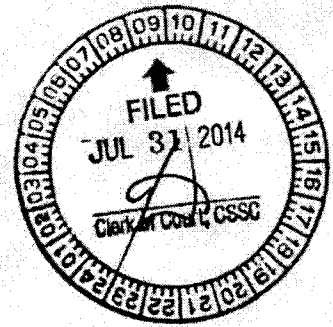




CHUUK STATE SUPREME COURT
Federated States of Micronesia
TRIAL DIVISION - WENO, CHUUK

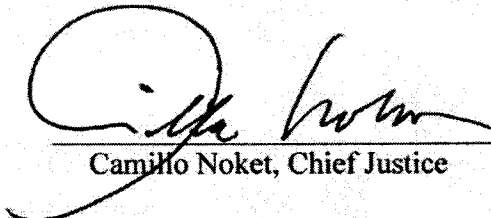


GENERAL COURT ORDER)
)
No. 01-14)
_____)

ORDER ESTABLISHING THE
PROCEDURE FOR BIRTH
CERTIFICATE ACCESS

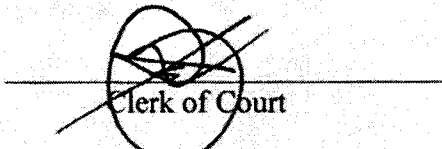
Under Parts 9.1 and 9.2 of Title 7 of the Trust Territory Regulations, the Clerk of the Chuuk State Supreme Court is responsible for maintaining birth certificate files and providing such files to "an applicant." Inherent in this authority is the power to determine who is an eligible applicant. An individual may obtain his own birth certificate; however, due to growing concerns of identity theft and similar security issues, the Court must set forth guidelines for an individual seeking to obtain a birth certificate of another person. Thus, pursuant to these regulations and the rulemaking authority vested under Article VII, Section 13, of the Constitution of the State of Chuuk, and under Section 3 of the State Judiciary Act, the Court hereby adopts the attached affidavit form as the procedure for birth certificate access of other persons.

SO ORDERED on this 30th day of July, 2014



Camillo Noket, Chief Justice

Entered this 31st day of July, 2014.



Clerk of Court

CHUUK STATE SUPREME COURT
OFFICE OF THE CLERK OF COURT

AFFIDAVIT TO ACCESS BIRTH CERTIFICATE OF ANOTHER PERSON

AFFIANT'S INFORMATION:

1. First Name: _____ Middle Name: _____ Last Name: _____

2. Affiant's Address: _____ Tel. No. _____

RECORD INFORMATION:

3. Record: Person's Full Name: _____

Person's Birth Date: _____

Affiant's Relationship to the Person: _____

ELIBIBLE APPLICANT CATEGORY:

4. In order to obtain a birth certificate of another person, you must be an eligible applicant as defined below. Please make a checkmark next to the description that applies to you.

The parents or spouse of the person whose birth is registered.

A guardian, trustee, or person with power of attorney for the person whose birth is registered.

Any person with written authorization from the person whose birth is registered or from the parents of the person whose birth is registered.

Any person with an order from the Court.

A person adopting a child may apply for that child's birth certificate.

Any adult next-of-kin of a person whose birth is registered when that person is deceased. Next-of-kin refers to mother, father, brother, sister, children, or spouse.

The executor of a person's estate, when the person whose birth is registered is deceased.

A representative who requires a birth certificate for official duties (e.g., school registration, sports organizations). Please explain: _____

Other: Please explain: _____

AFFIANT'S STATEMENT:

5. I, do solemnly swear that all the above stated information is true, and that I am an eligible applicant as Described above and will use an obtained birth certificate for a lawful purpose.

Signature of Affiant

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____ 20____

OFFICIAL USE ONLY

LB #: _____

APPROVED AND CERTIFIED

DISAPPROVED (Petition Court for Order)

Clerk of Courts

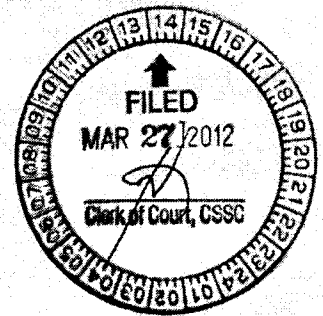
Date Approged/Disapproved



CHUUK STATE SUPREME COURT
Federated States of Micronesia
TRIAL DIVISION - WENO, CHUUK

REGARDING THE)
ESTABLISHMENT OF A)
COURT TRUST ACCOUNT)

GENERAL COURT ORDER
No. 01-12



Pursuant to Article VII, § 13 of the Constitution, the Chief Justice hereby authorizes and provides for the establishment of a Court controlled trust account.

As the Court routinely finds itself acting as a repository of cash and monetary instruments for parties to legal actions in the course of administering justice, and lacks the secure storage and security apparatus necessary for the safekeeping of such items, it hereby authorizes the establishment of a trust checking account at the Chuuk branch of Bank of the Federated States of Micronesia for this purpose.

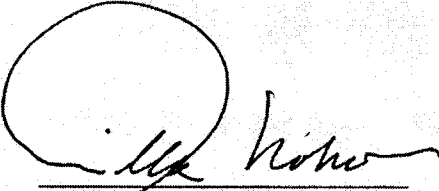
The name of the account shall be "Chuuk State Supreme Court Trust Account." The signatories to the account shall be 1) the Court Administrator, 2) the Clerk of Court, and 3) the Probation Officer. At such time as these positions are vacated and or assumed by other employees of the Court, the names of the account signatories shall be changed accordingly by Order of the Chief Justice. Under no circumstances shall persons other than signatories to the account be authorized to withdraw, enquire or otherwise access account funds. Under no circumstances shall any transaction be authorized unless pursuant to Order of the Chief Justice.

The Court administrator shall be responsible for keeping a current and accurate record of all account activity. He shall maintain a ledger for the sole purpose of documenting account activity. Ledger entries shall specify the date, party name, case caption, type and purpose of each transaction. Account signatories undertaking transactions shall sign the ledger entry documenting the transaction and the Court administrator shall counter-sign as witness thereof unless he personally initiates the action, under which circumstance only the administrator shall be required to sign. Monthly, and at such other times as may be directed, the administrator shall provide a bank statement of all account activity and current balances to the Chief Justice. He shall surrender upon demand the ledger to the Chief Justice without notice if so Ordered.

The Court administrator shall keep and maintain a file for the sole purpose of retaining all account documentation, including, but not limited to, establishment documents, receipts, regular statements, bank correspondence and copies of returned checks.

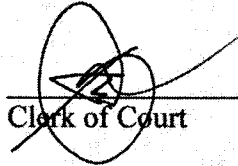
A copy of this Order shall be delivered to the Bank of the Federated States of Micronesia,
Chuuk Branch.

So ordered this 27th day of March, 2012.

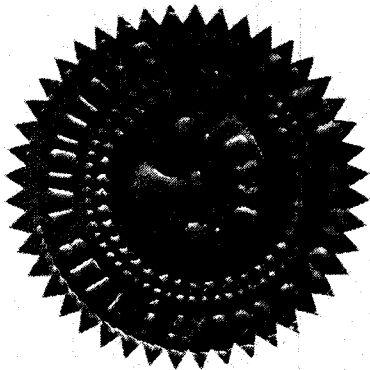


Camillo Noket
Chief Justice

Entered this 27th day of March, 2012.

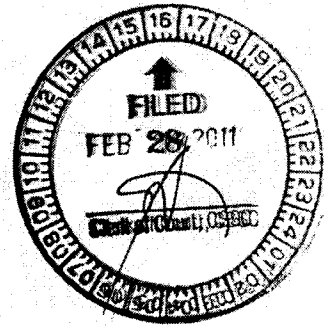


Clerk of Court





CHUUK STATE SUPREME COURT
Federated States of Micronesia
Trial Division - Weno, Chuuk



IN THE MATTER OF)
 PER DIEM RATES)
 _____)

GENERAL COURT ORDER
No. 02-11

Pursuant to his Rule making authority under Article VII, § 13 of the Constitution, the Chief Justice hereby implements the following Per Diem rate policy.

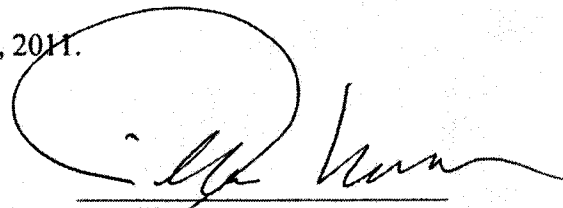
Maximum per diem rates for employees traveling under the auspices of official business of the Chuuk State Supreme Court that are funded by an outside source shall be calculated according to established FSM per diem rates as follows:

- 1) Chief Justice: 30%
- 2) Associate Justices: 20%
- 3) Staff: 15%

The amounts shall be based upon the total per diem cost as calculated when the Court pays for travel, or any combination the Chief Justice deems appropriate. These rates are subject to change and require funding approvals.


All employees of the Chuuk State Supreme Court undertaking travel to attend conferences, seminars, trainings and workshops or other travel subject to approval are required to complete and file a trip report pursuant to their use of State funds.

So ordered this 28th day of February, 2011.



 Camillo Neket
 Chief Justice

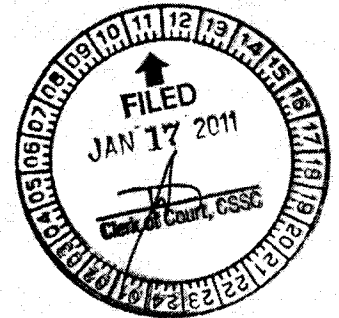
Entered this 28th day of February, 2011.



 Kency K. Conrad
 Clerk of Court



CHUUK STATE SUPREME COURT
Federated States of Micronesia
Trial Division - Weno, Chuuk



IN THE MATTER OF)
AMENDING RULE 4 OF)
THE CHUUK STATE)
RULES OF CIVIL)
PROCEDURE)

GENERAL COURT ORDER
No. 01-11

Pursuant to Article VII, § 13 of the Constitution, the Chief Justice hereby amends Chuuk Civil Rule 4. As amended Civil Rule 4 is as follows (with the amended addition to the current rule italicized):

Rule 4.

PROCESS

(a) **Summons: Issuance.** Upon the filing of the complaint the clerk shall forthwith issue a summons and deliver it for service to the plaintiff or his attorney or trial counselor. Upon request of the plaintiff, separate or additional summons shall issue against any defendant.

(b) **Same. Form.** The summons shall be signed by the clerk, be under the seal of the court, contain the name of the court and the names of the parties, be directed to the defendant, state the name, address and telephone number of the plaintiff's attorney or trial counselor, if any, otherwise the plaintiff's address and telephone number, and the time within which these rules require the defendant to appear and defend, and shall notify the defendant that in case of the defendant's failure to do so judgment by default will be rendered against the defendant for the relief demanded in the complaint.

(c) **By Whom Served.** Service of the process shall be made by a policeman or by some person specially appointed by the court for that purpose, except that a subpoena may be served as provided in Rule 45. Special appointments to serve process shall be made freely.

(d) **Summons: Personal Service.** The summons and complaint shall be served together. The plaintiff shall furnish the person making service with such copies as are necessary. Service shall be made as follows:

(1) Upon an individual other than an infant or an incompetent person, by delivering a copy of the summons and of the complaint to the individual personally or by leaving copies thereof at the individual's dwelling house or usual place of abode or of

business with some person of suitable age and discretion then residing or employed therein or by delivering a copy of the summons and of the complaint to an agent authorized by appointment or by law to receive service of process. Reasonable attempts shall also be made by the person serving the summons and complaint to assure that the person served understands the meaning of the summons and complaint.

(2) Upon an infant, by serving the summons and complaint to a parent or to a guardian, if any, and, if the infant is 14 years or older, upon the infant; upon an incompetent person, by serving the summons and complaint upon the guardian of the person, if any, or upon the person or agency to which the incompetent has been committed.

(3) Upon a domestic or foreign corporation or upon a partnership or other unincorporated association which is subject to suit under a common name, by delivering a copy of the summons and of the complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute to receive service and the statute so requires, by also mailing a copy to the defendant.

(4) Upon the State of Chuuk, by delivering, or sending by registered or certified mail, a copy of the summons and of the complaint to the Attorney General of the State of Chuuk and in any action attacking the validity of an order or refusal to act of an officer or agency of the State of Chuuk not made a party, by also sending a copy of the summons and of the complaint by registered or certified mail to such officer or agency.

