



BEFORE THE 2016 JUDICIAL COUNCIL OF GUAM

RESOLUTION NO. JC 16-010

**RELATIVE TO GRANTING THE 2016 HUSTISIA AWARD TO
THE PUBLIC DEFENDER SERVICES CORPORATION**

- WHEREAS,** as a regular part of Law Week, the Judiciary of Guam presents the Hustisia Award, an award recognizing a member of our community who has made an outstanding contribution to strengthening the rule and role of law throughout our island community. Modeled on the American Bar Association's Liberty Bell Award, the Guam Judiciary Hustisia Award is meant to honor community partners who contribute to the betterment of our island and the rule of law; and
- WHEREAS,** in considering the criteria used in determining worthy recipients, specifically, promotion of a better understanding of the rule of law, encouraging a greater respect for law, generating a sense of civic responsibility, and contributing to good government in the island, it is the distinct honor to give this award to the Public Defender Services Corporation (PDSC).
- WHEREAS,** in 1972, the Guam Legislature created the first independent Public Defender for Guam in Public Law 11-128, creating an independent office which had been previously relegated to the Division of Public Welfare in the Department of Health and Social Services. In 1975, the Thirteenth Guam Legislature endowed this independent office with the status of an Autonomous Agency by the passage of Public Law 13-51. The law created the Public Defender Services Corporation as an autonomous corporation whose director would account to a Board of Trustees from different branches rather than to the a single branch of government, thus imbuing the Public Defender Services Corporation with further autonomy and independence.
- WHEREAS,** for the past 40 years, the Public Defender Services Corporation has dedicated itself to providing legal aid and assistance to those unable to afford private counsel. The Public Defender Services Corporation has operated in these last 40 years under the leadership of this Board by providing legal counsel to innumerable criminal defendants, thus reflecting the commitment of the Government of Guam to the constitutional requirement that no single individual must stand accused by the state without counsel as mandated by the United States Supreme Court in *Gideon v. Wainwright*, 372 U.S. 335 (1963). To this extent, PDSC has played a key role in ensuring that "justice for all" is not merely a slogan, but that it is truly the way our justice system operates in Guam.
- WHEREAS,** while the bulk of PDSC's legal assistance has been toward those defending themselves against accusations of criminal wrongdoing, PDSC's service extends to juveniles, those in need of *guardian ad litem* assistance, and in some cases, to non-criminal matters such as probate.
- WHEREAS,** with this year's ABA Notional Law Day Theme of "Miranda: More Than Words," it is appropriate that Guam recognize this organization, which has spent the past 40 years ensuring that Miranda and all our constitutional and legal protections are most assuredly more than words.
- WHEREAS,** the Judicial Council commends all of the members of the Public Defender Services Corporation family, attorneys, and staff alike, for the last 40 years for their outstanding efforts towards strengthening the Judicial process by providing much needed services to the indigent of Guam.

NOW, THEREFORE, BE IT RESOLVED that the 2016 Hustisia Award be given to the Public Defender Services Corporation for its service to Guam. This award is to honor the men and women of this organization for demonstrating for the past 40 years that the right to counsel regardless of one's ability to pay is fundamental, and the zealous advocacy for all persons accused of a crime is an essential component of a fair and impartial criminal justice system.

DULY ADOPTED this 26th day of April, 2016.

ROBERT J. TORRES
Chairperson, Judicial Council of Guam
& Chief Justice of Guam

F. PHILIP CARBULLIDO
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Associate Justice, Supreme Court of Guam

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