
*The Judiciaries of the
Federated States of Micronesia*

**JUDICIAL EDUCATION DEVELOPMENT PLAN
FOR THE JUDICIARIES OF THE
FEDERATED STATES OF MICRONESIA**

**EXECUTIVE SUMMARY
AND 10 YEAR PLAN (2008-2017)
FIRST REVISION**

*Adopted by the
FSM Judicial Education Council
June _____, 2008*

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I. INTRODUCTION

This Judicial Education Development Plan (JEDP) for the judiciaries of the Federated States of Micronesia (FSM) was submitted and approved by the Judicial Education Committee composed of the Chief Justices of the Supreme Court of the Federated States of Micronesia (FSM) and the state courts of Chuuk, Kosrae, Pohnpei, and Yap (Supreme Court) and the stakeholders of the plan. This JEDP includes an executive summary, outputs for the plan and a detailed plan proposal projected over ten years, from 2008 to 2017. This is the first revision of the plan since the original plan was developed in 2008. The JEDP was prepared by the JEDP Working Group, headed by Associate Justice Dennis K. Yamase, FSM Supreme Court.

It is hoped that this JEDP will provide the comprehensive and professional development for judicial officers and staff of the judiciaries of the FSM, as well as other legal practitioners and law enforcement officers, for the other legal practitioners and law enforcement officers. In carrying out the JEDP, the judiciaries of the FSM will continue to uphold the rule of law and act as the guardians of human rights, judicial independence, good governance, transparency, and accountability throughout the nation.

Unified Response: The diversity within the nation, c The diversity within the nation, co The divers levelslevels of the judiciaries, indicates the potential value of a nationwide plan of judicial educational

" sharing scarce resources;
" sharing expertise and technical advisory skills and services;
" sharing experiences and lessons;
" maximizing scarce financial, administrative, technical, and training resources;
" reducing administrative burdens by dividing necessary tasks;
" adapting and/or adopting appropriate judicial practice; and
" enhancing consistency.

The JEDP also incorporates and proposes training programs for other legal practitioners who appear before the FSM courts. The components for the training of law enforcement officers, and municipal police/public safety officers, and marine surveillance officers.

Overall Goal: Strengthen the rule of law, judicial independence throughout the Federated States of Micronesia that deal with cases through judicial officers and staff who and in accordance with recognized legal and ethical principles and procedures.

Specific Outputs:

1. Orientationfor new justices, judges, and court staff. Since new judges at the state and national levels are added only sporadically most of the time, sending the new judge to training offered by the judiciary National Judicial College in the U.S. (Generalist) or the National Judicial College in the U.S. (Specialist) has invited FSM judges to join them in the training.

Training for new appellate judges can also be taken at the National Judicial Institute. A local training program could be established for opia local training program could be est dynamics, dynamics, ethics, logic, dynamics, ethics, logic, ADR for appellate judges, inherent power review.

New staff training can be executed by certified selected outside training programs on a case by case basis.

- This output also includes training for trainers components to train and certified local judge and staff training will be identified through training needs analysis and executed on a yearly case by case basis.

While some proposed training in the 10 year plan may appear repetitive these may deal

with different aspects of such topics as judicial law, law, and others. Due to the high level of such as conflict of interest situations in which island judges often find

A future goal may be to establish support for such a project and sufficient funding become available.

3. Community Contexts for Justice. Awareness programs for judicial officers and staff developed and delivered at a nation-wide level on recent practice, including, but not limited to, such areas as:
 - " mediation (basic mediation skills), alternative dispute resolution, and restorative justice for juvenile (diversion process) and criminal justice;
 - " developing alternatives to imprisonment;
 - " application and impacts of custom and tradition; and
 - " emerging national and international themes: transnational crime, money laundering, extrajurisdictional crime, money laundering, trafficking, copyright infringement, and bankruptcy law.

Many of these topics could be addressed at the biennial FSM Judicial Conference. Trainers could be certified local judges and staff brought in to do specific training for judges and staff.

4. Judicial Independence and Ethics. Training activities that promote, develop, and reinforce the rule of law, judicial independence, judicial ethics, and separation of powers principles. Due to its importance, it is recommended that these topics be discussed at least every other year at the biennial FSM Judicial Conference. Trainers could deliver training programs on these topics. While some different aspects of these topics can be addressed during different years.
5. Judicial Processes and Systems. Support and capacity building. Support and capacity building in each judiciary. For processes and systems of court, court filing procedures, court forms, electronic filing, and training of those who administer them.

Training in these areas could be organized in the FSM with outside expert assistance or judges and staff from outside the FSM if the topics require specific expertise not found within the FSM.

Should support and funding permit, training should support and fund prosecutors and public defenders. There are training

conducted specifically for these supported to attend these trainings or training within the FSM utilizing local and/or outside experts to conduct the programs.

6. *Information and Communication Exchange.* Information databases with. Information decisions, administrative information, statutes, and o FSM judiciaries.

Use of computers and the internet is crucial in this area and the FSM Supreme Court is already extensively utilizing these resources to share maintaining the FSM Legal Information System (LIS) and by designing an FSM Supreme Court website. State courts could be Supreme Court website. State courts could be websites. In the future, electronic websites. In the future, electronic Supreme Court. Computer and website training is needed for both judges and staff.

Technology related training programs can be organized within local trainers and other experts found within or outside the FSM.

7. *Educational Development Delivery.* Effective structure and organization. plan, produce, and deliver training programs for judicial officers and court staff consistent with the JEDP. An organized and deliberate effort must be made to certify local judge and staff trainers. This is necessitated by the fact that judges and staff do not speak english and must speak the local language.

Currently, three judges and one staff have been certified through the training for trainers program of the PJDP. A second group of trainers should go through the same three level program and become certified as possible. With a pool of certified local trainers more training programs developed and implemented that reach the judges and staff of the land courts. During 2008 the Regional Training Team (RTT) and in conducting training programs. An induction for conducting training programs 2008.

8. *Organizational Structure.* An effective. An effective organizational structure operating. An effective review, approval, and execution of the JEDP. This structure should be following: further policy development over time; net coordination between the judiciaries and other government sectors and facilitate efficient execution of the individual components and facilitate JEDP. See Section III of this report on Implementation and Coordination of JEDP.

This 10 year JEDP includes both specific and general training to be conducted in the year designated, beginning in 2008 (Year One) to 2017 (Year Ten). This 10 year JEDP includes both specific and general training to be conducted in the year designated, beginning in 2008 (Year One) to 2017 (Year Ten). Some of some specific training programs that have already been conducted are Training, Parts 1 [2005] and 2 [2006]), such as descriptions, training needs analysis, daily plans, budgets, and evaluation are provided in Appendix B – Training Process Examples.

Court Court Administrators Training Court Administrator Training (PJC), Building Effective and Efficient Court Systems through Continuing Education and Emergency Preparedness and Response, and Ethical Issues. Location: Pohnpei. Date: March 7, 2008. Support: Participation and trainers partly paid for by PJC. This training was successfully conducted during the scheduled dates.

Automated or Electronic Records for Courts (Kosrae Supreme Court)	Automated or Electronic Records for Courts (Kosrae Supreme Court)	Automated or Electronic Records for Courts (Kosrae Supreme Court)	Automated or Electronic Records for Courts (Kosrae Supreme Court)
for judges and court staff on training for operation of computers and for case flow management. Training to cover use of computers and for case flow management. Training to cover use of computers and for case flow management.	for judges and court staff on training for operation of computers and for case flow management. Training to cover use of computers and for case flow management. Training to cover use of computers and for case flow management.	for judges and court staff on training for operation of computers and for case flow management. Training to cover use of computers and for case flow management. Training to cover use of computers and for case flow management.	for judges and court staff on training for operation of computers and for case flow management. Training to cover use of computers and for case flow management. Training to cover use of computers and for case flow management.
College of Micronesia computer room has 12 to 15 computers which could be used for training. College of Micronesia computer room has 12 to 15 computers which could be used for training. College of Micronesia computer room has 12 to 15 computers which could be used for training.	College of Micronesia computer room has 12 to 15 computers which could be used for training. College of Micronesia computer room has 12 to 15 computers which could be used for training. College of Micronesia computer room has 12 to 15 computers which could be used for training.	College of Micronesia computer room has 12 to 15 computers which could be used for training. College of Micronesia computer room has 12 to 15 computers which could be used for training. College of Micronesia computer room has 12 to 15 computers which could be used for training.	College of Micronesia computer room has 12 to 15 computers which could be used for training. College of Micronesia computer room has 12 to 15 computers which could be used for training. College of Micronesia computer room has 12 to 15 computers which could be used for training.
Date: Late summer/early fall, 2008. Support: Capacity building for judges and court staff.	Date: Late summer/early fall, 2008. Support: Capacity building for judges and court staff.	Date: Late summer/early fall, 2008. Support: Capacity building for judges and court staff.	Date: Late summer/early fall, 2008. Support: Capacity building for judges and court staff.
Court and Kosrae Land Court.	Court and Kosrae Land Court.	Court and Kosrae Land Court.	Court and Kosrae Land Court.

Municipal Municipal Courts and Municipal Courts and Court of Land Tenure Judges Training (Part 1)
municipalmunicipal and court of land tenure judges on topics deemed necessary by the judges of the particular
municipalitymunicipality and Courtmunicipality and Court of Land Tmunicipality and Court of Land Tenure.
sessionssessions previously conducted by the predecessor to the PJDP. Location: Pohnpei. Date: Late
summer/fall,summer/fall, 2008. Support:summer/fall, 2008. Support: Compact IIsummer/fall, 2008. Support:
court of land tenure.

Money Laundering Workshop Training on money laundering, transnational human trafficking, and other related topics. Trainers to be from South Pacific Forum member states. Date: September, 2008. Support: South Pacific Forum and FSM Supreme Court.

Training for Trainers (Level 2) program under the PJDP tentatively scheduled	Completion of Level 2 Workshop for Judicial Educators program under the PJDP tentatively scheduled	Completion of Level 2 Workshop for Judicial Educators program under the PJDP tentatively scheduled

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Mediation and ADR Training (Chuuk and/or Pohnpei)

alternative dispute resolution techniques and training of mediators. This would include training of new mediators and previously certified mediators and previously conducted by professional mediators. Training of mediators in late 2007 by a PJDP program. Location: Chuuk or Pohnpei.

Compact II judicial training funds or PJDP and court where training is conducted.

Municipal Court Judges Training (Part 1, Chuuk) Training for municipal court judges on independence and ethics, basic court processes and procedures, evidence, and other topics selected by the judges of the particular municipalities. This training would be coordinated with those trainings already conducted in Chuuk. Location: Chuuk. Date: Late fall/early winter, 2008. Support: PJDJ, Chuuk State Supreme Court, and municipal courts involved.

