



# **THE JUDICIARY OF THE REPUBLIC OF THE MARSHALL ISLANDS**

## **2024 ANNUAL REPORT**

## Table of Contents

Message from the Chief Justice .....	1
Our Values: .....	2
Mission Statement:.....	3
Vision:.....	3
I. INTRODUCTION .....	5
II. THE COURTS: EFFICIENCY, QUALITY, AND ACCESSIBILITY .....	6
A. Supreme Court .....	7
B. High Court.....	11
1. Civil Cases (other than Probate Cases).....	12
2. Probate Cases .....	19
3. Criminal Cases .....	22
4. Juvenile Cases .....	26
5. Caseloads for Judges and Clerks.....	27
6. Selected Decisions .....	28
C. Traditional Rights Court.....	28
D. District Court.....	30
1. Traffic Cases (Majuro).....	30
2. Criminal Cases (Majuro).....	34
3. Juvenile Cases (Majuro) .....	37
4. Small Claims Cases (Majuro) .....	40
5. Caseload for Judges and Clerks (Majuro).....	43
6. Ebeye.....	43
E. Community Courts .....	43
F. Travel to the Neighboring Islands and Ebeye.....	44
G. Other Services: Births, Deaths, Marriages, Notarizations, etc.....	44
1. Majuro.....	45
2. Ebeye.....	45
H. Court Staff.....	45
I. Professional Development and Regional Conferences.....	46
J. Court Rules and Relevant Statutes .....	52

III. THE JUDICIAL SERVICE COMMISSION: JUDICIAL APPOINTMENTS .....	53
IV. ACCOUNTABILITY: CODES OF CONDUCT AND COMPLAINTS .....	53
V. FACILITIES, TECHNOLOGY, AND LIBRARY .....	54
A. Facilities .....	54
B. Technology .....	54
C. Library .....	55
VI. ANNUAL BUDGET AND AUDIT REPORT .....	55
Appendix 1: Organizational Chart .....	57
Appendix 2: Judiciary Personnel .....	58
Appendix 3: Audited Financial Statements .....	60



# HIGH COURT

of the

## Republic of the Marshall Islands

Post Office Box B  
Majuro, MH 96960  
Tele.: 692-625-3201  
Email: Marshall.Islands.Judiciary@gmail.com

Iokwe, I am pleased to present the 2024 Annual Report for the Judiciary of the Republic of the Marshall Islands. As in recent 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 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 2024. 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 an independent 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 2024 Annual Report are our 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 "Carl B. Ingram".

---

Carl B. Ingram  
Chief Justice, High Court  
Date: March 7, 2025



## 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 jerbal wot iumin tomak, aurok eo, im konan eo non air jerbal ilo wawein ko renaj koman bwe armej ren kalimjeklok ra eo an Jikin Ekajet bwe ej juon eo ej einwot in:*

- accessible *ebellok non aoleb armej etiljek, ekkeke, im maron uwak non jerbal ko an ekakemooj im emmon an komane jerbal eo an ej jokkin wot juon an komane jerbal eo an ebolemen im tiljek ilo an kakke aikuij ko ej jerbal jimwe ilo ejelok kalijeklok ak jeb ejenolok im jutaklok ian make ewor an kautiej armej im etiljek, jela nae, jela kunaan, im jela karejar iben armej,*
- accountable *ej kaurok im kautiej manit im men ko bwinnid im ad jolet, ekoba lomnak im wawein jerbal ko rekaal.*
- competent
- consistent
- efficient
- fair and impartial
- independent
- respectful and
- service-oriented,
- valuing custom and tradition, as well as innovation.

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 jerbal jimwe ilo ejelok kalijeklok, bolemen im tiljek ilo an kakke aikuij ko ilo aoleb abnono ko rej itok imae, im non komane jerbal in ekajet im edro ko aer ekkar non Jemen-Ei eo, kakien ko, im manit ko an ailon kein ad im jej jenolok 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.

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

- *Ra eo an jikin ekajet eo enaj jerbal jimwe ilo ejelok an kalijeklok.*

- *Ra eo an jikin ekajet eo enaj kile, kautej, im karejar ippenn ro rej kojerbal im bukot jiban jen jikin ekajet eo, ekoba dri-herbal ro mottam, im enaj kotmene bwe armij renaj ukot tok ilo ejja wawein kein wot.*
- *Ra eo an jikin ekajet eo enaj komman bwe en drik wonen, bidodo, im ejelok aban non ro rej kojerbal im bok jiban jen jikin ekajet eo.*
- *Ra eo an jikin ekajet eo enaj bukot kojkan bwe en mokaj, emman, im jejjet wawein am bukot mejlan ailwaro im aikuj ko.*
- *Ra eo an jikin ekajet eo enaj 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.*
- *Ra eo an jikin ekajet eo enaj kommani herbal im eddro ko an court ekkar non jonak im wawein ko lal in ej kili im lori ikijen herbal in tel, lolorjake, im bok eddro.*
- *Ra eo an jikin ekajet eo enaj bukot im kojerbal wawein im rebeltan herbal 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-herbal ro ilo jikin ekajet eo.*
- *Ra eo an jikin ekajet eo enaj lolorjake bwe jikin ekajet ko ren ainemmon im bolemeir, im bwe jitbon herbal in ippenn dron eo en wonmanlok wot.*

# 2024 REPORT OF THE JUDICIARY OF THE REPUBLIC OF THE MARSHALL ISLANDS

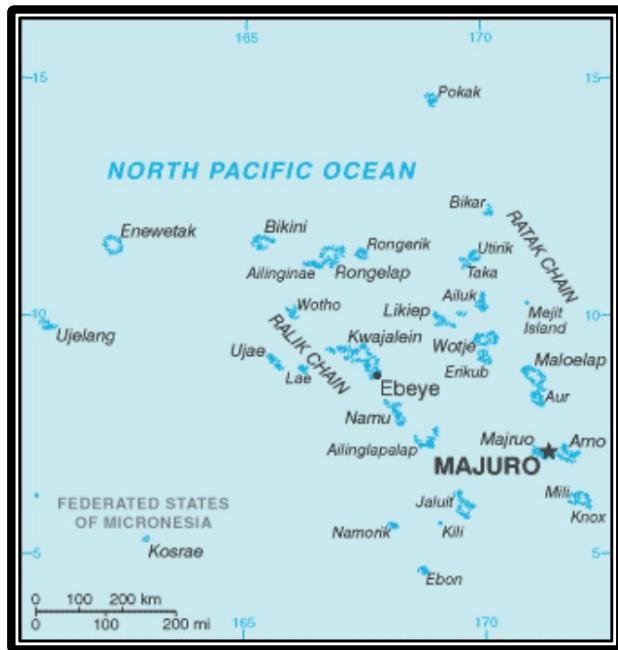
## I. INTRODUCTION

The Republic of the Marshall Islands consists of two nearly parallel island chains of 29 atolls and five separate islands—about 1,225 islets in all—located about half way between Hawaii and Australia. The Republic's land mass totals approximately 70 square miles scattered over 822,784 square miles of the Pacific Ocean. In 2024, the estimated mid-year population of the Marshall Islands was 37,548. 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 a 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. In 1992, the Marshall Islands became a member of the United Nations. The Marshall Islands is now fully 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 4 years, after national elections, the Nitijela elects from its members a president, who in turn selects 8 to 10 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 (“Judiciary”).

Article VI of the Constitution provides for a judiciary “independent of the legislative and executive powers.” The 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 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



Judiciary is attached as Appendix 1, and a listing of Judiciary personnel at the end of calendar year 2024 is attached as Appendix 2.

In the sections that follow, this report summarizes the Judiciary's operations and accomplishments in calendar year 2024, as well as its challenges, including the need for financial support. These sections include the following:

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

## **II. THE COURTS: EFFICIENCY, QUALITY, AND ACCESSIBILITY**

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

- The Judiciary's **efficiency** can be measured by annual clearance rates, five-year clearance rates, time standards, the age of cleared cases, pending to disposal ratios ("PDR") 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, the accessibility of courthouses, appearance by contemporaneous transmission, and access for women and those with disabilities.

To these ends, the 2024 Annual Report reviews all five levels of the Judiciary—the Supreme Court, the High Court, the Traditional Rights Court, the District Court, and the Community Courts. The review includes the courts' jurisdictions, staffing, and case statistics, as well as continuing professional development for judges and staff. The case statistics come from the Judiciary's Case Tracking System ("CTS") developed and enhanced through funding by New Zealand. This includes statistics regarding gender, disability, representation, remote proceedings, and fee waiver.

## 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 his second 10-year term effective



September 2023. Generally, associate justices have been acting judges from other jurisdictions—the United States Ninth Circuit Court of Appeals, the United States Federal District Courts within the Ninth Circuit, the Republic of Palau, the Commonwealth of the Northern Mariana Islands, and Canada. In 2024, the acting associate justices were two United States Federal Court judges from the Ninth Circuit: District Court Judge Michael Seabright from the District of Hawaii and Chief District Court Judge Richard Seeborg from the District of Northern California. The Chief Clerk of the Courts, Ingrid K. Kabua, serves as the clerk of the Supreme Court.

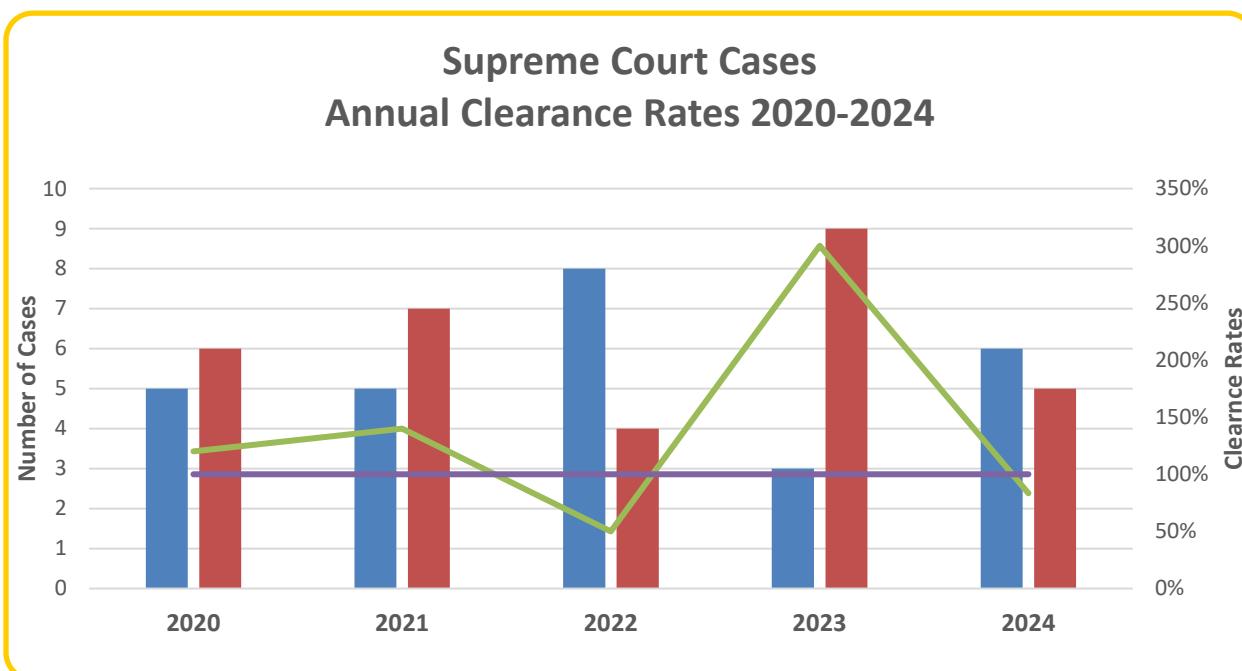
The Supreme Court's 2024 case and workload are summarized below, including the annual clearance rate, the five-year clearance rate, the annual average age of cleared cases, and the annual average age of pending cases. However, it should be noted that as the number of appeals each year is low. Accordingly, the annual performance indicators can fluctuate significantly.

At the beginning of 2024, there were five matters pending before the Supreme Court. In 2024, another six matters were filed (four land cases, one non-resident corporation case, and one

reinstatement case). The Supreme Court was able to hear and clear five cases (three criminal cases and two land cases). At the end of 2024, six cases remained (four land cases, one non-resident corporation case, and one reinstatement case).

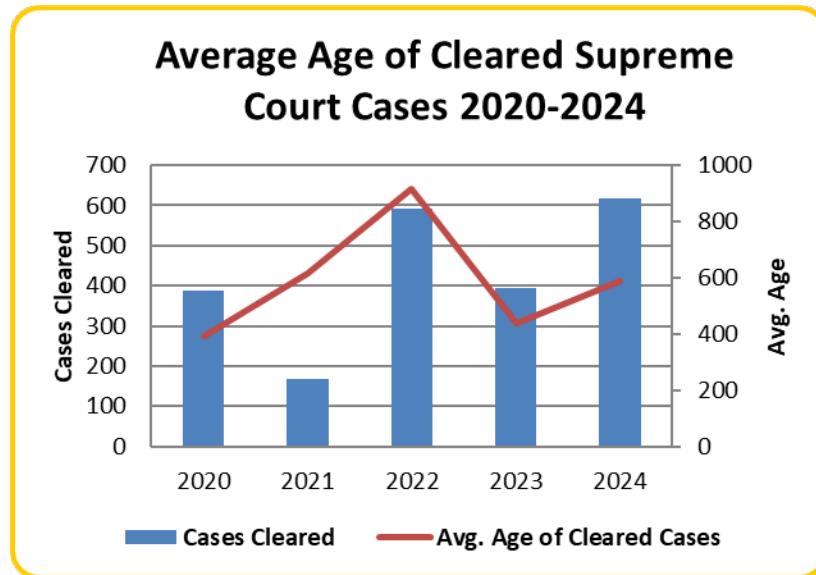
With respect to deciding the cases brought before it, the Supreme Court's goal is to achieve an annual clearance rate of 100% and a five-year clearance rate of 100%. In 2024, the Supreme Court met the five-year clearance goal but not the annual clearance goal. With six cases filed and five cases cleared in 2023, the annual clearance rate was 83% (5/6). The five-year clearance rate was 115% (27/31). The Judiciary anticipates that the Supreme Court's annual clearance rate and five-year clearance rate will continue to fluctuate around 100%. To date in 2025, the Supreme Court has cleared one of the six cases pending from 2024, and three new appeals have been filed.