(5) Upon an officer or agency of the State of Chuuk, by delivering a copy of the summons and of the complaint to such officer or agency. If the agency is a corporation the copy shall be delivered as provided in paragraph (3) of this subdivision of this rule.

(6) Upon a municipality or other governmental organization thereof subject to suit, by delivering a copy of the summons and of the complaint to the Chief Executive Officer thereof.

(7) Upon any defendant of any class it is also sufficient if the summons and complaint are served in the manner prescribed by any statute of the State of Chuuk or as provided for by any order of the State Court of Chuuk.

(e) Territorial Limits of Effective Service. All process including a subpoena may be served anywhere within the territorial limits of Chuuk State. When a party is not an inhabitant of Chuuk State and is not found therein and service is to be effected in any other state of the Federated States of Micronesia or in a foreign country it is sufficient if such service of the summons and complaint is made in the manner prescribed by the law of the state or foreign country for service in that state or foreign country for service in that state or foreign country in an action in any of its courts of general jurisdiction; or upon an individual by delivery or personally and upon a corporation or partnership or association, by delivery to an officer, a managing or general jurisdiction; or by registered

mail, requiring a signed receipt, to be addressed and dispatched by the clerk of the court to the party to be served at his last known address or above may by any person who is not a party to the action.


(f) Return. The person serving the process shall make proof of service thereof to the court promptly and in any event within the time during which the person served must respond to the process. If service is made by a person other than a policeman, he shall make affidavit thereof. If service was by mail, the person serving process shall show in his proof of service the date and place of mailing, and attach a copy of the return receipt or returned envelope if and when received by him showing whether the mailing was accepted, refused, or otherwise returned. If the mailing was refused the return shall also make proof of any further service mailed to the defendant. The return along with the receipt or envelope and any other proof shall be promptly filed by the clerk with the pleadings and become part of the record. (Failure to make proof of service does not affect the validity of the service)

(g) Amendment. At any time in its discretion and upon such term as it deems just, the court may allow any process or proof of service thereof to be amended, unless it clearly appears that material prejudice would result to the substantial rights of the party against whom the process issued.

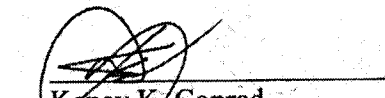
(h) Time Limit for Service of Process. *If service of the summons and complaint is not made upon a defendant within 120 days after the filing of the complaint, the action will be dismissed as to that defendant without prejudice upon motion or upon the court's own initiative. This subdivision shall not apply to service in a foreign country under Rule 4(e).*

The amended Rule 4 is effective on February 1, 2011.

So ordered this 17th day of January, 2011.

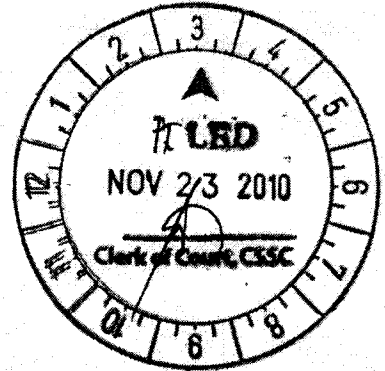

Camillo Noket
Chief Justice

Entered this 17th day of January, 2011.


Kency K. Conrad
Clerk of Court



CHUUK STATE SUPREME COURT
Federated States of Micronesia



IN THE MATTER OF)
MANDATORY PLEA)
QUESTIONNAIRE AND)
WAIVER OF RIGHTS)
FORM)
_____)

GENERAL COURT ORDER
No. 03-10

The Chuuk State Supreme Court, pursuant to the Chief Justice's rulemaking authority under Article VII, § 13 of the Constitution, requires use of the Plea Questionnaire/Waiver of Rights form by all criminal defendants entering a plea of guilty or no contest.

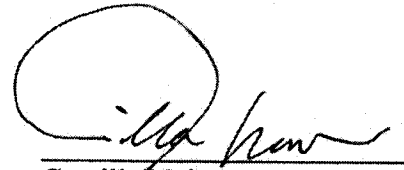
No such plea shall be accepted by the Court without submission of the completed form signed by both the defendant and defense counsel of record, if any. Attorneys and trial counselors practicing in Chuuk are urged to thoroughly review the form. As signatories, they certify to the Court that they have made every reasonable effort to ensure that a client pleading guilty or no contest and or entering into a plea agreement understands all the rights waived, along with actual or potential consequences of such waivers, as specified by the form.

Each attorney and trial counselor currently a member of the Chuuk State Bar shall receive copies of the form in both English and Chuukese, which may be duplicated. Thereafter each shall be responsible for either furnishing the form themselves or purchasing it from the Clerk of Court.

Now therefore it is hereby Ordered that the attached Plea Questionnaire/Waiver of Rights form is adopted and shall be effective as of December 25, 2010. Submission of signed and completed forms as specified above shall be mandatory from that date.

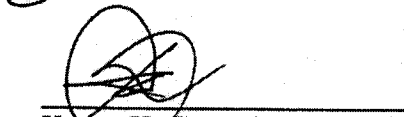
IT IS SO ORDERED.

This 23rd day of November, 2010.



Camillo Noket
Chief Justice

Entered this 23rd day of November, 2010



Kency K. Conrad
Clerk of Court

CHUUK STATE SUPREME COURT, TRIAL DIVISION, WENO

FOR OFFICIAL USE

CHUUK STATE

PLEA QUESTIONNAIRE/WAIVER OF RIGHTS

-VS-

CASE NO. _____

_____, DEFENDANT

I am the defendant and I intend to plead as follows:

CHARGE/CSL NO.	PLEA
	<input type="checkbox"/> GUILTY <input type="checkbox"/> NO CONTEST
	<input type="checkbox"/> GUILTY <input type="checkbox"/> NO CONTEST
	<input type="checkbox"/> GUILTY <input type="checkbox"/> NO CONTEST
	<input type="checkbox"/> GUILTY <input type="checkbox"/> NO CONTEST

See attached sheet for additional charges

I am _____ years old. I have completed _____ years of schooling.

I do do not have a high school diploma, GED, or equivalent.

I do do not understand the English language.

I do do not understand the Chuukese language.

I do do not understand the charge(s) to which I am pleading.

I am not am currently receiving treatment for a mental illness or disorder.

I have not have had any alcohol, medications or drugs within the last 24 hours.

CONSTITUTIONAL RIGHTS

I understand that by entering this plea, I give up the following rights:

I give up my right to a trial.

I give up my right to remain silent and understand that my silence could not be used against me at trial.

I give up my right to testify and present evidence at trial.

I give up my right to use subpoenas to require witnesses to come to court and testify for me at trial.

I give up my right to confront in court the people who testify against me and cross-examine them.

I give up my right to make the State prove me guilty beyond a reasonable doubt.

I understand the rights that have been checked and give them up of my own free will.

UNDERSTANDINGS

- I understand that the crime(s) to which I am pleading has/have elements that the State would have to prove beyond a reasonable doubt if I had a trial. These elements have been explained to me by my attorney and are as follows: See attached sheet.

- I understand that the judge is not bound by any plea agreement or recommendations and may impose the maximum penalty. The maximum penalty I face upon conviction is:

- I understand that the judge must impose the mandatory minimum penalty, if any. The mandatory minimum penalty I face upon conviction is:

- I understand that the presumptive minimum penalty, if any, I face upon conviction is:

- I understand that if I am placed on probation and my probation is revoked:
 - if sentence is withheld, the judge could sentence me to the maximum penalty, or
 - if the sentence is suspended, I will be required to serve that sentence.

- I understand that if I am not a citizen of the Federated States of Micronesia, my plea could result in deportation and the exclusion of admission to this country.

- I understand that if the judge accepts my plea, the judge will find me guilty of the crime(s) to which I am pleading based upon the facts in the criminal complaint and/or the preliminary examination and/or as stated in court.

VOLUNTARY PLEA

I have decided to enter this plea of my own free will. I have not been threatened or forced to enter this plea. No promises have been made to me other than those contained in the plea agreement. The plea agreement will be stated in court or is as follows: See attached sheet.

DEFENDANT'S STATEMENT

I have read and understand this entire document and any attachments. I have reviewed it with my attorney (if represented). I have answered all questions truthfully and either I or my attorney have checked the boxes. I am asking the court to accept my plea and find me guilty.

Signature of Defendant

Date

ATTORNEY'S STATEMENT

I am the attorney for the defendant. I have discussed this document and any attachments with the defendant. I believe the defendant understands it and the plea agreement. The defendant is making this plea freely, voluntarily, and intelligently. I witnessed the defendant sign and date this document.

Signature of Attorney

Date

§ 412, Meeting or Overtaking School Bus	\$25.00
§ 413, Illegal Stop-Park	\$25.00
§ 414, Unsafe Moving of Stopped or Parked Vehicle	\$25.00
§416, Unsafe Backing of Vehicle	\$25.00
§417, Unsafe Leaving of Vehicle Unattended	\$25.00
§ 418, Obstructing Driver's View	\$25.00
§ 419, Unsafe or Unwieldy Vehicle Loads	\$25.00
§ 420, Motorcycle, Failure to Wear Safety Gear	\$25.00
§ 421, Motorcycle, Excessive Number of Passengers	\$25.00
§ 422, Bicyclists, Violations	\$25.00
§ 423, Throwing Object on Roadway	\$25.00
§ 501, Inadequate Lighting Equipment	\$25.00
§ 502, § 503, Faulty Head Lamp or Faulty Tail Lamp	\$25.00
§ 504, Bicycles, Carts, Wagons, Inadequate Lighting Equipment	\$25.00
§ 505, Faulty Brakes	\$25.00
§ 506, Unlawful Use of Metal Tires	\$25.00
§ 507, Inadequate Muffler or Exhaust System	\$25.00

Citations shall specify a hearing date and time for the cited person to appear before the court, according to the court's schedule for traffic proceedings. For any of the aforementioned cited violations, unless otherwise indicated herein or as ordered by the court, a cited person may choose to admit guilt and pay the scheduled fine in lieu of appearing at the hearing. If a cited person chooses to admit guilt and pay the scheduled fine, payment must be made to the Clerk of Court prior to the hearing. If a cited person otherwise intends to admit guilt but is presently unable to make payment of the scheduled fine, the person may appear at the hearing and indicate intent to make payment, whereupon the court may order a payment schedule.

The following cited violations shall require a court appearance, where a fine or jail time, or both, may be assessed in accordance with § 701:

- § 209, Fraudulent Registration Card, Plate, or License
- § 313, Driving with Suspended License

§ 402, Failing to Stop or Fleeing from Police Officer

§ 405, Interfering with Traffic Sign

§ 411, Excessive Speed

(ANY REPEAT VIOLATIONS AND
VIOLATIONS OVER 10 M.P.H. ABOVE
SPEED LIMIT)

§ 424, Driving Without Owner's Consent

§ 425, Tampering with Vehicle

§ 601, Failure to Make Accident Report

§ 703, Vehicular Homicide

§ 704, Negligent or Reckless Driving

§ 705, Driving Under the Influence

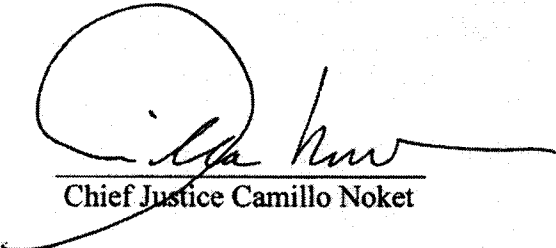
Violations of §§ 209, 313, 402, 405, 411, 424, 601, 703, 704, 705 may also result in the impounding of the cited person's vehicle.

Fines shall be collected by the Administrative Director of the Chuuk State Supreme Court or his or her duly authorized representative in the Clerk's Office and deposited into the State General Fund. CSL 3-95-18, § 701.

The citation form used by the Department of Public Safety shall not conflict with this general court order.

So ordered this ¹²11 day of June, 2010.

Entered this ¹¹11 day of June, 2010.


Chief Justice Camillo Noket


Clerk of Court

FILED

JUN 07 2010

By 
Clerk of Court, CSSC



CHUUK STATE SUPREME COURT
Federated States of Micronesia

IN THE MATTER OF)
DISCIPLINARY RULES)
AND PROCEDURES FOR)
ATTORNEYS AND TRIAL)
COUNSELORS)
PRACTICING IN THE)
CHUUK STATE)
SUPREME COURT)
_____)

GENERAL COURT ORDER
No. 01-10

The Chuuk State Supreme Court, pursuant to the Chief Justice's rulemaking authority under Article VII, § 13 of the Constitution, is issuing Disciplinary Rules and Procedures, which are the first attorney and trial counselor disciplinary rules to be adopted by the Chuuk State Supreme Court. All members of the Chuuk State Bar are encouraged to examine the rules carefully.