Advanced Computer Training for Assistant Clerks and Secretaries/Court Reporters On the job training with training with either the Supreme Court or Superior Court of Guam on advanced training. Location: Guam. Date: Winter, 2008. Support: Location: Guam. Date: Winter, 2008. Support: Compensation: of air transportation, per diem, and car rental while in Guam. Guam courts willing of air transportation, per diem, at no cost.

COM FSMCOM FSM Trial Counselor Program	Ongoing 30 credit hour	Ongoing 30 credit hour program	On
counselorscounselors under the COM FSM. Upon completion and certificationcounselors under the COM FSM.			
sitsit for the FSM Supreme Court Bar examination. Location: Chuuksit for the FSM Supreme Court Bar exa			

FSM Judicial Education Development Plan (2008-2017)

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(recommended)(recommended to be extended to Yap as(recommended to be extended to Yap as soon as possible). D
SupremeSupreme Court, College of Micronesia FSM. Students pay regular tuition for classes at the
COM FSM.COM FSM. In Spring semester, 2008 courses in Legal Research and Writing and Contracts is being
taughttaught at COM-FSM Palikir campus. Instructors for spring, 2008 artaught at COM-FSM Palikir campus.
FSMFSM Supreme Court. Instructors forFSM Supreme Court. Instructors for summer, 2008 areFSM Supreme C
Defender.

ProbationProbation and Parole Officer Training Yearly training for justice ombudsma Yearly training for justice o
officers,officers, and parole board membersofficers, and parole board members sponsored by the Americanoffice
(APPA).(APPA). Training(APPA). Training topics(APPA). Training topics are changed yearly. Location: Rotato
ofof the APPA, may beof the APPA, may be proposed for Pohnpei in 2008. This training was not conducted inof
hopefullyhopefully will be resumed in 2008. Date: hopefully will be resumed in 2008. Date: Late summer/early fa
grants by other U.S. agencies.

Staff Training for Clerks Followup training to program Followup training to program run in October, 2006
CarriedCarried out by Chief Clerk of Court andCarried out by Chief Clerk of Court and Director ofCarried out by CH
Pohnpei.Pohnpei. Date: Late fall/early winter, 2008. Support: Pohnpei. Date: Late fall/early winter, 2008. Sup
II judicial training funds.

Staff Training A t At least yearly training program for staff. Topics would be selected At least yearly trainin
trainingtraining needs analysis, could include computer trainingtraining needs analysis, could include compute
management,management, telephone etiquette, imangement, telephone etiquette, intemanagement, telephone
wouldwould be conducted by local certified staff trainers, with outside expertswould be conducted by local certif
assistassist if necessary. Locationassist if necessary. Location: To bassist if necessary. Location: To be rot
identified.identified. Date: Fall every year. Support: Compact II judicial training fundsidentified. Date: Fall ever
sources.

YEAR TWO (2009)

LandLand Court Training, Part 1 (Chuuk or Yap) New land court judge training for judges sh New land c
ChuukChuuk State and/or Yap State convert its Land Commission/municipal court into aChuuk State and/or
TrainingTraining would be similar to training conducted in KosraeTraining would be similar to training conducted
mattersmatters as judicial ethics andmatters as judicial ethics and matters as judicial ethics and independence
evidenceevidence taking and evidentiary rulings, and mock trevidence taking and evidentiary rulings, and moc
Date:Date: Spring, 2009. Support:Date: Spring, 2009. Support: Chuuk State Supreme CourtDate: Spring, 2009
logistics),logistics), FSM Supreme Courtlogistics), FSM Supreme Court (trainer),logistics), FSM Supreme Court
ofof Australia (equipmenof Australia (equipment aof Australia (equipment and supplies), Judiciary of New Zeal
judicial training funds.

DraftingDrafting Routine OrdersDrafting Routine Orders and CorrespondenceDrafting Routine Orders and Corres
ordersorders of the court and correspondence. All local trainers from Kosrae Statorders of the court and co
SupremeSupreme Court. Location: Kosrae. Date: Spring, 2009. Supreme Court. Location: Kosrae. Date: Spring, 2

Municipal and Court of Land Tenure Judges Training (Part 2), Municipal court of land tenure judges on topics deemed necessary by the court and land court. This training would be follow-up to Part 1. Local land court. This training would be followed by a follow-up session in 2009. Support: Compact II judicial training funds, PJDP, and municipal court and court of land tenure.

Land Court Judges Training (Kosrae) Training for new and old land court judges in Kosrae. Location: Kosrae. judges in Kosrae. Location: Kosrae. judges in Kosrae. Location: Kosrae. This training would take into account those trainings conducted in 2018. judges in Kosrae. Location: Kosrae. judges in Kosrae. Location: Kosrae. funds, PJDP, state court in which municipality sits, and land court.

COM FSMCOM FSM Trial Counselor Program Ongoing 30 Ongoing 30 credit Ongoing 30 credit hour program
counselors under the COM FSM. Upon completion counselors under the COM FSM. Upon completion
sit for the sit for the FSM Supreme Court Bar examination. Location: Chuuk, Kosrae, Pohnpei, and Ysit
(recommended (recommended to (recommended to be extended to Yap as soon as (recommended to be extended to Yap
Supreme Supreme Court, College of Micronesia FSM. Students pay regular tuition for classes at the
COM FSM.COM FSM. In Spring semester, 2008 courses in Legal Research and Writing and ContrCOM FSM
being being taught at COM-FSM Palikir being taught at COM-FSM Palikir campus being taught at COM-FSM
attorneys serving as instructors.

<u>Staff Training</u>	At least yearly training program for staff.	At least yearly training program for staff. Topics
-----------------------	---------------------------------------------	----------------------------------------------------

Mediation and ADR Training (Chuuk and/or Pohnpei)
alternative dispute resolution techniques and training of mediators. This would include training
new mediators and previously certified medianew mediators and previ
mediation conducted by professional mediators.mediation conducted by professional mediators. Training of med
in late 2007 by a PJDP program. Location: Chuuk or Pohnpei. Date: Early summer, 2008.
Support: Compact II judicial training funds or PJDP and court where training is conducted.

LandLand Court Training, Part 1 (Chuuk or Yap) New land New land court judge training for New land court
CChuukChuuk Chuuk State and/or Yap State convert its Land Commission/municipal court into a land court
TrainingTraining would be follow-upTraining would be follow-up to Part 1 and similarTraining would be follow-up
and would cover such matters as judicialand would cover such matters as judicial ethics and independence, scope
of of the land court, evidence taking and evidentiary rulof the land court, evidence taking and evidentiary ru
ChuukChuuk and/or Yap. Date: Chuuk and/or Yap. Date: Spring, 2010. Support: Chuuk and/or Yap. Date: Spr
(administration(administration and logistics), FSM Supreme (administration and logistics), FSM Supreme Co
(trainers),(trainers), Government of Australia (equipment and sup(trainers), Government of Australia (
(trainer/expert), Compact II judicial training funds.

Activity	Frequency	Location	Date	Proposed Budget
FSMFSM Judicial Conference	Includes judge and staff skill upgrade training. Usually identified. Usually conducted yearly and rotated among FSM Supreme Court and state judiciary.	Chuuk judiciary.	Chuuk.	Dj
	Includes judge and staff skill upgrade training. Usually identified. Usually conducted yearly and rotated among FSM Supreme Court and state judiciary.	Chuuk judiciary.	Chuuk.	Date: Proposed judicial training funds and hosting court.

TrainingProgram	Training for Trainers, Level 1	Training for trainers conducted by Program (PJDP). First level of three level program. Certification by Australian la	Training for trainers conducted by Program (PJDP). First level of three level program. Certification by Australian la
for those that complete all t	for those that complete all three	for those that complete all three levels. Re	for those that complete all three levels. Re
participate in next group for	participate in next group for	participate in next group for	participate in next group for
program. Location: Rotated among	program. Location: Rotated among	program. Location: Rotated among	program. Location: Rotated among

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Staff Training At least yearly training program for staff. Topics would be At least yearly training program for staff. Topics would be management, telephone etiquette, interaction with public, ethics, security, and others would be conducted by local certified staff trainers, with outside experts and trainers would be conducted by assist if necessary. Location: To be rotated among the states or where specific training need identified. Date: Fall every year. Support: Compact II judicial training identified. Date: Fall every year.

Probation and Parole Officer Training Yes
officers, and parole board members sponsored by the American
(APPA). Training topics are changed yearly
of the APPA. Date: Fall, 2010. Support: APPA, Department
agencies.

YEAR FOUR (Year 2011)

Land Court Training, Part 2 (Chuuk or Yap)	New land court judge training	New land court judge training
Chuuk State and/or Yap State	Chuuk State and/or Yap State	Chuuk State and/or Yap State
Training would be follow-up to Part 1 and	Training would be follow-up to Part 1 and	Training would be follow-up to Part 1 and
and would cover such matters as judicial ethics and independence, scope	and would cover such matters as judicial ethics and independence, scope	and would cover such matters as judicial ethics and independence, scope
of the land court, evidence taking and evidentiary rulings, and	of the land court, evidence taking and evidentiary rulings, and	of the land court, evidence taking and evidentiary rulings, and
Chuuk and/or Yap. Date: Spring, 2011. Support: Chuuk State Supreme	Chuuk and/or Yap. Date: Spring, 2011. Support: Chuuk State Supreme	Chuuk and/or Yap. Date: Spring, 2011. Support: Chuuk State Supreme
(administration and logistics), FSM S	(administration and logistics), FSM S	(administration and logistics), FSM S
(trainers), Government of Au	(trainers), Government of Au	(trainers), Government of Au

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	Pacific Judicial Conference	Includes judge identified by the Pacific Judicial Council.	Includes judge and court staff skill up among jurisdictions of the PJC.	Includes judge and court staff skill up among jurisdictions of the PJC.
Date:	To be determined.	To be determined.	To be determined.	To be determined.
Supporamongo funds, PJC, and hosting judiciary.				

COM FSMCOM FSM Trial Counselor Program Ongoing 30 credit hour program for the certification Ongoing
counselors under the COM FSM. counselors under the COM FSM. Upon completion and certification
sits for the FSM Supreme Court Bar examination. sits for the FSM Supreme Court Bar
Support: FSM Supreme Court, Support: FSM Supreme Court, College of Mic
at the COM FSM. In Spring semester, 2008 courses in Legal Research and W
is being taught at COM-FSM Palikir campus. Instructors for spring, 2008 are two st
with the FSM Supreme Court.

[illegible]

Mediation and ADR Training Yearly follow-up training program for judges and court staff on mediation and ADR techniques. This would be a follow-up to the 2011 training program and would provide an opportunity to observe and learn from the 2011 training. Location: To be rotated among the states with a population of 1 million or more. 2011. Support: Compact II judicial training funds, PJDP, and local court system. Conducted.

