
Office of the Public Guardian
Supreme Court of Guam



2006
Annual Report

January 1, 2006 – December 31, 2006

John Weisenberger

January 31, 2007

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A Summary of the 2006 Annual Report of the Public Guardian

This is the 6th Annual Report of the Public Guardian

The Social Worker II position has been established by the Judicial Council. A position and funding have been transferred to the Office of the Public Guardian and a social worker will be hired in January 2007.

Other divisions of the Judiciary have made staff time and expertise available to the Public Guardian, including a probation officer who worked in the office this year performing casework responsibilities.

In 2006 the Office of the Public Guardian

- Received 103 referrals and opened 82 cases.

On December 31, 2006, the Office of the Public Guardian

- Has 85 open and active cases.
- Has guardianships on 49 individuals.
- Has 13 additional guardianship cases to be closed.
- Has 16 pending guardianship cases that have not been filed.

A major transformation of the management and accounting of ward funds that began in 2005 has been completed successfully.

Initiatives to manage data and ward records manually and electronically have been initiated and are progressing.

Progress is still needed in preparing and filing overdue financial reports and inventories.

Data entry, management of ward records and meeting the needs of our wards will continue to be a challenge.

The community continues to lack comprehensive and integrated services for our wards and others with cognitive and mental disabilities and the Office of the Public Guardian spends an inordinate amount of time plugging gaps in services.

The Public Guardian Review Board embarks on a redesigned system of oversight of public guardianship but oversight of other guardianships is beyond its grasp.

There continues to be wide spread acceptance and utilization of the Office of the Public Guardian. This office and its array of specialized services is now part of the system of services for adults with cognitive and mental disabilities.

OFFICE OF THE PUBLIC GUARDIAN

2006 ANNUAL REPORT January 1, 2006 – December 31, 2006

This report of the Office of the Public Guardian is prepared in accordance with Title 7, Guam Code Annotated, Section 3112(g), for the Honorable F. Philip Carbullido, Chief Justice of the Supreme Court of Guam. It covers the period January 1, 2006 through December 31, 2006.

Maintaining An Office

The Office of the Public Guardian (OPG) is located in the Old Court Building on the corner of Route 4 and O'Brien Drive in Hagatna, the capital of Guam. The office is easily located just inside the door at the rear of this building, directly across the street from the Agana Public Library.

This door into the building, and the office itself, are accessible to persons with disabilities. There are four parking spaces just outside the door that are clearly designated and dedicated as spaces for persons with disability.

The office is comprised of five rooms, three of which include the reception room, which is the office for the Legal Secretary and offices for the Public Guardian and a Social Worker. Two other rooms provide for storage of supplies and documents, and for the computer server, a refrigerator, water cooler and coffee maker.

The office is connected by a doorway to the Adult Drug Court, and by another doorway to Adult Probation. The Public Guardian secures these doors at this time. Staff of the office has access to a bathroom located through the door leading to Adult Probation.

The OPG occupied this suite of offices in August 2005. Since that time, this space has been comfortable and adequate. The only difficulty presented is the inability of the thermostat to be turned above approximately 60 degrees. The offices in this building are cold most of the time.

Staffing the Office

In 2006 the OPG was staffed by the Public Guardian, the Legal Secretary, and, beginning in mid-January, by a Probation Officer detailed to the office to provide case management services. The Public Guardian has served this office since it opened in February 2001. The Legal Secretary has served the office since July 2001. The Probation Officer who joined the staff fit right in with the seasoned veterans, picking up some of the duties formerly handled by the Legal Secretary, and providing case management services in support of the duties and responsibilities of the Public Guardian.

There is no doubt that the addition of one staff this year has enabled the office to provide more and better services, especially to the wards of the Public Guardian. The individual who has served in this position has done a very good job, taking on duties and responsibilities that are different from those of a probation officer. This temporary arrangement enabled the office to demonstrate the need for a case manager. The probation officer detailed to the office gained some valuable case management experience, but understandably desired to begin her career in probation services.

In August 2006, the Chief Justice directed the Public Guardian to work with the Human Resources Division to develop a job classification for a social work position within the Judiciary of Guam. As recommended by the Public Guardian, the position of Judicial Social Worker II was developed, patterned after the Social Worker II position in the Executive branch. The duties and responsibilities are primarily case management.

