

FSM SUPREME COURT 2020 ANNUAL REPORT





TABLE OF CONTENTS

CONTENTS	PAGE NUMBER(S)
Cover page	1
Table of Contents	2-3
Introduction	4-5
Message from Chief Justice Dennis K. Yamase	6-7
Justices of the FSM Supreme Court	8
FSM Supreme Court Organizational Chart	9
Staff of the FSM Supreme Court	10-13
Strategic Plan of the Court (2018-2022) & Deliverables in 2020	14-17
Administration – Role of Court Administration	17
FSM Judiciary’s Budget Appropriation Fiscal Years 2016-2020	17
FSM Judiciary Baseline Report – Cook Island Indicators	18-19
➤ Indicator I: Case Management Information: Clearance Rate	20-21
➤ Indicators 2 & 16: Case Management Information: Average Duration of a Case and Average Age of Pending Cases	22-46
➤ Indicator 3: Appeals: Percentage of Appeals	46-49
➤ Indicator 4: Appeals: Overturn Rate on Appeal	49-52
➤ Indicator 5: Access: Percentage of Cases that are Granted a Court Fee Waiver	52-53
➤ Indicator 6: Access: Percentage of Cases Disposed Through a Circuit or Island Court	53-54
➤ Indicator 7: Access: Percentage of Cases Where a Party Receives Legal Aid	55
➤ Indicator 8: Complaints: Documented Process for Receiving and Processing a Complaint that is Publicly Available	56-57
➤ Indicator 9: Complaints: Percentage of Complaints Received Concerning a Judicial Officer	58-59
➤ Indicator 10: Complaints: Percentage of Complaints Received Concerning a Court Staff Member	59
➤ Indicator 11: Human Resources: Average Number of Cases Per Judicial Officer	60
➤ Indicator 12: Human Resources: Average Number of Cases Per Court Staff	60
➤ Indicator 13: Judicial Transparency: Court produces or contributes to an Annual Report that is publicly available in the following year	61



FSM SUPREME COURT 2020 ANNUAL REPORT

➤ Indicator 14: Judicial Transparency: Court Services Information	62
➤ Notary Services : 2020 statistics	
➤ Indicator 15: Judicial Transparency: Publication of Judgments	62
➤ Indicator 16: Case Management: Average Age of the Pending Caseload (See Indicator 2)	63
➤ Indicator 17: Case Management: Percentage of complaints that have been handled within an agreed timeframe (See GCO on Time Standard under Indicator 8)	63
➤ Indicator 18: Judicial Transparency: Total number of compliments and positive feedback received by the court: FSM Supreme Court Performance Survey 2020	63-70
➤ Indicator 19: Human Resources: The range of training and development opportunities:	71-73
➤ Indicator 20: Human Resources: The Percentage Use of Courtroom	74
Human Trafficking Disaggregated data (2015-2020)	75-78
Clerks of Courts	80
Justice Ombudsman	80-82
Library and Publications	83-86
FSM National Law Day 2020	88-89
Infrastructure Improvements	90
Contact Us	91





Introduction

The Judicial Branch of the Federated States of Micronesia was created by Article XI of the FSM Constitution. 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 justice is a member of both the trial division and the appellate division. No justice may sit with the appellate division in a case heard by him in the trial division. At least three justices shall hear and decide appeals. Decision is by a majority of those sitting. Art XI, Section 2.

The Chief Justice and associate justices of the Supreme Court are appointed by the President with the approval of 2/3 of Congress. Justices serve during good behavior. Art. XI, Section 3.

If the Chief Justice is unable 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 to respond to the needs of the courts and to support the Federated States of Micronesia's judicial systems. Through the 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



FSM SUPREME COURT 2020 ANNUAL REPORT

a crucial role in advancing and building public trust and confidence in the national court system.





MESSAGE FROM DENNIS K. YAMASE, CHIEF JUSTICE



Warm greetings from the Supreme Court of the Federated States of Micronesia. I hope this message finds you all safe in your respective jurisdiction given the current global pandemic and the attendant uncertainty it brings to all of us personally and professionally. Of note, the FSM has faced increased restrictions on travel because each of its four states have imposed quarantine and other travel restrictions in addition to those imposed by the FSM national government, meaning travel even within the country has been extraordinarily rare and complicated. The Court's contingency plan on COVID-19 is in its final draft.

The last year has been challenging but rewarding in many ways, as the FSM Supreme Court has achieved so much in terms of meeting its goals. With respect to technology, physical infrastructure upgrades, and case tracking The Court has been able to make great strides forward with remote work in many cases. The Court has achieved its goals by taking bold steps to implement technology and learn how to effectively operate new programs without the opportunity to receive hands-on, on-site training under the circumstances of the COVID-19 crisis. The Court credits its dedicated and highly motivated staff, Director along with clerks, IT staff and the assistance of the Pacific Judicial Strengthening Initiative (PJSI), the Pacific Judicial Council (PJC), Courage Consulting, Consultants Tony Landsell & Karae Eric Vurobaravu and other partners. Mr. Landsell and Mr. Vurobaravu in particular, have dedicated hours of introduction and training that were required to make the Case Tracking System an effective tool for all of our staff. PJSI and Mr. Landsell's patience, perseverance, and attention to detail helped the Court staff immensely in meeting the requirements under the Cook Island Indicators.

This Annual Report intends to highlight innovations on several fronts by our courts, along with our efforts to adapt to the fluid situation involved with the uncertainties brought on by the COVID-19 health crisis.

One of the most significant achievements of 2020 is that our Case Tracking System has now been implemented. Our Courts now have immediate and unprecedented computer access to the most accurate data.

We especially appreciate and are grateful to PJSI for their continued support, including all of the remote training they conducted with staff. The case tracking system would not be as functional without PJSI and Mr. Landsell's direct and continued



FSM SUPREME COURT 2020 ANNUAL REPORT

involvement in the process. To date, Justices, Staff Attorneys and other staff have been trained on the Case Tracking System and it has been available for several months, with constant revisions being made.

Justices and staff have also underwent training on use of video conferencing, and it is now quite common for the Court to conduct hearings or appearances from several different locations simultaneously. All field offices are equipped with videoconferencing, active case tracking systems, high-speed internet, and computer upgrades. Due to the COVID-19 lockdown, the Court has conducted virtual training for justices and staff on a number of topics.

The Court has expanded its virtual presence in terms of its community and educational involvement throughout the year. One of the Court's most significant events, National Law Day, traditionally includes debates among the top high school teams from each state. This year, as the teams were unable to travel, the Court was able to organize the States' participation virtually for the first time on record. The Court has also hosted a number of groups virtually for visits, tours and conferences, including hosting students from the College of Micronesia, and participating with NGOs in National Anti-Human Trafficking and Human Rights Day. The Court continues to be involved with the community, conducting programs to promote Access to Justice.

Regarding our significant infrastructure projects, the Court renovated its courtroom and Clerk's Office in Chuuk, and the courtroom in Yap is undergoing an extension of the office. The Court also used funds designated for internships to hire students to help archive old files and develop a protocol.

Finally, the Court is awaiting the arrival of Associate Justice Dennis Belcourt, who has been confirmed to fill the Court's only vacancy, but cannot enter the FSM until our travel restrictions are lifted. We eagerly await his arrival and the opportunity to swear him into the Court and make introductions. In fact we look forward very much to circumstances where we can all travel again and conduct business in person.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "D. K. Yamase".

