

**BEFORE THE
BOARD OF TRUSTEES OF THE
PUBLIC DEFENDER SERVICE CORPORATION (PDSC)
RELATIVE TO THE ADOPTION AND APPROVAL
OF THE UPDATED
PDSC ELIGIBILITY GUIDELINES**

RESOLUTION NO. 04-14

- WHEREAS,** Chapter 11, Title 12 Guam Code Annotated established the Public Defender Service Corporation “to provide legal aid and assistance to those persons in Guam who are unable to afford counsel”; and
- WHEREAS,** while Chapter 11, Title 12 Guam Code Annotated provides the discretionary powers for judges to determine whether a defendant is indigent, and whether his case is to be referred to the PDSC, the corporation is also permitted to assist the judges of the courts of Guam in ruling on cases of indigency and in establishing criteria for determining when the services of the Corporation are appropriate; and
- WHEREAS,** the PDSC relies on the Federal Poverty Guidelines used by various public assistance programs in determining a client’s eligibility for its services; and
- WHEREAS,** periodic adjustments of these guidelines have been necessary in order to accommodate changes in Guam’s economic climate (i.e., minimum wage adjustments, cost-of-living increases, etc.); and
- WHEREAS,** on July 12, 2011 the PDSC submitted the attached Eligibility Guidelines (based on household income), and received approval for its immediate implementation from the Board of Trustees; and
- WHEREAS,** the above-mentioned Eligibility Guidelines did not provide for the consideration of a client’s assets (i.e., cars, land, bank accounts, stocks, bonds, etc.); and
- WHEREAS,** historically, the PDSC’s Eligibility Guidelines took into account a client’s assets when determining his/her eligibility for PDSC’s services; and
- WHEREAS,** it is imperative that specific allowances for assets (as listed above), be included in determining a client’s eligibility for legal assistance from the PDSC; now therefore be it
- RESOLVED,** the Board of Trustees of the Public Defender Service Corporation, in its duly-noticed meeting of January 14, 2014, hereby reaffirms the Income Guidelines reflected on “Attachment A” of PDSC Board Resolution No. 07-11, and approves the inclusion of the language, “Additionally, household assets may not exceed \$2,500 per person, and \$1,500 for each additional household member.”; and be it further
- RESOLVED,** these Eligibility Guidelines shall become effective immediately.

Attachment "A"
(PDSC Board Resolution No. 04-14)

**PUBLIC DEFENDER SERVICE CORPORATION
ELIGIBILITY GUIDELINES**

(Adopted by the PDSC Board of Trustees
on January 14, 2014)

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.

DULY AND REGULARLY ADOPTED this 14th day of January, 2014.



Chief Justice F. PHILIP CARBULLIDO
Chairman

ATTEST:



BERNADETTE S.N. CHARGUALAF
Secretary