

IN THE HIGH COURT
of the
REPUBLIC OF THE MARSHALL ISLANDS

IN THE MATTER OF THE ADOPTION AND PROMULGATION OF CLEARANCE GOALS, TIME STANDARDS, AND OTHER DELAY REDUCTION MEASURES FOR THE HIGH COURT, THE TRADITIONAL RIGHTS COURT, AND THE DISTRICT COURT	GENERAL COURT ORDER NO. 2019-002
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Under the authority of Article VI, Section 1 of the Constitution, and notwithstanding any existing rule of court to the contrary, the High Court hereby adopts and promulgates the following clearance goals, time standards, other delay reduction measures, and reporting requirements.

CLEARANCE GOALS

For both the High Court and the District Court and for all types of cases, the clearance rate goal is to average 100% over five years.

TIME STANDARDS

High Court

The High Court’s annual time goals include the following:

- All civil cases (except probate case): clear 70% within 120 days and 90% within 24 months, and for internal guidance;
 - Civil cases involving family and personal status: clear 80% within 90 days and 90% within 365 days;
 - Domestic violence matters: issue temporary protection orders in 90% within 48 hours and clear 100% within 14 days;
 - General civil matters (including commercial matters): clear 70% within 18 months;
 - Land cases: clear 70% within 18 months, plus the time taken by the Traditional Rights Court and time to produce a transcript for counsel, if they request one; and

- Maritime/admiralty cases, enforcement of foreign judgment cases, and enforcement of foreign arbitration cases: No time goal; maritime cases tend to be held in abeyance pending the resolution of related cases on other jurisdictions;
- Probate cases: clear 90% within 90 days;
- Criminal cases: clear 90% within 18 months; and
- Juvenile cases: clear 80% within 180 days.

District Court

The District Court's annual time goals include the following:

- Criminal cases: clear 80% in 30 days and 100% in 120 days;
- Traffic cases: clear 80% in 30 days and 100% in 180 days;
- Juvenile cases: clear 100% in 21 days (not in detention);
- Domestic violence matters: issue temporary protection orders in 90% within 48 hours and clear 100% within 14 days; and
- Small Claims cases: clear 80% in 30 days and 100% in 45 days.

OTHER DELAY REDUCTION MEASURES

In addition to the clearance standards and time goals, the High Court has adopted other delay reduction measures appropriate for the trial courts. All trial courts employ the following three delay reduction measures:

1. a continuance policy to reduce excessive delay due to requests for continuances,
2. scheduling "next actions" with dates certain for all pending cases, and
3. a checklist of timeliness indicators for the Judiciary as a whole.

For the High Court, the delay reduction measures also include the following: fixed times for filing oppositions to motion and replies; page limits on motions, oppositions, and replies; earlier pre-trial conferences; and tracking the average age of pending cases and the average age of cleared cases. For the Traditional Rights Court, the delay reductions measures also included the following: pre-trial conference notice that requires counsel be ready to discuss their cases; differentiating between complex and more simple cases, using simple cases as filler when scheduled cases are delayed; and more certain scheduling of trials. For the District Court the

delay reduction measures also included a system of calendaring 12 defended hearing matters per day, instead of only two.

REPORTING REQUIREMENTS

In its annual report, the Judiciary shall report on adherence to clearance goals, time standards, and other delay reduction measures.

Ordered and Entered: November 29, 2019.

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

Carl B. Ingram
Chief Justice, High Court