

**NARRATIVE of GOALS and ACCOMPLISHMENTS in support of the PUBLIC  
DEFENDER SERVICE CORPORATION BOARD of TRUSTEES  
PERFORMANCE REVIEW OF DIRECTOR OF THE PUBLIC DEFENDER  
SERVICE CORPORATION PURSUANT to 5 GCA § 43201**

The position of Director of the Public Defender Service Corporation came open in mid-2008 due to the resignation of prior Director Kathy Maher. The position was announced on Guam, throughout neighboring jurisdictions and throughout the mainland US. After extensive review of at least eight qualified applicants from both on island and off-island, the Board extended the position to Mike Nisperos. Mr. Nisperos accepted and began as the Director of the Public Defender Service Corporation (“PDSC”) on October 6, 2008.

In conducting its evaluation of the PDSC Director, PDSC Board members requested Director Nisperos to submit his accomplishments and goals in his first six months. The Board learned from communications with Director Nisperos that he implemented a new Attorney Team Assignment Model in the office. Formerly, attorneys were assigned to courtrooms at a daily meeting and client files were shuffled according to the assignment of the day. Attorney Nisperos found that resulted in confusion and disorganization, and attorneys sometimes unable to advocate for the client.

After consulting with the attorneys individually and as a group, Nisperos started a three-team structure beginning in January with two teams composed of four attorneys and one team comprised of three attorneys. The two teams of four attorneys are responsible for covering three judges while the team with three attorneys is responsible for covering two judges. The three most senior attorneys (including Nisperos) serve as team leaders. Each team has a “floater” member for coverage in case of sickness, vacation, trial or need for office hours. The immediate benefit is that it gives attorneys advanced notice of their calendars. In addition, the secretarial staff re-aligned itself to coordinate their assignments with the new team system. Nisperos reports there are still challenges to overcome in this new system.

The PDSC Board took this new Attorney Team Assignment Model into account in filling out the Evaluation Form as a favorable development in the office.

Director Nisperos was instrumental in relocating the PDSC Violence Against Women Coordinator from the PDSC premises to the client services area of the Superior Court premises. The beneficial effect of the move was to provide neutral ground for the victim to visit with the Coordinator. In this way, the Coordinator could act an honest go-between in advising the Court on the issue of victim-defendant contact in situations of pre-trial release or post conviction probation. Director Nisperos will continue to provide the legal services promised under the grant and will continue to act as fiscal agent and legal service provider for subsequent grant applications.

PDSC Board members also took into account the manner in which Director Nisperos integrated himself into the PDSC by conducting one-on-one interviews with all PDSC employees. The PDSC Board encourages continuing to build rapport with all employees of PDSC as well as working together on office reforms.

In addition, the PDSC Board noticed that Director Nisperos introduced himself to the Superior Court officers and requested in-chambers meetings. He remains open to communications from any Judge of the Superior Court and the Chief Judge of the District Court. The Board is also aware that Director Nisperos has studied the Court's *2007-2010 Strategic Plan* and hope to assist in seeing the goals of that Plan come to fruition.

Finally, the Board took into account the fact that Director Nisperos regularly attends Guam Bar Association events, and that he volunteered to be a judge for the high school Mock Trial Program.

When asked what his goals are for the coming year, Director Nisperos responded that among them is to have mandatory direct deposit pay system. By automating payroll he will further reduce the burden on a fiscal department with one professional and one assistant. He has retained the services of Deloitte & Touche to provide technical training to the Fiscal Department, IT Director and Administrative Director on how to use existing software to achieve full automation by the end of the year.

In further addressing the future, Director Nisperos sees substantial room for improvement in providing basic services. However, it will require a much greater collaboration between the PDSC, the Superior Court, and law enforcement entities. The Board concludes that such collaboration should be the priority the Public Defender in the next year.

Immediately following this six-month evaluation, PDSC Board representatives will conduct more extensive independent interviews with the personnel of the Public Defender's Office and the judges and staff of the Superior Court. These interviews will provide more information as to the performance of the Executive Director and the future direction of the Public Defender, and will give the PDSC Board some idea of the landmarks by which to conduct this assessment next year.

For the foregoing reason, the Board unanimously VOTES to retain the Director. This is intended to document the Chief Executive's performance, accomplishments, and the respecting Governing Board's reasons for retaining the said Chief Executive.