Now therefore it is hereby ordered that the attached Disciplinary Rules and Procedures are adopted and shall be effective as of June 15, 2010. The rules shall apply to all disciplinary proceedings which are assigned or filed from that date.

So ordered this 7th day of June, 2010.

Entered this 7th day of June, 2010.

Chief Justice Camillo Noket

Clerk of Court

DISCIPLINARY RULES AND PROCEDURES

FOR ATTORNEYS AND TRIAL COUNSELORS PRACTICING IN THE CHUUK STATE SUPREME COURT

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Rule 3. Types of Discipline	3
Rule 4. Initial Processing of Complaints.....	3
Rule 5. Action by the Reviewing Justice	4
Rule 6. Refusal of Complainant to Proceed	5
Rule 7. Related Pending Civil or Criminal Litigation	5
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Rule 13. Reinstatement.....	9
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RULE 1. JURISDICTION

Any attorney, trial counselor, or other person who practices law before the Chuuk State Supreme Court or other state court that may be established pursuant to section 1, article VII of the Chuuk Constitution is subject to these rules. The word "attorney" as used herein shall mean a lawyer, trial counselor, or other person who practices law in the Chuuk State Supreme Court.

Nothing herein shall be construed to deny any court its inherent and statutory power to maintain control over proceedings conducted before it.

These rules are promulgated pursuant to section 13, article VII of the Chuuk Constitution.

RULE 2. GROUNDS FOR DISCIPLINARY ACTION

An attorney is subject to discipline as provided for by these rules for any of the following grounds occurring within or outside of Chuuk State:

(a) Violation of the Model Rules of Professional Conduct as adopted by the Chuuk State Supreme Court, or to induce another to do so, or to do so through the acts of another.

(b) Commission of a criminal act that reflects adversely on the person's honesty, trustworthiness, or fitness as an attorney in other respects.

(c) Engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation.

(d) Willful disobedience or violation of a court order directing the attorney to do or cease doing an act which the attorney ought in good faith to do or forbear, including an order imposing discipline.

(e) Misrepresentation or failure to disclose a material fact in an application for admission to the bar; including pro hac vice; in making any certifications to the Chuuk State Bar to retain active membership; or for reinstatement.

(f) Suspension, disbarment, or other disciplinary sanction by the competent authority in any state or foreign jurisdiction.

(g) Knowingly failing to respond to a lawful demand from a disciplinary authority, except that disclosure of information otherwise protected by applicable rules relating to confidentiality shall not be required.

(h) (1) Practice of law with or in cooperation with a disbarred or suspended attorney, (2) maintenance of an office for the practice of law in a room or office used or occupied in part by a disbarred or suspended attorney, (3) permitting a disbarred or

suspended attorney to use the attorney's name for the practice of law, (4) practice of law for or on behalf of a disbarred or suspended attorney, and (5) practice of law under any arrangement or understanding for division of fees or compensation of any kind with a disbarred or suspended attorney not authorized to practice law.

(i) Engaging in the practice of law before the Chuuk State Supreme Court without first being permitted to do so by the Chuuk State Supreme Court rules for admission, as promulgated by the Chief Justice.

(j) Knowingly assisting a judge or judicial officer in conduct that is a violation of applicable rules of judicial conduct or other law.

RULE 3. TYPES OF DISCIPLINE

Discipline may consist of: (a) disbarment, (b) suspension for an appropriate fixed period of time not to exceed five years, (c) public reprimand or censure, (d) private reprimand or censure, (e) restitution to persons financially injured, (f) a fine, (g) limitation of the nature or extent of the attorney's future practice, or (h) probation under conditions for a fixed period not to exceed five years, and (i) assessment of costs of the proceedings.

RULE 4. INITIAL PROCESSING OF COMPLAINTS

(a) Charges of professional misconduct may be initiated by any justice of the Chuuk State Supreme Court upon referral by that justice or by any other person who notifies the court of the nature of the charge and indicates the factual basis for the charge. Such notification must be in a writing signed by the complainant under oath. Persons complaining against their own counsel or who are not represented by counsel may initially make their complaint orally to the court whereupon they shall be directed to seek the assistance of the clerk of court. The clerk of court shall then assist the complainant in preparing a writing setting forth the essential facts of the complaint. The complainant must then swear to the writing under oath before it will be considered an actionable complaint. There shall be no costs to the complainant for the preparation and submission of a complaint.

(b) All notifications concerning violations of these rules shall be referred to the Chief Justice. The Chief Clerk of the Chuuk State Supreme Court shall designate them as complaints and assign them a disciplinary proceeding docket number and open a file. The Chief Justice shall undertake, or cause to be undertaken by another justice of the Chuuk State Supreme Court, a preliminary review of the charge. The reviewing justice may dismiss the complaint if he determines that it is plainly without merit. If the reviewing justice determines that further action is justified, the Chief Justice shall appoint a Disciplinary Counsel to investigate the complaint and to prosecute the same before the Chuuk State Supreme Court.

(c) Upon appointment, Disciplinary Counsel shall forthwith notify the respondent attorney of the substance of the complaint and permit him to submit evidence and argument relative to thereto. Disciplinary Counsel shall investigate to the extent necessary the allegations of the complaint, and shall submit within thirty days a written report of findings and recommendations to the reviewing justice. An extension of time for filing the report may be granted for good cause shown.

(d) Where a complaint is filed asserting that an attorney has violated these rules in the prosecution or defense of a matter then pending in either the Trial or Appellate Division of the Chuuk State Supreme Court, that complaint shall be referred in the first instance to the justice, or in an appellate case, to the presiding justice of the panel, before whom the matter is pending. With respect to matters pending before an associate justice, that justice shall recommend to the Chief Justice within fifteen days of receipt of the complaint whether (1) the complaint should be processed as set forth in subsection (b) of this rule, (2) the processing of the complaint should be deferred pending resolution of the matter from which the complaint arose, or (3) the complaint should be dismissed. With respect to matters pending before the Chief Justice, or upon the recommendation of an associate justice with respect to matters pending before that justice, the Chief Justice shall then act in accordance with one of these three alternatives. The Chief Justice may exercise discretion in the choice of alternatives.

RULE 5. ACTION BY THE REVIEWING JUSTICE

(a) Except as otherwise herein provided, proceedings before a reviewing justice are governed by the Chuuk State Supreme Court Rules of Civil Procedure and are confidential.

(b) Upon receipt of Disciplinary Counsel's report, the reviewing justice shall, within ten days, determine what course of action to take. If the reviewing justice determines that the complaint is unfounded, trivial, or otherwise lacking in merit, the justice shall dismiss the complaint and notify the respondent attorney forthwith. If the reviewing justice finds that the complaint appears to justify the taking of evidence and the finding of further facts, the justice shall direct Disciplinary Counsel to file a formal complaint within ten days and shall schedule the matter for a formal hearing within thirty days.

(c) The formal complaint and notice of hearing shall be served on the respondent attorney, who shall file an answer within twenty days. Failure to file an answer shall constitute an admission of the allegations in the complaint.

(d) The formal hearing shall be held in the Chuuk State Supreme Court, and shall be closed to the public, unless the respondent attorney requests otherwise. The reviewing justice may allow the attendance of the complainant.

(e) The standard of proof for establishing allegations of misconduct is clear and convincing evidence.

(f) Respondent attorneys have the right to compel the attendance of witnesses on their behalf, and to cross-examine witnesses against them.

(g) The reviewing justice shall render a decision within twenty days of the conclusion of the hearing. If the reviewing justice finds the allegations of misconduct are proven, the justice shall impose an appropriate sanction or combination of sanctions pursuant to Rule 3. In considering what would be an appropriate disposition of the case, the reviewing justice may take into account prior disciplinary actions involving the respondent attorney.

(h) The reviewing justice's decision shall remain confidential unless the decision results in the respondent attorney's disbarment, suspension, or public reprimand or censure, or, with stated reason(s), the reviewing justice directs otherwise. The complainant shall be informed of the reviewing justice's decision.

(i) The decision of the reviewing justice may be appealed to the appellate division of the Chuuk State Supreme Court within the time period allowed by Rule 4(a) of the Chuuk State Rules of Appellate Procedure. Further appeals may be available as provided for by law.

RULE 6. REFUSAL OF COMPLAINANT TO PROCEED

Once a complaint is made pursuant to Rule 4(a), neither the unwillingness of the complainant to testify in the matter, nor otherwise prosecute a charge for any reason, including settlement between the complainant and the attorney, or restitution by the attorney to the complainant shall, in itself, justify abatement of the processing of any complaint.

RULE 7. RELATED PENDING CIVIL OR CRIMINAL LITIGATION

(a) Processing of a complaint shall not be deferred or abated because of the substantial similarity to the material allegations of pending criminal or civil litigation, unless authorized by the Chief Justice in his discretion for good cause shown.

(b) The acquittal of an attorney on criminal charges or verdict or judgment in his favor in civil litigation involving substantially similar material allegations shall not in itself justify abatement of a disciplinary action predicated on the same material allegations.

RULE 8. SERVICE

Service upon the respondent attorney of the formal complaint shall be personal service by a person or agency authorized by the court. Service may also be accomplished by any method consistent with Rule 4 of the Chuuk State Supreme Court Rules of Civil Procedure.

RULE 9. SUBPOENAS AND WITNESSES

(a) Upon application of Disciplinary Counsel, or by order of the reviewing justice, any clerk of the court may issue subpoenas to compel the attendance of the respondent attorney or of a witness, or production of books, papers, or documents at the taking of a deposition or at a hearing before the reviewing justice.

(b) A respondent attorney may compel by subpoena the attendance of witnesses and the production of books, papers, or documents at a hearing or deposition.

(c) Discovery proceedings shall be by order of the reviewing justice.

RULE 10. CRIMINAL CONVICTION

(a) Upon the filing with the Chief Justice of a certificate of a clerk of court demonstrating that any attorney has been convicted of a crime which is a felony or which involves fraud, dishonesty, or corruption, pending final disposition of the disciplinary procedure to be commenced upon such conviction, the Chief Justice shall enter an order requiring the attorney to show cause why he should not be immediately restrained from engaging in the practice of law, whether the conviction resulted from a plea of guilty, nolo contendere, or from a verdict after trial or otherwise, regardless of the pendency of an appeal.

(b) Final conviction of an attorney for any crime within this rule shall be conclusive evidence of the commission of that crime in any disciplinary proceeding instituted against him based upon that conviction. For the purposes of this rule, a judgment of conviction is deemed final when the availability of appeal has been exhausted.

(c) Upon the receipt of a certificate of conviction of an attorney for a crime described in subsection (a) of this rule, even if the attorney is not restrained from the practice of law, the Chief Justice shall refer the matter thereafter as provided in Rule 4, and a hearing shall be instituted as provided in Rule 5 at which the sole issue to be determined shall be the extent of the discipline to be imposed, provided that hearing shall be after the judgment of conviction is final, unless the respondent attorney requests one earlier.

(d) Immediately upon the filing with the Chief Justice of a certificate demonstrating that the underlying conviction for a crime has been reversed, any order entered under the provisions of subsection (a) restraining the attorney from practicing law shall be vacated, any formal proceeding pursuant to subsection (c) of this rule shall be terminated, and any discipline imposed in such proceeding shall be vacated. The reversal of conviction shall not terminate or affect any formal proceeding previously or thereafter instituted founded upon alleged misconduct by the attorney, whether or not involving the

same facts alleged to constitute the crime or offense for which the attorney's conviction was reversed.

RULE 11. RECIPROCAL DISCIPLINE

(a) All attorneys subject to these rules, shall, upon being subjected to professional disciplinary action in another jurisdiction, promptly inform the Chief Justice in writing of such action. Upon the receipt of such information the Chief Justice shall obtain a certified copy of such order. Monetary sanctions in particular cases for violations of procedural rules are not considered professional disciplinary actions.

(b) Upon receipt of a certified copy of an order demonstrating that an attorney admitted to practice before the Chuuk State Supreme Court has been disciplined in another jurisdiction, the Chief Justice shall forthwith issue a notice directed to the attorney containing:

(1) A copy of said order from the other jurisdiction, and

(2) An order directing that the attorney inform the Chief Justice within thirty days from service of the notice of any claim by the attorney that the imposition of the identical discipline by the Chuuk State Supreme Court would be unwarranted and the reasons therefor.

