



Board of Directors  
Robert Ruecho', President

Central Office  
Lee Pliscou, Executive Director  
Alexander Building, Oleai  
P.O. Box 500655  
Saipan MP 96950  
Tel: 670-322-6472/73  
E-mail: [lee@mlscnet.org](mailto:lee@mlscnet.org)

Chuuk Office  
Daniel Rescue, Jr., Directing Attorney  
P.O. Box D  
Weno, Chuuk FM 96942  
Tel: 691-330-2597/5597  
E-mail: [daniel.rescue@mlscnet.org](mailto:daniel.rescue@mlscnet.org)

Ebeye Office  
Mathilda Capelle, Legal Secretary  
P.O. Box 5294  
Ebeye, MH 96970  
Tel: 692-329-5119  
E-mail: [ebeye@mlscnet.org](mailto:ebeye@mlscnet.org)

Guam Office  
Barbara Cepeda, Directing Attorney  
238 Archbishop Flores St.  
Ste 902 DNA Bldg  
Hagatna Guam 96910  
Tel: 671-969-5504/5604  
Fax: 671-969-5704  
E-mail: [barbara.cepeda@mlscnet.org](mailto:barbara.cepeda@mlscnet.org)

Kosrae Office  
Canney Palsis, Directing Attorney  
P.O. Box 38  
Tofol, Kosrae FM 96944  
Tel: 691-370-3032  
E-mail: [cpalsis@mlscnet.org](mailto:cpalsis@mlscnet.org)

Majuro Office  
Rosania Bennett, Directing Attorney  
P.O. Box 198  
Majuro, MH 96960  
Tel: 692-625-8227/28  
E-mail: [rosania.bennett@mlscnet.org](mailto:rosania.bennett@mlscnet.org)

Marianas Office  
Jane Mack, Directing Attorney  
P.O. Box 500826  
Saipan MP 96950  
Tel: 670-234-6243/7729  
E-mail: [janemack@mlscnet.org](mailto:janemack@mlscnet.org)

Palau Office  
Ron Ledgerwood, Directing Attorney  
P.O. Box 57  
Koror, Palau PW 96940  
Tel: 680-488-2473/74  
E-mail: [ronledgerwood@mlscnet.org](mailto:ronledgerwood@mlscnet.org)

Pohnpei Office  
Danally Daniel, Directing Attorney  
P.O. Box 129  
Kolonía, Pohnpei FM 96941  
Tel: 691-320-2404/3762  
E-mail: [danally@mlscnet.org](mailto:danally@mlscnet.org)

Yap Office  
John Mootmag, Directing Attorney  
P.O. Box 206  
Colonia, Yap FM 96943  
Tel: 691-350-2193  
E-mail: [jmootmag@mlscnet.org](mailto:jmootmag@mlscnet.org)

February 18, 2021

Honorable Senator Therese M. Terlaje  
Speaker  
36<sup>th</sup> Guam Legislature  
Guam Congress Building  
163 Chalan Santo Papa  
Hagatna, Guam 96910  
Ph.: (671) 472-3586  
e-mail: [speaker@guamlegislature.org](mailto:speaker@guamlegislature.org)  
Committee on Health, Land, Justice and Culture

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OFFICE OF THE SPEAKER  
THERESE M. TERLAJE

02-18-2021

Time: 3:34 pm  
Received: JA

**2022 BUDGET REQUEST—Micronesian Legal Services Corporation: \$50,000.00**

Dear Honorable Speaker Terlaje,

Since Micronesian Legal Services Corporation (MLSC) first opened its doors on Guam in January of 2019, we have helped over 741 low income Guam residents obtain high quality civil legal assistance at no cost to them. The work we provide is important, and assures that some of the most vulnerable people of Guam are provided the protections of the law without regard for their ability to pay for competent legal counsel. This is especially important on our island, where geographic limitations and the rising cost of private legal counsel means the competent legal services are, unfortunately, out of reach for many of our fellow citizens.

