

FSM SUPREME COURT 2021 ANNUAL REPORT





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Introduction

Article XI of the FSM Constitution created the judicial branch of the Federated States of Micronesia. The judicial power of the national government is vested in a Supreme Court and inferior courts established by statute. Art XI, Section 1.

The Supreme Court is a court of record and the highest court in the nation. It consists of the Chief Justice and not more than five associated justices. Each Justices is a member of the trial and appellate division. No justice may sit with the appellate division in a case he/she heard in the trial division. At least three justices shall hear and decide appeals. Decision are made by a majority of those sitting. Art XI, Section 2.

The President appoints the Chief Justice and Associate Justice of the Supreme Court with the approval of 2/3 of Congress. Justices serve during good behavior. Art. XI, Section 3.

If the Chief Justice cannot to perform his duties, he shall appoint an associate justice to act in his stead. If the office is vacant, or the Chief Justice fails to make the appointment, the President shall appoint an associate justice to act as Chief Justice until the vacancy is filled or the Chief Justice resumes his duties. Art. XI, Section 4.

The qualifications and compensation of justices and other judges may be prescribed by statute. Compensation of judges may not be diminished during their terms of office unless all salaries prescribed by statute are reduced by a uniform percentage. Art. XI, Section 5.

The trial division of the Supreme Court has original and exclusive jurisdiction in cases affecting officials of foreign governments, disputes between states, admiralty or maritime cases, and in cases in which the national government is a party except where an interest in land is at issue. Art. XI, Section 6.

The appellate division of the Supreme Court may review cases heard in the national courts and cases heard in state or local courts if they require interpretation of this Constitution, national law, or a treaty. If a state constitution permits, the appellate division of the Supreme Court may review other cases on appeal from the highest state court in which a decision may be held. Art. XI, Section 7. Since 1981, the FSM Supreme Court has worked to anticipate and respond to the court needs and to support the Federated States of Micronesia's judicial systems. Through leadership and service, national and state perspectives on court issues, and collaborative work with the Chief Justices of the State Courts and other state court leaders, the FSM Supreme Court plays a crucial role in advancing and building public trust and confidence in the national court system.



**MESSAGE ABOUT THE 2021 ANNUAL REPORT FROM
ACTING CHIEF JUSTICE BEAULEEN CARL-WORSWICK
OF THE SUPREME COURT OF THE
FEDERATED STATES OF MICRONESIA**



I hope this message finds you and your family safe, despite the lingering effects of the global covid-19 pandemic.

The last year has been challenging, but also rewarding in many ways. While the FSM Government is committed to winning the battle against COVID-19, the FSM Supreme Court continued to serve the country through timely and fair administration of justice. While borders were closing, the Court invested in upgrading its technology, including training justices and staff on delivering services using virtual court appearances to ensure that cases would be adjudicated on schedule. The Court also continued to find solutions that allowed the Court's operations to continue, unimpeded, such as having the clerk's office effectuate service of filings to and from parties and their counsel who are outside the Court's jurisdiction. The Court credits the dedication and innovative thinking of its staff, along with the technical assistance of both the Pacific Judicial Strengthening Initiative (PJSI) and the Pacific Judicial Council (PJC), in helping the Court meet its goals, such as the judicial-service goals provided for in the *Cook Island Indicators*.

Some of the highlights of the Court's performance during the covid-19 pandemic include: The Court's justices and staff have successfully undergone training on the use of video conferencing. As such, it is now common for the Court to conduct virtual court proceedings that involve parties who appear simultaneously from several different locations. In some instances, these judicial proceedings require translation. Currently, all of the Court's facilities, in each of the four (4) FSM states, have technology that allows for video conferencing, an electronic case tracking system and high-speed internet. These improvements, coupled with the Court's existing programs of electronically archiving its closed-cases database, and also renovating its facilities throughout the FSM, will ensure that the Court is prepared for any future contingencies that may arise.



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The Court has also expanded its virtual presence in the island communities it serves. For example, the Court uses its technology to continue hosting FSM National Law Day, which is an annual event that involves high school debate teams from around the nation. Despite any covid-19 travel restrictions that may have otherwise disrupted these events, the recent Law Day debates moved forward using the Court's virtual technology. Similarly, the Court has continued to deliver its Access-to-Justice project during these times, by joining with non-governmental organizations to educate the public about the role that all courts have in enforcing the rule of law in society.

Lastly, and on a historical note, it is a pleasure to introduce the Court's newest Associate Justice, Dennis L. Belcourt, who was sworn into office on April 23, 2021. Justice Belcourt is the ninth Justice to join the Court since the Constitution was ratified. Like many other proceedings before the Court during the pandemic, Justice Belcourt's investiture proceeding was done virtually, with Justice Belcourt and his family appearing from the FSM's Consulate in Portland, Oregon, while other participants appeared from Guam and around the FSM.

In closing, while the FSM battles the covid-19 pandemic, and while borders remain closed, the Court will continue to focus on ways to ensure that it will continue to deliver justice in an efficient manner.

Sincerely yours,

Beauleen Carl-Worswick

Acting Chief Justice

FSM Supreme Court



JUSTICES OF THE FSM SUPREME COURT



Honorable Beauleen Carl-Worswick
Acting Chief Justice



Honorable Larry M. Wentworth
Associate Justice



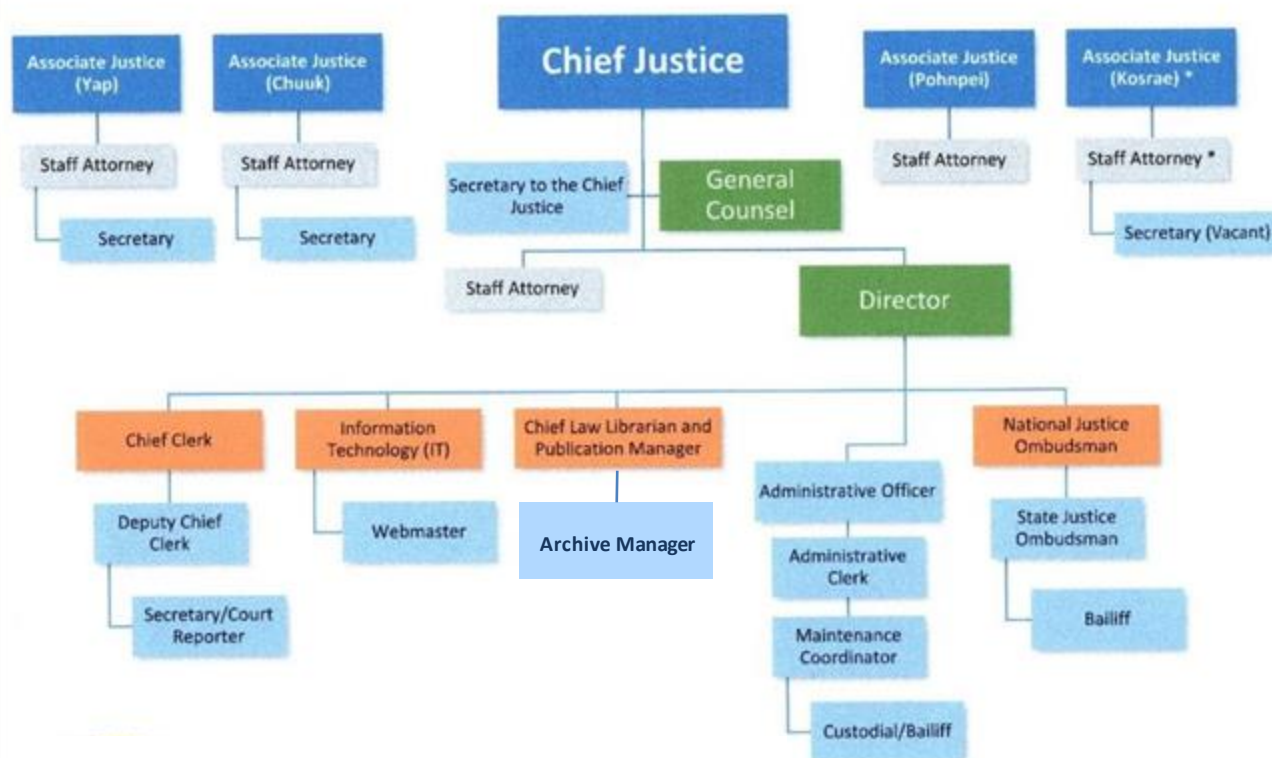
Honorable Dennis L. Belcourt
Associate Justice



FSM SUPREME COURT ORGANIZATIONAL CHART

FSM Supreme Court Organizational Structure

August 17th, 2018





STAFF OF THE FSM SUPREME COURT

~POHNPEI STAFF~



Emeliana Musrasrik-Carl
Director of Court
Administration

(Vacant)
General Counsel



Sandy Albert
Chief Clerk



Belan Yoma
National Justice
Ombudsman



Atarino Helieisar
Chief Law Librarian &
Publication Manager



Ivan Kadannged
IT Manager



Lorina Pernet
Secretary to Chief
Justice



Enlet Jr. Enlet
Staff Attorney



Carleila Carl Edgar
Staff Attorney



Craig Reffner
Staff Attorney



Altrickson Anson
Maintenance Supervisor



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Teddy Hasgiulbung
Webmaster



Senda Helgen
Deputy Assistant
Clerk



Joyleen Wichap
Secretary / Court
Reporter



Mayleen David
Secretary / Court
Reporter



Pihna Sohl
Administrative Officer



Cheryl-Ann Freeman
Administrative
Assistant



Johnny Peter
State Justice
Ombudsman-PNI



Keske Jacob
Bailiff



LilyAnn H. Anson
Archive Manager



Yondeavor Santos
Webmaster Assistant



Elimina Else
Custodial Worker
Pohnpei

INTERNS



Nikita Jackson
Intern



Dasko Sando
Intern



Franky Ifamilik
Intern



Debra Sohs
Intern



~CHUUK STAFF~



Harry Narruhn
State Justice
Ombudsman



Atrina Soichy
Secretary to
Associate Justice



Lovelynn Berdon
Clerk of Court



Melissa Petrus
Clerk of Court



Erick Berry
Maintenance/Bailiff



Samuel Samuel
Custodial



Rochella Dois
Intern

~YAP STAFF~



Peter Garangamau
State Justice
Ombudsman



Emiliani T. Gilpong
Secretary to
Associate Justice



Rita Ylememog
Custodial Worker



~KOSRAE STAFF~



Linson Waguk
State Justice
Ombudsman



Roxshyll Moody
Clerk of Court



Arthy Fred Sigrah
Bailliff/Custodial





THE STRATEGIC PLAN OF THE FEDERATED STATES OF MICRONESIA (2017-2021)

OUR VALUES

Accessibility

Certainty

Competence

Equality Before the Law

Fairness

Impartiality

Independence of Decision Making

Integrity

Timeliness

Transparency



OUR MISSION

The mission of the Supreme Court of the Federated States of Micronesia is to serve the people through timely and fair administration of justice for all, by discharging its judicial duties and responsibilities in accordance with the Constitution, laws, and customs and traditions of our unique Pacific-Island Nation.

OUR VISION

The FSM Supreme Court will conduct itself as an independent, fair, impartial, and properly managed co-equal branch of the FSM National Government in rendering justice to all.

5 STRATEGIC GOALS: SUMMARY

1. Adopt and implement sound management and administrative practices:

Deliverables:

- ✓ The FSM Supreme Court continues to function by FSM Financial Management Regulations and laws of the nation;
- ✓ The FSM Supreme Court continues to conduct itself as an independent, fair, impartial and adequately managed co-equal branch of the FSM National Government in rendering justice to all.
- ✓ The FSM Supreme Court continues to comply with the *Cook Island Indicators*.

2. Modernize technology, library resources, and court facilities:

Deliverables:

- ✓ FSM Supreme Court Palikir and all field offices are equipped with fast internet service;
- ✓ Office computers are upgraded to modern software
- ✓ Video conferencing equipment are installed in all field offices
- ✓ FSM Interim Reporters (Volumes 1-22) are updated and uploaded on PaCLii;
- ✓ FSM Interim Reporters are available in soft bound copies;
- ✓ Archiving of closed cases (1981-current) are in progress;
- ✓ Courtroom renovations for Chuuk and Yap are completed;
- ✓ Disability parking are installed for Chuuk and Pohnpei offices;
- ✓ High Speed, multi-purpose copier/scanners available in offices;

3. Meet the challenges of serving four geographically separated and culturally unique Pacific-Island States:

Deliverables:



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- ✓ Court calendar is updated daily and available on FSM Supreme Court website;
- ✓ Monitoring trips will continue upon opening of borders, due to COVID-19;
- ✓ Virtual trainings are continuous for justices and staff;
- ✓ Annual Reports available on court website;
- ✓ FSM Supreme Court Reporters, Digest and Updaters are available on Court website;
- ✓ Continued partnership with state courts, PJSI, PJC, private consultants on training and other court related matters.

4. Promote professionalism in the Judiciary and the legal profession

Deliverables:

- ✓ In 2021, the FSM Supreme Court conducted trainings on anti-human trafficking, financial management regulations, court trend reporting, court performance, access to justice, Chief Justice Leadership forum, video conferencing, staff development, SDG webinar, court security, national law day, FSM judicial conference, difficult conversation, digital solutions, judicial ethics, and family violence.
- ✓ FSM National Law Day debates are conducted annually;
- ✓ FSM continues to partner with COM-FSM; high schools in the FSM for legal programs;
- ✓ FSM Supreme Court staff continues undertaking on-line courses with University of South Pacific through funding by PJSI
- ✓ Cross trainings and In-house trainings are conducted for staff upgrade.

5. Increase public understanding and maximize access to the court

Deliverables:

- ✓ Court proceedings are conducted virtually through video conferencing and telephonic hearings due to COVID-19 travel restrictions;
- ✓ Court judgements are available on Court's website;
- ✓ Continued awareness raising events on Access to justice and Enabling Rights for legal practitioners, government, women & youth, people with disabilities, NGOs and civil society.

Afterword

This strategic plan of the Supreme Court of the Federated States of Micronesia was put together with the input of all of the Justices and staff of the court. The strategic plan includes the court's mission, vision, and value statements. It includes strategic goals and action items that provide the court with a focused set of objectives to improve court operations over the next five years.

It is envisioned that this Strategic Plan will also assist in yearly budget preparations based on performance-based budgeting. It should also provide support for



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seeking special grants and supplemental funding for special court projects not funded in the regular operations budget for the court.

This strategic plan embodies the collective thinking of everyone working to improve the Court's operations in order to better serve the people of the Federated States of Micronesia in carrying out the Court's mission for the fair administration of justice for all.

ADMINISTRATION

ROLE OF COURT ADMINISTRATION

The primary role of the Court Administration is to facilitate the administrative functions of the court under the general guidance of the Chief Justice. The Court Administrator has a responsibility to identify and implement initiatives that increase the public's understanding of the judicial system and provide for equal access to justice for all. Administrators also ensure that the independence of the judiciary as the third and independent branch of government is maintained while cultivating relationships with other branches of the government.

FSM JUDICIARY'S 5-YEAR BUDGET APPROPRIATIONS: FY 2018-2021

CATEGORIES	FY2018	FY2019	FY2020	FY2021
PERSONNEL	\$899,127	\$ 905,453	\$1,026,561	\$1,067,561
TRAVEL	\$161,525	\$ 161,525	\$ 185,974	\$ 55,793
CONTRACT SERVICES	\$178,025	\$ 184,194	\$ 213,100	\$ 237,300
OTHER CURRENT EXPENSES	\$182,694	\$ 174,808	\$ 155,388	\$ 176,315
FIXED ASSETS	\$ 32,000	\$ 32,000	\$ 143,000	\$ 54,000
TOTAL APPROPRIATION	\$1,453,371	\$1,457,980	\$1,724,023	\$1,590,969



COOK ISLAND INDICATORS

**FSM JUDICIARY BASELINE REPORT
COOK ISLAND INDICATORS**

Note: **Green** – Fully Completed **Orange** – Partially completed **Red**-Incomplete

	TYPE	INDICATORS	2021
1	Case Management Information	Case finalization clearance rate	
2	Case Management Information	Average duration of a case	
3	Appeals	The percentage of appeals	
4	Appeals	Overturn rate on appeal	
5	Access	Percentage of cases that are granted a court fee waiver	
6	Access	Percentage of cases disposed through a court circuit	
7	Access	Percentage of cases where party receives legal aid	
8	Complaints	Documented process for receiving and processing a complaint that is publicly available	
9	Complaints	Percentage of complaint received concerning a judicial officer	
10	Complaints	Percentage of complaints receiving concerning a court staff member	
11	Human Resources	Average number of cases per judicial officer	



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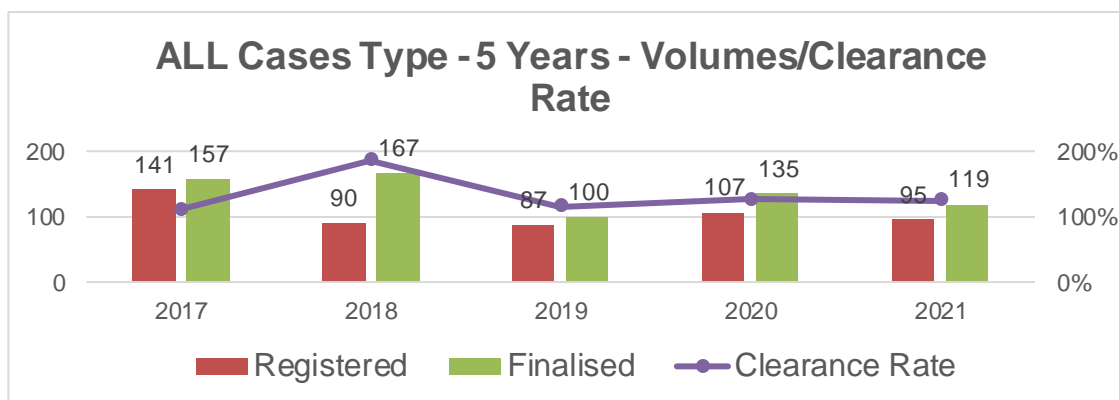
12	Human Resources	Average number of cases per court staff	
13	Judicial Transparency	Court produces or contributes to an Annual Report that is publicly available	
14	Judicial Transparency	Information on Court services is publicly available	
15	Judicial Transparency	Judgments on PacLII	
16	Case Management Information	Average Age of Pending Caseload	
17	Case Management Information	Percentage of complaints that have been handled within an agreed timeframe	
18	Judicial Transparency	Total number of compliments and positive feedback received by the court	
19	Human Resources	The range of training and development opportunities	
20	Human Resources	The percentage use rate of courtrooms	

INDICATORS & STATISTICAL REPORTS



Indicator 1: Case Management Information:

Note: The charts below include updated data not captured in previous reports. Some charts will contain 2022 data.



Previous 5 Calendar Years	Registered	Finalised	Clearance Rate
2017	141	157	111%
2018	90	167	186%
2019	87	100	115%
2020	107	135	126%
2021	95	119	125%
Total/clearance rate	520	678	130%

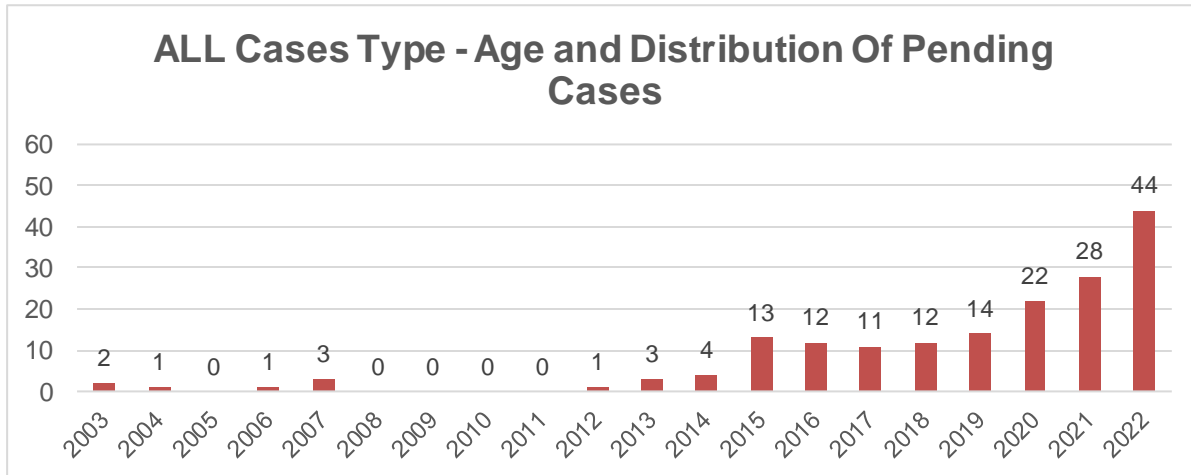
Pending Workload

Current Pending	165	CASES
Average Age of Pending	1335	DAYS
Pending to Disposal Ratio (PDR)	1.6	
(target - less than 1)		

The total clearance rate on all types of cases in 2021 is 125%, which is the same as the year 2020. The Court maintains an overall average of 130% on clearance rate on all types of cases for the last five years (2017-2021). At the end of year 2021, the court has 165 cases pending and average days to close of a case of 1335 days. The Pending to Disposal Ratio (PDR) for year 2021 is now 1.6 compared to year 2020 court annual report showing the PDR of 1.7.