Annual and 5-Year Clearance Rates for Supreme Court Cases 2020-2024						
	2020	2021	2022	2023	2024	5-Year
Cases Filed	5	5	8	3	6	27
Cases Cleared	6	7	4	9	5	31
Clearance Rate	120%	140%	50%	300%	83%	115%
Annual Goal	100%	100%	100%	100%	100%	100%



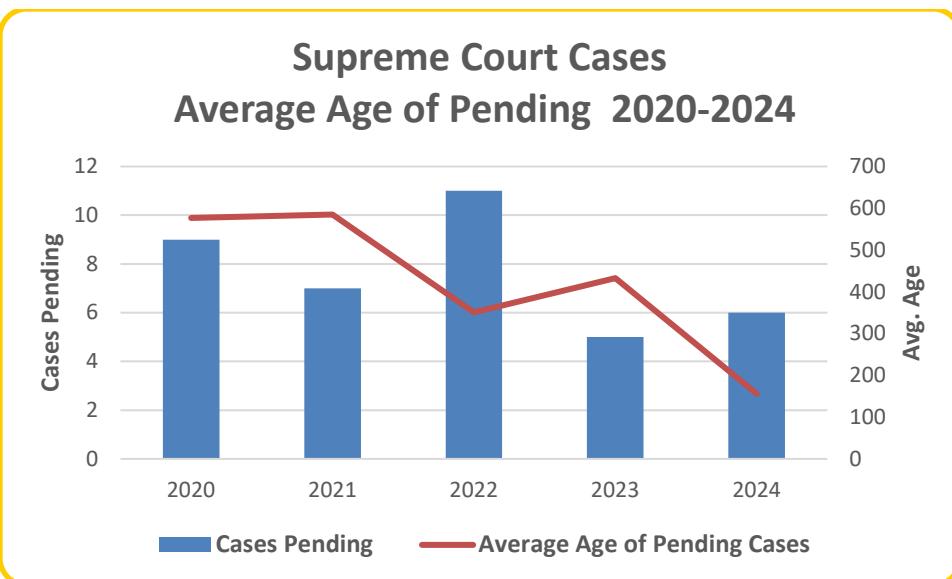
In addition to the clearance rate figures, the Judiciary tracks the average age of cleared Supreme Court cases. In 2024, the average age of the nine cases cleared was 589 days. The five-year trend for the average age of cleared Supreme Court cases is set forth below in the table and chart. The age of cleared cases in 2024 increased by 153 days, 35%, more than 2023's figure.

Average Age of Cleared Supreme Court Cases 2020-2024					
	2020	2021	2022	2023	2024
Cases Cleared	6	7	4	9	5
Avg. Age of Cleared Cases	394	617	914	436	589



Regarding the average age of pending cases, as the table below shows, at the end of 2024 the average age of the six pending Supreme Court cases was 156 days, down 227 days from 433 days the end of 2023. The decrease was due to older cases having been cleared in 2023. The five-year trend for the average age of pending Supreme Court cases is set forth below in the table and chart.

Supreme Court Cases: Average Age of Pending Cases 2020-2024					
	2020	2021	2022	2023	2024
Cases Pending	9	7	11	5	6
Average Age of Pending Cases	577	585	351	433	156



In addition to the average of pending cases, the Judiciary tracks the pending to disposal ratio, or PDR. This is the number of cases pending at the end the year divided by the number of cases disposed or cleared in the past 12 months. The PDR is a lead indicator. That is, a PDR consistently over 1.0 is likely to lead to a backlog. For 2024, the Supreme Court's PDR was 1.20 (6/5). These cases are scheduled to be heard in 2025, if counsel complete their briefing.

In addition to the disposal rate, to track the Supreme Court's efficiency the Judiciary also reviews the distribution and the average age of pending cases. At the end of 2024, there were six cases pending before the Supreme Court. All the cases were filed in 2024. The absence of a "tail" cases from previous years demonstrates that the Supreme Court is keeping current with its pending cases.

Beyond efficiency, the Supreme Court is affordable and accessible. Affordability and accessibility may be measured in terms of the availability of low filing fees for most litigants, fee waivers, the availability of free legal service for those who cannot afford an attorney, access for women, accommodations for those with disabilities, and publication of decisions.

- **Low Filing Fees.** The filing fee for most appeals is low, only \$100, and the availability of fee waivers was, and continues to be, publicized. The filing fee for non-resident matters is higher. That is, the filing fee is \$1,000 for appeals involving a non-resident entity, a foreign entity, or a foreign maritime entity, or cases involving the enforcement of a foreign judgment, arbitration award, or the like.
- **Fee Waivers.** Of the six matters filed in 2024, no fee waivers for the filing fee and transcript fee were sought.

- **Legal Aid Services.** Of the six matters filed in 2024, no of the parties were represented by the Office of the Public Defender (“OPD”) or the Micronesian Legal Services Corporation (“MLSC”). All were represented by private counsel.
- **Women’s Access to Justice.** In 2024, the Supreme Court tracked the gender of appellees and appellants on the Judiciary’s CTS. In the five appeals and one removal filed in 2024, one appellant and two appellees were women and the remaining parties were men or corporate entities.
- **Accommodation for Disabilities.** In 2024, the Supreme Court tracked via the CTS the disability status of litigants. In five appeals and one removal, although most were seniors (over 60 years of age) only one suffered disabilities, i.e., difficulty walking. However, no evidentiary hearings were held in the matters, and the disabled party was represented by able-bodied family members and counsel.
- **Proceedings Heard by Contemporaneous Transmission.** In 2024, none of the parties requested argument by contemporaneous transmission – that is, via Zoom. All arguments were held in open court. Motions were decided on written submissions.
- **Publication of Decisions.** All the Supreme Court’s decisions can be found on the Judiciary’s website, <http://rmicourts.org/>, under the heading Court Decisions and Digests.

Aside from the Supreme Court’s regular docket, Supreme Court Chief Justice Cadra, together with High Court Chief Justice Carl B. Ingram, admits new attorney to the practice of law in the Republic. In most years, one or two Marshallese law graduates will seek admission to practice law and around six attorneys from overseas will seek admission to represent clients with respect to non-resident litigation. In 2024 three Marshallese, all women, applied to practice law and were admitted. One Fijian, who was married to one of the Marshallese women admitted, was also admitted. In 2024, six overseas attorneys filed applications for admission. However, due to difficulty making travel arrangements, no applicants appeared.

## B. High Court

The High Court is the highest court at the trial level. It 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.



In 2023, the High Court included a chief justice and three associate justices: Chief Justice Carl B. Ingram and Associate Justice Witten T. Philippo for the entire year and in the last part of the year Associate Justice Murnane. All are law-trained attorneys, as have been all prior High Court judges, and attend at least one professional development seminar or workshop each year. Chief Justice Ingram was appointed to his third ten-year term in October 2023. Although Chief Justice Ingram is a United States citizen, he has lived and worked in the Marshall Islands since 1979. In 2018, Associate Justice Philippo, as a citizen of the Republic was appointed until age 72 (January 31, 2030). In November 2022, the High Court added a third justice, Linda Murnane. Associate Justice Murnane was appointed to a two-year term commencing in November 2022, renewable for a second two-year term.

In addition to the three justices, the High Court is served by a chief clerk of the courts and four assistant clerks. The High Court's 2023 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 2024 statistics for civil cases (include family and personal status cases, general civil case, land cases, and other civil matters, excluding probate cases) cover the following:

- the number and nature of cases filed;
- the annual clearance rate and the five-year clearance rate;
- the average age of cleared cases at the end of the year;
- the time standards: clear 75% of cases cleared within 120 days and 90% within 360 days;
- the number and average age of pending cases at the end of the year and the five-year trend;
- the pending to disposal ratio;
- the distribution of pending cases, i.e., the "tail";
- the percentage of cleared cases appealed and the percentage of cases overturned on appeal; and



- affordability and accessibility in terms of fee waivers, low fees for vulnerable parties, cases heard on circuit, appearance by contemporaneous transmission, legal aid, forms, and access for women and those with disabilities.

#### **a. Number and Nature of Cases Filed**

In 2024, plaintiffs and petitioners filed 247 new civil cases in the High Court: 227 in Majuro and 20 in Ebeye. This is five less than the 252 cases filed in 2023.

The 227 civil cases filed in Majuro in 2024 breakdown as follows:

- 119 (52.4%), involved family and personal status matters (including 63 customary adoptions; two child custody and support cases; 11 citizenship cases; five divorce cases with child custody and/or support; six divorce cases without child custody and/or support; one domestic violence case seeking a protection order; 26 guardianships; and five name-change petitions);
- 103 (45.4%) commercial cases (77 collection cases; two contract cases; four corporate; 15 declaratory relief cases; one enforcement of a foreign action; and two maritime cases; and two EPA cases);
- four (1.8%) land cases; and
- One (0.4%) appeal from the District Court.

Of the 227 civil cases filed in Majuro in 2024, 148 were cleared in 2024, leaving 79 civil cases filed in 2024 pending at the end of the year: three customary adoption cases; eight citizenship cases; one divorce case with child custody and/or support; two divorce cases without child custody and/or support; 55 collection cases; one contract case; one corporate case; four declaratory relief cases; one maritime case; two EPA cases; and one appeal).

As noted above, 20 civil cases were filed in Ebeye. Of the 18 cases, all were family and personal status matters (14 confirmations of customary adoption cases; one divorce case with child custody and/or support; and three guardianship cases). The remaining two cases were collection cases. All but four of the 20 Ebeye civil cases were cleared in 2024. Three customary adoption case and a guardianship case remained pending.

Also, with respect to the civil cases, the High Court tracks via its CTS the gender of the parties and other persons. Almost all child custody and support cases, divorce cases with child custody and/or support, and domestic violence protection order cases are filed by women against men. Otherwise, the case numbers disaggregated by gender do not reveal any pattern or trend. Most Marshallese seeking divorces, child custody and support, and domestic violence protection orders are represented at no cost by MLSC. The defendants in those cases are usually represented

by the OPD. However, every year or two, there will be a non-Marshallese couple seeking a divorce (for example, Americans stationed at the United States missile range on Kwajalein Atoll). They are usually represented by private attorneys.

The High Court also tracks via the CTS the disability status of litigants. The most common disability is difficulty walking. When litigants, attorneys, or witnesses cannot easily climb stairs, their cases are heard in a ground-floor courtroom, and land rights cases, which involve older litigants and witnesses, are as a rule heard in a ground-floor courtroom. Also, witness depositions are used, particularly if the witness is home or hospital bound or lives overseas. Except as noted, disaggregation by disability status does not reveal any pattern.

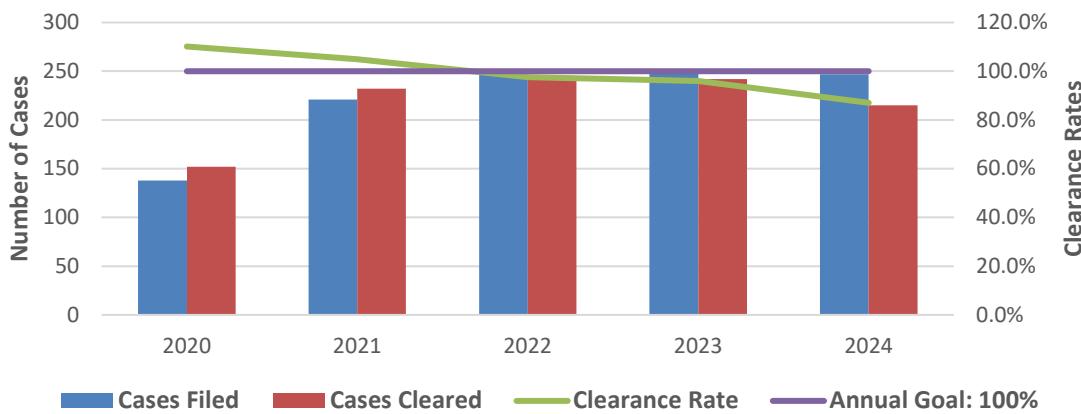
Based upon the above civil caseload, the High Court measures its efficiency in terms of the annual clearance rates, the five-year clearance rate, time standards, the age of cleared cases, disposed to pending ratio, distribution of pending cases, and the age of pending cases.

#### **b. Annual Clearance Rate and the Five-Year Clearance Rate**

With respect to clearance rates, the High Court's clearance goals are to achieve an annual clearance rate of 100% and a five-year clearance rate of 100%. In 2024, the High Court only recorded an annual clearance rate of 87% for civil cases: 215 cases were cleared and 247 were filed. As a result, the five-year clearance rate also was down at 97.9% (1,084 cases cleared and 1,107 filed). The reduced clearance rates are a result of bank collection cases being filed late in the year. Almost all those cases shall be resolved in first quarter of 2025. The High Court expects both the annual clearance rate and the five-year clearance rate to remain within 5% of the 100% goal.

<b>High Court Civil Cases: Annual and 5-Year Clearances Rates 2020 to 2024</b>						
	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>5-Year</b>
<b>Cases Filed</b>	138	221	249	252	247	1,107
<b>Cases Cleared</b>	152	232	243	242	215	1,084
<b>Clearance Rate</b>	110.1%	105.0%	97.6%	96.0%	87.0%	97.9%
<b>Annual Goal: 100%</b>	100%	100%	100%	100%	100%	100%

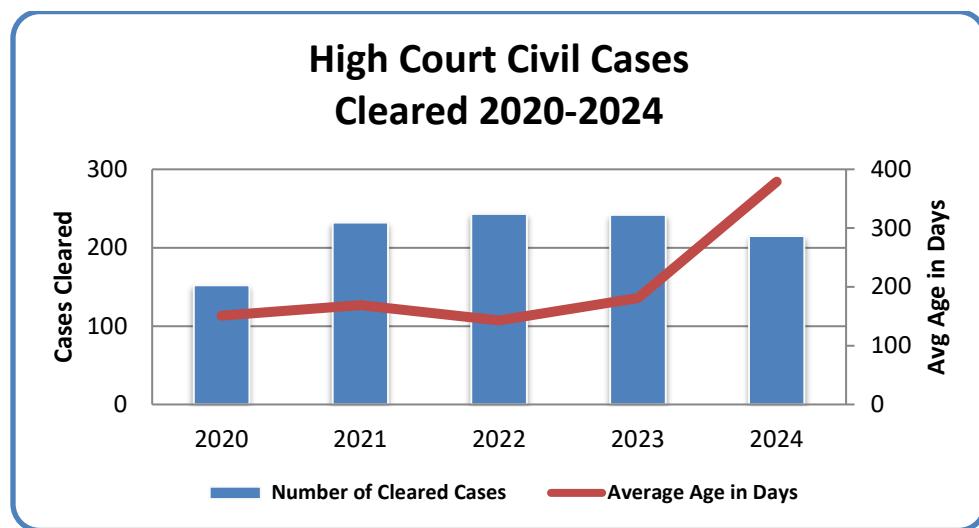
## High Court Civil Cases: Annual and 5-Year Clearance Rates 2020-2024



### c. Average Age of Cleared Cases at the End of the Year and the Five-Year Trend

In addition to the clearance rates, the High Court tracks the average age of cleared cases. As the table and chart below show, in 2024 the average age of the 242 cleared High Court cases was 379 days, 218 days more than in 2023. The increase is the average of cleared cases is the result of clearing old land cases.

