844

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