Indicators 2 & 16: Case Management Information: Average Duration of a Case and Average Age of Pending Cases



The Age and Distribution of Pending Cases graph shows numbers of all pending cases by year.

Year 2020 Pending Workload-ALL TYPE of CASES

Current Pending	286	CASES
Average Age of Pending	1458	DAYS
Pending to Disposal Ratio (PDR)	1.7	
(target - less than 1)		

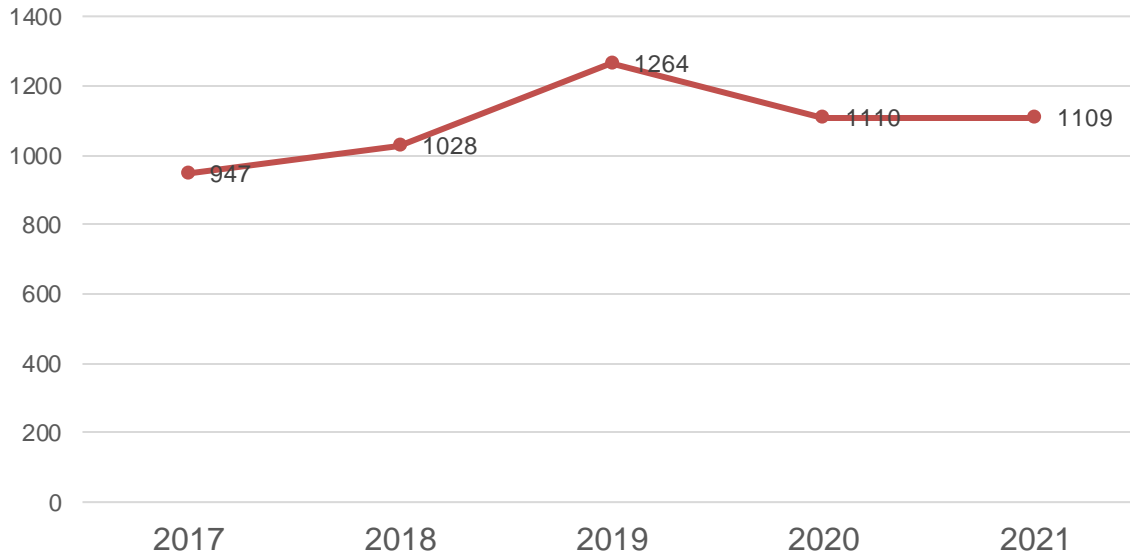
Year 2021 Pending Workload-ALL TYPE of CASES

Current Pending	165	CASES
Average Age of Pending	1335	DAYS
Pending to Disposal Ratio (PDR)	1.6	
(target - less than 1)		

The FSM Supreme Court averages 1,335 days on age of pending cases in year 2021, with a Pending to Disposal Ratio of 1.6. In 2020, the FSM Supreme Court had an Average Age of Pending of 1458 and the PDR of 1.7, resulting in 40% reduction of pending cases in 2021.



ALL Cases Types - 5 Years - timeliness of disposals



Previous 5 Calendar Years

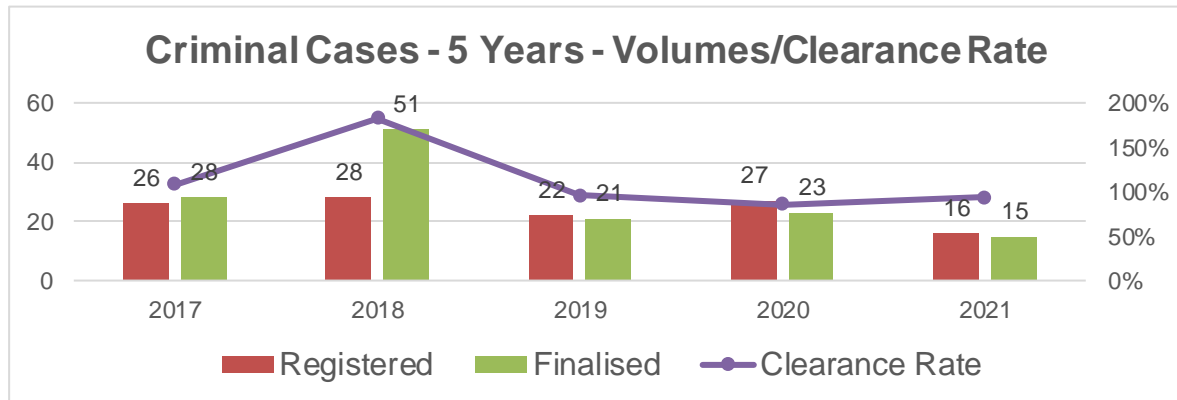
2017	947
2018	1028
2019	1264
2020	1110
2021	1109

Average of the 5 years 1075

The average timeliness of dispositions of All Cases in 2017 is 947. For 2021, the average timeliness of disposals is 1,109 days. The increase in average days is a result of pending cases since 2003.



CRIMINAL CASES 2021



Previous 5 Calendar Years	Registered	Finalized	Clearance Rate
2017	26	28	108%
2018	28	51	182%
2019	22	21	95%
2020	27	23	85%
2021	16	15	94%
Total/clearance rate	119	138	116%

Pending Workload

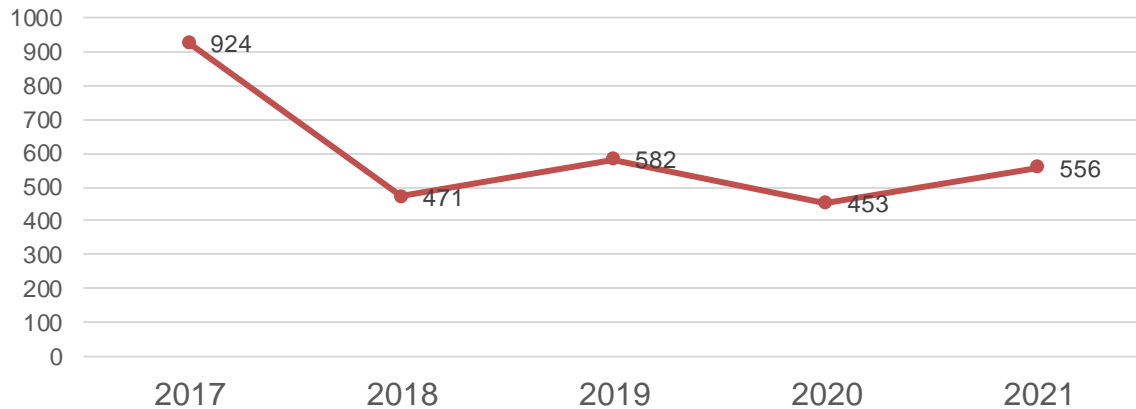
Current Pending	26	CASES
Average Age of Pending	2206	DAYS
Pending to Disposal Ratio (PDR) (target - less than 1)	2.2	

In 2021, the clearance rate for criminal cases is 94%, compared to 85% in 2020. The overall clearance rate within the last five years is 116%.



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Criminal Cases - 5 Years - timeliness of disposals

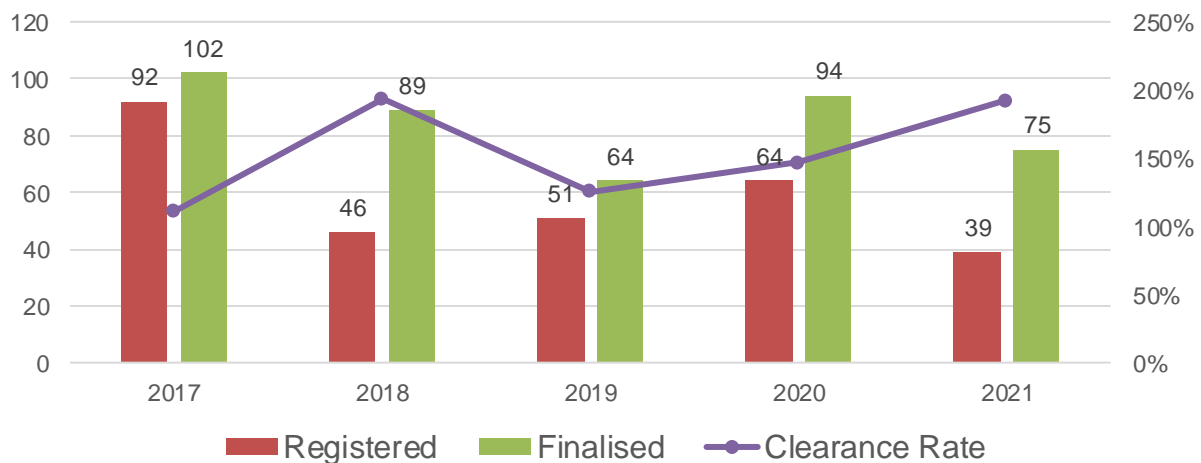


Previous 5 Calendar Years

2017	924
2018	471
2019	582
2020	453
2021	556
Average of the 5 years	586

Civil Cases 2021

Civil Cases - 5 Years - Volumes/Clearance Rate





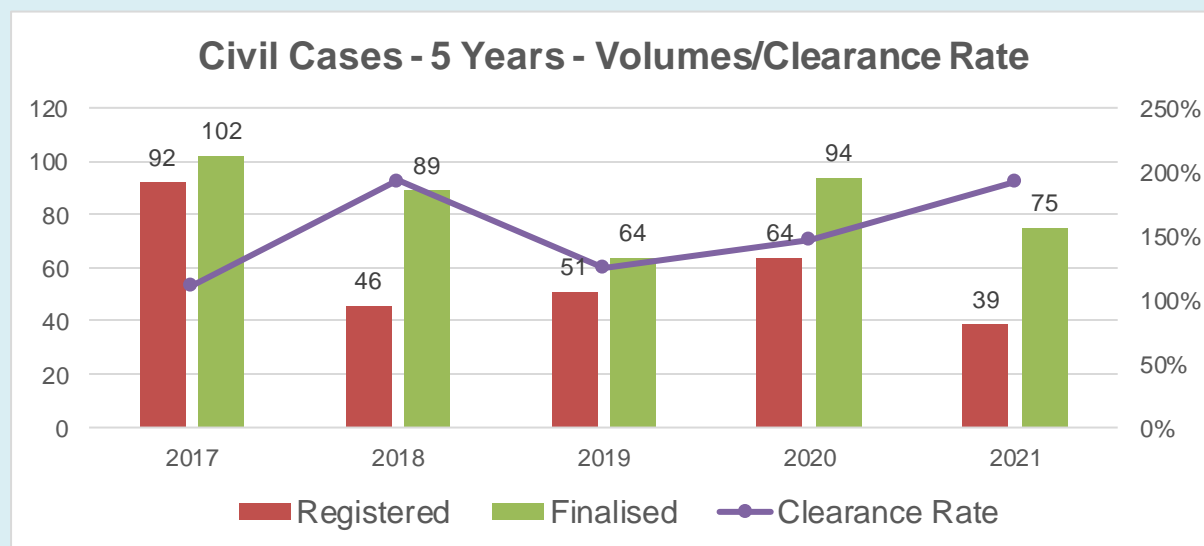
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Previous 5 Calendar Years	Registered	Finalized	Clearance Rate
2017	92	102	111%
2018	46	89	193%
2019	51	64	125%
2020	64	94	147%
2021	39	75	192%
Total/clearance rate	292	424	145%

Pending Workload

Current Pending	93	CASES
Average Age of Pending	1339	DAYS
Pending to Disposal Ratio (PDR) (target - less than 1)	3.2	

The clearance rate for Civil cases in 2021 is 192, an improvement of 81% since 2017. The total average rate for the past five years is 145%. A total of 93 cases remain pending with Pending to Disposal Ratio at 3.2.



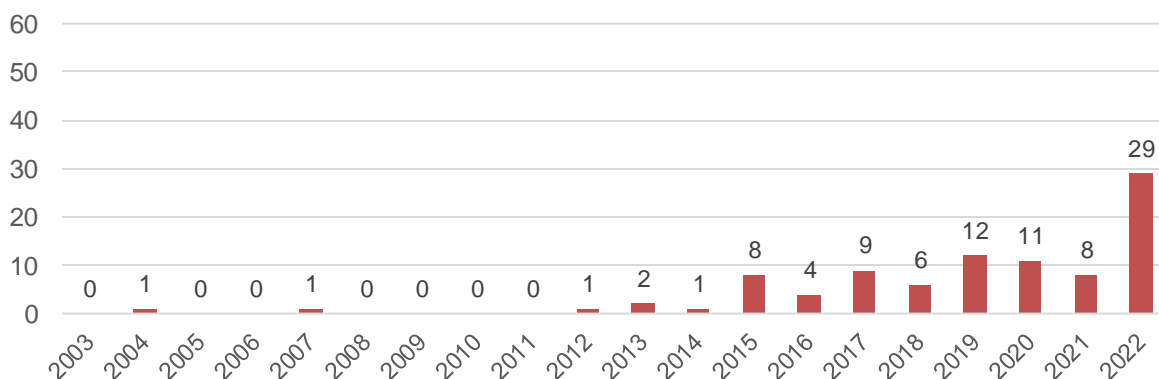


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Previous 5 Calendar Years

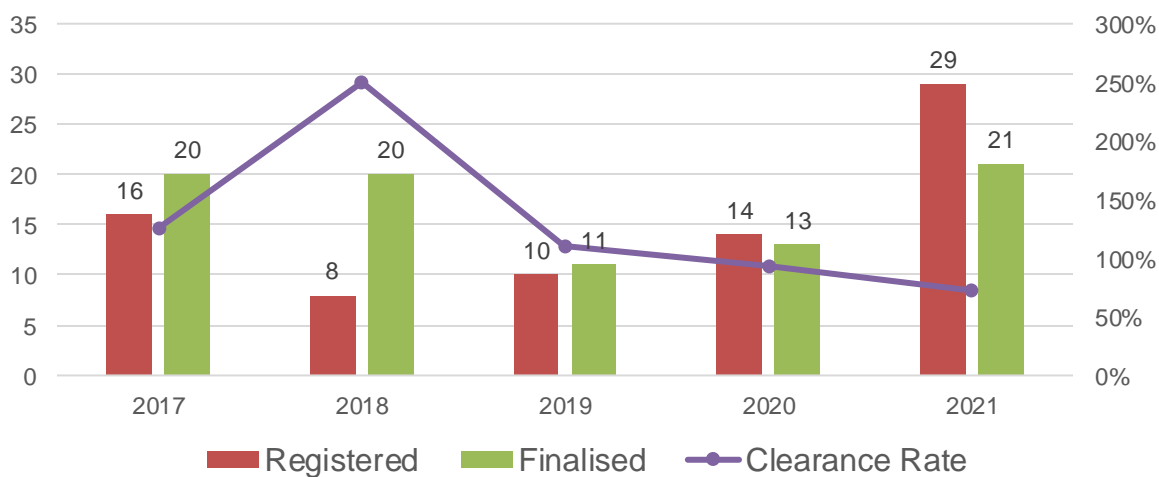
	Registered	Finalised	Clearance Rate
2017	92	102	111%
2018	46	89	193%
2019	51	64	125%
2020	64	94	147%
2021	39	75	192%
Total/clearance rate	292	424	145%

Civil Cases - Age and Distribution Of Pending Cases



APPEAL CASES 2021

Appeal Cases - 5 Years - Volumes/Clearance Rate





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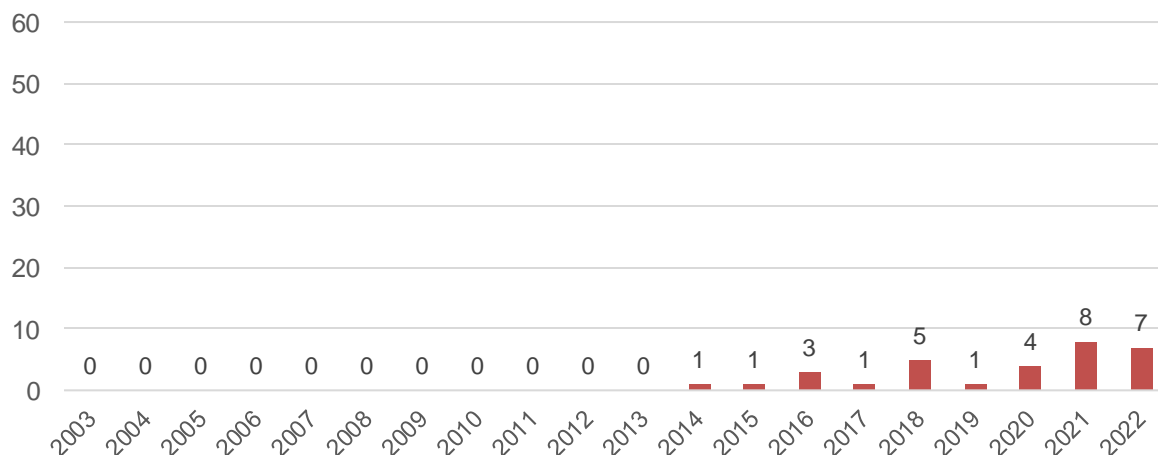
Previous 5 Calendar Years	Registered	Finalised	Clearance Rate
2017	16	20	125%
2018	8	20	250%
2019	10	11	110%
2020	14	13	93%
2021	29	21	72%
Total/clearance rate	77	85	110%

Pending Workload

Current Pending	33	CASES
Average Age of Pending	949	DAYS
Pending to Disposal Ratio (PDR)	0.9	
(target - less than 1)		

The clearance rate on appeal cases in 2021 is 72%, compared to 93% in 2020, resulting in a total clearance average rate of 110% for the past five years (2017-2021). The delay in disposition of appeal cases is a result of the COVID-19 pandemic and the FSM border lock-down.