Land Court Training, Part 2 (Chuuk or Yap) New land court New land court judge training for new judges
Chuuk State and/or Yap State convert its Land Commission/municipal court into Chuuk State and/or Yap State
Training would be follow-up to Part 1 and similar to training conducted in Chuuk State and Yap State
and would cover such matters as judicial ethics and independence, scope of the land court, evidence taking
of the land court, evidence taking and evidence of the land court, evidence taking
Chuuk and/or Yap. Date: Spring, 2012. Support: Chuuk and/or Yap. Date: Spring, 2012. Support: Chuuk
(administration and logistics), FSM Supreme Court (trainers), Kosrae (administration and logistics)
(trainers), Government of Australia (trainers), Government of Australia (e-trainers), Government
(trainer/expert), Compact II judicial training funds.

Training	Training for Trainers, Level 1	Training for trainers conducted by Pa	Training for trainers conducted by Pa
Program	Program (PJDP).	Program (PJDP).	Program (PJDP).
for those that complete all th	for those that complete all three	for those that complete all three	for those that complete all three levels.
participate in next group for program.	participate in next group for program.	participate in next group for program.	participate in next group for program.
2012.	2012.	2012.	2012.
Support: PJDP five year program beginnin	Support: PJDP five year program beginning	Support: PJDP five year program beginning	Support: PJDP five year program beginning
NZAID.	NZAID.	NZAID.	NZAID.

FSMFSM Judicial Conference	Includes judge and staff skill identified.	Includes judge and staff skill upgrade identified. Usually conducted yearly and rotated among FSM Supreme Court and state judiciary. Location: Yap. Date: Proposed late November, 2012
	judicial training funds and hosting court.	

Staff Training At least yearly training program for staff. Topics would be At least yearly training program for staff. Topics would be training needs analysis, could include computer training, word processing needs analysis, could include management, telephone etiquette, interaction management, telephone etiquette, interaction management would be conducted by local certified staff trainers, would be conducted by local certified staff trainers, with assist if necessary. Location: To be assist if necessary. Location: To be identified. Date: Fall every year. Support: Compact II judicial training identified. Date: Fall every year sources.

COM FSMCOM FSM TrialCOM FSM Trial Counselor Program

Ongoing 30 credit hour program for the certification of counselors under the COM FSM. Upon completion, counselors sit for the FSM Supreme Court Bar examination. Location: Support: FSM Supreme Court, College of Support: FSM Supreme Court at the COM FSM. In Spring semester, 2008 courses in Legal Research and Writing and are being taught at COM-FSM Palikir campus with FSM Supreme Court staff as instructors.

Probation officers, and parole board members sponsored by the American	Probation and Parole Officer Training	Year
officers, and parole board members sponsored by the American		

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Mediation and ADR Training Yearly follow-up training program on mediation and ADR techniques. This would provide an opportunity to observe mediation conducted by professionals and would provide an opportunity to observe mediation conducted by professionals. Location: To be rotated among the states. Date: Late fall, 2012. Support: To be rotated among the states. Training funds, PJDP, and local court where training is conducted.

Training	Training for Police, Public Safety, and Marine Surveillance Officers	Training program for priority subjects as identified through a trainings
<p>safety, or marine surveillance officers. Possible topics could include basic search, seizure, and arrests procedures, evidence search, seizure, and arrests procedures, evidence</p> <p>Trainers or experts could be brought in to conduct this training. Local certified assist on certain subjects. Date: This training could be conducted every other Support: Compact II training funds, DOI offices, and other U.S. grants.</p>	<p>safety, or marine surveillance officers. Possible topics could include basic search, seizure, and arrests procedures, evidence search, seizure, and arrests procedures, evidence</p> <p>Trainers or experts could be brought in to conduct this training. Local certified assist on certain subjects. Date: This training could be conducted every other Support: Compact II training funds, DOI offices, and other U.S. grants.</p>	<p>safety, or marine surveillance officers. Possible topics could include basic search, seizure, and arrests procedures, evidence search, seizure, and arrests procedures, evidence</p> <p>Trainers or experts could be brought in to conduct this training. Local certified assist on certain subjects. Date: This training could be conducted every other Support: Compact II training funds, DOI offices, and other U.S. grants.</p>

<u>Municipal Court New Judges Training</u>	Training	Training for new mu	Training for new mu
independence and ethics, basic	independence and ethics, basic	court processes and procedures, consti	court processes and procedures, consti
Since new judges are joining the judiciaries	continual training for the new judges are necessary.		
Location: To be rotated among	Location: To be rotated among the states.	Location: To be rotated among	
training funds, PJDP, state court in which municipality sits, and municipal court(s) being trained.			

Mediation and ADR Training Yearly follow-up training program for dispute resolution techniques. This would provide an opportunity to observe mediation conducted by professional mediators and would provide an opportunity to observe mediation conducted by professional mediators.

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<u>Training for Trainers, Level 2</u>	Training for trainers conducted by Program (PJDP). Second level of three level program. Certification by organization for those that complete all three levels. Recommend that at least staff participate in next group for program. Location: Rotated among participating staff participate in next group Fall, 2013. Support: PJDP five year program beginning in Fall, 2013. Support: PJDP five year program beginning in Fall, 2013.	Training for trainers conducted by Program (PJDP). Second level of three level program. Certification by organization for those that complete all three levels. Recommend that at least staff participate in next group for program. Location: Rotated among participating staff participate in next group Fall, 2013. Support: PJDP five year program beginning in Fall, 2013. Support: PJDP five year program beginning in Fall, 2013.
---------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Probation and Parole Officer Training Yearly training for justice ombudsman, probation officers, and parole board members sponsored by the APPA. Training topics are changed yearly. Location: Rotated among the offices of the APPA. Date: Fall, 2013. Support: APPA, DOI, and grants by other U.S. agencies.

YEAR SEVEN (Year 2014)

Municipal Court New Judges Training	Training for new municipal cour	Training for new mu
independence and ethics, basic court independence and ethics, basic court processes and procedures, in	independence and ethics, basic court independence and ethics, basic court processes and procedures, in	independence and ethics, basic court independence and ethics, basic court processes and procedures, in
Since new judges are joining the judiciaries continual training for the new judges are necessary.	Since new judges are joining the judiciaries continual training for the new judges are necessary.	Since new judges are joining the judiciaries continual training for the new judges are necessary.
Location: To be rotated among the states.	Location: To be rotated among the states.	Date: Location: To

FSM Judicial Education Development Plan (2008-2017)

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training funds, PJDP, state court in which municipality sits, and municipal court(s) being trained.

Staff Training At least yearly training program for staff. Topics would be selected At least yearly training training needs analysis, could include computer training, word processing training needs analysis, could include management, telephone etiquette, interaction with public, ethics, management, telephone etiquette would be conducted by local certified staff trainers, with outside experts and trainers be assist if necessary. Location: To be rotated among the states or where specific assist if necessary. Local identified. Date: Fall every year. Support: Compact II judicial training funds identified. Date: Fall every sources.

Probation and Parole Officer Training Yearly training for judges, officers, and parole board members sponsored by the American Probation and Parole Association (APPA). Training topics are changed yearly. (APPA). Training topics are changed yearly. (APPA). Training of the APPA. Date: Fall, 2014. Support: APPA, DOI, and grants by other U.S. agencies.

Mediation and ADR Training Yearly follow-up training for judges, officers, and parole board members. This would be follow-up training for dispute resolution techniques. This would provide an opportunity to observe mediation and would provide an opportunity to observe mediation. Location: To be rotated among the states. Date: Late fall, 2014. Support: Compact II judicial training funds, PJDP, and local court where training is conducted.

COM FSM Trial Counselor Program Ongoing 30 credit hour program for the certification of counselors under the COM FSM. Counselors sit for the FSM Supreme Court Bar examination. Location: All states. Counselors sit for the FSM Supreme Court Bar examination. Support: FSM Supreme Court, College of Micronesia FSM. Students pay regular tuition for classes at the COM FSM. In Spring semester, 2008 courses in Legal Research and Writing and Civil Litigation is being taught at COM-FSM Palikir campus. Instructors for spring, 2008 are two staff attorneys being taught at with the FSM Supreme Court.

Training for Prosecutors and Public Defenders Training program for priority subjects as identified through a training needs analysis of prosecutors, public defenders, and judges. Topics could include a litigation workshop, introducing evidence, and court procedure and rules. Trainers or experts could be brought in to conduct this training. Location: agreed upon. Date: Fall, 2014. Support: Compact II judicial training funds, PJDP, and local court where training is conducted.

Training for Police, Public Safety, and Marine Surveillance Officers Training program for priority subjects as identified through a training needs analysis of police, public safety, or marine surveillance officers. Possible topics could include search, seizure, and arrests procedures, evidence gathering, research, seizure, and arrests procedures, evidence gathering. Trainers or experts could be brought in to conduct this training. Location: agreed upon. Date: Fall, 2014. Support: Compact II judicial training funds, PJDP, and local court where training is conducted.

YEAR EIGHT (Year 2015)

Staff Training At least yearly training program At least yearly training program for staff. Topics would include training needs analysis, could include computer training management, telephone etiquette, interaction with public, ethics, security, and others. Training would be conducted by local certified staff trainers, with outside experts and trainers brought in if necessary. Location: To be rotated among the states or where specified. Date: identified. Date: Fall every year. Support: Compact II judicial training fund.

sources.

YEAR NINE (Year 2016)

FSM Judicial Conference Includes judge and staff skill upgrade training in subject identified. Usually conducted yearly and rotated among judiciary. Location: Kosrae. Date: Proposed late November. judicial training funds and hosting judiciary.

Municipal Court New Judges Training Training for new judges in independence and ethics, basic court processes. Since new judges are joining the judiciaries continual training for the new judges are necessary. Location: To be rotated among the states. training funds, PJDP, state court in which municipality sits, and municipal court(s) being trained.

Mediation and ADR Training Yearly follow-up training program on dispute resolution techniques. This would provide an opportunity to observe and would provide an opportunity to observe and would provide an opportunity to observe. Location: To be rotated among the states. Date: Late fall, 2016. Support: Compact training funds, PJDP, and local court where training is conducted.

Probation and Parole Officer Training Yearly training for justice officers, and parole board members sponsored by the American Probation and Parole Association (APPA). Training topics are changed yearly. Location: Rotated among the states. Date: Fall, 2016. Support: APPA, DOI, and grants by other U.S. agencies.

