



THE JUDICIARY OF THE REPUBLIC OF THE MARSHALL ISLANDS

2016 ANNUAL REPORT

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HIGH COURT
of the
Republic of the Marshall Islands

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Iakwe, I am pleased to present the 2016 Annual Report for the Judiciary of the Republic of the Marshall Islands. As in past years, this report reflects the dedication and hard work of the judges and staff who serve the Judiciary, the Government, and the people of the Marshall Islands. It is my pleasure and a privilege to work with them.

On behalf of the Judiciary, I wish to express our sincere appreciation to the President, the Minister of Justice, and the other members of the Cabinet for their support in 2016. Also, I wish to express our profound thanks to the Nitijela and the House of Iroij for their continuing support of our budgetary and legislative requests. We are committed to working with the Cabinet, the Nitijela, and the House of Iroij in the years to come to maintain a judiciary that is fair and efficient, assuring justice and the rule of law for all. Our shared goals mandate that we work together in a spirit of respect and cooperation.

Submitted with the 2016 Annual Report are our updated Values, Mission Statement, and Vision Statement. For more information about the Judiciary, please contact me or the Chief Clerk of the Courts at the above address.

Sincerely yours,

A handwritten signature in black ink, appearing to read "C. Ingram", is written over a horizontal line.

Carl B. Ingram
Chief Justice, High Court
Date: May 17, 2017



Our Values:

Tomak, Jenok, im Aurok Ko Ad:

The Marshall Islands Judiciary holds the following values and desires to operate in a manner that is, and will be perceived as:

Jikin Ekajet ko an Marshall Islands rej debij im jermal wot iumin tomak, aurok eo,im konan eo non air jermal ilo wawein ko renaj koman bwe armej ren kalimjeklok ra eo an Jikin Ekajet bwe ej juon eo ej einwot in:

- accessible
- accountable
- competent
- consistent
- efficient
- fair and impartial
- independent
- respectful and
- service-oriented,
- valuing custom and tradition, as well as innovation.

*ebellok non aoleb armej
etiljek, ekkeke, im maron uwak non jermal ko an
ekakemooj im emmon an komane jermal eo an
ej jokkin wot juon an komane jermal eo an
ebolemin im tiljek ilo an kakke aikuij ko
ej jermal jimwe ilo ejelok kalijeklok im jeb
ejenolok im jutaklok ian make
ewor an kautiej armej im
etiljek, jela nae, jela kunaan, im jela karejar
iben armej,
ej kaurok im kautiej manit im men ko bwinnid
im ad jolet, ekoba lomnak im wawein jermal ko
rekaal.*

These values form the basis for the Judiciary's Mission Statement and Vision.

Tomak im aurok kein rej ejaake bedbed eo non kottobar im ettonak kein ilal.

Mission Statement:

Kottobar Eo:

The mission of the courts of the Marshall Islands, the Judiciary is to fairly, efficiently, and effectively resolve disputes properly brought before them, discharging their judicial duties and responsibilities in accordance with the Constitution, laws, and customs of this unique island nation, for the benefit of those who use the courts' services.

Kottobar eo an Jikin Ekajet ko an Marshall Islands ej non jermal jimwe ilo ejelok kalijeklok, bolemen im tiljek ilo an kakke aikuij ko ilo aoleb abnono ko rej itok imair, im non komane jermal in ekajet im edro ko air ekkar non Jemen-Ei eo, kakien ko, im manit ko an ailon kein ad im jej jenelok kaki jen lal ko jet ikijien manit im men ko bwinnid im ad jolet, non emmanlok eo an ro rej bok jiban jen jikin ekajet eo.

Vision:

Ettonak Eo:

The Marshall Islands Judiciary will be an excellent small-island judiciary, deserving of public trust and confidence.

- We will be fair and impartial.
- We will treat court users and colleagues with dignity, courtesy, and respect, and we will require the same in return.
- We will provide affordable and accessible services to court users.
- We will seek to resolve matters efficiently, while maintaining quality, consistency, and certainty.
- We will be independent yet accountable, deciding matters based upon the facts before us and a conscientious understanding of the law and custom.
- We will administer the courts in accordance with internationally recognized standards for leadership, management, and accountability.
- We will seek and employ innovative practices and procedures to better serve court users, to identify users' needs, and to develop court personnel.
- We will maintain adequate and safe courthouses and a supportive work environment.

Ra eo an jikin ekajet eo an Marshall Islands enaj juon eo ebolemen, im ebed liki im kojatdrikdrik an armij ro ie.

- *Kem naj jermal jimwe ilo ejelok am kalijeklok.*
- *Kem naj kile, kautej, im karejar ippen ro rej kojermal im bukot jiban jen jikin ekajet eo, ekoba dri-jermal ro mottam, im kemij kotmene bwe kom naj ukot tok ilo ejja wawein kein wot.*

- *Kem naj komman bwe en drik wonen, bidodo, im ejelok aban non ro rej kojerbal im bok jiban jen jikin ekajet eo.*
- *Kem naj bukot kojkan bwe en mokaj, emman, im jejjjet wawein am bukot mejlan ailwaro im aikuj ko.*
- *Kem naj komman jemlok non abnono ko, ilo an ejelok kibel jen ijoko jabrewot, bedbed wot ion menin kamol ko rej walok, im jen am melele kin kien im manit.*
- *Kem naj kommani jerbal im eddro ko an court ekkar non jonak im wawein ko lal in ej kili im lori ikijen jerbal in tel, lolorjake, im bok eddro.*
- *Kem naj bukot im kojerbal wawein im rebeltan jerbal ko rekaal bwe en emman lok am kake aikuj ko an ro rej kojerbal jikin ekajet eo, im bareinwot non am kolablok kabeel ibben dri-jerbal ro ilo jikin ekajet eo.*
- *Kem naj lolorjake bwe jikin ekajet ko ren ainemmon im bolemeir, im bwe jitbon jerbal in ippen dron eo en wonmanlok wot.*

2016 REPORT OF THE JUDICIARY OF THE REPUBLIC OF THE MARSHALL ISLANDS

I. INTRODUCTION

The Republic of the Marshall Islands consists of two nearly parallel island chains of 29 atolls and five separate islands—1,225 islands in all—located about half way between Hawaii and Australia. The Republic’s land mass totals 70 square miles scattered over 750,000 square miles of the Pacific Ocean. As of July 2016, the estimated population of the Marshall Islands was approximately 53,000. However, estimates vary greatly.

The Republic of the Marshall Islands is a young nation. After more than three decades of United States administration under the United Nations Trust Territory of the Pacific Islands (TTPI), the Marshall Islands commenced constitutional government on May 1, 1979, as part of a process toward self-government. Seven and half years later, on October 21, 1986, the Marshall Islands formally regained independence through an agreement with the United States, the Compact of Free Association. The Republic is now self-governing under its own constitution.

Under the Constitution, the Marshall Islands has a Westminster-style government with a 33-member parliament called the Nitijela. At least every four years, after national elections, the Nitijela elects from its members a president, who in turn selects eight to ten other Nitijela members for his or her cabinet. The Constitution vests legislative authority in the Nitijela (the parliament) and the Imon Iroij (House of Chiefs), executive authority in the Cabinet, and judicial authority in the judiciary (“RMI Judiciary”).

Article VI, of the Constitution, provides for a judiciary “independent of the legislative and executive powers.” The RMI Judiciary comprises five levels of courts, as well as a Judicial Service Commission and court staff. The courts include the Supreme Court, the High Court, the Traditional Rights Court, the District Court, and the Community Courts. The RMI Judiciary officially commenced operation on March 3, 1982, assuming judicial functions in the Marshall Islands, which had been discharged by the High Court of the TTPI. An organizational chart of



the RMI Judiciary is attached as Appendix 1, and a listing of RMI Judiciary personnel at the end of calendar year 2016 is attached as Appendix 2.

In the sections that follow, this report summarizes the RMI Judiciary's operations and accomplishments in calendar year 2016, as well as its challenges, including the need for financial support. These sections include the following:

- Significant Events and Accomplishments;
- The Courts: Efficiency, Quality, and Accessibility;
- The Judicial Service Commission: Judicial Appointments;
- Accountability: Codes of Conduct and Complaints;
- Facilities, Technology, and the Library;
- Salaries and Compensation; and
- The Annual Budget and Audit Report.

II. SIGNIFICANT EVENTS AND ACCOMPLISHMENTS

The dedication and hard work of the judges and staff that serve the RMI Judiciary made 2016 a successful year. The most significant events and accomplishments include the following:

- Conducting our third biennial User Satisfaction Survey, and
- Installing a back-up generator for the Majuro Courthouse.

A. User Satisfaction Survey

Over two weeks from August 15 to 26, 2016, the Judiciary conducted an access and fairness survey at both the Majuro Courthouse and the Ebeye Courthouse. The Majuro Courthouse had 43 survey participants, and the Ebeye Courthouse had 18. The survey results are attached as Appendix 3.

We were pleased to learn that, as in past years, court users rate the Judiciary high on both access and fairness. For example, in response to the questionnaire prompt "I was able to get my court business done in a reasonable amount of time," 97.67% of Majuro respondents said yes. In response to the questionnaire prompt "Court staff paid attention to my needs," 97.62% of the Majuro respondents said yes. In response to the questionnaire prompt "I was treated with

courtesy and respect,” 100% of the Majuro respondents said yes. The results in Ebeye were similar.

Generally, court users gave the Judiciary high marks in timeliness, safety and security, responsiveness to information requests, respect, clear signs, fair and reasonable outcomes, equality of treatment, and clarity in delivery of services. However, the Ebeye responses indicate that the Ebeye Courthouse should be expanded and should include a waiting area for customers. Initial steps have been taken to address this issue. A blue print for a new Ebeye Courthouse (including office space for the Attorney General and Public Defender) has been provided by the Ministry of Public Works. On March 28, 2017 the Judiciary’s management team and Majuro District Court judges met with two of the Kwajalein senators to review the blue print and discuss land and funding for the project.

B. Majuro Courthouse Generator

In 2016, the Judiciary, from court fees, purchased a 100 KVA electrical generator and had a generator house built for it. The generator will permit the Judiciary to continue functioning despite frequent power outages. This in turn will enhance access to justice. When large numbers of people come in to Majuro from the other islands or the United States for land cases, any delay in the proceedings costs them money and opportunity costs.



III. THE COURTS: EFFICIENCY, QUALITY, AND ACCESSIBILITY

The goals of the RMI Judiciary include to be efficient, to produce quality decisions, and to be accessible.

- The RMI Judiciary's efficiency can be measured by annual clearance rates, time standards, the age of cleared cases, and the age of pending cases.
- The quality of decisions can be measured by appeals and cases overturned on appeal.
- Accessibility can be measured by fee waivers, lower fees for vulnerable litigants, cases heard on circuit, free legal counsel, the availability of forms, and the accessibility of courthouses.

To these ends, the 2016 Annual Report reviews all five levels of the RMI Judiciary—the Supreme Court, the High Court, the Traditional Rights Court, the District Court, and the Community Courts. The review includes the courts' jurisdiction, staffing, and case statistics, as well as continuing professional development for judges and staff.

A. Supreme Court



The Supreme Court, the court of last resort, is a superior court of record having appellate jurisdiction with final authority to adjudicate all cases and controversies properly brought before it. An appeal lies to the Supreme Court:

- (i) as of right from a final decision of the High Court in the exercise of its original jurisdiction;
- (ii) as of right from a final decision of the High Court in the exercise of its appellate jurisdiction, but only if the

case involves a substantial question of law as to the interpretation or effect of the Constitution; and

- (iii) at the discretion of the Supreme Court from any final decision of any court.

Also, the High Court may remove to the Supreme Court questions arising as to the interpretation or effect of the Constitution.

The Supreme Court consists of three justices: a chief justice and two associate justices. To date, all Supreme Court judges have been



law-trained attorneys and most have been experienced judges. The current chief justice, Daniel N. Cadra, is a United States citizen appointed to a second 10-year term effective September 2013. Generally, associate justices have been pro tem judges from other jurisdictions — the United States Ninth Circuit Court of Appeals, the United States Federal District Court in Hawaii, the Republic of Palau, the Commonwealth of the Northern Mariana Islands, and Canada. In 2016, the pro tem associate justices were two United States Federal Court judges from the Federal District Court in Hawaii: District Court Judge Michael Seabright and Magistrate Judge Barry Kurren. The Chief Clerk of the Courts, Ingrid K. Kabua, serves as the clerk of the Supreme Court.

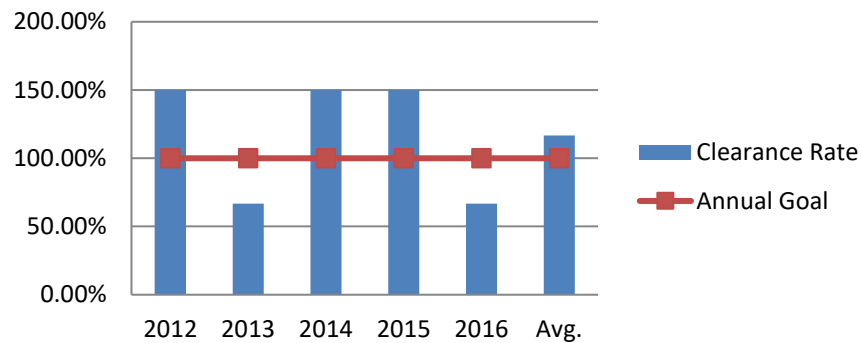
The Supreme Court’s 2016 case and workload are summarized below, including annual clearance rates, annual average age of cleared cases, and annual average age of pending cases.

At the beginning of 2016, there were four matters pending before the Supreme Court, and in 2016, another three matters were filed. In 2016, two cases were dismissed: one case, a land case, dismissed by the parties; and the other case a criminal case, dismissed upon the failure to proceed. By the end of 2016, five cases remained.

The Supreme Court’s goal is to maintain over time an annual clearance rate of 100%. As the table below shows, the Supreme Court has done this in three of the past five years. In 2016, with three cases filed and two cases cleared, the annual clearance rate was 66.67% (2/3). The five-year average clearance rate is over 100% at 116.67%. The RMI Judiciary anticipates that the Supreme Court’s annual clearance rate will continue to fluctuate around 100%, as the Supreme Court has cleared the backlog of appeal cases.

Annual Clearance Rates for Supreme Court Cases 2012-2016						
	2012	2013	2014	2015	2016	Avg.
Cases Filed	4	6	4	4	3	4.2
Cases Cleared	6	4	6	6	2	4.8
Clearance Rate	150.00%	66.67%	150.00%	150.00%	66.67%	116.67%
Annual Goal	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

Annual Clearance Rates for Supreme Court Cases 2012-2016

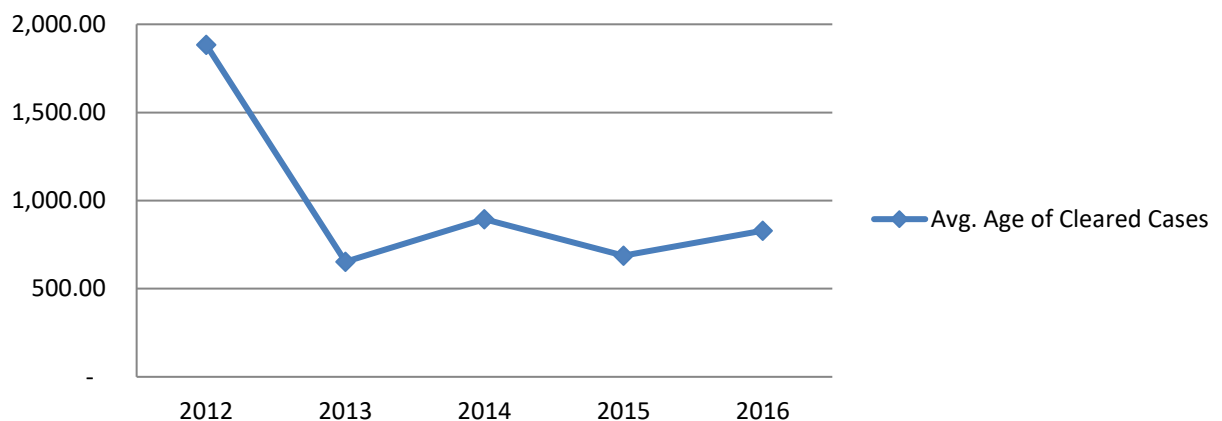


In addition to the annual clearance rate figure, the RMI Judiciary tracks the average age of cleared Supreme Court cases. The average age of the two cases cleared in 2016 was 828.50 days. The five-year trend for the average age of cleared Supreme Court cases is set forth below in the table and chart. The high age of cleared cases in 2012 is the result of efforts to clear out the backlog of old and abandoned appeals.

Average Age of Cleared Supreme Court Cases 2012-2016

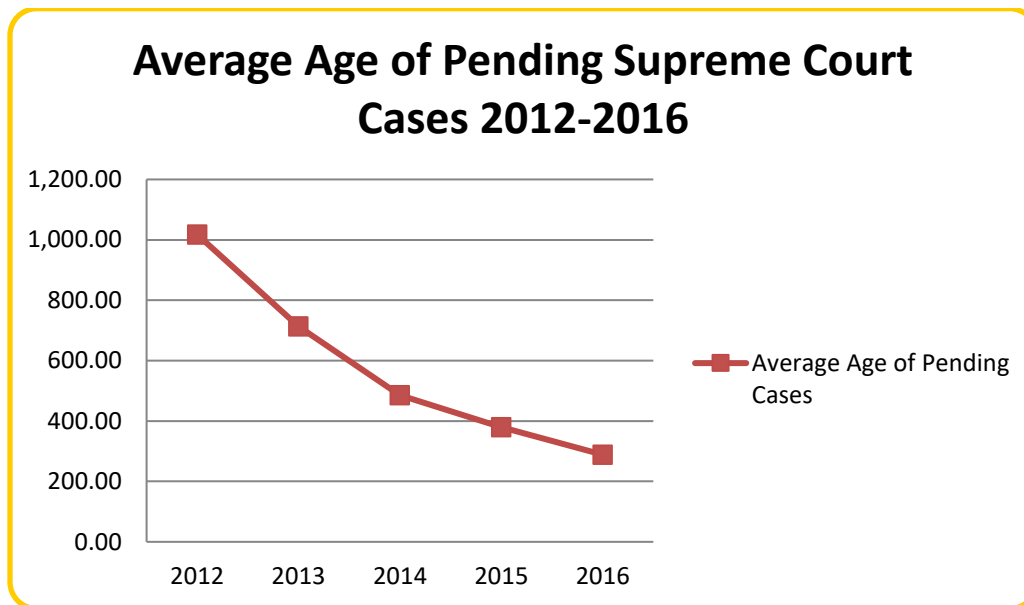
	2012	2013	2014	2015	2016	Avg.
Cases Cleared	6	4	6	6	2	4.8
Avg. Age of Cleared Cases	1,883.50	652.75	895.00	687.00	828.50	989.35

Average Age of Cleared Supreme Court Cases 2012-2016



In addition to both the clearance rate and average age of cleared cases, to track the Supreme Court's efficiency, the RMI Judiciary calculates the average age of pending cases. The average age of the five cases pending at the end of 2016 was 288.60 days. The five-year trend for the average age of pending Supreme Court cases is set forth below in the table and chart. The reduced age of pending cases, from 1,017.50 days in 2012 to 288.60 days in 2016, reflects the Supreme Court's continuing efforts to resolve pending cases quickly.

Average Age of Pending Supreme Court Cases 2012-2016					
	2012	2013	2014	2015	2016
Pending Cases	6	8	6	4	5
Average Age of Pending Cases	1,017.50	713.00	486.00	379.25	288.60



Beyond being efficient, the RMI Judiciary seeks to be accessible. With respect to the Supreme Court's accessibility, the RMI Judiciary has received no complaints.

- In none of the cases pending in 2016 did the parties seek a fee waiver or legal aid. The filing fee for appeals is only \$50, and the fee waiver was widely publicized.
- All the Supreme Court's decisions can be found on the RMI Judiciary's website, <http://rmicourts.org/>, under the heading Court Decisions and Digests.

Aside from the Supreme Court's regular docket, in 2016, Supreme Court Chief Justice Cadra, together with High Court Chief Justice Carl B. Ingram, admitted seven attorneys to the practice

of law in the Republic: three Marshallese working for the Office of the Attorney-General; one American working for the Micronesia Legal Services Corporation; and three private attorneys.

B. High Court

The High Court is the highest court at the trial level. The High Court is a superior court of record having general jurisdiction over controversies of law and fact in the Marshall Islands. The High Court has original jurisdiction over all cases properly filed with it, appellate jurisdiction over cases originally filed in subordinate courts, and, unless otherwise provided by law, jurisdiction to review the legality of any final decision of a government agency.



The High Court currently consists of a chief justice and one associate justice: in 2016, Chief Justice Carl B. Ingram and, for the last two months of 2016, Associate Justice Colin Winchester. Acting Associate Justice Plasman served part-time in 2016. All are law-trained attorneys, as have been all prior High Court judges, and all attend at least one professional development seminar or workshop each year. Chief Justice Ingram was appointed to a second ten-year term commencing in October 2013. Associate Justice Colin Winchester was appointed to a two-year term commencing in November 2016, with an option for a second two years. Although the current High Court justices are United States citizens, Chief Justice Ingram has lived and worked in the Marshall Islands since 1979.

During the 35 years the RMI Judiciary has been in operation, one Marshallese attorney has served on the High Court bench. He served for over six years attaining the position of chief justice. Although highly respected, he left to become a member of the parliament, the Nitijela, which continues to attract many of the best Marshallese attorneys.



In addition to the two justices, the High Court is served by a chief clerk of the courts, a deputy chief clerk of the courts, and three assistant clerks. The High Court's 2016 case statistics for civil cases, probate cases, criminal cases, juvenile cases, and caseloads are set forth below.

1. Civil Cases (other than Probate Cases)

The High Court's 2016 statistics for civil cases (other than probate cases) cover the following:

- the number and nature of cases filed in 2016;
- the annual clearance rates for 2016 and the past five years;
- the percentage of cases cleared within 120 days and within 24 months;
- the average age of cleared cases for 2016 and the past five years;
- the average age of pending cases for 2016 and the past five years;
- the percentage of cleared cases appealed and the percentage of cases overturned on appeal; and
- affordability and accessibility in terms of fee waiver, low fees for vulnerable parties, cases heard on circuit, legal aid, and forms.

a. Number and Nature of Cases Filed in 2016

In 2016, plaintiffs and petitioners filed 280 new civil cases (other than probate cases) in the High Court: 259 in Majuro and 21 in Ebeye. This is 20 more cases than were filed in 2015.

