Gmail

Benjamin J.F. Cruz <senator@senatorbjcruz.com>

PDSC's Citizen Centric Reports

2 messages

Cathy Gogue <cgogue@guampdsc.net>
To: "senator@senatorbjcruz.com" <senator@senatorbjcruz.com>
Cc: Michael Moreno <mmoreno@guampdsc.net>, Kenneth Lim <kennethlim@guampdsc.net>, Stephen Hattori <sphattori@guampdsc.net>, "croque@guamopa.com" <croque@guamopa.com>, "admin@guamopa.com" <admin@guamopa.com>
Thu, Oct 12, 2017 at 3:51 PM

Hafa Adai Speaker Cruz,

It has come to our attention that we may not have provided your office copies of our Citizen Centric Report for FY2015 and FY2016.

Pursuant to Title 1 GCA Ch. 19 §1922, attached is the Public Defender Service Corporation's FY2015 and FY2016 reports. We have the reports posted on our website through the following link:

www.guampdsc.net/pdsc/about-us/additional-information/citizen-centric-report/

Please let us know if you have any questions or concerns regarding the attached.

Our apologies that the reports were now forwarded to you earlier. We will ensure that this not happen again.

Warmest regards,

Cathy Gogue

Administrative Director

Guam Public Defender Service Corporation

779 Route 4

Sinajana, Guam 96910

Direct Line: (671) 475-8301

Speaker Benjamin J.F. Cruz
2017 OCT 12 PM 4:06
OCT 12 2017
Time: 4:05 [ ] AM [✓] PM File No.
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2 attachments

- FY2015 CCR.pdf 3882K
- FY2016 CCR.pdf 3121K

Benjamin J.F. Cruz <senator@senatorbjcruz.com>
To: Guam Legislature Clerks <clerks@guamlegislature.org>
Cc: "<rennae@guamlegislature.org>" <rennae@guamlegislature.org>, BENJAMIN CRUZ <speaker@senatorbjcruz.com>
Thu, Oct 12, 2017 at 4:04 PM

10/12/2017	10/12/2017	Guam Public Defender Service Corporation	Citizen Centric Report for FY2015 and FY2016. *Emailed	34-17-1074

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Speaker Benjamin J.F. Cruz
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2 attachments

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1074

Public Defender Service Corporation

Kotperasion Setbision Defensot Publeku

Citizen-Centric Report for Fiscal Year 2016



Stephen Hattori
Executive Director



Cathy Gogue
Administrative Director

The **Public Defender Service Corporation (PDSC)** originally existed under the Judicare Program that was initiated on September 25, 1968 with the Department of Public Health and Social Services. PDSC represents clients who are not able to afford an attorney in private practice that renders le gal advice and counseling to indigents in civil, criminal, and juvenile proceedings.

Mission Statement

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.

Vision Statement

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

2011 HHS Poverty Guidelines

Persons in Family	48 Contiguous States and D.C.	$10/hr.	Hourly Wage
1	$10,890	$20,800	$10.00
2	14,710	24,620	11.83
3	18,530	28,440	13.67
4	22,350	32,260	15.51
5	26,170	36,080	17.35
6	29,990	39,900	19.18
7	33,810	43,720	21.02
8	37,630	47,540	22.86
For each additional person, add	$3,820	$3,820	Annual Wage/2080 Hours

Additionally, household assets *(i.e., cars, land, bank accounts, stocks and/or bonds, etc.)* may not exceed $2,500 per person and $1,500 for each additional household member.