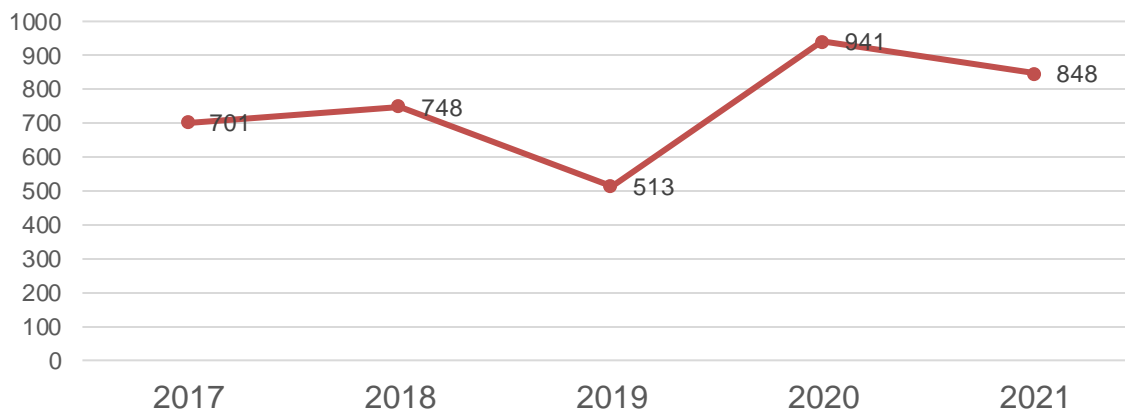
Appeal Cases - Age and Distribution Of Pending Cases





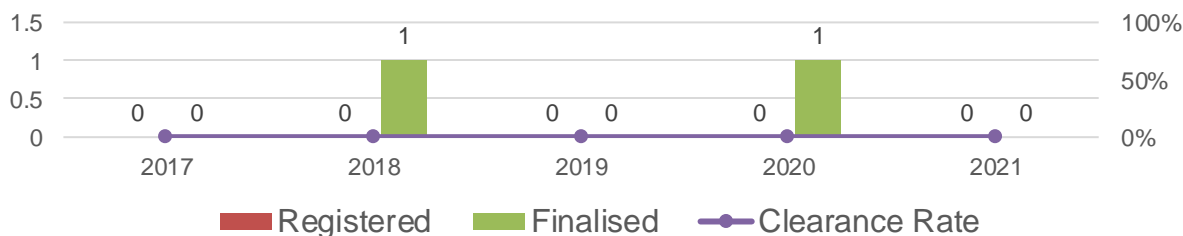
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Appeal Cases - 5 Years - timeliness of disposals



BANKRUPTCY CASES 2021

Bankruptcy Cases - 5 Years - Volumes/Clearance Rate

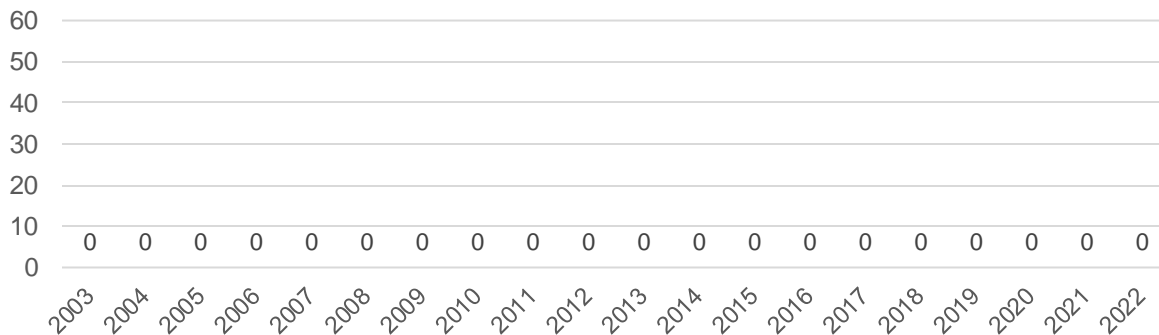


Previous 5 Calendar Years

	Registered	Finalised	Clearance Rate
2017	0	0	
2018	0	1	
2019	0	0	
2020	0	1	
2021	0	0	
Total/clearance rate	0	2	



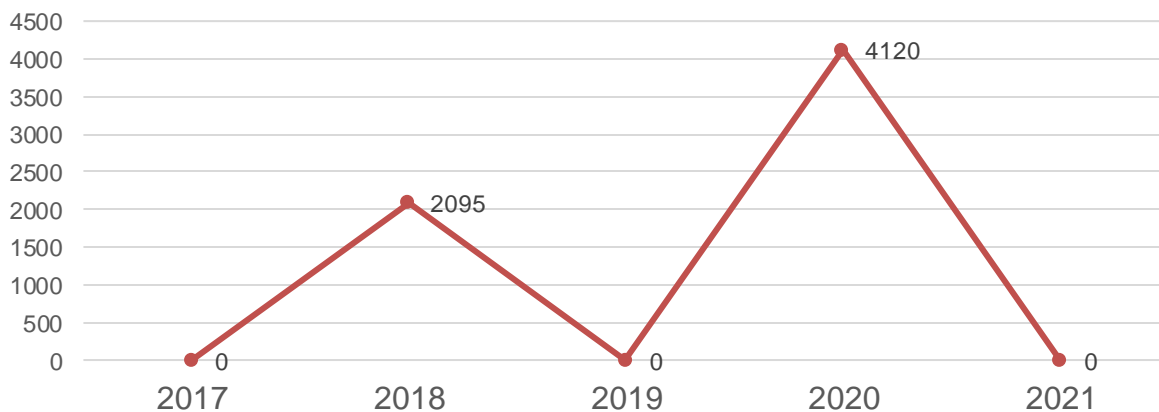
Bankruptcy Cases - Age and Distribution Of Pending Cases



Pending Workload

Current Pending	0	CASES
Average Age of Pending		DAYS
Pending to Disposal Ratio (PDR)	0.0	
(target - less than 1)		

Bankruptcy Cases - 5 Years - timeliness of disposals





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Previous 5 Calendar Years

2017

2018

2019

2020

2021

2095

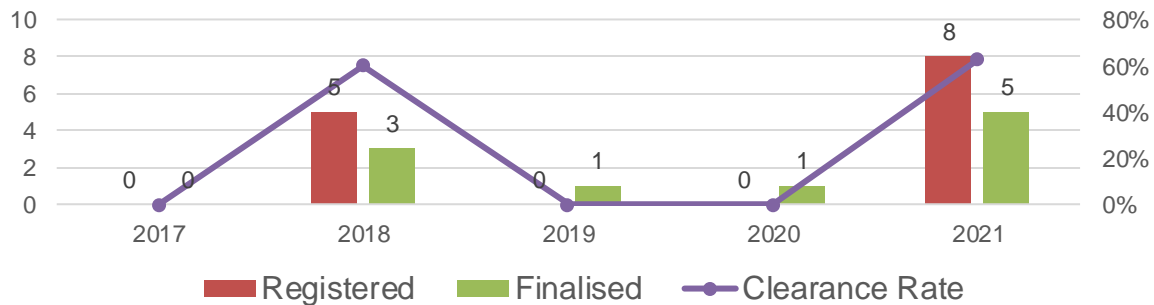
4120

Average of the 5 years

There were no new bankruptcy cases filed since 2017. Two cases remain pending from previous years.

DISCIPLINARY CASES 2021

Disciplinary Cases - 5 Years - Volumes/Clearance Rate



Previous 5 Calendar Years

Registered

Finalized

Clearance Rate

2017

0

0

2018

5

3

60%

2019

0

1

2020

0

1

2021

8

5

63%

Total/clearance rate

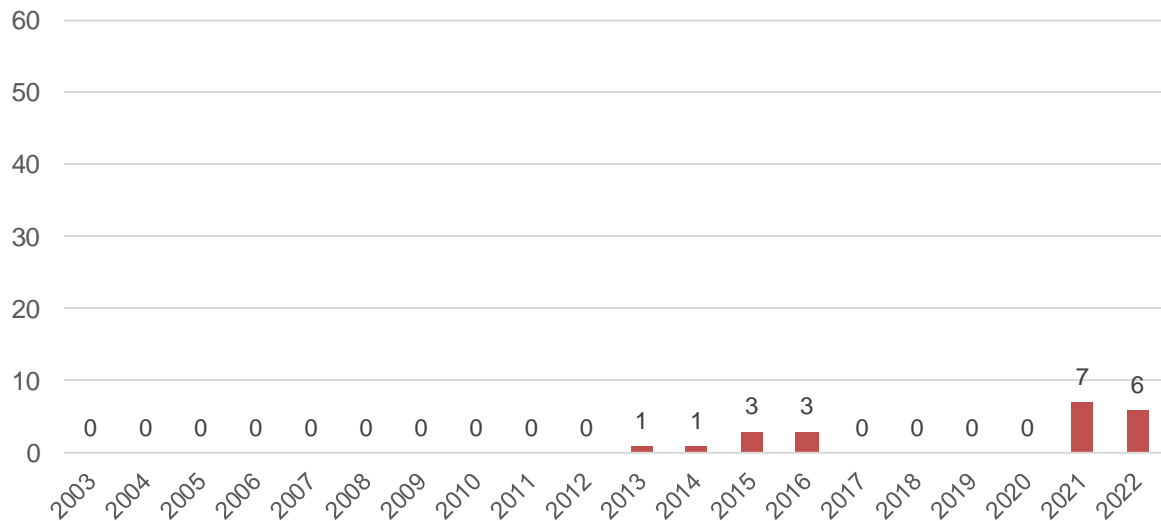
13

10

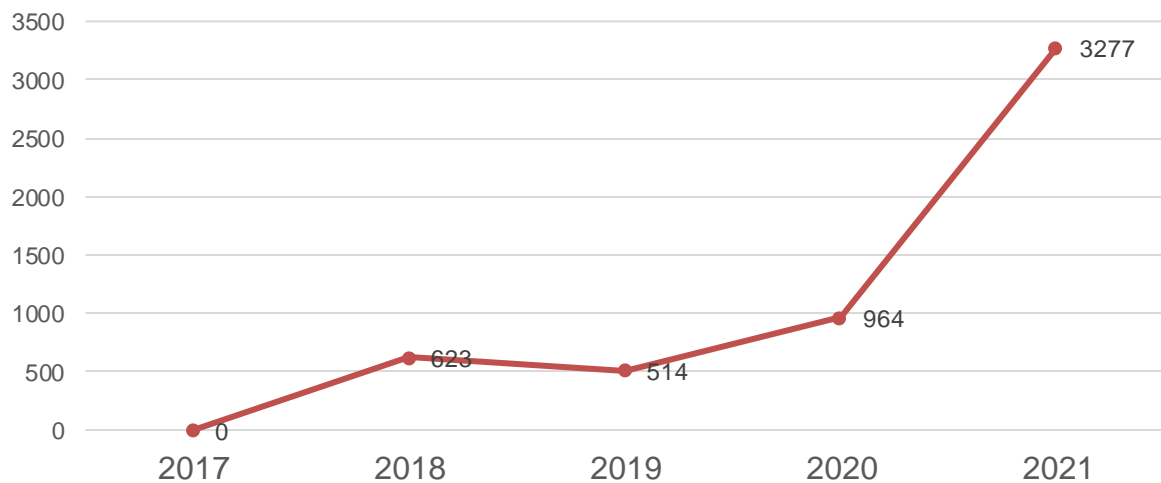
77%



Disciplinary Cases - Age and Distribution Of Pending Cases



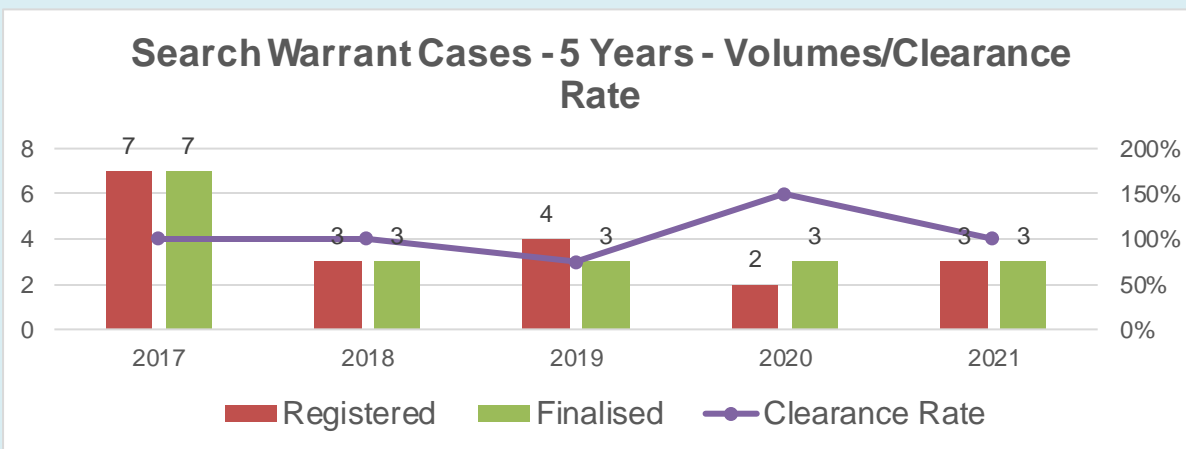
Disciplinary Cases - 5 Years - timeliness of disposals



There were 7 disciplinary cases filed in 2021, totaling 13 cases filed since 2017. 10 disciplinary cases were disposed within the last five years, resulting in 3 pending cases.



SEARCH WARRANTS 2021



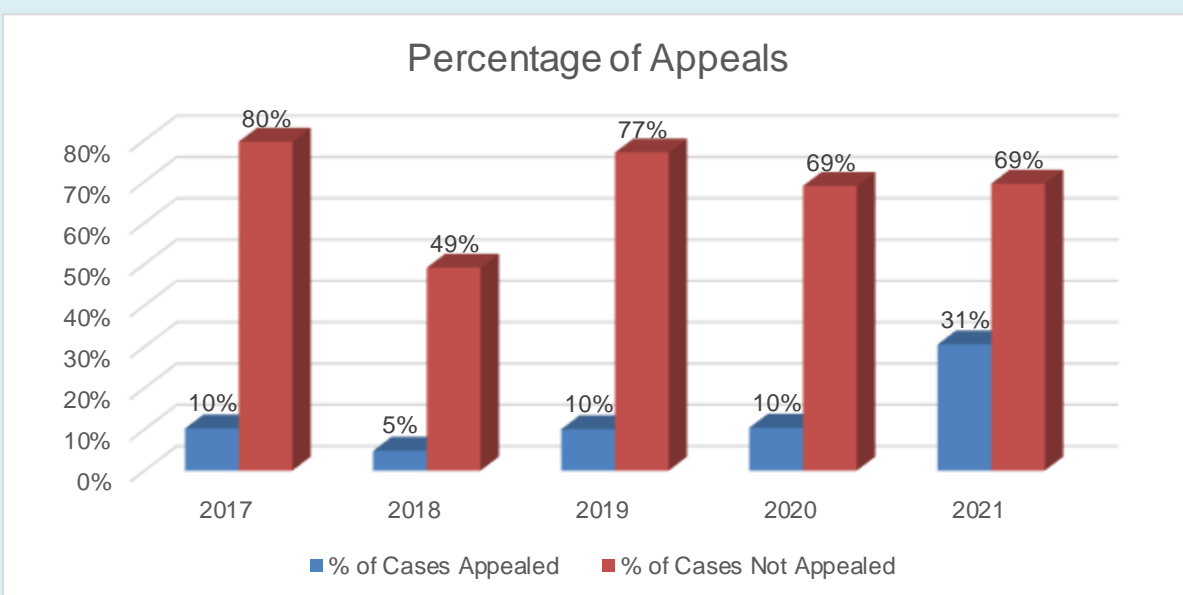
Previous 5 Calendar Years	Registered	Finalized	Clearance Rate
2017	7	7	100%
2018	3	3	100%
2019	4	3	75%
2020	2	3	150%
2021	3	3	100%
Total/clearance rate	19	19	100%

All search warrant cases are finalized.





Indicator 3: Appeals: Percentage of Appeals



Year	Total All Types of Cases Finalized	Total Cases Appealed
2017	157	16
2018	167	8
2019	100	10
2020	135	14
2021	95	29
Total:	654	77

Year	Cases Not Appealed	Cases Appealed
2017	80%	10%
2018	49%	5%
2019	77%	10%
2020	69%	10%
2021	69%	31%
Total:	68%	13%

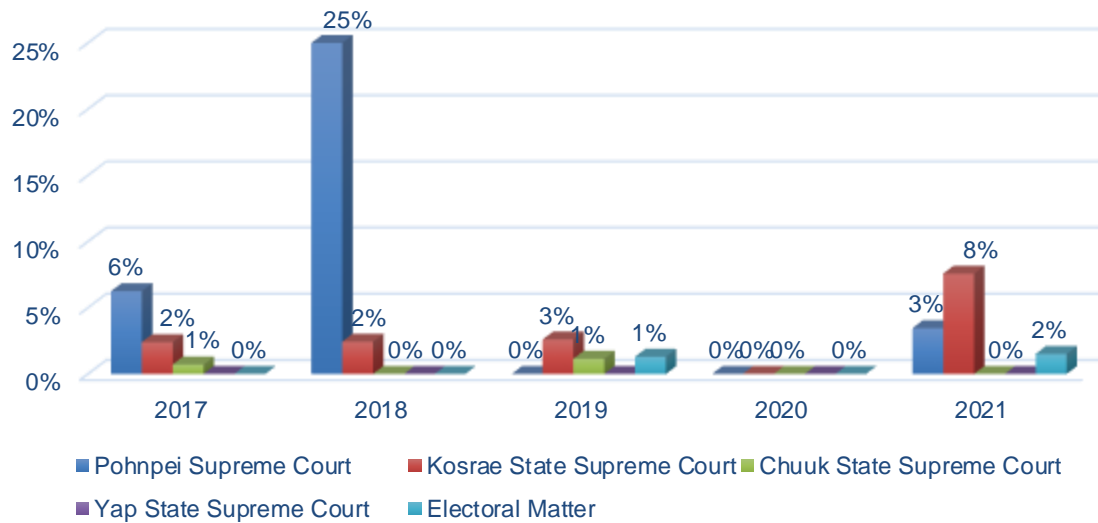
In the past five years 13% cases, on average, were appealed from all types of cases, from all jurisdictions including national and state courts.

Year	Total Cases Finalized	Total Cases Appealed	Total Cases Not Appeal	Total Case Filed
2017	157	16	125	141
2018	167	8	82	90
2019	100	10	77	87
2020	135	14	93	107
2021	95	29	66	95
Total	654	77	443	520



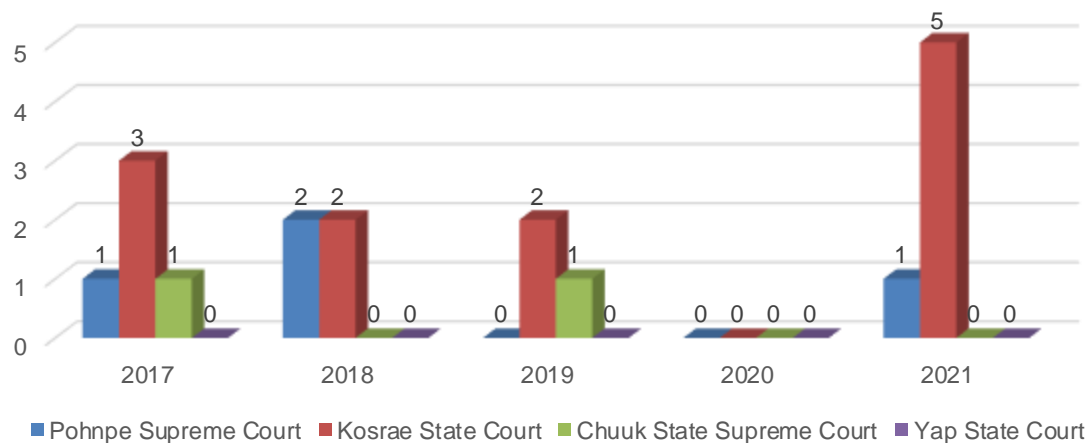
FSM SUPREME COURT 2021 ANNUAL REPORT

Percentage of Appeals from other Courts



Year	Pohnpei State Supreme Court	Kosrae State Court	Chuuk State Supreme Court	Yap State Court	Electoral Matter	Total By Year
2017	1	3	1	0	0	5
2018	2	2	0	0	0	4
2019	0	2	1	0	1	4
2020	0	0	0	0	0	0
2021	1	5	0	0	1	7
Total	4	12	2	0	2	20

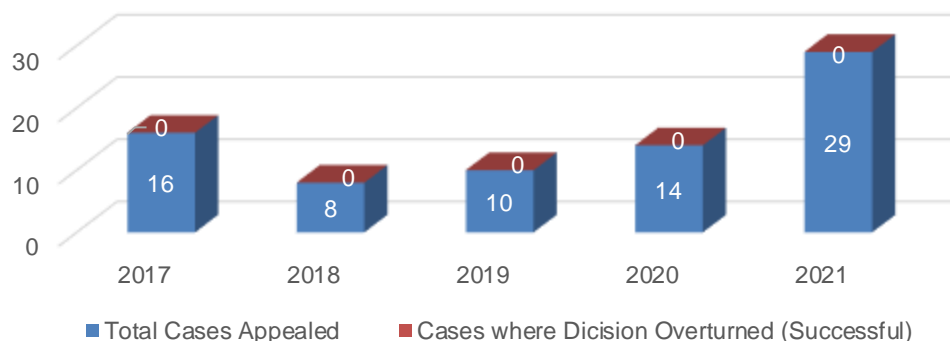
Disposition of Appeal Cases from Other Courts (not including electoral cases)





Indicator 4: Appeals: Overturn Rate on Appeals

Overturn Rates on Appeals from FSM Supreme Court Trial Division



Year	Total Cases Appealed	Cases where Decision Overturned (successful)
2017	16	0
2018	8	0
2019	10	0
2020	14	0
2021	29	0
Total:	77	0

Year	Unsuccessful Appeals	Successful Appeals
2017	0	0
2018	0	0
2019	0	0
2020	0	0
2021	0	0
Total:	56	0

The 71 cases appeal cases were affirmed and 6 overturned at the Appellate Division.