Average Age of High Court Civil Cases Cleared 2020-2024					
	2020	2021	2022	2023	2024
Number of Cleared Cases	152	232	243	242	215
Average Age in Days	151	169	143	181	379



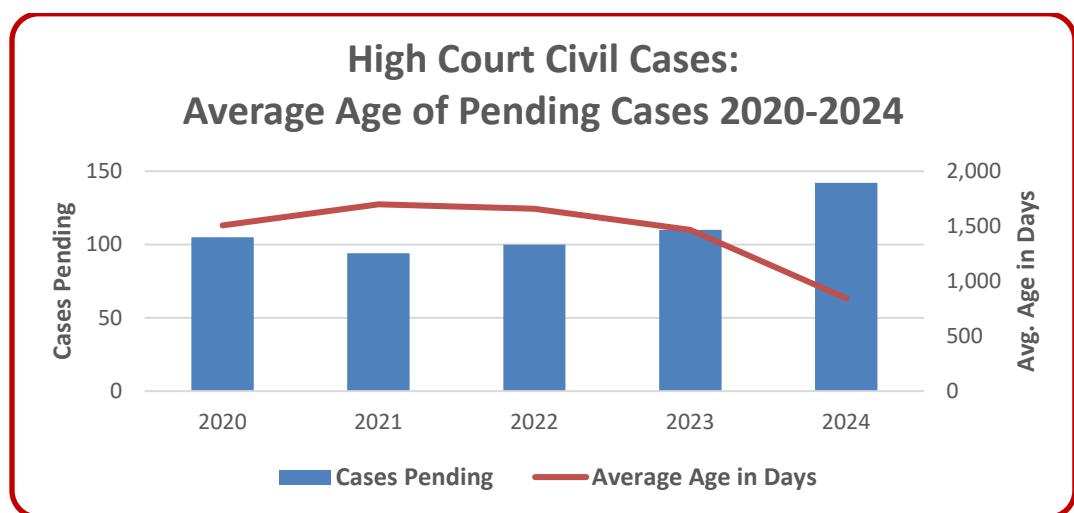
**d. Time Standard: To Clear 75% of Cleared Cases Within 120 Days and 90% Within 360 Days**

Each year the High Court seeks not only to meet its clearance goals, but also to meet its time standards. That is, the High Court seeks to clear 75% of its cleared civil cases within 120 days and 90% within 360 days. In 2024, the High Court met and surpassed its time standards for civil cases. The High Court cleared 75% of cases within only 109 days (11 days less than the 120-day standard) and 90% within only 224 days 136 days less than 360-day standard).

**e. Number and Average Age of Pending Cases at the End of the Year and the Five-Year Trend**

With respect to pending cases, the High Court tracks their number and average age. In 2024 the number of pending cases went up from 110 in 2023 to 142 in 2024. However, the average of pending cases went down: from 1,466 days in 2023 to 844 days in 2024. This is the result of clearing many older cases in 2021, 2022, 2023.

<b>High Court Civil Cases: Average Age of Pending Cases 2020-2024</b>					
	2020	2021	2022	2023	2024
Cases Pending	105	94	100	110	142
Average Age in Days	1,506	1,699	1,659	1,466	844



Of the 142 cases pending at the end of 2024, 34 cases or approximately 24% were land cases. This is a reduction of 20% over 2023. The High Court and the Traditional Rights Court continue to work hard to resolve the land cases without undue delay while affording the parties an opportunity to be heard.

#### **f. Pending to Disposal Ratio**

In addition to the number and average age of pending cases, as an indicator of efficiency, the High Court tracks the pending to disposal ratio (PDR). As noted earlier in this report, the PDR is the number of cases pending at the end the year divided by the number of cases disposed or cleared in the past 12 months. The High Court's goal is to maintain a PDR of 1.0 or less. For 2023, the High Court's PDR for civil cases was very good at 0.70 (170/243).

#### **g. Distribution of Pending Cases, the “Tail”**

In addition to the PDR, the High Court tracks the distribution of pending civil cases, the “tail.” At the end of 2024, there were 58 civil cases pending from 2010 through 2023. This relatively long “tail,” a reduction of 5 cases since of the end of 2023. Most of these cases are customary land cases, which take longer than other cases to resolve. The High Court and the Traditional Rights Court continue to work hard to resolve the customary land cases without undue delay while affording the parties an opportunity to be heard.

#### **h. 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 2024, six High Court civil decisions were appeal to the Supreme Court, a divorce case, which was dismissed. That is, one appeal of 215 cleared civil cases, 2.3%. Below is a table and chart showing the number of cleared cases appealed versus cases not appealed over the past five years.

<b>Cleared High Court Civil Cases Not Appealed v. Appealed 2020-2024</b>					
	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
<b>Cases Cleared</b>	152	232	243	243	215
<b>CasesAppealed</b>	4	3	6	1	5
<b>% of CasesAppealed</b>	2.6%	1.3%	2.5%	0.4%	2.3%
<b>Cases NotAppealed</b>	148	229	237	242	210
<b>% of Cases NotAppealed</b>	97.4%	98.7%	97.5%	99.6%	97.7%

In 2024, no High Court civil cases from 2024, or from previous years, were overturned on appeal. Four High Court cases were affirmed and one appeal was dismissed. The percentage of cases overturned on appeal was 0%.

**i. Affordability and Accessibility: Fee Waivers; Cases Heard on Circuit; Appearances by Contemporaneous Transmission; Legal Aid; Forms; and Access for Women and Those with Disabilities**

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.

- **Fee Waivers.** By rule and statute, fee waivers are available upon a showing of need. In 2024, as in recent years, the High Court continued to aggressively publish fee waiver rules. However, no one requested a fee waiver in a High Court civil case.
- **Low Filing Fees.** The filing fee for most types of High Court civil cases remained low: only \$25. 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.
- **Cases Heard on Circuit.** As noted above, in 2024, 20 High Court cases were filed for the Ebeye circuit.
- **Proceeding Heard by Contemporaneous Transmission.** Also, in 2024 the CTS reveals that counsel, parties, or witnesses in civil cases appeared by contemporaneous transmission (i.e., via Zoom or Skype) in 22 out of 195 conferences, hearings, or trials. At the request of a party with a mobility disability, as hearing was held in a ground floor courtroom.
- **Legal Aid Services.** In 2024, the use of free legal services remained high. In the 227 civil cases filed in 2024, 159 parties or persons were represented by MLSC or the OPD, both of which provide legal assistance for free. Also, in 2024, approximately 17 plaintiffs (or prospective plaintiffs) were assigned a free court-appointed attorney for their claims. In FY 2024, the Judiciary collected \$61,500 to pay court-appointed attorneys from private counsel who wished to opt-out of taking court-appointed cases.
- **Forms.** The Judiciary has long used forms in small claims cases, name-change petitions, and guardianship cases. Since 2013, the Judiciary has posted on its website and made available at courthouses forms for fee and cost waivers, confirmation of customary adoptions, guardianship petitions, divorce petitions, domestic-violence temporary protection orders, name-change petitions, and small claims cases.

## **2. Probate Cases**

Set forth below are the High Court's 2024 case statistics for probate cases, covering:

- the number of cases filed;
- the annual clearance rate and the five-year clearance rate;
- the average age of cleared cases at the end of the year and the five-year trend;
- the time standard: 75% of cases cleared to be cleared within 90 days;
- the number and average age of pending cases at the end of the year and the five-year trend;
- the pending to disposal ratio;
- the percentage of cleared cases appealed and the percentage of cases overturned on appeal; and
- affordability and accessibility in terms of fee waivers, low fees for smaller cases, cases heard on circuit, appearances by contemporaneous transmission, legal aid, and access for women and those with disabilities.

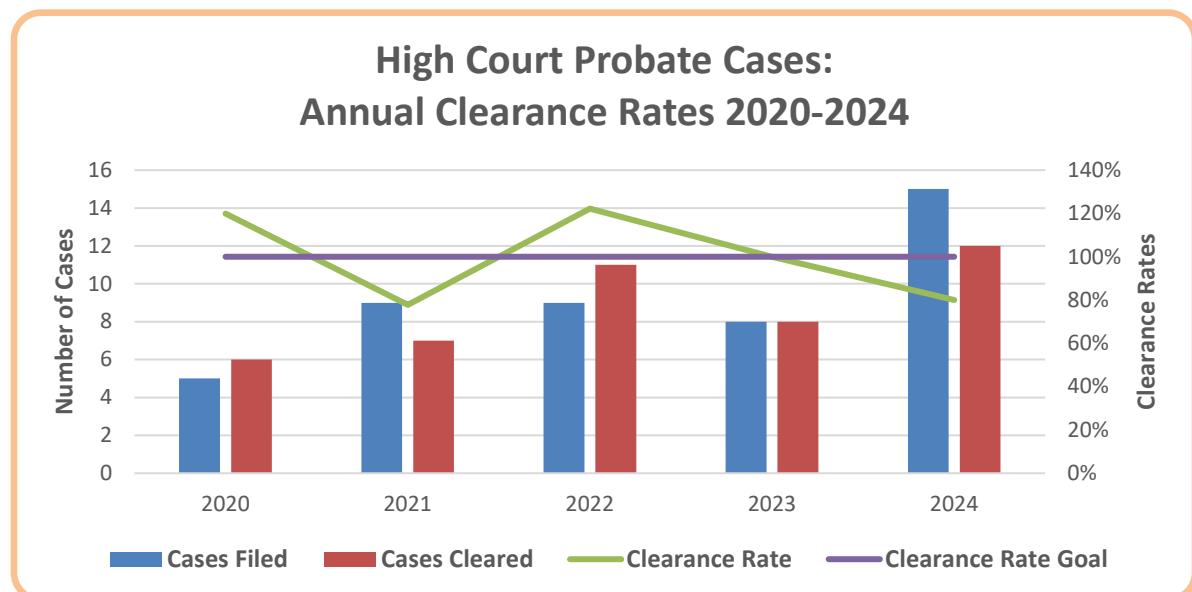
### **a. Number of Probate Cases**

In 2024, 15 probate cases were filed, seven more than in 2023. All 15 cases were filed in Majuro.

### **b. Annual Clearance Rate and The Five-Year Clearance Rate**

The High Court's clearance goals for probate cases are to achieve an annual clearance rate of 100% and a five-year clearance rate of 100%. In 2024, the High Court cleared 12 probate cases. All 12 cases were Majuro cases. The annual clearance rate was 80% (12/15). The five-year clearance rate for probate cases also was 96% (44/46). Given the relatively low number of probate cases filed each year, the annual clearance rate and five-year clearance rate should continue to fluctuate from around 80% to 120% as it has over the past five years.

High Court Probate Cases: Annual and 5-Year Clearance Rates 2020-2024						
	2020	2021	2022	2023	2024	5-Year
Cases Filed	5	9	9	8	15	46
Cases Cleared	6	7	11	8	12	44
Clearance Rate	120%	78%	122%	100%	80%	96%
Clearance Rate Goal	100%	100%	100%	100%	100%	100%



#### c. Average Age of Cleared Cases at the End of the Year

The average age of the 12 probate cases cleared in 2024 was 105 days, 115 days less than the 220 days in 2023. The average age figure was high in 2023 as a September 2019 Ebeye case was dismissed in 2023 for the petitioner's failure to appear and move the case forward.

#### d. Time Standard: To Clear 75% of Cleared Cases Within 90 Days of the Day Filed

In addition to the annual clearance rate goal of 100%, the High Court seeks annually to clear 75% of its cleared probate cases within 90 days. In 2024, the High Court met this goal. Of the 12 probate cases cleared in 2024, the High Court cleared 10 within 90 days, 83.3% (10/12). One case took 160 days to complete and another took 108 days to complete. The first case was delayed pending service by the petitioner on the survivors, and the second case was a contested matter. With the very small number of probate cases filed each year, the goal of clearing 75% of the cases within 90 days can be stymied by one or two cases.

#### **e. Number and Average Age of Pending Cases at the End of the Year**

At the end of 2024, four probate cases were pending. The average age of the pending cases was 61.8 days. All were Majuro cases. Two cases were concluded in early January 2025, and the other two case are scheduled for hearings.

#### **f. Pending to disposal ratio**

In addition to the above, as an indicator of efficiency, the High Court tracks the pending to disposal ratio for probate cases – that is, the number of cases pending at the end the year divided by the number of cases disposed or cleared in the past 12 months. At the end of 2024, there were four probate cases pending and 12 had been cleared for a PDR of 0.33. The High Court’s goal is to maintain a PDR of 1.0 or less. The 0.33 PDR for the probate cases was very good.

#### **g. Appeals**

In 2024, no probate cases were appealed, nor were any cases from previous years overturned on appeal. Accordingly, the percentage of 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.

#### **h. Affordability and Accessibility: Fee Waivers; Low Fees, Cases Heard on Circuit; Appearances by Contemporaneous Transmission; 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, appearances by contemporaneous transmission, the availability of free legal service, and access for women and persons with disabilities.

- **Fee Waivers.** As with other civil cases, fee waivers are available in probate cases. However, in 2024 (as in recent years) no one requested a fee waiver in a probate case. In 2024, the High Court widely published notice of the waivers, as it has in the past.
- **Low Filing Fees.** In 2024, the fees for probate cases remained low. The filing fee for probate cases is \$25, \$100 for estates over \$7,000.
- **Cases Heard on Circuit.** Of the 15 probate cases filed in 2024, none were filed for the Ebeye circuit. Of the 12 probate cases cleared in 2024, one was an Ebeye circuit case.
- **Legal Aid Services.** In nine of the 15 probate cases filed in 2024 (60%), the petitioner was represented by MLSC. In six probate cases the petitioner was represented by private counsel, and MLSC represented an objector. In most years, all but one or two probate petitioners are represented by MLSC.