(c) Upon expiration of thirty days from the service of the notice issued pursuant to subsection (b) of this rule, the Chief Justice shall impose the identical discipline, unless the attorney requests a hearing. If a hearing is requested, the procedure designated in Rule 4 shall be followed. After the hearing, the same discipline imposed in the other jurisdiction shall be imposed unless the respondent attorney clearly demonstrates:

(1) That the procedure in the other jurisdiction was so lacking in notice or opportunity to be heard as to constitute deprivation of due process, or

(2) That there was such an infirmity of proof in establishing the misconduct as to give rise to the clear conviction that the other jurisdiction's conclusion should not be accepted as final on that subject, or

(3) That the misconduct established clearly warrants substantially different discipline in this jurisdiction, or

(4) That the conduct disciplined in the other jurisdiction does not constitute misconduct in this jurisdiction.

Where the reviewing justice determines any of these elements to exist, the justice shall enter such other order as the justice deems appropriate.

(d) In all other respects, a final adjudication in another jurisdiction that an attorney has been guilty of misconduct shall establish conclusively the misconduct for the purpose of a disciplinary proceeding in this jurisdiction.

RULE 12. DISBARRED OR SUSPENDED ATTORNEYS

(a) A disbarred or suspended attorney shall promptly notify by registered or certified mail, return receipt requested, all clients being represented in pending matters, including litigation or administrative proceedings, of his disbarment or suspension and his consequent inability to act as an attorney after the effective date of his disbarment or suspension and shall advise the clients to seek legal assistance elsewhere. With regard to pending litigation or administrative proceedings, the notice given the client shall also advise the client of the desirability of prompt substitution by other counsel, and notice shall be given to counsel for all adverse parties and shall state the address or place of residence of the client of the disbarred or suspended attorney.

(b) In the event that the client does not obtain substitute counsel before the effective date of the disbarment or suspension, it shall be the responsibility of the disbarred or suspended attorney to move, in the court or agency in which the proceeding is pending, for leave to withdraw.

(c) Orders imposing suspension or disbarment shall be effective thirty days after entry by the Chief Clerk of the Chuuk State Supreme Court. The disbarred or suspended attorney, after entry of the disbarment or suspension order, shall not accept any new retainers or engage as an attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date, the disbarred or suspended attorney may wind up and complete on behalf of any client all matters which are pending on the order's entry date.

(d) Within ten days after the effective date of the disbarment or suspension order, the disbarred or suspended attorney shall file with the Chief Clerk of the Chuuk State Supreme Court an affidavit showing:

(1) Compliance with the provisions of the disbarment or suspension order and with these rules, and

(2) Notification of the disciplinary action to all other jurisdictions in which the attorney is admitted to practice as may be required by the rules of such jurisdiction(s).

(3) The residence or other address of the disbarred or suspended attorney where communications may thereafter be directed.

(e) Notices of suspension or disbarment are public records and the Chief Justice shall cause them to be distributed to each clerk of court of the FSM national and state courts for posting, and to have them published in newspapers, newsletters, journals, and in electronic formats that circulated or are available to the general public in Chuuk or to

bar members. All postings shall remain posted until the disciplinary action is completed or complied with.

(f) The Chief Justice shall promptly transmit a certified copy of the order of suspension or disbarment to all judges of the Chuuk State judiciary and to all administrative agencies of the Chuuk state government and shall make such further orders as deemed necessary to fully protect the rights of the clients of the suspended or disbarred attorney.

(g) A disbarred or suspended attorney shall keep and maintain records of the various steps taken in compliance with these rules so that, upon any subsequent proceedings taken by or against the attorney, proof of compliance with these rules and with the disbarment or suspension order shall be available. Proof of compliance with these rules shall be a condition precedent to any petition for reinstatement.

RULE 13. REINSTATEMENT

(a) No suspended or disbarred attorney may resume practice until reinstated by order of the Chuuk State Supreme Court.

(b) Any person who has been disbarred after hearing or by consent may not apply for reinstatement until the expiration of at least five years from the effective date of the disbarment. Any attorney suspended from practicing may not apply for reinstatement until the expiration of the period of suspension.

(c) Petitions for reinstatement by a disbarred or suspended attorney shall be filed with the Chief Clerk of the Chuuk State Supreme Court. The Chief Justice shall designate a justice of the Chuuk State Supreme Court who shall set the matter for hearing within thirty days. At such hearing, the petitioner shall have the burden of demonstrating that the petitioner is qualified to practice law before the Chuuk State Supreme Court and worthy of the court's trust and confidence. At the conclusion of the hearing, the hearing justice shall enter an appropriate order within fifteen days.

(d) The hearing justice may direct that the necessary expenses incurred in the investigation and processing of a petition for reinstatement be paid by the petitioner.

(e) If the petitioner has been suspended or disbarred for three years or more or is suspended or disbarred relating to reasons of the petitioner's professional competence, the hearing justice may direct that the attorney complete the bar examination process again.

RULE 14. UNAUTHORIZED PRACTICE OF LAW

Any attorney or person who practices law before the Chuuk State Supreme Court without being admitted to the practice of law by the Chuuk State Supreme Court, or any attorney who practices law before the Chuuk State Supreme Court after being disbarred

suspended attorney to use the attorney's name for the practice of law, (4) practice of law for or on behalf of a disbarred or suspended attorney, and (5) practice of law under any arrangement or understanding for division of fees or compensation of any kind with a disbarred or suspended attorney not authorized to practice law.

(i) Engaging in the practice of law before the Chuuk State Supreme Court without first being permitted to do so by the Chuuk State Supreme Court rules for admission, as promulgated by the Chief Justice.

(j) Knowingly assisting a judge or judicial officer in conduct that is a violation of applicable rules of judicial conduct or other law.

RULE 3. TYPES OF DISCIPLINE

Discipline may consist of: (a) disbarment, (b) suspension for an appropriate fixed period of time not to exceed five years, (c) public reprimand or censure, (d) private reprimand or censure, (e) restitution to persons financially injured, (f) a fine, (g) limitation of the nature or extent of the attorney's future practice, or (h) probation under conditions for a fixed period not to exceed five years, and (i) assessment of costs of the proceedings.

RULE 4. INITIAL PROCESSING OF COMPLAINTS

(a) Charges of professional misconduct may be initiated by any justice of the Chuuk State Supreme Court upon referral by that justice or by any other person who notifies the court of the nature of the charge and indicates the factual basis for the charge. Such notification must be in a writing signed by the complainant under oath. Persons complaining against their own counsel or who are not represented by counsel may initially make their complaint orally to the court whereupon they shall be directed to seek the assistance of the clerk of court. The clerk of court shall then assist the complainant in preparing a writing setting forth the essential facts of the complaint. The complainant must then swear to the writing under oath before it will be considered an actionable complaint. There shall be no costs to the complainant for the preparation and submission of a complaint.

(b) All notifications concerning violations of these rules shall be referred to the Chief Justice. The Chief Clerk of the Chuuk State Supreme Court shall designate them as complaints and assign them a disciplinary proceeding docket number and open a file. The Chief Justice shall undertake, or cause to be undertaken by another justice of the Chuuk State Supreme Court, a preliminary review of the charge. The reviewing justice may dismiss the complaint if he determines that it is plainly without merit. If the reviewing justice determines that further action is justified, the Chief Justice shall appoint a Disciplinary Counsel to investigate the complaint and to prosecute the same before the Chuuk State Supreme Court.



CHUUK STATE SUPREME COURT
Federated States of Micronesia
Trial Division-Weno, Chuuk

FILED

DEC 09 2009

By [Signature]
Clerk of Court, CSSC

IN THE MATTER OF)
ANNUAL BAR DUES)
AND CERTIFICATION)

GENERAL COURT ORDER
No. 03-09

Pursuant to Article VII, § 13 of the Constitution, the Chief Justice hereby amends the Chuuk State Bar Rules to set requirements for members' retaining their active bar membership.

GCO 01-07, as amended, provides for the payment of a \$25 fee for bar admission. See also Rule 5(5)(c), C.S.B. In addition to the admission fee, bar members are hereby required to annually pay bar dues in the amount of \$25 and to certify that they are members in good standing. The payment and certification requirements and guidelines are set forth in the attached form, "Bar Member Dues Invoice" (pages 3-4), the requirements of which are incorporated herein.


The clerk of court will, by December 31 of each calendar year, mail to each bar member, either by post or electronically, a Bar Member Dues Invoice the requirements of which must be complied with to retain active membership for the following calendar year. Failure to comply with the requirements of set forth in the Bar Member Dues Invoice will be grounds for the member's removal from the active bar member list, and the member will not be authorized to practice law in the Chuuk State Supreme Court until the member pays back dues, certifies the member's good standing, and obtains a written order from the Chief Justice reinstating the member's active membership.

No bar members are exempted from complying with the requirements of each calendar year's Bar Member Dues Invoice. If, however, it can be shown that the clerk of court failed to mail or email the Bar Member Dues Invoice to the member's address on file with the clerk of court by December 31 (in relation to payment of bar dues and certification for the next calendar year), or there are special circumstances warranting late payment, the deadlines may be extended by order of the Chief Justice.

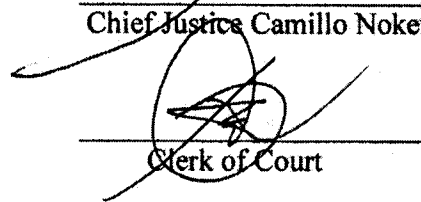
This General Court Order is effective for the payment of bar dues and certification of membership in good standing in compliance with the Bar Member Dues Invoice issued by clerk of court by December 31, 2009 for calendar year 2010. Thus, members must submit their bar dues (\$25) and Bar Member Dues Invoice by January 31, 2010 (or by March 1, 2010, if an additional late payment fee of \$10 is made) to retain their active membership for 2010.

So ordered this 9th day of December, 2009.

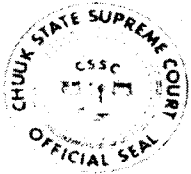
Entered this 9th day of December, 2009.



Chief Justice Camillo Noket



Clerk of Court



CHUUK STATE SUPREME COURT
Federated States of Micronesia
Trial Division-Weno, Chuuk

Bar Member Dues Invoice 20__
(for active membership from January 1, 20__ through December 31, 20__)

[Clerk will insert bar member name, address, and other contact information and mail form to address on file.]

If you have any changes or additions to the contact information on file with the clerk of court, please provide that information on the lines below:

Chuuk State Bar Dues \$25 (required for active members)
(payment must be mailed or submitted directly to clerk of court by January 31, 20__)

Late fee \$10 (+\$25 bar dues fee)(if postmarked or submitted after January 31 but before March 1, 20__)

Return completed form and payment to Chuuk State Supreme Court, Clerk of Court, P.O. Box 187, Weno, Chuuk, FM 96942

If full payment is not made to clerk of court or postmarked to clerk of court by March 1 of each calendar year, the member will be taken off active status and will not be authorized to practice law in the Chuuk State Supreme Court until the member reapplies for active membership and is so approved by the Chief Justice.

Mandatory Certifications (as required by GCO 03-09)

1. Please list all other states, provinces, countries, and courts where you are or have ever been licensed to practice law and current status. (If you are admitted in more than two other jurisdiction, please list them on a separate sheet.) If you have ever been disciplined in another jurisdiction, on a separate sheet of paper, state the jurisdiction, the date that the discipline was imposed, the disciplinary judge, and the nature and duration of the discipline.

Jurisdiction _____ year admitted _____
Status (active, inactive, suspended, disbarred, revoked or resigned,
other): _____

Jurisdiction _____ year admitted _____
Status (active, inactive, suspended, disbarred, revoked or resigned,
other): _____

2. Have you been convicted of any misdemeanor or felony after the date you received a license to practice law in any jurisdiction that you have not previously reported to the Chuuk State Bar? (Yes , or No)

If you checked yes, that you have such unreported conviction, please provide the details of the conviction in a separate letter, which letter will be forwarded by the Clerk of Court to the Chief Justice for review as a disciplinary matter.

I hereby verify and certify that I have truthfully and correctly answered questions 1 and 2 to the best of my knowledge and understand that failure to truthfully and correctly answer the questions will be grounds for disbarment.

Signature required

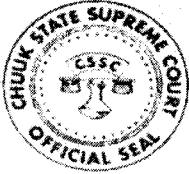
Date

Before returning this form, please make sure you have answered questions 1 and 2 above, signed and dated the verification and certification above, and have submitted payment with the completed form.