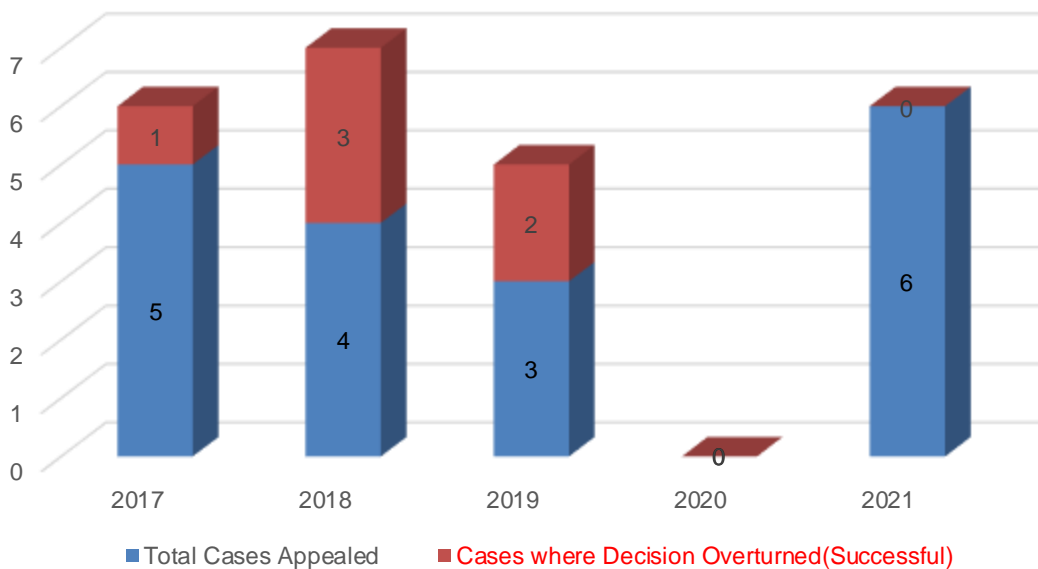
Year	Total Cases Appealed	Cases where Decision Overturned (Successful)
2017	16	1
2018	8	3
2019	10	2
2020	14	0
2021	29	0

Overturn Rate on Appeal Cases from other Courts



FSM SUPREME COURT 2021 ANNUAL REPORT

Overtun Rate on Appeal Cases from other Courts



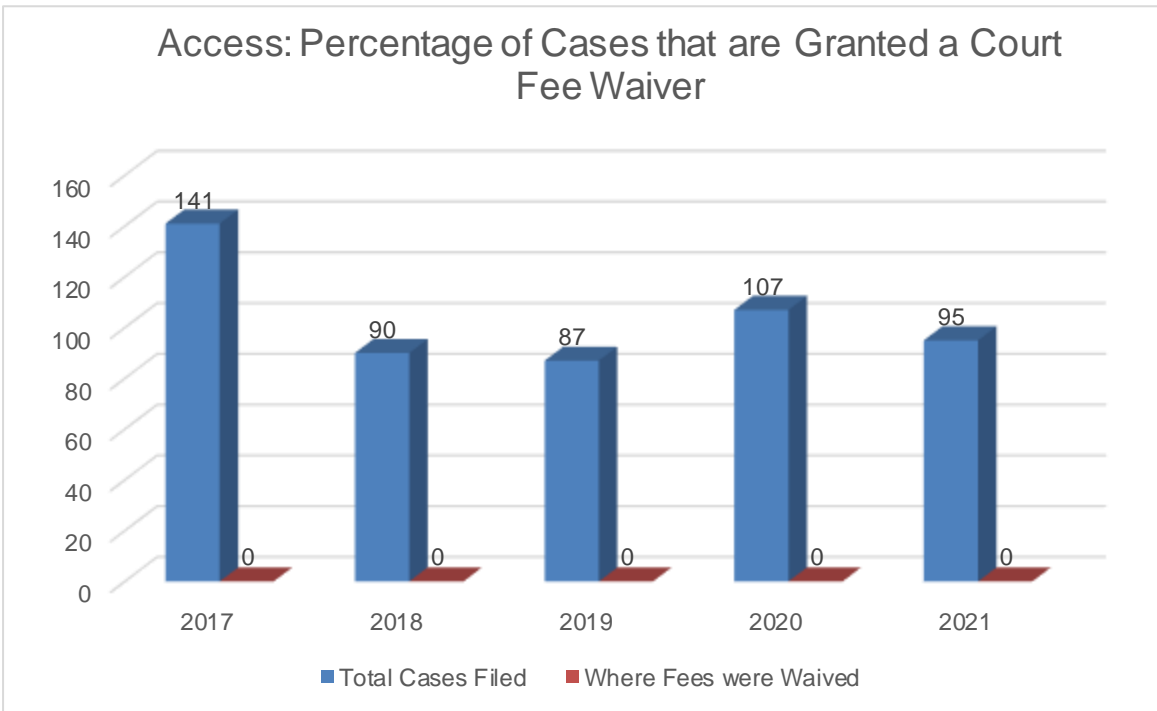
Year	Total Cases Appealed	Cases where Decision Overturned
2017	5	1
2018	4	3
2019	3	2
2020	0	0
2021	6	0

Year	Unsuccessful	Successful Appeal
2017	3	1
2018	1	3
2019	0	2
2020	0	0
2021	6	0



Accession: 12311520

Indicator 5: Access: Percentage of Cases that are Granted a Court Fee Waiver



Year	Total Cases Filed	Total Cases where Fees were Waived
2017	141	0
2018	90	0
2019	87	0
2020	107	0
2021	95	0
Total:	520	0

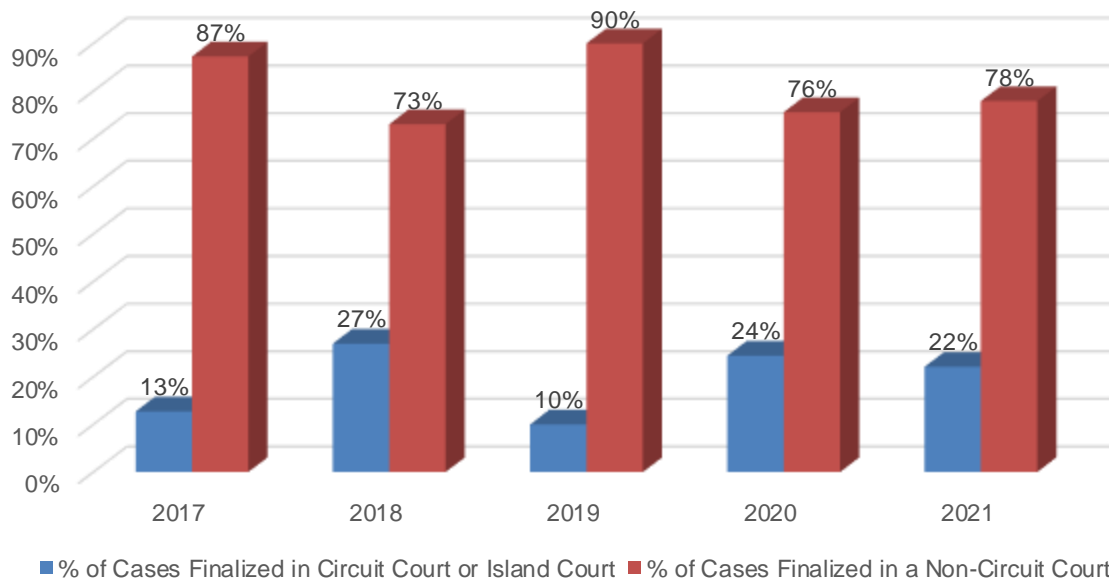
Year	Cases without Fee Waiver	Cases with Fee Waiver
2017	100.00%	0.00%
2018	100.00%	0.00%
2019	100.00%	0.00%
2020	100.00%	0.00%
2021	100.00%	0.00%
Total:	100.00%	0.00%

FSM Supreme Court does not impose filing fees; therefore, fee waivers do not apply to FSMSC cases.



Indicator 6: Access: Percentage of Cases Disposed Through a Circuit or Island Court

Access: Percentage of Cases Disposed Through a Circuit or Island Court



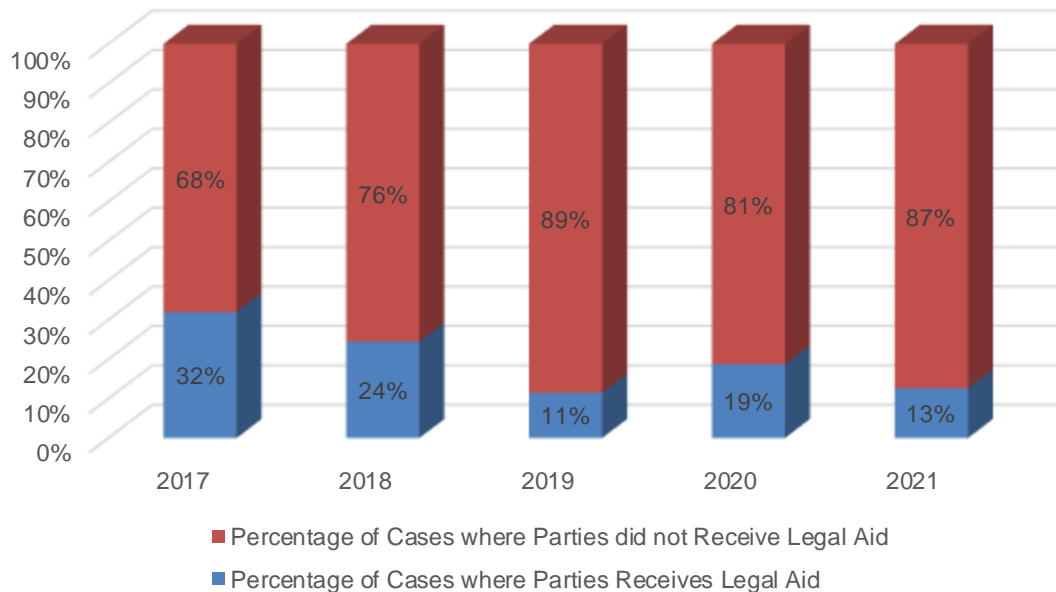
Year	Total Cases Finalized	Total Cases Finalized in Circuit Court(s)	% Cases Finalized in Circuit Court	% Cases Finalized in Non-Circuit Court
2017	157	20	13%	87%
2018	167	45	27%	73%
2019	100	10	10%	90%
2020	135	33	24%	76%
2021	95	27	22%	78%
Total:	654	135	21%	79%

Total cases finalized in circuit courts averaged about 19% of the 654 total closed cases.



Indicator 7: Access: Percentage of Cases Where a Party Receives Legal Aid

Access: Percentage of Cases where Party Receives Legal Aid



Year	Total Cases Filed	Total Cases where Parties Received Legal Aid
2017	141	45
2018	90	22
2019	87	10
2020	107	20
2021	95	12
Total:	520	109

Year	Cases where Parties Received Legal Aid	Cases where Parties did not Receive Legal Aid
2017	31.91%	68.09%
2018	24.18%	75.82%
2019	11.36%	88.64%
2020	19.05%	80.95%
2021	12.90%	87.10%
Total:	21%	79%

In the past five years, 21% of the 520 cases filed, parties received legal aid. 411 of the 520 (79%) cases filed, parties did not receive legal aid.



Indicator 8: Complaints: Documented Process for Receiving and Processing a Complaint That is Publicly available

THE SUPREME COURT OF THE FEDERATED STATES OF MICRONESIA

GENERAL COURT ORDER)

GCO No. 2017-001

Trial and Appellate Divisions)

TIMELINE STANDARDS FOR THE SUPREME COURT OF THE FEDERATED STATES OF MICRONESIA

Pursuant to the authority granted to the Chief Justice of the FSM Supreme Court in art. XI, sec. 9 of the Constitution and section 117 of title 4 of the Judiciary Act of the Code of the Federated States of Micronesia (4 F.S.M.C. sec. 117) , and in conformity with

Action Item 1.2(b) and 1.6(a) and (d) of the Strategic Plan (2012 to 2017) of the FSM Supreme Court, which empowers the FSM Supreme Court to develop timelines and standards for management of all cases from filing to disposition, and to set specific limits on how long a legal matter may be left pending without justification.

In recognition of the need to dispose of cases in a timely and efficient manner, to ensure that the administration of justice to the public is not unduly delayed, to maintain a proficient and well-organized court docket, and after a survey of other judiciary timeline standards of jurisdictions in similarly situated Pacific-island nations, and after a two (2) year provisional period,

NOW THEREFORE IT IS HEREBY ORDERED, that the following Timeline Standards are HEREBY ADOPTED:

All of the FSM Supreme Court's Justices and staff shall adhere to the following Timeline Standards for matters pending before the Court.

TIMELINE STANDARDS FOR THE FSM SUPREME COURT (Promulgated April, 2017)

1. Definitions:

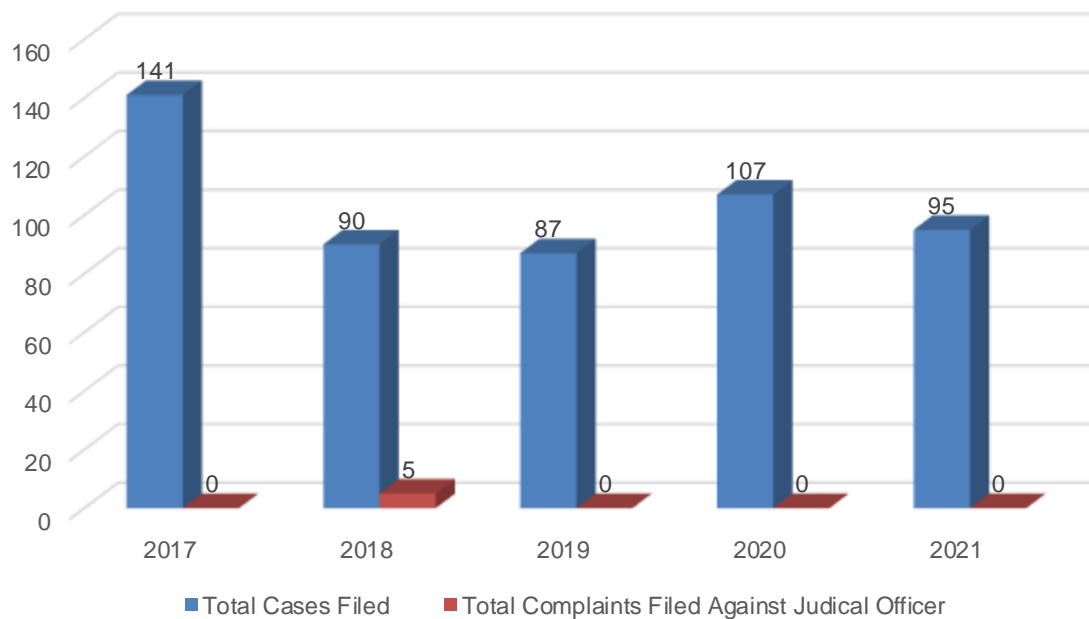
- (a) *Appeal case*: is a matter filed in the Appellate Division of the FSM Supreme Court, initiated by the filing of a Notice of Appeal until an Opinion is rendered by the Appellate Division.
- (b) *Attorney disciplinary case*: is a matter filed pursuant to the FSM Disciplinary Rules and Procedures, initiated by the filing of a complaint until a judgment or conviction is rendered by the court.
- (c) *Civil case*: is a civil dispute between parties initiated by the filing of a civil matter with Trial Division until judgment is rendered by the Trial Division of the court. The timeline for



Illustration - 1247490214

Indicator 9: Complaints: Percentage of Complaints Received Concerning a Judicial Officer

Complaints: Percentage of Complaints Received Concerning a Judicial Officer



Year	Total Cases Filed	Complaints against Judicial Officer
2017	141	0
2018	91	5
2019	88	0
2020	105	0
2021	93	0
Total:	518	0

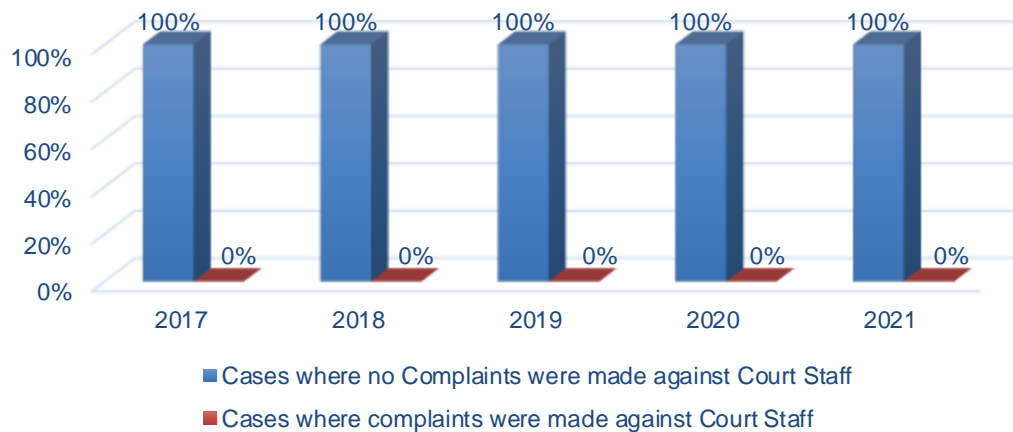
Year	Cases where no Complaint made against Judicial Officer	Cases where Complaint made against Judicial officer
2017	0	0
2018	0	0
2019	0	0
2020	0	0
2021	0	0
Total:	0	0

Since 2017, there were 5 complaints filed against a judicial officer.



Indicator 10: Complaints: Percentage of Complaints Received Concerning a Court Staff Member

Complaints: Percentage of Complaints Received Concerning a Court Staff Member

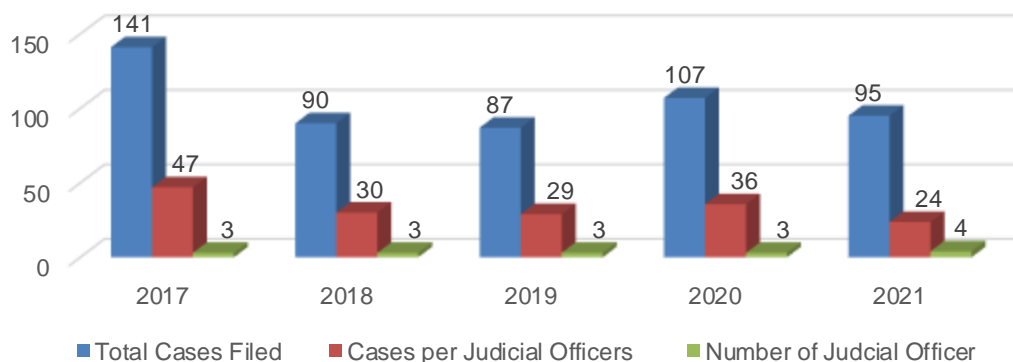


In the past five years no complaints were filed against a court officer or court staff.



Indicator 11: Human Resources: Average Number of Cases Per Judicial Officer

Human Resources: Average Number of Cases per Judicial Officer





FSM SUPREME COURT 2021 ANNUAL REPORT

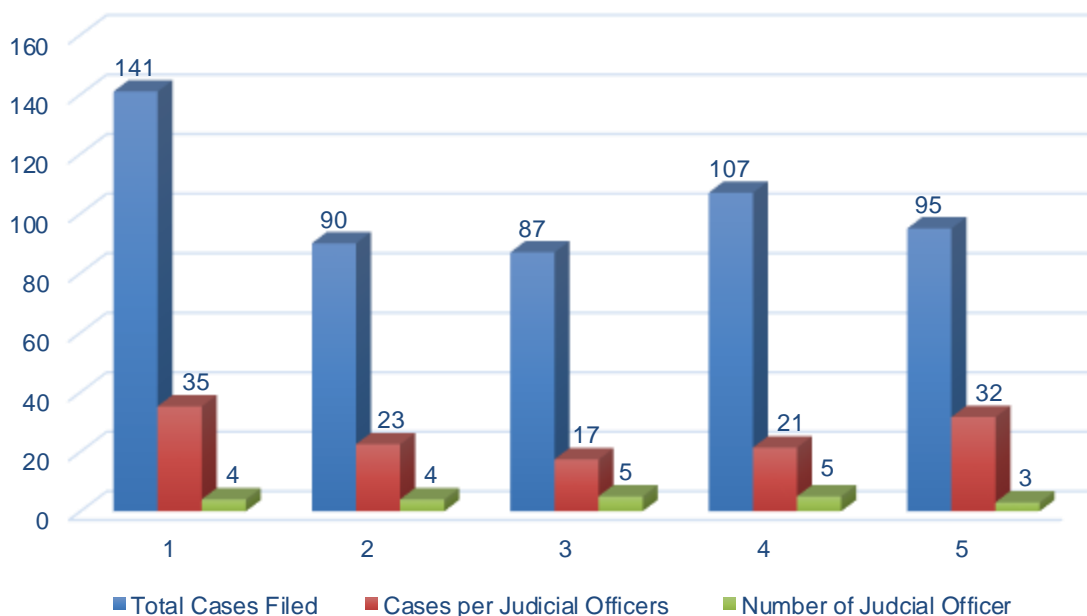
Court	Total Cases Filed	Total JO Numbers	Year	Average Number of Cases per Judicial Officer
2017	141	3	2017	47
2018	90	3	2018	30
2019	87	3	2019	29
2020	107	3	2020	36
2021	95	4	2021	24
Total:	520		Total:	

The overall average number of cases per judicial officer for the last five years is about 33 cases per officer.