COM FSM Trial Counselor Program Ongoing 30 credit hour program for counselors under the COM FSM. Upon completion sit for the FSM Supreme Court Bar examination. Location: COM FSM. Support: FSM Supreme Court, College of Micronesia FSM. Students pay registration fees at the COM FSM. In Spring semester, 2008 courses in Legal Research and Writing are being taught at COM-FSM Palikir campus. Instructors for spring, 2008 are two staff attorneys with the FSM Supreme Court.

Staff Training At least yearly training program for staff. Training needs analysis, could include computer training, word processing, database creation and management, telephone etiquette, interaction with public. Training would be conducted by local certified staff trainers or consultants if necessary. Location: To be rotated among the states. Date: Identified. Date: Fall every year. Support: Compact II judicial training funds and hosting judiciary.

YEAR TEN (Year 2017)

Pacific Pacific Judicial Conference Includes judge and court staff skill upgrade training in identified by the Pacific Judicial Council. Generally held once every two identified by the Pacific Judicial Council among jurisdictions of the PJC. Date: To be determined. Support: funds, 9th Circuit Court of Appeals, DOI, and hosting judiciary.

Municipal Municipal Court New Judges Training Training for new municipal independence and ethics, basic court processes and independence and ethics, basic court processes and Since new judges are joining the judiciaries continual training for the new judges are necessary. Location: To be rotated among the states. Date: Late spring, 2017. Support: training funds, PJDP, state court in which municipality sits, and municipal court(s) being trained.

Mediation Mediation and ADR Training Yearly training program on resolution techniques. This would be follow-up training resolution techniques. This would be follow-up would provide an opportunity to observe mediation conducted by professional mediators. Location: To be rotated among the states. Date: Late fall, 2017. Support: PJDP, and local court where training is conducted.

Probation Probation Probation Probation and Probation and Probation and Parole Probation and Parole Officer Training officers, and parole officers, and parole board members sponsored by officers, and parole board members (APPA). Training topics are (APPA). Training topics are changed yearly of the APPA. Date: Fall, 2017. Support: APPA, DOI, and grants by other U.S. agencies.

COM FSM COM FSM Trial Counselor Program Ongoing 30 credit hour counselors under the COM FSM. Upon completion and certification counselors under the COM FSM. sit for the FSM Supreme Court Bar examination. Location: All states. Date: Support: FSM Supreme Court, College of Micronesia FSM. Students at the COM FSM. In Spring semester, 2008 courses in Legal Research and Writing is being taught at COM-FSM Palikir campus. Instructors for is being taught at COM-FSM Palikir campus. with the FSM Supreme Court.

Staff Staff Training At least yearly training program for staff. Topics training needs analysis, could include computer training needs analysis, could include computer training management, telephone etiquette, interaction with public, etc would be conducted by local certified staff trainers, with outside assist if necessary. Location: To be rotated among the states or where specific training needs identified. Date: Fall every year. Support: sources.

Training Training for Prosecutors and Public Defenders Training program for priority through a training needs analysis of prosecutors, public defenders, and MLSC attorneys. through

Trainers or experts could be brought in to conduct this training. Trainers or experts could be brought in to conduct this training, agreed upon. Date: agreed upon. Date: Fall, agreed upon. Date: Fall, 2017. Support: Compact II judicial public defender offices, national and state courts, and other grants.

[illegible]

III. Implementation and Coordination of JEDP

1. Stakeholders.

The key stakeholders in the management and delivery of the JEDP will be the:

- " **Chief Justices** who are the judicial constitutional officers of the respective judiciaries.
- " **Judicial Education Council (JEC)** that is made up of the Chief Justices of the FSM Supreme Court and the state courts, and the National Training Coordinator.
- " **National and State Training Coordinators** who are appointed by the Court who will convene, direct, and motivate the programs under the JEDP.
- " **FSM Judicial Conference (FSMJJC)** that is the biennial meeting of judicial officers and court staff from around the FSM and court staff from around the activities of the judiciaries of the FSM.
- " **Faculty of trainers, educators, and experts** who would be contracted to and coordinate training programs.

2. Implementation and Coordination

The policy making body for final approval and coordination of the Judicial Education Council (JEC) which is made up of the Chief Justices of the FSM Supreme Court and the four FSM state courts of Chuuk, Kosrae, Pohnpei, and Yap, and the National Training Coordinator with expertise in training is included on the JEC.

The JEC would approve policies under the JEDP, provide approval for programs consistent with the JEDP, approve funding and training programs consistent with the JEDP, and in the administration of specific programs by authorizing court staff within the administration to assist in specific tasks necessary to carry out the training program.

A particular training program, whether included in the JEDP

The development and execution of a training program should follow this general sequence:

- For a more detailed discussion and examples of the problem is formulated and carried out, see Appendix C – Training Process Examples.

To assist coordination, it is also recommended that each state appoint a State Coordinator (STC). The STC for each state should be someone with experience in training and coordination. The STC would be expected to lead the coordination for any training programs.

as the liaison between the local court at the location of the or entities.

The following are some implementation strategies for the JEDP:

- " **Judicial ownership** the program should be judge-led the program should be judge-led judicial independence and credibility.
- " **Program approach** use a flexible use a flexible program a use a flexible program encourages and develops greater judicial independence and credibility approach that utilizes the best available input approach that utilizes the best available input Australia, and the U.S. and also builds on strong long-term linkages within Australia, and the U.S.
- " **Use of existing resource and expertise in the region** all reasonable efforts should be made to maximize the use of resources and recognize the expertise that exists in the FSM and other Pacific-island judiciaries.
- " **FSM wide cooperation and motivation** the FSM judiciary will act collectively to improve judicial governance and make productive use of scarce resources.

AA specific judiciary needs can be discussed during the annual FSMJC with an idea of formulating and finalizing a plan for the upcoming calendar year. The NTC produce an annual educational plan using the 10 year plan in the should be incorporated into the JEDP after receiving input should be incorporated into the JEDP after receiving JEC.

IV. Sources of Funding and Trainers

1.1. Judiciary s Budgets The budgets of The budgets of the FSM Supreme Court and the state courts must T toto support some training expenses that cannot support some training expenses that cannot be covered from ot mustmust also contribute administrative and staff time for the coordinmust also contribute administrative and s NTCNTC and theNTC and the state STC would likelyNTC and the state STC would likely be national and state cour courts would be expected to make thecourts would be expected to make the training coordinator responsibility forfor that employee. Responsibilities in this area would include, but not be limited to, arranging facilities, travel, and other logistical arrangements for training programs.

TheThe national and stateThe national and state courts would also be expected to allow use of facilities and necessarynecessary to conduct the training progrannecessary to conduct the training program. They wnecessary participants of the training program for presentation of certificates of completion.

2.2. 2. Compact II Judicial2. Compact II Judicial Training Funds The Compact II includes yearly allocation forfor judicial training for the twenty year for judicial training for the twenty year durationfor judicial training Republic of theRepublic of the Marshall IslandsRepublic of the Marshall Islands (RMI). These funds may be used prograprogramsprograms ofprograms of the JEDP. Allocation of funds between the FSM and the RMI is still a issue that should be resolved as soon as possible.

3.3. 9th Circuit Court of Appeals, Department of Circuit Court of Appeals, Department of Interior CourtCourt ofCourt of Appeals (9th Circuit) and the Department of Interior (DOI) have contributed to the continued trainingtraining of judges and their staff through the Pacific Judicial Conference (PJC). training of judges and their CompaCompactCompact II provides for judicial training funds on a yearly basis, our participation at the PJC wi

likely likely come out of likely come out of that fund. likely come out of that fund. Both the 9th Circuit and training programs in the FSM on a case by case basis.

4.4. Pacific Judicial Development Program (PJDP) This is the new program that has emerged from the former Pacific Judicial Education Program (PJEP). It is cosponsored by the former Pacific NZAID NZAID and conducts numerous training programs throughout the small Pacific-island NZAID and conducts most important program most important program currently is the training for trainers most important program currently is the training for trainers which will lead to certification of local trainers who can go back which will lead to certification of local trainers training locally.

5.5. Australia (AusAID) 5. Australia (AusAID) and New Zealand (NZAID) The support to individual programs by funding equipment and support to individual programs by funding trainers, as well as trainers, as well as funding local participants at countries.

6. National Judicial College (NJC) This judicial college located in Reno, U.S. can also This source of trainers for our local programs. The NJC has also in the past arranged for funding to be applied for local participation at some of their judicial college programs.

V. Monitoring, Evaluation, and Audit

Monitoring of training programs conducted pursuant to this JEDP should be conducted under the supervision of the National Training Coordinator or the supervision of the National Training Coordinator(s) where the training is located. Follow-up should require a detailed completion report by one of the coordinators of the training.

Evaluations should be conducted during each day of a training program and an evaluation of the entire program after the completion of the program. An evaluation should be made at the conclusion of each training program and should be made a part of the completion report. Evaluations are crucial for improving training programs and must be required.

Appropriate audits should be conducted by the lead court and/or the training with funding support. Audits should be conducted by the training location.

VI. Brief Description of FSM

The Federated States of Micronesia is an independent, sovereign state. The Federated States of Micronesia is a sovereign state composed of the states of Chuuk, Kosrae, Pohnpei, and Yap.² The FSM formed its own constitutional government on May 10, 1979³ and is in a relationship of free association with the United States (U.S.) pursuant to a Compact of Free Association (Compact).⁴ Parts of the Compact have been put into effect, and are referred to as Compact II.⁵

1. Geography

The FSM is comprised of approximately 607 small islands in the western Pacific Ocean, just north of the equator⁶ about 2,500 miles southwest of Hawaii and about 1,800 miles southeast of eastern Australia above Papua New Guinea (see Appendix A(1)). The FSM has a total population of 60 to 70 of these islands are inhabited with the FSM having a total population of approximately 110,000.

¹ The FSM was admitted to the United Nations on September 17, 1991.

² FSM Const., art. I and art. VIII.

³ The date the Constitution of the Federated States of Micronesia formally came into effect.

⁴ The FSM entered into a Compact of Free Association with the United States on Nov. 3, 1986. See Proclamation of President Tosiwo Nakayama, Nov. 3, 1986; Proclamation 5564. 51 Fed. Reg. 40,399 (Nov. 3, 1986)(reprinted in 48 U.S.C.A. § 1801 (West 2001)). The Compact provides for U.S. economic assistance to the FSM, U.S. defense of the FSM, and other benefits in exchange for U.S. defense and certain other operating rights in the FSM, denial of access to FSM territory by other nations, and other agreements, <http://www.fsmlaw.org/compact/index.htm>.

⁵ Background information and the full text of the provisions of Compact II can be found at the website of the Joint Committee on Compact Economic Negotiations, <http://www.fm/jcn/>.

⁶ The islands comprising the FSM are located between 0 and 14 degrees north latitude and 136 and 166 degrees east longitude.

