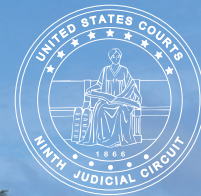


Pacific Islands Committee NEWSLETTER SUMMER 2016



Island Judges Discuss Human Trafficking, Mediation



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The Pacific Judicial Council held its mid-year meeting in Pago Pago, American Samoa, on April 12-14, 2016. The gathering of delegates from the United States territories of Guam and American Samoa, the Commonwealth of the Northern Mariana

Islands and the Federated States of Micronesia focused on mediation and human trafficking.

The human-trafficking sessions were facilitated by Chief Judges Ramona V. Manglona of NMI and Frances Tydingco-Gatewood of Guam, Senior District Judge Susan Oki Mollway of Hawaii, and Suzanna Tiapula, an American Samoa native who is the director of Ho'omaluhia (the Family Violence and Sexual Assault Institute – Pacific Division).

Ms. Tiapula serves as technical advisor for nongovernmental organizations, guiding strategic planning and participating in the design of regional training initiatives. As the former director of the National District Attorneys Association's National Center for Prosecution of Child Abuse and NDAA's Human Trafficking Programs, she directed design and delivery of training and technical assistance to more than 20,000 front-line professionals each year.



American Samoa was represented by, from left, Chief Associate Judge Sala Mamea, Jr.; Chief Justice F. Michael Kruse of the High Court of Samoa; Associate Judge Edmund E.C. Pereira Su'apaia; Governor Lolo Letalu Matalasi Moliga; and Associate Judge Timupopo T. Ala'alafaga.

The human trafficking sessions focused on the constitutional and statutory provisions, Pacific Region laws, resources and responses to human trafficking, and coalition building. Delegates were able to hear the particularly moving story of one victim who was forced to work in the sex industry.

The mediation sessions were facilitated by Professor John Barkai of the University of Hawai'i, William S. Richardson School of Law. The author of numerous articles on negotiation and mediation, Professor Barkai has worked in the field of alternative dispute resolution since 1979. One of the first mediators trained in Hawaii, he is a past chairman of the Alternative Dispute Resolution Section of the Hawaii State Bar Association; and a founding member of the University of Hawaii's Program on Conflict Resolution.

Professor Barkai provided the delegates with an overview of mediation models, styles, programs, and use in restorative justice. He also focused on how judges can apply mediation techniques in their courtrooms to help break impasses. The 2016 mid-year meeting was the first to be held in American Samoa in more than 15 years.

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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