Dennis K. Yamase

Chief Justice, FSM Supreme Court



JUSTICES OF THE FSM SUPREME COURT



CHIEF JUSTICE
DENNIS K YAMASE



ASSOCIATE JUSTICE
BEAULEEN CARL-WORSWICK



ASSOCIATE JUSTICE
LARRY WENTWORTH



STAFF OF THE FSM SUPREME COURT

~POHNPEI STAFF~



Emeliana Musrasrik-Carl
Director of Court
Administration



Tammy Davis
General Counsel



Sandy Albert
Chief Clerk



Belan Yoma
National Justice
Ombudsman



Atarino Helieisar
Chief Law Librarian &
Publication Manager



Ivan Kadanged
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



FSM SUPREME COURT 2020 ANNUAL REPORT



Teddy Hasgiulbung
Webmaster



Senda Helgen
Deputy Assistant
Clerk



Joyleen Wichep
Secretary / Court
Reporter



Mayleen David
Secretary / Court
Reporter



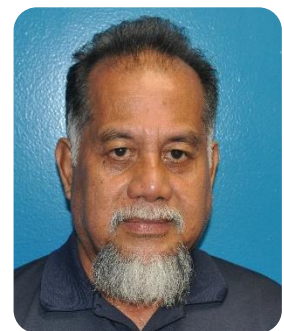
Pihna Sohl
Administrative Officer



Cheryl-Ann Freeman
Administrative
Assistant



Johnny Peter
State Justice
Ombudsman-PNI



Keske Jacob
Bailiff



Yondeavor Santos
Webmaster Assistant



Elimina Else
Custodial Worker
Pohnpei

INTERNS



LilyAnn H. Anson
Intern



Nikita Jackson
Intern



Dasko Sando
Intern
Page 11 of 91



Franky Ifamilik
Intern



Debra Sohs
Intern



~CHUUK STAFF~



Harry Narruhn
State Justice
Ombudsman



Atrina Soichy
Secretary to
Associate Justice



Lovelynn Berdon
Clerk of Court



Melisha Petrus
Clerk of Court



Erick Berry
Maintenance/Bailiff



Samuel Samuel
Custodial

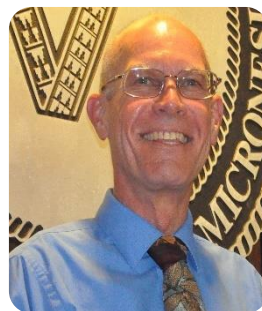


Rochella Dois
INTERN

~YAP STAFF~



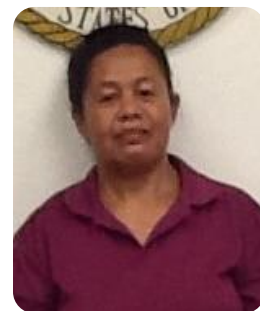
Peter Garangmau
State Justice
Ombudsman



Thomas Thiesen
Staff Attorney



Emiliani T. Gilpong
Secretary to
Associate Justice



Rita Ylememog
Custodial Worker



FSM SUPREME COURT 2020 ANNUAL REPORT



Linson Waguk
State Justice
Ombudsman-KSA



Roxshyll Moody
Clerk of Court



Arthy Fred Sigrah
Bailliff/Custodial





THE STRATEGIC PLAN
OF THE FEDERATED STATES OF MICRONESIA
(2018-2022)

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 in accordance with FSM Financial Management Regulations and laws of the nation;
- ✓ The FSM Supreme Court continues to conduct itself as an independent, fair, impartial and properly management 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 hard bound copies;
- ✓ Archiving of closed cases (1981-current) are in progress;
- ✓ Courtroom renovations for Chuuk and Yap are in progress;
- ✓ 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:



FSM SUPREME COURT 2020 ANNUAL REPORT

- ✓ Court calendar is updated daily and available on FSM Supreme Court website;
- ✓ Monitoring trips are conducted to provide support to field offices;
- ✓ 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 2020, FSM conducted webinar trainings Gender and Domestic Violence, computer and IT technologies, Access to Justice, Training of Trainers, Video Conferencing, Webinar on COVID-19, Efficiency and Court Data Management, Human Trafficking, Case Data Analysis. Sustainable Development Goals, and Remote Court Proceeding Toolkit.
- ✓ 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 works in partnership with COM-FSM on Trial Counselor certificate program;
- ✓ FSM Supreme Court staff are 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 judgments 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.



FSM SUPREME COURT 2020 ANNUAL REPORT

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 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 BUDGET APPROPRIATIONS: FY 2017-2020

CATEGORIES	FY2017	FY2018	FY2019	FY2020
PERSONNEL	\$837,024	\$899,127	\$ 905,453	\$1,026,561
TRAVEL	\$157,791	\$161,525	\$ 161,525	\$ 185,974
CONTRACT SERVICES	\$177,694	\$178,025	\$ 184,194	\$ 213,100
OTHER CURRENT EXPENSES	\$190,806	\$182,694	\$ 174,808	\$ 155,388
FIXED ASSETS	\$ 36,100	\$ 32,000	\$ 32,000	\$ 143,000
TOTAL APPROPRIATION	\$1,399,415	\$1,453,371	\$1,457,980	\$1,724,023



COOK ISLAND INDICATORS

**FSM JUDICIARY BASELINE REPORT
COOK ISLAND INDICATORS**

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

	TYPE	INDICATORS	2020
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	



FSM SUPREME COURT 2020 ANNUAL REPORT

11	Human Resources	Average number of cases per judicial officer	
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

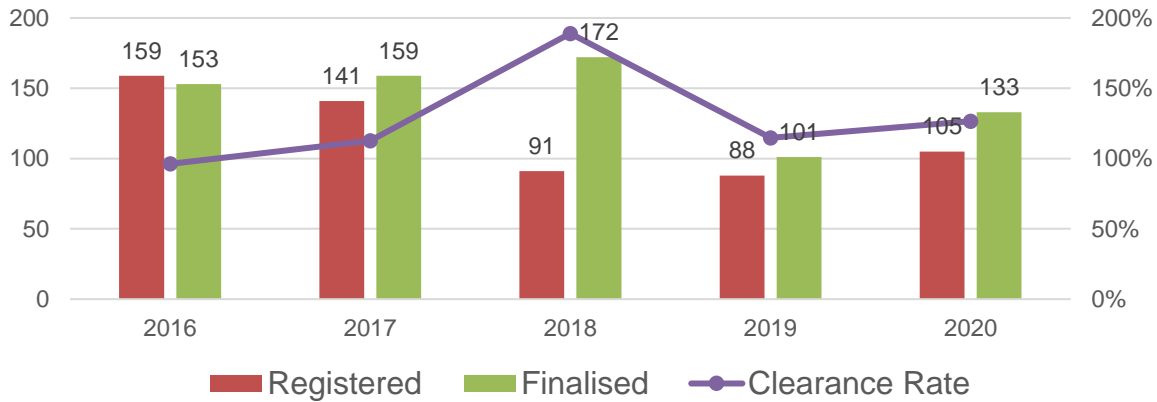


Indicator 1: Case Management Information:

Disclosure: All data in this Annual Report are extracted from the Case Tracking System at the end of February 2021, with updated entries from previous years.

All Types of Cases Clearance Rate

5 Years - Volumes/Clearance Rate - All Types of Cases



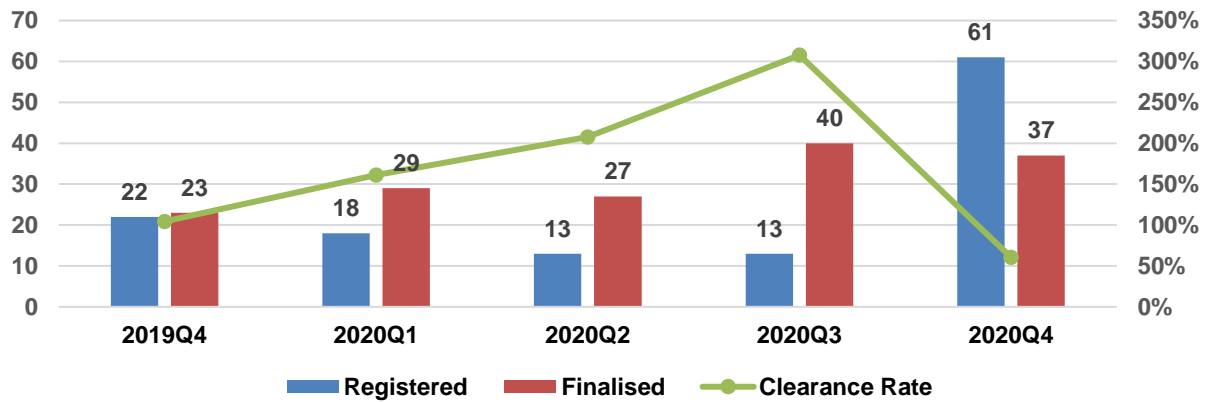
All Type of Cases - Previous 5 Calendar Years

	Registered	Finalised	Clearance Rate
2016	159	153	96%
2017	141	159	113%
2018	91	172	189%
2019	88	101	115%
2020	105	133	127%
Total/clearance rate	584	718	123%

In 2020, there were 105 cases filed, 133 disposed resulting in a clearance rate of 127%, an improvement of 12% from 2019. Overall clearance rate in the last 5 years is 123%.

