

Pacific Islands Committee NEWSLETTER

WINTER 2016



A Longstanding Commitment to Justice in the Pacific Islands

Ninth Circuit Chief Judge Emeritus Alfred T. Goodwin and his work with the Pacific Islands Committee are the focus of an extended article published last fall by the Golden Gate University Law Review. Titled "Judging and Administration for Far-Off Places: Trial, Appellate, and Committee Work in the South Pacific," the article was written by Stephen L. Wasby, a professor emeritus in the Rockefeller College of Public Affairs and Policy at the State University of New York at Albany.



Senior Circuit Judge Alfred T. Goodwin

Professor Wasby, whose primary area of interest and research is the federal courts, has authored a number of books along with articles in social science journals and law reviews. His latest treatise, which runs 72 pages, was extensively researched, including interviews with Judge Goodwin and a review of his judicial papers, which are held at the Oregon Historical Society in Portland.

In addition to his service on the United States Court of Appeals for the Ninth Circuit, Judge Goodwin sat frequently as a federal trial judge in Guam and the Northern Mariana Islands. He also sat by invitation

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Training for Pacific Islands Court Staff Well Received

The Ninth Circuit recently provided training to 39 clerks and managers working in Pacific Island courts. Organized by the Pacific Islands Committee, the three-day training program was held in Kosrae, one of the four island states that comprise the Federated States of Micronesia. Funding was provided through grants from the United States Department of the Interior.



Russ Mathieson is an education specialist in the Office of the Circuit Executive

This was the first court clerk and manager specific training to be sponsored by the committee since 2010, and there was a very high level of interest in the conference.

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A Brief Guide to the Pacific Islands

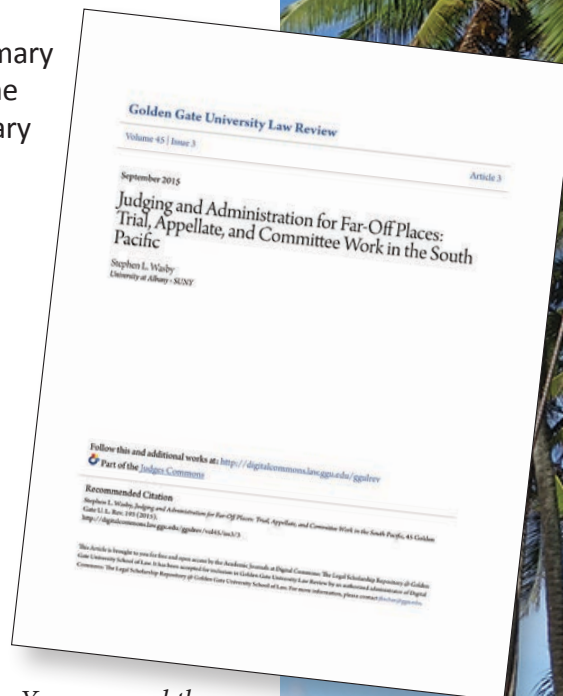
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on courts in American Samoa, the Marshall Islands and the Federated States of Micronesia.

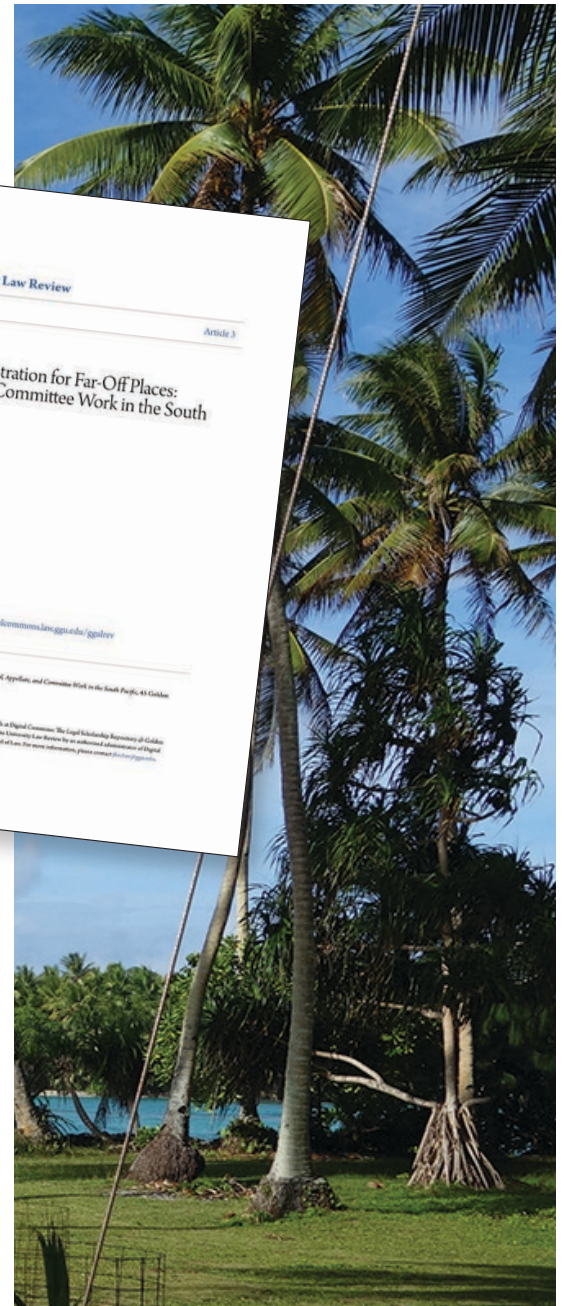
In his introduction, Professor Wasby says the primary purpose of the article is to provide a picture of the types of legal matters heard by the federal judiciary in Guam, using cases in which Judge Goodwin participated, and to consider appellate review of cases originating in Guam and the Northern Mariana Islands, including decisions by Judge Goodwin, himself.