ChuukChuuk includes one of the worChuuk includes one of the world s lChuuk includes one of the
mangrovemangrove fringed islands and fourteen outlying atolls and low islands surroundmangrove fringed is
ChuukChuuk lagoon is located approximately750 miles southeastChuuk lagoon is located approximately750 miles
sixsix main islands of Weno, Fefan, Uman,six main islands of Weno, Fefan, Uman, Tol, Tonoas, and Udot (seesix m
Lagoon). Chuuk has 40 municipalities recognized under its Constitution.Lagoon). Chuuk has 40 municipalities
Weno,Weno, FWeno, Fono, Tonoas, Fefen, Parem, Siis, Uman, Udot, Eot, Ramanum, Fanapanges, Polle, PaatW
Wonei,Wonei, Tol, Nema, Losap, Piis-emmwar, Namoluk, Ettal, Moch,Wonei, Tol, Nema, Losap, Piis-emmwa
Oneop,Oneop, Houk, PoOneop, Houk, Polowat,Oneop, Houk, Polowat, Oneop, Houk, Polowat, Tamatam,Oneop, H
Ruo, and Murilo. Chuuk was formerly known as Truk.

Kosrae is the eastern-most island in the FSM and is located approximately 1,000 miles southeast of Pohnpei. It is a single mountainous island with white coral sand beaches. Kosrae has four municipalities of: Tafunsak, Lelu, Uvea, and Ujae. Kosrae was formerly known as Kusaie.

⁸ The FSM comprises part of what was formerly known as the Eastern and Western Caroline Islands.

Yap is the western-most state in the FSM and is located in the Republic of Palau (see Appendix A(5) Map of Yap (Main Islands)). It consists of 134 islands and some 134 outer islands most of them low-lying atolls. Yap has the following municipalities: Dali, Peinaw, Fanif, Gagil, Gilman, Kanifay, Map, Rull, Rumung, Tomil, Falalap (Uliithi Atoll), Asor, Fassarai, Lothou, Mogmog, Falalap (Mariyang, Paliau, Tahoilap), Falalus, Sileap, Wotole, Lamotrek, and Elato.

2. General Governmental Structure

The FSM national government and each of the FSM national governments have three branches: the executive, the legislative, and the judicial, whose powers are defined in the government's constitution. Each of the constitutions also recognizes traditional leadership. Each of the constitutions also provide for various forms of traditional leadership.

The executive branch of the national government is headed by a President and a Vice President, while the executive branches of the state governments are headed by Lieutenant Governors. The executive branches of the national and state governments have primary power and responsibility to execute and implement the laws of the country.

The legislative branches of both the national and state governments are unicameral legislatures, with the exception of the State of Chuuk, which has a senate and house of representatives. The legislative branches of the national and state governments, with the exception of the State of Chuuk, have the primary power and responsibility to enact laws. The national legislature is known as the Congress of the Federated States of Micronesia (FSM Congress) and is comprised of fourteen Senators.¹⁰ The legislative branches of the state governments have the primary power and responsibility to enact laws.

The judiciaries of the national and the state governments are each headed by a Chief Justice with varying numbers of Associate Justices. The national judiciary is the Supreme Court of the Federated States of Micronesia and is a court of limited jurisdiction with both trial and appellate divisions. The state courts are established as the Chuuk State Court, the Pohnpei State Court, the Pohnpei Supreme Court, and the Yap State Court. The judicial branches of the national, state, and municipal governments have the primary power and responsibility to interpret the laws of the country.

⁹ The Senate of the legislature of the State of Chuuk is headed by a President and Vice President and the House of Representatives is headed by a Speaker and Vice Speaker.

¹⁰ The State of Chuuk is represented by six senators, the State of Pohnpei has four senators, and the states of Kosrae and Yap each have two senators.

jurisdictions.

The FSM national government has national powers which are the FSM national government delegated to it in the FSM Constitution and such delegated to it in the FSM Constitution and be beyond the power of a state to control.¹¹ These powers include, but are not limited to: affairs; national defense; immigration; citizenship and naturalization; taxes; national on imports; income taxes; regulation of currency, banking, on imports; income taxes; regulation of currency bankruptcy; patents and copyrights; navigation and shipping; national postal national public service system; ownership, exploration, and exploitation of the marine space beyond twelve miles of island baselines; national

The state governments possess the powersThe state governments possess the powers prohibited to the states.¹³ These powers include, but are not limited to: protection and promotion of public health; public education and of public health; public education and social systems of social security and public welfare; traditions, customs, and elections; appropriation of public funds; and recognition and establishment of

The powers of the municipal governments areThe powers of the municipal governments areThe municipalities have enacted their own constitutions or charters setting their duties consistent with their respective state constitutions and laws.

¹¹ FSM Const., art. VIII, § 1.

¹² FSM Const., art. IX, § 2.

¹³ FSM Const., art. VIII, § 2.

¹⁴ FSM Const., art. IX, § 3.

VII. Judiciaries of FSM and Sources of Law

1. Judiciaries

A. FSM Supreme Court

The FSM Supreme Court may have up to five justices notThe FSM Supreme Court may have up to five justices. As of June, 2008 the Supreme Court has a Chief Justice and three Associate Justices. The FSM Supreme Court has a courtroom and office in each state. The Supreme Court has a courtroom and office in Palikir, in Palikir, Pohnpei where the Chief Justice sits. It currently has resident Associate Justices from the states of Pohnpei, Chuuk, and Yap.

Each justice of the FSM Supreme Court is a member of the trial division except that sessions of the trial division may be held in the appellate division in a case heard by him in the appellate division in which he decides appeals. Decision is by a majority of those sitting.¹⁶

The trial division of the Supreme Court has original jurisdiction in cases affecting officials of foreign governments, disputes between states, and in cases in which the national government is a party. The trial division of the Supreme Court, has concurrent original jurisdiction in cases arising under the Constitution; national law or treaties; and in disputes between citizens of different states, and between a state or a citizen thereof and another state or citizen thereof.

¹⁵ FSM Const., art. XI, § 2

¹⁶ FSM Const., art. XI, § 2

citizen, or subject.¹⁷

B. Chuuk State Supreme and Municipal Courts; Land Commission

The Chuuk State Supreme Court The Chuuk State Supreme Court may consist of three Justices who sit in both the trial and appellate divisions. The Chuuk State Supreme Court has an acting Chief Justice and three Associate Justices. The Chuuk State Supreme Court courthouse is located on Weno where the Chuuk state capitol is located.

The trial division of the Chuuk State Supreme Court The trial division of the Chuuk State Supreme Court has concurrent original jurisdiction to try those matters which fall under the exclusive jurisdiction of the trial division of the Chuuk State Supreme Court. The Chuuk State Supreme Court has concurrent original jurisdiction to try the Chuuk State Supreme Court has concurrent original jurisdiction to try juvenile, juvenile, traffic, and land cases, disputes over waters in the Chuuk State Supreme Court has concurrent original jurisdiction to try juvenile, juvenile, traffic, and land cases, disputes over waters in the Chuuk State Supreme Court has concurrent original jurisdiction to try cases in which the state government is a party. The trial division of the Chuuk State Supreme Court has concurrent original jurisdiction to try actions of any state administrative agency, board, or commission, as may be provided by law.¹⁹

In Chuuk, 40 municipalities are specifically listed under art. XIII, s. 1 of the Chuuk State Constitution. In Chuuk, 40 municipalities are specifically listed under art. XIII, s. 1 of the Chuuk State Constitution. The municipal courts for each municipality shall be made by the municipal mayor with the advice and consent of the council of the municipality. provided that a municipality may have more than one judge judge judge shall be made by the municipal mayor with the advice and consent of the council of the municipality.

¹⁷ FSM Const., art. XI, § 6.

¹⁸ Chuuk Const., art. VII, § 2.

¹⁹ Chuuk Const., art. VII, § 3.

The jurisdiction of the municipal courts extend to the whole of the territory of the municipality in which the parties are natural persons and when the cause of action is in which the parties are natural persons when the defendant resided in the municipality, or in any case where the defendant resided in the municipality.

The municipal court may not adjudicate a case in which the amount in controversy exceeds one thousand dollars, or a criminal case where the maximum punishment which may be imposed exceeds a fine of one thousand dollars, or imprisonment for more than one year or both.

When a case in a municipal court involves a question of the Chuuk Constitution or state laws, the municipal court shall, on application of a party, and may on its own motion, certify the question to the appellate division of the court. The appellate division may require the municipal court to so certify the question. The appellate division may decide the case or remand it with instructions.²⁰

The Chuuk State Land Commission consists of a senior commissioner representing each of the state's five senatorial districts. The commission is to proceed on a systematic regional basis to determine the ownership of any land in the relevant district, but itto determine

²⁰ Chuuk Const., art. VII, § 6.

in such lengthy consideration of disputed claims which may delay the registration program.²¹

²¹ Chuuk State Law No. 07-04-06 (Chuuk State Land Commission Act of 2004).

C. Kosrae State and Land Courts

The Kosrae State Court consists of a Chief Justice and the trial and appellate divisions. As of June, 2008, the Court has one Justice. The Kosrae State Court courthouse is located in Tofol where the state capital is located.

The Kosrae State Court has original and exclusive jurisdiction of inferior courts and review all decisions of inferior courts. Decisions of the highest division are appealed to the appellate division of the FSM Supreme Court. The Court is a unified judicial system for operation and administration.²²

The Kosrae Land Court is established as an inferior court, within the Kosrae judicial system, for the purposes of title investigation, title determination of lands and to provide one system of filing all recorded interests. The Court has a Principal Land Court Justice and not more than two Associate Land Court Justices. As of June, 2008, the Land Court has a Principal Justice and one Associate Justice. The Land Court extends throughout the State and include all matters concerning interests therein.²³

In Kosrae, four municipalities are recognized under tit. 8, State Code. There are no municipal courts in Kosrae as the Kosrae State Court is the unified judicial system.

²² Kosrae Const., art. VI, § 6.

²³ Tit. 11, part 1, chap. 6, Kosrae State Code.

D. Pohnpei Supreme and Municipal Courts; Court of Land Tenure

The Pohnpei Supreme Court is a court of the Pohnpei Supreme Court is a division of the court has original jurisdiction over all civil and of Pohnpei and appellate jurisdiction over of Pohnpei and appellate jurisdiction on any matter relating to the Constitution, Pohnpei law, No appeal on any matter relating to the Constitution, Pohnpei law, made to any other court, except the Pohnpei Supreme Court.²⁵

²⁴ Pohnpei Const., art. 10, § 3.

²⁵ Pohnpei Const., art. 10, § 4.

requirements of the Pohnpei Constitution. The primary requirements of the Pohnpei Constitution. The manner in which the court determines to be in the manner in which the court determines to be in the determination and registration of title and other property determination and registration of title and other practical within such registration areas as the court may designate.

