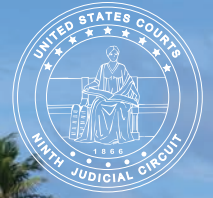


# Pacific Islands Committee

## NEWSLETTER

SUMMER 2020



## A Word from the Chair

The Pacific Islands Committee has spent much of the past two months assessing the needs of the courts in the Micronesia region.

Despite remaining free of COVID-19, the pandemic has impacted courts and communities in American Samoa, the Federated States of Micronesia, the Marshall Islands, and Palau, where travel, to and from, has been extremely limited or blocked. Both Guam and Saipan also face challenges in their courts and communities.

The travel restrictions have given us the opportunity to rethink our training strategy. In the past, the program has relied largely on bringing subject matter experts to the islands to conduct trainings and bringing trainees to the mainland for specialized training. We recognize that this model will need to be revamped. It has been difficult to establish an online training presence in the region due to limited Internet connectivity. Fortunately, that situation is changing. Russ Mathieson, education specialist, recently conducted a survey of the connectivity in the region and found that with the recent fiber optic cable upgrades in the FSM and Palau, all of the courts meet the minimum bandwidth needs to participate in online trainings and webinars using the Zoom platform.

Already, courts in the region are experimenting with video hearings. Likewise, the Pacific Judicial Council Education Committee has transitioned from monthly conference calls to Zoom meetings. We are working with court leadership to develop and deliver several



*Hon. M. Margaret McKeown, Circuit Judge, Ninth Circuit Court of Appeals*

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## Pacific Judicial Council American College of Trial Lawyers Trial Practice Training

January 27, 2020 through January 29, 2020 saw the gathering of justices, judges, and legal practitioners from jurisdictions around the Pacific on Saipan, Commonwealth of the Northern Mariana Islands (CNMI), for the 2020 Pacific Judicial Council (PJC) American College of Trial Lawyers (ACTL) Trial Practice Training. Twenty-five justices and judges hailing from Guam, the CNMI, Pohnpei, Yap, Chuuk, American Samoa, and Kosrae took part in this year's training. Including the justices and judges, over 100 participants attended the training where various topics pertinent to the practice of law were discussed.



*Hon. Teresa K. Kim-Tenorio, Associate Judge, Superior Court of the Commonwealth of the Northern Mariana Islands*

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## The Pacific Judicial Council Mourns The Loss Of Its President

A memorial to Chief Justice Noket assembled by Stacy McDonald Flores, Community Outreach Director for District Court of Guam.

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Along with the justices, judges, and participants, ACTL members served as presenters in their fields of expertise. In doing so, they contributed greatly to the overall success of the training.

The first day of the training was exclusive to justices and judges in which members of the ACTL presented on the topics of Writing Judicial Opinions, Best Practices for Pro Se Litigants, Human Trafficking, and International Crime Law. The following two days of the training focused on topics relevant to lawyers. Members of the ACTL, highly versed in their fields of practice and study, presented on various topics such as Mediation Ethics, Brady Obligations, Search and Seizure, Encouraging Civility in the Practice of Law, and Handling Domestic Violence Cases. Additionally, justices and judges served on panels relevant to their expertise and assisted with the dissemination of knowledge to the participating body.

Overall, the training served as a refresher for some and new knowledge for others on the types of issues that generally come before the judiciary, as well as the impact on the practice of law. Furthermore, the training served as an eradicator of barriers to contemporary legal knowledge that normally would exist due to the far-removed nature of the Pacific states and territories. Additionally, certain presentation topics, such as Encouraging Civility in the Practice of Law, highlighted the importance of maintaining civility, professionalism, and overall decorum as a legal practitioner.

Along with its educational and professional development benefits, the training allowed for an overview of the diversity that can only be found in the Pacific region. A gathering such as this allows professionals to interact with their counterparts, and in doing so, glimpse how cultural and regional differences interpret identical or similar legal topics and issues.

As a whole, the PJC ACTL Training provided, and will continue to provide, an ideal environment for educational and professional growth, as well as the opportunity for legal practitioners of diverse backgrounds and practices to meet, interact, and learn from experts, as well as from each other. ●

online trainings and webinars in the coming months.

The Committee also reached out to the Pacific Island courts to assist in developing best practices to conduct video and telephonic hearings which will allow the courts to continue operations during the COVID-19 pandemic. For example, we hosted a meeting with judges in a Pacific Island jurisdiction, together with three federal judges and an IT expert, to discuss the ins and outs of remote telephonic and video proceedings. We plan to continue these informal consultations.