If you wish to receive the court's newsletter, please provide your email address. _____

Your email address

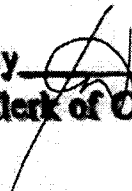
*If you have any questions regarding the payment of your annual bar fees or the completion of this form, please contact the Clerk of Court at (691) 330-2229



CHUUK STATE SUPREME COURT
Federated States of Micronesia
Trial Division-Weno, Chuuk

FILED

DEC 07 2009

By 
Clerk of Court, CSSC

IN THE MATTER OF)
AMENDING)
RULE 11 OF THE)
CHUUK STATE RULES)
OF CIVIL PROCEDURE)
_____)
GENERAL COURT ORDER
No. 02-09

Pursuant to Article VII, § 13 of the Constitution, the Chief Justice hereby amends Chuuk Civil Rule 11. As amended Civil Rule 11 is as follows (with the amended addition to the current rule underlined):

Rule 11.

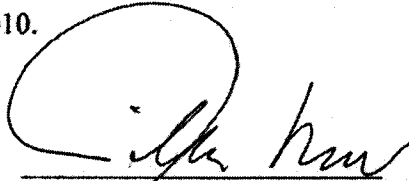
SIGNING OF PLEADINGS, MOTIONS AND OTHER PAPERS

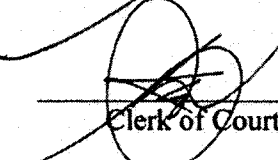
Every pleading of a party represented by an attorney or trial counselor shall be signed by at least one attorney or trial counselor of record in his individual name, whose address and telephone number shall be stated. A party who is not represented by an attorney or trial counselor shall sign his pleadings and state his address. Except when otherwise specifically provided by rule or statute, pleadings need not be verified or accompanied by affidavit. The rule in equity that the averments of an answer under oath must be overcome by the testimony of two witnesses or of one witness sustained by corroborating circumstances is abolished. The signature of an attorney or trial counselor constitutes a certificate by him that he has read the pleading; that to the best of his knowledge, information, and belief there is good ground to support it; and that it is not interposed for delay. If a pleading is not signed or is signed with intent to defeat the purpose of this rule, it may be stricken as sham and false and the action of this rule an attorney or trial counselor may be subjected to appropriate disciplinary action. Similar action may be taken if scandalous or indecent matter is inserted.

The amended Rule 11 is effective on January 1, 2010.

So ordered this 7th day of December, 2009.

Entered this 7th day of December, 2009.


Chief Justice Camillo Noket


Clerk of Court



CHUUK STATE SUPREME COURT
Federated States of Micronesia
TRIAL DIVISION - WENO, CHUUK

FILED

DEC 29 2008

By 
Clerk of Court, CSSC

IN THE MATTER OF)
KEEPING AN INVENTORY)
OF COURT PROPERTY)
_____)

GENERAL COURT ORDER
No. 04-08

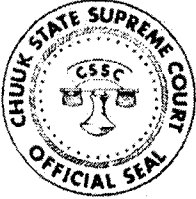
Appropriate measures must be taken to protect court property from loss, misplacement, and theft. To that end, the court is required to keep and maintain an inventory of all court property of value, including but not limited to vehicles, furniture, computers and other hardware. Minor, disposable items may be excluded from the inventory.

From time to time the Chief Justice will appoint a court staff to perform such inventory, but if no staff is appointed the court administrator will perform the inventory at least once annually.

The inventory should, at a minimum, identify the property and its location. For property issued to staff, the inventory should also identify the person who has been issued the property and the date of issuance.

Any person who is issued court property must sign an acknowledgement upon receipt of the property, acknowledging that use of the property is for professional use only and remains at all times the property of the court. Signed acknowledgements will be kept with the inventory records.

The court administrator will ensure that all court property of value is tagged with a permanent, non-removable sticker or other identifying mark indicating that it is court property.



CHUUK STATE SUPREME COURT
Federated States of Micronesia
TRIAL DIVISION - WENO, CHUUK

IN THE MATTER OF)
COMPLIANCE WITH)
COURT RULES FOR)
SERVICE OF PROCESS)
_____)

GENERAL COURT ORDER
No. 01-08

FILED

JAN 08 2008

By 
Clerk of Court, CSSC

It has been common knowledge that service of process in Chuuk State Supreme Court trial division matters has not been consistently effectuated in accordance with the applicable rules of court. Chuuk Civ. R. 5(b) sets forth the requirements for service of papers in a civil matter whenever service is required by Chuuk Civ. R. 5(a). Chuuk Cr. R. 49(b) provides that service of papers in criminal cases is effectuated in the same manner as in civil cases.

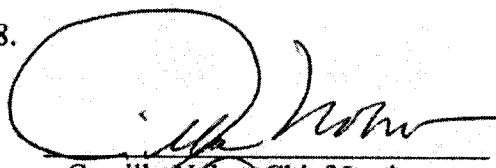
Chuuk Civ. R. 5(b) provides that in cases where a party is represented by an attorney or trial counselor, service is to be made upon the attorney or trial counselor of the represented party unless service upon the party himself is ordered by the court. In each instance where service of a paper is required, service shall be made by delivering a copy to the party's attorney, trial counselor or the party or by mailing it to him at his last known address or, if no address is known, by leaving it with the clerk of the court.

Delivery of a copy under Chuuk Civ. R. 5(b) requires handing it to the attorney, trial counselor, or party; or leaving it at his office with his clerk or other person in charge thereof; or, if there is no one in charge, leaving it at his dwelling house or usual place of abode with some person of suitable age and discretion then residing therein. Therefore,

IT IS HEREBY ORDERED:

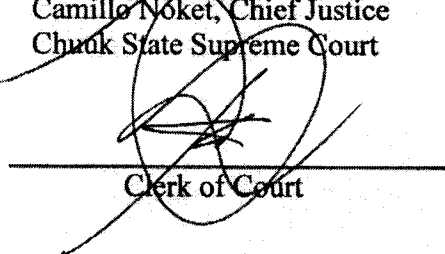
- (1) Trial division clerks of court shall only accept filings that have been served in the manner prescribed by Chuuk Civ. R. 5(b).
- (2) It is the responsibility of the clerks of court to file, enter and serve all papers—including but not limited to orders, judgments, and decisions—issuing from the court.
- (3) For all papers issuing from the court that the clerk of court has filed, entered and served, the clerk of court will file a certification of service immediately when service is made.
- (4) Any clerk's office employee responsible for service of process who does not comply with this order may be subject to disciplinary action.
- (5) This order is effective immediately upon issuance and shall be provided to each member of the Chuuk State Bar.

So Ordered this 8th day of January, 2008.

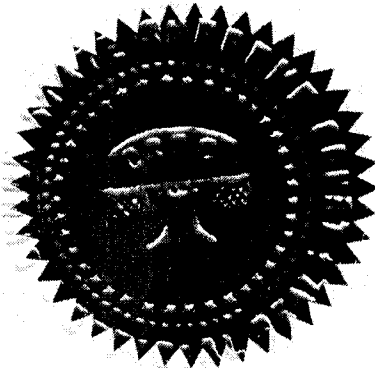


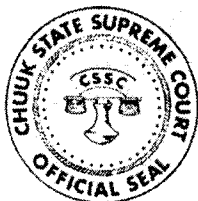
Camille Noket, Chief Justice
Chuuk State Supreme Court

Entered this 8th day of January, 2008.



Clerk of Court





CHUUK STATE SUPREME COURT
Federated States of Micronesia
TRIAL DIVISION - WENO, CHUUK

FILED

JAN 08 2008

IN THE MATTER OF)
COMPLIANCE WITH)
COURT CLERKS' OATH)
OF OFFICE)

GENERAL COURT ORDER
No. 02-08

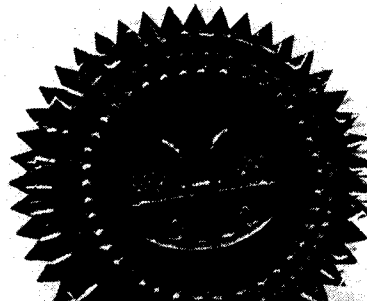
By  Clerk of Court, CSSC

Pursuant to Section 24 of the Chuuk State Judiciary Act of 1990, each officer of the Chuuk State Supreme Court, including those employed in the clerks' offices (Trial and Appellate Divisions), is sworn to an oath of office. Such oath requires, among other things, that employees of the clerks' offices maintain diligent and faithful custody of court records, maintain compliance with applicable rules of law and rules of court, and that all duties of the clerks' offices are impartially discharged.

It is common knowledge that attorneys, trial counselors and other interested persons who are prohibited from entering the clerks' offices have, nonetheless, been allowed entry to review files, engage in *ex parte* communications with clerks' office employees regarding the subject matter of cases and have otherwise occupied the clerks' offices for prolonged periods of time for indeterminate reasons on various occasions.

Allowance of such practices is improper because:

- (1) It increases the risk of theft and mishandling of court documents,
- (2) It creates the appearance that the clerks' offices are improperly disclosing information on court matters or otherwise providing services outside the ambit of the ministerial duties of the clerks' offices, and



(3) It creates the appearance that clerks' offices employees are discharging their duties partially.

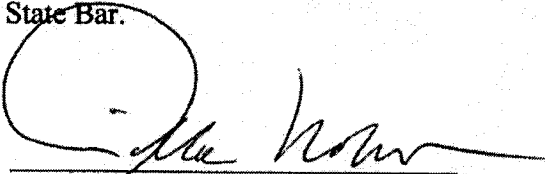
Therefore, in furtherance of compliance with the oath of office taken by employees of the Chuuk State Supreme Court Clerks' Offices, the court's interest in maintaining orderly and impartial rendering of justice, and to avoid the appearance of any impropriety by the Chuuk State Supreme Court and its employees,

IT IS HEREBY ORDERED THAT:

- (a) Employees of the clerks' offices may provide assistance and communicate directly with attorneys, trial assistants, or any other interested person regarding the status of a case involving him or her, or other court matter so long as the assistance or communication is administered from a clerk's office window and does not include:
- (i) Allowing physical entry into the clerks' offices for any purpose unless specifically authorized by the Chief Justice. No exceptions shall be made for family members, relatives or friends.
 - (ii) Performing any legal work for any attorneys, trial assistants or for any other persons, such as drafting letters, motions, pleadings or other papers relating to a legal matter; typing, copying, Xeroxing, or other document transcription that is not an authorized ministerial function of the clerks' offices; providing legal advice; or any other action relating to a legal matter, unless it is an authorized ministerial function of the clerks' offices.
 - (iii) Waiving fees or costs for services rendered by the clerks' offices, unless specifically authorized by the Chief Justice.

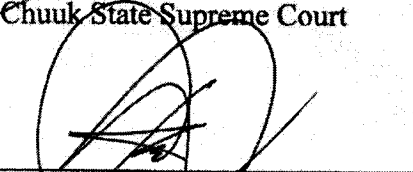
- (b) Any clerks' office employee who does not comply with this order may be considered to have failed to carry out his or her duties and may be subject to appropriate disciplinary action.
- (c) This order is effective immediately upon issuance and shall be provided to each member of the Chuuk State Bar.

So Ordered this 8th day of January, 2008.

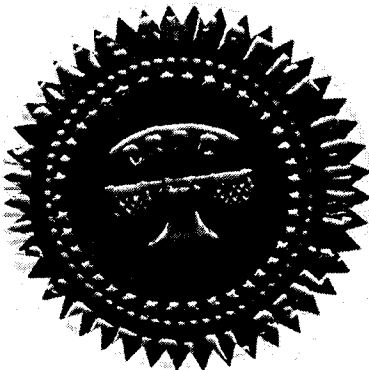


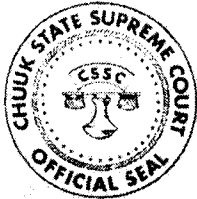
Camillo Noket, Chief Justice
Chuuk State Supreme Court

Entered this 8th day of January, 2008.