In Pohnpei, 11 municipalities are recognized. In Pohnpei, 11 municipalities are recognized. Each municipality has a municipal court.

E. Yap State and Municipal Courts

The Yap State Court may consist of a Chief Justice and two Associates. The Yap State Court may consist of both the trial and appellate divisions.²⁶ As of June, 2008, the Court has a Chief Justice and two Associate Justices. The Yap State Court courthouse is located in Colonia where the state is located.

The Yap State Court shall have original jurisdiction. The Yap State Court shall have original Court decisions shall be consistent with the Yap Constitution, state traditions and customs, social and geographical configuration of Yap.²⁸ Yap has established a system that gives due recognition to the traditions and customs of the people and provides for a means of resolving disputes where traditional

²⁶ Yap Const., art. VII, § 2.

²⁷ Yap Const., art. VII, § 5.

²⁸ Yap Const., art. VII, § 7.

In Yap, 28 municipalities are recognized. In Yap, 28 municipalities are recognized under 5 YSC 301. For established a municipal court which is composed of a presiding judge. The presiding judge may be the traditional leader representing the municipality in the Council of Chiefs, or a person from the same municipality who is appointed as the presiding judge. Associate leader representing the municipality in the Council of Chiefs, or a person from the same municipality who is appointed as the associate leader. The municipality designated by the presiding judge.³⁰

The jurisdiction of a municipal court extends to the whole municipality who have voluntarily appeared and over property within the municipality where the parties are natural persons. A municipal court may exercise jurisdiction in civil cases only over natural persons in the manner as may be prescribed by statute.³¹ A case may be removed from a municipal division of the Yap State Court upon petition of a party unable or unwilling to decide the case.³² Final decisions of a municipal court may be appealed to the trial division of the State Court to be tried de novo.³³ As of June, 2008, the State is considering establishing a land court and doing away with the municipal courts.

²⁹ 4 YSC 102(b).

³⁰ 4 YSC 161.³¹ 4 YSC 162.³² 4 YSC 166.³³ 4 YSC 167.

2. Sources of Law

The FSM legal structure has at its apex the FSM Constitution. The FSM legal system is based on public laws enacted by the FSM Congress. These national public laws are codified in the Federated States of Micronesia (FSM Code).³⁴ The national government is based on international treaties. The FSM Congress has rules of procedure of a particular Congress.³⁵ The FSM Supreme Court has its appellate decisions of the trial division, and selected decisions of the state courts published in the Supreme Court Reporter³⁶ system which is now in its fifteenth volume. The Supreme Court system which is now in its fifteenth volume govern the practice and procedure before it.³⁷ The executive branch of the government maintains a register of regulations promulgated by various executive offices, a register of regulations promulgated by various executive offices. In most cases, such regulations, if properly promulgated, have the force and effect of laws. The Attorney General (OAG) has published a memorandum issuing a legal opinion on issues arising before the OAG.

The state governments each have their own constitution and similar

³⁴ The FSM Code was originally enacted in 1982 by Pub. L. No. 2-48 and a 1997 edition was designated by Pub. L. No. 10-25, <http://www.fsmlaw.org/fsm/code/index.htm>.

³⁵ The FSM Congress Rules of Procedure can be accessed on the Congress website at <http://www.fsmlaw.org/fsm/congress/aboutleg.html>.

³⁶ The Federated States of Micronesia Supreme Court Interim Reporter (cited as ____ FSM Intrm. ____ [Division or State; Year]) was established in 1981, <http://www.fsmlaw.org/fsm/decisions/index.htm>.

³⁷ The main court rules are civil procedure, criminal procedure, appellate procedure, evidence, and rules of admission, <http://www.fsmlaw.org/fsm/rules/index.htm>.

publications to those set forth above, with each state having its own set of corresponding collections of regulations, rules of procedure and state court decisions. The Pohnpei Supreme Court and state division decisions in its own Pohnpei Supreme Court Reports.³⁹ The Chuuk State Supreme Court has published some of its appellate division decisions in its own Chuuk State Supreme Court Reports.⁴⁰ The state courts of Chuuk, Kosrae, and Yap also publish selected Supreme Court Interim Reporter.

³⁸ The Kosrae State Code was originally enacted in 1985 and was revised in 1997, <http://www.fsmlaw.org/kosrae/code/index.htm>. The Yap State Code was originally enacted in 1988 and has been updated three times, <http://www.fsmlaw.org/yap/code/index.htm>. The states of Pohnpei and Chuuk have draft codes in various stages of completion and review by their respective legislatures. The draft code for Chuuk can be accessed at <http://www.fsmlaw.org/chuuk/code/index.htm>. Information on the draft code for Pohnpei can be accessed at <http://www.fsmlaw.org/pohnpei/code/index.htm>.

³⁹ The Pohnpei Supreme Court Reports (cited as ____P.S.Ct.R____) was established in 1989 and has six volumes of selected trial and appellate division decisions beginning from March 21, 1984, <http://www.fsmlaw.org/pohnpei/decisions/index.htm>.

⁴⁰ The Chuuk State Supreme Court Reports (cited as ____CSR____ [Year]) was established in 1994 and has one volume of selected appellate division decisions beginning from August 23, 1994, <http://www.fsmlaw.org/chuuk/decisions/index.htm>.

VIII. JUDICIAL PERSONNEL AND LEGAL PRACTITIONERS

1. Personnel of FSM Judiciaries

The FSM Supreme Court and each of the state courts have court staff including The FSM Supreme Court limited to the following: director of administration; chief clerk of courts and assistant clerk of court; court reporters; staff attorneys or law clerks; bailiffs, and administrative, maintenance, and other support staff. The FSM Supreme Court also has a national justice ombudsman in each of the state courts and a chief legal officer in its general counsel.

Personnel of the municipal courts Personnel of the municipal courts must have at least a clerk, secretary, and maintenance staff at a minimum.

2. Legal and Law Enforcement Personnel of Gov't Depts and Agencies

A. Attorney General and Prosecutors

The national government has a Department of Justice (DOJ) The national government has a Department of Justice with offices of the attorney general that have prosecutors dealing with criminal matters, dealing with civil matters, advising government agencies, drafting memorandum, regulations, and legislation. The FSM DOJ has its main office at the national capitol in Palikir, Pohnpei.

The national, state, and municipal governments The national, state, and municipal governments also have law enforcement personnel. The national government has marine surveillance officers (See Appendix D – Personnel).

B. Public Defender

The national government has The national government has an Office of the Public Defender (OPD) that provides legal representation to indigent persons.

services to citizens being criminally prosecuted by the governments of the FSM and its states. The main office of the OPD is at the national capitol in Palikir, Pohnpei. Another office is located in each state of the FSM.

C. Micronesian Legal Services Corporation (MLSC)

The Micronesian Legal Services Corporation provides free legal services to citizens who otherwise could not afford an attorney. MLSC deals primarily with civil matters, including, but not limited to adoptions, land disputes, contract, and employment matters. MLSC also handles cases involving one Chuukese resident against another Chuukese resident, such as cases involving elections.

MLSC gets its funding support from the U.S. legal aid society, the FSM state legislatures. The FSM Congress makes yearly appropriations to MLSC in each state. The state legislatures make yearly appropriations to MLSC in each state.

3. Private Legal Practitioners

A. Attorneys

For appearance in the FSM Supreme Court, attorneys are those who have passed the FSM bar examination or who were grandfathered in under Trust Territory High Court attorney certification. The FSM bar examination is administered twice a year. The FSM bar examination is administered a five hour exam.⁴¹

⁴¹ Rules of Admission to Practice Before the Supreme Court of the Federated States of Micronesia (Rules of Admission), Adopted June 30, 1981.

B. Trial Counselors

C. College of Micronesia FSM Trial Counselors Program

⁴² FSM Supreme Court, Rules of Admission, Rule IV, B.

IX. Acronyms, Abbreviations, and Definitions

1. Acronyms and Abbreviations

APPA American Probation and Parole Association

AusAID Australian Agency for International Development

Compact Compact of Free Association between the United States and the Compact of Free Association
Micronesia

Compact II Renegotiated Compact of Free Association

DOI U.S. Department of Interior

FSM Federated States of Micronesia

FSMJC Federated States of Micronesia Judicial Conference

ICM Institute of Court Management

JEDP Judicial Education Development Plan

JEC Judicial Education Council

LIS FSM Legal Information System (Website containing decisions of the FSM and its states. Maintained by the FSM Supreme Court.)

MLSC Micronesian Legal Services Corporation

NACM National Association of Court Management

NJC National Judicial College, Reno, U.S.

NTC National Training Coordinator

NZAID New Zealand Agency for International Development

PJC Pacific Judicial Conference

PJDP Pacific Judicial Development Programme

PJEP Pacific Judicial Education Programme (Predecessor program to PJDP from 1999-2004)

RMI Republic of the Marshall Islands

STC State Training Coordinator (Coordinator assigned by FSM State)

U.S. United States of America

2. Definitions

Court a part of the government, belonging to a part of the government, belonging to application of the laws to controversies brought before it and the public administration of justice.

FSM States includes Chuuk, Kosrae, Pohnpei, and Yap.

Governance the exercise of authority or power to manage a nation's resources and affairs. comprised of the mechanisms, processes, and institutions through which a government articulates their interests, exercises their rights, meets their obligations.

Judicial officer judge, justice, master, or registrar, and includes anyone performing judicial functions legally conferred by a state or government.

National Training Coordinator a staff person who is also a trainer appointed by the FSM Supreme Court to sit on the Judicial Education Council.

Primary stakeholders those people and groups ultimately affected by the JEDP such as litigants, men, women, and children of the FSM who are victims of crimes, and others seeking access to justice. They are the ultimate beneficiaries in the courts.

Secondary stakeholders those people or institutions who are intermediaries delivering services to primary stakeholders such as law enforcement, judges, and lawyers in the law and justice system.

State Training Coordinators a staff person who is also a trainer appointed by the respective state court to coordinate training programs executed in that state.

X. APPENDIX A(1)

Map of Federated States of Micronesia



APPENDIX A(2)

Map of Chuuk Lagoon



APPENDIX A(3)

Map of Kosrae



APPENDIX A(4)

Map of Pohnpei Island



APPENDIX A(5)

Map of Yap (Main Islands)



APPENDIX B

Training Process and Examples

The following appendix contains documentsThe following appendix contains documents describing the t
of training documents from two training programs that were delivered in the FSMof training documents from tw
on the Kosrae Land Court Training that was conducted in Kosrae in on the Kosrae Land Court Training that
WorkshopWorkshop for AssistantWorkshop for Assistant Clerks of Court that was conducted in ChuukWorkshop f
programsprograms were almost exclusively coordinated aprograms were almost exclusively coordinated and
throughthroughthrough thethrough the Training for Trainers program started by the PJEP and now continuing t
PJDP.

The training documents contained in this appendix are as follows:

1. **DiagramDiagram of Training PrDiagram of Training Process** from from from Trai
and Judicial Education Council diagram.
2. **Basic Steps in Carrying Out a Training Needs Analysis/Assessment**
3. **Training Needs Analysis** Summary
4. **Rationale** Summary
5. **TrainingTraining Proposal** Example PriorityExample Priority Training Workshop for PJEP
forfor for Kosfor Kosrae Land Court Training, entitled Land Court/Commission Proceedings and
the Administration of Justice . Includes budgeting for training.
6. **Sessions at a Glance** for Workshop for Assistant Clerks of Court.
7. **Daily Program** for Workshop for Assistant Clerks of Court.
8. **Evaluation/CompletionEvaluation/Completion Evaluation/Completion Report** on on on K

APPENDIX C

ACCOMPLISHMENTS UNDER THE JEDP

The following are excerpts of a report by FSM member of the JEDP Working Group, Kapilly Capelle, reporting on FSM JEDP from October, 2005 to March, 2008.

I. Foreword

In August 2005, the FSM Judiciary Education Committee (JEC) met in Pohnpei and approved a judicial education development plan for the justices/judges and State and Municipal Judiciaries and other professionals of State and Municipal Judiciaries and organizations in the FSM.

The draft plan was called the FSM Judicial Education Plan. The draft plan was developed by a national drafting committee headed by Justice Dennis K. Yamase with the following members: Justice Administration, Kohsak Administration, Kohsak Keller, Chief Clerk of Courts and John Ombudsman.

The JEDP was designed as a guiding tool to assist the JEC in planning training programs most appropriate, suitable and relevant to the procedural and substantive knowledge and skills of judicial officials of the FSM, States, and Municipal governments. The duration of the

training programs proposed for the first five years contemplated under the Plan. The subsequent years programs were to be developed based on learned experiences, emerging training needs, and other circumstances learned experiences, emerging training needs, and other circumstances appropriate and relevant for capacity building of its judiciaries.

This report reviews the training activities initially projected up to March 31, 2008, a period of 2.5 years. This report reviews the training activities that were actually conducted and completed within this time period: from October 1, 2008, to March 31, 2008, a period of 2.5 years.

The funding sources available to the FSM for training within the past two years are as follows:

1. Compact II training fund
2. Pacific Judicial Development Program (PJDP)
3. FSM Government Appropriations
4. DOI
5. Forum Agency
6. NZAid
7. Others: AusAid, JTPA, etc.

II. FSM Judicial Education Committee (JEC)

The FSM JEC members are the Chief Justices of the FSM Supreme Court and the Justices of the Courts. This committee has the oversight responsibility for the training of the Courts.

approving training programs that are relevant and important for the judicial education of the judges and the staff of the national, state, and municipal judiciaries.

The current members are:

1. Chief Justice, Hon. Andon L. Amaraich, FSM Supreme Court
2. Chief Justice, Hon. Judah C. Johnny, Pohnpei Supreme Court
3. Chief Justice, Hon. Aliksa B. Aliksa, Kosrae State Court
4. Chief Justice, Hon. Camillo Noket, Chuuk State Supreme Court
5. Chief Justice, Hon. Cyprian Manmaw, Yap State Court

III. FY 2006, 2007, and First Half of 2008

Programs at a Glance and Summary Reports

A. The following were proposed and approved for 2005.

A.1. YEAR ONE (October 2005 to September 2006)

1. Certification of Trainers Completion of Level 3 Training of Trainers program under the PJDP for three judges and one staff.
2. Court Staff Training and Training for Trainers
3. FSM Judicial Conference
4. Staff Training for Clerks Part 2
5. Land Court Training, Part 2

6. Training for Trainers, Level 1 (PJDP). First level of three level program.
7. Land Court Training, Part 1 Land Court training for new judges from Pohnpei
8. Staff Training At least yearly training program for staff.
9. COM-FSM Trial Counselor Program
certification of trial counselors under the COM-FSM.
10. Probation and Parole Officer Training
11. Municipal Court Judges Training

A.2 YEAR TWO (October 2006 to September 2007)

12. Pacific Judicial Conference
subjects to be identified by the Pacific Judicial Council.
13. FSM Judicial Conference
14. Training for Trainers, Level 2 (PJDP). Second level of three level program.
15. Land Court Training, Part 2
16. Staff Training Topics would be selected based upon a training needs analysis.
17. COM-FSM Trial Counselor Program
18. Probation and Parole Officer Training
19. Municipal Court Judges Training
20. Training for Prosecutors and Public Defenders
21. Training for Police, Public Safety, and Marine Surveillance Officers

A.3 YEAR THREE (October 2007 to September 2008)

1. FSM Judicial Conference
2. Training for trainers conducted by Pacific Judicial Development Program (PJDP)
3. Staff Training
4. COM-FSM Trial Counselor Program
5. Probation and Parole Officer Training
6. Municipal court Judges Training

B.1 YEAR ONE

2. Court Court Staff Training and Training Court Staff Training and Training for Trainers - Staff Court Sta

staff,staff, workplace conflict, leadershipstaff, workplace conflict, leadership skill, staff, workplace conflict

trainingtraining for trainers. Thtraining for trainers. The progrtraining for trainers. The program was o

participantsparticipants were:participants were: Marciano Wakuk and Nora Sigrah from KSC, Goodwin Etse and

The training was funded by Compact II funds. The training was Court and Court Management. A total of 33 participants participated from all insular areas.

3. ADRADR Training in Chuuk. An ADR training was conducted in Chuuk aADR Training in Chuuk AusAidAusAid from November 11-14, 2005. The facilitators/trainers were from the AustraliaAusAid from N Court.Court. Court. The participants were Judges from Chuuk StateCourt. The participants were Judges from Chu states and FSM Supreme Courts.

5. PJCPJC Leadership Training for Chief Justices and Presiding Judges/OffiPJC Leadership Train
trainingtraining was conducted in Rottraining was conducted in Rota,training was conducted in Rota, CNMI 1
attending.attending. The faculty were Dean Friesen and Dr. Wagenknecht-Ivey. 13attending. The faculty were Dea

of the PJC courts. The rest were observers and support staff. This training was of the PJC courts. The rest were observers and the participating courts.

6. Legal Institute II session 1. Legal Institute II session 1. Legal Institute II is a session of the Legal Institute II PIC/NJC PIC/NJC and DOI to train the non-law trained judges for the judiciaries of FAS and US territories. The general subject matter for this institute is substantive and procedural law conducted in Pohnpei. The subjects were Evidence and Legal conducted in Pohnpei. 11 participants: 9 judges and two senior staff from FS 11 participants: 9 judges and two senior staff from Chuuk, Pohnpei and Kosrae. Chuuk, Pohnpei and Kosrae. The date for the by NJC's adjunct faculty, Judge Dan Ryan and Professor Ron Hofer. The program was by NJC's adjunct faculty PIC/DOI grant.

7. Special Jurisdiction Course. This course was offered at NJC in Reno, Nevada. The subject matter covered by the course were: Role of Judges, subject matter covered by the course Evidence, Domestic Violence, Judicial Immunity and Understanding Yourself and Others. AJ Rodriguez of Pohnpei Supreme Court attended and ran from May 12-24, 2006. The training was funded by Compact II funds.

8. Mediation. This program was conducted in Fiji. The program was conducted in Fiji. Chief Clerk Keller of FSM. The date was from June. The date was from June. Australian Federal Court and funded by AusAid.

9. Legal Institute II session 2. The venue was Kosrae. The venue was Kosrae. The laws in the FSM. There were 9 participants: 6 judges, 2 senior staff. The judges were from A. Samoa, Pohnpei and Kosrae.

7-11, 2006. It was conducted by NJC's adjunct faculty, Ju7-11, 2006. It was conducted by NJC's adjunct faculty. The program was funded by the DOI grant and Compact II funds.

10. American Pacific Probation Association (APPA) training. The APPA training conference was sponsored by the APPA and the CNMI. There were 17 participants from the FSM. The participants represented the Justice Ombudsmen and State Correction Divisions. They were Officers/Wardens and Court Marshals. The training topics were Officers Safety, Courtroom Demeanor, Anger and Stress Management, Drug and Gambling. The training was conducted from September 4-8, 2006 in Saipan, CNMI. The trainers were from the US Mental Health and Substance Abuse program and CNMI High Court and police department. The FSM's participation was funded by the Compact II funds.

COM-FSM Trial Counselor Program -
COM-FSM Trial Counselors under the COM-FSM. Upon completion and certification, they will sit for the FSM Supreme Court Bar Exam. Support: FSM Supreme Court, College of Micronesia-FSM. Classes at the COM-FSM. At the moment the problem is lack of instructors.

B.2 YEAR 2

1. Land Court Training, Part 2. It was a follow up training in May, 2005 for new land court judges, land court staff, and legal staff.

inin Kosrae, This training subject mattein Kosrae, This training subject matterin Kosrae, This training subject
rulings,rulings, due process considerations, decision making. It was conrulings, due process considerations, de
The trainersThe trainers were the local certified PJEP trainers (AJs Yamase and Rodriquez, CJ Aliksa)The trainee
expatriate,expatriate, Judge Epati from NZ. There were 17 participants: expatriate, Judge Epati from NZ. There
Court judges and Land Commissioners from all the States. The funding for the training was from
Compact II funds.

2. StaStaffStaff TraininStaff Training for Clerks This was a follow up training to program ran in A
20052005 for clerks of court, secretaries and court reporters. The training2005 for clerks of court, secretaries and c
byby FSM Chief Clerk of Court, Law Clerk from Chuukby FSM Chief Clerk of Court, Law Clerk from Chuuk Office
SupremeSupreme Court. There were 23 total participants representing all State and FSMSupreme Court. There we
waswas Pohnpeiwas Pohnpei and the date was October 16-21, 2007. The training was supported by Compact
training funds.

3. OrientationOrientation forOrientation for New Judges. This training program was sponsored by the g
of NZ. AJ Rodriquez from the FSM attended that program from November 15-21, 2006 in NZ.

4. JudicialJudicial Independence and Evidence and Judge Skills. This training was conducted by
thethe US Federal Judicial Center and 9th Circuthe US Federal Judicial Center and 9th Circuit Districthe US
JanuaryJanuary 29-31, 2007. The training was attended by CJ s Amaraich,January 29-31, 2007. The training was a
GCGC Reffner of the FSMSC. The training was funded by ComGC Reffner of the FSMSC. The training
appropriation.

5. CourtCourt Court Leadership. This training was done in Kosrae for al the CJs of tCourt Leadersh
States.States. The instructors were Judge Fisher and Leo Papas oStates. The instructors were Judge Fisher and

6. Administrators Administrators Training. Administrators Training. This Administrators Training. This 2005.2005. It was conducted in 2005. It was conducted in Guam by ICM/NCSC 2005. It was conducted in Guam by of of training was from March 5-9, 2007. The subject matter for the training were Customer Service, Employee Employee Evaluation process Employee Evaluation process and Ethics for the court employees. Al the Sta represented by 1 senior court staff (Administrators, Chief represented by 1 senior court staff (Ad Justice Ombudsman) FSM s participation was funded by Compact II funds.

8. Training for Trainers, Level 1 - Trai
Development Program (PJDP) in Chuuk from March 22-26. It was named Judicial Educators
course. It is he second series of train the trainers course. It was facilitated andcourse. It is he second serie
Enoka Puni. The participants were from all State and FSM Courts and also the JudiciaryEnoka Puni. The par
There were 9 FSM participants including judges, administrators, pro
The program was funded by PJDP.

10. MoneyMoney Laundering and Terrorist Financing: This training was doneMoney Laundering and

by Palau Judiciary and funded by Forum Agency. CJ Amaraich and AJ Yinugby Palau Judiciary and funded by Forum Agency. The training was from May 8-11, 2007.

11. Special Jurisdiction Course. This course was offered at NJC in Reno, Nevada. The subject matter covered by the course were: Roles of Judges, Evidence, Domestic Violence, Judicial Immunity and Understanding Yourself and Others. Johnny of Pohnpei SSC attended the course from May 14-24, 2007. The training was funded by Pohnpei State Government WIA/JTPA program funds.

12. Family and Law Training: This training was conducted in Chuuk from June 11-14, 2007. The topics covered were relevant to family matters. The instructors were Judge Puni, Justice Mere Pule of Fiji High Court and Sophia Harvey from Fiji. Justices and Judges from FSM and all 4 State Courts, local police and bar members of Chuuk participated. There were 26 participants. The training was funded by PJDP.

13. Decision Making/Judgment Writing. The training is currently offered in Pohnpei. The subject matter is formulation, process and development of decision making. The participants were Chief Justices and Judges from FSMSC, all 4 State Courts, local court judges, land commissioners, local municipal judges, local land court judges, land commissioners, local municipal judges. There are 30 participants. The training is funded by PJDP.

14. NJC General Jurisdiction: This course was offered at NJC. The subject matter covered by the course were: Role of Judges, Contempt and Trial Disruption, Evidence, Domestic Violence, Judicial Immunity and Understanding Yourself and Others. AJs Yamase, Johnny and Aisek attended the course from July 16-26, 2007. The training was funded by Comp

II JTF.

15. Domestic Violence: Hosted Domestic Violence: Hosted by PJC in Guam from August 3-7, 2007. A
CJ Johnny attended.

MunicipalMunicipal Court Judges Training - Municipal Court judges were pa***Municipal Co
Judicial Training Conference (11/05), ADR (3/07) and Decision Making Trains (6/07).

B.3 YEAR 3 (up to March 31,2008)

1. CoCourtCourt Management for Chief Judges and Court Administrators. This coCourt Manager
offeredoffered by NJC in Reno from October 8-offered by NJC in Reno from October 8-12, 2007.offered by N
TheThe team being the Presiding Judge and Administrator. The subject matters were PerThe team being
management,management, Budget Management, Organizational Managemmanagement, Budget Management,
participantsparticipants were the FSM, Pparticipants were the FSM, Pohnpeparticipants were the FSM, Po
successfullysuccessfully completed and received certificate of completion. This course is a 2 credit course
towardtoward atoward a Justice Master Degree program offered bytoward a Justice Master Degree program offer
II.

2. PJDPADR Training in Kosrae November 20-24, 2007. ThiPJDP ADR Training in Ko
selected individuals in Kosrae to become certified in ADR. This training is funded by PJDP.

3. PJCPJC Conference for Judges only. It was conducted inPJCPJC Conference for Judges only. It was cor
20072007 with the theme Honoring Jus2007 with the theme Honoring Justice and Res2007 with the theme
Leadership,Leadership, Constitutional Law,Leadership, Constitutional Law, COOPLeadership, Constitutional Law
NationalNational and State Court attended. From Pohnpei 4 municipal judges and 3National and State Court attend
Funded by DOI.

4. COM-TrialCOM-Trial Counselors ProCOM-Trial Counselors Program COM-Trial Counselor PohnpeiPohnpei Campus. InstructorsPohnpei Campus. Instructors are Mr. Ben Weber, Esq. And Mr. Seth Hanson are current staff attorneys for the FSM Supreme Court. Their time is donated to the program.

5. PJCPJC ExecutivePJC Executive Training in Yap Leadership: February 28-29, 2008. ItPJC Executive by FSM Compact II.

6. AdministratorsAdministrators Training:Administrators Training: This training was a follow-up of the 20072007 in Guam. It will be conducted2007 in Guam. It will be conducted in Pohnpei by ICM/NCSC management ofof Guam consultants on Ethics. The date of training wilof Guam consultants on Ethics. The date of training mattermatter for the training are Court Process, Courtmatter for the training are Court Process, Court Leadership, C Ethics.Ethics. All the State and FSM CoEthics. All the State and FSM Courts wEthics. All the S (Adm(Admini(Administrators,(Administrators, Chief Clerk, Chief Probation Officers, Justice Ombudsman and FSM s participation was funded by Compact II funds. It will be funded by FSM Compact II.

IV. Summary Sheet

FSM JEDP Training/Workshop Registry

FY 2006

Dates	Venue	Training/Workshop topics	Trainers/Instructors	Types or names of trainees	#of FSM trainees	Funding Source	Budget Amount
Oct 1-12/05	Fiji	Judicial Educators III	PJEP-Judge Puni	Judges and Court Staff	4	PJEP	??
Oct 8-12/05	Guam	Train the Trainer-CF & Ethics	ICM/NCSC	Senior Court Staff	9	Compact II	\$25,200.00
Nov 11-14/05	Chuuk	ADR	Australia Federal Ct	Judges	23	AusAid	??
Nov 16-21/05	Pohnpei	11th Judicial Conference	NJC,FSMSC&St Cts	Sr.S Judges and staff	46	FSMSC	\$36,000.00

FSM Judicial Education Development Plan (2008-2017)

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Dec-05

Jan-06

Feb26/06	Rota	Leadership training	NJC, PIC	CJs and Judges	7	DOI,FSMSC??
Mar 12-16/06	Pohn	Legal Institute II 1st session	NJC-Judge Ryan	Judges	9	DOI/PIC ??
May 12-24/06	Reno	Special Jurisdiction Training	NJC	Judge Rodriquez	1	Compact II \$6,424.00
June 27-30/06	Fiji	Mediation	Australia Federal Court	AJ Yamase and CC Keller	2	AusAid ??

Aug 7-11/06

V. Closing comments

TheThe FSM JEDP helps JEC guideThe FSM JEDP helps JEC guide development and formulationThe FS evaluatesevaluates its training performance. Be being able to gauge performaevaluates its training performance ascertainedascertained by wayascertained by way of quality of servicesascertained by way of quality of services d analysisanalysis of the inanalysis of the information can help JEC determine where and what areas to focus on and/orand/or modify inand/or modify in accordance to the training needs of the judiciaries collectively,and/or more level.

ForFor the first threeFor the first three years a total of 27For the first three years a total of 27 training programs forfor Year 1, 10 for Year 2, and 6 forfor Year 1, 10 for Year 2, and 6 for Year 3. for Year 1, 10 for Year 2, and 6 for programs conducted under the FSM JEDP.

Performance

DuringDuring Year 1,During Year 1, 5 of the trainingDuring Year 1, 5 of the training programs were conducted werewere somehow fulfilled in partwerewere somehow fulfilled in part as part of additionalwerewere somehow fulfilled in part werewere postponed and conductewere postponed and conducted in Year 2 and were never conducted programsprograms administered that were not specifically planned. For

For Year 2, Pacific Judicial Conference and FSM Judicial Conference. Only Train the Trainers and Land Court Training programs were conducted as planned. The remaining 5 proposed trainings, aside from the COM-Trial Court judges training, Municipal Court judges training, training for judges, were not conducted as such, but these training were somewhat fulfilled by the series of training programs administered during that period. Regarding the training for judges, one was planned in September of 2007, but that did not materialize.

Funding

An attempt was made to identify all funding sources used for all the travel delivered during the past 2.5 years covered in this report. An attempt was made to identify all funding sources used for all the travel delivered during the past 2.5 years covered in the report. Supreme Court's control, such as PJ Supreme Court's control, such as PJ

For the funds provided to FSM under the current Compact, a total of \$188,003.00 was allotted for expenditure. During the period in question, \$188,003.00 of that already reconciled amount from that fund source, with \$188,003.00 of that already reconciled amount from 2008 up to March 31, 2008. With that, a balance of \$528,426.00 is available at the end of March 31, 2008. With a conservative estimate for FY 2008, allocation for FY 2008 is most likely to be more. However, the 9th Circuit's figure disputed this amount due to differences in the understanding of the FY 2004 allocation. The court found that the amount according to the 9th Circuit.

Regarding the Compact fund balance, the following table depicts the annual share, actual expenditures, and proposed expenditures from FY 2005 to date.

Fiscal Year	FSM s Shares	Reconciled and Actual Expenditure up to of 10/07	Unreconciled and Projected Exps. Till 3/08
FY 2004	\$200,000.00*	\$160,133	0
FY 2005	\$157,997	\$ 27,870	\$130,127
FY 2006	\$160,585	0	\$ 3,380
FY 2007	\$165,677	0	0

FY 2008	\$165,677**		
Total	\$849,936	\$188,003	\$133,507

*under dispute

**conservative estimate

With regard to participationWith regard to participation and attendance, aWith regard to participation and attendance, a
31%31% of that (138) judge31% of that (138) judge participants,31% of that (138) judge participants, 32% (140)
suchsuch as bar members, police, correction such as bar members, police, correction osuch as bar members,
leadersleaders etc. leaders etc. This shows that the purposeleaders etc. This shows that the purpose upon which F
inin providing training and education, not oin providing training and education, not only tin providing training
professionals of the legal and justice agencies, departments, and organizations in the FSM.

Approved on this _____ day of June, 2008.

Hon. Andon L. Amaraich
Chief Justice
FSM Supreme Court

Hon. Camillo Noket
Chief Justice
Chuuk State Supreme Court

Hon. Aliksa Aliksa
Chief Justice
Kosrae State Court

Hon. Judah Johnny
Chief Justice
Pohnpei Supreme Court

Hon. Cyprian Manmaw
Chief Justice
Yap State Court