In November 2006, the Judicial Council adopted the Judicial Social Worker II job description. Shortly after, the Administrator of Courts, under the direction of the Chief Justice, transferred a vacant position, and the funding for that position, to the OPG, formally providing the office with a third full time staff.

In December 2006, the Judiciary of Guam published a job announcement for a Judicial Social Worker II, seeking qualified applicants desiring employment in the Office of the Public Guardian. Interviews for that position will take place in January 2007. Hopefully by the end of January 2007, the office will be fully staffed with three persons. The very talented probation officer who provided valuable service to this office during 2006 will be able to begin duties in the Probation Division.

In another development, in December 2006 the Administrator of Courts and the Clerk of Court agreed to make a clerical staff person available to the OPG two days in each month. In December, this person worked under the direction of the Legal Secretary and assisted in the management of the files and documents generated by the work of the office. It is anticipated that this arrangement will continue in the foreseeable future. With this assistance, the office will better maintain its records, and better serve the community.

Finally, in August 2006 the OPG entered an agreement with the University of Guam, School of Social Work, to provide a field placement for a fourth year social work student under the supervision of the Public Guardian. This arrangement is, from the Public Guardian's perspective, on a trial basis. There is a considerable amount of supervision and time that is required of the Public Guardian to maintain this arrangement. The office did receive 130 hours of assistance during the Fall Semester from the student placed with the office this school year. The student did well, and was an asset to the program. The student is expected to provide 150 hours of service between January and May 2007, and the arrangement is likely to work even better with the experience of the fall semester behind us.

Referrals and Casework

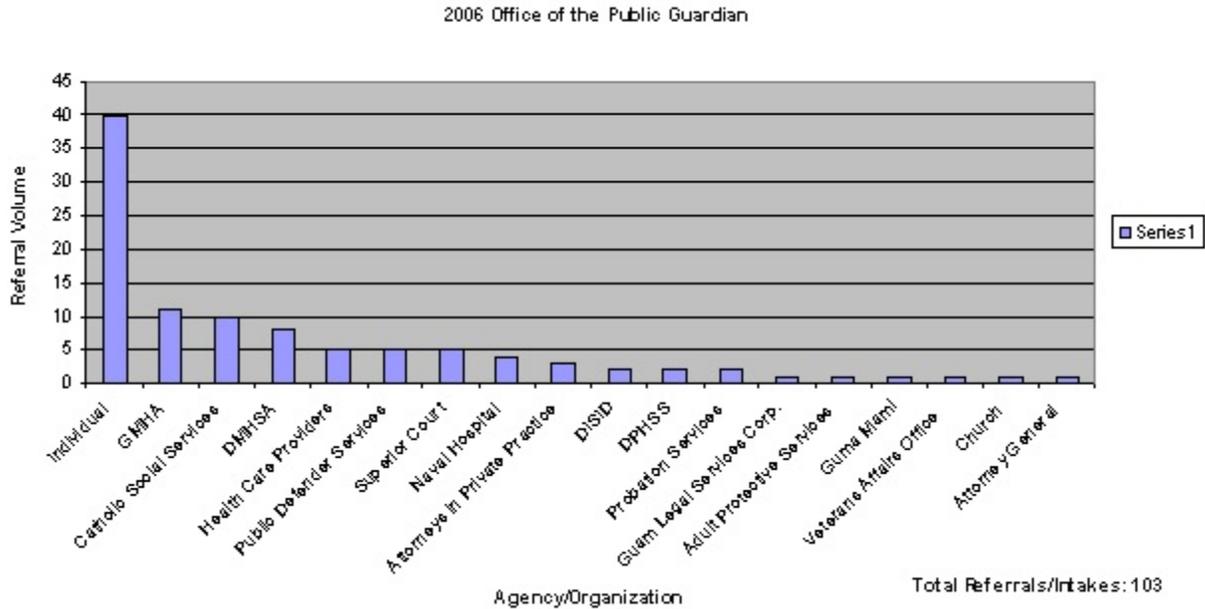
In 2006 OPG received 103 referrals.¹

The referrals in 2006 were from:

Individual	40
GMH	11
Catholic Social Services	10
DMH&SA	8
Health Care Providers	5
Public Defender Services Corporation	5
Superior Court	5
Naval Hospital	4
Attorneys in Private Practice	3
DISID	2

¹ There were 86 referrals in 2001; 90 referrals in 2002; 122 referrals in 2003; 110 referrals in 2004; 133 referrals in 2005.