The 259 civil cases filed in Majuro in 2016 breakdown as follows:

- Almost 76%, 196, involved family and personal status matters (including 77 customary adoptions, 46 guardianships, 31 citizenship cases, 18 legal adoptions, 12 domestic violence cases seeking protection orders, 9 divorce/child custody and support cases, 2 name-change case, 1 removal/deportation case and no applications for a writ of *habeas corpus*);
- 38 commercial cases (collection, contract, enforcement of foreign judgments, and corporate cases);
- 14 land rights or lease cases;
- 4 admiralty/maritime cases; and
- 7 other cases (petitions for declaratory judgments, election cases, employment cases, and tort cases).

Of the 259 civil cases filed in Majuro in 2016, 223 were cleared in 2016, leaving 36 pending at the end of the year. The three largest categories of pending cases were as follows: 10 land or lease cases; 10 commercial cases; and 5 citizenship cases.

Of the 21 civil cases filed in Ebeye in 2016, 15 were customary adoptions, 3 guardianships, and 3 name-change cases. Of the 21 cases filed, 17 were cleared in 2016, leaving 4 pending at the end of the year: 3 customary adoption cases and 1 guardianship case.

The High Court tracks the gender of plaintiffs and defendants. However, other than confirming that almost all child support cases and protection order cases are filed by women against men, the case numbers disaggregated by gender do not reveal any particular pattern or trend.

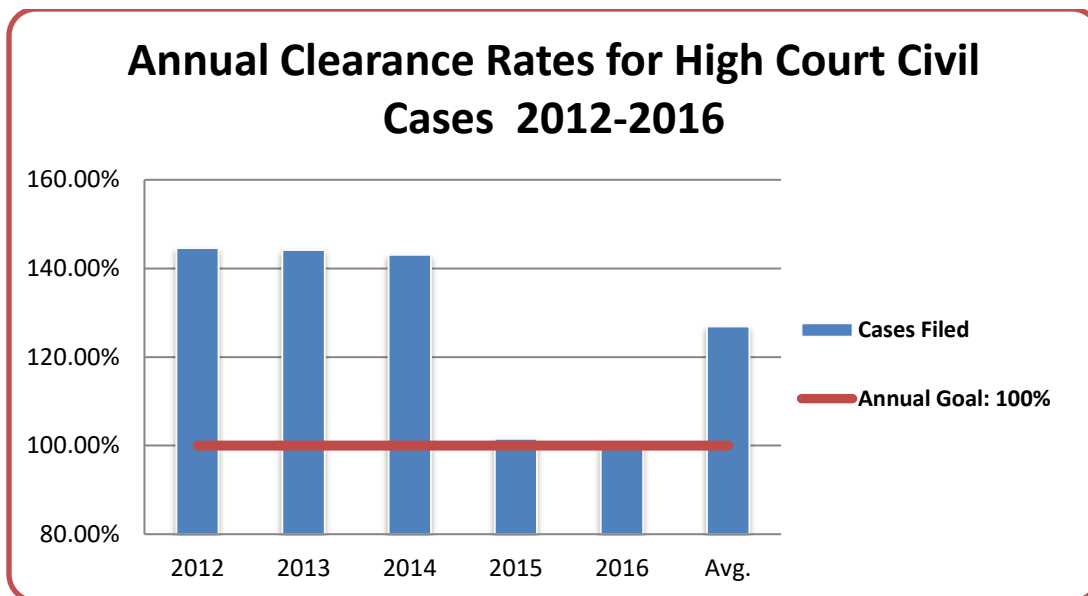
Based upon this civil caseload, the High Court measures its efficiency in terms of the annual clearance rates, time standards, the age of cleared cases, and the age of pending cases.

b. Annual Clearance Rates: 100.71% in 2016

The High Court's clearance goal is to achieve an annual clearance rate of 100%, or better. In 2016, the High Court met its goal. The clearance rate for civil cases was 100.71%: 282 cases were cleared and 280 were filed.

As the table and chart below show, the High Court has met its goal for the past five years. The drop of the clearance rate from 144.57% in 2012 to 100.71% is a result of the Court's successful backlog reduction policy. However, with a recent influx of complex non-resident corporation cases, the High Court expects its annual clearance rate to drop until the cases begin to work themselves through to completion.

Annual Clearances Rates for High Court Cases Cleared 2012 to 2016						
	2012	2013	2014	2015	2016	Avg.
Cases Filed	258	281	281	258	280	271.60
Cases Cleared	373	405	402	262	283	345.00
Clearance Rate	144.57%	144.13%	143.06%	101.55%	101.07%	126.88%
Annual Goal: 100%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%



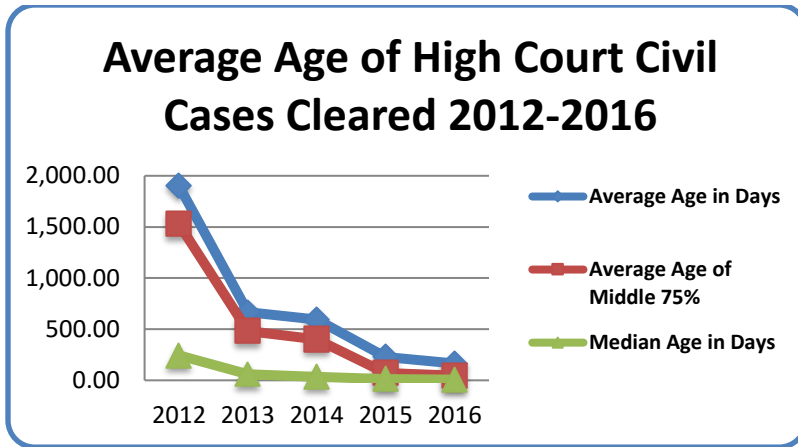
c. Time Standard: Cleared 82.62% of Cases in 120 Days and 95.39% in 24 Months

In 2016, the High Court was not only able to meet its clearance goal, but also was able to meet its time standard to clear 70% of its resolved civil cases within 120 days and 90% within 24 months. That is, the High Court cleared 82.62% of its civil cases within 120 days and 95.39% within 24 months. As shown below, these resolution rates have led to a reduction in the average age of cleared cases.

d. Average Age of Cleared Cases: 164.88 days in 2016

In 2016, the average age of cleared cases was 164.88 days. In 2015, the average of cleared cases was 229.65 days. The table and chart below show that, over the past five years, the average age of cleared cases has come down and flattened out. This is due to the Court's backlog reduction policy.

Average Age of High Court Civil Cases Cleared 2012-2016					
	2012	2013	2014	2015	2016
Number of Cleared Cases	372	404	402	262	282
Average Age in Days	1,900.94	664.74	595.35	229.65	164.88
Average Age of Middle 75%	1,526.71	481.99	400.18	71.61	45.93
Median Age in Days	244.00	58.50	35.00	11.00	7.00



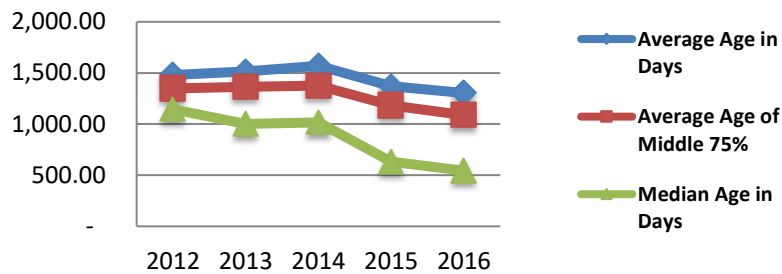
Just as the average age of cleared cases has gone down in 2016, so also has the average age of pending cases.

e. Average Age of Pending Cases: 1,303.62 days in 2016

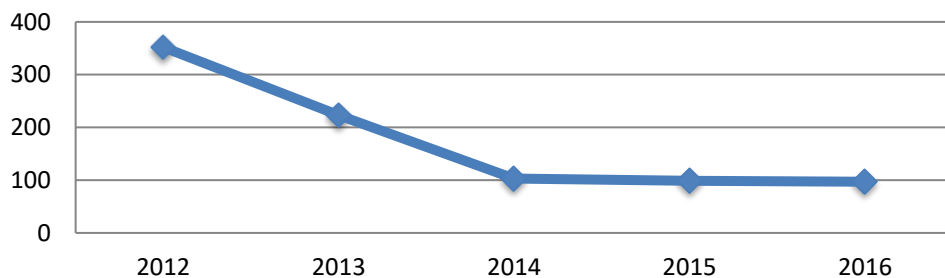
In 2016, the number of pending cases and the age of pending cases went down slightly from 99 and 1,368.81 days in 2015 to 97 and 1,303.62 days in 2016. This is the result of the High Court's successful backlog reduction project. The High Court has reached a point where it can resolve about as many cases as come in. As the table and chart below show, since 2012 the average age of the pending cases has remained flat and since 2014 the number of pending cases has remained flat. Of the 97 cases pending at the end of 2016, about 56% were land cases, cases which the Traditional Rights Court and the High Court are trying hard to resolve.

Average Age of Pending High Court Cases 2012-2016					
	2012	2013	2014	2015	2016
Number of Pending Cases	352	223	103	99	97
Average Age in Days	1,480.87	1,515.52	1,569.88	1,368.81	1,303.62
Average Age of Middle 75%	1,348.35	1,364.58	1,376.09	1,182.38	1,086.99
Median Age in Days	1,144.50	1,002.00	1,017.00	633.00	544.00
% Reduction in Pndg Cases	24.14%	36.65%	53.81%	3.88%	2.02%

Average Age of Pending High Court Civil Cases 2012-2016



Number of High Court Pending Civil Cases 2012-2016



f. Appeals

In addition to measuring efficiency, it is important to review the quality of judgments. Courts can measure the quality of their judgments in two ways: the percentage of cleared cases appealed and the percentage of cases overturned on appeal.

In 2016, the number and percentage of High Court civil cases appealed remained low. There were two cases appealed to the Supreme Court. That is, two appeals versus 282 cases cleared in the High Court, or 0.71%. Below is a table and chart showing the number of cleared cases appealed versus cleared cases not appealed over the past five years.

Cleared High Court Civil Cases Not Appealed v. Appealed 2012-2016						
	2012	2013	2014	2015	2016	Avg.
Cases Cleared	373	404	402	262	282	344.60
Cases Appealed	4	2	3	4	2	3.00
Cases Not Appealed	369	402	399	258	280	341.60

In 2016, no High Court civil cases from 2016, or from previous years, were overturned on appeal. The percentage of cases overturned on appeal was 0%.

g. Affordability and Accessibility: Fee Waiver; Cases Heard on Circuit; Legal Aid; and Forms

It is not enough that courts be efficient and that the quality of judgments be high. The courts must be affordable and accessible. Affordability and accessibility to justice may be measured in terms of the availability of fee waivers, lower fees for vulnerable parties, the number of cases heard on circuit, the availability of free legal service, and the availability of forms.

- By rule and statute, fee waivers are available upon a showing of need. In 2016, the High Court more aggressively published fee waiver rules, however, no one requested a fee waiver in a High Court civil case.
- The filing fee for most types of High Court cases remained low: only \$25. And in 2016, the filing fee for child custody and support cases (usually filed by single mothers) was reduced from \$25 to \$5. To off-set the low fees for most users, fees for admiralty cases, enforcement of foreign judgments, non-resident corporate cases, international adoptions, and citizenship cases are substantially higher.
- In 2016, a number of High Court cases were heard on the Ebeye circuit. Of the 280 civil cases filed in 2016, 21 cases (7.5%) were Ebeye circuit cases. Of the 282 civil cases cleared in 2016, 22 cases (7.8%) were Ebeye circuit cases.
- In 2016, the use of free legal services remained high. In 172 of the 280 civil cases filed in 2016 (61.5%), at least one of the parties was represented by the Micronesian Legal Services Corporation or the Office of the Public Defender, both of which provide legal assistance for free. Also in 2016, 11 potential plaintiffs were assigned a free court-appointed attorney for their claims. For FY 2016, the Nitijela appropriated \$15,120 to the RMI Judiciary to pay court-appointed attorneys to represent those who cannot afford an attorney and for conflict reasons cannot use the Micronesian Legal Services Corporation or the Office of the Public Defender. The Judiciary collected another \$13,500 for the court-appointed attorneys from private counsel who wished to opt-out of taking court-appointed cases.
- The RMI Judiciary has long used forms in small claims cases, name-change petitions, and guardianship cases. Since 2013, the RMI Judiciary has posted forms on its website for confirmation of customary adoptions, name-change petitions, fee and cost waiver, domestic-violence temporary protection orders, guardianship petitions, and small claims cases.

2. Probate Cases

Set forth below are the High Court's 2016 case statistics for probate cases. These statistics cover the following:

- the number of probate cases filed in 2016;
- the annual clearance rates for 2016 and the past five years;
- the average age of cleared cases for 2016 and the past five years;
- the percentage of cases cleared within 90 days;
- the average age of pending cases at the end of 2016;
- the percentage of cleared cases appealed and the percentage of cases overturned on appeal; and
- affordability and accessibility in terms of fee waiver, low fees for smaller cases, cases heard on circuit, and legal aid.

a. Number and Nature of Cases

Nine probate cases were filed in 2016. This is the same number of cases filed as in 2015. All nine were filed in Majuro, none on Ebeye.

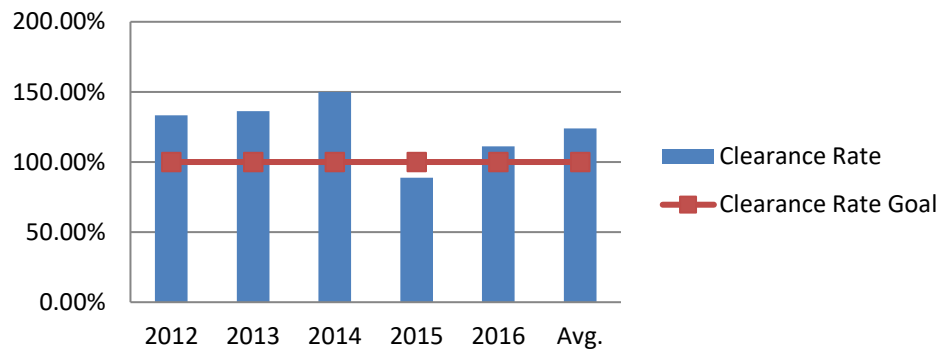
The High Court's probate statistics disaggregated by gender do not reveal a pattern or trend.

b. Clearance Rates: 111.11% in 2016

In 2016, the High Court cleared 10 probate cases (one filed in 2015 and all nine filed in 2016). The 2016 clearance rate was 111.11% (10 cleared vs. 9 filed). The High Court's goal for probate cases is to maintain an annual clearance rate of 100%, or better, for each year. As the table and chart below show, the High Court has achieved its goal for four of the past five years. The average annual clearance rate over the past five years is 123.94%.

Annual Clearance Rates for High Court Probate Cases 2012-2016						
	2012	2013	2014	2015	2016	Avg.
Cases Filed	9	11	8	9	9	9.20
Cases Cleared	12	15	12	8	10	11.40
Clearance Rate	133.33%	136.36%	150.00%	88.89%	111.11%	123.94%
Clearance Rate Goal	100%	100%	100%	100%	100%	100%

Annual Clearance Rates for High Court Probate Cases 2012-2016



c. Time Standard: Cleared 89.9% of Cases within 90 Days of the Date Filed

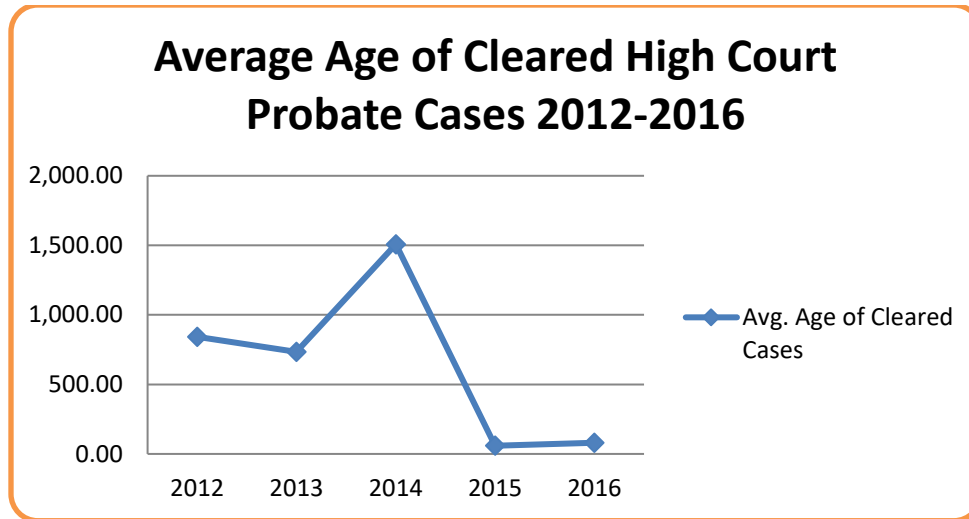
In addition to the goal of an annual clearance rate of 100% or better, the High Court seeks to clear 90% of probate cases filed in a year within 90 days. The High Court was able to clear the eight of the nine 2016 probate cases, 88.89%, within 90 days. The one 2016 case not cleared within 90 days was a contested matter that settled in 168 days.

With high clearance rates and meeting time standards, the average age of cases cleared in 2016 remained low.

d. Average Age of Cleared Cases: 81.10 days in 2016

The average age of the 10 probate cases cleared in 2016 was 81.10 days. Unless an objection is filed, most probate cases should be cleared within seven to 11 weeks of filing, within 49 to 77 days. In addition to the one 2016 case that took 168 days to clear, one 2015 case cleared in 2016 was dismissed without prejudice after 195 days: the petitioner could not proceed due to poor health. Below is the five-year trend for the average age of cleared probate cases. It shows that after clearing out its backlog in 2012 to 2014, the High Court is achieving its goal of clearing probate cases within 90 days, absent the filing of an objection to the petition.

Average Age of Cleared High Court Probate Cases 2012-2016					
	2012	2013	2014	2015	2016
Cases Cleared	12	15	12	8	10
Avg. Age of Cleared Cases	842.33	732.87	1,507.75	58.75	81.10



e. Average Age of Pending Cases: 0 days in 2016

At the end of 2016, no probate matters were pending.

f. Appeals

In 2016, no cleared probate cases were appealed, nor were any cases from previous years overturned on appeal. Accordingly, the percentage of cleared probate cases appealed was 0%, and the percentage of appealed probate cases overturned on appeal was 0%. This has been the case for more than the past five years.

g. Affordability and Accessibility: Fee Waiver; Low Fees, Cases Heard on Circuit; and Legal Aid

As noted above, affordability and accessibility to justice can be seen in the availability of fee waivers, low fees for smaller cases, the number of cases heard on circuit, and the availability of free legal service.

- As with other civil cases, fee waiver is available in probate cases. However, in 2016 (as in recent years) no one requested a fee waiver in a probate case. In 2016, the High Court more widely published notice of the waiver.
- In 2016, the fees for probate cases remained low. The filing fee for probate cases is \$25, \$100 for estates over \$7,000.
- In 2016, no probate cases were filed or heard on circuit. Of the nine probate cases filed in 2016, none were Ebeye circuit cases (0.0%). Of the nine probate cases cleared in

2016, none were Ebeye circuit cases (0.0%). As noted above, all of the 2016 probate cases were filed in Majuro.

- In seven of the nine probate cases filed in 2016 (77.78%), the petitioner was represented by the Micronesian Legal Services Corporation (MLSC). This is consistent with MLSC's representation of most probate petitioners in previous years.

3. Criminal Cases

Set forth below are the High Court's 2016 case statistics for criminal cases. These statistics cover the following:

- the number and nature of criminal cases filed in 2016;
- the annual clearance rates for 2016 and the past five years;
- the percentage of cases cleared within eighteen months;
- the average age of cleared cases for 2016 and the past five years;
- the average age of pending cases at the end of 2016;
- the percentage of cleared cases appealed and the percentage of cleared cases overturned on appeal; and
- affordability and accessibility (low or not fees, fee waiver, cases heard on circuit, and legal aid).

a. Number and Nature of Cases

In 2016, the Office of the Attorney-General filed only 18 criminal cases in the High Court: 13 in Majuro and 5 in Ebeye. This is the same number of criminal cases filed in 2015.

The 13 criminal cases filed in Majuro in 2016 breakdown as follows: two murders; three aggravated assault; one assault with a deadly weapon; one assault; one sexual assault; two burglaries; one reckless endangerment; and two forgeries. In the 13 Majuro cases, three of the defendants were women.

The five felony cases filed in Ebeye in 2016 breakdown as follows: one aggravated assault; three sexual assaults; and one criminal trespass. In the five Ebeye cases, none of the defendants was a woman.

Of the 13 Majuro cases, females were the victims in four cases: an adult woman was the victim in the sexual assault case; an adult woman was the victims in an aggravated

assault/assault with a deadly weapon (by her husband); an adult woman was the victim in an assault by another woman (the prosecutor dismissed the case when the victim failed to appear); and a two-year girl was killed by her father in a drunken rage. In the five Ebeye cases, women were the victims in the three sexual assault cases. Counseling for victims of domestic violence and sexual violence is available through NGOs, including Youth-to-Youth in Health and Women United Together Marshall Islands.

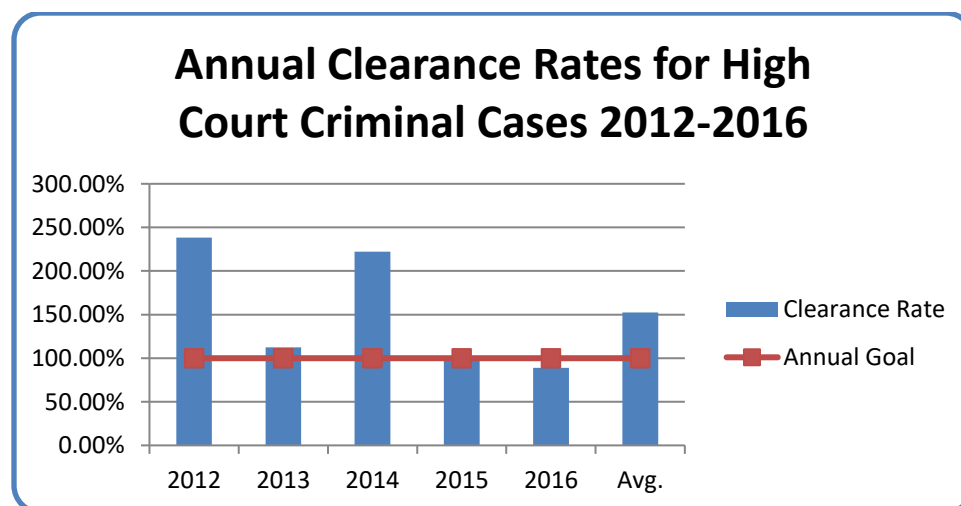
Other than as noted above, the High Court's criminal case statistics, disaggregated by gender, do not reveal any pattern or trend.

b. Clearance Rates: 88.89% in 2016

The High Court's clearance goal for criminal cases is an annual clearance rate of 100%, or better. In 2016, the High Court cleared 16 criminal cases from all years, two less than the number of cases filed in 2016, resulting in a 2016 clearance rate of only 88.89% (16/18).