The paper also recounts some of the history of the Pacific Islands Committee, which was established in 1991 by the Judicial Council of the Ninth Circuit. Judge Goodwin's involvement with the committee spans more than a decade, beginning in the latter part of his tenure as the Ninth Circuit's chief judge from 1988 to 1991. Formerly appointed to the committee by his successor as chief, Judge J. Clifford Wallace, Judge Goodwin chaired the committee from 1991 to 1996. He was subsequently reappointed as a member of the committee by the two chief judges who followed, Judges Procter Hug, Jr., and Mary M. Schroeder.

"Judging and Administration for Far-Off Places: Trial, Appellate, and Committee Work in the South Pacific" is a must-read for anyone interested in the modern history of the administration of justice in the Pacific Islands. To download the article, visit the Golden Gate University Law Review website at <http://digitalcommons.law.ggu.edu/ggulrev/vol45/iss3/3/>.



You can read the full article online or download a PDF version [here](http://digitalcommons.law.ggu.edu/ggulrev/vol45/iss3/3/).



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- Hon. Consuelo B. Marshall, *Chair, Senior District Judge, Central District of California*
- Hon. Alex Kozinski, *Circuit Judge*
- Hon. Richard R. Clifton, *Circuit Judge*
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- Hon. Ramona Villagomez Manglona, *Chief District Judge, Northern Mariana Islands*
- Hon. Frances Marie Tydingco-Gatewood, *Chief District Judge, District of Guam*
- Russ Mathieson, *Education Specialist, Office of the Circuit Executive*



This is one of the few opportunities for court clerks and line staff to get live face-to-face training with nationally recognized leaders in topics relevant to their day-to-day duties. The program included sessions on:

Roles and Duties of a Courtroom and Deputy Clerk

Danielle Rosete, clerk of court of the Supreme Court of Guam, led a discussion of a courtroom and deputy clerk, key courtroom players, skills necessary to perform job duties, common challenges, and ethics and integrity. The participants from larger courts were interested to hear that clerks in smaller courts assume many roles – clerk, deputy clerk, and interpreter. The session was well received and allowed clerks to share challenges and solutions to day-to-day issues they face.

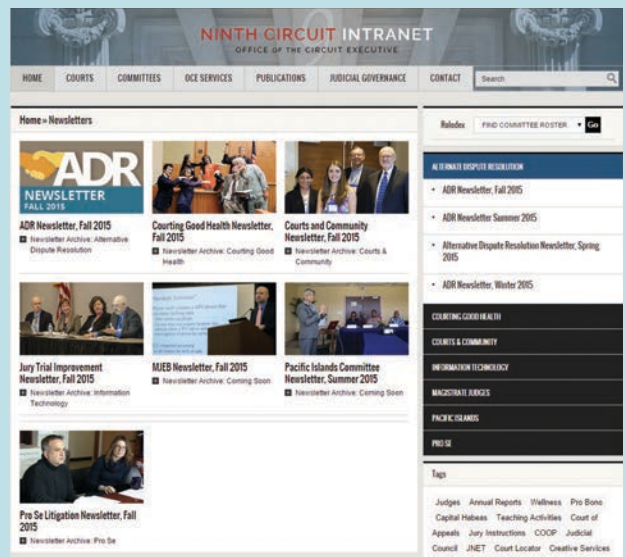
Fundamentals of Case Flow Management

Facilitated by Janet G. Cornell, a court consultant based in Phoenix, Arizona, this session focused on the purposes of courts, case flow, principles and best practices, and action planning with an emphasis on practical tools that clerks could take back to their courts.