DPH&SS	2
Probation	2
Guam Legal Services Corporation	1
Adult Protective Services	1
Guma Mami	1
Veterans Affairs Office	1
Church	1
Attorney General	1
	<hr/>
	103

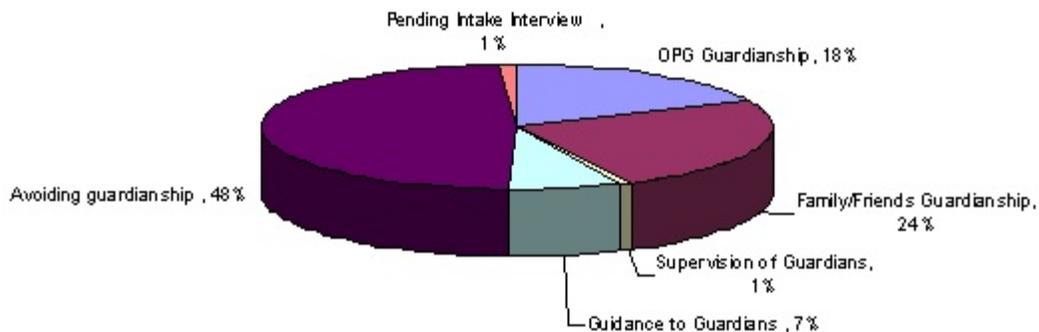
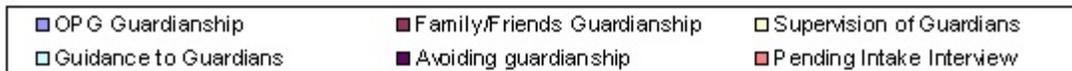


Referrals this year resulted in 82 cases being opened, 1 referral which is pending intake (individual missed first scheduled intake), and 20 referrals which were not opened or fell outside of the scope of services offered by OPG. See Appendix I. Of the matters opened this year, the cases

fell into the following categories (established by the Public Guardian Act; 7 GCA § 3112 (a)):

- (1) 15 Public Guardian to serve as the guardian; no family or friend willing or able to do so.
18%
 - (2) 20 Advise and assist individuals seeking appointment as guardian
24%
 - (3) 1 Assist the Court, as directed, in proceedings for the appointment of a guardian, and in supervision of persons appointed as guardian.
1%
 - (4) 6 Provide advice, information and guidance to individuals appointed as guardian for an adult.
7%
 - (5) 40 Offer guidance and counsel to persons requesting assistance, encouraging maximum self-reliance and independence, and avoiding guardianship.
48%
- + 1 Referral pending an intake interview.
1%

2006 Opened Cases



Open Cases:

As of December 31, 2006, OPG has 85 open and active cases. In addition, OPG has 14 cases which could be closed pending a completed written report (in most matters, an accounting) filed with the Superior Court.² An open case is a matter in which OPG has accepted responsibility to accomplish some purpose consistent with one of the five mandated responsibilities established by the Public Guardian Act. A description of the open cases, by year, is as follows:

From 2001	15 active cases +2 to be closed	15 cases;	Public Guardian appointed.
<hr/>			
From 2002	13 active cases +4 to be closed	11 cases; 2 cases;	Public Guardian appointed. Pending Public Guardian appointment.
<hr/>			
From 2003	5 active cases +3 to be closed	4 cases; 1 case;	Public Guardian appointed. Pending Public Guardian appointment.
<hr/>			
From 2004	6 active cases +1 to be closed	4 cases; 1 case; 1 case;	Public Guardian appointed. Pending Public Guardian appointment. Pending court hearing on family member appt.

² As of 12/31/01, 26 open cases; 12/31/02, 57 open cases; 12/31/03, 58 open cases; 12/31/04, 95 open cases; 12/31/05, 89 open cases.

From 2005	16 active cases	8 cases; 7 cases; 1 case;	Public Guardian appointed. Pending Public Guardian appointment. Pending court hearing on family member appt.
	+1 to be closed		

From 2006	30 active cases	7 cases; 5 cases; 18 cases;	Public Guardian appointed. Pending Public Guardian appointment. Serving families.
	+2 to be closed		

The Public Guardian as Guardian for Individuals.

