

**IN THE SUPREME COURT OF THE  
FEDERATED STATES OF MICRONESIA**

GENERAL COURT ORDER 2005-01 )  
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BANKRUPTCY PROCEDURES

The following procedures shall be used in all cases filed pursuant to Title 31 of the Code of the Federated States of Micronesia unless and until superseded by later promulgated Bankruptcy Rules of Procedure.

1. **Filing**: Immediately upon receipt of an Application or Petition for Bankruptcy tendered for filing, court clerk's receiving such documents shall stamp the original and duplicate copies and record the date and time of filing and initial it.

2. **Numbering**: Next, the clerk shall assign the case the next available bankruptcy number using the bankruptcy docket book. Bankruptcy cases are to be numbered in order of receipt or filing by the clerks. Each of our offices is assigned with a different numbering system for its cases. Numbers shall start with a letter P, C, K or Y, representing first letter for each State in which case is being filed, follows with the letter B (Bankruptcy), and the next available number on the docket book and end with the year in which the case is filed. For example, the first bankruptcy case filed in 2005 in Pohnpei would be numbered PB 001-2005; the first case filed in Chuuk would be numbered CB 1000-2005; the first case filed in Kosrae would be numbered KB 2000-2005; and first case filed in Yap would be YB 3000-2005.

3. **Form and Size**: Pleadings and other documents shall be filed with the Court in duplicate. All pleadings and documents should be filed on letter –size paper, not larger than 8½

x 11 inches, double spaced, each page beginning not less than 1 ¼ inches from the top, with side margins of not less than 1¼ inches.

4. **Number of Copies Required**: One original and 2 copies are required in every bankruptcy case submitted for filing. Clerk shall retain original and 2 duplicate copies. The receiving clerk shall create and maintain two separate folders for every bankruptcy cases submitted for filing. One should be designated Court File and other designated J file. All the original documents shall be inserted in the Court file. It may be available for viewing by public and attorneys, unless otherwise ordered by the court. The Court File shall not be taken out of clerk's office, without Chief Clerk's approval. The J file shall contain duplicate copies of all documents filed and is only for the justice presiding over the case and is treated as confidential. Inter-office memorandums, staff attorney's bench memorandums or research are to be contained on the left-hand side of the J file. Immediately after filing of the documents submitted for filing, the clerk shall insert a duplicate copy in the J file and promptly bring the J file to the attention of the presiding justice.

5. **Color Coded File**: Bankruptcy cases shall be assigned and filed in yellow coded folders.

6. **Docket Books**: There shall be a separate docket book assigned for registration of bankruptcy cases. The docket books shall be bound books containing brief notations of all documents filed and actions taken in each case. It shall be kept in the clerk's office and be made available for review by any interested person, unless otherwise ordered by the court.

7. **Indexing**: Clerks shall create an index card for every case filed. It shall be kept alphabetically and filed in accordance with the information relating to party's last name or name

of business, case number, type of case, disposition of the case and any related cases involving the same party.

8. **Filing Fees**: An application for relief filed under Title 31 of the Code of the Federated States of Micronesia must be accompanied with a filing fee. The court will set an amount. The process for recording of filing fees will be established for proper accounting of all funds received by the clerks under this title.

So ordered the 6<sup>th</sup> day of June, 2005.

/s/ Andon L. Amaraich  
Andon L. Amaraich  
Chief Justice

Entered this 6<sup>th</sup> day of June, 2005.

/s/ Kohsak M. Keller  
Kohsak M. Keller  
Chief Clerk of Courts