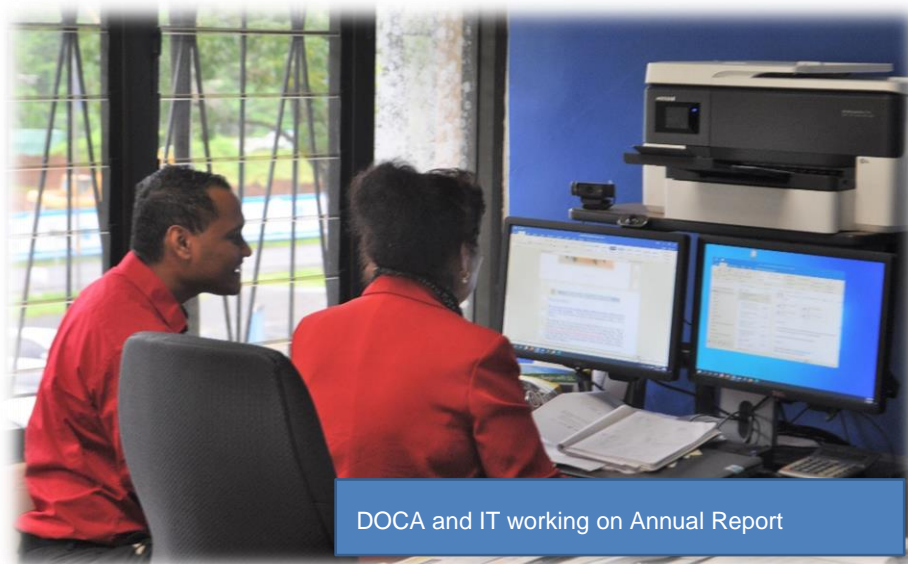


All Type of Cases - 5 Quarters - Volumes/Clearance Rate

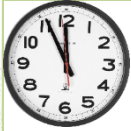


Previous 5 Quarters

	Registered	Finalised	Clearance Rate
2019Q4	22	23	105%
2020Q1	18	29	161%
2020Q2	13	27	208%
2020Q3	13	40	308%
2020Q4	61	37	61%
Total/clearance rate	127	156	123%

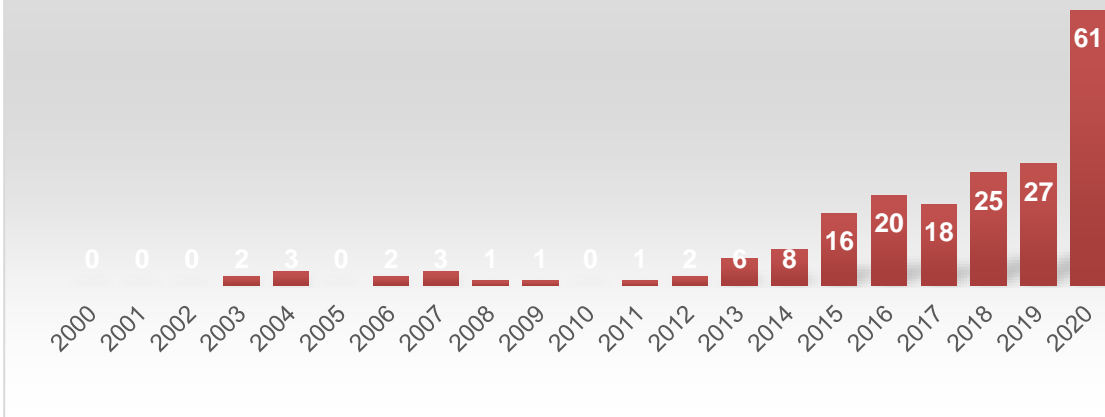


DOCA and IT working on Annual Report



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

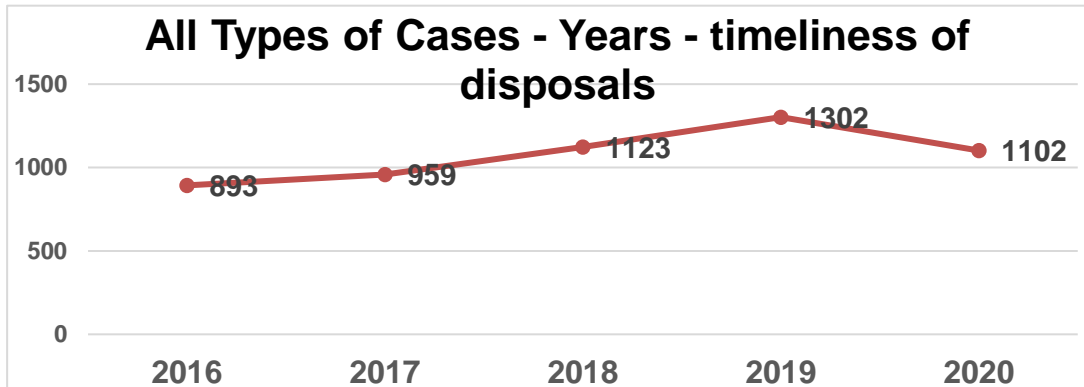
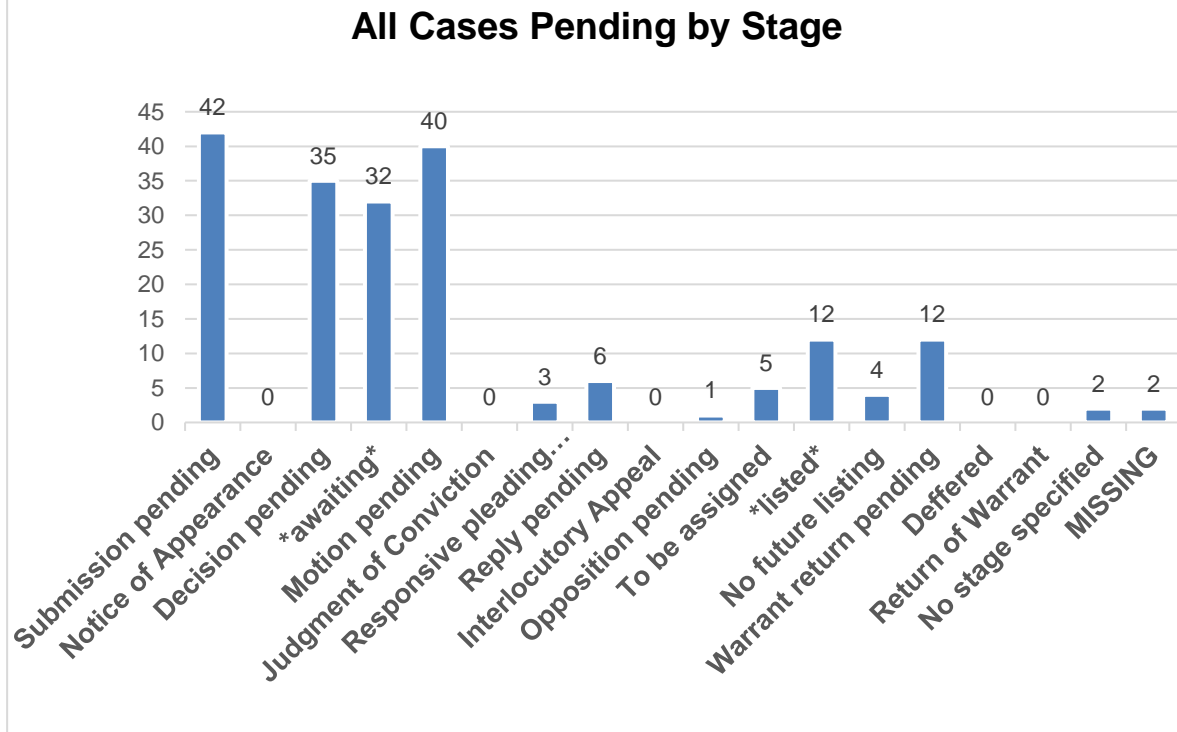
Age and Distribution Of Pending Cases Overall (2000-2020)



All Types of Cases Pending Workload

Current Pending	196	CASES
Average Age of Pending	1275	DAYS
Pending to Disposal Ratio (PDR)	1.7	
(target - less than 1)		

In the last five years, the Pending to Disposal Ratio is 1.7, the current pending cases is 196 and the average age of pending cases is 1,275.