The Public guardian is currently guardian for 49 individuals.³ These appointments represent different roles and responsibilities, as noted in part, in this breakdown:

Guardian of the Person and Estate	28 individuals
Co-Guardian of the Person and Estate	2 individuals
Guardian of the Estate	11 individuals
Guardian of the Person	1 individual
Limited Guardian of the person and/or estate	2 individuals
Guardian Ad Litem	5 individuals

³ *Guardian of 13 at end of 2001; guardian of 25 at end of 2002; guardian of 30 at end of 2003; guardian of 43 at end of 2004; and guardian of 44 at end of 2005.*

As guardian of the person, the Public Guardian is responsible for assuring that each ward has safe and appropriate housing, receiving the necessary therapeutic care required by the individual's disability or medical condition; that each ward is associating with the proper people, and not associating with the wrong people; that each ward is receiving appropriate and necessary medical and dental care; and that each ward has the opportunity to maximize life's potentials and opportunities, for example, vocational potential.

As guardian of the estate, the Public Guardian is responsible for identifying and gathering an individual's property; identifying and collecting all income and public or private benefits accruing to the individual; holding and protecting the individual's wealth and money; and providing for all of the physical and financial needs of the individual.

Because of the nature of the appointment, as a guardian for an individual who is not able to manage personal or financial affairs without the assistance of another, these matters have been the first priority of the Public Guardian. All other matters that are the responsibility of the Public Guardian due to legislative mandate are necessarily subordinate to the responsibility to meet the needs of the wards.

In two cases the Public Guardian shares responsibility as guardian with a co-guardian. This arrangement is made, with the co-guardian typically being a family member, in order to involve the family and share the responsibility for decisions concerning the ward. This arrangement also allows for the Public Guardian to provide necessary technical and advocacy support to a family member who would likely decline to serve as guardian without the Public Guardian's shared responsibility.

Accounting For Ward Money

The performance audit by the Office of the Public Auditor, of the financial activities of the Public Guardian concerning the funds of his wards, formally came to a conclusion in February 2006. The report of the audit by the Public Auditor was published in May 2006. A complete copy of this audit is available on the web site of the Office of the Public Auditor - Guam at www.guamopa.com. A copy can also be obtained at the OPG.

The most important recommendations of the Public Auditor were provided to the Public Guardian and the Chief Justice of the Supreme Court in August 2005. Fundamental and comprehensive changes in the manner in which this office manages ward funds were implemented between August and October 2005. The 2005 Annual Report provides a discussion of the change implemented at that time.

By the time the final audit report was published, the critical areas of concern raised by the audit had been addressed. Of most importance were the closing of all individual fiduciary checking accounts and the transfer of all checking account funds to the fiduciary account managed by the Financial Management Division of the Superior Court of Guam (FMD). This was accomplished on October 3, 2005 and by January 2006 all of the 'wrinkles' to be expected from such a change in procedure and process had been confronted and addressed.

There were no problems found in any bank accounts, and all accounts were reconciled without any discrepancies identified. The major challenge encountered during the transition involved new procedures being developed among a number of people working together for the first time, and managing a large volume of transactions. By January 2006, a smooth-running process had been implemented between the OPG and the FMD for both the deposit of funds and the expenditure of funds.

As a result of this change, there is now segregation of responsibilities in the approval of expenditures, preparation of checks and management of cash accounts. This change will safeguard ward funds. Further, detailed financial reports are available on a timely basis with little effort on the part of the Public Guardian. The main drawback is an increase in the documents that are created by both the OPG and the FMD necessary to prepare a check. In addition, it now takes, on average, about five days to produce a check. Fortunately, the personnel of both FMD and OPG work well together. At both the system level and on a case by case basis, difficulties and unique situations are resolved quickly.

Transfer of check writing from OPG to FMD, and the concomitant delay and inflexibility in processing checks, resulted in situations in which money was not available for ward needs. After several months it became clear that the Public Guardian needed to have funds available for wards for a variety of matters that required immediate payment, and in situations in which a ward required cash for daily needs on a regular basis. The solution to this dilemma, worked out between FMD and OPG, is maintenance of a household fund held by the Public Guardian for certain wards.

At this time, the Public Guardian holds funds for 28 individuals. These funds are maintained, segregated for each ward, in a secure location available to the guardian. The use of these funds falls into four main categories, to include purchase of prescriptions, replenishing cash being held by group homes or other institutional settings for ward use, making cash available for the household expenses of a number of individuals, and, in several cases, providing a scheduled stream of cash to some wards not capable of managing money over long periods of time. Bi-monthly the Public Guardian reviews the activity in each fund and arranges to replenish an individual fund as necessary. Separate records for each fund are maintained.