While MLSC relies heavily upon external grant funding to cover the legal matters we work on, the continued support of the Guam legislature is also essential in making sure that those who depend on our services can be helped. To that end, Micronesian Legal Services Corporation we would like to respectfully submit our budget request for fiscal year 2022 in the amount of **\$50,000**. Your support is important to MLSC, to our clients, and to our community. We have included in this letter a brief summary of our operations and work, and can provide you with whatever other additional information you or your colleagues may need in weighing our budget request.

**COMMITTEE ON RULES  
RECEIVED:  
FEBRUARY 22, 2021 at 8:00 A.M.**

**Current Personnel:**

Directing Attorney	Barbara P. Cepeda
Staff Attorney	James Baldwin
Paralegal	Mildred R. Acfalle
Paralegal	Cecilia A. Aquino
Legal Secretary/Receptionist	Benita I. Borja

Providing more civil legal aid is not just a matter of addressing problems that low-income people encounter; it is also a matter of ensuring basic access to justice for them.

Although Micronesian Legal Services has been in existence since 1971, our Guam Office officially opened its doors to the community on February 4, 2019. Because of the COVID-19 pandemic, and as an organization, it has been a tough year; spiritually, mentally and physically. But no matter what the future has in store, MLSC is committed to providing quality legal aid assistance to those eligible for our services.

Our clients mainly come from referrals from Guam Legal Services Corporation, Public Defender Service Corporation, the Guam Bar Association, the Judiciary, FSM Consulate, Department of Public Health and Social Services, Guam Housing and Urban Renewal Authority, private attorneys, and from former clients/applicants.

People and families in our community are facing life crisis of some sort every day, the most powerful and effective response often includes some kind of legal help – not necessarily the work of a lawyer in a courtroom (although sometimes



that), but knowledgeable guidance through unfamiliar rules and processes.

- Tenants facing wrongful eviction;
- Homeowners facing foreclosure due to fraudulent schemes; ([https://www.fanniemae.com/content/fact\\_sheet/mortgage-fraud-schemes-and-characteristics.pdf](https://www.fanniemae.com/content/fact_sheet/mortgage-fraud-schemes-and-characteristics.pdf))
- Women who are victims of domestic violence;
- Veterans and military families struggling in civilian life; (<https://www.mentalhealth.va.gov/communityproviders/docs/readjustment.pdf>)
- Consumers bankrupted by predatory lenders;

- Workers cheated out of wages or denied lawful benefits;
- Children who need a stable home or special education;
- Elderly whose economic security or health case is in jeopardy;
- Disabled people denied opportunities;
- Immigrants who work lowest wage-jobs without benefits or contracts;

In the short amount of time that our office has been opened (less than two years), we have been able to accomplish the objectives of our priorities. First, we ensure that we provide access to justice for indigent people. Second, we ensure that we focus on cases that meet our priorities of 1) support for families; 2) preserving the home; 3) maintaining economic stability; 4) safety, stability, and health; 5) populations with special vulnerabilities; and 6) delivery of legal services (including outreach, community legal education, and collaboration).

A breakdown of our caseload from October 1, 2019 to September 30, 2020, by subject area.

- Communities devastated by natural disasters.

*Legal aid... is fundamental to giving every eligible member of our community access to justice.*

**Open Cases by Subject**

Divorce	110
Legal Guardianship	75
Custody/Visitation	68
Miscellaneous	27
Juvenile (GAL ct-appts)	18
Landlord-Tenant	8
Wills/Estates	6
Adoption	5
Unemployment	4
Name Change	3
Employment	2
Paternity	1
Other Housing	1
SSI	1
<b>TOTAL</b>	<b>329</b>