Indicator 12: Human Resources: Average Number of Cases Per Court Staff

Human Resources: Average Number of Cases per Court Staff/Staff Attorney





FSM SUPREME COURT 2021 ANNUAL REPORT

Court	Total Cases Filed	Total SA Numbers
2017	141	4
2018	90	4
2019	87	5
2020	107	5
2021	95	3
Total:	520	

Year	Average Number of Cases per Court Staff
2017	35
2018	23
2019	17
2020	21
2021	32
Total:	26

In 2021, an average of 32 cases per staff attorneys. Due to COVID-19 pandemic and border lockdown in the FSM, it was difficult to fill two vacant staff attorney positions.





Indicator 13: Judicial Transparency: Court produces or contributes to an Annual Report that is publicly available in the following year

The FSM Supreme Court Annual Reports are produced annually and available on the Court's website: fmsupremecourt.org.

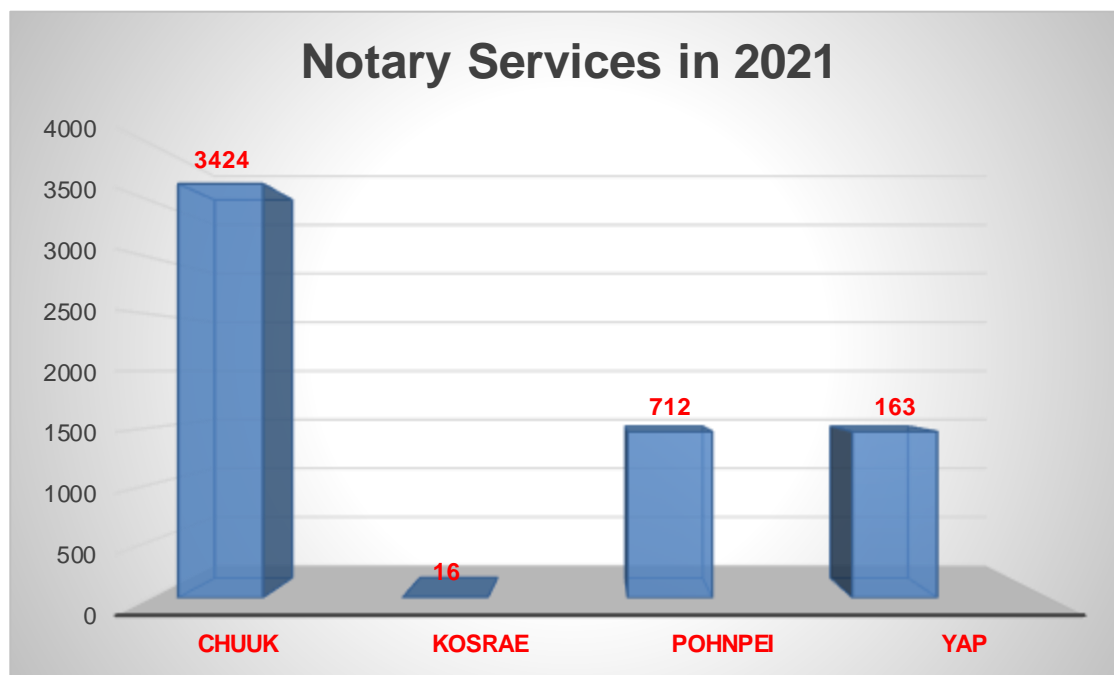




Indicator 14: Judicial Transparency: Court Services Information

Court services is publicly available on the FSM Supreme Court website.

SERVICES PROVIDED THROUGH NOTARY PUBLIC IN 2021



In 2021 FSMSC provided 4,315 notary services at no charge to the general public.

Indicator 15: Judicial Transparency: Publication of Judgments

FSM SUPREME COURT INTERIM REPORTERS

AVAILABLE ONLINE

The FSM Supreme Court Interim Reporters are available on the Court's website:

<http://fsmLaw.org/fsm/decisions/index.htm> known as the FSM Legal information System.

The Reporters now available from Volumes 1 through 22.

The following table shows the Reporters, the Volumes and the years they correspond.

Volume 1	Volume 2	Volume 3	Volume 4	Volume 5
1981 -1984	1985 - 1986	1986 - 1988	1989 - 1990	1991 - 1992
Volume 6	Volume 7	Volume 8	Volume 9	Volume 10
1993 -1994	1995 - 1996	1997 - 1998	1999 - 2000	2001 - 2002
Volume 11	Volume 12	Volume 13	Volume 14	Volume 15



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2002 - 2003	2003 - 2004	2004 - 2005	2006 - 2007	2007 - 2008
Volume 16	Volume 17	Volume 18	Volume 19	Volume 20
2008 -2009	2010 -2011	2011 - 2013	2013 - 2015	2015 - 2016
Volume 21	Volume 22			
2016 -2018	2018 -2019			



Indicator 16: Case Management: Average Age of the Pending Caseload:

The statistics on Average Age of Pending Caseload is provided under Indicator 2. See Indicator 2.

TIME frame

Indicator 17: Case Management: Percentage of complaints that have been handled within an agreed timeframe

(See GCO on Time Standard under Indicator 8)



Indicator 18: Judicial Transparency: Total number of compliments and positive feedback received by the court

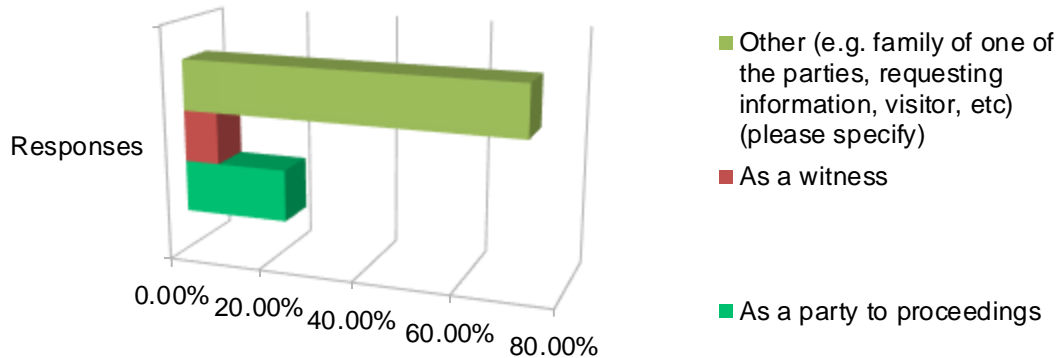
2021 FSM Supreme Court Performance Survey

The purpose of the Court Performance Survey is to gauge the public's perception of the Court's performance. The Survey was conduct through an online survey monkey, email, In-person and telephone. A total of 40 samples were received.

Disclosure: Survey results were inclusive of all court jurisdictions



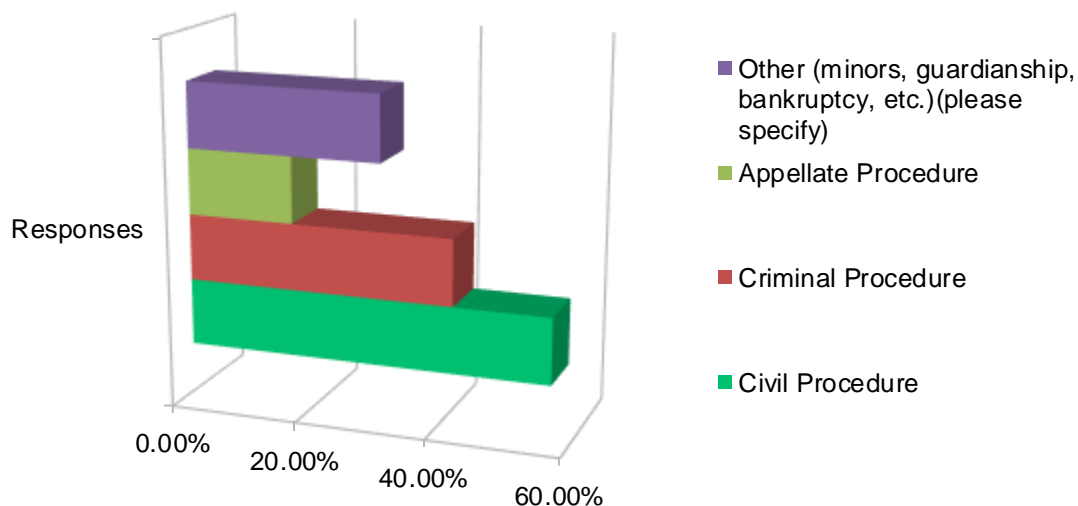
In what capacity are you (were you) at the FSM Supreme Court?



Answer Choices	Responses	
As a Party to the Proceedings	22.50%	9
As a Witness	7.50%	2
Others (e.g. family of one of the parties, requesting information, visitor, etc)	75.50%	29
Total Respondents: 32		

Of the 32 respondents, 76% appeared in court as family members/friends to a party in a case, 23% were parties to the proceedings and 18% were witnesses.

On what type of procedure was the case for which you went to the court based?

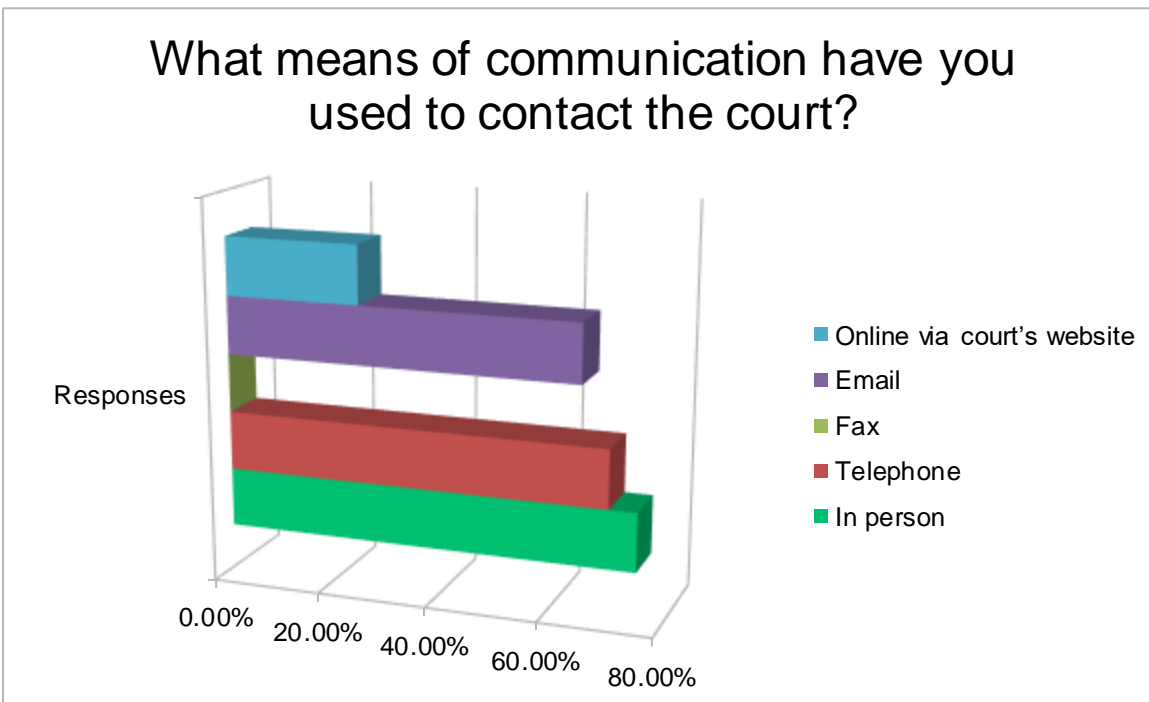




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Answer Choices	Responses	
Civil Procedure	56.56%	20
Criminal Procedure	41.67%	15
Appellate Procedure	16.67%	6
Others (minors, guardianship, bankruptcy, etc.)	30.56%	11
Total Respondents: 36		

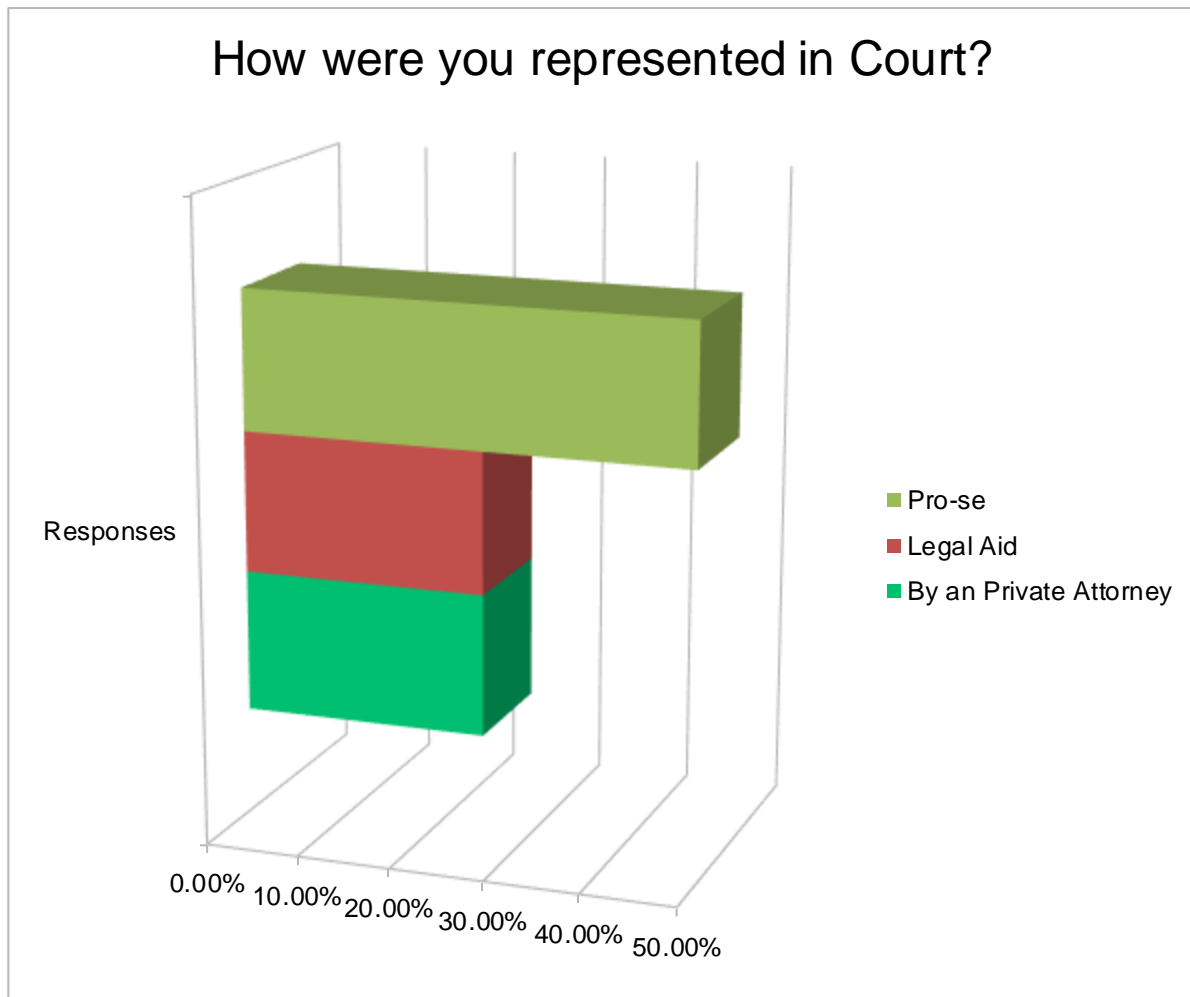
Of the 36 Respondents, 57% appeared in court for civil matters, 42% for criminal proceedings, 17% for appellate proceedings and 31% appeared for other purposes,



Answer Choices	Responses	
In person	75.00%	30
Telephone	70.00%	28
Fax	0%	0
Email	65.00%	26
Online via court's website	25.00%	10
Total Respondents: 40		



Of the total 40 Respondents, 75% of court users appeared in-person, 70% used the telephone as means of communication with the court, 65% by email and 25% utilized the online or court's website.

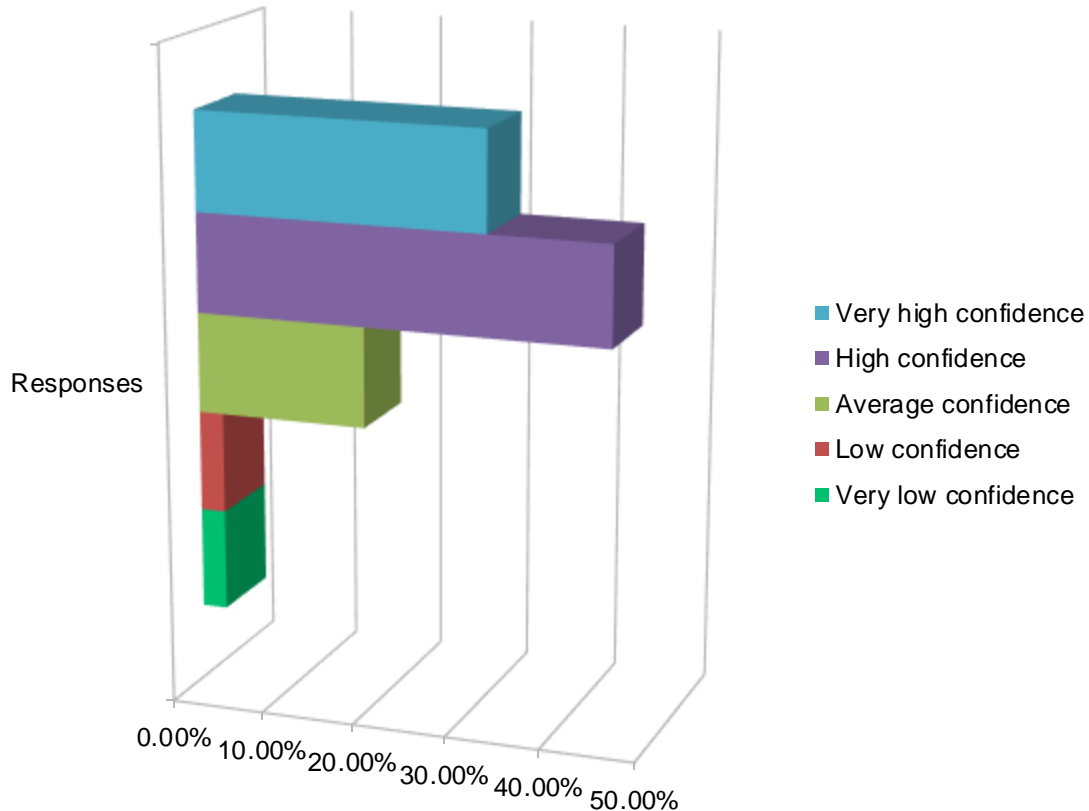


Answer Choices	Responses	
By an Private Attorney	25.93%	7
Legal Aid	25.93%	7
Pro-se	48.15%	13
Total Respondents: 27		

26% of Respondents stated they were represented by legal aids, about 26% were represented by private attorneys and 48% appeared pro se.



What level of confidence do you have in the justice system?