Demographics

Description	2014	2015	2016
Population	161,001	161,785	162,742
Unemployment Rate	7.6%	4.5%	5.4%
Per Capita Income	$12,864	$12,864	n/a

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Board of Trustees

Chief Justice Robert Torres, Chairman
Hon. Alberto Lamorena III, V. Chairman
Atty. Jehan'ad Martinez, Member
Atty. Donna Cruz, Member
Mrs. Annette Ada, Member

Office Location

779 Route 4
Sinajana, Guam 96910
Tel: (671) 475-3100
Fax: (671) 477-5844

Core Values

- *Respectful*
- *Responsive*
- *Efficient*
- *Innovative*
- *Collaborative*

Strategic Goals

- Enhance governance and independence
- Enhance and expand services
- Improve internal operations and efficiency
- Strengthen public relation and public policy
- Strengthen employee development and satisfaction

"There can be no equal justice where the kind of trial a man gets depends on the amount of money he has."
~US Supreme Court Justice Hugo Black

PERFORMANCE MEASURES

PERFORMANCE MEASURES	2014	2015	2016	% Change	Trend
Total Cases Appointed or Received					
Received	1,880	2,033	1,798	(11.56%)	↓
Appointed	1,728	1,900	1,725	(9.21%)	↓
Withdrawn	146	204	151	(25.98%)	↓
Open	1,880	2,033	1,798	(11.56%)	↓
Closed	1,068	759	465	(38.74%)	↓
Types of Cases					
Civil Cases					
Withdrawn	2	4	1	(75.00%)	↓
Open	127	140	16	(88.57%)	↓
Closed	106	73	10	(86.30%)	↓
Criminal Cases					
Withdrawn	119	153	109	(28.76%)	↓
Open	1,462	1,584	1,403	(11.43%)	↓
Closed	709	479	288	(39.87%)	↓
Domestic Cases					
Withdrawn	0	0	0	0.00%	--
Open	20	15	0	(100.00%)	↓
Closed	6	3	0	(100.00%)	↓
Juvenile Cases					
Withdrawn	25	47	41	(12.77%)	↓
Open	271	294	379	28.91%	↑
Closed	247	204	167	(18.14%)	↓



Quick Facts

- Only 33% of teens who were in an abusive relationship ever told anyone about it.
- Teen victims of dating violence are more likely to abuse drugs, have eating disorders, and attempt suicide.
- A recent survey of schools found there were an estimated 4,000 incidents of rape or other types of sexual assault in public schools across the country.
- In a study of gay, lesbian and bisexual adolescents, youths involved in same-sex dating are just as likely to experience dating violence as youths involved in opposite sex dating.
- One-third of high school students have been or will be involved in an abusive relationship.
- Dating violence is the leading cause of injury to young women.
- Nearly one quarter of girls who have been in a relationship reported going further sexually than they wanted as a result of pressure.
- About 40% of teenage girls ages 14 to 17 say they know someone their age who has been hit or beaten by a boyfriend.
- Approximately 70% of young rape victims knew their rapist either as a boyfriend, friend or casual acauaintance.

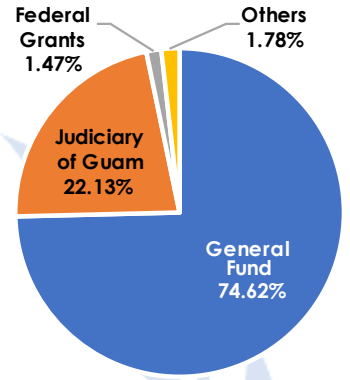
In Fiscal Year 2016, the PDSC received a total of 1,798 new cases, 235 cases less than the amount of cases received in FY2015. This indicates a decrease in the amount of cases being represented by the PDSC by about 12% from the previous fiscal year. Court appointed cases to PDSC constitute approximately 96% of the case assignments.

Out of the 1,798 new cases received in FY2016, approximately 8% 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 source for legal representation.

GUAM PDSC FINANCIALS
APPROPRIATIONS AND EXPENDITURES

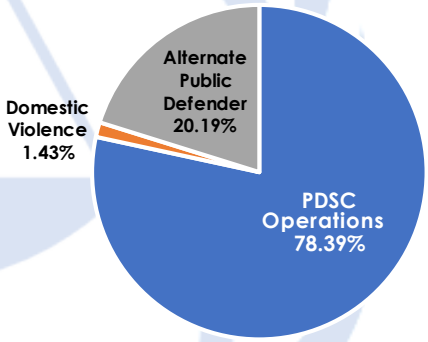
APPROPRIATIONS AND OTHER SOURCES

Funding Source	FY 2014	FY 2015	FY 2016	% Change	Trend
General Fund	$3,613,941	$4,156,223	$3,735,122	(10.13%)	↓
Judiciary of Guam	912,116	918,412	1,107,730	20.61%	↑
Federal Grant	33,524	56,263	73,671	30.94%	↑
Other Sources	8,380	70,309	89,188	26.85%	↑
Total Appropriations and Other Sources	**$4,567,961**	**$5,201,207**	**$5,005,712**	**(3.76%)**	↓