The preparation of financial reports in individual guardianship cases has improved significantly. All reports for the period October 1, 2005 to September 30, 2006 have been prepared and provided to OPG. These reports are being filed in the Superior Court in individual cases as hearings are scheduled. There are, however, still a number of cases in which financial reports for periods prior to October 1, 2005 need to be completed. Progress has been made in completing some of this overdue work, and the effort continues. There are 27 wards needing financial reports completed.

Inventories still need to be prepared, or updated, in all guardianship cases and filed in the Superior Court. There has been little significant progress made in this regard.

A concern exists for the prudent investment of ward funds. A number of wards, most especially veterans receiving 100% disability pensions, have reserves of cash in excess of \$10,000.00 up to \$100,000.00. Currently, these funds are being held in individual savings accounts at a relatively low interest rate. The offices of FMD and OPG have discussed this matter with the Honorable Katherine A. Maraman. It was agreed that, in order to be a prudent steward, significant cash savings for an individual that are not to be needed in the foreseeable future, must be placed into secure financial instruments, such as time certificates of deposit (TCD).

It is understood that OPG will explore the availability of TCD's in the Guam market and prepare a recommendation to be considered by FMD and OPG for action.

Additional Mandated Roles of the Public Guardian

The Public Guardian Act, at 7 GCA §3112 (a), mandates six responsibilities of the Office of the Public Guardian. These responsibilities are:

- (1) to serve as the guardian of the person and/or estate of an incompetent adult when there is no family or friend willing or able to do so;
- (2) to advise and assist individuals, family or friends seeking appointment as guardian for an incompetent adult;
- (3) to assist the Court, as the Court may direct, in proceedings for the appointment of a guardian, and in supervision of persons which have been appointed as guardian;

(4) to provide advice, information and guidance to individuals who have been appointed as guardian for an adult;

(5) to offer guidance and counsel to persons, to encourage maximum self reliance and independence of such persons, and avoid the need for appointment of a guardian;

(6) to develop programs for public education on guardianship and alternatives to guardianship and encourage the development of private guardians able and willing to serve as guardian.

As set out at page 4, above, there were 67 referrals which came to the Office of the Public Guardian concerning mandated responsibilities # 2 through #5, above. This is a modest decrease in these types of referrals over 2005 (considering the overall decrease in referrals). As in previous years, much effort is still exerted in assisting families and individuals to avoiding the need for a formal guardianship. This is important work and many individuals are assisted in sorting out and resolving complex social problems brought on by reduced capacity, mental or medical illnesses, and preparation for death. In addition, many families are prepared for, and assisted in developing the information necessary to seek guardianship for a family member. This work reduces the need for the Public Guardian to become the guardian.

As in previous years, only limited effort has been invested directly into mandated responsibility #6, the development of programs for public education on guardianship and alternatives, and the development of private guardians. This effort is still limited to providing information and orientation on a case-by-case basis, at which time effort is invested to teach fundamental information about competence, informed consent, the guardianship process, and alternatives to guardianship, and in the development and support of competencies among clients and their families.

Pending Matters

Substantive changes in the staffing of OPG, assistance being provided to OPG by FMD in the management of ward funds, and assistance being provided to OPG by the Clerk of Court to manage some clerical duties will enable the office to make progress in addressing many pending matters. Of most concern are (1) overdue financial reports, (2) appropriately resolving the cases of deceased wards, and (3) inventories being compiled and filed in Superior Court. These matters must be resolved as soon as possible.

It is understood that a large commitment of time over the next several months will be necessary to bring these matters to resolution. These pending matters will be addressed. Once this backlog of work has been completed, an assessment will be made of those pending cases calling for the appointment of the Public Guardian. It is not known whether OPG can manage a caseload of more than 50 guardianships. This should become clearer once the backlog of work is completed.

Assessment

The Office of the Public Guardian continues to provide comprehensive case management services to a large number of disabled and elder adults in our community who have significant disability. Most of these individuals are poor. In addition, many individuals and families facing complex social problems due to the incapacity of a family member caused by mental disability, medical trauma or the aging process are assisted in making decisions and are connected to needed services.