- **Proceedings Hearing by Contemporaneous Transmission.** Upon request, the High Court conducts probate hearings by contemporaneous transmission to permit parties, counsel, and witnesses not able to appear in person to appear virtually. In 2024, at the request of a party, one of 12 probate hearings was conducted by via Zoom.
- **Access to Justice for Women.** The 2024 probate statistics disaggregated by gender reveals that four of petitioners were women, widows, or daughters of the decedent. Usually, the petitioner will be the surviving spouse, the eldest surviving child, or, failing either, the most senior surviving child present in Majuro.
- **Access to Justice to Persons with Disabilities.** In 2024, one of the parties or witnesses requested that accommodations be made due to disability. Families usually select a representative who is both physically and mentally in good health to serve as the petitioner or objector.

### 3. Criminal Cases

Set forth below are the High Court's 2024 case statistics for criminal cases. These statistics cover the following:

- the number and nature of criminal cases;
- the annual clearance rate and five-year clearance rate;
- the average age of cleared cases at the end of the year;
- the time standard: 90% percentage of cleared cases to be cleared within 550 days (18 months);
- the average age of pending cases at the end of the year;
- the pending to disposal ratio;
- the distribution of pending cases – that is, the tail;
- the percentage of cleared cases appealed and the percentage of cleared cases overturned on appeal; and
- affordability and accessibility (low or no fees, fee waivers, cases heard on circuit, appearances by contemporaneous transmission, free legal representation, and access for women and those with disabilities).

### **a. Number and Nature of Cases**

In 2024, the Office of the Attorney-General (“OAG”) filed 24 criminal cases in the High Court. Of the 24 cases, 21 were filed in Majuro and three were filed in Ebeye.

In Majuro, the 21 criminal cases filed in 2024 included the following (by most serious offense charged in the case): two murders; two sexual assaults in the 1<sup>st</sup> degree; three burglaries, one kidnapping; four aggravated assaults; two trafficking in persons; two narcotic drugs cases; one tampering with a witness; one attempted sexual assault; one misconduct in public office; one unregistered weapon; and one immigration (overstayer).

In the 21 Majuro cases, three of the defendants were women. One was charged with prostitution and tracking of persons, one was charged with trafficking of persons (babies), and one of changed of misconduct in public office.

Of the 21 Majuro cases, females were the victims in at least four cases: three were the sexually assaulted and one was kidnapped. Counseling for victims of domestic violence and sexual violence is available through NGOs and government agencies, including Youth-to-Youth in Health, Women United Together Marshall Islands, the Mental Health Clinic, and the Ministry of Health and Human Services.

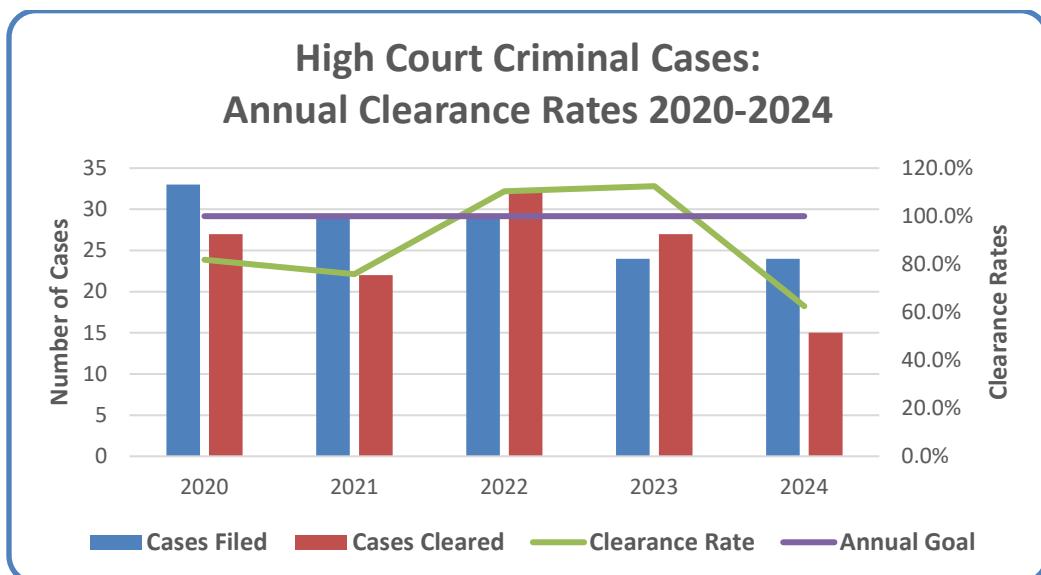
In Ebeye, the three criminal cases filed in 2024 included three burglaries. Of the seven defendants, all were men. Two of the burglaries were committed at stores owned by women.

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

### **b. Annual Clearance Rate and Five-Year Clearance Rate**

The High Court’s clearance goals for criminal cases are an annual clearance rate of 100% and a five-year clearance rate of 100%. However, in 2024, the High Court cleared only 15 criminal cases from all years and added 24 new cases, resulting in a 2024 clearance rate of 62.5% (15/24). Additionally, in only two of the past five years the annual clearance rate was over than 100%. Also, in 2024 the five-year clearance rate was only 88.5% (123/139). As the Office of the Attorney-General has hired more prosecutors, these clearance rates should improve in 2025.

High Court Criminal Cases: Annual and 5-Year Clearance Rates 2020-2024						
	2020	2021	2022	2023	2024	5-Year
Cases Filed	33	29	29	24	24	139
Cases Cleared	27	22	32	27	15	123
Clearance Rate	81.8%	75.9%	110.3%	112.5%	62.5%	88.5%
Annual Goal	100%	100%	100%	100%	100%	100%



#### c. Average Age of Cleared Cases at the End of the Year

The average age of the 15 High Court criminal cases cleared in 2024 was 276 days. As the table below shows, this is an increase of two days over the average age of the 27 cases cleared in 2023 (274).

Average Age of High Court Criminal Cases Cleared 2020-2024					
	2020	2021	2022	2023	2024
Cases Cleared	27	22	32	27	15
Avg. Age of Cases Cleared	143	249	302	274	276

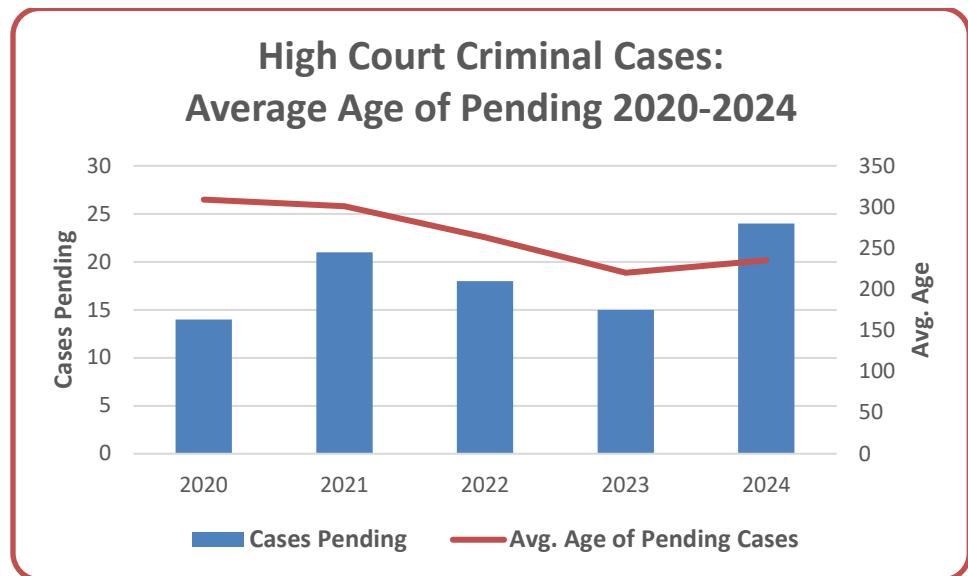
#### d. Time Standard: 90% of Cleared Cases Cleared Within 550 Days (18 Months)

In addition to the annual clearance rate, the High Court seeks to clear 90% of the cleared criminal cases within 550 days. In 2024, the High Court cleared 90% of the cleared cases in only 463 days, 84 days under the target of 550 days. Only two cases took more than 550 days to complete.

#### e. Average Age of Pending Cases

As the table below shows, by the end of 2024, 24 criminal cases remained pending, nine more than the 15 cases pending at the end of 2023. Also, the average age of the pending cases was 235 days, up 13 days from 222 days at the end of 2023. The High Court continues to encourage prosecutors and defense counsel to resolve criminal cases, particularly older cases. At the end of 2024, of the remaining 24 cases, only one was more than 550 days old and 22 were equal to or less than 365 days old.

<b>High Court Criminal Cases: Average Age of Pending Cases 2020-2024</b>					
	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
<b>Cases Pending</b>	14	21	18	15	24
<b>Avg. Age of Pending Cases</b>	309	301	263	222	235



#### f. Pending to disposal ratio

In addition to the above, as an indicator of efficiency, the High Court tracks the pending to disposal ratio (PRD) for criminal cases – that is, the number of cases pending at the end the year divided by the number of cases disposed, or cleared, in the past 12 months. The High Court's goal is to maintain a PDR of 1.0 or less. However, in 2024, the High Court's PDR for criminal cases was 1.6 (24/15). This indicates a risk of developing a backup. The High Court will continue to encourage counsel to move their criminal cases forward without undue delay.

#### **g. Distribution of Pending Cases, the “Tail”**

In addition to the clearance rates and the pending to disposal ratio, to track the High Court also tracks the distribution of pending criminal cases – that is, the “tail.” At the end of 2024, there were 3 criminal cases pending from earlier years: one from 2022, and seven from 2023. This is very short “tail,” reflecting the reduction or elimination of a backlog. However, the 21 remaining cases from 2024 will need to be addressed in 2025.

#### **h. Appeals**

The number of cases appealed and overturned on appeal reflects the quality of the High Court’s criminal decisions. In 2024, none of the 15 High Court criminal cases cleared were appealed. The percentage of cases appealed was 0% (0/15). Usually, one or two criminal cases are appealed each year.

### **i. Affordability and Accessibility: Absence of Fees or Fee Waivers; Cases Heard on Circuit; Appearances by Contemporaneous Transmission; and Legal Aid**

The 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, appearances by contemporaneous transmission, and free legal representation.

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

**Cases Heard on Circuit.** Usually, the High Court travels to Ebeye on circuit once a quarter to hear felony cases. In 2024, the High Court held four in-court sessions in Ebeye. The first 2025 Ebeye circuit was held in February.

**Cases Heard by Contemporaneous Transmission.** In 2024, the CTS reveals that counsel, parties, or witnesses in criminal cases appeared by contemporaneous transmission (that is, via Zoom) in none of the 117 conferences, hearings, or trials.

**Legal Aid Services.** Finally, criminal defendants have access to free legal counsel if they cannot afford to retain counsel. In 2024, as in other years, all or most criminal defendants who appeared in Court were represented by the OPD, the MLSC, or by private counsel paid by the Legal Aid Fund (“LAF”). In the 15 cases filed in 2024, the defendants were represented by the OPD in 14 cases. In one case, the defendant has left the Republic.

## **4. Juvenile Cases**

In 2024, the OAG did not file any 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 other juvenile cases (underage drinking) are heard by the

District Court, a limited jurisdiction trial court. In recent years, all juvenile offenders were boys. None of the juveniles has been identified as disabled.

At the beginning of 2024, one juvenile case was pending before the High Court from a previous year. That case was cleared in 2024.

The High Court's annual and five-year clearance goals for juvenile cases are 100%. However, this is very difficult to achieve as the number of High Court juvenile cases is so low. In 2024, the five-year clearance rate was 100% (5/5). The High Court also seeks to clear 80% of juvenile cases within 180 days of filing. This too is a very difficult goal to reach with the very low number of juvenile cases.

In 2024, no juvenile cases were appealed.

To ensure juvenile offenders' access to justice, the Judiciary does not impose fees or court costs on juvenile offenders at the trial level, and on appeal a juvenile offender may apply for and receive a waiver for the cost of the trial transcript. Almost all juvenile offenders are represented by the OPD or private counsel appointed by the court. Additionally, High Court juvenile cases are heard on the Ebeye circuit. If necessary, juvenile proceedings can be conducted using Zoom. However, in 2024, no juvenile proceedings required the appearance of the parties or counsel via Zoom.

## **5. Caseloads for Judges and Clerks**

The total number of all High Court cases filed in 2024 was 286, two more than in 2023. Throughout most of the year, the total number of High Court justices was three. Based upon three justices, the caseload was increased on average by 95 cases per justice. In 2020 through 2022, the total number of High Court justices was only two, resulting in more new cases per judge in those years.

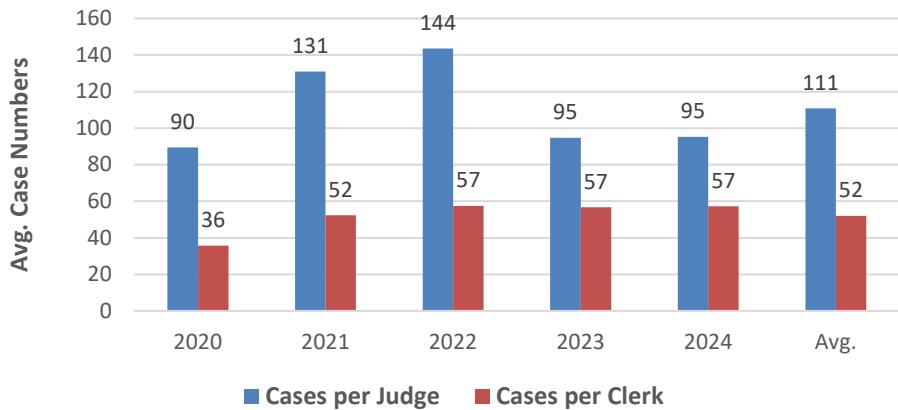
As to case assignments, generally cases are assigned between the justices on a rotating basis, subject to the need to balance the caseloads, conflicts, cases involving the same or related parties, and the absence of justice from country. With the third High Court justice available for most all of 2024, the case load of the chief justice was reduced to account for a heavier administrative load.

For the five clerks that regularly process High Court cases, their 2024 caseload included 57 new cases per clerk. As with the justices, the clerks' caseloads fluctuate from year-to-year within a limited range.

There is some specialization among the clerks, such as finance and interpretation; however, all clerks handle most functions, including customer service.

Below is a chart showing the five-year High Court caseload trend.

## High Court Justices and Clerks: Average Caseload 2020-2024



## 6. Selected Decisions

Selected High Court decisions can be found on the Judiciary's website, <http://rmicourts.org/>, under the heading Court Decisions and Digests. The selected cases are the most 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

Assisting 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 10 years, but not to exceed age 72, and selected to include a fair representation of all classes of land rights: Iroijlaplap (high chief); where applicable, Iroijedrik (lesser chief); Alap (head of commoner/worker clan); and Dri Jerbal (commoner/worker).

