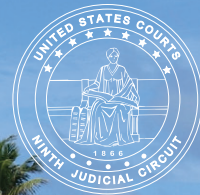


# Pacific Islands Committee NEWSLETTER SUMMER 2017



*Some 80 judges, judicial officers and court administrators attended the Federated States of Micronesia Judicial Conference.*

## Conference Focuses on Judicial Education, Court Security

The Federated States of Micronesia Judicial Conference was held February 21-24, 2017, in the island state of Kosrae. It was the 17th gathering of judges, judicial officers, administrators and other key court personnel from among the four island states that comprise the federation.

Begun in 1994, the FSM Conference was held annually until 2005, when it was cancelled due to lack of funding. The conference resumed as a biennial event in 2008 with assistance from the Ninth Circuit and its Pacific Islands Committee.



*Federated States of Micronesia flag*

Senior District Judge Consuelo B. Marshall of the United States District Court for the Central District of California, who chairs the Pacific Islands Committee, attended the FSM Conference and was one of the keynote speakers.

The conference is intended to provide judicial education and a forum for addressing important issues facing the federation judiciary. This year's conference focused on training new judges for the bench and training security personnel for the courtroom. There were approximately 60 people in the judges' track and 20 in the security track.

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## CONFERENCE

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The conference was moderated by Chief Justice Dennis K. Yamase of the FSM Supreme Court, Chief Justice Camillo Noket of the Chuuk State Supreme Court, Chief Justice Chang B. William of the Kosrae State Court, Associate Justice Mayceleen J.D. Anson of the Pohnpei Supreme Court, and Associate Justice Jesse Torwan of the Yap State Court.

In addition to Judge Marshall, other keynote speakers were the Honorable Daniel P. Ryan, a retired judge of the Third Judicial Circuit Court of Michigan, and Professor Emerita Elizabeth Spahn of the New England School of Law in Boston.

Others making presentations included Associate Justice Nickontro Johnny of the Pohnpei State Supreme Court; Associate Justice Larry Wentworth and Staff Attorney David Johnson of the FSM Supreme Court; Emeliana Musrasrik of the International Organization for Migration. A court librarian, Atarino Helieisiar, and an information technology specialist, Ivan Kadanged, also made presentations.



*Instructors from the U.S. Marshals Service office in Guam provided training to court security officers.*

The agenda included discussion of constitutional law, search and seizure, equal protection, evidence, ethics, judicial decision making, opinion writing, criminal and civil procedures, administrative law, human-trafficking, library

resources, and other topics of interest for new judges.

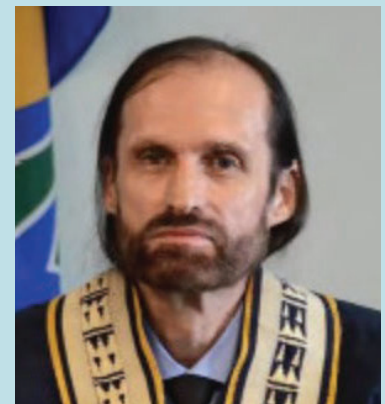
Sergeant Vinente Naputi and Lieutenant Leo Diaz of the U.S.

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## New Justice for FSM High Court

The Supreme Court of the Federated States of Micronesia seated a new member last fall. Associate Justice Larry Wentworth of the island state of Chuuk, was sworn into office on October 5, 2016. He had been nominated by FSM President Peter M. Christian and was confirmed by the FSM Congress on August 2, 2016.

Justice Wentworth had served as a staff attorney of the FSM Supreme Court for nearly 24 years. As a staff attorney, he served under numerous justices. He was responsible for the compiling, editing and drafting headnotes and opinion published in various official court publications that are relied upon for legal research. 🌐



*Justice Larry Wentworth*



*Participants in the 2016 Court Administrator Training, Yap, Micronesia.*

## Ninth Circuit, Pacific Judicial Council Provide Training


The Ninth Circuit’s Pacific Islands Committee continues to partner with the Pacific Judicial Council to deliver training for judges, administrators and security personnel.

The 2016 Court Administrator Training, held November 30-December 2, 2016, in Yap, Micronesia, provided interactive training for 26 judges, court administrators, chief court clerks, and other managers working in the courts.

The three-day program covered a variety of topics: assistance to self-represented litigants, National Association for Court Management core competencies, managing and measuring court

More than 70 probation officers from Pacific Island jurisdictions gathered in Guam June 4-6, 2017, to attend the “Effective Community Supervision in the 21st Century” conference.

The conference offered multiple tracks to allow participants to focus on specific interests, and general sessions addressing broader issues, such as caseload management.

Probation officers were able to test their skill with the MILO Range firearm training simulator. The system provides immersive training using use-of-force and shoot/don’t-shoot scenarios within a safe and controlled environment. 

### CONFERENCE


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Marshals Service’s Training and Staff Development Division on Guam conducted the security track. Topics included operational planning, threat responses, active shooter, stress induction, and creation of courtroom security plans. Participants also received training in the use of batons, pepper spray and physical restraints, and discussed the use of deadly force.

Feedback from conference attendees was uniformly positive with a number of comments made about an inspiring speech by Professor Spahn, who focused on the role of the courts in protecting the rights of all minorities under the law. Also noted was the highly realistic security training scenarios.

The FSM Constitution is based on the U.S. Constitution, establishing a national government consisting of separate executive, legislative and judicial branches. The

federation is also governed by a Declaration of Rights similar to the U.S. Bill of Rights, which sets out basic standards consistent with international norms, but also contains a provision protecting traditional and customary rights.

The FSM Supreme Court was established as the highest court in the nation. Its justices are appointed by the FSM president, with the approval of two-thirds of the FSM Congress and serve life terms during good behavior. 

# 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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