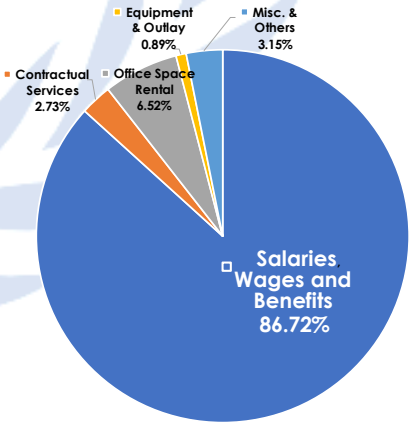


EXPENDITURES AND ENCUMBRANCES

Programs	FY 2014	FY 2015	FY 2016	% Change	Trend
PDSC Operations	$3,693,242	$4,846,618	$4,055,880	(16.32%)	↓
Domestic Violence Program	33,725	56,364	73,768	30.88%	↑
Alternate Public Defender	850,764	1,162,931	1,044,397	(10.19%)	↓
Total Expenditures and Encumbrances	**$4,577,731**	**$6,065,913**	**$5,174,045**	**(14.70%)**	↓



Expenditures and Encumbrances	FY 2014	FY 2015	FY 2016	% Change	Trend
Salaries, Wages and Benefits	$3,997,576	$5,307,713	$4,486,965	(15.46%)	↓
Contractual Services	102,170	123,198	141,005	14.45%	↑
Office Space Rental	335,698	335,697	337,190	0.44%	↑
Supplies & Material	33,002	23,321	45,777	96.29%	↑
Equipment <$5,000.00	13,368	98,866	19,237	(80.54%)	↓
Utilities	39,599	28,800	28,864	0.22%	↑
Miscellaneous and Others	34,715	88,462	74,770	(15.48%)	↓
Capital Outlay >$5,000.01	0	0	26,765	-	-
Encumbrances	21,604	59,856	13,472	(77.49%)	↓
Total Expenditures and Encumbrances	**$4,577,731**	**$6,065,913**	**$5,174,045**	**(14.70%)**	↓



PDSC is included in the Government-Wide annual audit. An independent audit for fiscal year 2016 is still ongoing. The audit for fiscal year 2015 resulted in a clean audit opinion. Complete financial information can be found at http://www.guampdsc.net/pdsc/category/financials/

CHALLENGES AND OUTLOOK



Law Week Celebration, co-sponsored by the Judiciary of Guam, the District Court of Guam, and the Guam Bar Association.

Challenges PDSC is facing:

Acquiring money from funding resources needed to lift the postponement on civil matters. Back in 2005, PDSC's Board of Trustees placed a suspension on civil matters. The only cases handled are criminal, and attorneys are able to provide effective legal representation for the defendants as a result of the moratorium. However, PDSC, if provided the funds requested through its FY2017 budget for civil matters, would be able to provide legal representation for all clients who are unable to afford an attorney in private practice.

Future Outlook

- Provide fair and equal representation without potential conflicts of interests with the Judiciary
- Collaborate with partners to improve referral services and provide needed services (e.g., treatment, counseling, housing, education)
- Update and communicate roles, responsibilities, and expectations of attorneys and staff
- Advocate on general issues that affect and improve conditions for clients
- Maximize career growth for employees



Legislative Resolution commending Public Defender for being the 2016 Husticia Award Recipient.