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 the High Court or District Court judge 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 January 2021, the Cabinet and Nitijela elevated Judge Leban (Dri Jerbal member) from associate judge to the chief judge. Her appointment was for a 10-year term. She had been an associate judge for more than 10 years. Associate Judge Nixon David (Iroij member) was reappointed for a third four-year term in April 2021. In February 2021, the Cabinet appointed, and the Nitijela's confirmed, another woman to the TRC bench, Claire T. Loeak. Judge Loeak (Alap member) is the first law-trained TRC judge. Her appointment was for 10 years. In 2022, all TRC judges attended judicial development training programs.



Although two of the three TRC judges are women, only four of the Judiciary's approximately 30 judges were women: one High Court justice; two Traditional Rights Court judges; and one Community Court judge.

In 2024, the TRC issued seven decisions, four more than in 2023. At the end of 2024 approximately 15 of 34 pending land cases were before the TRC and another three were pending the outcome of related cases.

The TRC's decisions can be found on the 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 2024, the 3 incumbent judges were Presiding Judge Ablos Tarry Paul, Associate Judge Caios Lucky, and Associate Judge Davidson T. Jajo (Ebeye). Their 10-year terms expire in 2028, 2027, and 2026, respectively. In April of 2024,

Associate Judge Davidson Jajo resigned and in October 2024 Associate Judge Alexander Capelle was appointed. His 10-year term expires in 2034.

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 small claim cases not exceeding \$2,500.
- (ii) in criminal cases involving offenses for which the maximum penalty does not exceed a fine of \$5,000 or imprisonment for a term of less than 3 years, or both.

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

The District Court's 2024 case statistics and case workload are set forth below.

### 1. Traffic Cases (Majuro)

- the number and nature of traffic cases;
- 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



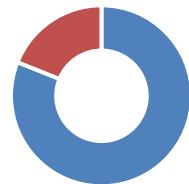
- affordability and accessibility in terms of fee waivers, cases heard outside of Majuro (the Capital), legal aid, and forms.

#### **a. Number and Nature of Cases Filed**

In 2024, the National Police and Majuro Atoll Local Government Police prosecutors filed in the District Court a total of 903 traffic cases in Majuro.

The 903 traffic cases filed in 2024 included the following (by most number of cases): 277 Driving without license in possession; 194 Driving without registration card; 138 Driving under the influence; 71 Failure to use seat belt; 27 Faulty Head lights; 23 Illegal stop or parking; 21 Faulty Tail Lamp; 19 Faulty brakes; 19 Failure to yield; 18 Disobeying traffic signs; 18 Negligent Driving; 15 Obstructing driver's view; 12 Unsafe Passing; 12 Improper Signal; 8 Illegal riding; 7 No license displayed; 7 Tinted windows; 5 Excessive Speeding; 2 No Lights on Bicycles and Carts; and 2 Driving without Insurance Card. Of these 903 Majuro traffic cases, 173 were women defendants.

No. of Majuro District Court Traffic Cases by Police (2024)

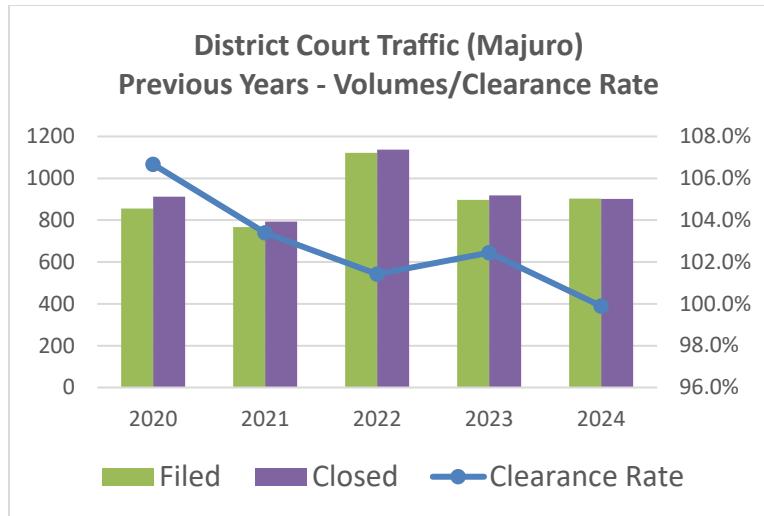


■ MALGOV: 732 ■ National: 171

Of the 903 traffic cases filed in Majuro in 2024, 885 cases were finalized in 2024, adding 18 cases to the pending workload at the end of the year. Cases are delayed because the defendants give false addresses or have fled the Republic for the United States or have fled Majuro for the neighboring islands.

#### **b. Clearance Rates**

The District Court's efficiency can be measured by case clearance rates. The District Court's 2024 annual clearance rate for traffic cases was 99.9% (finalized/filed). During 2024, the District Court, counsel, and parties finalized 902 cases, 885 2024 cases, and 17 cases from previous years (2021-2023). And as noted above, the government filed 903 new cases in 2024. The District Court's goal is to maintain an annual clearance rate for traffic cases of 100% or better, for each year. Over the past five years, the District Court has achieved a total clearance rate of 102.6%.



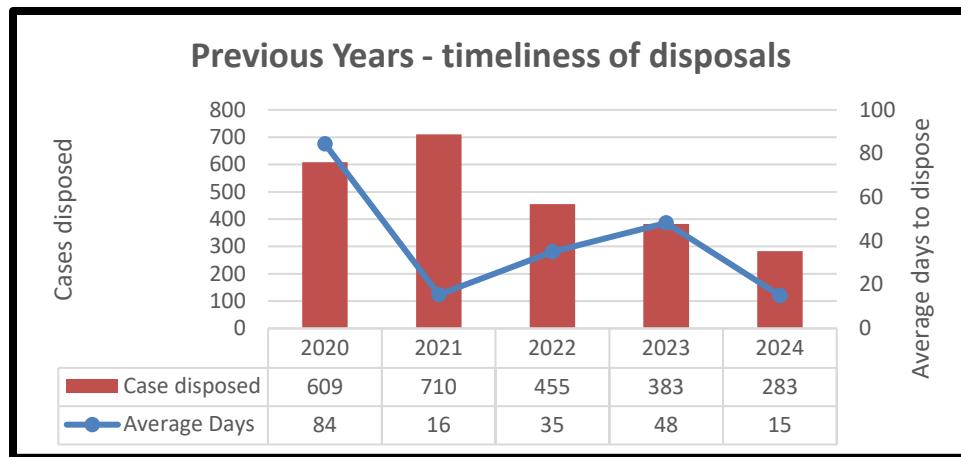
District Court Traffic (Majuro)			
Previous Calendar Years	Filed	Closed	Clearance Rate
<b>2020</b>	855	912	106.7%
<b>2021</b>	767	793	103.4%
<b>2022</b>	1121	1137	101.4%
<b>2023</b>	897	919	102.5%
<b>2024</b>	903	902	99.9%
<b>Total/clearance rate</b>	<b>4543</b>	<b>4663</b>	<b>102.6%</b>

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

The average duration of District Court traffic cases cleared in 2024 was 10 days. A total of 885 2024 cases, 15 2023 cases, 1 2022 case, and 1 2021 case were finalized in 2024.

For Majuro District Court traffic cases filed in the five years (2020-2024), the average durations of finalized cases in days are 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 2024, none of the 902 Majuro District Court traffic cases cleared in 2024 were appealed to the High Court and remanded back to the District Court. Furthermore, from 2020 to 2023, only two traffic case were appealed to the High Court.

#### **e. Affordability and Accessibility: Fee Waivers; 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 Waivers**

As there are no filing fees for traffic cases, fee waivers are 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

MLSC or the OPD, which both provide free legal assistance. Of the 903 traffic cases filed in Majuro in 2024, only 44 defendants (4.87%) were represented by the OPD, 857 represented themselves (94.91%), and 2 were represented by private counsel (0.22%).

#### **(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)**

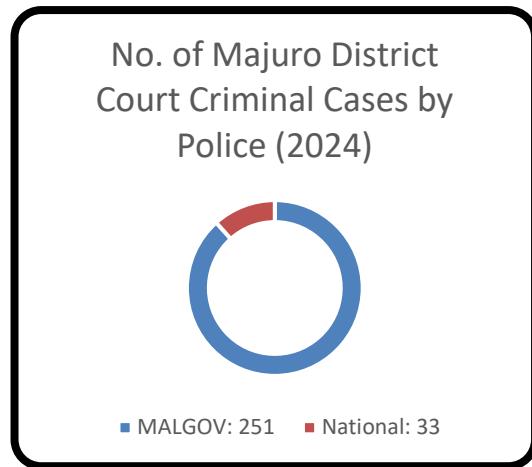
The District Court's 2024 statistics for Majuro criminal cases cover the following:

- the number and nature of cases filed and finalized in 2024;
- 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 waivers, cases heard outside of Majuro, legal aid, and forms.

### **a. Number and Nature of Cases Filed**

In 2024, the National Police and Majuro Atoll Local Government Police prosecutors filed in the District Court a total of 284 criminal cases in Majuro.

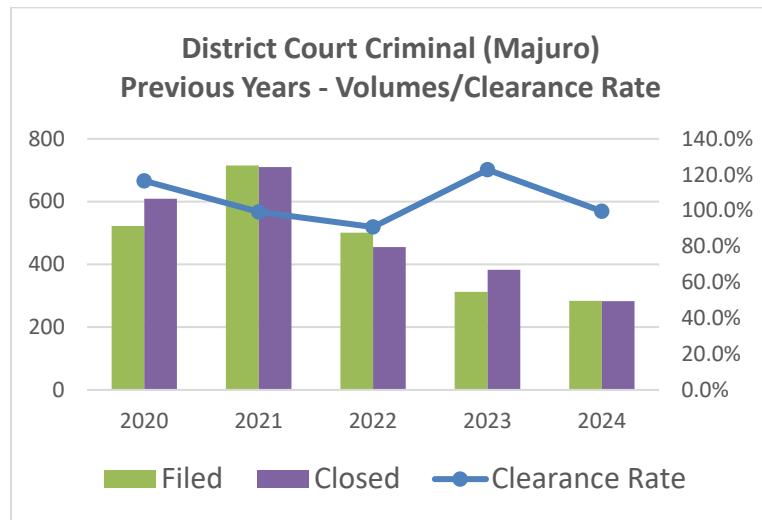
Of the 284 criminal cases, 275 were cleared in 2024, leaving 9 pending at the end of the year. The 9 cases remained pending due to serious nature, police having difficulty locating defendants who either relocated to the United States, or to the neighboring islands of the Republic, or gave false addresses.



### **b. Clearance Rates**

The District Court's goal is to maintain an annual clearance rate for criminal cases of 100%, and a five-year clearance rate of 100%. As noted above, in 2024 the government filed 284 new cases. During 2024, the District Court, counsel, and parties closed a total of 283 cases, for an

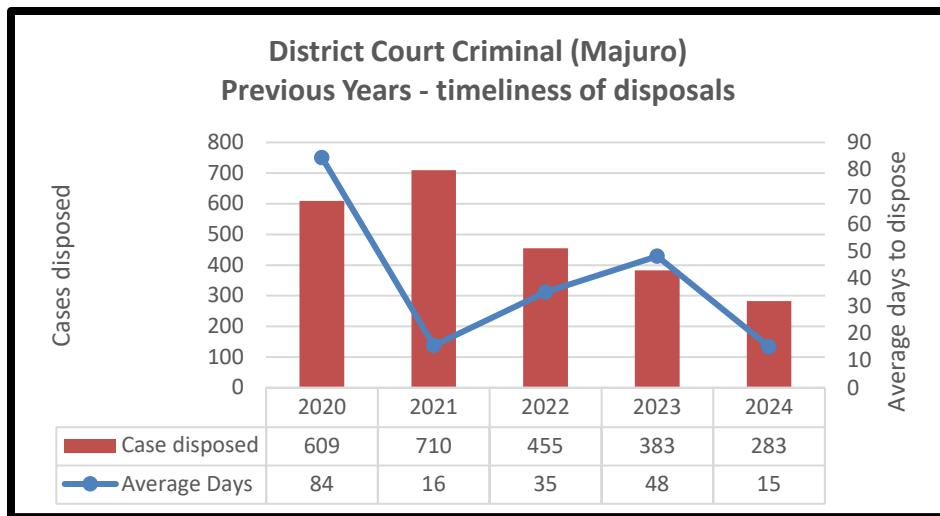
annual clearance rate of 99.6% (finalized/filed). However, the clearance rate over five years was 104.5%, an excellent rate.



<b>District Court Criminal (Majuro)</b>			
Previous Calendar			
Years	Filed	Closed	Clearance Rate
<b>2020</b>	522	609	116.7%
<b>2021</b>	715	710	99.3%
<b>2022</b>	501	455	90.8%
<b>2023</b>	312	383	122.8%
<b>2024</b>	284	283	99.6%
<b>Total/clearance rate</b>	<b>2334</b>	<b>2440</b>	<b>104.5%</b>

### c. Average Duration of Cleared Criminal Cases

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 2024 was 15 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 2024, none of the District Court criminal cases cleared in 2024 were appealed to the High Court. From 2020 to 2023 only 3 criminal cases were appealed, which 2 were dismissed and 1 case affirmed.

Furthermore, in 2024, there were no District Court criminal cases or decisions from any years overturned on appeal.

#### **e. Affordability and Accessibility: Fee Waivers; 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 Waivers**

As there are no filing fees for criminal cases, fee waivers are 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 MLSC or the OPD, which both provide free legal assistance. Of the 284 criminal cases filed in 2024, there were 287 defendants. Of the 287 defendants, 10 (3.84%) were represented by the OPD, 276 represented themselves (96.17%), and 1 was represented by private counsel (0.35%).

### **(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)**

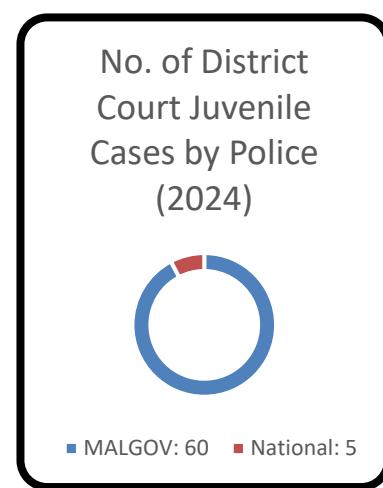
The District Court's 2024 statistics for juvenile cases cover the following:

- the number and nature of cases filed and finalized in 2024;
- the annual clearance rates for the most recent five 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 waivers, cases heard outside of Majuro, legal aid, and forms.