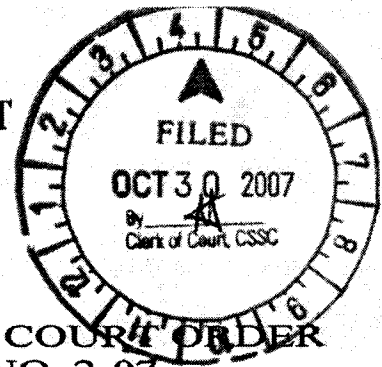


Clerk of Court





CHUUK STATE SUPREME COURT
Federated States of Micronesia
TRIAL DIVISION - WENO, CHUUK



IN THE MATTER OF)
PREVENTING PERSONS)
SUBJECT TO RELEASE)
ORDERS FROM)
DEPARTING CHUUK)

GENERAL COURT ORDER
NO. 2-07

Persons who have been charged with a crime and are placed in custody may, by order of the court, be released from custody with conditions subject to modification only by another order of the court. Release orders typically impose conditions upon the person's release from custody including prohibiting the person subject to the order from departing Chuuk without authorization by the court.

To prevent a pattern of persons departing the State of Chuuk in violation of the conditions of their release from custody, the court has determined that it is in the best interest of the public welfare that additional effort be made to prevent their departure.

Therefore, IT IS ORDERED:

The court probation officer is responsible for providing to the Office of Immigration in Chuuk and to all entities providing transportation to destinations outside of Chuuk, all court orders imposing conditions of a person's release from custody and restricting the person's travel from Chuuk.



CHUUK STATE SUPREME COURT
Federated States of Micronesia
TRIAL DIVISION - WENO, CHUUK

IN THE MATTER OF FINES, COURT'S) GENERAL COURT ORDER
FEES AND MISCELLANEOUS SERVICES) NO. 01-2007 Amendment No. 1
_____))
_____)

General Court Order No. 01-2007 issued by this court on February 13, 2007 is hereby amended to include Item 5 under Section C below for the purpose of issuance of certified pre-printed certificates of birth and Item 5 under Section D below for the purpose of mailing and servicing costs for off-island certified pre-printed certificates of birth, as follows:

Fines, Court's Fees and Cost for Miscellaneous Services are hereby established for the Chuuk State Supreme Court, and disposed of in accordance with the Judiciary Act of 1990, CSL No. 190-08.

Section A. Fines

1. Fines imposed by the court in variable amounts. Traffic violations, etc.

Section B. Filing Fees

- | | |
|---|---------|
| 1. Filing fees (Real property) | \$15.00 |
| 2. Filing fees Civil Cases (Other than Real property)
Claim less than \$50,000.00) | \$10.00 |
| 3. Filing fees Civil Cases for Claim \$50,000.00 or more | \$25.00 |
| 4. Filing fees for Petition Cases | \$5.00 |
| 5. Filing fees for Probate Cases | \$5.00 |
| 6. Filing fees for Small Claim Cases | \$2.50 |
| 7. Filing fees for Intervener Cases | \$5.00 |

- | | | |
|----|---|---------|
| 8. | Filing fees for Land Commission Appeal / Referral Cases | \$10.00 |
| 9. | Filing fees for all other Appeal Cases | \$25.00 |

Section C. Other Fees of Non Litigation Matters

- | | | |
|----|--|---------|
| 1. | Fees for Civil Marriage Performance | \$25.00 |
| 2. | Fees for Bar Admission | \$25.00 |
| 3. | Fees for Registration and filing of Birth Certificate | \$1.50 |
| 4. | Fees for Registration and filing of Death Certificate | \$1.50 |
| 5. | Fees for Issuance of Certified Birth Certificate
(Pre-Printed Form) | \$2.50 |

Section D. Costs for Other Miscellaneous Services

- | | | |
|----|---|--------|
| 1. | Duplicating Court Documents, w/o certification (each) | \$1.50 |
| | Duplicating & Certifying Court Documents (each) | \$2.50 |
| 2. | Duplicating Birth Certificate, w/o certification (each) | \$1.00 |
| | Duplicating & Certifying Birth Certificate (each) | \$2.50 |
| 3. | Duplicating Death Certificate, w/o certification (each) | \$1.00 |
| | Duplicating & Certifying Death Certificate (each) | \$2.50 |
| 4. | Duplicating Marriage Certificate, w/o certification (each) | \$1.00 |
| | Duplicating & Certifying Marriage Certificate (each) | \$2.50 |
| 5. | Mailing and Servicing of off-island Certified Birth Certificate | \$2.50 |

Section E. Payment

a) Any employee of the Clerk's Office who receives funds from fines, fees and from other Miscellaneous Services MUST issue a receipt and fill out the "Daily Funds Received Log" immediately upon receiving the money. The "Daily Funds Received Log" pre-printed form is attached hereto and is incorporated herewith as part of this order. The form includes a column for each of the following:

1. Date
2. Receipt Number
2. The name of the person from whom the money is received
3. The purpose of the payment (ie. Fines for traffic violation, Birth certificates, etc.), and
4. The initial of the Clerk receiving the funds,
5. And all the amount received


b) Payment received by the court for fines and fees provided under Sections A, B and C above, shall at the end of every work day along with a copy of the log are to be turned over to the Court's Director of Administration for deposit in the Chuuk State General Fund through the Chuuk State Chief of the Division of Treasury, or his authorized representative at the end of every month after review and approval of the Chief Justice.

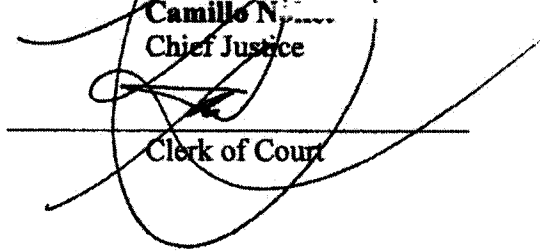
c) All payments received by the court for Other Miscellaneous Services under Section D above, shall, at the end of each work day along with a copy of the log be turned over to the Office of the Chief Justice and placed in a petty cash fund to be used by the court for replenishing and supplementing necessary and immediate needed office supplies and for other administrative costs. Such petty cash funds shall only be disbursed by payment voucher request submitted by the Court Director of Administration and approved by the Chief Justice from time to time. At no time, the petty cash fund be in excess of \$500.00. Any excess amount shall be deposited into the Chuuk State General Fund, through the Chief of the Chuuk State Treasury, or his authorized representative.

This amended order shall take effect immediately and shall remain in effect unless further amended by later order or statute.


IT IS SO ORDERED this 18th day of April, 2007.

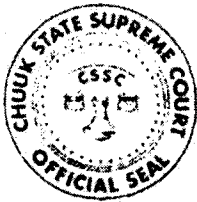
ENTERED this 8 day of April, 2007.



Camillo N. [unclear]
Chief Justice


Clerk of Court

FILED
APR 18 2007
By 
Clerk of Court
Clerk, CSSC



CHUUK STATE SUPREME COURT
Federated States of Micronesia
TRIAL DIVISION - WENO, CHUUK

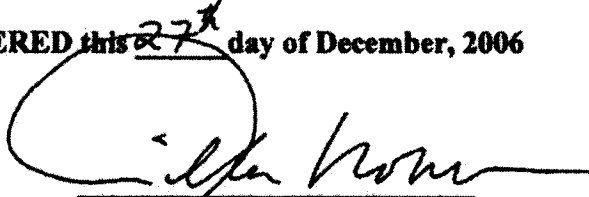
IN THE MATTER OF)
ASSIGNMENT OF CRIMINAL)
AND TRAFFIC CASES)
_____)

**GENERAL
COURT ORDER NO. 02-06**

In order to improve handling of criminal cases, and after consultation with all the associate justices of this court, ALL justices of this court are hereby assigned to receive and dispose of criminal and traffic cases on an assigned weekly basis. The assignment includes handling of criminal initial appearances during the weekends (Saturdays, Sundays and Holidays) on standby basis. This means that the court will be opened every day, including Saturdays, Sundays and on Holidays for purposes of handling of criminal initial appearances to include release of arrestees on bail, etc.

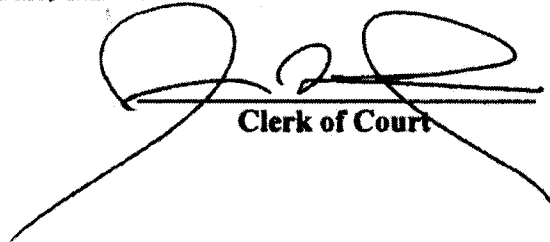
This Order shall take effect beginning on January 1, 2006 until it is amended by this Court or by statute.

IT IS SO ORDERED this 27th day of December, 2006

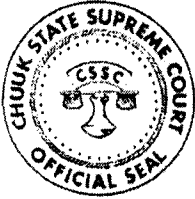


Camillo Noket
Chief Justice

Entered this 27th day of December, 2006.



Clerk of Court



CHUUK STATE SUPREME COURT
Federated States of Micronesia
TRIAL DIVISION - WENO, CHUUK

*Acting Chief Clerk
of Court*

**IN THE MATTER OF FINES, COURT'S) GENERAL COURT ORDER
FEES AND COSTS OF) NO. 01-2007
ADMINISTRATIVE SERVICES)**

General Court Order No. 1-93 issued by this court on May 17, 2003 is hereby repealed in its entirety and replaced with the following:

Fines, Court's Fees and Cost for Miscellaneous Services are hereby established for the Chuuk State Supreme Court, and disposed of in accordance with the Judiciary Act of 1990, CSL No. 190-08.

Section A. Fines

1. Fines imposed by the court in variable amounts. Traffic violations, etc.

Section B. Filing Fees

- | | | |
|----|--|---------|
| 1. | Filing fees (Real property) | \$15.00 |
| 2. | Filing fees Civil Cases (Other than Real property)
Claim less than \$50,000.00) | \$10.00 |
| 3. | Filing fees Civil Cases for Claim \$50,000.00 or more | \$25.00 |
| 4. | Filing fees for Petition Cases | \$5.00 |
| 5. | Filing fees for Probate Cases | \$5.00 |
| 6. | Filing fees for Small Claim Cases | \$2.50 |
| 7. | Filing fees for Intervener Cases | \$5.00 |
| 8. | Filing fees for Land Commission Appeal / Referral Cases | \$10.00 |
| 9. | Filing fees for all other Appeal Cases | \$25.00 |

Section C. Other Fees of Non Litigation Matters

1. Fees for Civil Marriage Performance \$25.00

2.	Fees for Bar Admission	\$25.00
3.	Fees for Registration and filing of Birth Certificate	\$1.50
4.	Fees for Registration and filing of Death Certificate	\$1.50
5.	Fees for Registration and filing of Marriage Certificate	\$1.50

Section D. Costs for Other Miscellaneous Services

1.	Duplicating Court Documents, w/o certification (each)	\$1.50
	Duplicating & Certifying Court Documents (each)	\$2.50
2.	Duplicating Birth Certificate, w/o certification (each)	\$1.00
	Duplicating & Certifying Birth Certificate (each)	\$2.50
3.	Duplicating Death Certificate, w/o certification (each)	\$1.00
	Duplicating & Certifying Death Certificate (each)	\$2.50
4.	Duplicating Marriage Certificate, w/o certification (each)	\$1.00
	Duplicating & Certifying Marriage Certificate (each)	\$2.50

Section E. Payment

a) Any employee of the Clerk's Office who receives funds from fines, fees and from other Miscellaneous Services MUST issue a receipt and fill out the "Daily Funds Received Log" immediately upon receiving the money. The "Daily Funds Received Log" pre-printed form is attached hereto and is incorporated herewith as part of this order. The form includes a column for each of the following:

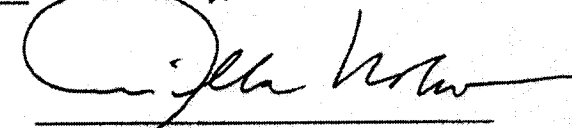
1. Date
2. Receipt Number
2. The name of the person from whom the money is received
3. The purpose of the payment (ie. Fines for traffic violation, Birth certificates, etc.) and
4. The initial of the Clerk receiving the funds,
5. And all the amount received

b) Payment received by the court for fines and fees provided under Sections A, B and C above, shall at the end of every work day along with a copy of the log are to be turned over to the Court's Director of Administration for deposit in the Chuuk State General Fund through the Chuuk State Chief of the Division of Treasury, or his authorized representative at the end of every month after review and approval of the Chief Justice.

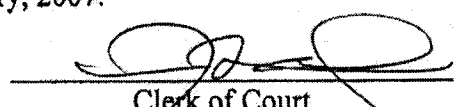
c) All payments received by the court for Other Miscellaneous Services under Section D above, shall, at the end of each work day along with a copy of the log be turned over to the Office of the Chief Justice and placed in a petty cash fund to be used by the court for replenishing and supplementing necessary and immediate needed office supplies and for other administrative costs. Such petty cash funds shall only be disbursed by payment voucher request submitted by the Court Director of Administration and approved by the Chief Justice from time to time. At no time, the petty cash fund be in excess of \$500.00. Any excess amount shall be deposited into the Chuuk State General Fund, through the Chief of the Chuuk State Treasury, or his authorized representative.