Other sessions focused on team building and leadership, differences between legal advice and legal information, and managing stress in the workplace.

Participants included court clerks from the U.S. territories of Guam and American Samoa, the Commonwealth of the Northern Mariana Islands, the Federated States of Micronesia and the Republic of Palau.

Looking for Past Issues of the Pacific Islands Committee newsletter?

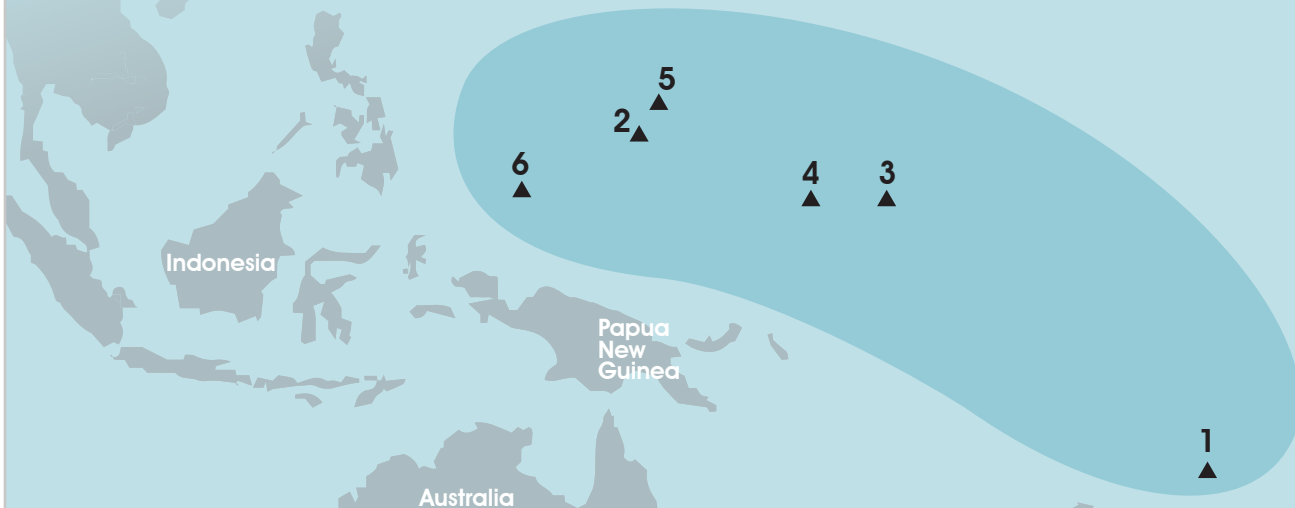


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The Pacific Islands

The Pacific Islands Committee assists the local judiciaries in six governmental entities. Guam and American Samoa have existed as United States territories for more than a century. The Commonwealth of the Northern Mariana Islands, the republics of Palau and the Marshall Islands, and the Federated States of Micronesia were previously parts of the Trust Territory of the Pacific Islands established by the United Nations after World War II. The U.S. administered the trust until 1986, when

Palau, the Marshall Islands and Micronesia attained their independence through a Compact of Free Association. Rather than independence, the Northern Mariana Islands established a political union with the U.S. while remaining self-governing with locally-elected political leaders. Legal systems in some of the islands are a mix of common law and customary law and sometimes use U.S. law as guidance. All of the islands have local court systems. The Northern Mariana Islands and the “organized” territory of Guam also have federal courts, while the “unorganized” territory of American Samoa has a high court whose chief justice and associate chief justice are appointed by the secretary of the U.S. Department of the Interior.



1. American Samoa (South Pacific)



U.S. territory since 1900
Highest local court:
High Court of American Samoa
*Population: 54,517

2. Guam (North Pacific)



U.S. territory since 1898
Highest local court: Supreme Court of Guam
*Population: 161,000

3. Republic of the Marshall Islands



Attained independence 1986
Highest court: Supreme Court
*Population: 70,983

4. Federated States of Micronesia



Attained independence in 1986
Highest court:
Supreme Court of FSM
*Population: 105,681

5. Northern Mariana Islands



Commonwealth established 1976
Highest local court:
Supreme Court of CNMI
*Population: 51,483

6. Republic of Palau



Attained independence in 1994
Highest court: Supreme Court of Palau
*Population: 21,186

* CIA, The World Factbook, Estimate July 2014



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