### **a. Number and Nature of Cases Filed**

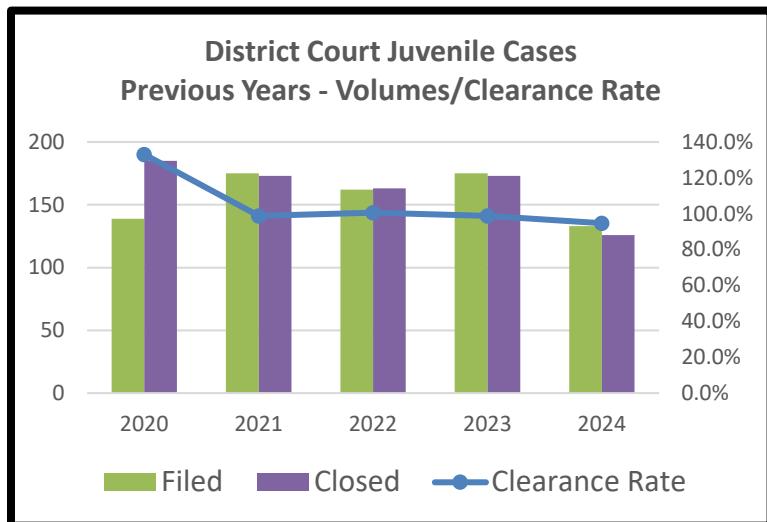
In 2024, the Majuro Atoll Local Government Police prosecutors filed in the District Court a total of 65 juvenile cases in Majuro. Of the 65 juvenile cases filed, 37 cases involved curfew violations, 19 cases involved traffic related charges, and 9 cases involved underage drinking and alcohol related charges.

The 65 juvenile cases filed in Majuro in 2024 were all cleared in 2024, leaving no pending cases at the end of the year.



## b. Clearance Rates

The District Court's efficiency in handling juvenile cases can be measured by case clearance rates. The District Court's 2024 annual clearance rate for juvenile cases was 100%. During 2024, the District Court, counsel, and parties closed all 65 cases filed in 2024. The District Court's goal is to maintain an annual clearance rate for juvenile cases of 100% or better, for each year.

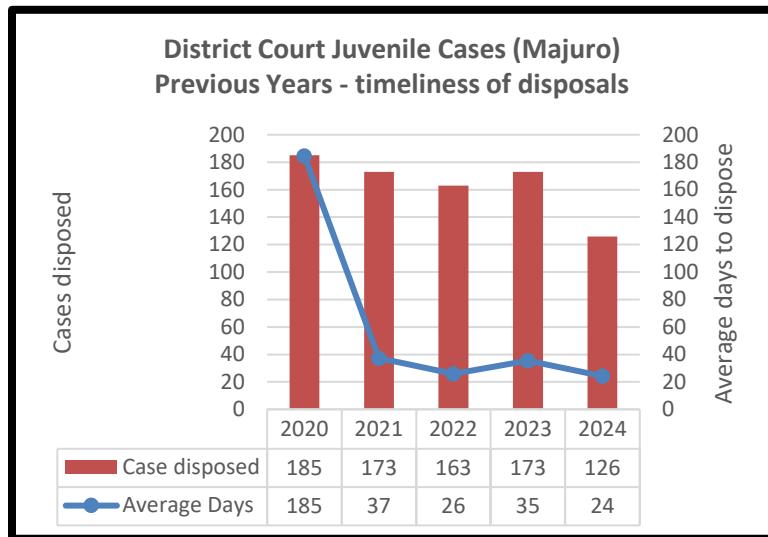


Previous Calendar			
Years	Filed	Closed	Clearance Rate
2020	91	102	112.1%
2021	38	37	97.4%
2022	45	47	104.4%
2023	66	66	100.0%
<b>2024</b>	<b>65</b>	<b>65</b>	<b>100.0%</b>
<b>Total/clearance rate</b>	<b>305</b>	<b>317</b>	<b>103.9%</b>

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

## c. Average Duration of Cleared Juvenile Cases

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 2024 was 7 days.



#### **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 2024, none of the 65 District Court juvenile cases cleared in 2024 were appealed to the High Court. Similarly, from 2013 to 2023 no juvenile cases were appealed.

Furthermore, in 2024, there were no District Court juvenile cases or decisions from earlier years overturned on appeal.

#### **e. Affordability and Accessibility: Fee Waivers; 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 Waivers**

As there are no filing fees for juvenile cases, fee waivers are 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 MLSC or the OPD, which both provide free legal assistance. Of the 65 juvenile cases filed in 2024, only 1 juvenile offender was represented by the OPD (1.5%) and 64 represented themselves (98.5%). Similarly, in previous years, the number of juvenile offenders represented by the OPD or by private counsel has been very low.

### **(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 juvenile cases 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 2024 statistics for Majuro small claims cases cover the following:

- the number and nature of cases filed and finalized in 2024;
- the annual clearance rates for the most recent five 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 waivers, cases heard outside of Majuro, legal aid, and forms.

### **a. Number of Cases Filed**

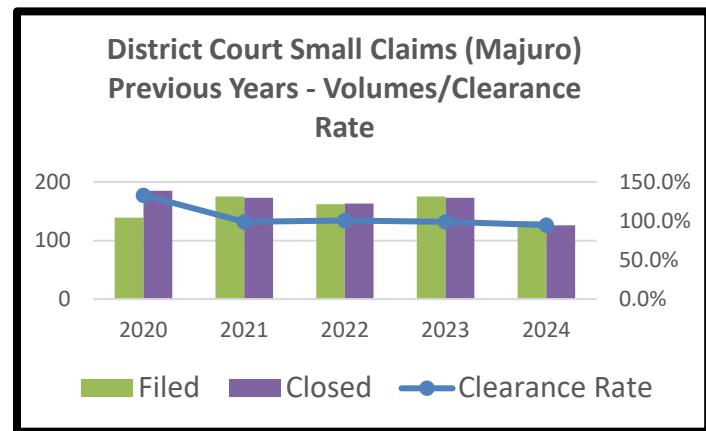
In 2024, a total of 133 small claims cases were filed in Majuro.

Of the 133 small claims cases filed in Majuro in 2024, 115 were cleared in 2024, leaving 18 pending cases at the end of the year.

### **b. Clearance Rates**

The District Court's 2024 annual clearance rate for small claims cases was 94.7%. However, the clearance rate over five years was 104.6%, an excellent rate. During 2024, the District Court, counsel, and parties closed 115 2024 cases and 11 2023 cases. And as noted in the chart below,

133 new cases were filed in 2024. The District Court's goal is to maintain an annual clearance rate for small claims cases of 100% or better, for each year.

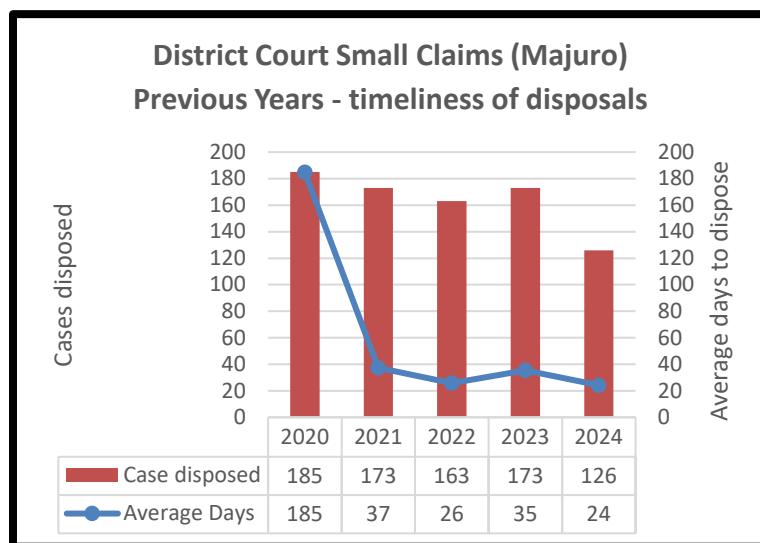


### c. Average Duration of Cleared Small Claims Cases

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 2024 was 24 days.

For Majuro District Court small claims cases cleared in the past five years (2020-2023), 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 2024, none of the 126 District Court small claims cases cleared in 2024 were appealed to the High Court. Similarly, from 2020 to 2023 only one small claims case was appealed.

Furthermore, in 2024, there were no District Court small claims cases or decisions from any years overturned on appeal.

#### **e. Affordability and Accessibility: Fee Waivers; 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 Waivers**

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 2024 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 MLSC or the OPD, which both provide free legal assistance. Of the 133 small claims cases filed in 2024, only 1 plaintiff was represented by MLSC and the remaining 132 appeared pro se. Of the 133 cases filed in 2024, there were a total of 138 defendants. Of the 138 defendants, 12 were represented by the OPD (8.7%) and all others appeared *pro se* (91.3%).

#### **(iv) Forms**

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

In summary, a total of 1,389 cases were filed in the Majuro District Court: 903 traffic cases; 284 criminal and local government ordinance cases; 65 juvenile cases; 133 small claims cases; and 4 other civil case.

### **5. Caseload for Judges and Clerks (Majuro)**

In 2024, the average number of new cases heard by the two District Court judges in Majuro was 694.5 cases, and the average number of new cases per court clerk was the same.

### **6. Ebeye**

In 2024 on Ebeye, 221 cases were filed in the District Court:

- 72 traffic cases (69 cleared and 3 pending);
- 25 criminal & local government ordinance cases (24 cleared and 1 pending);
- 120 juvenile cases (120 cleared and 0 pending); and
- 4 small claim cases (4 cleared and 0 pending).

The average number of cases heard per District Court judge in Ebeye was 221, and the average number of cases per court clerk was the same.

No 2024 Ebeye District Court cases were appealed or overturned on appeal.

In the 2024 Ebeye District Court small claims cases, traffic cases, criminal and local government ordinance cases, and juvenile cases most of the parties were self-represented. Only in 2 juvenile and 7 traffic cases were the juvenile offender/defendants were represented by the Office of the Public Defender (OPD).

## **E. Community Courts**

On the neighboring islands (excluding Kwajalein Atoll, which has a District Court), the Judiciary has Community Courts. A Community Court is a limited-jurisdiction court of record for a local government area, of which there are 22. 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 6 months, or both.

At the end of 2024, there were 18 serving Community Court judges and 12 vacancies (one unallocated position). At the date of this report, there are 10 vacancies for which the Commission is waiting recommendations from local government councils: Ailinglaplap; Enewetak; Lae; Lib; Likiep; Namdrik; Namu; Rongelap; Ujae; and Wotho. At its February 24, 2025 meeting, the Judicial Service Commission appointed three new Community Court judges: Lowan Lalimo and Wilton Bruno (Mili and unallocated judge position), Edwin Emmius (Mejit), and re-appointed Mannu Rakin (Ailinglaplap).

Community court judges receive training after being appointed, when they come to Majuro for biennial summer conferences, and on other occasions. The 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. The Judiciary intends to continue providing such trainings for Community Court judges.

## **F. Travel to the Neighboring Islands and Ebeye**

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

If the OAG, the OPD, and the MLSC were to station attorneys on Ebeye full time, the Ebeye caseload would increase as in the past providing greater access to justice.

If the Government cannot afford to station attorneys full-time on Ebeye, the Judiciary would request that at the very least the Office of the OAG and OPD 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.

## **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, and 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 2024 on Majuro, the High Court and the District Court processed 242 delayed registrations of birth, 2 delayed registrations of death, and performed 41 marriages. The clerks notarized 801 documents, of which 47 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 travel to the courthouses. Also, the clerks issued 19 apostilles, certified 240 documents, 254 criminal record checks, no civil record checks, and 219 corporate litigation checks.

**2. Ebeye.** In 2024 on Ebeye, the District Court processed 138 delayed registrations of birth, 0 delayed registrations of death, and performed 10 marriages. The Ebeye clerk also notarized 110 documents, of which 10 were notarized off site at a chief's home/meeting or to accommodate disabled/sick persons.

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

Birth, Deaths, Etc. 2020-2024 (Majuro & Ebeye)					
	2020	2021	2022	2023	2024
<b>Births</b>	270	248	269	265	380
<b>Deaths</b>	3	4	3	3	2
<b>Marriages</b>	38	29	36	39	51
<b>Notarizations</b>	1,449	1,552	912	876	911
<b>Certified Documents</b>	-	219	194	187	240
<b>Apostille Cert's</b>	19	5	6	12	19
<b>Criminal Checks</b>	28	29	40	189	254
<b>Corporate Checks</b>	146	304	188	291	219

## H. Court Staff



In 2024, the Judiciary's staff included the following: a chief clerk of the courts, seven assistant clerks (one in Ebeye), three bailiffs (seconded from the National Police), and two maintenance workers. The chief clerk and four of the seven assistant clerks were women. A listing of the judiciary personnel at the end of the year 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 clerks also assist unrepresented court-users in completing forms.

The Office of the Clerk of the Courts is open 8:00 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  
Email: [Marshall.Islands.Judiciary@gmail.com](mailto: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  
Email: [ebeyecourthouse@gmail.com](mailto:ebeyecourthouse@gmail.com)

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

## **I. Professional Development and Regional Conferences**

Managing the Judiciary's personnel in accordance with sound leadership and management practices is the fourth goal of the Judiciary's 2024-2028 Strategic Plan. In most years, all permanent justices and judges of the Supreme Court, the High Court, the Traditional Rights Court, the District Court, and court clerks attend at least one workshop and conference each year to further develop their knowledge and skills. Funding for such programs come from the Judiciary's annual operating budget, the Compact of Free Association, New Zealand, and Australia. The Judiciary's 2024 professional development activities are set forth below.

From February 19 to 21, 2024, High Court Chief Justice Carl B. Ingram attended the Pacific Justice Sector Program (PJSP) sponsored Chief Justices' Leadership Forum (CLJF) and Electoral Justice Network (2024) at the Taumeasina Island Resort in Apia, Samoa. Topics discussed at this year's forum included judicial wellbeing, regional cooperation in improving justice sector outcomes, and managing the responsible use of artificial intelligence within the courts. Fourteen Chief Justices from across the Pacific, including New Zealand and Australia, attended the forum. This annual forum is an opportunity to share insights, identify opportunities for collaboration, and discuss the challenges that jointly face the Pacific judiciaries and justice sectors.

From February 22 to 23, 2024, (immediately following the Chief Justices Leadership Forum), High Court Chief Justice Carl B. Ingram and Associate Justice Linda S. Murnane attended the Pacific Justice Sector Program (PJSP) sponsored Electoral Justice Network



[A traditional Ava ceremony for the Chief Justices.](#)

(2024) at the Taumeasina Island Resort in Apia, Samoa. The network provided an opportunity for the justices to share knowledge on complex electoral issues, support peers in situations of political pressure, and establish norms of practice across the region.

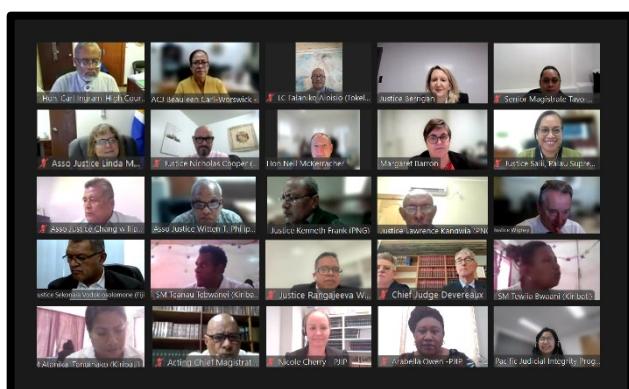
From March 12 to 14, 2024, High Court Associate Justice Witten T. Philippo attended the Advanced Judicial Officers' Fraud and Corruption Workshop in Port Vila, Vanuatu. The workshop was attended by 23 Chief Justices, Judges and Magistrates from Vanuatu, Fiji, Kiribati, Marshall Islands, Nauru, Papua New Guinea, Samoa, Solomon Islands, Tokelau and Tonga. Informed, designed and delivered by Judicial Officers from across the region, the



workshop aimed to further enhance judicial officers' competence to hear some of the most prevalent types of fraud and corruption-related cases. The workshop was delivered by the Pacific Judicial Integrity Program, funded by Australian Department of Foreign Affairs and Trade and delivered in partnership with the Federal Court of Australia and the Papua New Guinea Centre for Judicial Excellence.

From May 2 to May 30, 2024, High Court Chief Justice Carl B. Ingram, Associate Justice Witten T. Philippo, and Associate Justice Linda S. Murnane attended the Pacific Judicial Integrity Program's Advanced Judicial Officers' Fraud and Corruption Online Course. The objective of the online advanced course was to further support Judicial Officers to preside over fraud and corruption-related cases. The online course was delivered remotely via weekly online Zoom sessions of 2 hours in duration, conducted over a period of five weeks, as follows: Week 1: Course Introduction and Judicial Ethics - 2 May; Week 2: Fraud and Corruption-related law - 9 May; Week 3: Evidence - 16 May; Week 4: Sentencing - 23 May; and Week 5: Decision Making - 30 May.

From May 8 to 10, 2024, Traditional Rights Court Chief Judge Grace Leban and Associate Judge Claire Loeak attended the International Association of Women Judges, Asia Pacific Region Conference in Cebu City, Philippines. Through its Vaka fund, the Pacific Justice Sector Program (PJSP) supported seven representatives from its partner countries Nauru, Tuvalu, Kiribati, Samoa, and Republic of Marshall Islands to attend the conference. Women Lead: Transforming Asia Pacific and changing the World was the theme of the IAWJ Conference. The women participants learned how important women's issues are dealt with in different jurisdictions.

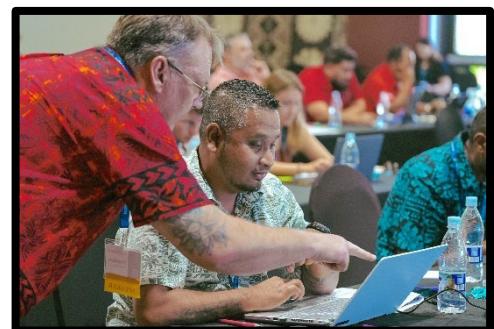




From June 10 to July 25, 2024, Traditional Rights Court Chief Judge Grace Leban and Associate Judge Claire Loeak attended the Ethics and Judging: Reaching Higher Ground online course (Web-based in Zoom). This 46-day online course used guided analysis with experienced faculty to teach judges to identify and distinguish between proper and improper court-related behavior, communication between lawyers and litigants, and interactions with pro se/ unrepresented litigants.

From June 18 to 20, 2024, Assistant Clerks James Reimers and Melissa Joe attended the Advanced Managing and Reporting on Fraud and Corruption Cases Workshop in Honiara, Solomon Islands. The three-day workshop provided an opportunity for regional sharing of best practice, experience and resources to broaden the knowledge base and enhance avenues for Registrars and Court Officers to develop skills and lessons relevant for the context of their court. The specialist training aimed to support Registrars and Court Officers in their roles of managing and reporting on fraud and corruption-related cases. The workshop is one of many activities delivered under the Australian Department of Foreign Affairs and Trade funded Pacific Judicial Integrity Program. The Program is implemented by the Federal Court of Australia in partnership with the Papua New Guinea Centre for Judicial Excellence.

From June 24 to 28, 2024, IT and Systems Officer, Bobby Andrew, attended the Pacific Network Operators Group (PacNOG) 33<sup>rd</sup> Meeting, Conference and Educational Workshop, in Guam. The objective was to introduce Network Management and Monitoring concepts by giving an overview of Network fundamentals, Linux fundamentals and exploring some of the Free Open Source Software (FOSS) tools that can be utilized for Network Management and Monitoring. Topics included Fundamentals of Networking; Fundamentals of Linux; Introduction to NMM; Simple Network Management Protocol (SNMP) Fundamentals; Round-Robin Database (RRD) tool; Log management and Time series database; and Flow monitoring.



From June 27 to 28, 2024, Traditional Rights Court Associate Judge Nixon David and District Court Associate Judge Caios Lucky attended the National Judicial College (NJC) Advanced Bench Skills: Procedural Fairness in Chicago, Illinois.

From July 4 to 6, 2024, Supreme Court Chief Justice Daniel N. Cadra and High Court Chief Justice Carl B. Ingram attended the 50<sup>th</sup> Anniversary Ceremony of Guam's Court Reorganization Act and related Continuing Legal Education ("CLE") Program in Guam. The activities include the following: Tour of the island; Fourth of July celebration; CLE Session; A Historical Perspective (CLE); Governor's Proclamation and Legislative Resolution Presentation; Ribbon Cutting Ceremony at the Guam Historic Courthouse; Opening of the Guam Judicial Center Time Capsule and 50<sup>th</sup> Anniversary Gala Dinner.

From July 21 to 25, 2024, Supreme Court Chief Justice Daniel N. Cadra and High Court Chief Justice Carl B. Ingram attended the 2024 Ninth Circuit Judicial Conference in Sacramento, California. The Workshop activities include the following: Welcome Reception by the District of Sacramento; Opening and Welcome to the Conference; The Supreme Court review; Generative AI: Where are we and what legal challenges await us?; Reflections on the 60th Anniversary of the Civil Rights Act: Remembering the Past, Imagining the Future; Climate Conversations: The Intersection of Law, Policy, and Science; Innovative Justice: Exploring the Ninth; Circuit and Specialty Courts; The Doors Dobbs Opened; The Federal Trade Commission Reinvigorated; California State Railroad Museum Dinner; Are You Not Entertained? Unraveling the Legal Complexities of Reality Crime Shows; Native American Tribal Law at an Inflection Point; Shifting Dynamics and their Practical Impacts; and Conversation with The Honorable Elena Kagan, Associate Justice, United States Supreme Court.



Protection Trail Blazing and on the Needs of Pacific Women Judicial Officers and Creating a Network.

From September 23 to 24, 2024, Traditional Rights Court Judge Claire Loeak and Chief Clerk of the Courts Ingrid K. Kabua, attended the Pacific Centre for Judicial Excellence and the Pacific Justice Sector Program sponsored Women in Justice Workshop held at the Stanley Hotel in Port Moresby, Papua New Guinea. The regional workshop aimed at strengthening access to justice and empowering women in Pacific judiciaries, focusing on Family

From October 7 to 11, 2024, the Pacific Justice Sector Program sponsored a Judicial Decisions and Judgment Writing Training and Mediation workshop at the Majuro Courthouse for the Traditional Rights Court judges (including pro tem judges), the District Court judges, and their clerks. The workshop's aim: consolidating participant knowledge of the role and responsibilities of a judicial officer; develop skills and strategies to formulate and deliver court judgments; practice court craft; have opportunity to reflect and review their own judgments; and explore mediation as alternative dispute resolution and the skills required.



From October 17 to 19, 2024, Linda S. Murnane, Associate Justice, High Court; Claire T. Loeak, Associate Judge, Traditional Rights Courts; and Ingrid K. Kabua, Chief Clerk of the Courts, attended the National Association of Women Judges, 2024 Annual Conference, Bridging the Past, Present, and Future of Justice, in San Diego, California, USA. The session topics included the following: (i) Human Trafficking; (ii) Judicial Security; (iii) Artificial Intelligence; (iv) Credibility and Bias; (v) Civil Rights; (vi) Mental Health and Secondary Trauma; (vii) Mental Health and Substance Abuse; (viii) Self-Care/Work-Life Balance; (ix) Judicial Ethics; (x) LGBTQ; (xi) Domestic Violence; and (xii) International Tea and Ethics.



AJ Loeak and CC Kabua with California Chief Justice Hon. Patricia Guerrero



Advantages To Courts Offered by Technology-AI presentation by CJ Ingram

From October 11 to 14, 2024, High Court Chief Justice Carl B. Ingram, attended the 19<sup>th</sup> Conference of Chief Justices of Asia and the Pacific at the Shangri-La Hotel in Kuala Lumpur, Malaysia. The Conference sessions include the following: Welcome Address by the Chief Justice of Malaysia; Opening Remarks by the Chair of Judicial Section of LAWASIA; Maintaining Confidence In And Respect For The Rule Of Law In A Rapidly Changing And Less Secure World; Judicial Well-Being; Advantages To Courts Offered By Technology – Ai; Challenges Posed To Courts By Technology – Ai; Regulation Of The Legal Profession And The Education Of Lawyers In An Era Of Ai – What Is Or Should The Role Of The Courts Be?; Pre-Conference Soirée With Chief

Justices; LawAsia Council And Exco; International Co-Operation And Cross-Border Issues; The Courts And The Media Including Social Media; Closing Session Of the Conference; and Gala Dinner.

From October 28 to 30, 2024, Supreme Court Chief Justice Daniel N. Cadra attended the Pacific Judicial Council (PJC) Environmental Law Conference at the Palau Royal Resort, Republic of Palau. The Conference sessions included the following: Welcoming Remarks by Keynote Speaker, Palau President HE Surangel Whipps, Jr.; Introduction to Climate Science; Ocean Governance; Adapting to Climate Change; Marine/Environmental Policies and Environmental Economics; Fisheries; Land Use and Land-Sea Connections; What the Science Says on the Decline of Coral Reefs and the Impacts to the Pacific Island Communities; Marine Pollution, Laws and Conventions; Climate Science and the Courts; Significant International Law Developments in Environmental Law and Climate-Related Litigation; Implications of Recent US Supreme Court Environmental Decisions Affecting Pacific Islands; Climate Science in the Courts Evidentiary Consideration Relating to the Introduction of Scientific Opinion; Environmental Science in Court: A Litigation Primer; Island Sustainability; and A Policy Discussion on the Way Forward.

From November 4 to 7, 2024, District Court Associate Judges Caios Lucky and Alexander Capelle attended the National Judicial College (NJC) The Traffic Case: A Course for Nonlawyer Judges, in Reno, Nevada. During this conference, Associate Judges will recognize the important roles judges play in efficiently, ethically, and effectively handle impaired driving cases; Identify, analyze, and rule on constitutional issues; Cite current practices the role of forensic toxicology in impaired driving cases; and examine the basic rules of evidence.

From November 5 to 7, 2024, High Court Associate Justice Witten T. Philippo attended the Cybercrime and Electronic Evidence workshop for Chief Justices sponsored by the PNG Pacific Centre for Judicial Excellence in partnership with the Council of Europe Cybercrime Program Office in Nadi, Fiji. The workshop aimed at increasing knowledge of the Chief Justices from the region on the international legal standards and best practices on ruling cybercrime cases and admissibility of e-evidence in courts.

From November 6 to 8, 2024, Assistant Clerks Tanya Lomae, Kristen Kaminaga, and Hainrick Moore, attended the Pacific Judicial Integrity Program (PJIP) sponsored Managing and Reporting on Fraud and Corruption Cases Workshop held in Nuku'alofa, Tonga. The workshop focused on areas identified by the region's registrars/court officers as the most challenging in performing their roles including case management; processes, documents/data and evidence; security measures for personnel, documents, exhibits and witnesses; health and wellbeing; and

ethics.



From November 14 to 17, 2024, Supreme Court Chief Justice Daniel N. Cadra attended the Appellate Judges Education Institute at The Westin in Boston Seaport District, Boston, Massachusetts, USA, which included more than 20 panel discussions on emerging trends, challenges, and legal issues affecting appellate practitioners and the judiciary.

From December 3 to 5, 2024, High Court Chief Justice Carl B. Ingram attended the Pacific Judicial Integrity Program (PJIP) sponsored Judicial Officers' Fraud and Corruption Workshop held in Apia, Samoa. The Workshop focused on areas identified by the region's judicial officers as the most complex and challenging; and covered topics including: judicial ethics, fraud and corruption-related law, case management, evidence, sentencing and decision making. It provided the opportunity for regional sharing of best practice, experience and resources that broadens the knowledge base and enhances avenues for judicial officers to further develop skills and lessons relevant for the context of their court.



## **J. Court Rules and Relevant Statutes**

To enhance access to justice, the Judiciary regularly reviews and amends or seeks amendments of its rules of procedure, Evidence Act, and other statutes.

Over the past 10 years, the Judiciary has proposed more than 37 amendments to Acts.

The Judiciary also regularly updates rules of Marshall Islands Rules of Civil Procedure (“MIRCP”), the Marshall Islands Rules of Criminal Procedure, and the Supreme Court Rules of Procedure. In 2024, MIRCP 75(b)(1) was amended to narrow the requirement for a "timely" motion for recusal to disqualify a judge, aligning it with Article VI, Section 6(1) of the Constitution, as discussed in *Samuel v. Almen, et al.*, SCT No. 2017-002, slip op. at 9 (Sep 2017).

### **III. THE JUDICIAL SERVICE COMMISSION: JUDICIAL APPOINTMENTS**

Along with the courts, the Constitution provides for a Judicial Service Commission (“JSC”), 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 Jennifer Hawley. The JSC nominates to the Cabinet candidates for appointment to the Supreme Court, High Court and Traditional Rights Court, 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 does not receive any direction from the Cabinet or from any other authority or person but acts 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 2024, the Commission appointed acting TRC judges for seven cases where a member of the permanent TRC panel had a conflict, and the Commission appointed 11 Community Court judges for six atolls.

### **IV. ACCOUNTABILITY: CODES OF CONDUCT AND COMPLAINTS**

The third goal of the Judiciary’s Strategic Plan includes “*to be accountable.*” To enhance its transparency and accountability, the 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 Judiciary has adopted the Marshall Islands Code of Judicial Conduct 2008 (revised May 27, 2008). The Code is based principally upon the Bangalore Principles and the American Bar Association Model Code of Judicial Conduct. A copy of the Judiciary’s code can be found on its website, [www.rmicourts.org/](http://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 response to the 2023 complaint lodged against a District Court judge accused of submitted a false receipt for reimbursement, the Commission appointed counsel to investigate the matter. In 2024, the Commission held a hearing on the complaint, at which the judge was presented and testified. Shortly after the hearing, the judge resigned.

With respect to attorney conduct, the Judiciary has adopted the American Bar Association's Rules of Professional Conduct. Provisions for lodging and processing complaints against attorneys can be found on the 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 2024, no complaints were lodged or pending against attorneys.

With respect to court staff, the Judiciary maintains a complaint box at the courthouses. In 2024, no complaints were lodged against court staff.

## **V. FACILITIES, TECHNOLOGY, AND LIBRARY**

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

### **A. Facilities**



Over the past decade, the Judiciary, with funding from court fees and from the Cabinet, the Nitijela, and the Republic of China (Taiwan), 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, repainting the Majuro Courthouse and replacing the roof, installing a 100KVA backup generator for the Majuro Courthouse, and constructing a police substation next to the Majuro Courthouse.



Also, since 2017, the Judiciary has sought funding for a new courthouse on Kwajalein Atoll. The Ebeye Courthouse building has deteriorated to the point where it needs to be replaced. It is in very bad condition and cannot be expanded to meet the Judiciary's and Kwajalein community's needs. Unfortunately, funds initially allocated for this project in 2023 were diverted to other projects. The Judiciary has continued to request funding for a new Kwajalein courthouse.

### **B. Technology**

The courthouses on Majuro and Ebeye are equipped with computers, printers, and photocopiers and have Internet access at around 40-100 Mbps depending on the international connections. However, the Judiciary urges visiting counsel to purchase Internet access from the

local telecommunications company, the National Telecommunications Authority (“NTA”). Also, 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 five scanners with OSC software permitting the courts to scan documents and send them almost anywhere in the world.

Currently, the High Court permits off-island counsel to attend status and scheduling conferences via telephone, Skype, and Zoom. Occasionally, evidence in uncontested matters is taken via Skype or Zoom. While COVID-19 restrictions were in place, the Judiciary also heard contested non-evidentiary proceedings via Zoom.

## C. Library

The Judiciary has a small, but functional, law library. However, the Judiciary relies upon WestLaw for up-to-date access to United States case law and secondary sources.



## VI. ANNUAL BUDGET AND AUDIT REPORT

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

For FY 2024, the Nitijela appropriated \$1,186,253 for the Judiciary: \$948,508 for salaries and wages and \$228,329 for all others. Less audit expenses of \$9,416 paid out by the Ministry of Finance, a total of \$228,329 was paid to the Judiciary for its operational funds.

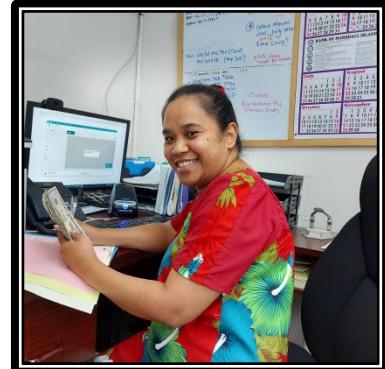
Of the \$948,508 appropriated for personnel in FY 2024, the Judiciary only expended \$92,298 due to unexpended District Court (Ebeye) and Community Court judge salaries. The unspent personnel funds from FY 2024, \$92,298, remained in the General Fund with the Ministry of Finance.

Of the \$237,745 appropriated in FY 2024 for all other expenses, \$9,416 was retained by the Ministry of Finance for audit expenses and the Judiciary expended or obligated the remaining \$228,329.

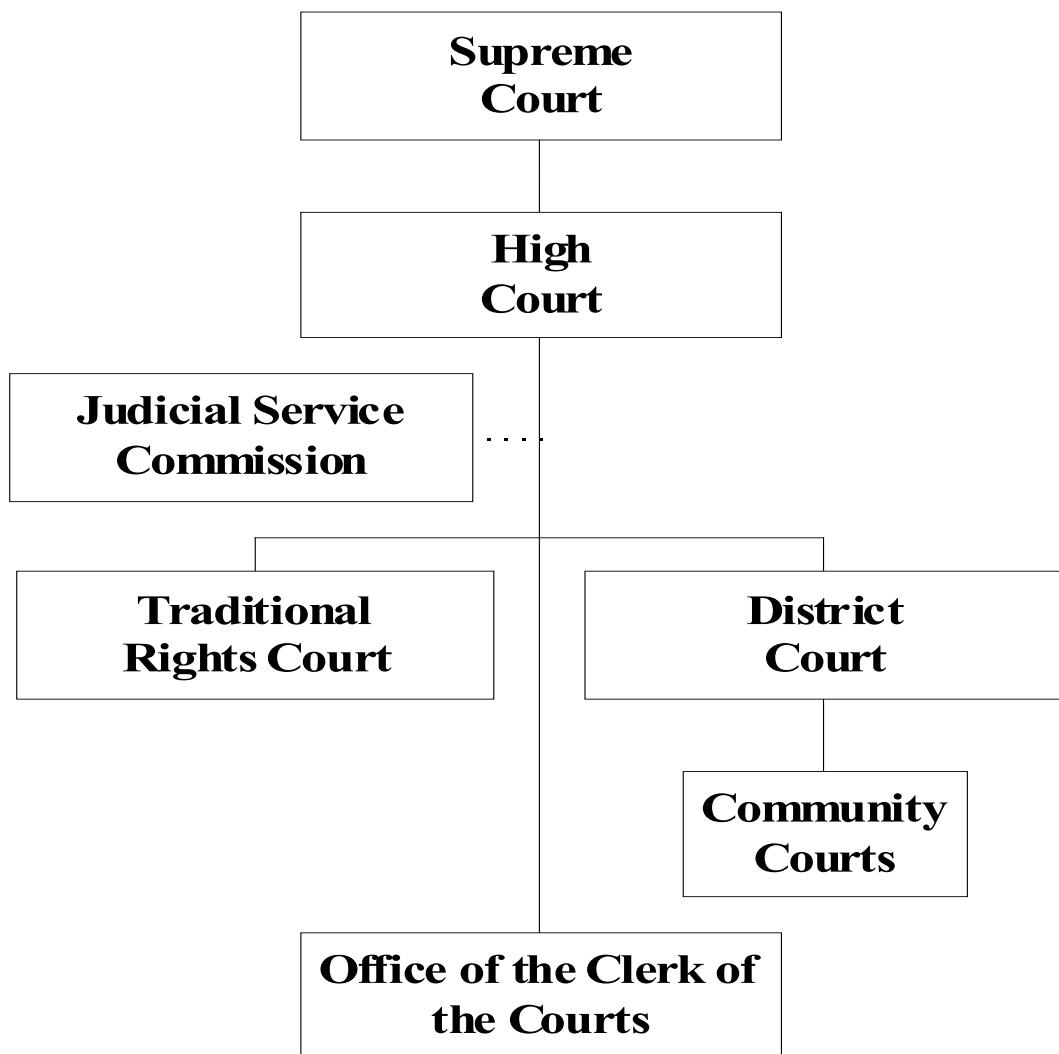
The Judiciary has segregated moneys collected from annual attorney fees for the Legal Aid Fund (“LAF”). As of September 30, 2024, the Judiciary had \$275,826.81 in its LAF account, much of which had been obligated for payment to attorneys to represent those who cannot offer an attorney and cannot be represented by the Micronesian Legal Aid Services Corporation and the OPD. As of September 30, 2024, the Legal Aid Fund TCD Account had a balance of \$247,717.29.

Apart from Nitijela appropriations, the Judiciary by Act has its own special revenue fund (“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 from other sources. Collections by the Office of the Clerk of the Courts and deposited into the Judiciary Fund in FY 2024 totaled \$99,623.92. The fund balance at the end of FY 2024, \$1,172.63 and monies collected in FY 2025 will be reserved for furnishing the new Ebeye courthouse and other emergency needs. The Ebeye Courthouse project is in the planning stage and most certainly will need much more additional funding.

For FY 2024, the Judiciary has contracted with Ernest and Young to audit the Marshall Islands Judiciary Fund, the Legal Aid Fund, the TCD accounts, and all Fiduciary accounts. As of the date of this report, the audit for FY2024 has not been completed but will commence as soon as the contract for EY is finalized. When the audit is completed, the Judiciary will amend the 2024 Annual Report to include the results of the audit.



**ORGANIZATIONAL CHART  
FOR THE  
MARSHALL ISLANDS JUDICIARY**



## **Appendix 2**

### **JUDICIARY PERSONNEL**

#### **Justices and Judges**

Supreme Court Chief Justice Daniel N. Cadra (09/21/13-09/20/23)

High Court Chief Justice Carl B. Ingram (10/05/13-10/04/23)

High Court Associate Justice Witten T. Philippo (10/29/17-01/31/30)

High Court Associate Justice Linda S. Murnane (11/02/22-11/02/24)

Traditional Rights Court Chief Judge Grace L. Leban (02/30/20-12/30/30)

Traditional Rights Court Associate Justice Nixon David (04/07/21-04/06/25)

Traditional Rights Court Associate Justice Claire T. Loeak (05/17/21-05/16/31)

Presiding District Court Judge A. Tarry Paul (12/26/18-12/25/28)

Associate District Court Judge Caios Lucky (01/20/19-08/28/27)

Associate District Court Judge Davidson T. Jajo (Ebeye) (04/18/16-04/17/26) – resigned in 2024

Associate District Court Judge Alexander Capelle (Ebeye) (10/6/24-10/5/34)

Ailinglaplap Community Court Presiding Judge Canover Katol (05/04/18-05/03/24)

Ailinglaplap Community Court Associate Judge Mannu Rakin (07/13/18-07/12/24)

Ailinglaplap Community Court Associate Judge Lawday Kelen (12/12/22-12/11/28)

Ailuk Community Court Presiding Judge Tilly Menuna (02/25/18-02/24/24; 11/14/24-11/13/30)

Arno Community Court Presiding Judge Batle Latdrik (08/05/18-08/04/24; 8/5/24-8/4/30)

Arno Community Court Associate Judge Artor Hesa (8/5/24-8/4/30)

Arno Community Court Associate Judge Benjinej Kawe (08/05/18-08/04/24; 8/5/24-8/4/30)

Aur Community Court Presiding Judge Benty Jikrok (03/03/17-03/02/23) (03/03/23-03/02/29)

Bikini and Kili Community Court Presiding Judge Swinton Jakeo (03/09/20-03/08/26)

Ebon Community Court Presiding Judge Elson Naisher (05/13/24-05/12/30)

Enewetak and Ujelang Community Court Presiding Judge (vacant)

Jabat Community Court Presiding Judge Tari Jamodre (08/07/22-08/06/28)

Jaluit Community Court Presiding Judge Hertina Meijena (12/03/18- resigned 03/22/24)

Jaluit Community Court Presiding Judge Aelon Moses (11/03/24-11/02/30)

Jaluit Community Court Associate Judge Marylee Jacob (11/03/24-11/02/30)

Lae Community Court Presiding Judge Island Langbata (12/03/18-12/02/24)

Lib Community Court Presiding Judge (vacant)

Likiep Community Court Presiding Judge (vacant)

Maloelap Community Court Presiding Judge Elji Lelwoj (02/25/18- resigned 11/27/23)

Maloelap Community Court Associate Judge Riaje Langrine (08/5/24-8/4/30)

Maloelap Community Court Associate Judge Jobo Lauro (02/25/18-02/24/24; 08/5/24-08/4/30)

Mejit Community Court Presiding Judge David Boyce (01/20/19-01/19/25)

Mili Community Court Presiding Judge (Vacant)  
Namdrik Community Court Presiding Judge Reio Lolin (08/26/18-08/25/24)  
Namu Community Court Presiding Judge Liston Albious (03/09/20-03/08/26)  
Rongelap Community Court Presiding Judge (vacant)  
Ujae Community Court Presiding Judge Area Jibbwa (08/26/18-08/25/24)  
Utrik Community Court Presiding Judge Kobobo Kios (03/12/20-03/11/26)  
Wotho Community Court Presiding Judge (vacant)  
Wotje Community Court Presiding Judge Anjain Helbi, (05/27/18-05/26/24; 08/5/24-08/4/30)  
Wotje Community Court Associate Judge Gabriel Beasha (08/5/24-08/4/30)  
Unallocated (vacant)

### **Judicial Service Commission**

High Court Chief Justice Carl B. Ingram, Chair  
Attorney-General Bernard Adiniwin, Member  
Jennifer Hawley, Member Representing the Public

### **Staff**

Chief Clerk of the Courts Ingrid K. Kabua  
IT Officer Bobby Andrew  
Assistant Clerk of the Courts Hainrick Moore  
Assistant Clerk of the Courts Armen Bolkeim (Ebeye)  
Assistant Clerk of the Courts Tanya Lomae  
Assistant Clerk of the Courts Kristen Kaminaga  
Assistant Clerk of the Courts Kaiboke Iseia  
Assistant Clerk of the Courts Melissa Joe  
Assistant Clerk of the Court James Reimers  
Maintenance James Milne  
Part-time Custodian Jindrikdrik Joash  
Bailiff Carlson Jacklick, Lieutenant  
Bailiff Moses Lautiej, Police Officer II  
Bailiff Clay Mielson, Officer II  
Bailiff Noland Tash, Policer Officer I  
Part-time Security Guard Henry Hiram  
Part-time Security Guard Beia Reiher

## **Appendix 3**

### **AUDITED FINANCIAL STATEMENTS**

(Awaiting audited Financial Statements from Ernst & Young)