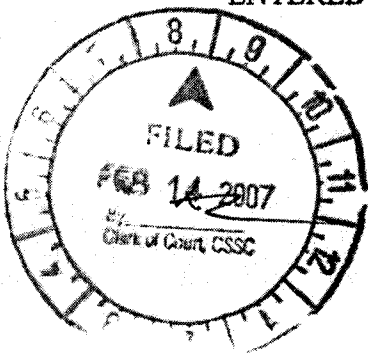
This order shall take effect immediately and remain in effect unless amended by later order or statute.

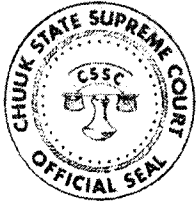
IT IS SO ORDERED this 13th day of February, 2007.


Camillo Noket
Chief Justice

ENTERED this 14 day of February, 2007.


Clerk of Court





CHUUK STATE SUPREME COURT
Federated States of Micronesia
TRIAL DIVISION - WENO, CHUUK

IN THE MATTER OF COMPLIANCE) GENERAL COURT ORDER
OF COURT'S RULES OF PROCEDURE) No. 01-06
RULES 5 (c))
_____)

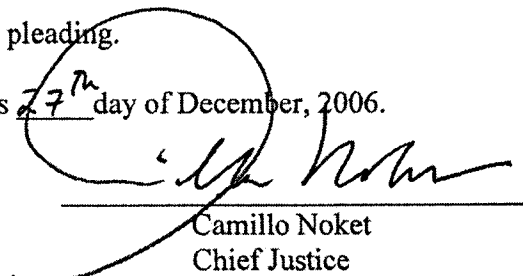
It has been common knowledge that all documents filed with this court, including complaints were not filed in duplicate and all pleadings filed after the complaint were not accompanied by certification of service filed with the clerk of court. This is in violation of Chuuk State Supreme Court Rules of Procedure, Rule 5 (c).

Rule 5 (c) requires all papers after the complaint be served upon a party with the court, and filed in duplicate either before service or within a reasonable time thereafter and shall be accompanied by certification of service upon all parties.

THEREFORE, IT IS HEREBY ORDERED THAT:

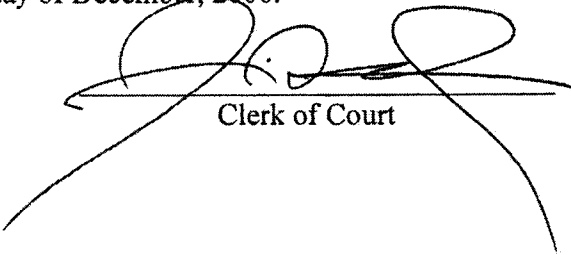
- (a) All papers filed with the Court shall be in duplicate. Any papers filed not in duplicate shall not be accepted by the Clerk of Court for filing.
- (b) All papers after the complaint shall not be accepted for filing by the Clerk of Court if not accompanied by certification of service upon all parties at the time of filing of such pleading.

IT IS SO ORDERED this 27th day of December, 2006.

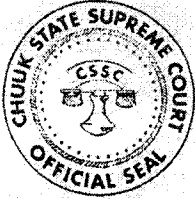


Camillo Noket
Chief Justice

ENTERED this 27th day of December, 2006.



Clerk of Court



CHUUK STATE SUPREME COURT
Federated States of Micronesia
TRIAL DIVISION - WENO, CHUUK

THE CHUUK STATE SUPREME COURT
AMENDED GENERAL COURT ORDER NO. 1-2005

TRANSCRIPT FEES

The Court wishes to extend all reasonable assistance to counsel and parties in preparing accurate transcripts of court proceedings and depositions in timely fashion.

Therefore, pursuant to the rulemaking authority granted to the Chief Justice, under Article V. Section 8 of the Truk State Charter of the Truk State and by the Judiciary Act of 1982, Public Law No. 5-32, the following rules concerning preparing of transcripts are adopted:

1. To assist in the development of an efficient system of justice in the State of Truk, the Court will attempt to work with counsel and parties to make Court staff to serve as reporters, and court recording equipment, available for the recording of depositions and the preparation of transcripts for litigation occurring in a forum other than the State Court.

2. For proceedings other than formal court proceedings before this Court, the Court staff person must take leave from this Court and must receive payment from

the litigants for appearance and attendance at the deposition or other testimonial proceedings. The amount payable to the reporter for each day of **appearance** at such a proceedings shall be **\$15.00** with an additional payment of **\$5.00 per hour for attendance** during the taking of the testimony. The reporter shall also be reimbursed by the litigants for any expenses incurred in attending the proceedings.

3. Payments for preparation of transcripts shall be made to the reporter directly and not to the Court. The amounts payable shall be \$3.00 per transcript page (an original and two copies will be prepared; the original will be filed with the Court, under seal in the case of a deposition transcript, and the two copies will be provided to requesting counsel) with the following exceptions:

a. **In Forma Pauperis Proceedings** - Where the indigent party is represented by the Office of the Public Defender or by Micronesian Legal Services Corporation in In forma pauperis proceedings, the transcript fee shall be reduced to \$2.00 per page, payable to the public agency rendering legal representation, and not by the defendant personally.

b. **Accelerated preparation** - Normal transcript preparation time shall be 30 days from the date of

request. If delivery is requested and made on an accelerated basis (that is, more rapid production than 30 days) the transcript fees shall be increased by 50 percent.

c. Double request of the same transcript -

Where there is a request of the same transcript for the second time by the other party, the transcript fee shall be \$2.50 per page payable by the agency rendering legal representation of the party.

4. At the time of request of transcript, an estimated of the number of pages and of the transcript cost shall be jointly by the requesting party and the reporter, and payment of 50 percent of the estimated amount shall be made. The day of such payment shall be deemed to be the date of request of Delivery of the completed transcript shall be made against payment of the balance of the transcript fee.

SO ORDERED this 1th day of September, 2005



MACHINE O' SONIS
Acting Chief Justice

ENTERED this 1th day of September, 2005



Clerk of Court

CHUUK STATE SUPREME COURT
Federated States of Micronesia

IN THE MATTER OF THE
AMENDMENT OF CHUUK BAR
RULE 13 (a) & (b)

General Court Order
3-96

Pursuant to Article VII, Section 13 of the Chuuk State Constitution, Rule 13(a)&(b) of the Chuuk State Bar Rule are hereby amended to read as follows (*italics* new text; [brackets deleted text]):

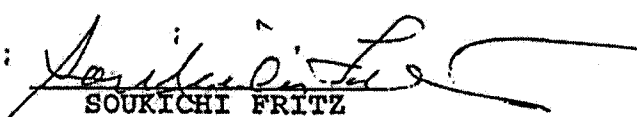
Rule 13. [Code of] Professional Responsibility.

(a) Observance Required. Every member of the State Bar shall conduct himself or herself in a manner consistent with the [Code of Professional Responsibility] *Model Rules of Professional Conduct* as promulgated by the American Bar Association.

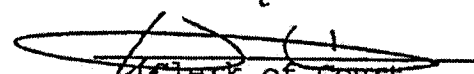
(b) Discipline or Disbarment. A member of the State Bar shall be subject to discipline or disbarment by the Court for violation of the [Code of Professional Responsibility] *Model Rules of Professional Conduct*.

This amendment shall be effective immediately.

IT IS SO ORDERED this 5th day of March, 1996.


SOUKICHI FRITZ
Chief Justice

ENTERED this 6th day of March, 1996.


Clerk of Court

Note: 1997 Bar
Rules confused
the issue again

1997 155 volume
of Bar Rules
mistakenly
referred to
"Code"

IN THE
CHUUK STATE SUPREME COURT
Federated States of Micronesia

IN THE MATTER OF THE AMENDMENT
OF RULE 3(E) OF THE CHUUK STATE
SUPREME COURT RULES OF APPELLATE
PROCEDURE

Pursuant to Article VII, Section 13 of the Chuuk State Constitution, and based upon the fact that Article VII, Section 5(b) mandates that only one Justice from this court may hear or decide an appeal requiring the Appellate Division to appoint Temporary Justices from outside Chuuk who are not fluent in the Chuukese language, Rule 3(e) will be amended by deleting the language inclosed in [] and adding the language in *italics* to read as follows:

Rule 3. ...

(e) PAYMENT OF FEES.

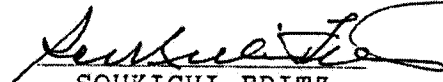
(1) Upon the filing of any separate or joint notice of appeal, the appellant shall pay to the clerk of the court [appealed from] such fees as may be established by statute of by court rule.

(2) *If the original papers, exhibits and transcripts that constitute the record on appeal as defined in Rule 10(a) of these rules are written in the Chuukese language, the appellant will upon the filing of the notice of appeal tender to the clerk of court a translation fee of \$2.50 per page for each page in the record on appeal.*

//

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SO AMENDED this 4th day of September, 1998.



SOUKICHI FRITZ
Chief Justice

IN THE
CHUUK STATE SUPREME COURT
Federated States of Micronesia

IN THE MATTER OF THE AMENDMENT
CHUUK STATE SUPREME COURT
RULES OF APPELLATE PROCEDURE
BY ADDING RULE 47


Pursuant to Article VII, Section 13 of the Chuuk State Constitution, and based upon the fact that Article VII, Section 5(b) mandates that only one Justice from this court may hear or decide an appeal requiring the Appellate Division to appoint Temporary Justices from outside Chuuk who are not fluent in the Chuukese language, Rule 47 previously reserved will be added and shall read as follows:

Rule 47. All Papers must be Written in the English Language

(a) Any and all papers filed in the Appellate Division including Notice of Appeal, Designation of Record, Motions and Briefs of the parties shall be written in the English language.

(b) In the event that an attorney or trial counsellor admitted to practice before the Appellate Division is not sufficiently fluent in the English language to comply with subsection (a) of this Rule the attorney or trial counsellor will be allowed to file his papers or pleadings in the Chuukese language provided he first tender to the Clerk of the Court the sum of \$2.50 for each page of the pleadings or papers filed as a translation fee.

SO AMENDED this 4th day of September, 1995.


SOUKICHI FRITZ
Chief Justice

K

IN THE
CHUUK STATE SUPREME COURT
Federated States of Micronesia

IN THE MATTER OF THE
ASSIGNMENT OF CASES

GCO 3-94

In the interest of insuring orderly assignment of cases, to minimize conflicting orders and confusion, especially those cases that require emergency review in either the Trial Division or the Appellate Division and pursuant to Article VII, § 13 of the Chuuk State Constitution the Court hereby makes the following General Court Order concerning the assignment of cases:

1. All cases filed in either the Trial Division or the Appellate Division must be first assigned to a Trial Division Justice or an Appellate Division Justice by the Chief Justice or the Acting Chief Justice before any action or order may be entered or filed by the Clerk of Court in either Division.

2. The Clerk of Court or any assistant Clerk of either Division will first ^{determine} ascertain if a case in either Division has been assigned by the Chief Justice or Acting Chief Justice before any order of any type may be entered or filed. The following specific procedures will be adhered to in the indicated class of cases.

A. TRIAL DIVISION CASES.

(1) ~~CASES NOT REQUIRING EMERGENCY ACTION BY THE COURT~~

(a) All routine cases filed will be assigned an appropriate case number in accordance with established procedures.

(b) At the end of each working day the Clerk of Court will compile a list of all routine cases filed that

day, and will deliver the list and case files to the Chief Justice or Acting Chief Justice for assignment at the beginning of the following day. If the following day falls on a non-working day the Clerk will deliver the list and files on next working day).

(c) The Chief Justice or Acting Chief Justice will assign the cases and return the list and files with assignments noted.

(d) The Clerk of the Court will note in the Docket the assignment made.

(2) CASES THAT REQUIRE EMERGENCY OR SPECIAL REVIEW

(a) All cases that require emergency or special action such as requests for Temporary Restraining Orders or other order of the same nature shall be first filed in accordance with 1(a) above.

(b) Once filed the Clerk or Assistant Clerk shall hand carry the case file to the Chief Justice or Acting Chief Justice and inform him of the need for emergency review and assignment.