- Priority 1 - Support for Families  
(Guardianships, Adoptions, Name Change) 83/329 = 25%
- Priority 2 - Preserving the Home  
(Landlord-Tenant, Housing) 9/329 = 3%
- Priority 3 - Maintaining Economic Stability  
(Unemployment, Employment, Child Support) 6/329 = 2%
- Priority 4 - Safety, Stability, and Health  
(Divorce, Custody, Juvenile, Paternity) 197/329 = 60%
- Priority 5 - Population with Special Vulnerabilities  
(Elderly, Disability) 7/329 = 2%

• Other (Misc) 27/329 =	8%
<b>TOTAL</b>	<b>100%</b>

At MLSC, we believe in a Micronesia where all people are treated fairly and with respect; where government and institutions are accountable even to the most vulnerable among us; where those who need legal services the most get the highest quality assistance to better their lives; where justice and fairness for all, even the poor, is the standard not only in our courts but in every community; and where communities thrive under democratic principles.

*Our mission is to promote equal access to justice and to provide high quality civil legal assistance to low income people. MLSC improves the lives of the people of Micronesia by helping them solve important legal problems; and strengthens communities through advocacy.*

**Community Activities:**

1. Guam Coalition Against Sexual Assault and Family Violence – December 2019 - Meet and greet with Cynthia Cabot, Director of Guam Coalition Against Sexual Assault and Family Violence. I informed her about our new office and the types of assistance that we provide.
2. Erica’s House Visitation Center – December 2019 -Meet and greet with Diana Nucum, Program Director, at Erica’s House to inform her about our new office and the types of assistance that we provide. She also shared with me the history and purpose of the visitation center. We exchanged brochures about each of our organization.
3. Victim’s Advocates Reaching Out (VARO) – December 2019 - Meet and greet with Karen Carpenter, Office Manager, on December 10, 2019. She explained to me the role of VARO in the community and the types of assistance that her organization provides. I also informed her about our new office and explained to her the types of assistance that we provide.
4. In collaboration with the Guam Bar Association, MLSC assisted with processing of War Claims affidavits at Hakubotan Building, January 31, February 3, 5, 7, 2020. Hundreds of senior citizens

and their families showed up for assistance in getting their war claim compensation. Some of the war survivors showed up. For those survivors who are deceased, their spouse or children came in for assistance. We had a table set up with volunteer attorneys assisting claimants fill out forms and ensuring applications were complete including documentation such as birth, death and marriage certificate.

**Community Legal Education:**

During the last fiscal year, we had three students who did their intern at MLSC-Guam as follows:

- Debbie Maurer was an intern who was a Business major at Guam Community College. Debbie interned with MLSC for 100 hours from January to March 2020. The purpose of her intern was to get a feel of working in a law office. She followed attorneys to court and did simple legal research.
- Christopher Schroeder was a second-year law student at Elon University in North Carolina. Chris was supposed to intern in our office from March to June 2020, but due to Covid-19 he cancelled his travel plans to Guam. Although he did not make it to Guam, Chris still helped MLSC by preparing a self-help pro se bankruptcy package.
- BeaHeartly Siba is a University of Guam student in the graduate program. Working on her Master's Degree in Public Administration, Bea interned in MLSC for 180 hours from July to October 2020. Bea prepared self-help pro se protective order forms.

MLSC has offices throughout Micronesia, including Guam, The Commonwealth of Northern Marianas, in each of the four states of the Federated States of Micronesia, the Marshall Islands and Palau. Our central administrative office is located in Saipan. We have total staff of 61, including secretaries, trial counselors, paralegals, attorneys, and our administrative staff.





### MLSC Directing Attorneys (circa 2019)

MLSC is a 501 (c) (3) nonprofit organization, governed by a 10-member board of directors, with at least one director representing each of the regions in which we have offices. Members of our Board, are Senator Jack Harris (Pohnpei), Senator Arno Kony (Chuuk), Senator John Mafel (Yap), Attorney Robert Torres (CNMI), Vice President-Elect Jerrlyn Uduch (Palau), Delegate Nace Soalablai (Member At-Large, Palau), Attorney Joshua Walsh (Guam), Minister of Justice Kassai Note (RMI) and Hon. Robert Ruecho' (Yap), the President of our Board.