However, as the chart below shows, the five-year average for the annual clearance rates is above 100%, at 152.41%. In four of the five years the clearance rate was 100% or better.

Annual Clearance Rates for High Court Criminal Cases 2012-2016						
	2012	2013	2014	2015	2016	Avg.
Cases Filed	26	16	18	18	18	19.2
Cases Cleared	62	18	40	18	16	30.6
Clearance Rate	238.46%	112.50%	222.22%	100.00%	88.89%	152.41%
Annual Goal	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%



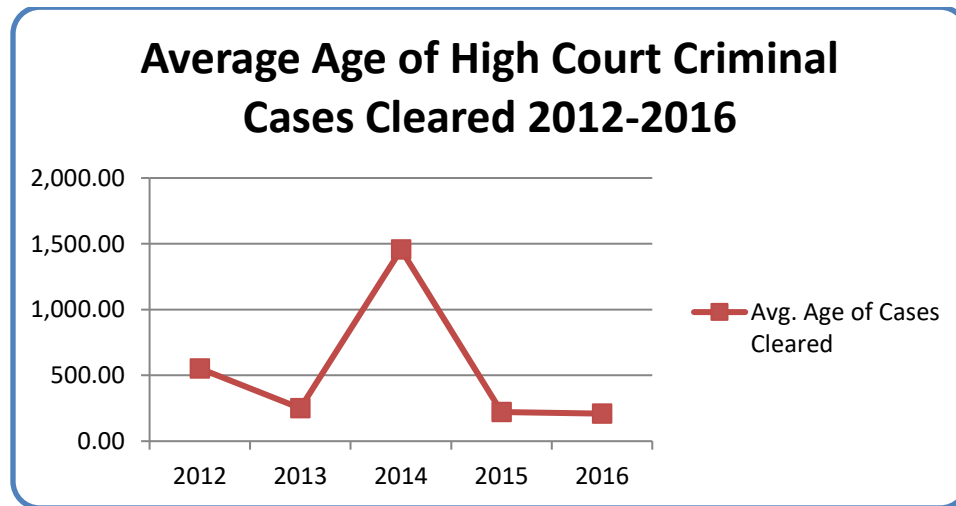
c. Time Standard: Cleared 88.24% of Cases Filed within 18 Months

In addition to the annual clearance rate, the High Court seeks to clear 90% of criminal cases within 18 months of the date filed. In 2016, the High Court cleared 88.24% of the 16 cleared cases within 18 months—one short of its goal. Several pending cases were scheduled for trial or a plea hearing in early 2017 and were cleared by May 30, 2017.

d. Average Age of Cleared Cases: 203.56 Days in 2016

Although the High Court did not meet its alternate goal of clearing 90% of cleared cases within 18 months, the average age of the 16 High Court criminal cases cleared in 2016 was 203.56 days, down from 220.67 days in 2015. The number of High Court criminal cases cleared in the past five years (2012-2016) and the average duration of cleared cases are as shown below. The high number of cleared cases and high average age of cleared cases in 2012 is the result of clearing a large number of government fraud cases filed in 2011. The high average age of cases cleared in 2014 is the result of clearing very old and abandoned cases. The relatively low average of 220.67 days in 2015 and 203.56 days in 2016 is closer to what the High Court believes should be the norm.

Average Age of High Court Criminal Cases Cleared 2012-2016					
	2012	2013	2014	2015	2016
Cases Cleared	62	18	40	18	16
Avg. Age of Cases Cleared	552.19	250.00	1,456.15	220.67	203.56



e. Average Age of Pending Cases: 221.40 days in 2016

By the end of 2016, 10 criminal cases remained pending: up two from the end of 2015. However, the average age of the pending cases was only 221.40 days: down from 287 days at the end of 2015. The High Court has encouraged the prosecutor and defense counsel to resolve older criminal cases, particularly case older than 365 days. At the end of 2016, only two of the remaining 10 cases were more than 365 days old. Both cases are scheduled for trial in early 2017.

f. Appeals

As an indication of the quality of High Court criminal decisions, in 2016 no High Court criminal cases were appealed. Accordingly the percentage of cases appealed was 0.0%. Also, no cases were overturned on appeal. The percentage of appealed criminal cases overturned on appeal was 0.0%. This is consistent with results from the past four years. Moreover, the one pending criminal appeal was dismissed.

g. Affordability and Accessibility: No Fee or Fee Waivers; Cases Heard on Circuit; and Legal Aid

The RMI Judiciary seeks to ensure its users affordability and accessible criminal justice through the absence of fees and the availability of fee waivers, circuit court sessions, and free legal representation.

That is, the RMI Judiciary does not impose fees or court costs on criminal defendants at the trial level. And on appeal, a defendant may apply for waiver of the filing fee and transcript costs.

More serious felony cases are heard on circuit with a High Court justice and clerk traveling from Majuro to the island where the crime allegedly occurred. Of the 18 criminal cases filed in 2016, five cases (27.78%) were Ebeye circuit cases. Of the 15 criminal cases cleared in 2016, three cases (20%) were Ebeye circuit cases.

Finally, criminal defendants have access to free legal counsel. In 2016, as in other years, most criminal defendants were represented by the Office of the Public Defender or the Micronesian Legal Services Corporation. In 2016, the defendants received legal assistance at no cost from the Office of the Public Defender in all but one case. In the one case, the defendant retained private counsel. This is typical of most years.

4. Juvenile Cases

Set forth below are the High Court's 2016 case statistics for juvenile cases. These statistics cover the following:

- the number and nature of juvenile cases filed in 2016;

- the annual clearance rates for 2016 and the past five years;
- the average age of cleared cases in 2016;
- the percentage of cleared cases appealed and the percentage of cleared cases overturned on appeal; and
- affordability and accessibility (no or low fees, fee waiver available, cases heard on circuit, and legal aid).

a. Number and Nature of Cases

In 2016, the Office of the Attorney-General filed no juvenile cases in the High Court. Since 2006, when the Republic filed seven juvenile cases in Majuro, the Republic has filed no more than four High Court juvenile cases in a year. Most juvenile cases (underage drinking) are heard by the District Court, not the High Court. Almost all juvenile offenders are boys.

b. Clearance Rates: N/A in 2016

The High Court's primary clearance goal for juvenile cases is to achieve an annual clearance rate of 100%. In 2016, the High Court cleared the one pending juvenile case, a 2015 case. However, since no juvenile cases were filed in the High Court, the annual clearance rate calculation does not result in a real number nor is there meaningful data for a five-year trend report.

Annual Clearance Rates for Juvenile Cases 2012-2016						
	2012	2013	2014	2015	2016	Avg.
Cases Filed	1	4	3	2	0	2.00
Cases Cleared	0	1	11	1	1	2.80
Clearance Rate	0.00%	25.00%	366.67%	50.00%	#DIV/0!	#DIV/0!
Clearance Rate Goal	100%	100%	100%	100%	100%	100%

c. Time Standard: Clear 80% of Cases Filed within Six Months

In addition to the goal of achieving a 100% clearance rate, the High Court seeks to clear 80% of juvenile cases within six months of filing. As noted above, in 2016 the High Court cleared the one remaining juvenile case. It was cleared by a plea agreement after 423 days. It took longer to clear because the alleged juvenile offender had fled Ebeye to a small island in Kwajalein Atoll.

d. Average Age of Cleared Cases: N/A in 2016

As a result of the low number of juvenile cases being filed in the High Court, there is no meaningful average age of cleared cases for 2016, for the five-year trend report, or cleared within six months.

Average Age of High Court Juvenile Cases Cleared 2012-2016					
	2012	2013	2014	2015	2016
Cases Cleared	0	1	11	0	1
Avg. Age of Cases Cleared	0	137.00	1,554.73	0.00	423.00

e. Appeals

In 2016, no High Court juvenile cases were appealed, nor were any cases from previous years overturned on appeal. Accordingly, the percentage of juvenile cases appealed and the percentage of appealed juvenile cases overturned on appeal were 0%. This is consistent with results from past years.

f. Affordability and Accessibility: Fee Waiver; Cases Heard on Circuit; and Legal Aid

To ensure accessibility to justice, the RMI Judiciary does not impose fees or court costs on juvenile offenders at the trial level. On appeal, a juvenile offender may apply for a fee waiver.

Also, juvenile cases are heard on circuit and juvenile offenders have access to free legal counsel. The sole juvenile case cleared in 2016 was an Ebeye circuit case. The juvenile offender was represented by the Office of the Public Defender. This has been the case for almost all juvenile cases for more than the past five years.

5. Caseloads for Judges and Clerks

The total number of all High Court cases filed in 2016 was 307, 20 more than in 2015. For the two High Court Justices, this equates to an average caseload of 153.50 new cases for 2016. These figures are consistent with recent years, although the figures fluctuate:

- for 2016, 153.50



cases per justice;

- for 2015, 143.50 cases per justice;
- for 2014, 155 cases per justice;
- for 2013, 156 cases per justice; and
- for 2012, 144 cases per justice.

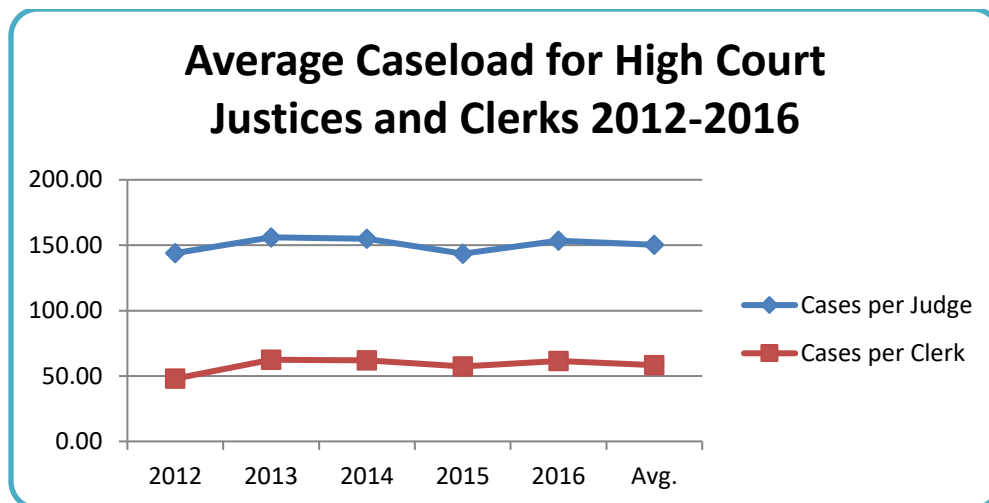
Generally, cases are assigned between the two judges on an alternating basis.

For the five clerks that regularly process High Court cases, their 2016 caseload included 61.40 new cases per clerk. As with the justices, the clerks' caseloads fluctuate from year-to-year within a limited range:

- for 2016, 61.40 cases per clerk;
- for 2015, 57.40 cases per clerk;
- for 2014, 62 cases per clerk;
- for 2013, 62.40 cases per clerk; and
- for 2012, 48 cases per clerk.

There is some specialization among the clerks, but all clerks handle most functions.

Average Caseload for High Court Justices and Clerks 2012-2016						
	2012	2013	2014	2015	2016	Avg.
Cases per Judge	144.00	156.00	155.00	143.50	153.50	150.40
Cases per Clerk	48.00	62.40	62.00	57.40	61.40	58.24



6. Selected Decisions

Selected High Court decisions can be found on the RMI Judiciary's website, <http://rmicourts.org/>, under the heading Court Decisions and Digests. The selected cases are the noteworthy ones; ones that the Judiciary believes should be published for the benefit of the public and practitioners. The High Court will not publish a case unless it satisfies one or more of the following standards: (1) the opinion lays down a new rule of law, or alters, modifies an existing rule, or applies an established rule to a novel fact situation; (2) the opinion involves a legal issue of continuing public interest; (3) the opinion directs attention to the shortcomings of existing common law or inadequacies in statutes; (4) the opinion resolves an apparent conflict of authority. Most High Court decisions are routine in nature and generally are of interest only to the parties. The public can get copies of these decisions upon request to the Clerk of the Courts.

C. Traditional Rights Court

Supporting the High Court at the trial level is the Traditional Rights Court ("TRC"). The TRC is a special-jurisdiction court of record consisting of three or more judges appointed for terms of four to ten years, not to exceed age 72, and are selected to include a fair representation of all classes of land rights: Iroijlaplap (high chief);



where applicable, Irojiedrik (lower chief); Alap (head of commoner/worker clan); and Dri Jerbal (commoner/worker).



In June 2010, the Cabinet appointed Chief Judge Walter K. Elbon (alap member) and Associate Judge Grace L. Leban (dri jerbal member) for terms of 10 years. In April 2013, the Cabinet appointed Nixon David (iroij member) for a 4-year term, and in March 2013 reappointed Judge David for a second four-year term. All TRC judges are lay judges who receive specialized training.

One of the three TRC judges, Judge Leban, is a woman, the first woman to be appointed as a full-time TRC judge. The RMI Judiciary is committed to increasing the number of female judges. However, at the end of the year only three of the RMI Judiciary's approximately 30 judges are women: one Traditional Rights Court judge; and two Community Court judges.



The jurisdiction of the TRC is limited to questions relating to titles to land rights or other legal interests depending wholly or partly on customary law and traditional practices. The jurisdiction of the TRC may be invoked as of right upon application by a party to a pending High Court proceeding, provided the High Court judge certifies that a substantial question has arisen within the jurisdiction of the TRC.

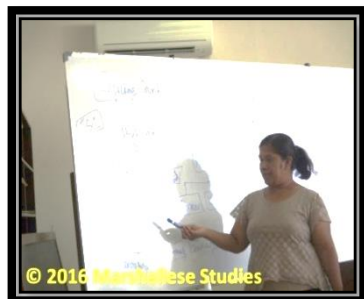


Customary law questions certified by the High Court are decided by the TRC panel and reported back to the High Court. Upon request by the TRC's presiding judge, a party, or the referring High Court judge, the Chief Justice of the High Court may appoint a High Court or District Court judge to sit with the TRC to make procedural and evidentiary rulings. In such joint-hearing cases, the High Court or District Court judge does not participate with the TRC in deliberations on its opinion, but may in the presence of the parties or their counsel answer questions of law or procedure posed by the TRC. The TRC's jurisdiction also includes rendering an opinion on whether compensation for the taking of land rights in eminent domain proceedings is just.

The Constitution states that the High Court is to give decisions of the TRC substantial weight, but TRC decisions are not binding unless the High Court concludes that justice so requires. The Supreme

Court has held the High Court is to review and adopt the TRC's findings unless the findings are clearly erroneous or contrary to law.

In 2016, the TRC issued eight decisions (and one supplement), three more decisions than in either 2014 or 2015. This is the most decisions that TRC has ever issued in one year.



As of April 2017, the TRC has held three trials, one of which the parties dismissed mid trial. However, one of the two cases is pending submissions by counsel. The other case is before the TRC for decision. Approximately 15 cases are pending before the TRC and another 9 cases (in the High Court) are pending the outcome of land cases. In the second half of 2017 and the first quarter of 2018, the TRC has 6 cases set for trial.

The TRC's decisions can be found on the RMI Judiciary's website, <http://rmicourts.org/>, under the heading Court Decisions and Digests.

D. District Court



In addition to the TRC, the District Court is below the High Court at the trial level. The District Court is a limited-jurisdiction court of record. It consists of a presiding judge and two associate judges appointed for 10-year terms, not to exceed age 72. In 2016, the three incumbent judges were Presiding Judge Milton Zackios, Associate Judge A. Tarry Paul, and Associate Judge Davidson T. Jajo (Ebeye). Their 10-year terms expire in 2018, 2025, and 2026,



respectively.

The current District Court judges are lay judges who receive specialized training. The District Court has original jurisdiction concurrent with the High Court (i) in civil cases where the amount claimed or the value of the property involved does not exceed \$10,000 (excluding matters within the exclusive jurisdiction of the High Court by Constitution or statute, such as land title cases and admiralty and maritime matters) and (ii) in criminal cases involving offenses for which the maximum penalty does not exceed a fine of \$4,000 or imprisonment for a term of less than three years, or both.

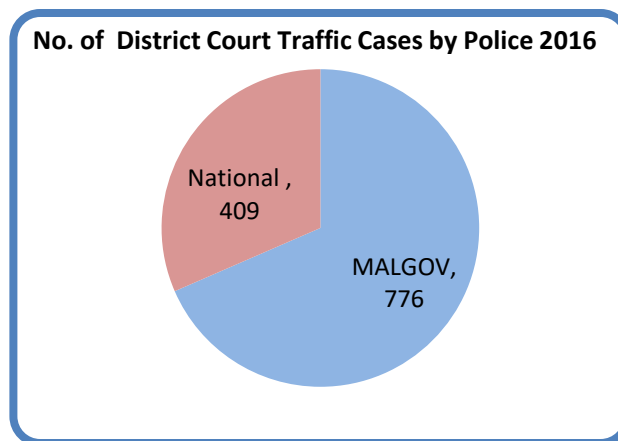
The District Court also has appellate jurisdiction to review any decision of a Community Court.

The District Court's 2016 case statistics and case workload are set forth below.

1. Traffic Cases (Majuro)

The District Court's 2016 statistics for Majuro traffic cases cover the following:

- the number and nature of cases filed in 2016;



- the annual clearance rates for the most recent five years;
- the average duration of cleared cases for the most recent five years;
- the percentage of cases appealed and the percentage of appealed cases overturned on appeal; and
- affordability and accessibility in terms of fee waiver, cases heard outside of Majuro (the Capital), legal aid, and forms.

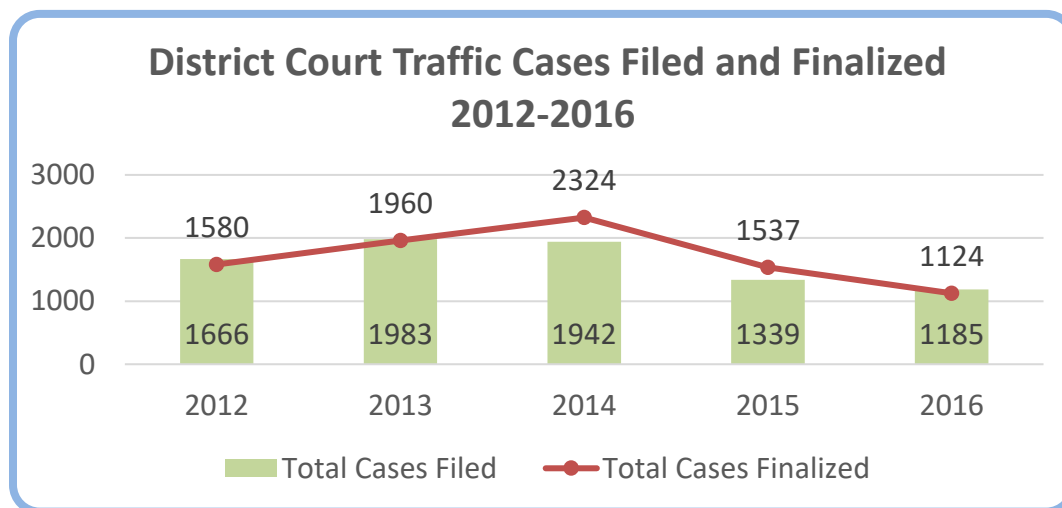
a. Number and Nature of Cases Filed in 2016

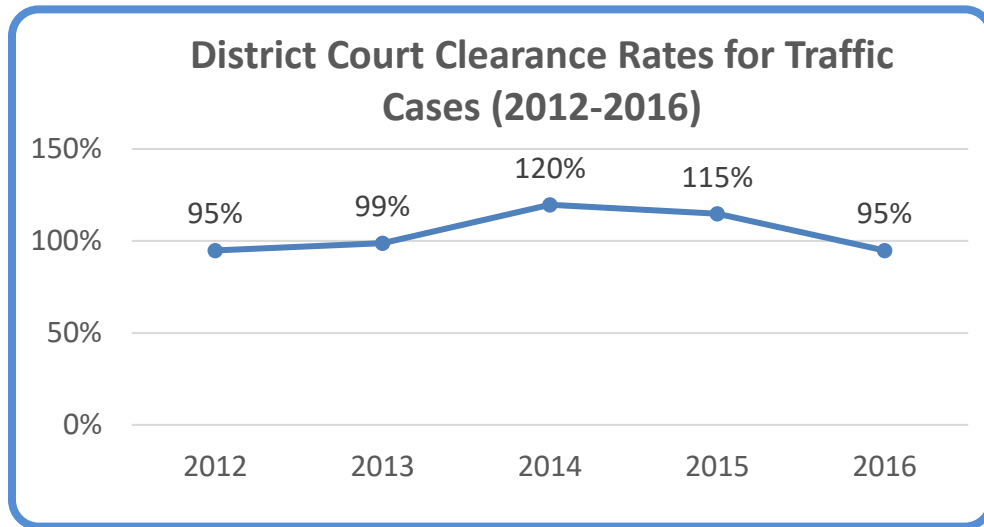
In 2016, the National Police and Majuro Atoll Local Government Police prosecutors filed in the District Court a total of 1,185 traffic cases in Majuro. Of the 1,185 traffic cases, a total of 197 cases involved DUI/Drunken Driving.

Of the 1185 traffic cases filed in Majuro in 2016, 1065 were cleared in 2016, leaving 120 pending at the end of the year. Some cases are delayed because the defendants have fled the Republic for the United States or have fled Majuro for the outer islands or gave false addresses.

b. Clearance Rates: 95% in 2016

The District Court's efficiency can be measured by case clearance rates. The District Court's 2016 annual clearance rate for traffic cases was 95% (1,124/1,185). During 2016, the District Court, counsel, and parties closed 1,065 2016 cases and 59 cases from previous years (2014-2015). And as noted above, the government filed 1,185 new cases in 2016. The District Court's goal is to maintain an annual clearance rate for traffic cases of 100% or better, for each year. As a result of its efforts to process cases without undue delay, the District Court was able to gradually increase its clearance rate as shown below.