(c) Once assigned the Chief Justice or Acting Chief Justice will inform the Clerk of the assignment and the Clerk will inform the Justice to whom the case has been assigned and deliver the case file to the chambers of that Justice. The Clerk will inform the parties of the assignment and note the assignment in docket.

(d) In the event a case of this class has been filed on a non-working day, the Clerk who has filed the case will contact the Chief Justice or Acting Chief Justice by radio phone and inform him of the filing, the parties involved and the nature of the case and the need for an assignment of a case. The Chief Justice or Acting Chief Justice after assigning the case will inform the Clerk and the Clerk will follow the procedure setforth in 2(c).

B. APPELLATE DIVISION CASES

(1) In all cases filed in the Appellate Division, the Clerk or Assistant Clerk of the Appellate Division shall first assign the case an appellate number as appropriate and shall note the name of the presiding justice in the Trial Division.

(2) If the presiding justice in the Trial Division was not the Chief Justice or Acting Chief Justice then the Clerk will deliver the appellate file to the Chief Justice or Acting Chief Justice for assignment, who will make the assignment and notify the Clerk, who will note the assignment in the appellate docket.

(3) If the presiding justice in the Trial Division was the Chief Justice or Acting Chief Justice the Clerk shall deliver the file for assignment to the Justice who is next in seniority by length of service.


(4) In no case shall the same Justice who presided at in

matter at the Trial Division level be given the appellate case file for assignment.

(5) If emergency review for purposes of a Stay or other such matters exists at the time of the filing of the appellate case the Clerk shall so inform the assigning Justice at the time the file is delivered. Once the assignment has been made the Clerk shall follow the procedures setforth in A(2)(c).

(6) If the appellate case requiring emergency action is filed on a non-working day the Clerk shall follow the procedures in A(2)(d).

EFFECTIVE this 2nd day of August, 1994.



SOUKICHI FRITZ
Chief Justice



CHUUK STATE SUPREME COURT
Federated States of Micronesia
TRIAL DIVISION - WENO, CHUUK

May 17, 1993

Memorandum

To : The General Public
Thru : Acting Chief Justice, Chuuk State Court 
From : Administrative Director, CSSC
Subject: General Court Order No. 1-93

Acting Chief Justice Marar of the Chuuk State Supreme Court has on May 17, 1993, signed General Court Order No. 1-93, setting forth a new schedule for court fees for the Chuuk State Supreme Court, and providing a specific period for transmitting such fees to the Director of Finance.

The Order takes effect at the time it was signed.

Thank you.


Isauo Kuena

xc: Governor, Chuuk State Government
President, Chuuk State Legislature
Speaker, Chuuk State Legislature
FSM Congress
Micronesian Legal Services Corporation
FSM Public Defender, Chuuk State
Attorney General, Chuuk
Trial Assistants

IN THE
CHUUK STATE SUPREME COURT
Federated States of Micronesia

GENERAL COURT ORDER

2-94

IN THE MATTER OF THE
APPOINTMENT OF SPECIAL
TRIAL DIVISION JUSTICE

There are procedures and requirements for the appointment of Temporary Justices for the Appellate Division and for the Trial Division in cases when a Justice of this Court has been declared temporarily disabled. But, neither the Chuuk State Constitution nor the Judiciary Act make any provision for the appointment of a Special Justice to hear an individual case in the Trial Division when the majority of the Justices of this Court have been disqualified or have recused themselves from hearing a matter.


Therefore, pursuant to Article VII, § 13 of the Chuuk State Constitution the Court hereby makes the following General Court Order concerning the appointment of a Special Justice.

In those situations that the majority of the Justices of this Court have either been disqualified or have recused themselves or there is a need to have a Special Justice from outside the Court to hear a case to avoid the appearance of impropriety, the Chief Justice or an Associate Justice authorized to act on behalf of the Chief Justice may appoint a Special Justice and assign such a case to him for the purpose of hearing that case only. Any individual appointed as a Special Justice must meet the same requirement set forth for the appointment of a Temporary Justice of the Appellate Division. Further the appointment of a Special Justice shall be

for the purpose and duration of hearing only the individual case designated in the appointment, although the same individual may be appointed to a different case if the need arises.

This Order shall remain in effect until the legislature enacts statutory procedures and requirements that control the situation covered by this Order.

EFFECTIVE this 17th day of May, 1994.


SOUKICHI FRITZ
Chief Justice



CHUUK STATE SUPREME COURT
Federated States of Micronesia
TRIAL DIVISION - WENO, CHUUK

GENERAL COURT ORDER NO. 1-93

Effective immediately and until superceded by statute and or General Court Order, the following Court Fees for Court process and miscellaneous services have been established for the Chuuk State Supreme Court:

1. Trial fees (Real property) . . . . .	.\$15.00
2. Petition Cases . . . . .	.\$5.00
3. Probate Cases . . . . .	.\$5.00
4. Small Claim Cases . . . . .	.\$2.50
5. Civil Cases . . . . .	.\$10.00
6. Civil Cases claim worth \$50,000.00 and up . . . . .	.\$25.00
7. Appeal Cases . . . . .	.\$25.00
8. Land Commission Appeal Cases & Referral . . . . .	.\$10.00
9. Court Documents Copy (each). . . . .	.\$2.50
10. Certifications . . . . .	.\$5.00
11. Birth Certificates Certifications . . . . .	.\$5.00
12. Intervenors fee . . . . .	.\$5.00
13. Tenders fee . . . . .	.\$25.00

It is further ordered that the Adminstative Director of the Chuuk State Supreme Court, shall at the end of each month transmit to the State



CHUUK STATE SUPREME COURT
Federated States of Micronesia
TRIAL DIVISION - WENO, CHUUK

GENERAL COURT ORDER NO. 1-93

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1.	Trial Fees (Real Property)	\$15.00
2.	Petition Cases	5.00
3.	Probate Cases	5.00
4.	Small Claim Cases	2.50
5.	Civil Cases	10.00
6.	Civil Cases Involved money claim worth \$50,000.00 and up	25.00
7.	Appeal Cases	25.00
8.	Land Commission Appeal Cases & Referral	10.00
9.	Court Documents Copy (each)	2.50
10.	Certifications	5.00
11.	Birth Certificates Certifications	5.00
12.	Intervenors Fees	5.00
13.	Tenders Fee	25.00

It is further ordered that the Administrative Director of the Chuuk State Supreme Court, shall at the end of each month transmit to the State Director of Treasury fees collected in the State Supreme Court for deposit in the General Fund of the State.


So ordered this 17th day of May, 1993



Keske S. Marar
Acting Chief Justice

Director of Treasury fees collected in the State Supreme Court for
deposit in the General Fund of the State.

SO ORDERED this 17th day of May, 1993.



KESKE S. MAHAR
Acting Chief Justice

CHUUK STATE SUPREME COURT
FEDERATED STATES OF MICRONESIA

GENERAL ORDER NO. 1992-1

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The Rules of the Truk State Court, adopted prior to the effective date of the Chuuk State Constitution, including without limitation the Rules of Civil Procedure, Criminal Procedure, Appellate Procedure, Evidence, and Rules for Admission to Practice, have been and shall hereafter continue to be, in full force and effect, until and as amended from time to time. All actions brought and prosecuted in the Chuuk State Supreme Court shall be subject to and governed by said Rules.

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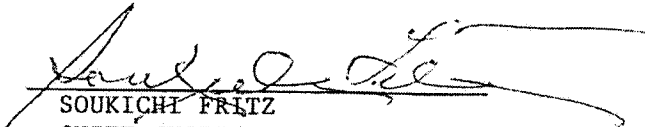
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Dated:

January 17, 1992


SOUKICHI FRITZ
CHIEF JUSTICE, CHUUK STATE

THE TRUK STATE COURT
AMENDED GENERAL COURT ORDER NO. 2-84

TRANSCRIPT FEES

The Court wishes to extend all reasonable assistance to counsel and parties in preparing accurate transcripts of court proceedings and depositions in timely fashion.

Therefore, pursuant to the rulemaking authority granted to the Chief Justice, under Article V. Section 8 of the Truk State Charter of the Truk State and by the Judiciary Act of 1982, Public Law No. 5-32, the following rules concerning preparing of transcripts are adopted:

1. To assist in the development of an efficient system of justice in the State of Truk, the Court will attempt to work with counsel and parties to make Court staff to serve as reporters, and court recording equipment, available for the recording of depositions and the preparation of transcripts for litigation occurring in a forum other than the State Court.

2. For proceedings other than formal court proceedings before this Court, the Court staff person must take leave from this Court and must receive payment from the litigants for appearance and attendance at the deposition or other testimonial proceedings. The amount payable to the reporter for each day of appearance at such a proceedings shall be \$10.00 with an additional payment of \$3.00 per hour for attendance during the taking of the testimony. The reporter shall also be reimbursed by the litigants for any expenses incurred in at-

tending the proceedings.

3. Payments for preparation of transcripts shall be made to the reporter directly and not to the Court. The amounts payable shall be \$2.50 per transcript page (an original and two copies will be prepared; the original will be filed with the Court, under seal in the case of a deposition transcript, and the two copies will be provided to requesting counsel) with the following exceptions:

a. In forma pauperis proceedings - Where the indigent party is represented by the Office of the Public Defender or by Micronesian Legal Services Corporation in in forma pauperis proceedings, the transcript fee shall be reduced to \$1.25 per page, payable by the public agency rendering legal representation, and not by the defendant personally.

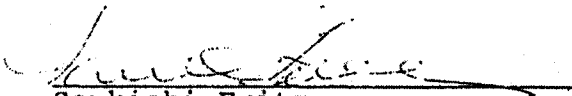
b. Accelerated preparation - Normal transcript preparation time shall be 30 days from the date of request. If delivery is requested and made on an accelerated basis (that is, more rapid production than 30 days) the transcript fees shall be increased by 50 percent.

c. Double request of the same transcript.. Where there is a request of the same transcript for the second time by the other party, the transcript fee shall be \$2.00 per page payable by the agency rendering legal representation of the party.

4. At the time of request of transcript, an estimate of the number of pages and of the transcript cost shall be

jointly by the requesting party and the reporter, and payment of 50 percent of that estimated amount shall be made. The day of such payment shall be deemed to be the date of request of Delivery of the completed transcript shall be made against payment of the balance of the transcript fee.

SO ORDERED this 2nd day of June, 1985.


Soukichi Fritz
Chief Justice
Truk State Court

THE TRUK STATE COURT
GENERAL COURT ORDER NO. 2-84

TRANSCRIPT FEES

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2. For proceedings other than formal court proceedings before this Court, the Court staff person must take leave from this Court and must receive payment from the litigants for appearance and attendance at the deposition or other testimonial proceedings. The amount payable to the reporter for each day of appearance at such a proceeding shall be \$10.00 with an additional payment of \$3.00 per hour for attendance during the taking of the testimony. The reporter shall also be reimbursed by the litigants for any expenses incurred in at-

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4. At the time of request of transcript, an estimate of the number of pages and of the transcript cost shall be made jointly by the requesting party and the reporter, and payment of 50 percent of that estimated amount shall be made. The day of such payment shall be deemed to be the date of request of Delivery of the completed transcript shall be made against payment of the balance of the transcript fee.

So ordered this 16th day of July, 1984.


Soukichi Fritz
Chief Justice

TRUK STATE COURT
OF THE
STATE OF TRUK

General Order No. 1

The Truk State Court and the Municipal Court of the ^{Truk states the} Federated States of Micronesia will begin their operation on May 7, 1984.

The Truk State Court and the Municipal Courts will accept cases for filing and will proceed in all respects to carry out their responsibilities and mandate under the Truk State Charter, Truk State Judiciary Act and all other applicable laws.

1. The Court rules have been reviewed and commented by certain interested personnel, and these rules ~~were~~ are effective on the certification day of the Truk State Court.

Filing of Papers and Pleadings

Papers and pleadings for the State Court may be filed with the Clerk of Courts and the Assistant Clerk of Courts in the Courthouse on Moen Island in Truk State.

Pleadings and other papers shall be filed with the court in duplicate copies. All pleadings and papers should be filed on letter-size paper 8½ x 11 inches, double space, and preferably type-written. Pleadings or other papers in hand-written form will also be accepted for filing until further notice.

Office Hours

Filing of pleadings and other papers shall be made during the regular business hours that the Clerks normally conduct court business daily, except Saturday, Sunday and legal holidays.

Receipt, Numbering and custody of Papers

Immediately upon receipt of any paper properly tendering for filing, the Clerk of Courts or an Assistant Clerk of Courts shall mark the original and duplicate copies to record the date of filing, and assign a case number and