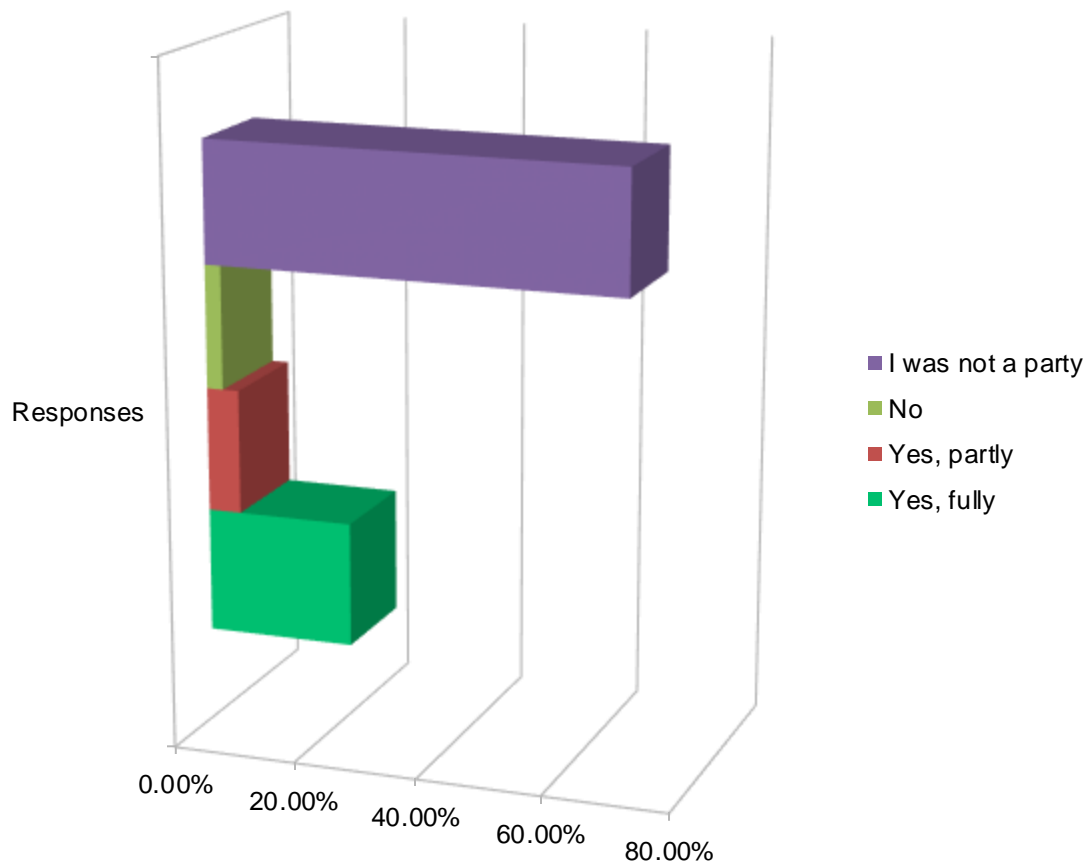


Answer Choices	Responses	
Very low confidence	2.63%	1
Low confidence	2.63%	1
Average confidence	18.42%	7
High confidence	44.74%	17
Very High confidence	31.58%	12
Total Respondents: 38		

Of the 38 Respondents, 32% of court users have high confidence in the justice system. About 18% have average confidence, and 3% have low confidence in the judicial system.



If you were a party, and the decision was delivered, did the court find partially or fully in your favour?

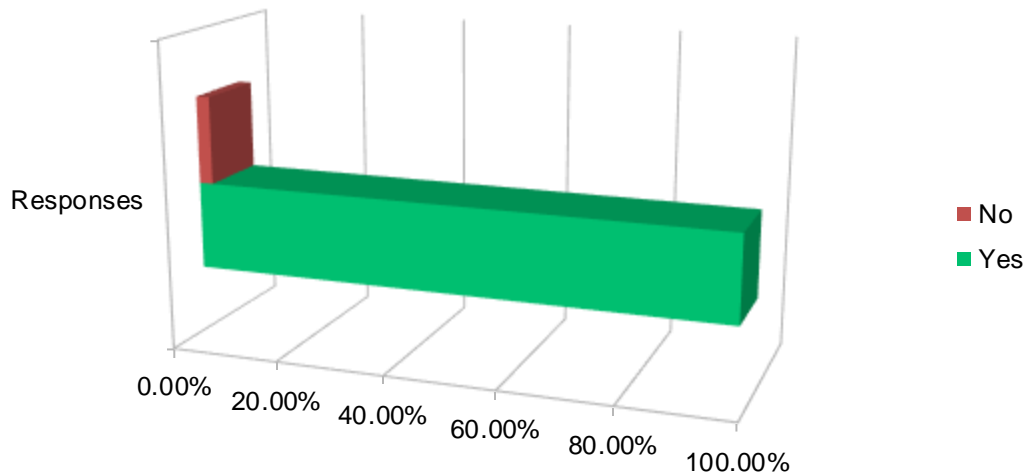


Answer Choices	Responses	
Yes, fully	23.68%	9
Yes, partly	5.26%	2
No	2.63%	1
I was not a party	68.42%	26
Total Respondents: 38		

Of the 38 Respondents, about 24% of Respondents stated the court decisions were fully in their favor, about 5% stated the decisions were partly in their favor, 3% stated decisions were not in their favors and 68% were not parties in a court decision.



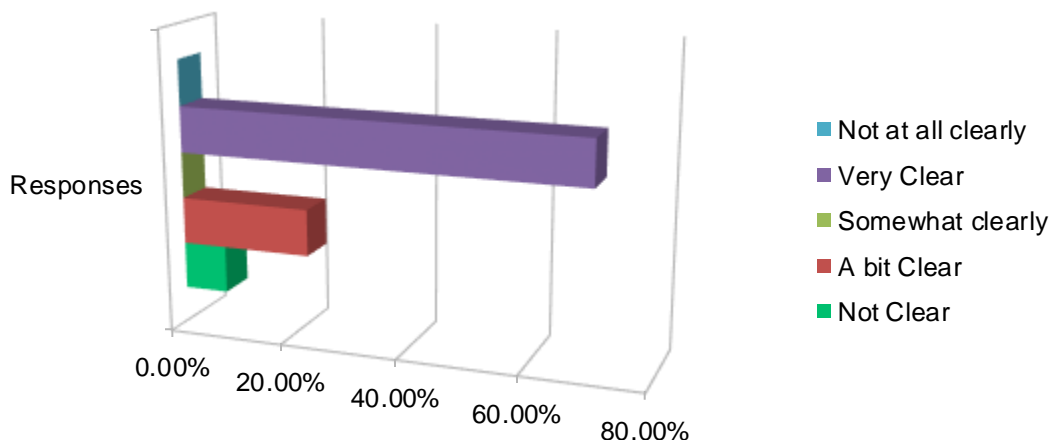
Information provided by the court's information system was useful



Answer Choices	Responses	
Yes	97.50%	39
No	2.50%	1
Total Respondents:40		

98% of Respondents found the Court's Information System useful. 2% of Respondents did not find the Information System useful, due to unavailability of internet access.

In general terms, what is your assessment of the operation of the courts?

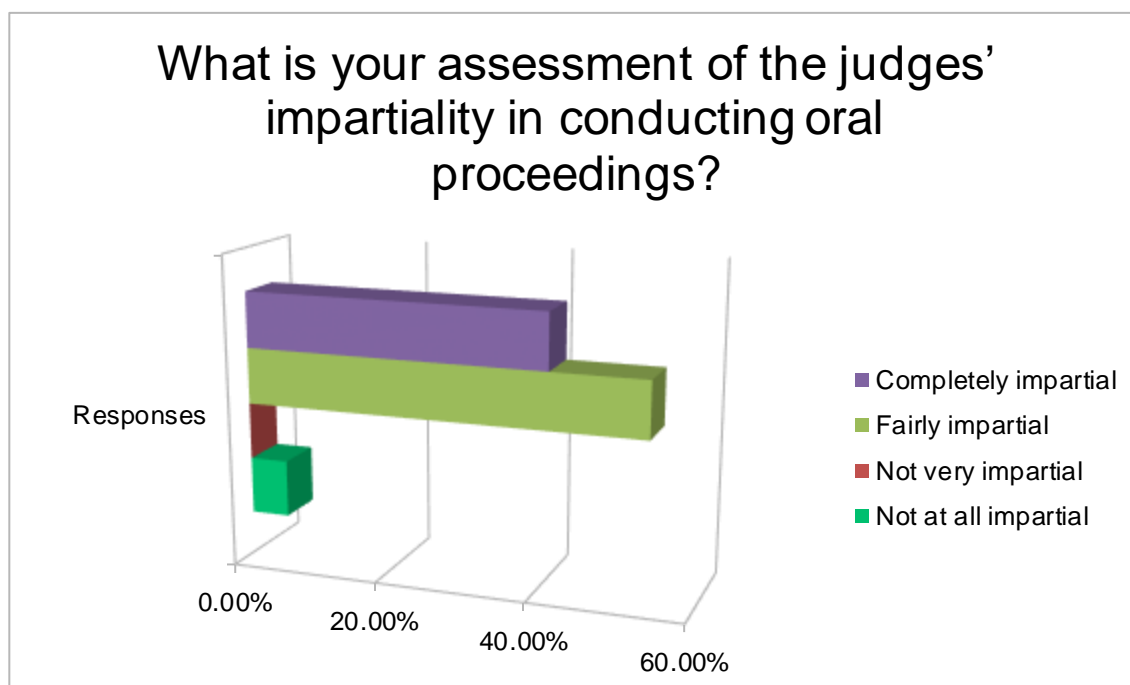




FSM SUPREME COURT 2021 ANNUAL REPORT

Answer Choices	Responses	
Not Clear	7.50%	3
A bit Clear	22.50%	9
Somewhat clearly	0%	0
Very Clear	70.00%	28
Not at all clearly	0.00%	0
Total Respondents: 40		

Of the 40 Respondents, 70% assessed the court's operation as "Very Clear", while 22% assessed the Court's operation as "Somewhat" or "A bit clear" and 8% responded that the Court's operation is not clear.



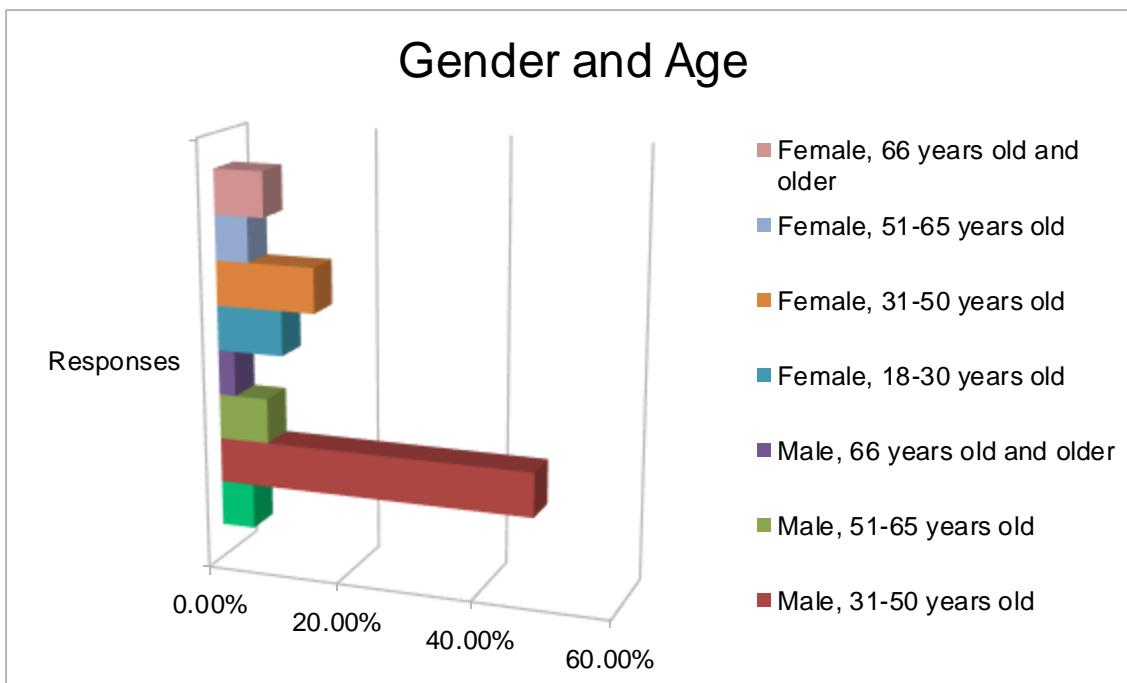
Answer Choices	Responses	
Not at all impartial	5.13%	2
Not very impartial	0%	0
Fairly impartial	53.85%	21
Completely impartial	41.03%	16
Total Respondents: 39		

95% of Respondents rated the impartiality of judges' in conducting oral proceedings as either Completely Impartial or Fairly Impartial. The other 5% rated the impartiality of judges in conducting oral proceedings as "Not very Impartial" and "Not at all impartial".



FSM SUPREME COURT 2021 ANNUAL REPORT

Answer Choices	Responses	
Male, 18-30 years old	5.00%	2
Male, 31-50 years old	47.50%	19
Male, 51-65 years old	7.50%	3
Male, 66 years old and older	2.50%	1
Female, 18-30 years old	10%	4
Female, 31-50 years old	15%	6
Female, 51-65 years old	5%	2
Female, 66 years old and older	7.50%	3
Total Respondents: 104		



The Respondents by gender reveals 51.82% Male and 47.43% Female. On the age category, the highest age group include 28% Males 31-50 years of age, 17% Females 31-50 years of age.



Indicator 19: Human Resources: The range of training and development opportunities:



NEWSLETTER FSMSC

FSM Supreme Court, P.O.Box PS-J, Palikir Pohnpei, FSM 96941

Special thanks to:

- Pacific Judicial Council (PJC) for funding the Conference
- Mr. Monica Roswey, FBI Victim Specialist
- Mr. Tim Prudhoe
- Ms. Derw Mclean
- Mr. Russ Mathiesen, PJC Administrator

FSM VIRTUAL JUDICIAL CONFERENCE SEPTEMBER 20-24 2021

The FSM Supreme Court held a Virtual Judicial Conference with the partnership of Pacific Judicial Council (PJC) from September 20, 2021 to September 24, 2021. The Judicial Conference, normally held regularly every two years, is when many members of the legal community in the FSM, most especially the courts, come together to learn about pressing issues, new innovations and other related matters that face the legal and judicial communities in the islands.

This year's conference was a special one in that it was the first Judicial Conference to be held virtually (via zoom)

by FSM Supreme Court. In addition, many of the topics covered were court-specific related and were presented by the court's own staff. There were other presenters who appeared via zoom to present on several important topics.

Participants included from all four states, Pohnpei, Chuuk, Yap and Kosrae from different organizations and offices including the national and state courts, national and state police, MLSC, Pohnpei Court of Land Tenure, Attorney General Office, and even College of Micronesia-FSM students.

All in all, the conference was

a very successful one with many ideas and concerns by the participants. Some of the state courts have shown interest in having some type of training for its staff members, mostly on the topic ethics. In fact they have also shown their interest in working with the FSM Supreme Court in drafting a Code of Ethics for its court staff/employees.



TOPICS & PRESENTERS:

1. Victim-Centered Approach & Best Practices (Ms. Monica Rowsey)
2. Continuing Legal Education (by Mr. Russ Mathiesen)
3. Habeas Corpus (Mr. Tim Prudhoe & Ms. Devon Mclean)
4. FSM Supreme Court Case Tracking System (Mrs. Sandy Albert, Chief Clerk)
5. Community Engagement/ Access to Justice (Mr. Enlet Jr. Enlet, Staff Attorney)
6. Annual Reporting (Mrs. Emeliana Musrasrik-Carl, Director of Court Administration)
7. Court use of Video Conferencing and Zoom (Ivan Kadannged, IT Manager)
8. Court Publication: Reporters, Digest (Teddy Hasgiulbung, Chief Law Librarian)
9. Code of Ethics (Enlet Jr. Enlet, Staff Attorney)
10. Court Website (Mr. Yondeaver Santos, Webmaster Assistant & Mr. Teddy Hasgiulbung, Chief Law Librarian)
11. Court Security (Mr. Brensen Penias, State Justice Ombudsman)

OFF ISLAND PRESENTERS:



DEVON MCLEAN



MONICA ROSWEY



TIM PRUDHOE



RUSS MATHIESEN



**FSM Judicial Conference (Virtual)
September 20-24, 2021**



**Staff Development Training
April 2021**





TRAININGS/EVENTS CONDUCTED IN 2021

<u>DATE</u>	TRAINING TYPE	BY WHOM
January	Human Trafficking	PJSI - Virtual
January	Financial Management Act	FSM National Government
February	Court Trend Reporting	PJSI - Virtual
March/August	FSM Bar Examination	FSM Supreme Court
March	Court Performance Reporting	PJSI - Zoom
March	Access to Justice	International Women's Day
April/November	7 th Chief Justice Leadership Forum	PJSI
	Video Conferencing	PJSI
April	Staff Development	FSM Judiciary
June	Habeas Corpus Webinar	PJSI
June	SDG Webinar	PJSI
July	National Law Day Debate	FSM Judiciary
July	Court Security	PJSP
September	Judicial Conference	FSM Judiciary/PJSI
October	Difficult Conversation	PJSI - Virtual
October	Digital Solutions	PJSI - Virtual
October	Judicial Ethics	PJSI-Virtual



November/December	Family Violence: EQ Summit	PJC
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UPCOMING 2022 TRAINING/WORKSHOP & EVENTS

Month	Type of Events/Training	Sponsor(s)
January	Financial Management Act	FSM National Government
January	Chuuk Judicial Conference	Chuuk State Court – virtual and in-person
March/August	FSM Bar Examination	FSM Judiciary
March	Access to Justice	International Women's Day (Pohnpei Women Council)
April	Wellbeing Seminar	PJSP
May	Effective Database System	PJSP
July	National Law Day Debate	FSM Judiciary
September	2022 NMI Annual Conference	PJC (Saipan)
October	Family Protection Order	PJC
October	Settlement Conference – Mediation	PJC (Saipan)
October	Judicial Conference for lay justices	PJC
October	PJC Annual Conference	PJC



FSM SUPREME COURT 2021 ANNUAL REPORT

November	Trial Practice Training	PJC (Palau)
November	18 th Conference of Chief Justices of Asia Pacific	PJSP (Virtual)
December	Court Security-Marshalls	PJC (Guam)
December	Family Violence	PJC (Guam)





FSM SUPREME COURT 2021 ANNUAL REPORT

Indicator 20: Human Resources: The Percentage Use of Courtroom

FSM Supreme Court calendars are updated daily and available on the Court's website: fsm-supremecourt.org

COURTROOM PROCEEDINGS

From January 1, 2021 To December 31,
2021

FSM Supreme Court

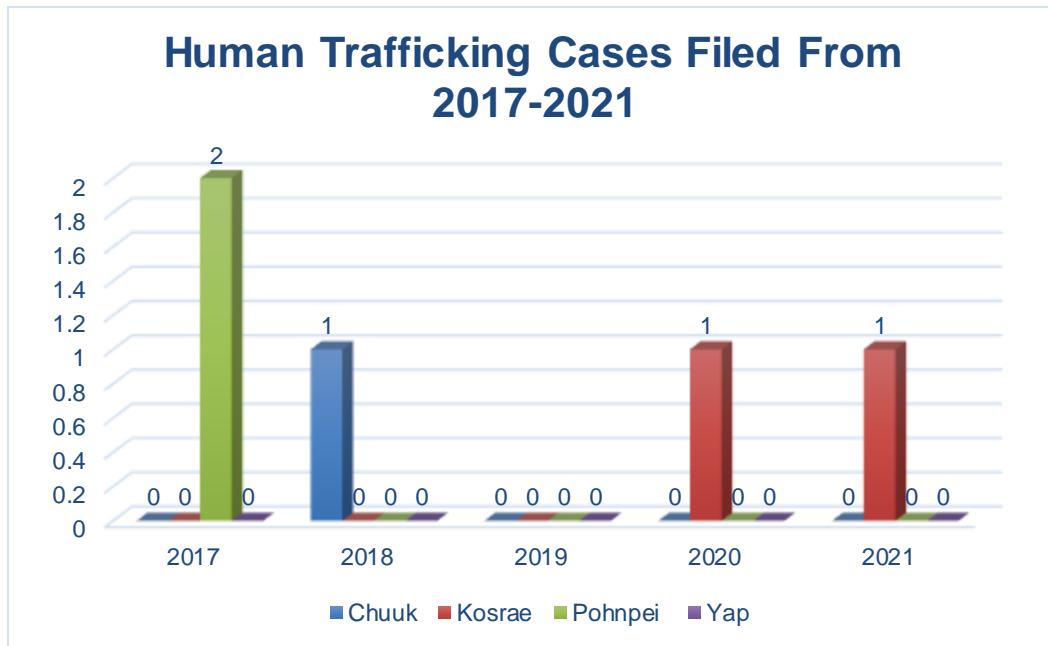
TOTAL HEARINGS ON:	MONTH												TOTAL
	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	
Criminal Cases	13	7	28	14	5	9	13	21	46	19	7	7	189
Civil Cases	8	8	23	14	33	18	29	30	23	27	21	8	242
Search & Seizure Cases	0	0	0	2	0	0	0	1	0	2	0	0	5
Disciplinary Cases	0	0	0	2	0	10	0	4	0	9	0	0	25
Bankruptcy Cases	0	0	0	0	0	0	0	0	0	0	0	0	0
Juvenile Cases	0	0	0	0	0	0	0	0	0	0	0	0	0
Appeal Cases	0	1	0	1	2	0	0	2	6	0	0	6	18
Sub-Total	21	16	51	33	40	37	42	58	75	57	28	21	479
OTHERS:													
Depositions	0	2	0	2	2	3	5	0	4	2	9	3	32
FSM Bar Exam	0	0	1	0	0	0	0	0	0	0	0	0	1
Swearing-In for New FSM Bar Members	0	1	0	1	0	3	0	0	0	2	0	0	7
Others	0	0	0	1	0	1	1	0	0	0	0	0	3
Sub-Total	21	19	52	37	42	44	48	58	79	61	37	24	522