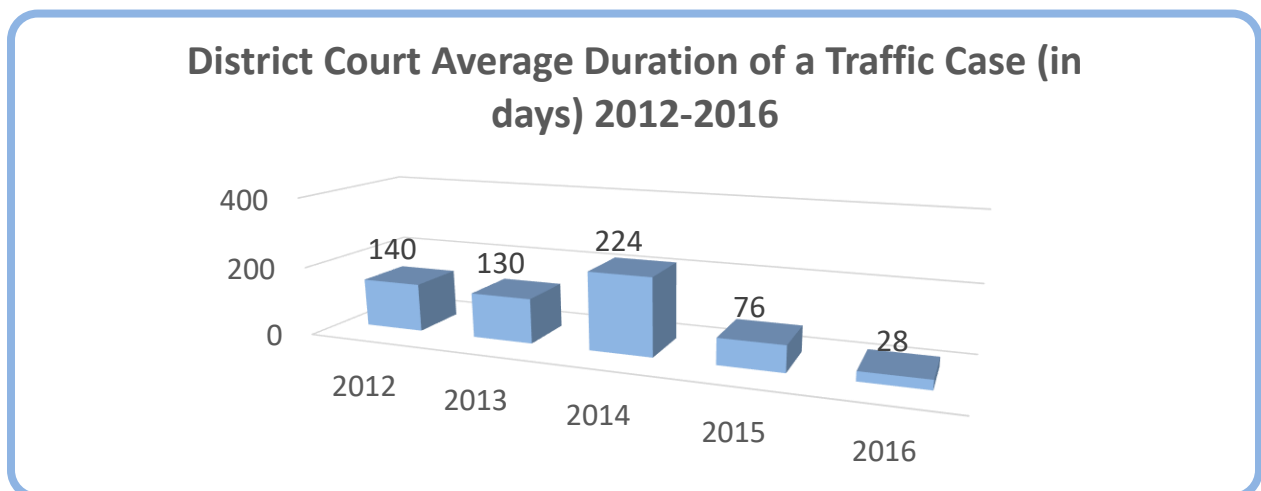


The District Court each month dismisses without prejudice abandoned cases that have been pending six months or more.

c. Average Duration of Traffic Cases Cleared in 2016

The average duration of District Court traffic cases cleared in 2016 was 28 days. A total of 1,065 2016 cases, 58 2015 cases, and 1 2014 case were cleared in 2016. Excluding cases from earlier years cleared in 2016, the average duration of 2016 traffic cases cleared in 2016 is only 16 days.

For Majuro District Court traffic cases filed in the five years (2012-2016), the average durations of cleared cases in days were as follows:



d. Appeals

In addition to measuring efficiency, it is important to review the quality of judgments. The quality of judgments can be measured in two ways: the percentage of cases appealed and the percentage of appealed cases overturned on appeal.

In 2016, none of the 1,124 District Court traffic cases cleared in 2016 were appealed to the High Court. Similarly, in 2012, 2013, 2014, and 2015 no traffic cases were appealed.

Furthermore, in 2016, there were no District Court traffic cases or decisions overturned from any year on appeal.

e. Affordability and Accessibility: Fee Waiver; Cases Heard Outside of Majuro; Legal Aid; and Forms

As noted earlier, it is not enough that courts be efficient and that the quality of judgment be high. The courts must be affordable and accessible. Affordability and accessibility to justice may be measured in terms of the availability of fee waivers, the number of cases heard outside of the capital Majuro, the availability of free legal service, and the availability of forms.

(i) Fee Waiver

As there is no filing fee for traffic cases, fee waiver is not applicable.

(ii) Cases Heard on Ebeye

A third District Court judge is stationed in Ebeye to handle District Court matters including traffic cases filed there.

(iii) Free Legal Services

At the District Court level, most traffic offenders are self-represented. Only in more serious cases, such as those involving DUI, do they seek legal assistance and representation by the Micronesian Legal Services Corporation or the Office of the Public Defender, which both provide free legal assistance. Of the 1185 traffic cases filed in 2016, only 138 defendants (11.6%) were represented by the Office of the Public Defender, 1042 represented themselves (88%), and 5 were represented by private counsel (0.4%).

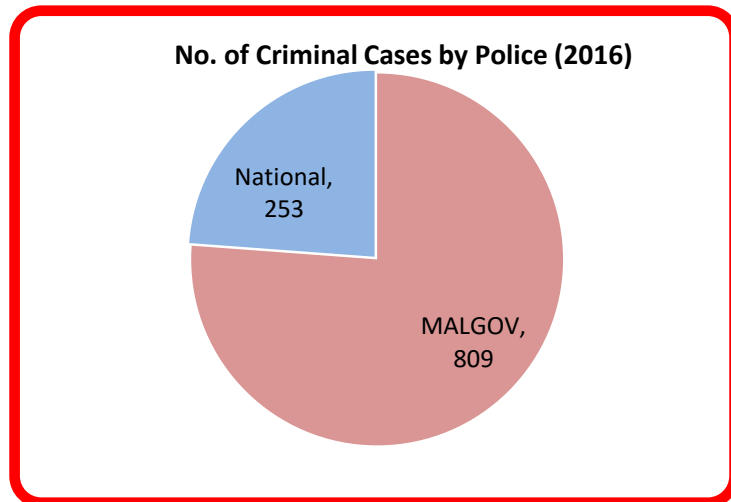
(iv) Forms

Consent judgment forms are available at the Clerk's Office for traffic offenders who wish to plead guilty and pay a fine. Those who use the form do not have to appear in court.

2. Criminal Cases (Majuro)

The District Court's 2016 statistics for Majuro criminal cases cover the following:

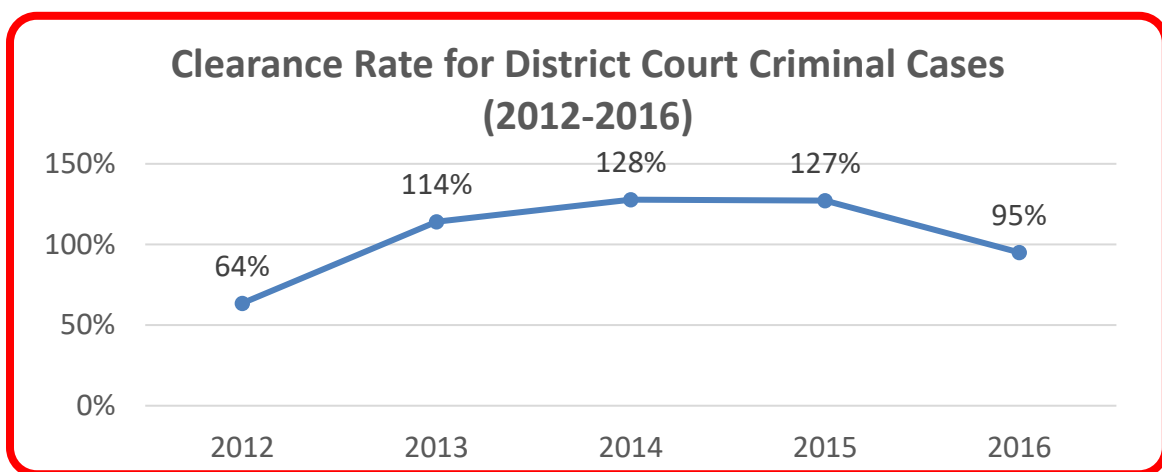
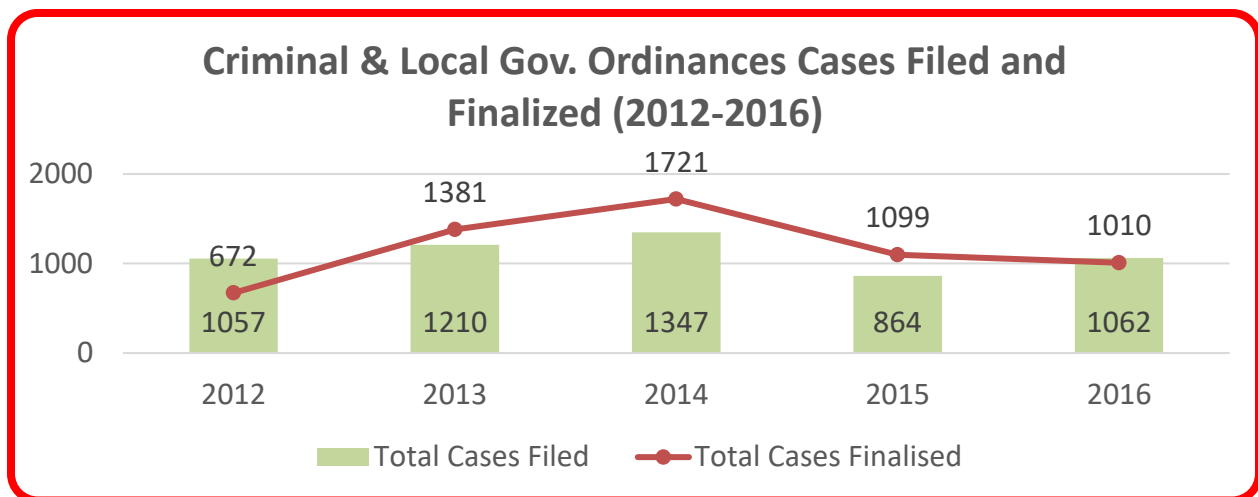
- the number and nature of cases filed in 2016;
- the annual clearance rates for the most recent five years;
- the average duration of cleared cases in the most recent five years;
- the percentage of cases appealed and the percentage of appealed cases overturned on appeal; and
- accessibility in terms of fee waiver, cases heard outside of Majuro, legal aid, and forms.



a. Number and Nature of Cases Filed in 2016

In 2016, the National Police and Majuro Atoll Local Government Police prosecutors filed in the District Court a total of 1062 criminal cases in Majuro.

Of the 1062 criminal cases, 988 were cleared in 2016, leaving 74 pending at the end of the year. The 74 cases remained pending due to serious nature, police having difficulty locating defendants who either relocated to the United States or to the outer islands of the Republic or gave false addresses.



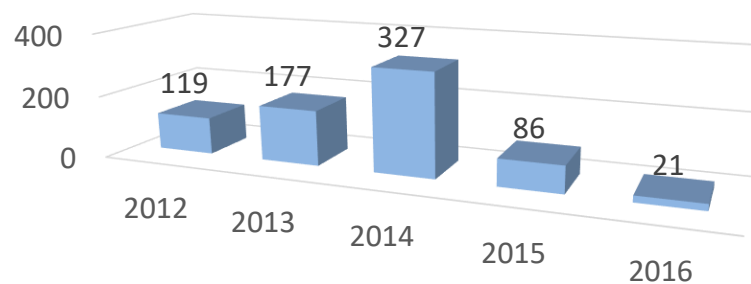
b. Clearance Rates: 95% in 2016

The District Court's 2016 annual clearance rate for criminal cases was 95 % (1010/1062). During 2016, the District Court, counsel, and parties closed 988 2016 cases and 22 cases from previous years (2014-2015). As noted above, the government filed 1062 new cases in 2016. The District Court's goal is to maintain an annual clearance rate for criminal cases of 100% or better, for each year.

c. Average Duration of Cleared Criminal Cases: 21 days in 2016

In addition to annual clearance rates, the efficiency of a case management system can be measured by the age of cleared cases. The average duration of District Court criminal cases cleared in 2016 was 21 days. Excluding the 22 cases from earlier years cleared in 2016, the average duration of 2016 criminal cases cleared in 2016 is only 14.5 days.

(2012-2016) Average Duration of a District Court Criminal Case (in days)



d. Appeals

In addition to measuring efficiency, it is important to review the quality of judgments. The quality of judgments can be measured in two ways: the percentage of cases appealed and the percentage of appealed cases overturned on appeal.

In 2016, none of the 1,010 District Court criminal cases cleared in 2016 were appealed to the High Court. Also in 2016, there were no District Court criminal cases or decisions from any years overturned. This is the same for previous years.

e. Affordability and Accessibility: Fee Waiver; Cases Heard Outside of Majuro; Legal Aid; and Forms

The courts must be affordable and accessible. Affordability and accessibility to justice may be measured in terms of the availability of fee waivers, the number of cases heard outside of the capital Majuro, the availability of free legal service, and the availability of forms.

(i) Fee Waiver

As there is no filing fee for criminal cases, fee waiver is not applicable.

(ii) Cases Heard on Ebeye

A third District Court judge is stationed in Ebeye to handle District Court matters including criminal cases filed there.

(iii) Free Legal Services

At the District Court level, most defendants are self-represented. Only in more serious cases, such as those involving selling alcohol to minors and assault and battery, do defendants seek

legal assistance and representation by the Micronesian Legal Services Corporation or the Office of the Public Defender, which both provide free legal assistance. Of the 1062 criminal cases filed in 2016, 29 defendants (2.73%) were represented by the Office of the Public Defender, 1032 represented themselves (97.18%), and 1 was represented by private counsel (0.09%).

(iv) Forms

Consent judgment forms are available at the Clerk's Office for defendants who wish to plead guilty and pay a fine. Those who use the form do not have to appear in court.

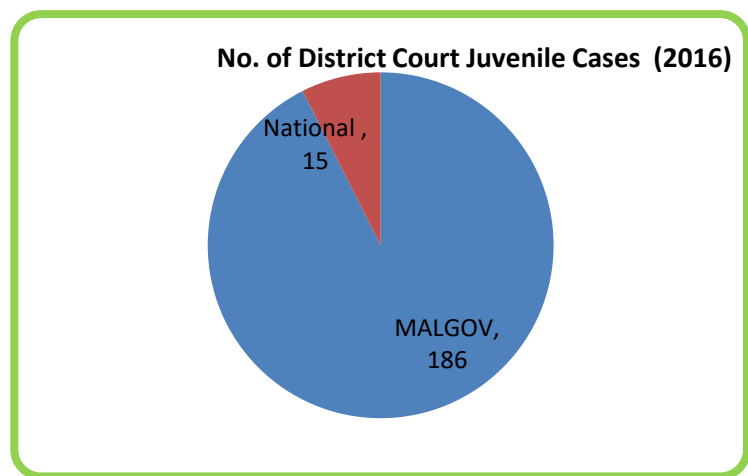
3. Juvenile Cases (Majuro)

The District Court's 2016 statistics for juvenile cases cover the following:

- the number and nature of cases filed in 2016;
- the annual clearance rates for the most recent six years;
- the average duration of cleared cases;
- the percentage of cases appealed and the percentage of cases overturned on appeal; and
- accessibility in terms of fee waiver, cases heard outside of Majuro, legal aid, and forms.

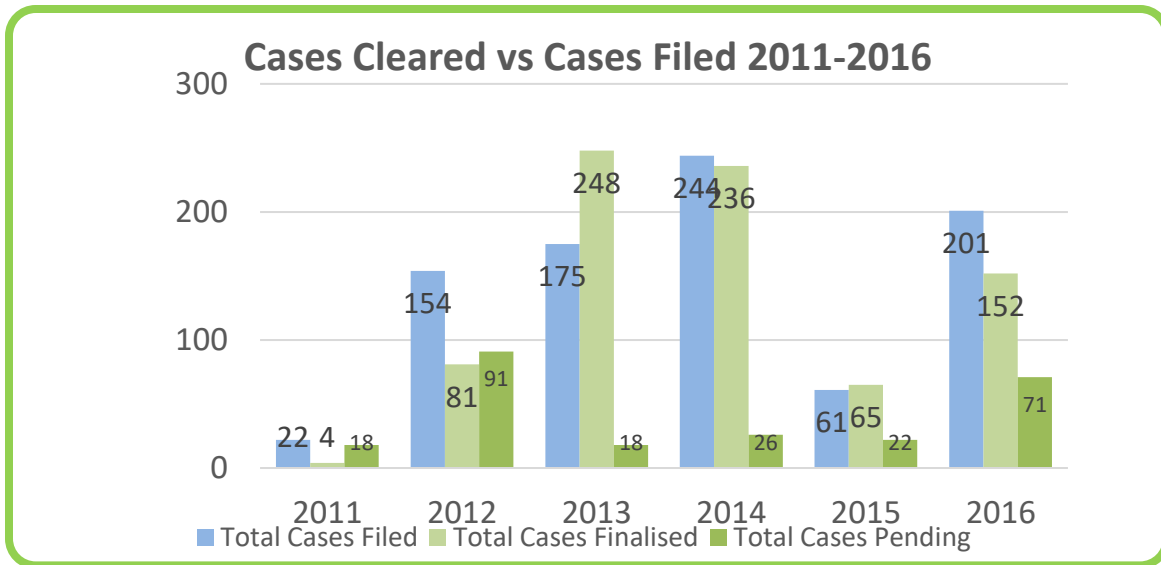
a. Number and Nature of Cases Filed in 2016

In 2016, the National Police and Majuro Atoll Local Government Police prosecutors filed in the District Court a total of 201 juvenile cases in Majuro. A total of 111 cases involved curfew violations, 57 involved underage drinking and alcohol related charges, 19 cases involved traffic related charges, 5 littering cases, 1 assault case, and 8 other cases¹.



Of the 201 juvenile cases filed in Majuro in 2016, 130 were cleared in 2016, leaving 71 pending at the end of the year. As of March 28, 2017, 38 cases have been cleared.

¹ Other cases: Selling betelnut to underage & Underage at bar/premises



b. Clearance Rates: 75.62 % in 2016

The District Court's efficiency in handling juvenile cases can be measured by case clearance rates. The District Court's 2016 annual clearance rate for juvenile cases was 75.62% (152/201). During 2016, the District Court, counsel, and parties closed 130 cases from 2016 and 22 2015 cases. And as noted below, 201 new cases were filed in 2016. The District Court's goal is to maintain an annual clearance rate for juvenile cases of 100% or better, for each year. As a result of its efforts to process cases without undue delay, the District Court was able to gradually increase its clearance rate as shown below.

Year	Total Cases Filed	Total Cases Finalized	Total Cases Pending	Clearance Rate as a %
2012	154	81	91	52.60%
2013	175	248	18	141.71%
2014	244	236	26	96.72%
2015	61	65	22	106.56%
2016	201	152	71	75.62%
Total:	857	786	71	91.72%

Also the above chart shows, from cases filed in 2012 through 2016, 71 cases remained pending. The District Court each month dismisses without prejudice abandoned cases that have been pending six months or more. As of March 28, 2017, 38 cases have been cleared.

c. Average Duration of Cleared Juvenile Cases: 138 days in 2016

In addition to annual clearance rates, the efficiency of a case management system can be measured by the age of cleared cases. The average duration of District Court juvenile cases cleared in 2016 was 138 days. Excluding the 22 cases from 2015 cleared in 2016, the average duration of 2016 juvenile cases cleared in 2016 is 124 days. This high figure is due to 53 of the juvenile cases cleared in 2016 being dismissed after more 6 months or more due to the failure to prosecute. Most juvenile matters are dealt with and cleared in less than a month.

d. Appeals

The quality of judgments can be measured in two ways: the percentage of cases appealed and the percentage of appealed cases overturned on appeal.

In 2016, none of the 152 District Court juvenile cases cleared in 2016 were appealed to the High Court. Similarly, in 2011, 2012, 2013, 2014, and 2015 no juvenile cases were appealed.

Furthermore, in 2016, there were no District Court juvenile cases or decisions from any years overturned on appeal.

e. Affordability and Accessibility: Fee Waiver; Cases Heard Outside of Majuro; Legal Aid; and Forms

The courts must be affordable and accessible. Affordability and accessibility to justice may be measured in terms of the availability of fee waivers, the number of cases heard outside of the capital Majuro, the availability of free legal service, and the availability of forms.

(i) Fee Waiver

As there is no filing fee for juvenile cases, fee waiver is not applicable.

(ii) Cases Heard on Ebeye

A third District Court judge is stationed in Ebeye to handle District Court matters including juvenile cases filed there.

(iii) Free Legal Services

At the District Court level, most juvenile offenders are self-represented. Only in more serious cases do they seek legal assistance and representation by the Micronesian Legal Services Corporation or the Office of the Public Defender, which both provide free legal assistance. Of the 201 juvenile cases filed in 2016, 1 was represented by private counsel (0.5%) and 200 represented themselves (99.5%). None were represented by the Office of the Public Defender. Similarly in previous years, the number of juvenile offenders represented by the Office of the Public Defender has been very low. In 2015, only one juvenile offender was represented by the Office of the Public Defender, none in 2014 and 2013, 1 in 2012; and 5 in 2011.

(iv) Forms

Although consent judgment forms are available at the Clerk's Office for offenders who wish to plead guilty and pay a fine, these forms are not applicable for juvenile matters as they are treated differently. It is a requirement that all juvenile offenders must attend Court with the presence of a parent and counsel.

4. Small Claims Cases (Majuro)

The District Court's 2016 statistics for Majuro small claims cases cover the following:

- the number and nature of cases filed in 2016;
- the annual clearance rates for the most recent six years;
- the average duration of cleared cases;
- the percentage of cases appealed and the percentage of cases overturned on appeal; and
- affordability and accessibility in terms of fee waiver, cases heard outside of Majuro, legal aid, and forms.

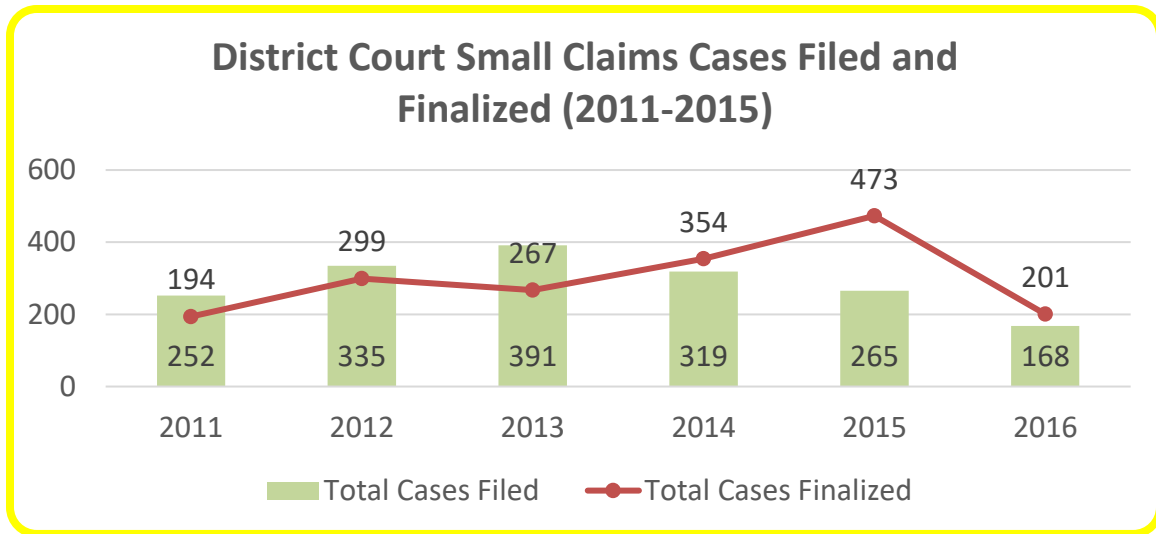
a. Number of Cases Filed in 2016

In 2016, a total of 168 small claims cases were filed in Majuro.