The transition in how we address the training needs in the Pacific region is a work in progress. Despite the challenges created by the pandemic, we are committed to support the professional development of the judiciaries in this region.

May you, your family, and court family remain healthy during these difficult times. ●

## Pacific Islands Committee MEMBERS

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- Hon. M. Margaret McKeown, Chair, *Circuit Judge, San Diego, CA*
- Hon. William Alsup, *District Judge, CAN*
- Hon. Morgan Christen, *Circuit Judge, Anchorage, AK*
- Hon. Richard R. Clifton, *Senior Circuit Judge, Honolulu, HI*
- Hon. Consuelo B. Marshall, *Senior District Judge, CAC*
- Mr. Russell W. Mathieson, *Education Specialist, Office of the Circuit Executive*
- Hon. Donald W. Molloy, *Senior District Judge, MT*
- Hon. Michael W. Mosman, *District Judge, OR*
- Hon. A. Wallace Tashima, *Senior Circuit Judge, Pasadena, CA*
- Hon. Frances Tydingco-Gatewood, *Chief District Judge, GU*
- Hon. Ramona Villagomez Manglona, *Chief District Judge, NMI*



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IN MEMORY OF HONORABLE

# CAMILLO NOKET

*Chief Justice*

CHUUK STATE SUPREME COURT

## THE PACIFIC JUDICIAL COUNCIL MOURNS THE LOSS OF ITS PRESIDENT

The Pacific Judicial Council mourns the loss of a dear friend and esteemed colleague, the Honorable Camillo Noket, Chief Justice of the Chuuk State Supreme Court and President of the Pacific Judicial Council. Chief Justice Camillo Noket passed away on May 4, 2020, in the Philippines after battling cancer. The Pacific Judicial Council extends its condolences to the Noket family and the Chuuk State Supreme Court family.



Pictured Left to Right: Honorable Camillo Noket and Honorable F. Philip Carbullido, Chief Justice, Supreme Court of Guam.



Pictured: Chuuk State Supreme Court Judicial Officers and Staff

# IN MEMORY OF HONORABLE CAMILLO NOKET

"Almost always when the late CJ Noket spoke in the PJC trainings, conferences, etc., he always started by saying 'Greetings from Beautiful Chuuk.' I think that is a quote that he is known and recognized for by all his fellow friends and colleagues in our courts."

~ Associate Justice Jayson Robert, Chuuk State Supreme Court



"CJ Camillo Noket is a true friend and colleague for decades, a remarkable person who doesn't hesitate to speak his mind on right and wrong, even on weird things."

~ Chief Justice Cyprian Manmaw, Yap State Supreme Court



"Always a passionate and compassionate friend and brother."

~ Judge Arthur R. Barcinas, Superior Court of Guam and PJC Education Committee Chairperson



"Camilo was one of my best friends and a strong supporter of the Pacific Judicial Council. He loved the law and firmly believed in fairness and justice. He loved the people of Chuuk and always tried to find ways to improve the justice system at the Chuuk State Judiciary. He treated everyone he met with respect and graciousness. He was always optimistic and his antidote to life was his humor and positive belief in people. Judicial officers and staff and especially myself from the various many jurisdictions will miss him very much."

~ Presiding Judge Alberto C. Lamorena III, Superior Court of Guam

IN MEMORY OF HONORABLE CAMILLO NOKET



"CJ Noket has been a thoughtful and steady leader of the Pacific Judicial Council. And he was a real pioneer in the FSM bar and judiciary. I have so enjoyed my work with him, especially his sense of humor and easy going manner. It is hard to believe we met under his leadership just last September."  
~ U.S. Circuit Judge Margaret McKeown, United States Court of Appeals for the Ninth Circuit



U.S. Circuit Judge Margaret McKeown,  
United States Court of Appeals for the Ninth  
Circuit and Pacific Islands Committee  
Chairperson



"It has been a great privilege and honor to have known and worked with Chief Justice Noket. All will remember his cheerful demeanor, quick wit and hearty laughter. Along with these traits, I will remember his tremendous pride in his island, its people, his court and staff, and especially his family. His dedication and tireless efforts in his service, both on the bench and with the Pacific Judicial Council, should instill in them an equal sense of pride in this wonderful son of the Pacific. His wise counsel and delightful presence will be missed by all the members of the Pacific Judicial Council Education Committee. As President of the Pacific Judicial Council he has performed all of his duties, the rewarding as well as the difficult with his characteristic patience, courtesy, and high competence. For me personally, I feel the loss of more than just a friend and colleague; I have lost a brother. The Committee and I convey our deepest sympathy to his family and the Chuuk State Supreme Court."