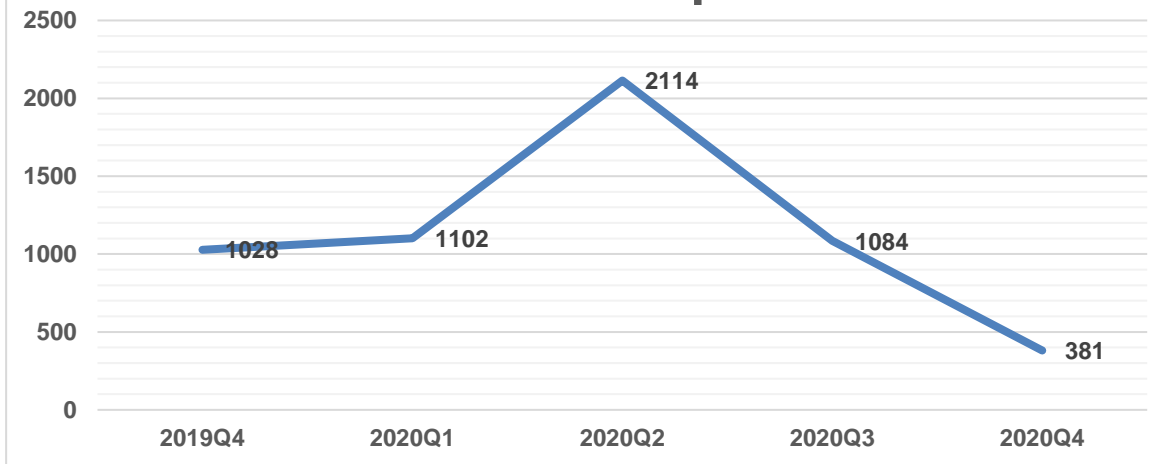
Previous 5 Calendar Years

2016	893
2017	959
2018	1123
2019	1302
2020	1102
Average of the 5 years	1059

The average timeliness of disposition in 2020 is 1102 days, an improvement of about 1.18% from 2019. The overall timeliness of disposition of cases for the past 5 years is 1059.



All Types of Cases - 5 Quarters - timeliness of disposals



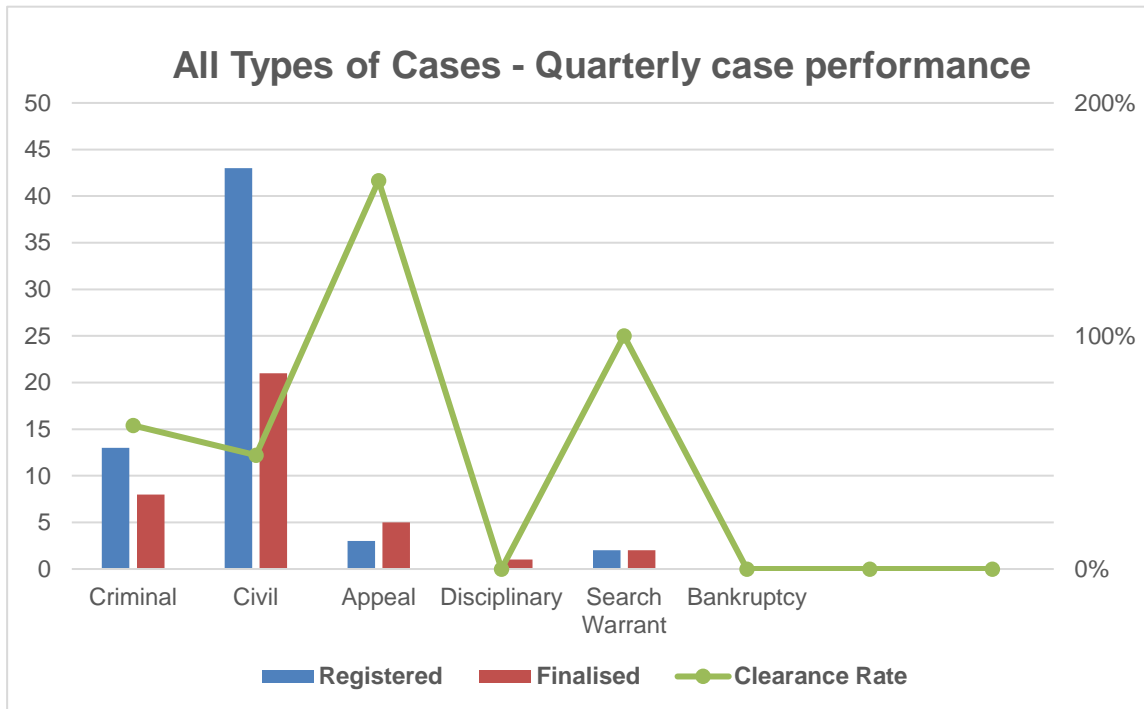
Previous 5 Quarters

2019Q4	1028
2020Q1	1102
2020Q2	2114
2020Q3	1084
2020Q4	381
Average of the 5 periods	1091

During the beginning of the year, the FSM National Government issued an Emergency Declaration due to COVID-19, shutting down borders and restricting travel. During the 3rd Quarter, the court began to utilize the video conferencing resulting in the improvement of timeliness of disposition of cases, shown on the 4th quarter.



FSM SUPREME COURT 2020 ANNUAL REPORT



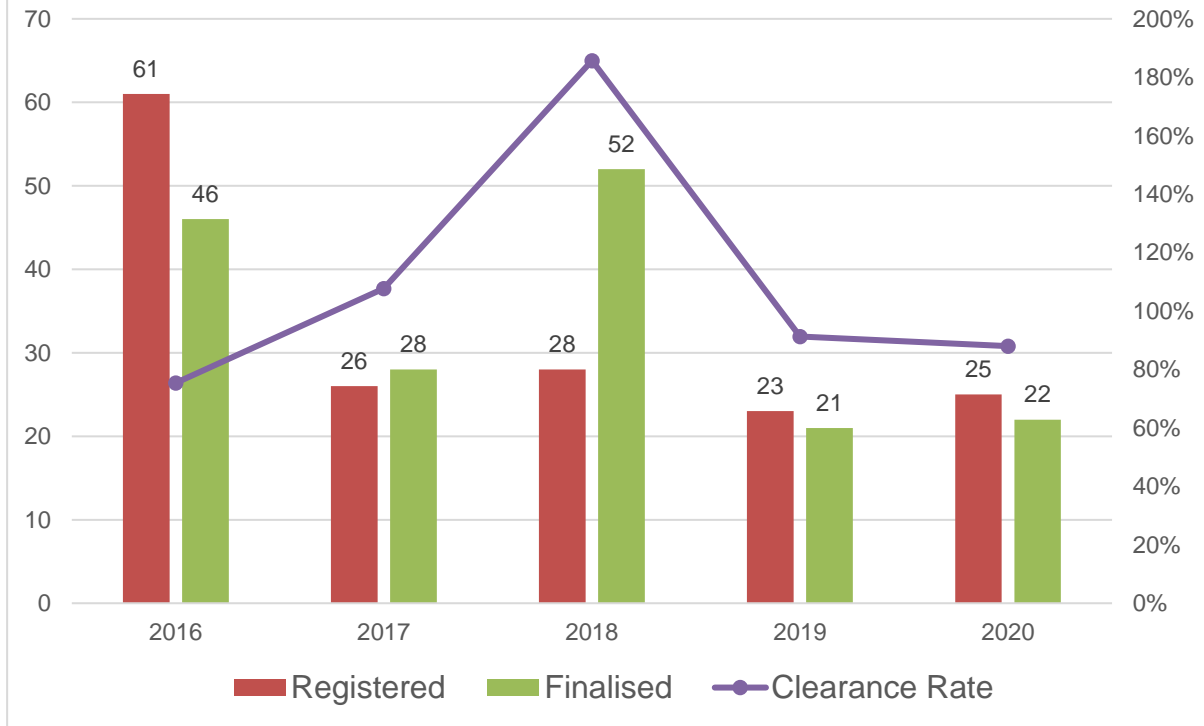
Quarterly Volumes

	QTR 4		2020 Clearance Rate
	Registered	Finalised	
Criminal	13	8	62%
Civil	43	21	49%
Appeal	3	5	167%
Disciplinary	0	1	100%
Search Warrant	2	2	100%
Bankruptcy	0	0	0%
TOTAL	61	37	61%



CRIMINAL CASES 2020

Criminal Cases - 5 Years - Volumes/Clearance Rate



Previous 5 Calendar Years

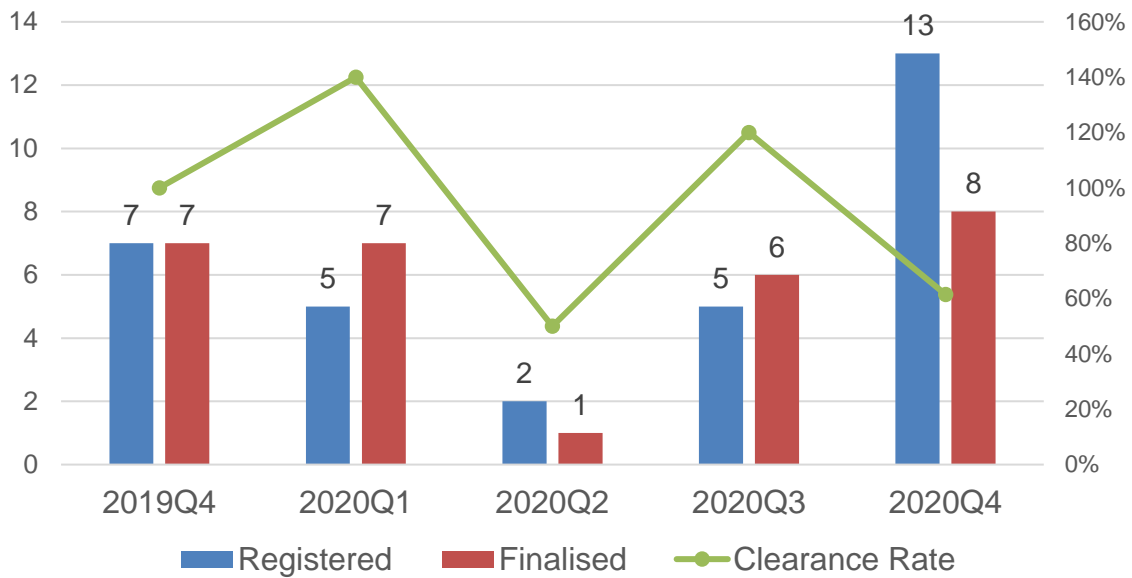
	Registered	Finalised	Clearance Rate
2016	61	46	75%
2017	26	28	108%
2018	28	52	186%
2019	23	21	91%
2020	25	22	88%
Total/clearance rate	163	169	104%

The clearance rate in 2020 is 88%, a decrease of about 3% from 2019.

The FSM is on lockdown due to the COVID-19 pandemic and Government’s issued Emergency declaration, restricting travel.



Criminal Cases - 5 Quarters - Volumes/Clearance Rate



Previous 5 Calendar Years

	Registered	Finalised	Clearance Rate
2016	61	46	75%
2017	26	28	108%
2018	28	52	186%
2019	23	21	91%
2020	25	22	88%
Total/clearance rate	163	169	104%



Criminal Cases - Age and Distribution Of Pending Cases

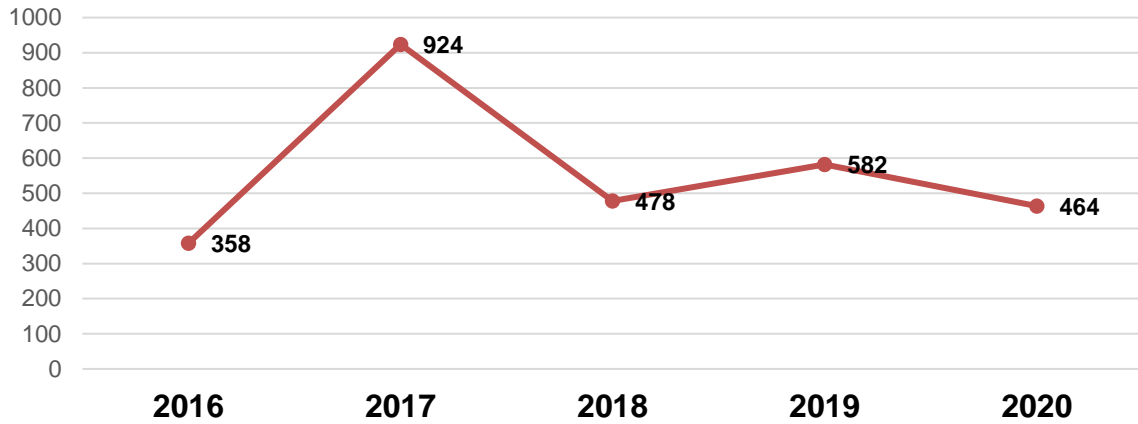


Criminal Cases - Pending Workload

Current Pending	33	CASES
Average Age of Pending	1422	DAYS
Pending to Disposal Ratio (PDR)	1.7	
(target - less than 1)		



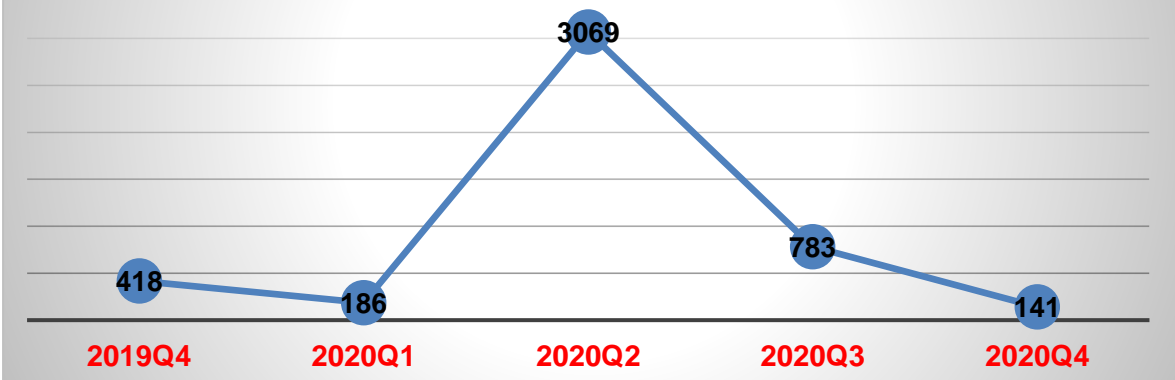
Criminal Cases - 5 Years - timeliness of disposals



Previous 5 Calendar Years

2016	358
2017	924
2018	478
2019	582
2020	464
Average of the 5 years	530

Criminal Cases - 5 Quarters - timeliness of disposals



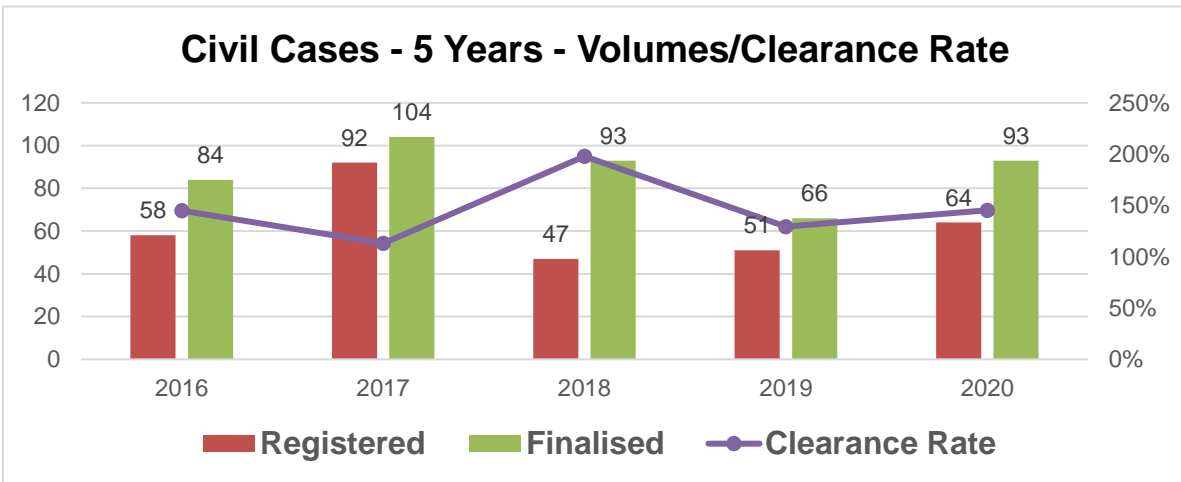
In 2020, the average time of disposition in criminal cases was 464, an improvement from 2019. The 5-years average time of disposition is 530,



Previous 5 Quarters

2019Q4	418
2020Q1	186
2020Q2	3069
2020Q3	783
2020Q4	141
Average of the 5 periods	452

Civil Cases 2020



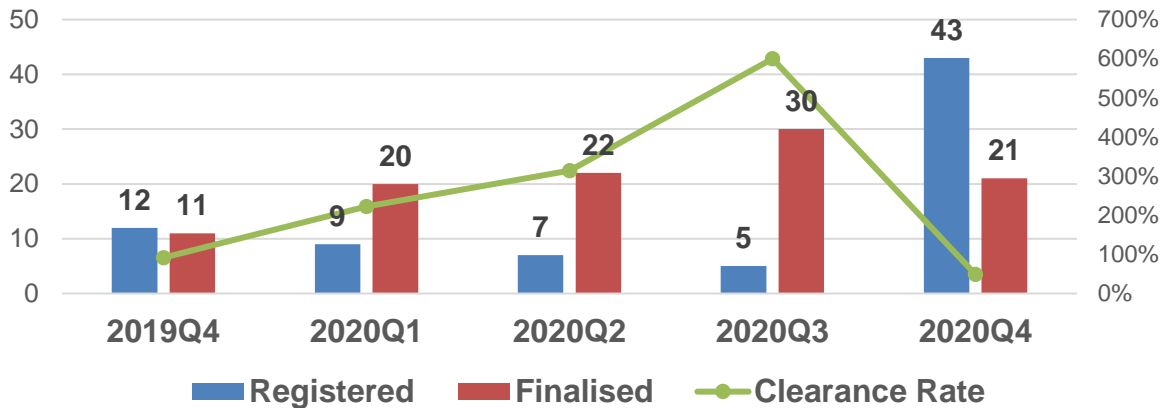
Previous 5 Calendar Years

	Registered	Finalised	Clearance Rate
2016	58	84	145%
2017	92	104	113%
2018	47	93	198%
2019	51	66	129%
2020	64	93	145%
Total/clearance rate	312	440	141%

The clearance rate for 2020 was 145% compared to 129% in 2019. For the past 5 years, the Court maintains a total clearance rate of 141%. There were 312 cases registered and 440 finalized.



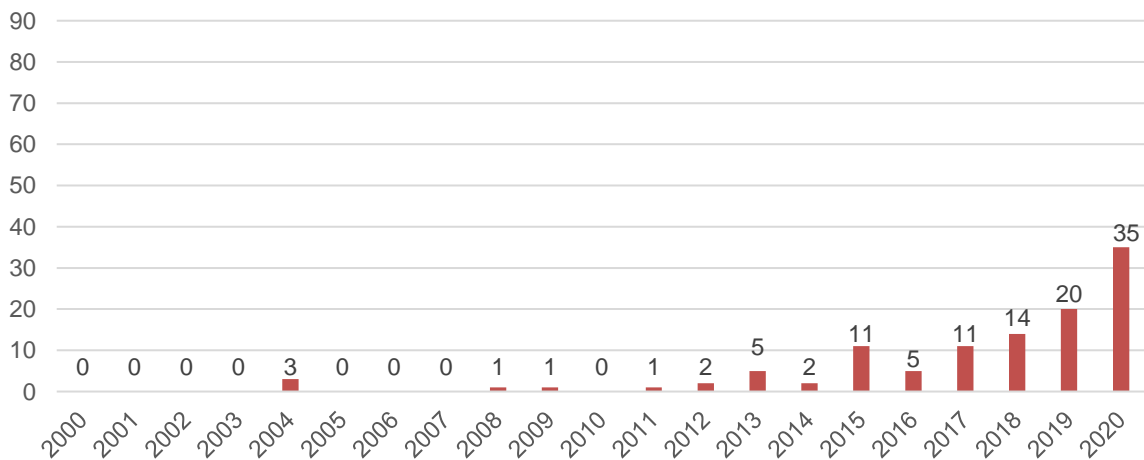
Civil Cases - 5 Quarters - Volumes/Clearance Rate



Previous 5 Quarters

	Registered	Finalised	Clearance Rate
2019Q4	12	11	92%
2020Q1	9	20	222%
2020Q2	7	22	314%
2020Q3	5	30	600%
2020Q4	43	21	49%
Total/clearance rate	76	104	137%

Civil Cases - Age and Distribution Of Pending Cases



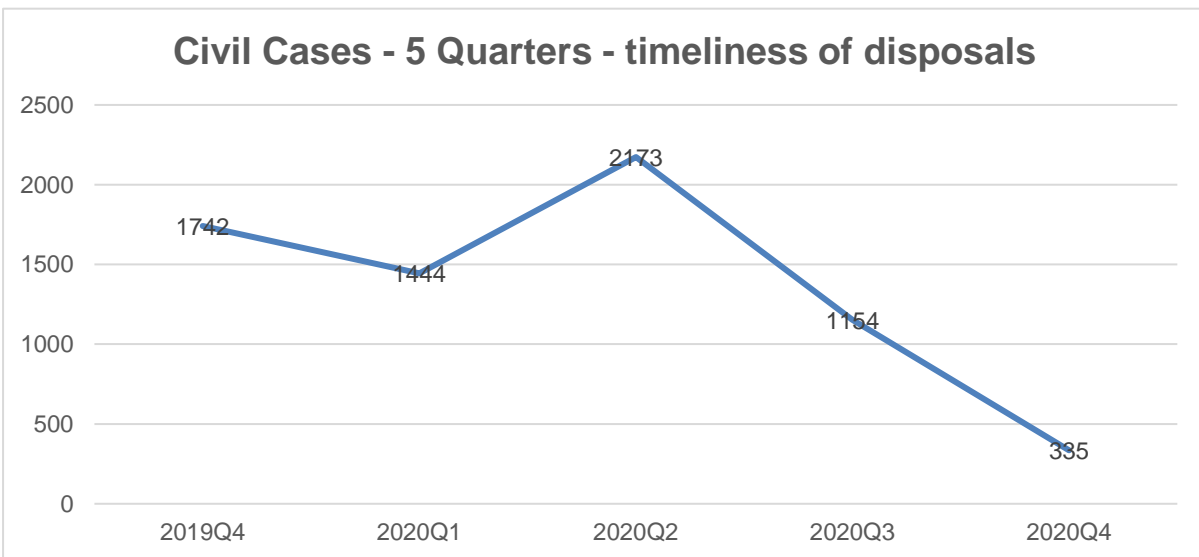


Pending Workload

Current Pending	111	CASES
Average Age of Pending	1174	DAYS
Pending to Disposal Ratio (PDR)	1.4	
(target - less than 1)		

Previous 5 Calendar Years

2016	1315
2017	1082
2018	1606
2019	1714
2020	1272
Average of the 5 years	1372

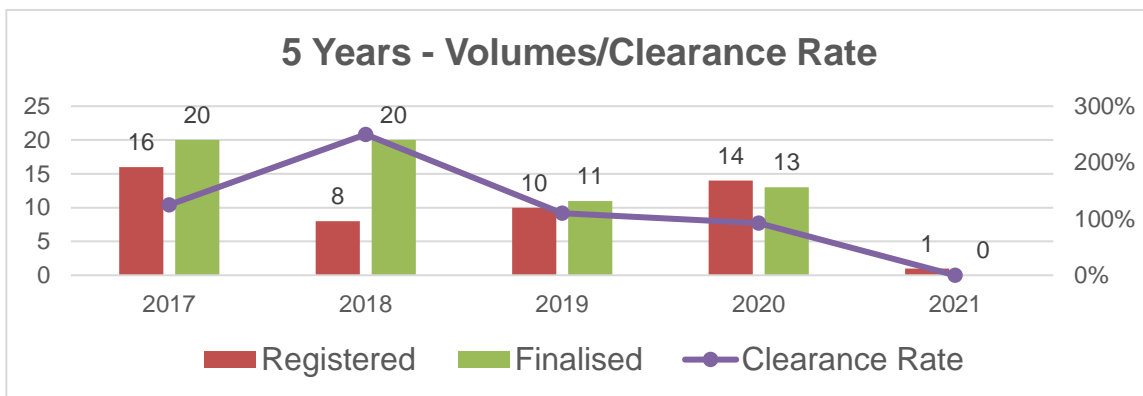




Previous 5 Quarters

2019Q4	1742
2020Q1	1444
2020Q2	2173
2020Q3	1154
2020Q4	335
Average of the 5 periods	1322

APPEAL CASES 2020

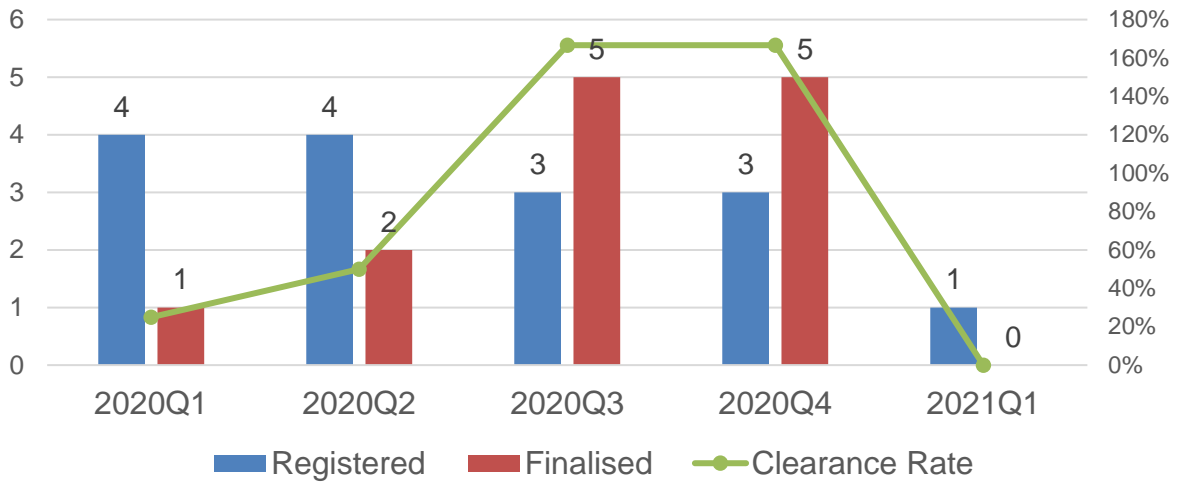


Previous 5 Calendar Years	Registered	Finalised	Clearance Rate
2017	16	20	125%
2018	8	20	250%
2019	10	11	110%
2020	14	13	93%
2021	1	0	0%
Total/clearance rate	49	64	131%

The clearance rate on appeal cases in 2020 was 93%, compared to 100% in 2019. Due to COVID-19, borders in the FSM were closed down and panel judges from the other States were not able to travel to Pohnpei causing a delay in the disposition of appeal cases



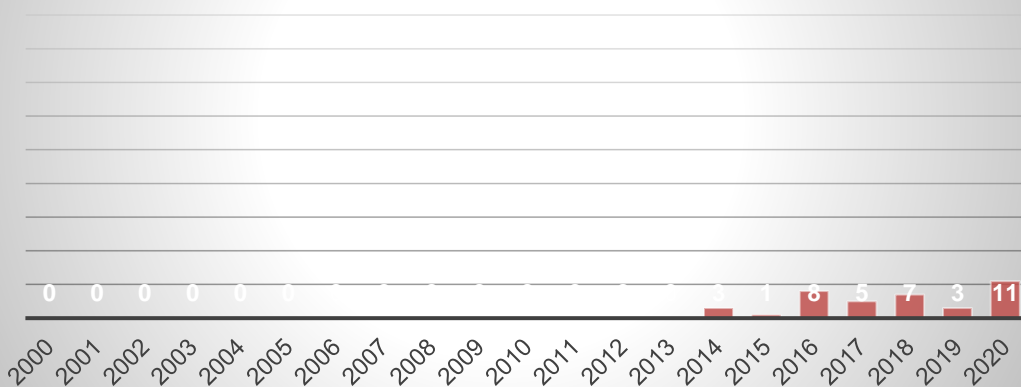
5 Quarters - Volumes/Clearance Rate



Previous 5 Quarters

	Registered	Finalised	Clearance Rate
2020Q1	4	1	25%
2020Q2	4	2	50%
2020Q3	3	5	167%
2020Q4	3	5	167%
2021Q1	1	0	0%
Total/clearance rate	15	13	87%

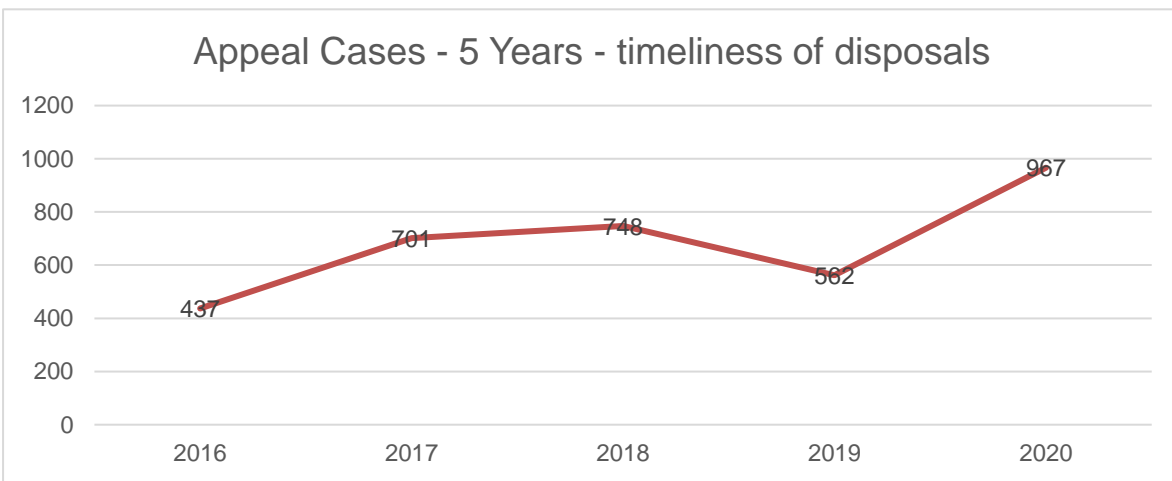
Appeal Cases - Age and Distribution Of Pending Cases





Appeal Cases Pending Workload

Current Pending	38	CASES
Average Age of Pending	1051	DAYS
Pending to Disposal Ratio (PDR)	3.2	
(target - less than 1)		

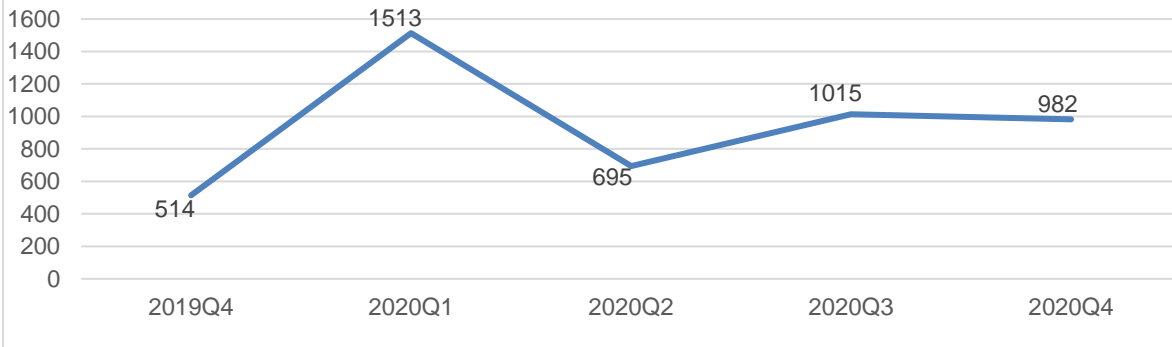


Appeal Cases Previous 5 Calendar Years

2016	437
2017	701
2018	748
2019	562
2020	967
Average of the 5 years	683



Appeal Cases - 5 Quarters - timeliness of disposals

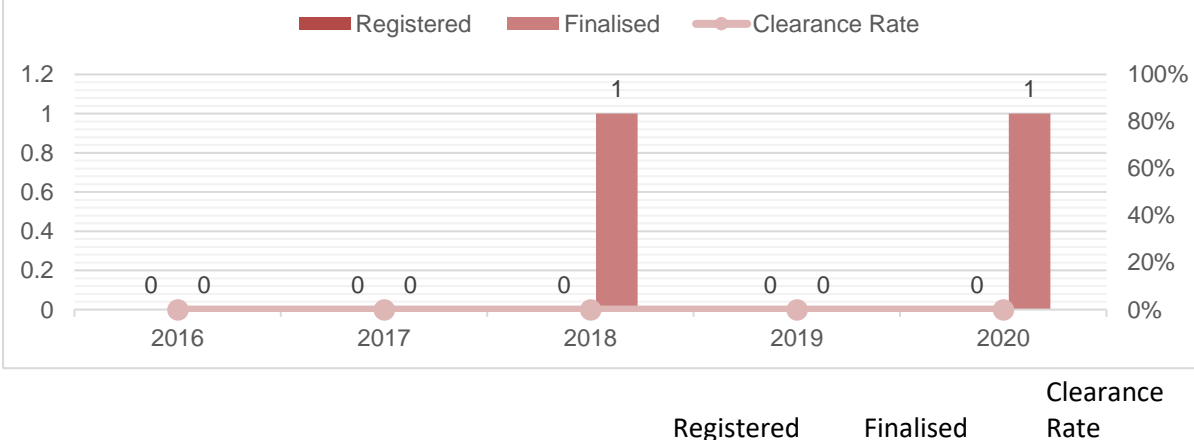


Appeal Cases Previous 5 Quarters

2019Q4	514
2020Q1	1513
2020Q2	695
2020Q3	1015
2020Q4	982
Average of the 5 periods	906