Of the 168 small claims cases filed in Majuro in 2016, 149 were cleared in 2016, leaving 19 pending at the end of the year. Cases that remained pending at the end of the year involved defendants who either reside in the outer islands, moved to the United States, or cannot be located.

b. Clearance Rates: 120% in 2016

The District Court's 2016 annual clearance rate for small claims cases was 120% (201/168). During 2016, the District Court, counsel, and parties closed 149 2016 cases and 52 cases from previous years (2013-2015). And as noted below, 168 new cases were filed in 2016. The District Court's goal is to maintain an annual clearance rate for small claims cases of 100% or better, for each year.

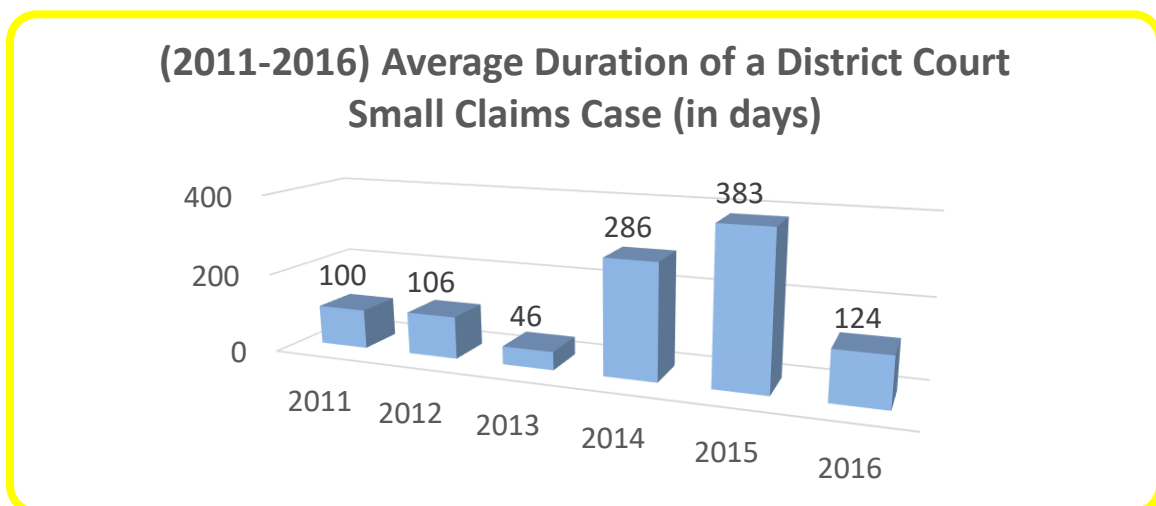


c. Average Duration of Cleared Small Claims Cases: 124 days in 2016

In addition to annual clearance rates, the efficiency of a case management system can be measured by the age of cleared cases.

The average duration of District Court small claims cases cleared in 2016 was 124 days. A total of 201 cases were cleared in 2016 from earlier years (2013-2015). Excluding these cases, the average duration of the 2016 small claims cases cleared in 2016 is only 32 days.

For Majuro District Court small claims cases cleared in the past six years (2011-2016), the average duration of cleared cases in days were as follows:



d. Appeals

In addition to measuring efficiency, it is important to review the quality of judgments. The quality of judgments can be measured in two ways: the percentage of cases appealed and the percentage of appealed cases overturned on appeal.

In 2016, none of the 201 District Court small claims cases cleared in 2016 were appealed to the High Court. Similarly, in 2011, 2012, 2013, 2014, and 2015 no small claims cases were appealed.

Furthermore, in 2016, there was no District Court small claims cases or decisions from any years overturned on appeal.

e. Affordability and Accessibility: Fee Waiver; Cases Heard Outside of Majuro; Legal Aid; and Forms

It is not enough that courts be efficient and that the quality of judgment be high. The courts must be affordable and accessible. Affordability and accessibility to justice may be measured in terms of the availability of fee waivers, the number of cases heard outside of the capital Majuro, the availability of free legal service, and the availability of forms.

(i) Fee Waiver

Although, by rule and statute, fee waivers are available upon a showing of need, plaintiffs did not request a fee waiver in any of the 2016 District Court small claims cases. The filing fee for small claims cases remains low at only \$5 dollars.

(ii) Cases Heard on Ebeye

A third District Court judge is stationed in Ebeye to handle District Court matters including small claims cases filed there.

(iii) Free Legal Services

At the District Court level, most plaintiffs and defendants in small claims cases are self-represented. Only in a few cases do defendants seek legal assistance and representation by the Micronesian Legal Services Corporation or the Office of the Public Defender, which both provide free legal assistance. Of the 168 small claims cases filed in 2016, only two of the defendants (1.19%) were represented by the Micronesian Legal Services Corporation or the Public Defender. All others appeared *pro se*.

(iv) Forms

Small claims forms are available on the court's website (www.rmicourts.org) or at the Clerk's Office.

In summary, a total of 2,616 cases were filed in the Majuro District Court: 1185 traffic cases; 1062 criminal and local government ordinance cases; 201 juvenile cases; 168 small claims cases; and no other civil cases.

5. Caseload for Judges and the Clerks.

In 2016, the average number of new cases heard by the two District Court judges in Majuro was 1308 cases, and the average number of new cases per court clerk (one from the RMI Judiciary and two from Majuro Atoll Local Government) was 872.

6. Ebeye.



In 2016 on Ebeye, 495 cases were filed in the District Court:

- 66 traffic cases (63 cleared and 3 pending);
- 3 criminal cases (3 cleared and 0 pending);
- 396 local government ordinance cases (147 cleared and 249 pending);
- 0 juvenile cases; and
- 30 small claim cases (30 cleared and 0 pending)).

The average number of cases heard per District Court judge in Ebeye was 495, and the average number of cases per court clerk was the same.

No 2016 Ebeye District Court cases were appealed or overturned on appeal.

In all Ebeye District Court small claims cases, traffic cases, criminal and local government ordinance cases, the parties were self-represented. The PD did not represent any of the defendants in any of the cases that were cleared in 2016.



E. Community Courts

On the outer islands the RMI Judiciary has Community Courts. A Community Court is a limited-jurisdiction court of record for a local government area, of which there are 24. Each Community Court consists of a presiding judge and such number of associate judges, if any, as the Judicial Service Commission may appoint. Appointments are made for terms of up to six years, but not to exceed age 72. Community Court judges are lay judges with limited training.

A Community Court has original jurisdiction concurrent with the High Court and the District Court within its local government area.

(i) in all civil cases where the amount claimed or the value of the property involved does not exceed \$1,000 (excluding matters within the exclusive jurisdiction of the High Court by Constitution or statute, such as land title cases and admiralty and maritime matters) and

(ii) in all criminal cases involving offenses for which the maximum penalty does not exceed a fine of \$400 or imprisonment for a term not exceeding six months, or both.

At the end of 2016, there were 18 serving Community Court judges and 12 vacancies. At the date of this report, there are eight vacancies for which the Commission is waiting recommendations from local government councils: Arno (2); Ebon (1); Enewetak (1); Jaluit (1); Lib (1); Maloelap (2); Mili (1); Namu (1); Rongelap (1); and unallocated (1).

Community court judges receive training when they come to Majuro for biennial summer conferences and on other occasions. The RMI Judiciary encourages all Community Court judges who are in Majuro for other business to stop by the courthouse and arrange for training opportunities with the District Court judges. In 2014, the RMI Judiciary held a one-week workshop for Community Court judges. The RMI Judiciary intends to continue providing such trainings for Community Court judges. One is scheduled for August 2017.

F. Travel to the Outer Islands and Ebeye

The RMI Judiciary also travels to the outer islands on an as-needed basis.

The RMI Judiciary believes that if the offices of the Attorney-General, the Public Defender, and the Micronesian Legal Services Corporation were to station attorneys on Ebeye full time, there would be enough work to justify a third High Court judge. Currently, the High Court travels to Ebeye once every quarter if cases are ready to proceed. The additional personnel cost for a third High Court judge would be about \$120,000. The RMI Judiciary would seek a budget increase to cover this cost and related expenses (for example, recruitment costs and the one-time cost of constructing chambers for a High Court judge on Ebeye). Also, a third High Court judge is needed to relieve the heavy administrative burden on the two existing High Court judges.

If, however, the Government cannot afford to station attorneys full-time on Ebeye, the RMI Judiciary would request that at the very least the Office of the Attorney-General and Office of the Public Defender receive funding to employ trial assistants on Ebeye. This was the practice until relatively recently. Defendants brought before the District Court on Ebeye on criminal charges have a constitutional right to legal counsel. Late in 2014, MLSC reopened its Ebeye office and staffed it with a trial assistant.

G. Other Services: Births, Deaths, Marriages, Notarizations, etc.

In addition to deciding cases, the courts help the people through confirming delayed registrations of births and death, performing marriages, notarizing and certifying documents, issuing record checks. The courts offer these services on no or little notice. However, couples usually schedule marriages one to three days in advance. Marriages by non-citizens must first be approved by the Ministry of Foreign Affairs.

1. Majuro. In 2016 on Majuro, the High Court and the District Court processed 270 delayed registrations of birth, 5 delayed registrations of death, and performed 31 marriages. The clerks notarized 575 documents, of which 10 were notarized off site to accommodate disabled persons. Upon request, clerks will go to the hospital or homes to notarize documents for those who cannot make it to the courthouses. Also, the clerks issued 22 apostille certifications, 33 criminal record checks and 75 corporate litigation checks.

2. Ebeye. In 2016 on Ebeye, the District Court processed 66 delayed registrations of birth, no delayed registrations of death, and performed 9 marriages. The Ebeye clerk also notarized 631 documents.

The five-year totals for birth, deaths, marriages, and notarizations are as shown below.

Birth, Deaths, Etc. 2012-2016					
	2012	2013	2014	2015	2016
Births	233	324	330	327	336
Deaths	3	13	1	2	5
Marriages	77	84	60	60	40
Notarizations	967	770	1,113	1,030	1,206
Apostille Cert's	16	4	7	38	22
Criminal Checks	110	72	112	42	33
Corporate Checks	33	146	104	94	75

H. Court Staff



In 2016, the RMI Judiciary's staff included the following: a chief clerk of the courts, a deputy chief clerk of the courts, five assistant clerks (one in Ebeye), three bailiffs (seconded from the National Police), and one maintenance worker. The chief clerk and four of the six assistant clerks are women. A listing of the judiciary personnel is attached as Appendix 2.

In addition to their administrative responsibilities, the clerks also serve as interpreters from Marshallese to English and English to Marshallese. The Office of the Attorney-General has a Chinese translator on staff provided by the Republic of China (Taipei) Embassy. The clerks also assist unrepresented court users complete forms.

The Office of the Clerk of the Courts is open 8:30 a.m. to noon and 1:00 p.m. to 4:30 p.m., Monday through Friday, except holidays. In case of emergencies, the courts will open on weekends and holidays. The contact information for the Majuro and the Ebeye Courthouses is as follows:

Majuro Courthouse
P.O. Box B
Majuro, MH 96960
Tel.: (011-692) 625-3201/3297
Fax: (011-692) 625-3323
Email: Marshall.Islands.Judiciary@gmail.com

The Majuro Courthouse is located in Uliga Village, Majuro Atoll, across from the Uliga Dock.

Ebeye Courthouse
P.O. Box 5944
Ebeye, Kwajalein Atoll, MH 96970
Tel.: (011-692) 329-4032
Fax: (011-692) 329-3032
Email: ebeyecourthouse@gmail.com

The Ebeye Courthouse is located behind the Police Station on the Oceanside.

I. Professional Development and Regional Conferences

Managing the RMI Judiciary's personnel in accordance with sound leadership and management practices is the fourth goal of the RMI Judiciary's 2014-2018 Strategic Plan. Consistent with this goal, Strategies 4.1, 4.2, and 4.3, and internationally recognized practice, the RMI Judiciary in 2016 organized and facilitated professional development opportunities for both judges and court staff. All permanent justices and judges of the Supreme Court, the High Court, the Traditional Rights Court, and the District Court attended such workshops and conferences. Five of 22 Community Court judges observed the District Court while they were in Majuro for other reasons. And six clerks attended professional development workshops. The participants found that the programs met or exceeded their expectations, and addressed recognized training needs. Funding for such programs came from the RMI Judiciary's annual operating budget, the Compact of Free Association, New Zealand, and Australia. The RMI Judiciary's 2016 professional development activities are set forth below.

In January 2016, High Court Chief Justice Ingram attended (i) the International Conference on Court Excellence held in Singapore January 28-29, 2016; and (ii) a meeting of the Executive Committee of the International Consortium on Court Excellence held in Singapore on January 27, 2016. Participants at the ICCE Conference heard presentations and participated in discussions on the following topics: leadership; access to justice; innovations in court procedures and processes; court polices; court services of the future; good governance; implementation of

the IFCE; and enhancing the IFCE. These topics are consistent with the RMI Judiciary's Strategic Plan and Court Improvement Plan, both of which are informed by the ICCE's International Framework for Court Excellence. Ahead of the ICCE Conference, Chief Justice Ingram attended the ICCE Executive Committee meeting as a new member. Not only is the RMI Judiciary's membership on the ICCE Executive Committee consistent with its Strategic Plan and Court Improvement Plan, but also membership on the ICCE Executive Committee will assist the RMI Judiciary implement its Court Improvement Plan, will enhance the confidence of the people of the Marshall Islands in their judiciary, and will enhance the reputation of the judiciary.



In late February 2016, Ninth Circuit staff attorney Emily Fedman traveled to Majuro to teach Adobe Acrobat, especially on how to use fill-able forms, and consult on calendaring and procedural motions. This training was given to all the clerks of the courts. Adobe Acrobat is a very useful program for court staff to know and be familiar with. Updating court forms to fill-able forms saves time and provides consistency. Creating searchable pdf documents helps with research and document

drafting. Adobe Acrobat is being used to archive old files. All staff should be trained to be familiar with Adobe.

In March 2016, the Judiciary, with MLSC, sponsored Advocacy Training in Majuro. This training was open to attorneys and trial assistants working for Government, MLSC, and in the private sector. The participants practiced and improved their skills in presenting opening statements, conducting direct and cross examinations, introducing exhibits, and making closing arguments.



In April 2016, Traditional Rights Court Chief Judge Walter K. Elbon and Associate Judge Nixon David attended the National Judicial College course "Court Management for Tribal Judges and Personnel" in San Diego, California. The efficient administration of modern customary justice systems requires a team of competent court personnel with knowledge and skills to conduct a complex array of operational activities. This course enhances the ability of judges and court administrators to evaluate the performance of their court in key performance areas (such as budgeting, calendaring, case management, and personnel administration) and develop practical approaches for making improvements.

Also in April 2016, Traditional Rights Court Associate Judge Grace Leban attended the National Judicial College course “Judicial Writing” in Reno, Nevada. This course offers a concentrated study of the basic rules of English composition as they apply to legal writing. The goal is to achieve a style that is simple and understandable to those who read judicial documents.

In early June 2016, District Court Presiding Judge Milton Zackios, Associate Judge A. Tarry Paul, and Associate Judge Davidson Jajo attended the National Judicial College course “Domestic Violence” in Savanna, Georgia. Domestic violence cases are some of the most emotionally challenging cases that judges handle. After this course, judges are able to describe the dynamics of both batterers and victims, and evaluate the effectiveness of batterers’ programs and other treatment modalities; assess the information necessary to grant protection orders; articulate the effects of domestic violence on children; effectively manage pretrial issues and trials; and rule on evidentiary issues.

In mid-July 2016, Supreme Court Chief Justice Daniel Cadra attended the 2016 Ninth Circuit Judicial Conference in Big Sky, Montana. The topics included the following: income inequality and its effects on courts and lawyers; ensuring fair and impartial policing in the post-Ferguson era; the legal history and unique relationships of the Native American tribes and territories in the U.S.; a look at the psychology and neuroscience of thinking and reasoning; and how mindfulness practices can improve legal analysis, judgment and decision-making. Conference programs also included a review of recent Supreme Court cases; a special session on ethical and practical lawyering for judges and attorneys; an information technology program on balancing privacy and security; a presentation on recognizing and countering implicit bias in decision-making; and discussion of mediation techniques for judges, lawyers and mediators. Presenters and panelists at the conference included a number of federal appellate, district, bankruptcy and magistrate judges from the Ninth Circuit and elsewhere; well-known practitioners; members of academia; and leading scientists and researchers.



In late July 2016, Deputy Chief Clerk of the Courts Travis Joe and Assistant Clerk of the Courts Tanya Lomae attended the 2016 Annual Conference of the Association of Pacific Island Public Auditors (“APIPA”) held in Pohnpei, FSM. The 2016 APIPA conference offered four tracks: Audit, Audit Supervisor, Finance, and Accounting & Management. The two clerks attended the Finance Track which included the

following courses: Government Auditing for Non-Auditors: What Do You Do When the Public Auditor Comes; How to Reduce Bias in Decision Making; Introduction to Government Accounting; and Managing Your Grant Successfully.

Also, in late July 2016, District Court Presiding Judge Milton Zackios, Associate Judge A. Tarry Paul, and Associate Judge Davidson Jajo attended the third session of the Legal Institute for lay judges held at the Richardson School of Law, Honolulu, Hawaii. The session was devoted to criminal law and sentencing.



In September 2016, Supreme Court Chief Justice Daniel Cadra and High Court Chief Justice Carl B. Ingram attended the 2016 Pacific Judicial Conference in Port Moresby, Papua New Guinea. The theme of the 2016 Pacific Judicial Conference was “Enhancing the Quality of Justice in the Pacific” and included sessions on the following: Quality of Justice - Myth or Reality?; International Framework for Court Excellence (“IFCE”); Use of Modern Technology to Enhance Quality; Separation of Powers and Judicial Independence; Judicial Code of Conduct as a Means of Enhancing Quality of Justice; Judicial Case Management - Case Docketing System the Way to Go?; Specialized Courts/Court Tracks the Way to Go?; Judgment Writing of and Oral Delivery of Quality Judgments; Consistency in Criminal Sentencing; Effective Judicial Dispute Resolution; Unrepresented Litigants - What Can Courts Do?; Pacific Judicial Strengthening Initiative; Judicial Education - Towards Reaching a Long Term Solution for Delivery of Judicial Education Programs in the Pacific; and Framework for Judicial Cooperation and Assistance - MOUs the Way to Go? Justice Ingram was the main presenter on the IFCE session, Session 2.



Just prior to the PJC, Justice Ingram attended the Pacific Judicial Strengthening Initiative (“PJSI”)’s Chief Justices’ Leadership Workshop, also held in PNG. At the Workshop, chief justices of 14 Pacific Island Countries agreed upon professional development projects to be funded by NZ\$10 million New Zealand has provided. This program will provide training for the RMI Judiciary’s judges and staff over a five-year period.

J. Court Rules and Relevant Statutes

To enhance access to justice, the RMI Judiciary regularly reviews and amends or seeks amendments of its rules of procedure and evidence. Over the past 10 years, the RMI Judiciary has proposed or adopted more than 15 sets of amendments.

In January 2016, the RMI Judiciary issued a revised order for Implementation and Use of the Legal Aid Fund. The revision increased the hourly fee paid to attorneys from \$50 per hour to \$75, increased the limit on payments per case from \$5,000 to \$75,000 for land matters, and required all active counsel to take Fund cases or pay an annual fee of \$1,500 to opt out.

The Judiciary also amended the Schedule of Court Costs and Fees to reduce the fee for child custody and support cases from \$25 to \$5, to impose a filing fee on enforcement of foreign judgment cases of \$500, and to impose a fee of \$10 for apostille certifications.

IV. THE JUDICIAL SERVICE COMMISSION: JUDICIAL APPOINTMENTS

Along with the courts, the Constitution provides for a Judicial Service Commission, which consists of the Chief Justice of the High Court, as chair, the Attorney-General, and a private citizen selected by the Cabinet. The private member is Maria K. Fowler. The JSC nominates to the Cabinet candidates for appointment to the Supreme Court, High Court and TRC, and the Commission appoints judges to the District Court and the Community Courts. In appointing Community Court judges, the Commission takes into consideration the wishes of the local communities as expressed through their local government councils. The Commission also may make recommendations to the Nitijela regarding the qualifications of judges. In the exercise of its functions and powers, the Commission shall not receive any direction from the Cabinet or from any other authority or person, but shall act independently. The Commission may make rules for regulating its procedures and generally for the better performance of its functions. The Commission also reviews complaint against judges.

In 2016, the Commission nominated to the Cabinet the following: for re-appointment, two Supreme Court pro tem justices; for appointment, one acting High Court associate justice; and for appointment, one permanent High Court associate justice. Also, the Commission appointed a District Court associate judge, and the Commission appointed or renewed the appointments of five Community Court judges.

V. ACCOUNTABILITY: CODES OF CONDUCT AND COMPLAINTS

The third goal of the RMI Judiciary's Strategic Plan includes "*to be accountable.*" To enhance its transparency and accountability, the RMI Judiciary has adopted internationally recognized standards for judicial conduct and attorney conduct. These standards are available to the public as are the procedures for lodging complaints against judges, attorneys, and court staff.

With respect to judicial conduct, the RMI Judiciary has adopted the Marshall Islands Code of Judicial Conduct 2008 (revised February 16, 2012). The Code is based principally upon the Bangalore Principles and the American Bar Association Code of Judicial Conduct. A copy of the RMI Judiciary's code can be found on its website, www.rmicourts.org/ under the heading "The Marshall Islands and Its Judiciary." The provisions for lodging and processing complaints against judges start on page 12 of the code.

In late 2015, a litigant lodged a complaint against a judge. In January 2017, the Judicial Service Commission resolved the matter finding no wrong doing by the judge and referred the matter to the High Court Chief Justice to counsel the subject judge. This is the only complaint in the past five years for all courts and all judges.

With respect to attorney conduct, the RMI Judiciary has adopted the American Bar Association Rules of Professional Responsibility. Provisions for lodging and processing complaints against attorneys can be found on the RMI Judiciary's website under the heading "Rules of Admission and Practice." The Supreme Court and High Court have appointed an attorney-committee to hear complaints. In 2016, no complaints were lodged against attorneys. From 2013 there were four complaints pending review by the attorney-committee. From 2015, there is one complaint being reviewed by the Committee. Of the five pending complaints, four were resolved in January 2017 and the remaining one was resolved in May 2017.

With respect to court staff, the RMI Judiciary maintains a complaint box at the courthouses. In 2016, no complaints were lodged against court staff. Nor have there been any complaints lodged against court staff within the past five years.

