





I Mina'trentai Singko 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
146-35 (COR)	Amanda L. Shelton Tina Rose Muña Barnes Régine Biscoe Lee William M. Castro	AN ACT TO AMEND 12 GCA § 11105 TO ALLOW THE PUBLIC DEFENDER SERVICE CORPORATION TO RECEIVE AND ADMINISTER GRANTS AND ENTER INTO INTRA-GOVERNMENTAL AND INTER-GOVERNMENTAL AGREEMENTS TO PROVIDE LEGAL SERVICES FOR UNDER-REPRESENTED GROUPS AND FOR THE PURPOSE OF ESTABLISHING AN ELDER LAW CENTER	5/28/19 8:40 a.m.						

I MINA' TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session

Bill No. 146-35 (COR)

Introduced by:

Amanda L. Shelton 
Tina Rose Muña Barnes 
Régine Biscoe Lee 
Wil Castro 

AN ACT TO *AMEND* 12 GCA § 11105 TO ALLOW THE PUBLIC DEFENDER SERVICE CORPORATION TO RECEIVE AND ADMINISTER GRANTS AND ENTER INTO INTRA-GOVERNMENTAL AND INTER-GOVERNMENTAL AGREEMENTS TO PROVIDE LEGAL SERVICES FOR UNDER-REPRESENTED GROUPS AND FOR THE PURPOSE OF ESTABLISHING AN ELDER LAW CENTER

2019 MAY 28 AM 8:36 

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

2 **Section 1. Findings and Intent.** *I Liheslaturan Guåhan* finds the need to
3 provide avenues for civil legal aid and other services to assist Guam’s vulnerable,
4 underserved, and under-represented populations, including the elderly, victims of
5 violence, individuals with disabilities, and individuals and families of low income.
6 Local resources to fund these programs are limited, but federal grants to support
7 them may be available. *I Liheslaturan Guåhan* finds the Public Defender Service
8 Corporation (Corporation)—if allowed to apply, receive, and administer federal
9 grants reserved or those populations—will be uniquely situated to fill the gaps in
10 legal services for the vulnerable, underserved, and under-represented members of
11 our community who most need them.

12 *I Liheslaturan Guåhan* further finds that the Department of Public Health and
13 the Public Defender Service Corporation and Guam Legal Services have been in
14 talks to create an Elder Law Center within the auspices of the Public Defender’s

1 Office. The center would be funded by an existing \$190,000 federal grant meant to
2 provide legal services to the elderly. Public Health reports there are over 400
3 *manåmko*’ who are currently awaiting legal services that this grant could provide. *I*
4 *Liheslaturan Guåhan* finds that governmental and non-profit corporations, including
5 the Corporation, Guam Legal Services Corporation, and the Micronesian Legal
6 Services Corporation, are ready, willing, and able to provide services to qualified
7 individuals with funding from this grant.

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

19 **Section 2.** 12 GCA § 11105 is hereby amended to read:

20 “§ 11105. Same: Civil Matters. The Corporation shall render legal aid and
21 assistance to those persons in Guam, who, under rules established by the
22 Corporation, are in need of legal assistance and representation and who are unable
23 to afford an attorney in private practice. The Corporation shall not ~~compete with~~
24 ~~attorneys engaged in the private practice of law in Guam~~ accept fee generating cases
25 and shall give legal assistance in civil matters only to those who would otherwise
26 not receive such assistance. The Corporation may apply for, receive and administer
27 grants, subgrants or enter into intra-governmental and inter-governmental

1 agreements to provide legal services to individuals from vulnerable, underserved,
2 and under-represented groups, including but not limited to the elderly, victims of
3 violence, individuals with disabilities, individuals and families of low income, and
4 members of ethnic or sexual or gender minorities, as defined pursuant to local or
5 federal laws, regulations, or guidelines. The Corporation is authorized to comply
6 with the requirements of the federal grant, subgrant, intra-governmental and inter-
7 governmental agreement to include representation to individuals who may qualify
8 for services pursuant to the terms of the federal grant, subgrant, intra-governmental
9 and inter-governmental agreement.