~ Judge Arthur A. Barcinas, Superior Court of Guam and Pacific Judicial Council Education Committee Chairperson.

# IN MEMORY OF HONORABLE CAMILLO NOKET

"It has been an honor to work closely with Chief Justice Camillo Noket, President of the Pacific Judicial Council. During his term as President, Chief Justice Noket has worked closely with our Education Committee to create accessible programs and initiatives designed to improve the administration of justice in our pacific islands. He is held in high esteem throughout Micronesia and we will miss him dearly.

~ Chief Judge Frances Tydingco-Gatewood, District Court of Guam and Acting Vice President of the Pacific Judicial Council.



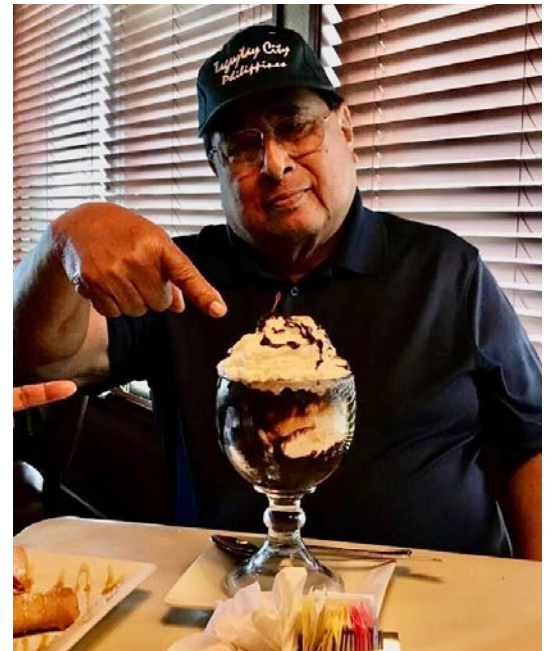
"It had been an honor serving with Chief Justice Noket on the Pacific Judicial Council for the past fourteen years. CJ Noket fully supported the education and training of judicial officers throughout Micronesia in his capacity as President of PJC. He felt that judicial education was paramount to an effective third branch of government. Similarly, his friends and colleagues will sorely miss his jovial spirit and laughter."

~ Chief Justice F. Philip Carbullido, Supreme Court of Guam and Pacific Judicial Council Past Education Committee Chairman.



Tumon, Guam

IN MEMORY OF HONORABLE CAMILLO NOKET



IN MEMORY OF HONORABLE CAMILLO NOKET



"The CNMI Judiciary honors the memory of and joins the Chuuk State Supreme Court, the people of Chuuk State and the rest of the Federated States of Micronesia, and the Pacific Judicial Council member judiciaries in mourning the loss of an esteemed public servant, colleague and friend: the Honorable Camillo Noket, Chief Justice of the Chuuk State Supreme Court. Chief Justice Noket's distinguished service in the FSM extended to the improvements in the administration of justice in Micronesia. He wittingly shared his love and pride for his family, people and nation, which were complemented by his joyful spirit and laughter. The CNMI Judiciary extends heartfelt gratitude for his contributions and prayerful sympathy to his wife and families for the shared loss."

~Chief Justice Alexandro C. Castro,  
CNMI Supreme Court



Garapan, Saipan, MP.