VI. FACILITIES, TECHNOLOGY, AND THE LIBRARY

Administering the RMI Judiciary's buildings and equipment in accordance with sound management practices is the fifth goal of the RMI Judiciary's Strategic Plan.

A. Facilities

Over the past five years, the RMI Judiciary, with the help of the Cabinet and the Nitijela, has renovated the Majuro Courthouse and the Ebeye Courthouse to make them safe, secure, and accessible. The projects have included renovating the Ebeye Courthouse, adding a ground-floor courtroom at the Majuro Courthouse, renovating of the chambers of the Traditional Rights Court in Majuro, and repainting the Majuro Courthouse and replacing the roof. Funding has come from revenues collected by the RMI Judiciary and special grants from Republic of China (Taipei).

In 2016, the RMI Judiciary installed a 100KVA backup generator for the Majuro Courthouse. In 2017, the Judiciary will try to seek funding for a new courthouse on Ebeye. The Ebeye Courthouse building has deteriorated to the point where its needs to be replaced. It is in bad condition and cannot be expanded to meet the Judiciary's and Kwajalein community's needs.

B. Technology

The courthouses on Majuro and Ebeye are equipped with computers, printers, faxes, and photocopiers and have Internet access (@ 3.0 MPs in Majuro and 1.5 MPs in Ebeye). The courts permit the filing and service of documents via email attachment. The computers in Majuro are linked together in a network, and the Majuro Courthouse has three scanners with OSC software



permitting the courts to scan documents and send them almost anywhere in the world. Over the past four years, the RMI Judiciary has replaced all but two of its older computers. However, software updates remain a critical need and from time-to-time computers crash and must be replaced.

Currently, the High Court permits off-island counsel to attend status and scheduling conferences via telephone and Skype. Occasionally, evidence in uncontested matters is taken via Skype or telephone. However, more band width is needed to provide stable video conferencing.

C. The Library

The RMI Judiciary has a small, but functional, law library which includes hard copies of the following: United States Supreme Court cases through 2008; American Law Reports First, Second, Third, Fourth, part of Fifth, and Federal; LaFave on Criminal Law, Criminal Procedure, and Search and Seizure; Wharton on Criminal Law and Criminal Procedure; American Jurisprudence 2nd; Wright and Miller on Federal Practice and Procedure; Moore's Federal Practice; and others. Also, the RMI Judiciary has up to date online access to United States case law and secondary sources through a WestLaw Internet subscription.



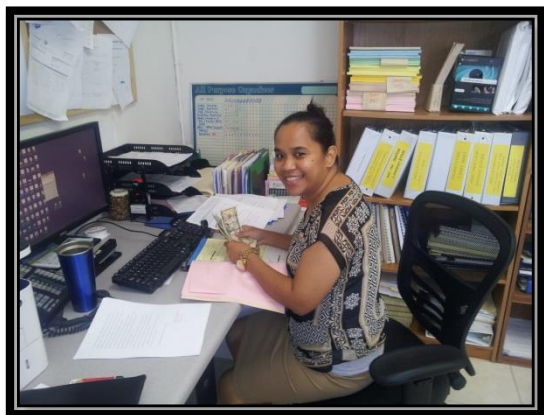
VII. SALARIES AND COMPENSATION



At current pay levels, the RMI Judiciary is having difficulty retaining and attracting qualified personnel at all levels. This problem is particularly acute for assistant clerks of the courts at the lower pay levels, i.e., 8, 9, and 10. Finding qualified applicants who can translate Marshallese and English and who can perform other necessary tasks is proving increasingly difficult. Although many may be interested in working with the courts, when they find out that they have to translate in public, their interest fades. Without qualified translators, the RMI Judiciary cannot function. To stay competitive, the RMI Judiciary needs to increase pay levels, particularly for assistant clerks of the courts.

VIII. THE ANNUAL BUDGET AND AUDIT REPORT

Managing the RMI Judiciary's financial resources in accordance with sound financial practices is the sixth goal of the RMI Judiciary's Strategic Plan. This is evidenced not only by the work of the courts, but also by the RMI Judiciary's management of the funds made available to it.



For FY 2016, the Nitijela appropriated \$1,063,344 for the RMI Judiciary: \$711,615 for salaries and wages and \$351,729 for all others. Less audit expenses of \$8,441 paid out by the Ministry of Finance, a total of \$343,288 was paid to the RMI Judiciary for its operational funds.

Of the \$711,615 appropriated for personnel in FY 2016, the RMI Judiciary only expended \$573,619.77 because of vacancies and unexpended salaries in the High Court, District Court, and the Community Courts. The unspent personnel funds from FY 2016, \$137,995.23, remained in the

General Fund with the Ministry of Finance. The vacancies in the High Court and District Court have been, or will be, filled in 2017.

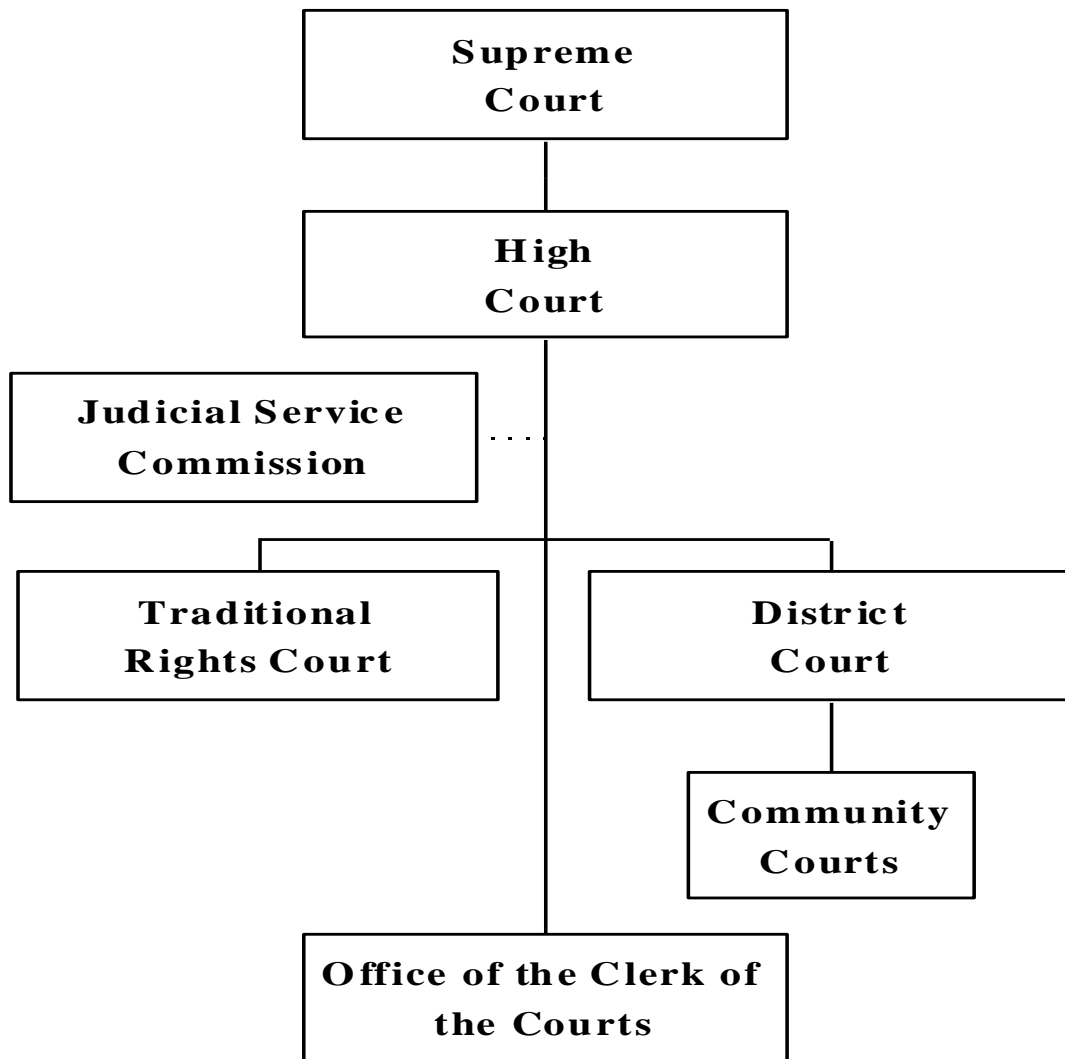
Of the \$351,729 appropriated in FY 2016 for all other expenses, \$8,441 was retained by the Ministry of Finance for audit expenses and the RMI Judiciary expended or obligated the remaining \$343,288.

From operations funds, the RMI Judiciary has segregated moneys the Nitijela appropriated for the Legal Aid Fund. As of September 30, 2016, the RMI Judiciary had \$150,164.98 in its Legal Aid Fund account, much of which had been obligated for payment to attorneys to represent those that cannot offer an attorney and cannot be represented by the Micronesian Legal Aid Services Corporation and the Office of the Public Defender.

Apart for Nitijela appropriations, the RMI Judiciary by act has its own special revenue fund ("RMI Judiciary Fund"). Court fines and fees (excluding national criminal fines and local government fines) collected by the Office of the Clerk of the Courts are deposited into this fund, as are funds for other sources. Fines and fees collected by the Office of the Clerk of the Courts and deposited into the RMI Judiciary Fund in FY 2016 totaled \$48,301.85. As highlighted in the Significant Events or Accomplishments section of this report (page 6), funding for the construction of a generator house and a 100kVa generator was made possible through the RMI Judiciary Fund. The fund balance at the end of FY 2016, \$98,191.49 and monies collected in FY 2017 will be reserved for a new Ebeye courthouse. The Ebeye Courthouse project is in the planning stage and most certainly will need additional funding.

For the Marshall Islands Judiciary Fund, Deloitte for FY 2016 reported a clean audit with no unresolved findings. Attached as Appendix 3 is the statement of revenues, expenditures, and changes in the RMI Judiciary Fund balance, (Years ended September 30, 2016) and the Balance Sheets (September 30, 2016).

**ORGANIZATIONAL CHART
FOR THE
MARSHALL ISLANDS JUDICIARY**



JUDICIARY PERSONNEL

Justices and Judges

Supreme Court Chief Justice Daniel N. Cadra (9/21/13-9/20/23)

High Court Chief Justice Carl B. Ingram (10/5/13-10/4/23)

High Court Associate Justice Colin R. Winchester (11/3/16-11/2/18, w/two-year option)

Traditional Rights Court Chief Judge Walter K. Elbon (7/04/10-7/03/20)

Traditional Rights Court Associate Justice Nixon David (4/7/13-4/6/17)

Traditional Rights Court Associate Justice Grace L. Leban (7/04/10-7/03/20)

Presiding District Court Judge Milton Zackios (4/5/15-12/25/18)

Associate District Court Judge A. Tarry Paul (11/30/15-11/29/25)

Associate District Court Judge Davidson T. Jajo (Ebeye) (4/18/16-4/17/26)

Ailinglaplap Community Court Presiding Judge Canover Katol (5/4/14-5/3/18)

Ailinglaplap Community Court Associate Judge Clandon Katjang (5/4/14-5/3/18)

Ailinglaplap Community Court Associate Judge Mannu Rakin (7/13/14-7/12/18)

Ailuk Community Court Presiding Judge Tilly Menua (2/9/14-2/8/18)

Arno Community Court Presiding Judge (vacant)

Arno Community Court Associate Judge (vacant)

Arno Community Court Associate Judge Batle Latdrik (2/9/14-2/8/18)

Aur Community Court Presiding Judge Benty Jikrok (3/3/13-3/2/17)

Bikini and Kili Community Court Presiding Judge Kener Lewis (4/18/16-4/17/22)

Ebon Community Court Presiding Judge (vacant)

Enewetak and Ujelang Community Court Presiding Judge (vacant)

Jabat Community Court Presiding Judge Tari Jamodre ((8/7/16-8/6/22)

Jaluit Community Court Presiding Judge Hertina Mejjena (7/13/14-7/12/18)

Jaluit Community Court Associate Judge (vacant)

Lae Community Court Presiding Judge John Braind (3/3/13-3/2/17)

Lib Community Court Presiding Judge (vacant)

Likiep Community Court Presiding Judge (vacant)

Maloelap Community Court Presiding Judge (vacant)

Maloelap Community Court Associate Judge (vacant)

Mejit Community Court Presiding Judge Rebecca John (1/25/15-1/24/21)

Mili Community Court Presiding Judge (vacant)

Namdrik Community Court Presiding Judge Reio Lolin (7/13/14-7/12/18)

Namu Community Court Presiding Judge (vacant)

Rongelap Community Court Presiding Judge (vacant)

Ujae Community Court Presiding Judge Area Jibbwa (7/13/14-7/12/18)
Utrik Community Court Presiding Judge Jackel Moore (11/17/13-11/16/17)
Wotho Community Court Presiding Judge Carlmai Antibas (9/23/16-9/22/22)
Wotje Community Court Presiding Judge Lincoln Lakjohn (3/18/16-3/17/22)
Wotje Community Court Associate Judge Mejjwadrik Elbon (8/9/15-8/8/21)
Unallocated (vacant)

Judicial Service Commission

High Court Chief Justice Carl B. Ingram, Chair
Attorney-General Filimon M. Manoni, Member
Maria K. Fowler, Member Representing the Public

Staff

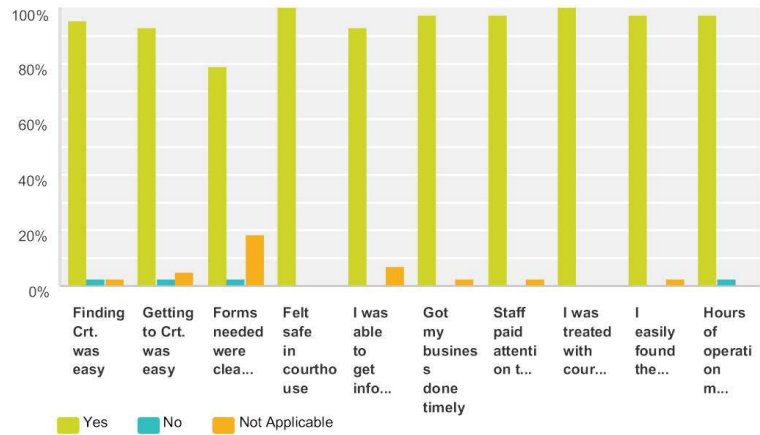
Chief Clerk of the Courts Ingrid K. Kabua
Deputy Chief Clerk of the Courts Travis Joe
Assistant Clerk of the Courts Armen Bolkeim (Ebeye)
Assistant Clerk of the Courts Hainrick Moore
Assistant Clerk of the Courts Tanya Lomae
Assistant Clerk of the Courts Ronna Helkena
Assistant Clerk of the Courts Item Note
Bailiff Junior Borran, Lieutenant
Bailiff Jukku Benjamin, Sergeant
Bailiff Moses Lautej, Police Officer I
Maintenance James Milne

Appendix 3

2016 RMI Judiciary Majuro and Ebeye Court Users Survey

Q1 When you came to the Courthouse today:

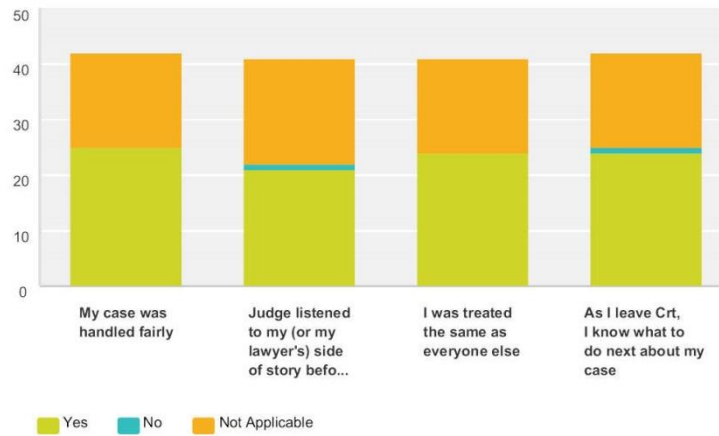
Answered: 43 Skipped: 0



	Yes	No	Not Applicable	Total Respondents
Finding Crt. was easy	95.35% 41	2.33% 1	2.33% 1	43
Getting to Crt. was easy	92.86% 39	2.38% 1	4.76% 2	42
Forms needed were clear & easy to understand	79.07% 34	2.33% 1	18.60% 8	43
Felt safe in courthouse	100.00% 43	0.00% 0	0.00% 0	43
I was able to get info. needed	93.02% 40	0.00% 0	6.98% 3	43
Got my business done timely	97.67% 42	0.00% 0	2.33% 1	43
Staff paid attention to my needs	97.62% 41	0.00% 0	2.38% 1	42
I was treated with courtesy and respect	100.00% 42	0.00% 0	0.00% 0	42
I easily found the courtroom or office needed	97.67% 42	0.00% 0	2.33% 1	43
Hours of operation made it easy for me to do my business	97.67% 42	2.33% 1	0.00% 0	43

Q2 If you saw a judge today:

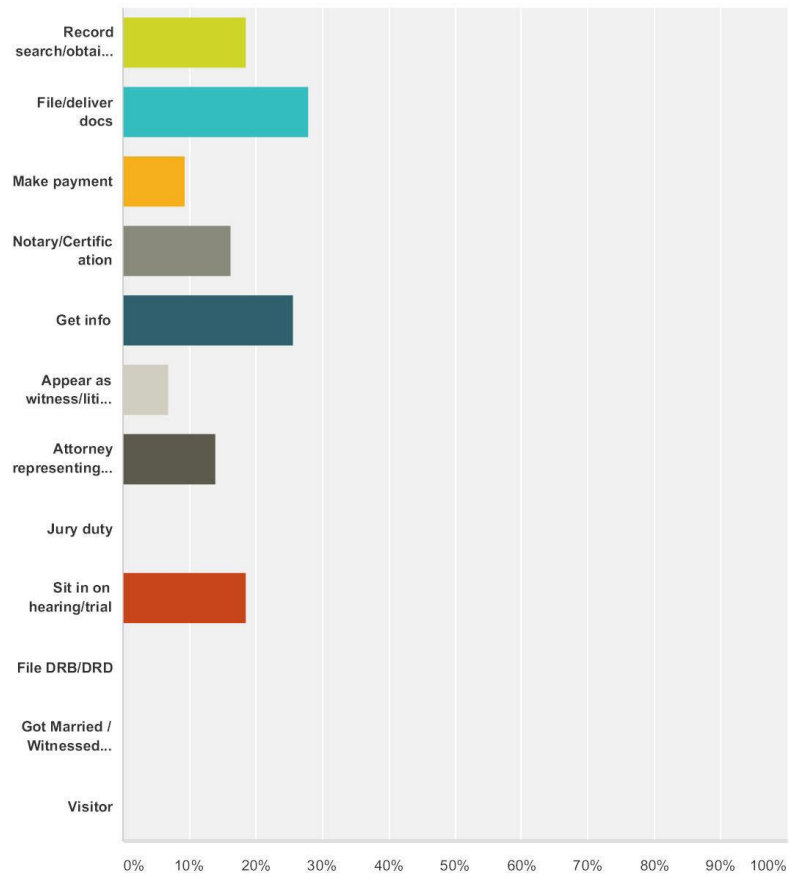
Answered: 43 Skipped: 0



	Yes	No	Not Applicable	Total Respondents
My case was handled fairly	59.52% 25	0.00% 0	40.48% 17	42
Judge listened to my (or my lawyer's) side of story before making decision	51.22% 21	2.44% 1	46.34% 19	41
I was treated the same as everyone else	58.54% 24	0.00% 0	41.46% 17	41
As I leave Crt, I know what to do next about my case	57.14% 24	2.38% 1	40.48% 17	42

Q3 What did you do at the court today?

Answered: 43 Skipped: 0



Answer Choices	Responses
Record search/obtain docs	18.60% 8
File/deliver docs	27.91% 12
Make payment	9.30% 4
Notary/Certification	16.28% 7
Get info	25.58% 11
Appear as witness/litigant	6.98% 3
Attorney representing client	13.95% 6
Jury duty	0.00% 0

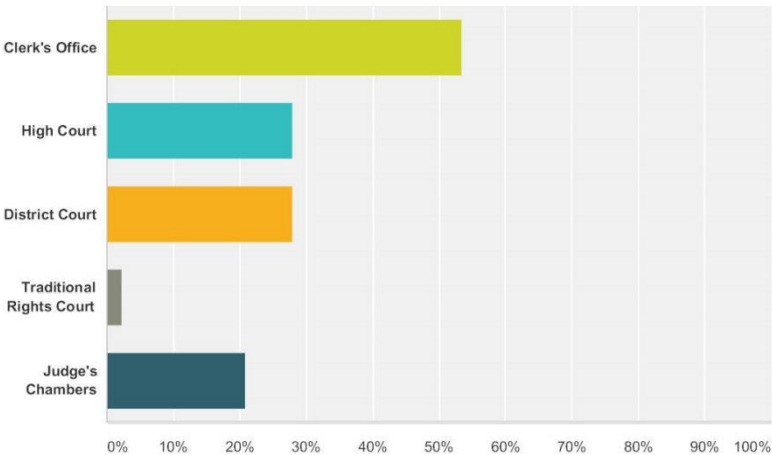
2016 Access & Fairness Survey - Majuro Courthouse

SurveyMonkey

Sit in on hearing/trial	18.60%	8
File DRB/DRD	0.00%	0
Got Married / Witnessed Marriage Ceremony	0.00%	0
Visitor	0.00%	0
Total Respondents: 43		

Q4 Where did you go to today?

