







I Mina'trentai Sais Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
100-36 (COR)	Amanda L. Shelton Tina Rose Muña Barnes Telena Cruz Nelson Joe S. San Agustin Mary Camacho Torres V. Anthony Ada	AN ACT TO <i>AMEND</i> § 11105 OF CHAPTER 11, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING THE PUBLIC DEFENDER SERVICE CORPORATION TO RECEIVE AND ADMINISTER GRANTS AND ENTER INTO INTRA-GOVERNMENTAL AND INTER-GOVERNMENTAL AGREEMENTS AND TO ESTABLISHING AN ELDER LAW CENTER WITHIN THE CORPORATION TO PROVIDE LEGAL SERVICES FOR GUAM'S ELDERLY POPULATION.	3/29/21 1:52 p.m.						

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

Bill No. 100-36 (COR)

Introduced by:

Amanda L. Shelton 
Tina Rose Muña Barnes 
Telena Cruz Nelson 
Joe S. San Agustin 
Mary Camacho Torres 
V. Anthony Ada 

AN ACT TO *AMEND* § 11105 OF CHAPTER 11, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING THE PUBLIC DEFENDER SERVICE CORPORATION TO RECEIVE AND ADMINISTER GRANTS AND ENTER INTO INTRA-GOVERNMENTAL AND INTER-GOVERNMENTAL AGREEMENTS AND TO ESTABLISHING AN ELDER LAW CENTER WITHIN THE CORPORATION TO PROVIDE LEGAL SERVICES FOR GUAM'S ELDERLY POPULATION.

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that there is a need to provide avenues for civil legal aid and other services to assist
4 Guam's elderly population. Local resources to fund these programs are limited, but
5 federal grants to support them may be available. *I Liheslatura* finds that the Public
6 Defender Service Corporation ("Corporation")—if allowed to apply, receive, and
7 administer federal grants reserved for those populations—will be uniquely situated
8 to fill the gaps in legal services for the vulnerable, underserved, and under-
9 represented members of our community who need them the most.

1 *I Liheslatura* further finds that the Corporation, the Department of Public
2 Health and Social Services (DPHSS) and the Guam Legal Services Corporation have
3 been in talks to create an Elder Law Center (“Center”) within the auspices of the
4 Corporation. The Center would be funded by an existing \$190,000 federal grant
5 meant to provide legal services to the elderly. The DPHSS reports that there are over
6 400 *manâmkok* (elderly) who are currently awaiting legal services that this grant
7 could provide. *I Liheslatura* finds that governmental and non-profit corporations,
8 including the Corporation, the Guam Legal Services Corporation, and the
9 Micronesian Legal Services Corporation, are ready, willing, and able to provide
10 services to qualified individuals with funding from this grant.

11 *I Liheslatura* further finds that to effectuate this service, the enabling language
12 of the Corporation must be amended to clarify that, notwithstanding any existing
13 moratoriums or existing law, the Corporation is able to apply for, received, and
14 administer grants and subgrants, and enter into intra-governmental and inter-
15 governmental agreements, including, but not limited to grants to provide protective
16 orders and legal services for the elderly. *I Liheslatura* finds that our *manâmkok*
17 (elderly), the bedrock of our community, deserve quality legal services that could be
18 duly provided by the hard-working and diligent staff of the Corporation, whose
19 express mission already includes the representation of people who are unable to
20 afford an attorney in private practice.

21 Therefore, it is the intent of *I Liheslaturan Guåhan* to amend § 11105 of
22 Chapter 11, Title 12, Guam Code Annotated, to allow the Public Defender Service
23 Corporation to receive and administer grants and enter into intra-governmental and
24 inter-governmental agreements to provide legal services for Guam’s elderly
25 population.

26 **Section 2.** § 11105, Chapter 11, Title 12, Guam Code Annotated, is hereby
27 *amended*, to read:

1 **“§ 11105. Same: Civil Matters.**

2 The Corporation shall render legal aid and assistance to those persons
3 in Guam, who, under rules established by the Corporation, are in need of legal
4 assistance and representation and who are unable to afford an attorney in
5 private practice. The Corporation shall not ~~compete with attorneys engaged in~~
6 ~~the private practice of law in Guam~~ accept fee-generating cases and shall give
7 legal assistance in civil matters only to those who would otherwise not receive
8 such assistance. The Corporation may apply for, receive, and administer
9 grants, subgrants or enter into intra-governmental and inter-governmental
10 agreements to provide legal services to elderly individuals, as defined
11 pursuant to local or federal laws, regulations, or guidelines. The Corporation
12 is authorized to comply with the requirements of federal grants, subgrants,
13 and intra-governmental and inter-governmental agreements, to include
14 representation to individuals who may qualify for services pursuant to the
15 terms of federal grants, subgrants, and intra-governmental and inter-
16 governmental agreements.”

17 **Section 3. Effective Date.** This Act *shall* become effective upon enactment.