TOTAL: 522

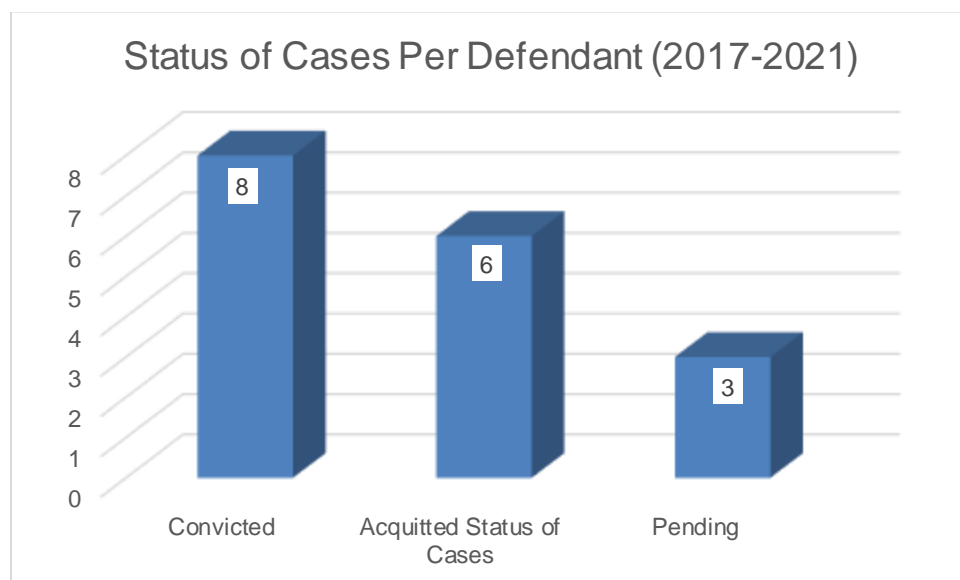


HUMAN TRAFFICKING CASES:

DISAGGREGATED DATA 2017-2021



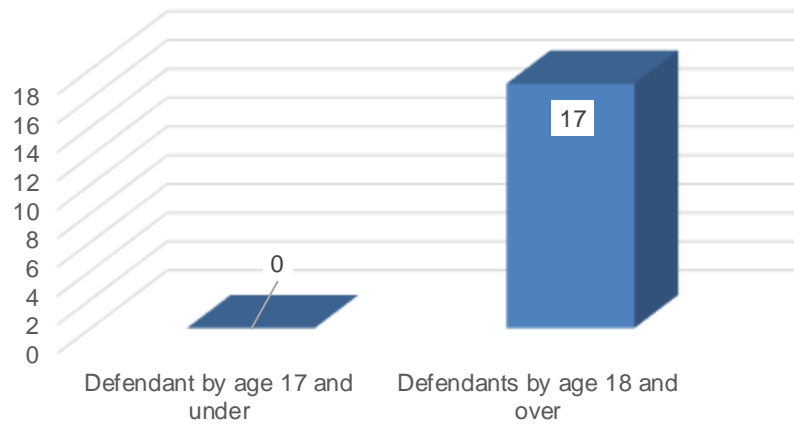
There are total of 5 human trafficking cases filed with the Court since 2017-2021. Some cases involve multiple defendants and multiple victims.





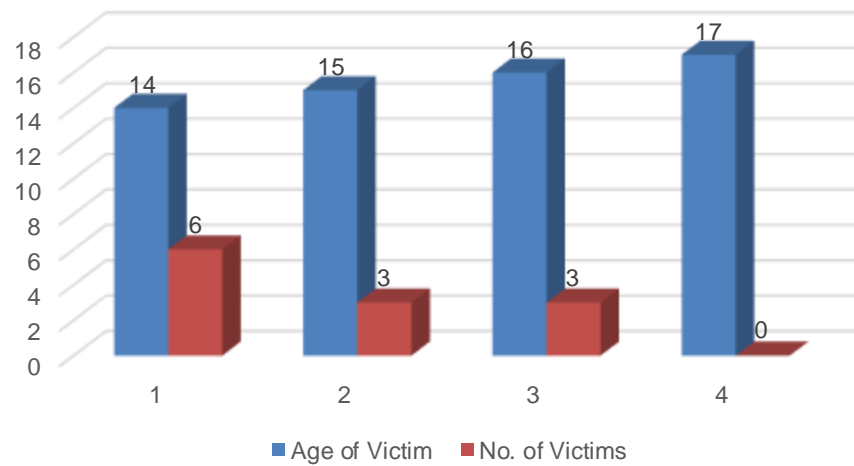
FSM SUPREME COURT 2021 ANNUAL REPORT

Defendants by Age
(2017-2021)

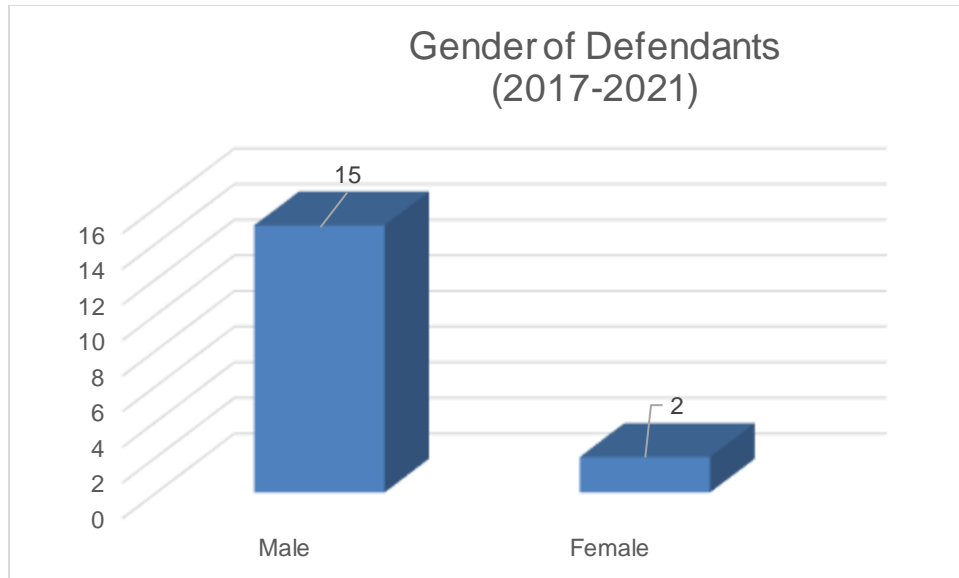


All 17 defendants are adults

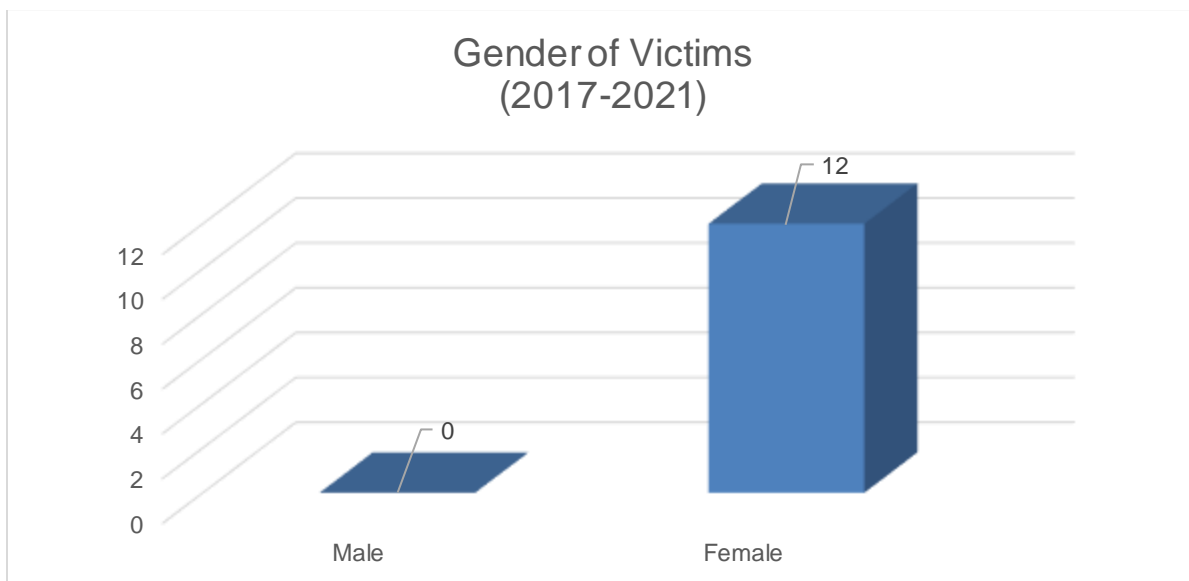
Victims by age 2017-2021



Age of Victim	No. of Victims
14	6
15	3
16	3
17	0



Of the 17 Defendants, 15 are Males and 2 Females.

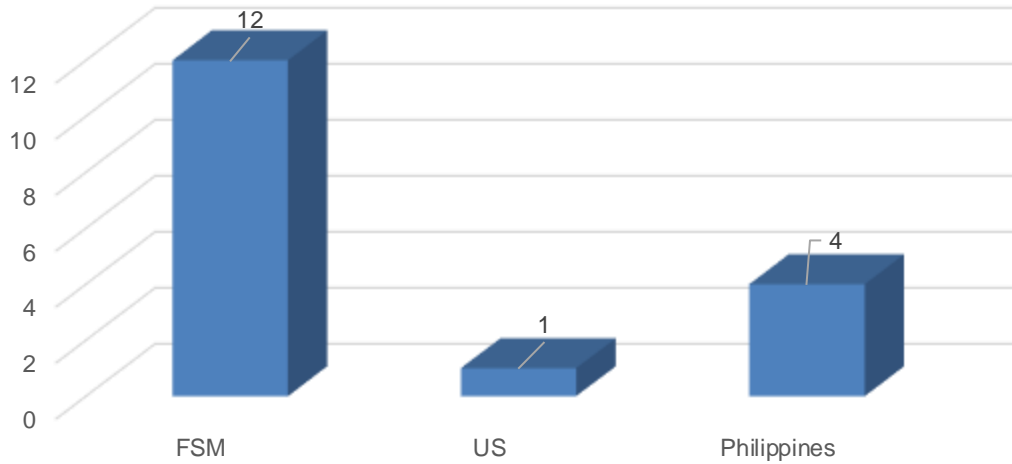


All victims are Females



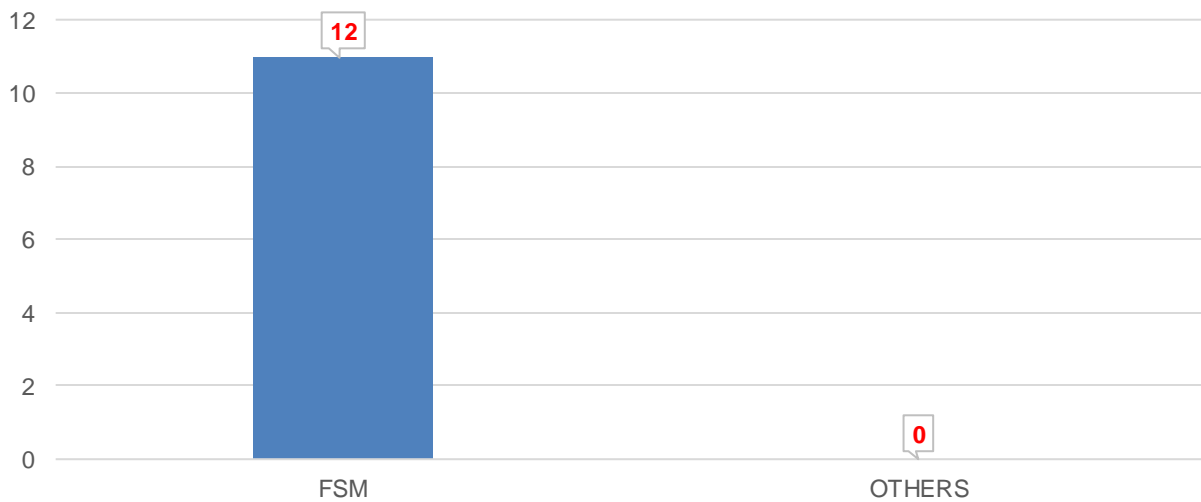
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Citizenship of Defendants



Most Defendants are from FSM and 4 from Philippines and 1 was from US

Citizenship of Victims



All Victims are FSM Citizens





FAREWELL TO CHIEF JUSTICE DENNIS K. YAMASE (SEPTEMBER 2021)



On behalf of your staff of the FSM Supreme Court:

- Thank you for your strong Leadership, dedication, love and care for the FSM;
- Thank you for being the “Father” for the FSM Judiciary;
- Thank you for preserving and safeguarding the Legacy and jurisprudence set forth by former Chief Justices and Associate Justices of the Court;
- Thank you for always reminding us the value of our FSM custom and tradition;
- Thank you for maintaining the FSM Judiciary on the top 3 Performing Courts in the Pacific;
- Thank you for your continued encouragement for FSM citizens to pursue law – the National Law Day debates; Trial Counselor certificate programs, staff development
- Thank you for your support and contribution.
- From all of us, we love you and will you greatly.
- Best wishes and please get well soon. FSM will remain your home. Come back and visit us.
- Kalangan

“On behalf of the Chuuk State Supreme Court, we are very sorry to hear that you are leaving. Our most heartfelt love and thanks to you and your family. Thank you for all the years that you spent in Micronesia, serving the people of these islands. Much love and may God bless you and your family”

Repeat Samuel, Chief Justice

“It gives me comfort knowing that the National leaders, Court judges and personnel will join Chief Justice Yamase this evening. Of course if the State Chief Justices could be there, we would be part of the gathering. However, we know that is not possible. In short from me, I will always remember your tremendous efforts for our judiciaries and your friendship. I will keep in touch with you when you are in Hawaii. Take care and best wishes”

Chief Justice Cyprian Manmaw

“It is very sad news for the FSM courts and for the PJSI that Chief Justice Yamase is retiring. We have been working closely with him for most of the past 10+ years (and before our time with PJEP). I understand his support and contributions will be greatly missed.”

Lorry Metzner, Team Leader

Federal Courts of Australia



INVESTITURE OF ASSOCIATE JUSTICE DENNIS L BELCOURT

DENNIS L. BELCOURT, SWORN IN AS ASSOCIATE JUSTICE FOR THE FSM SUPREME COURT:

On Friday, April 27, 2021, the Court held a virtual investiture for the swearing in of the newly appointed associate justice of the Supreme Court of the Federated States of Micronesia, the Honorable Justice Dennis L. Belcourt. The investiture of Justice Belcourt was marked as a historic day for the FSM, especially for the FSM Judiciary, as it was the first time for the Court to administer the Oath of Office for an FSM justice virtually.

The COVID-19 pandemic and closing of the FSM borders have kept Justice Belcourt (and his family) stranded in the US, like many of our FSM citizens. Thanks to the diligent work of the FSM Government, the hard work of the court staff and the advancement in modern technology, made the investiture celebrations possible. The event was held at the FSM Supreme Court in Palikir-FSM, and while the President of the FSM, His Excellency David W. Panuelo joined virtually from his office in Palikir-FSM and Justice Belcourt appeared virtually from the FSM Consulate Office in Portland, Oregon. Joining in both locally and virtually were all the FSM Supreme Court field offices, members of the FSM bar association, State Courts, Guam Superior Court Justice Barcinas, family, friends and many others. The special proceeding was recorded and is now available on YouTube.



The Judicial Branch is the FSM Supreme Court, the only national court of the FSM whose function is to interpret the Constitution and laws of the Nation and to administer justice equally in a fair manner. Pursuant to the FSM Constitution, the Supreme Court justices are comprised of the Chief Justice and not more than five Associate Justices. Justices are nominated by the President for a lifetime appointment and confirmed by the FSM Congress. The current composition of the Judicial Branch is as follows:

Chief Justice - The Honorable Dennis K. Yamase

Associate Justice – The Honorable Beauleen Carl-Worswick

Associate Justice – The Honorable Larry Wentworth

Associate Justice – the Honorable Dennis L. Belcourt

Justice. Belcourt was nominated by President David W. Panuelo and received confirmation from the FSM Congress in May 2020. He is not a stranger to the FSM. He is married to Kenya Belcourt from Kosrae. They have three children: Anthony, Mary and Josie and one granddaughter, Charlotte. Justice Belcourt, originally from Nevada, has extensive experience in private law practice and public service both in the United States and in the FSM. We warmly welcome Justice Belcourt to the FSM Judiciary family and wish him the best in this new endeavor.



FSM JUDICIARY MOURNS THE PASSING OF FORMER ASSOCIATE JUSTICE RICHARD H. BENSON

It is with great sadness that we all heard about the passing of the Honorable Richard Benson.



In 1981, he left the Island Court of Guam and became the first Associate Justice of the Supreme Court of the Federated States of Micronesia. Justice Benson was one of only two justices and a guiding light of the FSM Supreme Court for its first decade. For the court's second decade, he was one of three justices and an inspiration to the FSM judicial community. Justice Benson retired from the FSM Supreme Court in 2001. Yet, even after retirement to Guam, Justice Benson willingly and frequently assisted the FSM Supreme Court by accepting assignments and appointments to FSM cases whenever asked.

Over the course of his tenure at the Court, Justice Benson served as a mentor and role model to many of the Court's staff as well as numerous of the legal profession. The FSM judicial community and the public at large are forever in his debt for his (and his colleagues') diligent work during the FSM Supreme Court's formative years. Justice Benson set a high standard for succeeding FSM Supreme Court justices to emulate. As a tribute to his dedication to the legal profession, the Court has a legal digest of its decisions, many of which were authored by Justice Benson, and relied upon today as binding legal precedent.

We have fond memories of Justice Benson and we mourn his passing. Justice Benson was a brilliant jurist, a scholarly member of the legal profession and compassionate human being. We will remember him always and his contributions to the FSM. Thank you, Justice Benson, and may you rest in peace.

Finally, the Court expresses its deepest sympathy and condolences to Justice Benson's loved ones, his wife Betty and children.



2021 National Law Day Celebration

On July 12, 1981 the Supreme Court of the Federated States of Micronesia was instituted as the highest court of this Nation. This year marks the 40th Year Anniversary of the Court. It has always been a tradition of the FSM Supreme Court to host annual debates among high school students on July 12.

The world pandemic proved incredibly challenging for the FSM Supreme Court. Historically, July 12th of each year is a day when the FSM honors Law Day, when high school teams from around the FSM meet in one of the four FSM states and engage in debates of legal significance. In 2021, the National Law Day debate was held virtually. The investments that have been made over time to the Court's infrastructure now provide the Court with flexibility to adapt to the pandemic-related travel restrictions that the executive and legislative branches of establish. In fact, the Court has begun using this virtual technology to host video conferences in connection with the adjudication of cases, including civil and criminal trial court cases, and appellate court matters.

In the end, even the world pandemic did not stop the Court from continuing to honor its long history of celebrating National Law Day. Indeed, the 2021 National Law Day topic is:

Be it resolved that with regard to the current COVID-19 pandemic, the FSM Congress shall enact legislation requiring all citizens and residents of the FSM to undergo testing, get vaccinated and/or wear a mask in public, and for every person entering the FSM to complete quarantine upon entry.