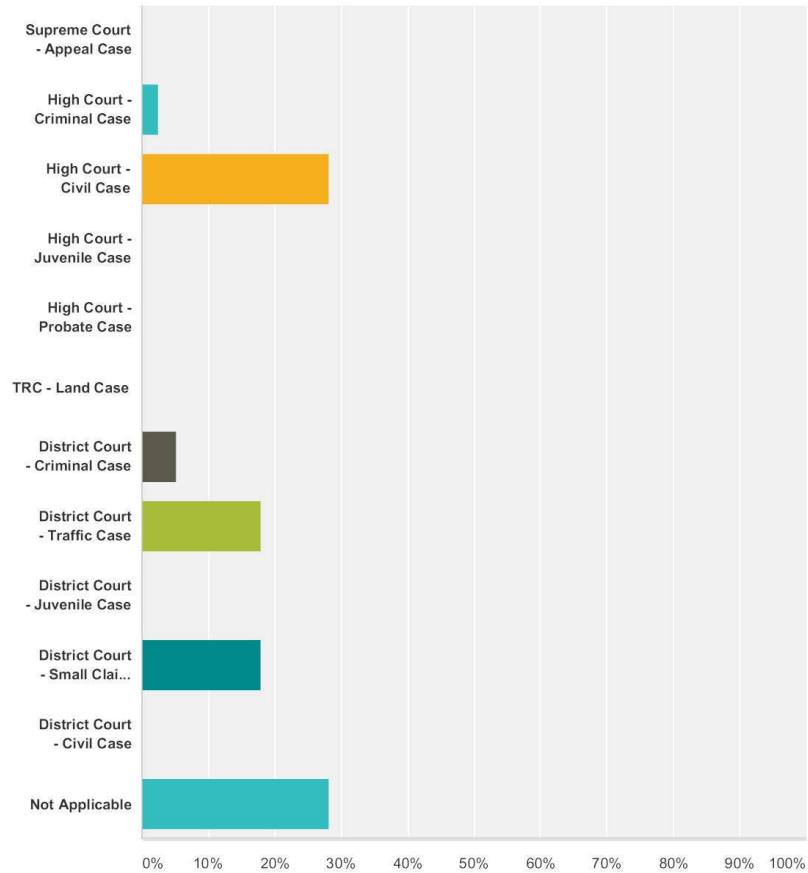
Answered: 43 Skipped: 0



Answer Choices	Responses	
Clerk's Office	53.49%	23
High Court	27.91%	12
District Court	27.91%	12
Traditional Rights Court	2.33%	1
Judge's Chambers	20.93%	9
Total Respondents: 43		

Q5 If you were in Court today for a case, what type of case were you here for?

Answered: 39 Skipped: 4



Answer Choices	Responses
Supreme Court - Appeal Case	0.00% 0
High Court - Criminal Case	2.56% 1
High Court - Civil Case	28.21% 11
High Court - Juvenile Case	0.00% 0
High Court - Probate Case	0.00% 0
TRC - Land Case	0.00% 0
District Court - Criminal Case	5.13% 2

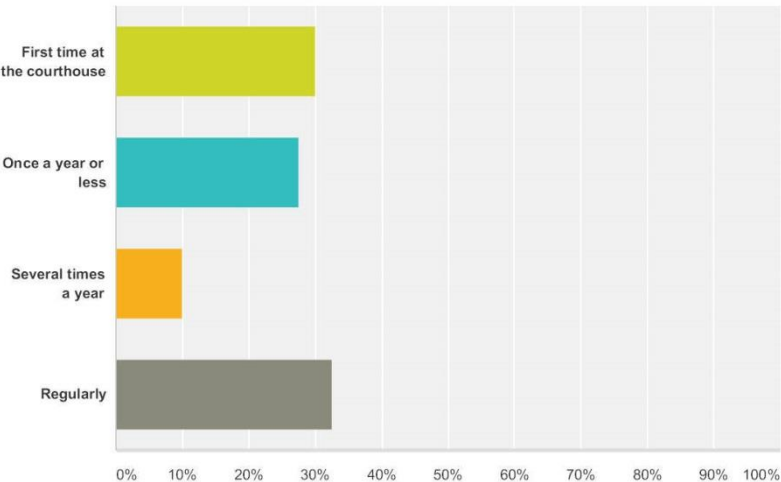
2016 Access & Fairness Survey - Majuro Courthouse

SurveyMonkey

District Court - Traffic Case	17.95%	7
District Court - Juvenile Case	0.00%	0
District Court - Small Claims Case	17.95%	7
District Court - Civil Case	0.00%	0
Not Applicable	28.21%	11
Total		39

Q6 How often are you at the Courthouse?

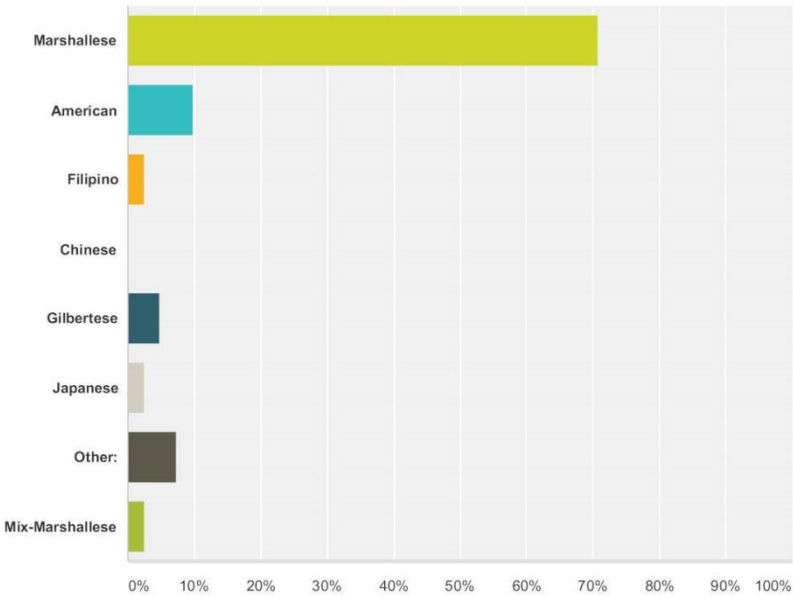
Answered: 40 Skipped: 3



Answer Choices	Responses	
First time at the courthouse	30.00%	12
Once a year or less	27.50%	11
Several times a year	10.00%	4
Regularly	32.50%	13
Total		40

Q7 How do you identify yourself?

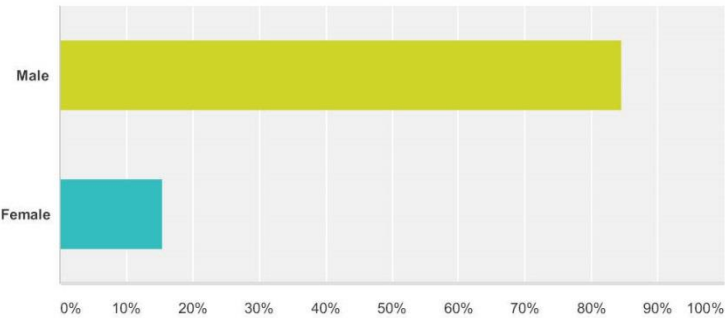
Answered: 41 Skipped: 2



Answer Choices	Responses
Marshallese	70.73%29
American	9.76%4
Filipino	2.44%1
Chinese	0.00%0
Gilbertese	4.88%2
Japanese	2.44%1
Other:	7.32%3
Mix-Marshallese	2.44%1
Total	41

Q8 What is your gender?

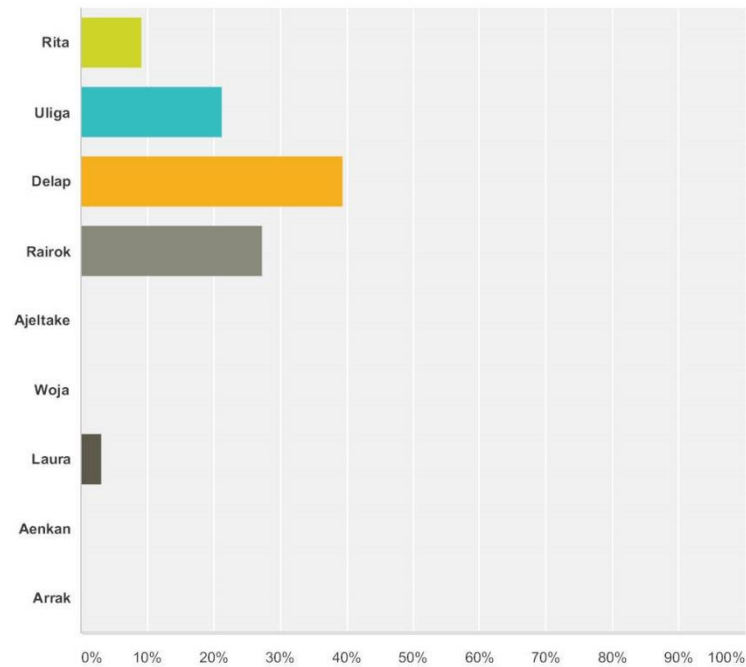
Answered: 39 Skipped: 4



Answer Choices	Responses
Male	84.62%33
Female	15.38%6
Total	39

Q9 What village do you live in?

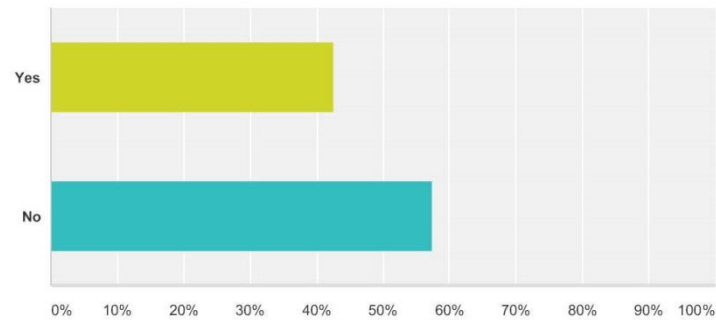
Answered: 33 Skipped: 10



Answer Choices	Responses
Rita	9.09% 3
Ulga	21.21% 7
Delap	39.39% 13
Rairok	27.27% 9
Ajeltake	0.00% 0
Woja	0.00% 0
Laura	3.03% 1
Aenkan	0.00% 0
Arrak	0.00% 0
Total	33

Q10 I have checked the court's website.

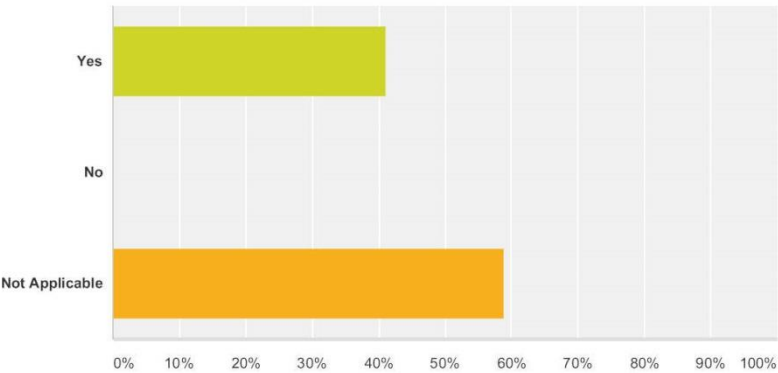
Answered: 40 Skipped: 3



Answer Choices	Responses
Yes	42.50%17
No	57.50%23
Total	40

Q11 The website was useful.

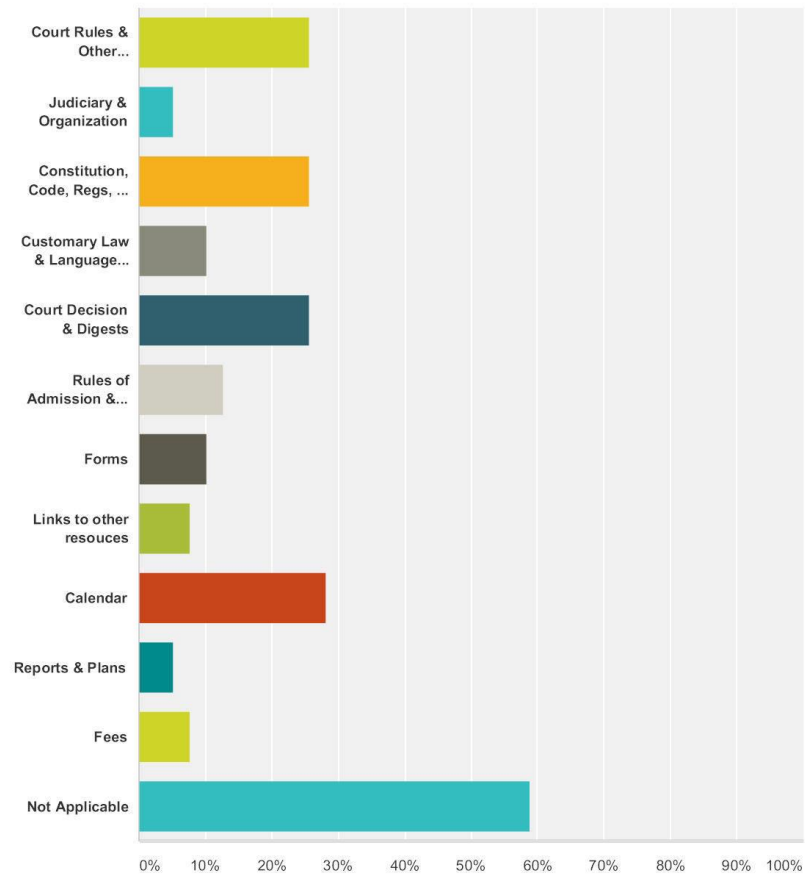
Answered: 39 Skipped: 4



Answer Choices	Responses	
Yes	41.03%	16
No	0.00%	0
Not Applicable	58.97%	23
Total		39

Q12 Where did you go on the website?

Answered: 39 Skipped: 4



Answer Choices	Responses	
Court Rules & Other Publications	25.64%	10
Judiciary & Organization	5.13%	2
Constitution, Code, Regs, & Treaties	25.64%	10
Customary Law & Language Resources	10.26%	4
Court Decision & Digests	25.64%	10
Rules of Admission & Practice	12.82%	5
Forms	10.26%	4
Links to other resouces	7.69%	3

2016 Access & Fairness Survey - Majuro Courthouse

SurveyMonkey

Calendar	28.21%	11
Reports & Plans	5.13%	2
Fees	7.69%	3
Not Applicable	58.97%	23
Total Respondents: 39		

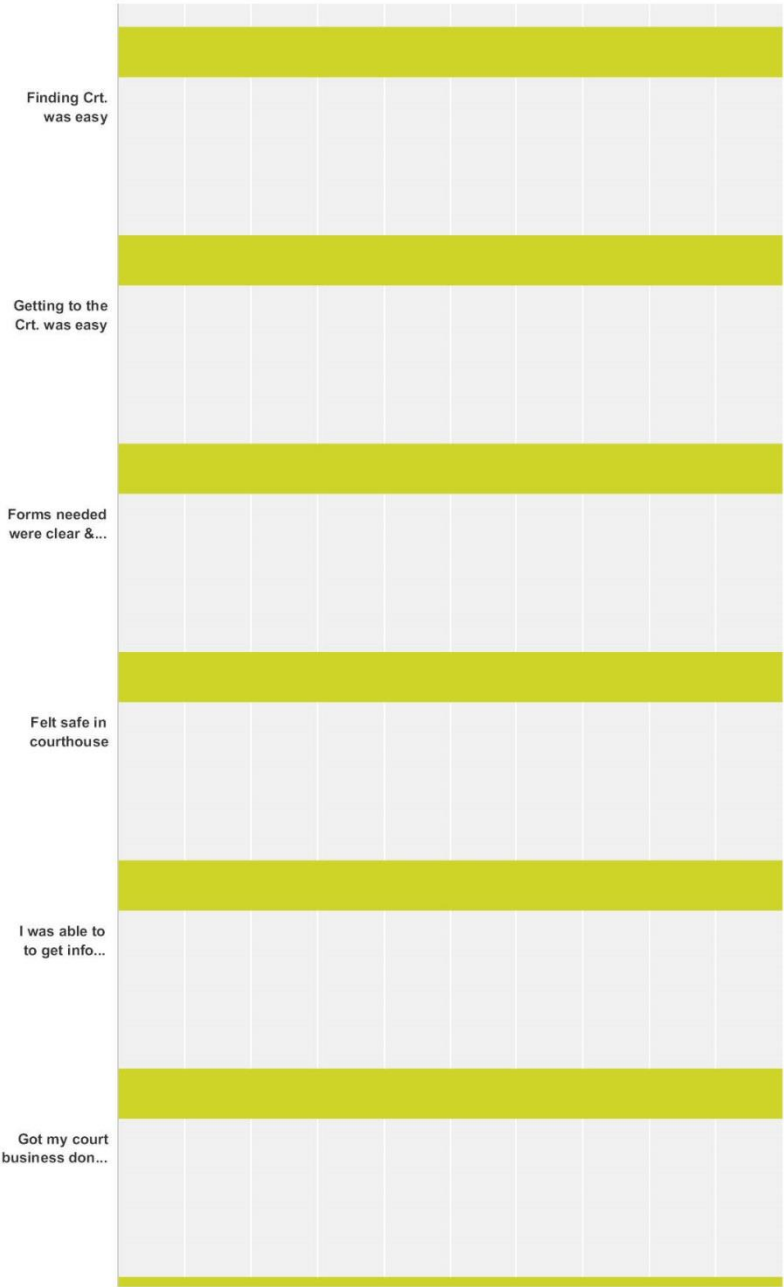
Q13 What could the Judiciary do better?

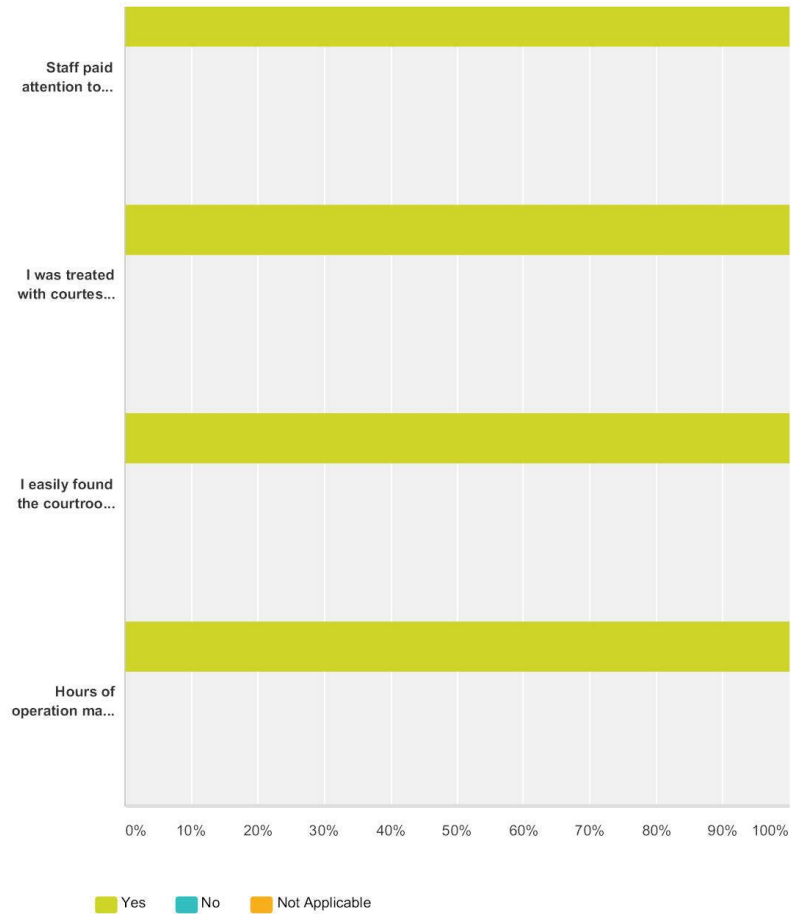
Answered: 18 Skipped: 25

#	Responses	Date
1	Good job!	10/14/2016 4:29 PM
2	None. Not yet.	10/14/2016 4:28 PM
3	Everything good. No comment.	10/14/2016 4:26 PM
4	Just balance and equalize.	10/14/2016 4:17 PM
5	Impose heavier penalty or punishment for robbery & physical injury cases.	10/14/2016 4:15 PM
6	Judiciary is doing better!	10/14/2016 4:10 PM
7	provide training for trial assistants.	10/14/2016 4:07 PM
8	Everything good. Keep up the good work!	10/14/2016 4:06 PM
9	Everything good. Thanks!	10/14/2016 3:55 PM
10	No comment.	10/13/2016 4:07 PM
11	All good!	10/13/2016 4:05 PM
12	Doing a great/wonderful job!	10/13/2016 4:03 PM
13	Provide good customer service esp. to student customers and be committed in the work they do.	10/13/2016 4:02 PM
14	Committed and truthful in the work they do.	10/13/2016 4:00 PM
15	Everything is good.	10/13/2016 3:57 PM
16	None, good as is!	10/13/2016 3:56 PM
17	Be truthful and committed in the work they do.	10/13/2016 3:52 PM
18	Everything okay.	10/13/2016 3:48 PM

Q1 When you came to the Courthouse today:

Answered: 18 Skipped: 0





	Yes	No	Not Applicable	Total Respondents
Finding Crt. was easy	100.00% 18	0.00% 0	0.00% 0	18
Getting to the Crt. was easy	100.00% 18	0.00% 0	0.00% 0	18
Forms needed were clear & easy to understand	100.00% 18	0.00% 0	0.00% 0	18
Felt safe in courthouse	100.00% 18	0.00% 0	0.00% 0	18
I was able to to get info needed	100.00% 18	0.00% 0	0.00% 0	18
Got my court business done timely	100.00% 18	0.00% 0	0.00% 0	18
Staff paid attention to my needs	100.00% 18	0.00% 0	0.00% 0	18

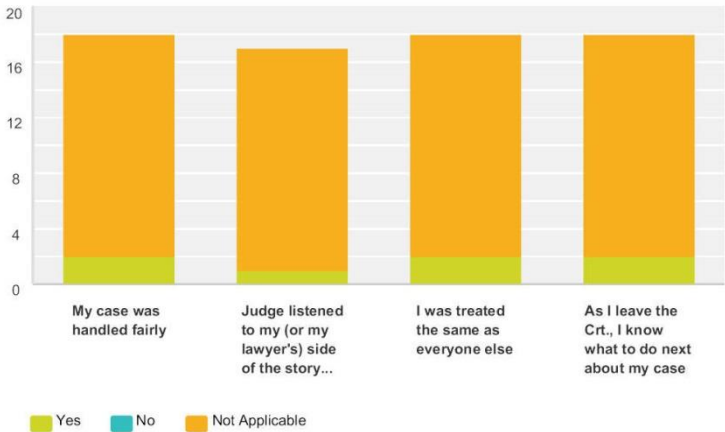
New 2016 Access & Fairness Survey - Ebeye Courthouse

SurveyMonkey

I was treated with courtesy and respect	100.00% 18	0.00% 0	0.00% 0	18
I easily found the courtroom or officeneeded	100.00% 18	0.00% 0	0.00% 0	18
Hours of operation made it easy for me to do my business	100.00% 18	0.00% 0	0.00% 0	18

Q2 If you saw a judge today:

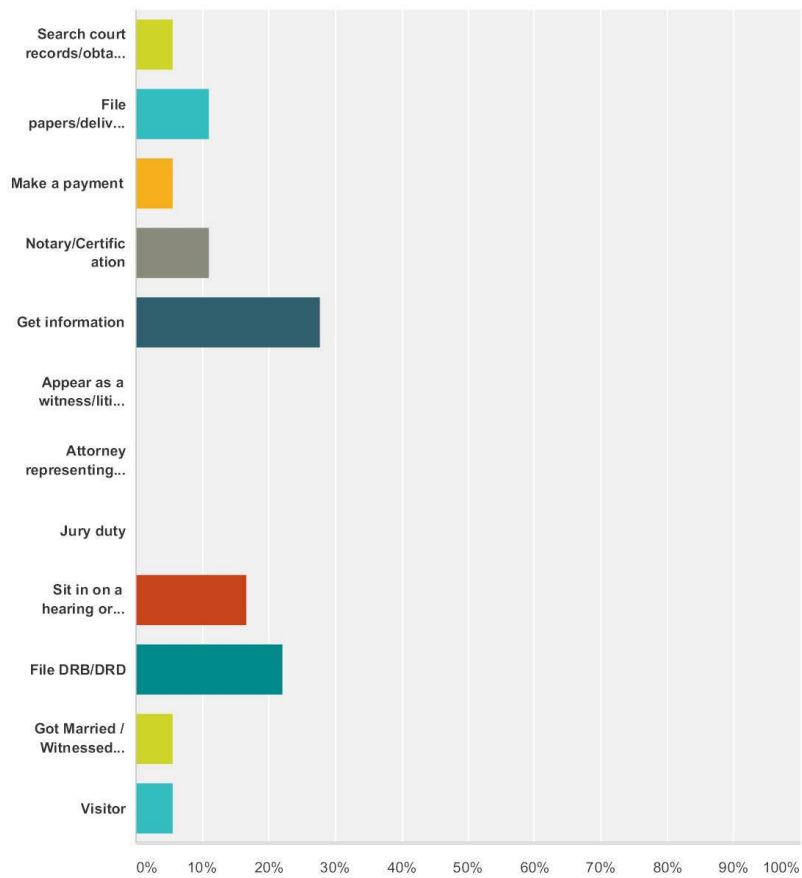
Answered: 18 Skipped: 0



	Yes	No	Not Applicable	Total Respondents
My case was handled fairly	11.11% 2	0.00% 0	88.89% 16	18
Judge listened to my (or my lawyer's) side of the story before making a decision	5.88% 1	0.00% 0	94.12% 16	17
I was treated the same as everyone else	11.11% 2	0.00% 0	88.89% 16	18
As I leave the Crt., I know what to do next about my case	11.11% 2	0.00% 0	88.89% 16	18

Q3 What did you do at the court today?