"All of the Federated States of Micronesia Supreme Court Justices and staff share in the sorrow of CJ Noket's unexpected and untimely passing. CJ Noket served on many FSM Supreme Court appeals when our constitutionally appointed Justices were unable to serve due to conflicts. In addition to being the Chief Justice of the Chuuk State Supreme Court (CSSC), CJ Noket was an important and integral part of our Court as well, and we will all miss him greatly. CJ Noket accomplished so much as the Chief Justice of the Chuuk State Supreme Court. I remember when he first took over the leadership of the CSSC in 2006. The Court had been struggling with a lack of leadership and was encountering problems of corruption. As soon as CJ Noket took over as Chief Justice, he took strong and effective action to immediately prevent any more unethical conduct in his court. In a very short time he dealt with the problem and stopped it completely. I credit him for taking this action and setting his court's operations back on track. Only a man with strong leadership skills and the respect of his community could have taken this kind of decisive and effective action. Recently, Chief Justice Noket had undertaken a new and important project to upgrade his court's facilities. He had renovated most, if not all, of the court's courtrooms, offices, and meeting rooms. When he opened his newly renovated court facilities those of us who were there marveled at the changes he had managed to make. It was like a brand new court building. It was only with his vision and expectations for the future of his court that he had managed to accomplish so much, so quickly, with so little. For many years, CJ Noket had exhibited his leadership skills as the Federated States of Micronesia Attorney General, the Directing Attorney of Micronesian Legal Services Corporation (MLSC) office in Chuuk State, and as a member and President of the Pacific Judicial Council (PJC). At the time of his passing he was serving as the President of the PJC. As President, he worked very hard to help organize and conduct numerous training programs for the judges of our immediate area in the Pacific. He himself attended many training programs of the PJC, the National Judicial College (NJC), the Micronesian Legal Services Corporation (MLSC), the Pacific Judicial Strengthening Initiative (PJSI)(run by the Federal Court of Australia and with funding support by New Zealand), the University of Hawai'i Richardson School of Law, the American College of Trial Lawyers, and the FSM Supreme Court. Chief Justice Noket understood the importance of continued legal education to help advance the skills of the judges and attorneys in the region. Especially those who like himself had not had the benefit of a formal legal education. He had himself benefited from these kinds of programs in being the first FSM citizen who had passed the FSM Bar Exam without having graduated from a law school. He was also the first FSM citizen trial assistant to be admitted to practice law before the Trust Territory High Court as an attorney by Chief Justice Alex R. Munson. He was the FSM Attorney General at a time when I was the Legislative Counsel of the FSM Congress and it was during this time that I got to know CJ Noket well and I came to respect his actions as the Nation's top law enforcement officer. Even though he and I might have disagreed at times, I always found that his actions as the Attorney General were sound and fair. He was always a very level headed leader and always carefully considered both sides of an issue before making a decision. I think it was CJ Noket's various experiences that made him such an effective leader for his court and his beloved State of Chuuk. He had worked for many years in both the executive and judicial branches of his state and the national government, he had headed the MLSC office in Chuuk for many years, and he was a high traditional leader. All of these experiences helped to hone his skills as an effective leader and judge for the State of Chuuk and the FSM. I will be one of his many friends who will miss his leadership and sense of humor dearly. Very simply, things will not be the same without him. To his wife Anna and family, and the people of Chuuk, my Court and I, express our sincere condolences and we share in your sorrow over the loss of a great judge and leader."  
~ Chief Justice Dennis K. Yamase, FSM Supreme Court



I N M E M O R Y O F H O N O R A B L E C A M I L L O N O K E T



PALIKIR, Pohnpei—On May 4th, 2020, the Honorable Camillo Noket, Chief Justice of the Chuuk State Supreme Court, passed away. Although most recently known for his service in the 4th FSM Constitutional Convention as one of the delegates representing Election District 2 of Chuuk State, Camillo Noket led a distinguished career in public service where he was well-regarded as committed towards justice and public service.

A credit to his insightful and capable mind, Camillo Noket was the first Micronesian to pass the FSM bar without formal attendance at a law school. Of his lifetime of major accomplishments benefitting both Chuuk and the Nation at large, one of the first was through his service at the 1st Chuuk State Constitutional Convention in 1988 where he served as Chair of the Civil Liberties & Traditions Committee. Camillo Noket would later serve as the Chair of the Civil Liberties & Traditions Committee for the 2nd FSM Constitutional Convention in 1990.

Camillo Noket's career in the FSM National Government began with his employment as an attorney with the Department of Justice's Division of International Law. Having demonstrated a tenacious conviction to uphold the law and to promote truth in all of its forms, Camillo Noket is formally recognized by the FSM National Government as having had a most distinguished and dignified service as the Attorney General of the FSM, a capacity which he served in for nearly a decade.

The FSM National Government owes much of its present-day standard operating procedures in promoting and maintaining the rule of law due to Camillo Noket's distinguished and dignified service as Attorney General of the FSM. Citizens across the Nation later directly benefited from his service as the Directing Attorney for the Micronesian Legal Services Corporation; and citizens in the FSM State of Chuuk were direct witnesses to his enduring and unshakeable faith in justice for each and every human being in his capacity as the Chief Justice for Chuuk State Supreme Court.

The Nation has been remarkably fortunate to have been blessed with Camillo Noket's service to its citizens, for he represented the virtues that the FSM stands for and believes in. The FSM National Government thanks Camillo Noket for his many and noble deeds, sends its deepest condolences to his family and friends in this time of mourning, and asks that the citizens of the Nation recall his good character, convivial attitude, compassionate heart, and terrific sense of humor, and reflect on his outstanding service to the people.



*Kapongen chùpwìn ngonuk mwong'e'i Achengicheng. Honeno non kinamwe.  
Sipwene pwosituk non omw ka tou seni kich. Unean ew fansoun sipwe chuu sàfàn.*

**Farewell our dear brother. May you Rest in Peace.**

**You will be missed dearly. Until we meet again.**