The addition of a social worker to the program will enhance the quality and quantity of services provided. This has been clearly demonstrated by ‘detailing’ a probation officer to the office to assist with case management for this past year. The transition of financial management responsibilities to a shared arrangement between the Office of the Public Guardian and the Financial Management Division has brought stability to this critical function of the program.

The workload and mandated responsibilities of this office remain greater than the resources available. This is a reality, but not an unusual situation for a social program addressing this population of persons. Better management of the time and resources available will enable the Office of the Public Guardian to fulfill its most important mandates.

Policies, Procedures and Rules

The Policies, Procedures and Rules of the Office of the Public Guardian (the Rules) have been in place since 2004. These Rules continue to provide guidance and clarification to the staff of the office, to the Public Guardian Review Board, the Chief Justice of the Supreme Court and to the community in implementing and carrying out the responsibilities of this program.

It is necessary to revisit and amend the Rules, especially in light of the recommendations of the audit completed this year. A comprehensive review and rewrite of the financial management policies is required to take account of the various changes in financial procedure and policy which have been implemented. The Public Guardian Review Board has proposed one amendment to the Rules. The proposed amendment is at Appendix II.

Public Guardian Review Board

The Public Guardian Review Board (Review Board) met five times in 2006. Four quarterly meetings have been scheduled for 2007. At Appendix III, find specific information on the membership of the board, the three vacancies that exist, and the schedule of meetings for 2007.

The Public Guardian Act, at 7 GCA § 3112 (b), requires that “(e)very six months, the Board shall review the care and protection of those persons who are under guardianship by the Office of the Public Guardian.” It further requires that “(p)ersons, corporations and/or agencies appointed guardians shall be consistently monitored through the Public Guardian Review Board.”

The manner in which the Board is to review the care and protection of persons who are under guardianship with the Public Guardian has been a matter of discussion and discernment since this Board first met in 2001. Several approaches have been attempted in the past, but no approach actually resulted in a critical review of public guardianship.

In response to an audit recommendation, and based upon guidance from the Chief Justice, the Review Board and the Public Guardian have developed an approach to the random and systematic review of guardianship cases handled by the Public Guardian. A process has been developed for the comprehensive review of four cases each year, one each quarter. Each case to be reviewed is chosen at random, without input from the Public Guardian. The Review Board forms among its members four distinct groups, and each group reviews a separate aspect of the chosen case.

The four aspects of the case under review are (1) the financial estate of the ward; (2) the medical and psychiatric care of the ward; (3) a personal assessment of the ward; and (4) a review of the maintenance and management of the ward file. Each group selects one of these aspects for critical review and assessment.

This approach began with the review of a case in the fourth quarter of 2006. This review provided mixed results, as the review of three of the four aspects was not completed by members. A new case has been chosen for the first quarter of 2007. It is hoped, that with greater support and leadership from the OPG, a more thorough, critical assessment of this case can be completed.

The Review Board intends to assess and amend the process after several quarterly reviews have been conducted. In support of this effort, Ms. Sarah Thomas-Nededog, Review Board co-chairperson, was able to attend a one day seminar in October, 2006 at the Annual Conference of the National Guardianship Association on the topic of Quality Assurance in Guardianship Programs. Her insight, and the materials provided by Ms. Thomas-Nededog from this seminar will greatly aid the Review Board in adjusting the process so that the Public Guardian will have the benefit of a truly critical review of his work, and the wards will benefit from an improved, assessed program.

Despite much discussion by the Review Board in the past six years on an approach toward fulfilling the second mandate, to consistently monitor persons, corporations and agencies appointed as guardians, no workable approach has been developed to monitor all adult guardians. It is the sentiment of the Review Board and of the Public Guardian that this mandate is not realistic.

As discussed in the annual reports of 2004 and 2005, a realistic approach to the oversight of all guardians is to develop a program within the court in which court staff assess the work of guardians, require submission of reports, visit wards in the community and analyze the financial practices and activities of the guardian with ward assets. Even the modest approach of having guardians appear at least one time each year, with their ward, before the judge who appointed them, would enable some oversight of the guardian. The Public Guardian has at least an annual progress hearing in almost all of his cases. If the difficulty of the case warrants it, the appearance before the court is more often than one time a year.

Volunteer Program

During 2006 there was one volunteer who worked consistently with OPG. This mature woman visits regularly with wards of the Public Guardian who reside in institutional settings to include St. Dominic's Senior Care Home, Guma Hinemlo, the Independent Group Home, the Mary Clare Home, and CARIDAD II. The regular visits with at least 16 of the wards of this office is important, assuring quality of care and oversight of the care providers.

The potential for expansion of the volunteer program is great, but not without the commitment of staff time to nurture and manage the volunteers. Now that there is a social worker on staff, and once the backlog of financial reporting is resolved, there is potential for a modest expansion of this important program. It may be appropriate toward the end of this coming year to commit some social work resources toward the recruitment and supervision of one or two more volunteers.

Additional Guardianship Concerns

Annual reports from 2004 and 2005, and the Public Auditor's Report highlight several additional concerns worth noting. Management of client information, both electronically and in written form, by OPG requires improvement and attention. Some progress has been made during this year. More improvement is necessary, however.

Early in this year, the Review Board worked with OPG staff to develop a comprehensive listing of the types of information being gathered by OPG, as well as information that should be gathered but was not readily available. Based on this understanding, steps have been taken to better manage important information. With support from the legal secretary, our probation officer/social worker has developed several data programs that are now in use in the office. These include a program to track all intakes and case outcomes, and a system to manage a problematic schedule for filling, refilling and acquiring rewritten prescriptions for many of our wards.

Of most importance, in collaboration with other talented people within the court, a very effective program for a ward data base has been developed. This program was previewed for the staff in December. With additional input from OPG, the program is being modified and is expected to be online in February 2007. Once available, OPG will need to input all of the data for existing ward cases, and maintain the program over time. If used properly, OPG will have necessary client information on each of our wards available at our computer console.

Additionally, forms have been developed or are now available to document important information that is necessary to be maintained to include each contact with a ward, medication listings and readily available insurance and financial information. These improvements are still in process and effort in this area needs to be sustained.

The ward files are still deficient in one key area. Although both personal and financial plans are made for most wards, and amended over time as circumstances dictate, this information is not yet captured effectively in a document that lays out the plan in a usable, available fashion. This is the case even though several forms have been identified and considered to fulfill this purpose.

Some Glaring Community Gaps That Affect Our Most Needful Wards

Each year in this report it is appropriate to state some community deficiencies that affect our wards. Because a number of our wards are poor and vulnerable, they are greatly affected by these deficiencies. The gaps that are most obvious are:

1. The maximum Public Assistance provided to a poor disabled or elder person is \$151.00 a month. This has not increased since 1989.
2. Therapeutic care options are very limited and, for the most part, not available for many persons who need personal care, supervision or other forms of support to live in the community. Therefore, too many people live in the community without needed care.
3. St. Dominic's Senior Care Home receives \$90.00 a day for the care of elders. This is the same amount the program received in 1985, when it opened its doors to the community. Assuming an annual inflation rate of 2%, this is the equivalent, in 2006, of being payed \$58.80 a day for the care St. Dominic's provides to our elders; likewise, what cost St. Dominic's \$90.00 to purchase in 1985, now costs St. Dominic's \$136.29 today.
4. There are very few community activities, such as sports recreation and education, available to provide quality of life for persons with chronic disability.
5. Transportation is limited and difficult to access.
6. Vocational opportunities and jobs continue to be limited by a chronic inability to effectively manage the Division of Vocational Rehabilitation.

APPENDIX I

OFFICE OF THE PUBLIC GUARDIAN

Supreme Court of Guam

Old Court Building, 110 West O'Brien Drive, Hagatna, Guam 96910

Telephone: (671) 475-3173 Facsimile: (671) 472-0381

Email: publicguardian@opg.guamcourts.org



John Weisenberger
Public Guardian

MEMORANDUM

January 22, 2007

To: F. Philip Carbullido
Chief Justice of Guam

From: John Weisenberger
Public Guardian

Subject: **Detail on matters *Outside Scope of Services* in 2006**

Name	Case No.	Source Of Referral	Memo
L.M.	2006-030	DMH&SA	Individual did not wish to proceed at intake.
R.SN.	2006-031	DPH&SS	Family did not agree with referral - declined service.
D.C.	2006-035	Individual	Domestic Matter.
N.T.	2006-036	GMH	Patient Discharged from GMH - referral withdrawn.
P.T.	2006-037	Public Defender	Family acquired guardianship pending intake.

U.P.	2006-042	St. Anthony Church	Case opened under different referral (2005-131).
R.M.	2006-048	GMH	Patient discharged - referral withdrawn.
M.D.	2006-049	Individual	Land transfer dispute.
F.F.	2006-052	GMH	Individual passed away prior to intake (pending 4 days).
C.C.	2006-060	CSS	Referral withdrawn prior to intake.
F.P.	2006-062	GMH	Individual passed away prior to intake (pending 9 days).
J.I.	2006-065	Take Care Ins.	Individual passed away prior to intake (pending 15 days).
J.G.	2006-071	GMH	Individual passed away prior to intake (pending 4 days).
L.Q.	2006-073	Individual	Individual failed to attend two appointments for intake.
M.M.	2006-084	Individual	Individual declined service.
V.B.	2006-085	Individual	Individual passed away prior to intake (pending 9 days).
C.F.	2006-086	GMH	Referral withdrawn prior to intake.
A.U.	2006-087	GMH	Individual relocated off island prior to intake.
L.P.	2006-093	Individual	Business dispute.
V.K.	2006-094	CSS	Government agency seeking legal advice.

APPENDIX II

OFFICE OF THE PUBLIC GUARDIAN
Supreme Court of Guam
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An Amendment to Part X, Policies, Procedures and Rules of the Office of the Public Guardian

Add This paragraph to follow existing paragraph:

The annual report shall be submitted to the members of the Public Guardian Review Board no later than January 20 of each year for review and comment by the members. Any comments provided to the Public Guardian by January 28 of each year shall be included into the annual report prior to submission to the Chief Justice of the Supreme Court. The Chairperson of the Public Guardian Review Board shall solicit input from the members of the board and shall provide written recommendation to the Chief Justice of the Supreme Court concerning the annual report. This written recommendation shall be included into the annual report.

Note:

This proposed amendment to the Policies, Procedures and Rules of the Office of the Public Guardian was adopted by the Public Guardian Review Board at its regularly scheduled meeting held on December 13, 2006.

APPENDIX III

OFFICE OF THE PUBLIC GUARDIAN
Supreme Court of Guam

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Telephone: (671) 475-3173 Facsimile: (671) 472-0381

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John Weisenberger
Public Guardian

Public Guardian Review Board Members Listing

1. Alejandrina E. Cacho, "Andring"
Community Health Nurse Supervisor I, DPH&SS (Dept. Of Public Health Nursing)
2. Kathleen Maher
Director, Public Defender Services Corp. (Guam Bar Association)
3. Sarah Thomas-Nededog
Executive Director, Sanctuary, Inc. (Non-profit agency serving youth)
4. Bernadita P. Grajek
Consumer Advocate (Community at large, by Speaker)
5. Ann San Nicolas
Guam Council on Senior Citizens (Guam Council on Senior Citizens)
6. Dr. Laura Post
Psychiatrist, DMH&SA (Psychiatrist, by Department of Mental Health)
7. Cathy Illarmo
Guam Vet Center (Community at large, by Speaker)
8. Monica Limtiaco
Executive Director, Guma Mami, Inc. (Non-profit agency serving Developmentally Disabled)
9. **William J. Brandshagen "Brandy"**
Social Worker, DPH&SS **Vacancy**
10. **Physician appointed by Administrator, GMHA** **Vacancy**
11. **Member/Community At Large appointed by Speaker** **Vacancy**

The vacancies on the board include: (note: appointment letters delivered on 3/16/06)

- a psychiatrist, to be appointed by the Director of the Department of Mental Health and Substance Abuse (**VACANCY FILLED BY DR. LAURA POST, DMH&SA**)
- a physician, to be appointed by the Administrator of the Guam Memorial Hospital
- a representative of a non-profit organization providing services to those with developmental disabilities, to be appointed by the Speaker of the Legislature (**VACANCY FILLED BY MONICA LIMTIACO, GUMA MAMI, INC.**);
- two members at large, to be appointed by the Speaker of the Legislature. (**ONE VACANCY FILLED BY CATHYILLARMO**)

The current vacancies on the board include:

- a physician, to be appointed by the Administrator of the Guam Memorial Hospital
- one member at large, to be appointed by the Speaker of the Legislature
- one social worker appointed by the Director of the Department of Public Health & Social Services

Board Meeting Dates for 2006

March 17, 2006
April 19, 2006
June 14, 2006
September 15, 2006
December 13, 2006

Board Meeting Dates for 2007

March 14, 2007
June 13, 2007
September 12, 2007
December 12, 2007