Answered: 18 Skipped: 0



Answer Choices	Responses
Search court records/obtain documents	5.56% 1
File papers/deliver documents	11.11% 2
Make a payment	5.56% 1
Notary/Certification	11.11% 2
Get information	27.78% 5
Appear as a witness/litigant	0.00% 0
Attorney representing a client	0.00% 0
Jury duty	0.00% 0

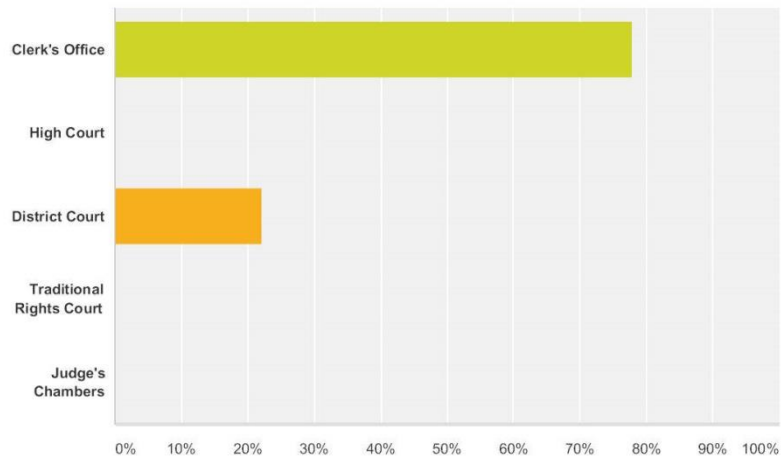
New 2016 Access & Fairness Survey - Ebeye Courthouse

SurveyMonkey

Sit in on a hearing or trial	16.67%	3
File DRB/DRD	22.22%	4
Got Married / Witnessed Marriage Ceremony	5.56%	1
Visitor	5.56%	1
Total Respondents: 18		

Q4 Where did you go to today?

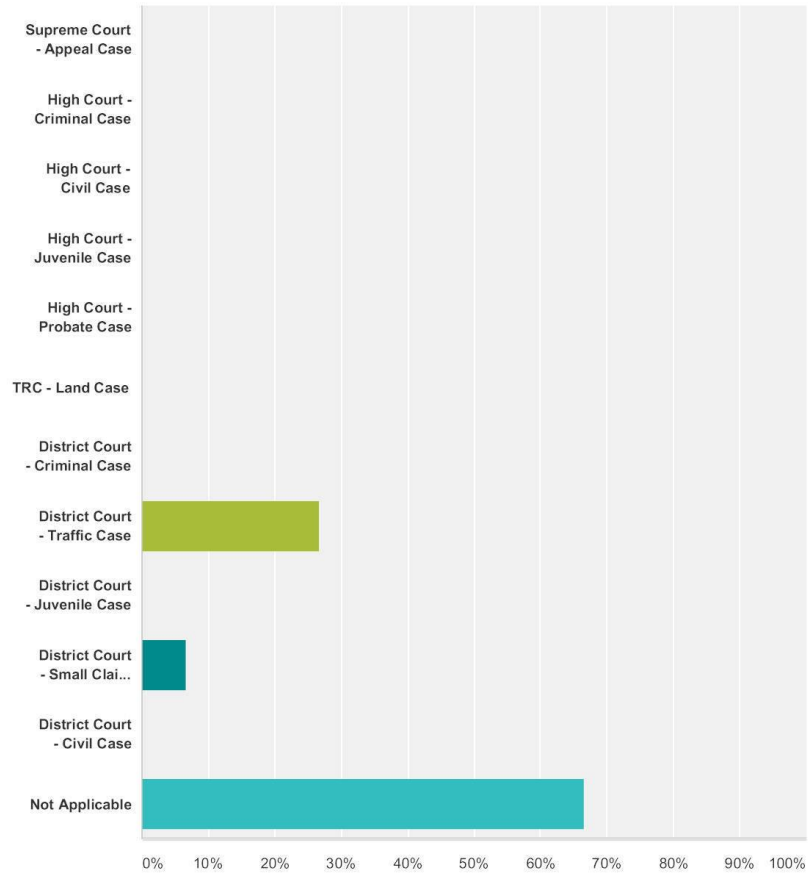
Answered: 18 Skipped: 0



Answer Choices	Responses	
Clerk's Office	77.78%	14
High Court	0.00%	0
District Court	22.22%	4
Traditional Rights Court	0.00%	0
Judge's Chambers	0.00%	0
Total Respondents: 18		

Q5 If you were in Court today for a case, what type of case were you here for?

Answered: 15 Skipped: 3



Answer Choices	Responses
Supreme Court - Appeal Case	0.00% 0
High Court - Criminal Case	0.00% 0
High Court - Civil Case	0.00% 0
High Court - Juvenile Case	0.00% 0
High Court - Probate Case	0.00% 0
TRC - Land Case	0.00% 0
District Court - Criminal Case	0.00% 0

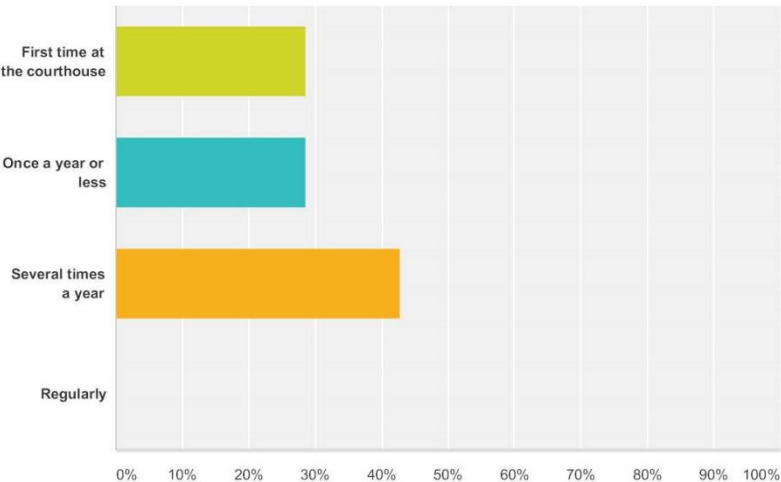
New 2016 Access & Fairness Survey - Ebeye Courthouse

SurveyMonkey

District Court - Traffic Case	26.67%	4
District Court - Juvenile Case	0.00%	0
District Court - Small Claims Case	6.67%	1
District Court - Civil Case	0.00%	0
Not Applicable	66.67%	10
Total		15

Q6 How often are you at the Courthouse?

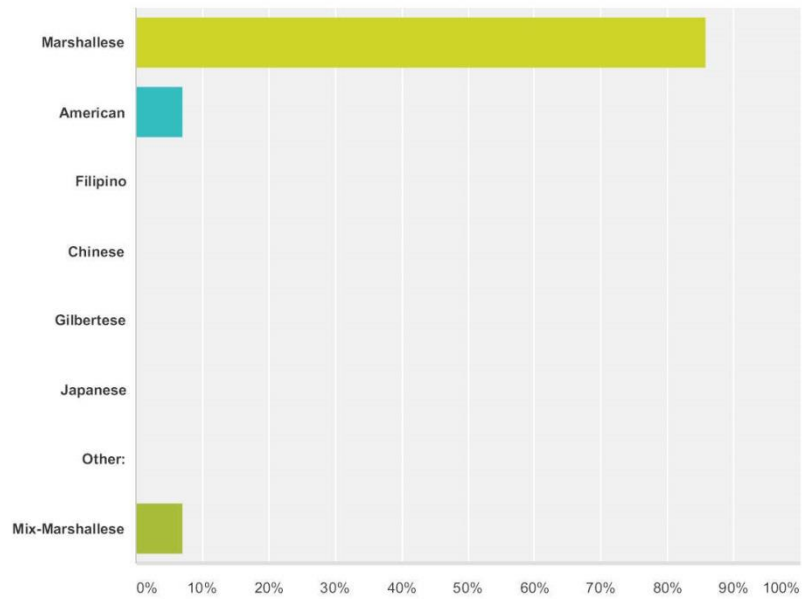
Answered: 14 Skipped: 4



Answer Choices	Responses	
First time at the courthouse	28.57%	4
Once a year or less	28.57%	4
Several times a year	42.86%	6
Regularly	0.00%	0
Total		14

Q7 How do you identify yourself?

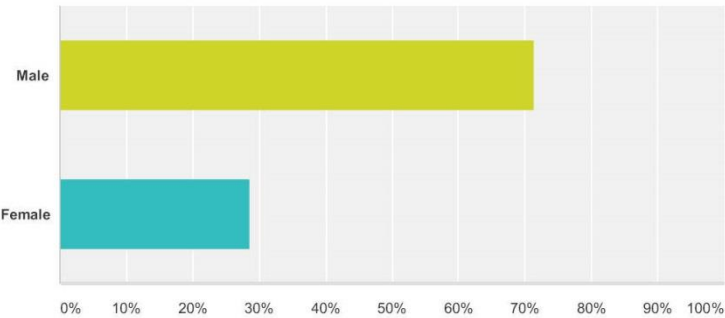
Answered: 14 Skipped: 4



Answer Choices	Responses	
Marshallese	85.71%	12
American	7.14%	1
Filipino	0.00%	0
Chinese	0.00%	0
Gilbertese	0.00%	0
Japanese	0.00%	0
Other:	0.00%	0
Mix-Marshallese	7.14%	1
Total		14

Q8 What is your gender?

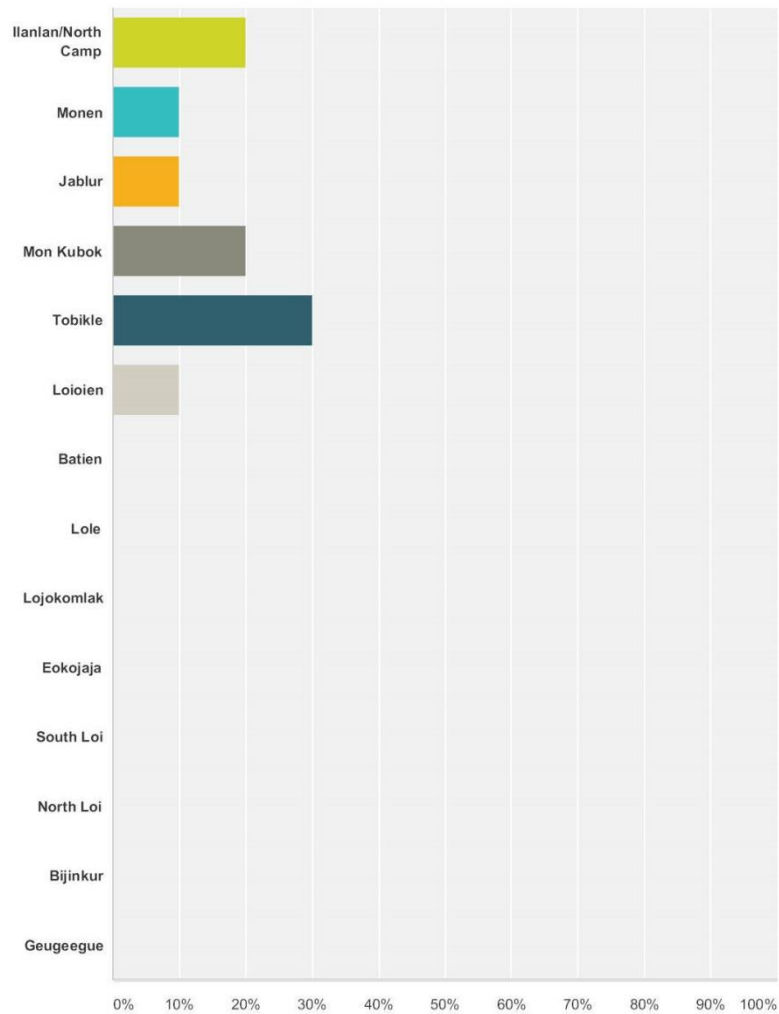
Answered: 14 Skipped: 4



Answer Choices	Responses
Male	71.43%10
Female	28.57%4
Total	14

Q9 What village do you live in?

Answered: 10 Skipped: 8



Answer Choices	Responses
Ilanlan/North Camp	20.00% 2
Monen	10.00% 1
Jablur	10.00% 1
Mon Kubok	20.00% 2
Tobikle	30.00% 3

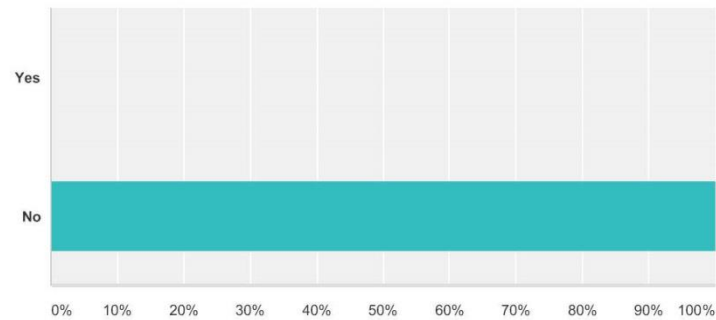
New 2016 Access & Fairness Survey - Ebeye Courthouse

SurveyMonkey

Loioien	10.00%	1
Batien	0.00%	0
Lole	0.00%	0
Lojokomlak	0.00%	0
Eokojaja	0.00%	0
South Loi	0.00%	0
North Loi	0.00%	0
Bijinkur	0.00%	0
Geugeegue	0.00%	0
Total		10

Q10 I have checked the court's website.

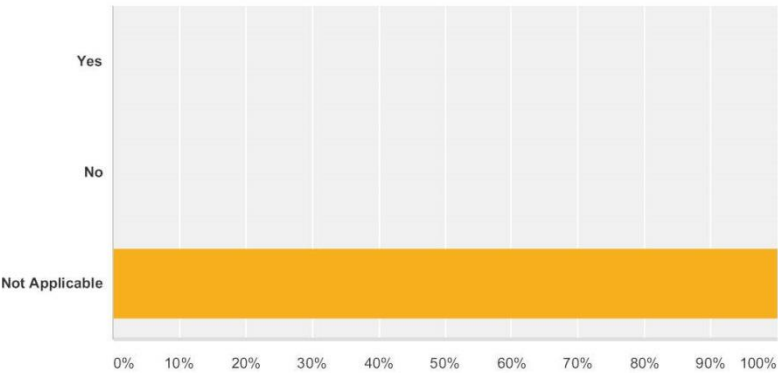
Answered: 13 Skipped: 5



Answer Choices	Responses
Yes	0.00%0
No	100.00%13
Total	13

Q11 The website was useful.

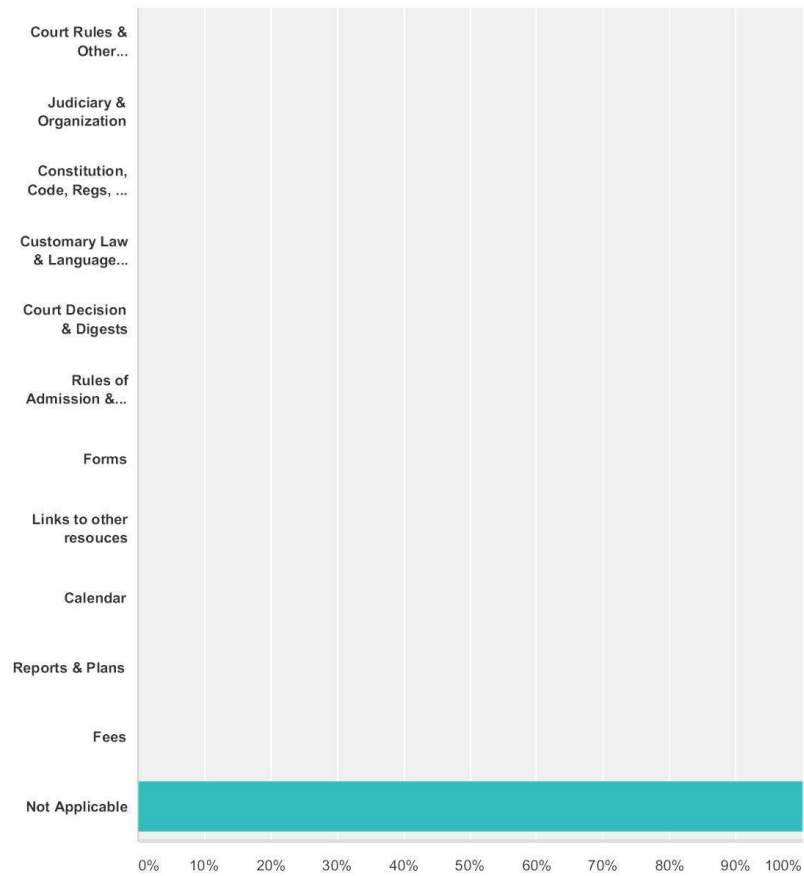
Answered: 13 Skipped: 5



Answer Choices	Responses	
Yes	0.00%	0
No	0.00%	0
Not Applicable	100.00%	13
Total		13

Q12 Where did you go on the website?

Answered: 13 Skipped: 5



Answer Choices	Responses
Court Rules & Other Publications	0.00% 0
Judiciary & Organization	0.00% 0
Constitution, Code, Regs, & Treaties	0.00% 0
Customary Law & Language Resources	0.00% 0
Court Decision & Digests	0.00% 0
Rules of Admission & Practice	0.00% 0
Forms	0.00% 0
Links to other resouces	0.00% 0

New 2016 Access & Fairness Survey - Ebeye Courthouse

SurveyMonkey

Calendar	0.00%	0
Reports & Plans	0.00%	0
Fees	0.00%	0
Not Applicable	100.00%	13
Total Respondents: 13		

Q13 What could the Judiciary do better?

Answered: 11 Skipped: 7

#	Responses	Date
1	I'd like the courthouse building to be bigger.	10/13/2016 3:34 PM
2	None.	10/13/2016 3:32 PM
3	Get a janitor to clean everyday - inside and out, make courthouse bigger, and a lobby/waiting area	10/13/2016 3:30 PM
4	Courthouse good enough but should be bigger and maybe more staff.	10/13/2016 3:21 PM
5	Good!	10/13/2016 3:19 PM
6	Good!	10/13/2016 3:17 PM
7	No questions, very good.	10/13/2016 3:15 PM
8	Helpful. I was able to get document needed for my daughter to attend school/.	10/13/2016 3:13 PM
9	Everything good.	10/13/2016 3:11 PM
10	Everything is okay.	10/13/2016 3:07 PM
11	Expand courthouse.	10/13/2016 3:02 PM

Appendix 4

MARSHALL ISLANDS JUDICIARY FUND

Statement of Revenues, Expenditures, and Changes in Fund Balance Year Ended September 30, 2016 and 2015

	<u>2016</u>	<u>2015</u>
Revenues:		
Nitijela appropriation	\$ 916,908	\$ 943,390
Fines and fees	67,897	48,302
Interest	934	1,022
Other	<u>34,132</u>	<u>41,803</u>
Total revenues	<u>1,019,871</u>	<u>1,034,517</u>
Expenditures:		
Salaries, wages and benefits	573,620	574,324
Supplies and materials	119,585	48,377
Travel	64,451	32,658
Leased housing	56,250	67,500
Communications	48,443	44,290
Capital outlay	44,801	80,050
Utilities	39,870	54,344
Professional Services	23,931	12,582
Repairs and maintenance	8,938	17,508
POL	7,967	9,909
Miscellaneous	<u>30,634</u>	<u>20,507</u>
Total expenditures	<u>1,018,490</u>	<u>962,049</u>
Net change in fund balance	1,381	72,468
Fund balance at the beginning of the year	<u>315,579</u>	<u>243,111</u>
Fund balance at the end of the year	<u>\$ 316,960</u>	<u>\$ 315,579</u>

See accompanying notes to financial statements.

MARSHALL ISLANDS JUDICIARY FUND

Balance Sheets September 30, 2016 and 2015

<u>ASSETS</u>	<u>2016</u>	<u>2015</u>
Cash	\$ 314,664	\$ 326,752
Accounts Receivable	9,099	-
	<u>\$ 323,763</u>	<u>\$ 326,752</u>
 <u>LIABILITIES AND FUND BALANCE</u>		
Liabilities:		
Accounts payable	\$ -	\$ 5,188
Other liabilities and accruals	<u>6,803</u>	<u>5,985</u>
Total liabilities	<u>6,803</u>	<u>11,173</u>
Contingency		
Fund Balance:		
Committed	<u>316,960</u>	<u>315,579</u>
Total liabilities and fund balance	<u>\$ 323,763</u>	<u>\$ 326,752</u>

See accompanying notes to financial statements.