WE WANT TO HEAR FROM YOU…

We welcome any feedback you may have regarding this publication. Is there any other information you would like to see included? Please let us know by contacting Cathy Gogue, Administrative Director, at 475-3100 or email cgogue@guampdsc.net. PSCD wishes to acknowledge Royelle Carter, Pamela Decasa, Jomelee Ordanez and Michelle Santos for their contribution to this CCR under the guidance of Dr. Doreen Crisostomo, School of Business & Public Administration, University of Guam.

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.

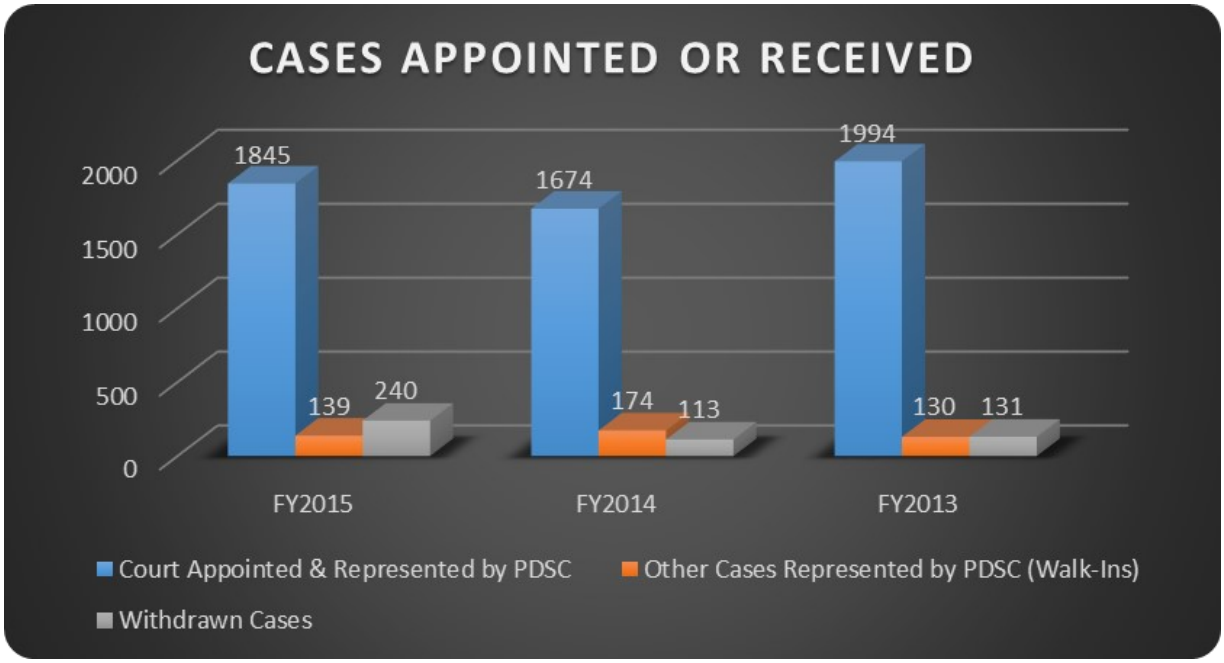
CORE VALUES

Respectful * Responsive * Efficient * Innovative * Collaborative

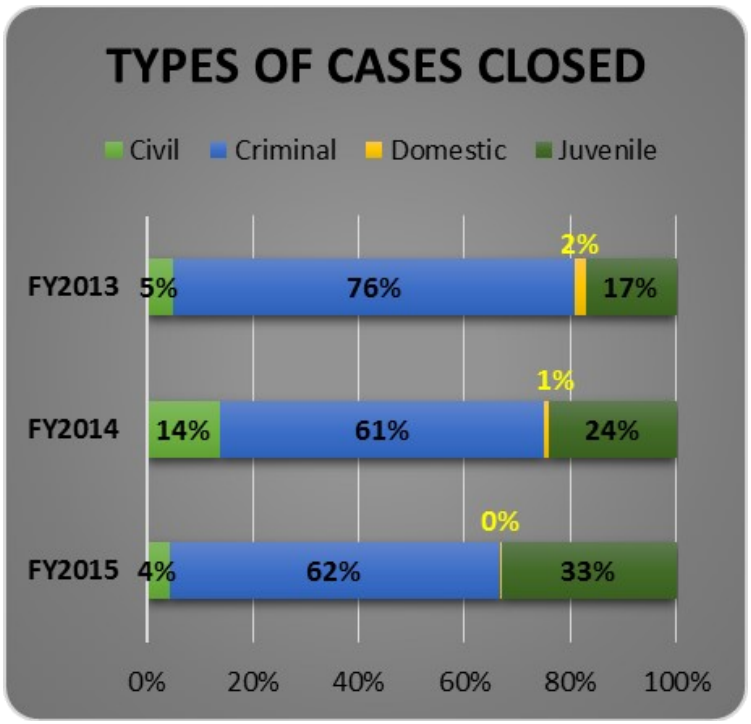


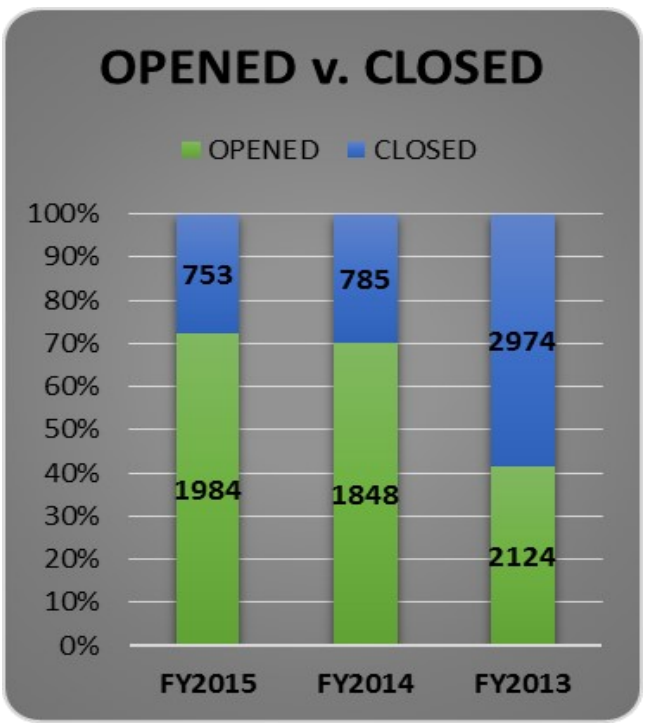