Regardless of the status of the world pandemic, the Court hosted debate teams from all across the FSM on July 12, 2021. Congratulations to the 2021 debate teams,





CLERK OF COURT DIVISION

The Clerk Office is the official keeper of the records for the FSM Supreme Court, including the Trial and Appellate cases. It is the custodian and protector of all property records in the judicial system. Additional duties include, but are not limited to managing trial and appellate cases, court filings, notary public, recording and transcription of court proceedings and court scheduling.

For this year, the clerk's office have received more electronic filings than the previous years. Due to the COVID-19 pandemic, most court proceedings are held through video conferencing.

JUSTICE OMBUDSMAN DIVISION

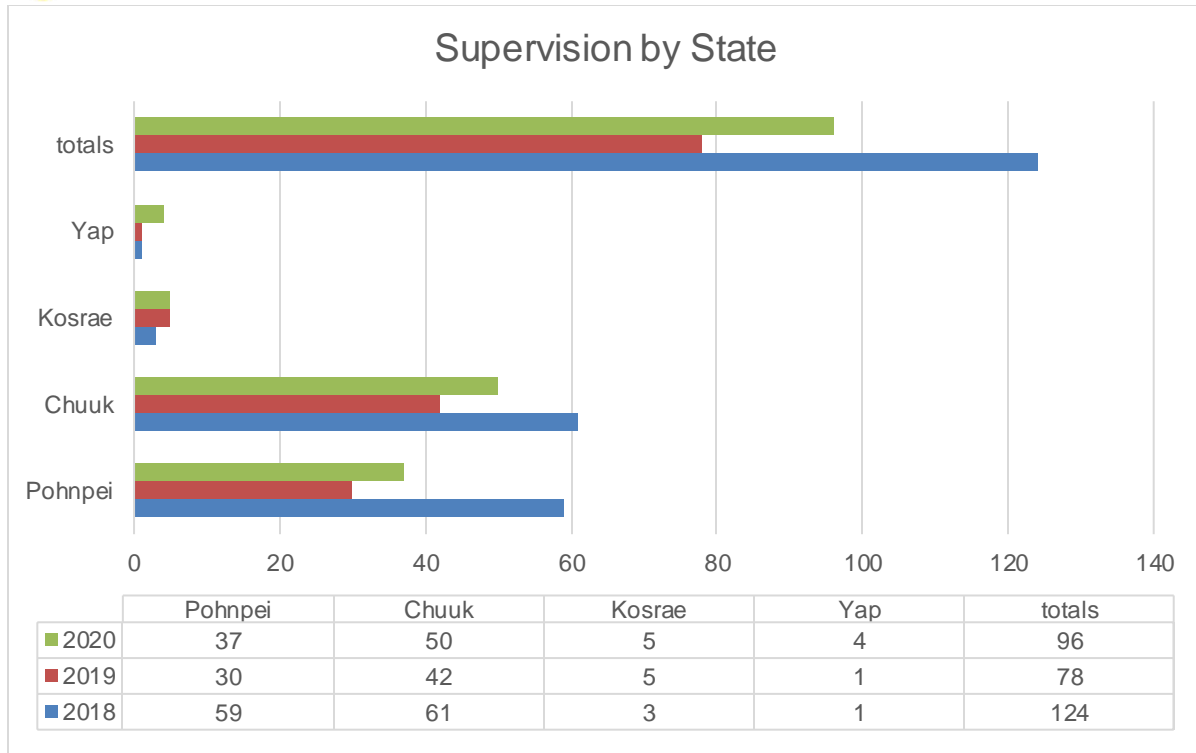
THE OMBUDSMAN DIVISION

The Justice Ombudsmen serve as Probation Officers, Court Marshals, and Court Interpreters. The Ombudsmen are tasked with supervising all defendants released on probation and/or on suspended sentence and under pre-trial releases. Such supervisions encompass a range of responsibilities including:

- Scheduling and meeting with offenders;
- monitoring of offenders' compliance to terms and conditions of release/suspended sentences;
- Prepare pre-sentence investigation reports to assist with determining proper sentences for offenders;
- prepare and submit to the Court revocation requests when probationers or pretrial release defendants have violated conditions of releases; and.
- maintain and secure statements and other records of probationers under supervision.

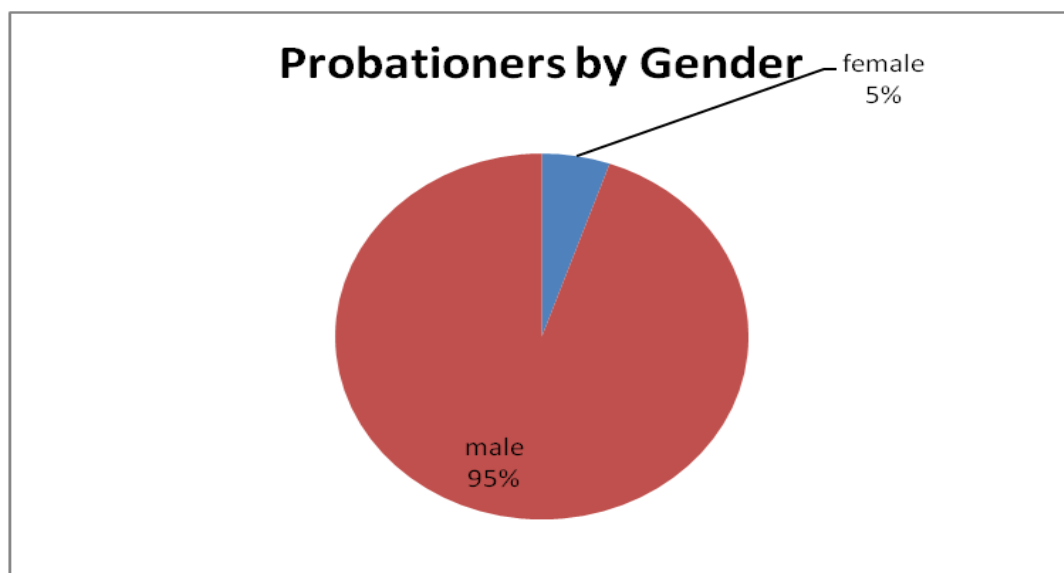


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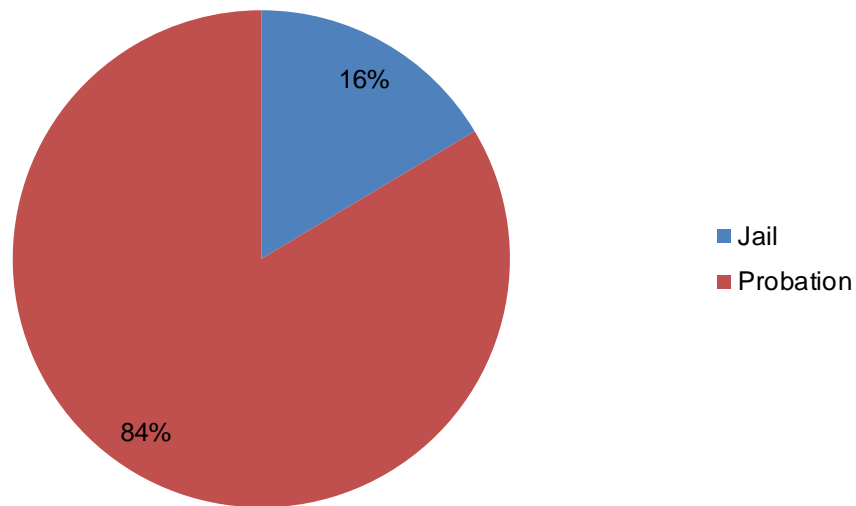
In 2020, the Ombudsman Office supervised 96 probationers, an increase of 23% from 2019.

95% of all the probationers under the supervision of the Ombudsmen are males.



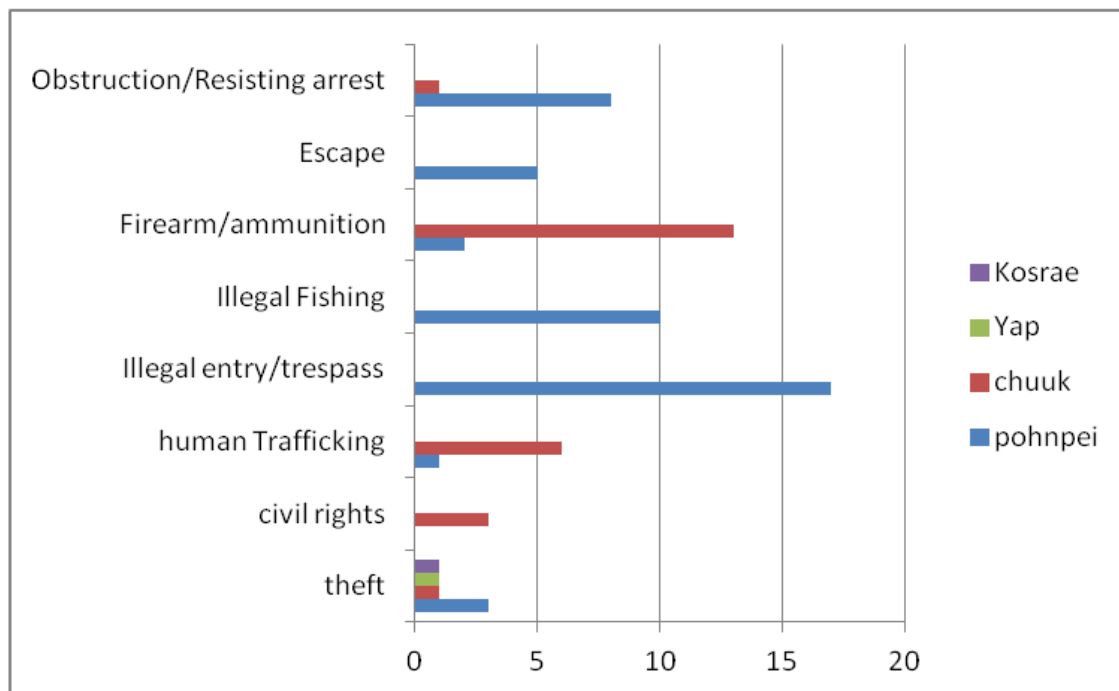


Sentence Type



84% of Offenders are serving Probation while 16% are serving jail term.

TYPES OF CONVICTIONS BY STATES





LIBRARY AND PUBLICATIONS

FSM SUPREME COURT LAW LIBRARIES (FSMSCLL)

LIBRARY & PUBLICATIONS DIVISION

Our mission

To ensure that the FSMSCLL provide current and comprehensive legal reference and information services to the judiciary, bar members and the general public throughout the four FSM States.

Our vision

To assume the leading role in supporting the legal research activities of the judiciary, bar members, staff and its large community by:



1. Creating access to local, state, national, and international legal information;
2. Developing and publishing electronic and other legal information products for the benefit of judges, bar members, staff and the community;
3. Designing information and communication systems linking the FSM Supreme Court website(s) to state, national, regional, and international sources;
4. Assisting with the Trial Counselors' Program and others in the process of legal research and information retrieval while utilizing a variety of methods and formats; and
5. Serving as the legal information resource center for the citizens of the Federated States of Micronesia.

Library Hours: Monday to Friday, 9:00 a.m. to 4 p.m.

Addresses:

Pohnpei, Palikir Office
Tel. #: 691-320-2763/2764

Chuuk Office
Tel. #: 691-

330-2397/2908

E: lawlibrary@fmsupremecourt.org

E: lawlibrary@fmsupremecourt.org

Yap Office
Tel. #: 691-350-2159/3419

E: lawlibrary@fmsupremecourt.org

Kosrae Office
Tel. #: 691-370-3185

E: lawlibrary@fmsupremecourt.org



IMPROVED ACCESS TO INFORMATION RESOURCES:



The FSM Supreme Court Library services are generally free of charge, whether borrowing, scanning, studying in the library or using library computers.

New LCD Information Screen: The FSMSCLL in Palikir-Pohnpei, installed a new LCD information screen. The Court's website, publications and information on the library usage are featured on the LCD screen. During this COVID-19 pandemic lockdown, the LCD screen was used during the virtual webinars and workshops for the court staff.

Copying Machine: A new multi-functional photocopier is available for library users.

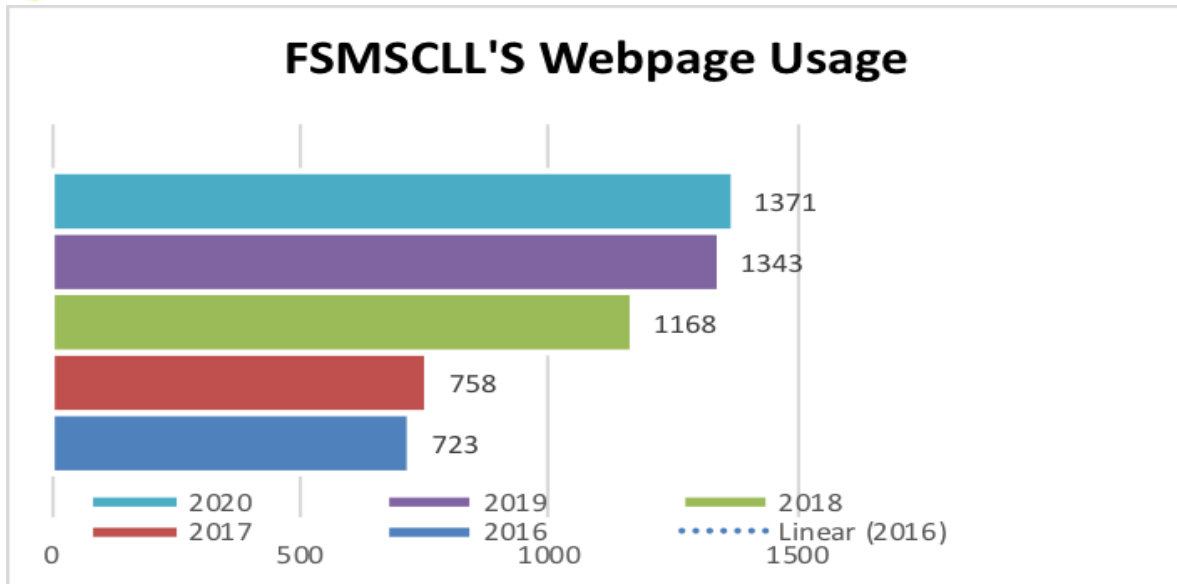
Computers: Two new desktop computers are available in the Court's library for patron's use. These computers are for legal research and other library purposes.

Website: Since the inception of the FSMSCLL website in 2014, over 6,180 individuals have accessed the Court's website. Updates and improvements to the FSMSCLL's website was made to ensure new information and legal websites are linked and available. In 2020, the FSMSCLL website showed a significant increase in its usage count compared to the previous years, as shown in the graph below.

FSMSCLL's Webpage Count



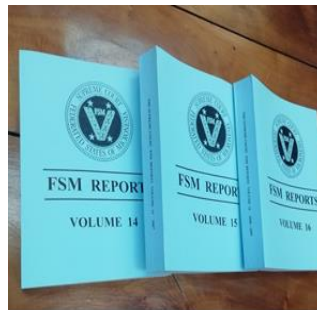
FSM SUPREME COURT 2021 ANNUAL REPORT



The Library and Publications Division maintains this website to enhance public access to information about the FSM Supreme Court laws, publications and policies. The Court's goal is to keep this information timely and accurate.

FSM Reports (a.k.a. FSM Interim Reporters)

Before & Now



Since 1981, the Supreme Court of the Federated States of Micronesia started published its FSM Interim Reporters and Digest/Updaters on 3-ring binders. The 2020 Library project is to convert the Reporters and Digest/Updaters to hardcopies.

The FSM Reports is a series of bound case reporters that are the official reports of decisions for the Supreme Court of the Federated States of Micronesia.

FSM REPORTS AVAILABLE IN BOTH PRINTS AND ELECTRONICS

[Volume 1 \(pages 1-596\) \(Including page 231a, 321a\)*](#)

[Volume 2 \(pages 1-293\)](#)



FSM SUPREME COURT 2021 ANNUAL REPORT

[Volume 3 \(pages 1-586\)](#)

[Volume 4 \(pages 1-387\)](#)

[Volume 5 \(pages 1-456\) \(including pages 67A-67F\)](#)

[Volume 6 \(pages 1-629\)](#)

[Volume 7 \(pages 1-674\)](#)

[Volume 8 \(pages 1-603\) \(including pages 300a-300p\)](#)

[Volume 9 \(pages 1-614\) \(including pages 278a-278h & 470a-470b\)](#)

[Volume 10 \(pages 1-675\)](#)

[Volume 11 \(pages 1-653\) \(including pages 262a-262L\)](#)

[Volume 12 \(pages 1-650\)](#)

[Volume 13 \(pages 1-579\) \(including pages 99a-99f\)](#)

[Volume 14 \(pages 1-626\)](#)

[Volume 15 \(pages 1-667\) \(Including pages 540a-540c\)](#)

[Volume 16 \(pages 1-664\) \(including pages 228a-228f\)](#)

[Volume 17 \(pages 1-660\)](#)

[Volume 18 \(pages 1-659\)](#)

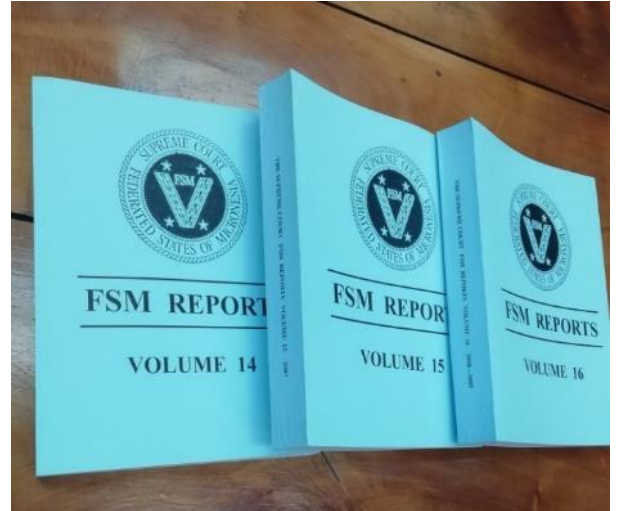
[Volume 19 \(pages 1-660\)](#)

[Volume 20 \(pages 1-668\) \(Including pages 41a-41d and 372a-372d\)](#)

[Volume 21 \(pages 1-649\)](#)

[Volume 22 \(pages 1-270\) \(New\)](#)

*Volume 1 with headnotes added also includes pages 28a, 53a-53c, 79a-79b, 97a, 135a, 161a, 183a, 201a, 209a, 239a-239b, 255a-255b, 284a, 299a, 306a, 322a, 339a-339b, 365a, 389a, 405a-405b, 433a, 449a, 464a-464b, 487a, 503a-503d, 532a-532b, 561a, & 566a-566b



Online Legal Research Database

The FSMSCLL continued its subscription to Westlaw. The subscription provides access to legal treatises and secondary sources, legal forms, legal news, U.S. federal and state case law and other legal resources

This subscription supplements the library's existing collection of over 20,000 volumes in paper format in all the four (4) FSMSCLL and the Judiciary's online searchable case law databases. The online legal research database for Westlaw is available to judges, staff attorneys, and staff of the FSM Supreme Court.





Archives:

The Archive special project was established this year to provide a systematic and strategic approach to create and control a comprehensive records management system for safety and preservation and organization of court closed case files (disposed) and to avail the record electronically for public research. The goal of the special project is to ensure that court cases from the Trial Division, and Appellate Division that is designated as “Disposed of” are collected, maintained, and archived.



With the help of five (5) interns, the Archive special project was able to start the scanning of the closed case files (disposed).

Donations:

We are always grateful to each of our supporters because received donations allow us to enrich the collections of the FSMSCLL. The FSMSCLL gratefully acknowledges the generosity of its donors and benefactors who have supported our law libraries throughout the year.

Your donation allows the Law Library to provide critical services to the thousands of people who turn to us every day for help - whether they are preparing for a court appearance, searching case law, developing a paper for class or planning to incorporate a new business. The FSMSCLL is an invaluable resource for many.

Address and Phone:
P.O. Box PS J
Pohnpei, FM 96941
Phone:(691) 320-2763/64
Weekends & Holidays
Closed



Operating Hours:
Monday - Friday
8:00 a.m. – 5:00 p.m.

Email: lawlibrary@fsm-supremecourt.org



INFRASTRUCTURE IMPROVEMENTS

YAP COURTROOM AND OFFICE RENOVATION





CONTACT US:

