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

4 General Court Order) No. 2012-02
5)
6)
7)

8 **Order Amending and Holding GCO 2012-01 in**
9 **Abeyance for 40 days Allowing for Public Comment**
10 **and Consideration of Any Public Comment Prior to the**
11 **Promulgation and Enforcement of the Amendments to**
12 **the Rules for Admission to Practice Before the Supreme**
13 **Court of the Federated States of Micronesia**

14 Pursuant to the authority granted to the Chief Justice of the Supreme Court in
15 Article XI, Section 9 of the Constitution and Section 117 of Title 4 of the Judiciary Act
16 of the FSM Code, the promulgation and enforcement of GCO 2012-01 is hereby
17 amended and held in abeyance for a period of 90 days from the date of this order to
18 allow public comment to be submitted and considered. The Supreme Court shall be
19 required to immediately publish this order in a newspaper of general circulation and
20 send a copy of it through the postal service to the last known address of every attorney
21 licensed to practice before this Court. The period for public comment shall commence
22 on the date of this order and shall be allowed for a period of 60 days. At the end of this
23 period the comments shall be gathered and considered. If no further action is taken
24 rescinding or amending GCO 2012-01 it shall become a rule of this Court 90 days after
25 this order is signed.

The language of the proposed changes to the FSM Rules for Admission to Practice
before the Supreme Court of the Federated States of Micronesia is found below. All

1 public comment shall be directed through written communication to the FSM Supreme
2 Court in Palikir Pohnpei or at the following address:

3 FSM Supreme Court
4 PO Box J
5 Palikir Station
6 Pohnpei FM 96941

7 **Proposed Amendments to the Rules of Admission**
8 **to Practice Before the Supreme Court.**

9 Section II(A) shall be amended by the addition of subsection 5. Subsection II(A)
10 is amended to reflect the inclusion of a new subsection applicable only to FSM Citizens.
11 The inclusion of additional language is underlined.

12 **Section II(A) Experience or Education Requirement**

13 Each non-citizen of the Federated States of Micronesia seeking the
14 opportunity to take the FSM Written Examination must demonstrate
15 compliance with standard 1 below. Applicants who are citizens of the
16 Federated States of Micronesia may demonstrate compliance with any of
17 the five following standards.

18 **Section II(A)(5) State Court Judge**

19 The applicant shall submit to the Court proof of appointment and
20 confirmation as a judge of a State Court of the FSM and of current good
21 standing in that position.

22 Section II(D) is amended to replace in its entirety the first paragraph of the rule.

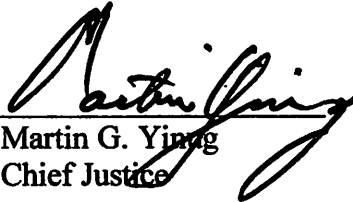
23 **Section II(D) The Written Examination**

24 All applications for written examination or reexamination shall be filed,
25 with supporting documents and non-refundable application fee of twenty
five (\$25.00) dollars, in the offices of the FSM Supreme Court in
Pohnpei at least 60 days prior the date scheduled for the written
examination. Upon showing of good cause the Court may permit filing of
applications up to 21 days prior to the date of the written examination.
After the 21-day deadline no further applications will be received or
considered.

1 The Rules for admission have been amended to include a Section X.

2 **Section X Updated Contact and Service of Process Information.**
3 All persons authorized to practice before the FSM National Courts shall
4 be required to provide the FSM Supreme Court in Palikir, Pohnpei, with
5 an active mailing address and contact information annually, prior to
6 December 01 each year. This information shall also identify two
7 additional persons and their contact information, upon whom service of
8 process may be rendered for the person authorized to practice before the
9 FSM National Courts. Absent a showing of excusable neglect, persons
10 who fail to comply with this rule shall be removed from the list of active
11 members and shall no longer be authorized to practice before the FSM
12 Supreme Court.

13 SO ORDERED this 7th day of Sept 2012.

14 
15 Martin G. Ying
16 Chief Justice