MLSC never charges for our services to the community. All our services are always free. MLSC is supported by several sources, including each of the governments in which we have offices, the U.S. Legal Services Corporation, and, to a lesser degree, other institutional and government grants, and by individual donations.

Our Board sets priorities for use of MLSC resources each year. For 2021, MLSC has adopted the following priorities:

- Support for Families
- Preserving the Home
- Maintaining Economic Stability
- Safety, Stability, and Health
- Populations with Special Vulnerabilities
- Delivery of Legal Services, including outreach, community education and collaboration.

### **Plans for program improvement in 2021**

Board of Directors of MLSC adopted a Strategic Plan that continues to serve as guide for program improvement. These include:

- More community education and outreach; and
- Increased training for staff.

### **About MLSC**

Persons are eligible for free legal assistance from MLSC if their household income is **below 200%** of the U.S. Federal Poverty Guidelines for Hawaii and whose assets do not exceed specified amounts.

However, due to limited resources, MLSC is not able to help all persons who are eligible and need free legal assistance in civil matters. MLSC has adopted the following case acceptance considerations to guide us in deciding which cases we should accept.

- Is the case within organization and local office priorities? If so, what is the degree of importance given to a case of this type within an office's priorities?
- Actual or potential conflict of interest
- The merits of the case – do we think we can resolve the case to the client's satisfaction?
- Availability of other resources to assist – can we refer?
- Capacity to handle this case – do we have the skills and knowledge to provide quality services in this case?
- How much resource (staff time) will be required to us?
- Impact of the case for the community: will working on this case positively affect others besides the client?
- The potential consequences to individuals with that they of legal problem if only limited representation or non-representational assistance is offered?
- Are attorney's fees available?
- Does this case provide an opportunity for professional development of staff

### **Budget Justification**

Our request for \$50,000 is to simply maintain our current staffing and existing level of operations on Guam.

Our largest single funder is the U.S. Legal Services Corporation (LSC). We don't know what our funding for 2022 from LSC will be. Our request for funding here is made based on the assumption that our funding from LSC will be the same in 2021.

Our funding from LSC varies annually, and depends on two factors: how much the U.S. Congress appropriates to LSC, and the poverty population of our service area – because LSC distributes funding to MLSC and 133 other grantees (<https://www.lsc.gov/grants-grantee-resources/our-grantees> ) based on the number of poor people in the service area of the grantee.

Year	LSC Funding to MLSC
2010	\$1,899,007
2011	\$1,841,398
2012	\$1,553,623
2013	\$1,410,365
2014	\$1,229,420
2015	\$1,255,539

Year	LSC Funding to MLSC
2016	\$1,226,169
2017	\$1,226,169
2018	\$1,309,772
2019	\$1,498,617
2020	\$1,518,136
2021	\$1,586,053

We firmly believe that continued outreach is needed when addressing the concerns and issues of the people of Guam. Our office realizes the importance of empowering our communities by providing educational outreach and information pertinent to the needs of the people as we work together to improving the quality of life for generations to come.

Should you need more information regarding this request, please do not hesitate to call upon us.

Respectfully,

Barbara Cepeda  
 Directing Attorney  
 MLSC-Guam

Joshua D. Walsh  
 MLSC Board of Director  
 Territory of Guam

MLSC is funded in part by the Legal Services Corporation ("LSC"). As a condition of the funding it receives from LSC, it is restricted in certain activities in all of its legal work- including work supported by other funding sources. MLSC may not expend any funds for any activity prohibited by the Legal Services Corporation Act, 42 U.S.C. 2996 et seq. or by Public Law 104-134. Public Law 104-134 §504(d) requires that notice of these restrictions be given to all funders and contributors to programs funded by the Legal Service Corporation.