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In Fiscal Year 2015, the PDSC received a total of 1,984 new cases. This was 136 cases more than the amount of cases received in FY2014. This indicates an increase in the amount of cases being represented by the PDSC by about 6.8% from the previous 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.





FINANCIALS

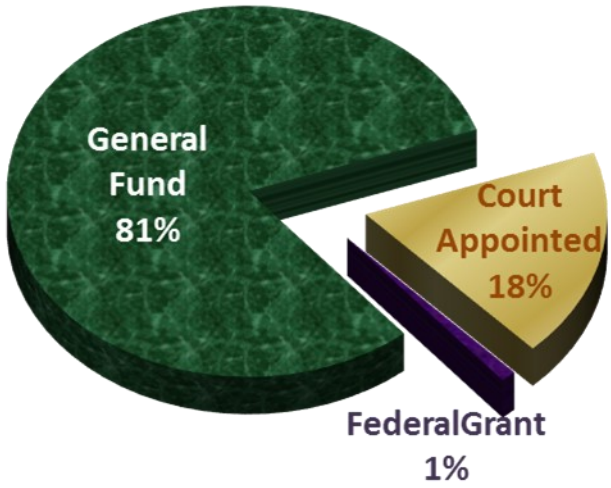
In FY 2015 and 2014, 89% and 88% respectively, were spent on personnel costs. In FY 2015, 53 employees were paid from GF appropriations, 11 from Indigent Defense funds and 1 from Federal funds. An independent audit of the FY 2015 Government of Guam Financial Audit was conducted by Deloitte & Touche LLP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

Doc. No. 34GL-17-1074.*

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