BANKRUPTCY CASES 2020

Bankruptcy Cases - 5 Years - Volumes/Clearance Rate



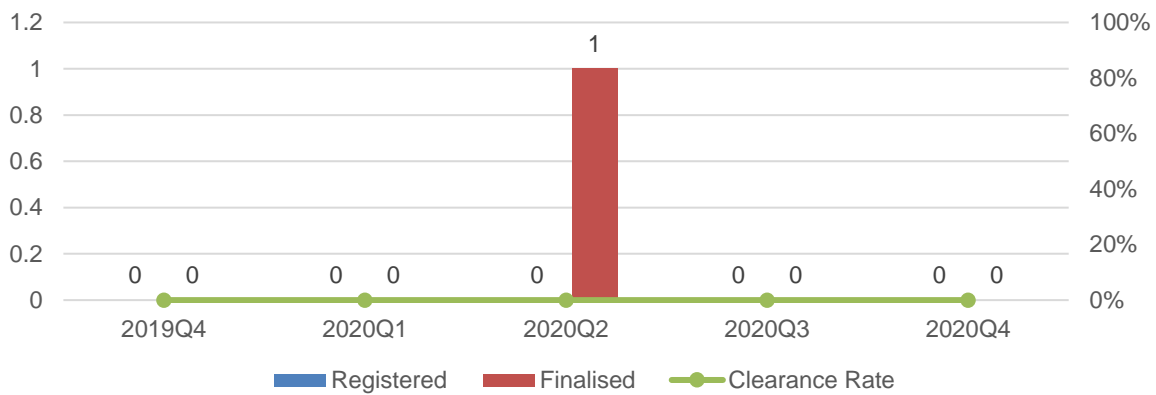


Previous 5 Calendar Years

2016	0	0
2017	0	0
2018	0	1
2019	0	0
2020	0	1
Total/clearance rate	0	2



Bankruptcy Cases - 5 Quarters - Volumes/Clearance Rate



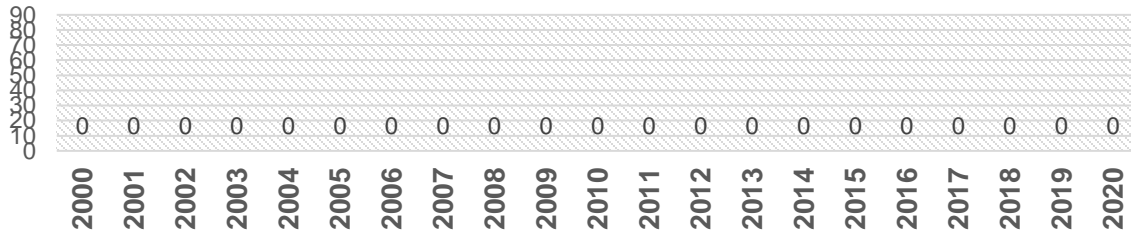
Previous 5 Quarters

	Registered	Finalised	Clearance Rate
2019Q4	0	0	
2020Q1	0	0	
2020Q2	0	1	
2020Q3	0	0	
2020Q4	0	0	
Total/clearance rate	0	1	





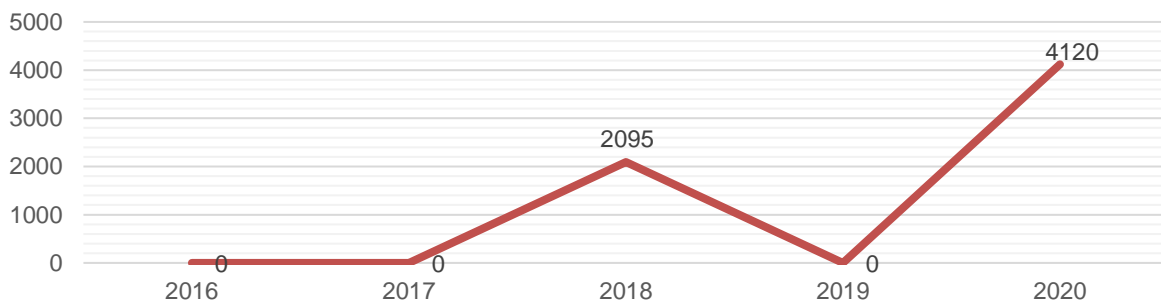
Bankruptcy Cases Age and Distribution Of Pending Cases



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



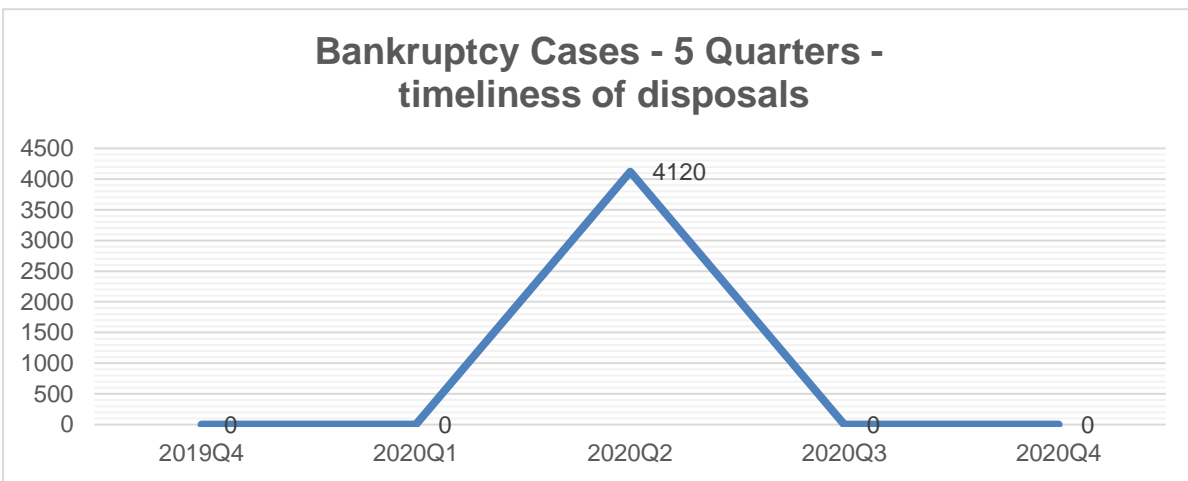
Previous 5 Calendar Years



FSM SUPREME COURT 2020 ANNUAL REPORT

2016	
2017	
2018	2095
2019	
2020	4120

Average of the 5 years



Previous 5 Quarters

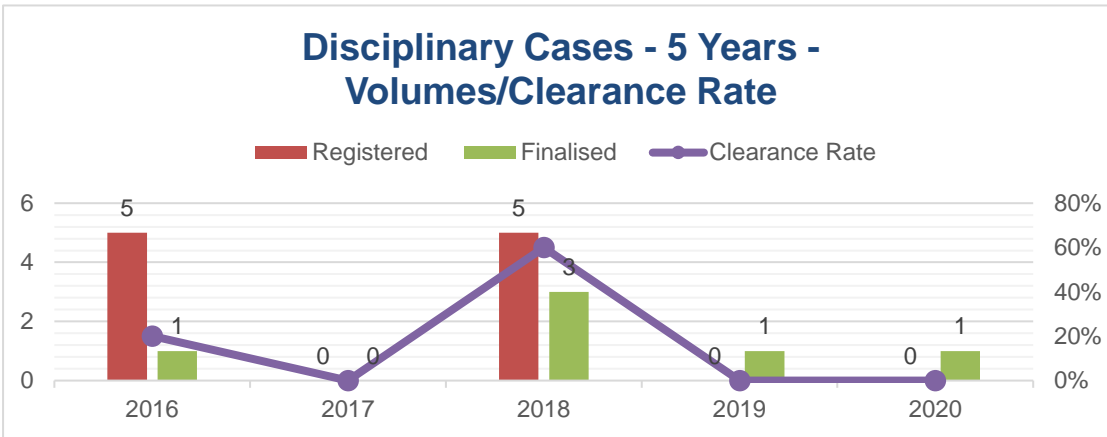
2019Q4	
2020Q1	
2020Q2	4120
2020Q3	
2020Q4	

Average of the 5 periods

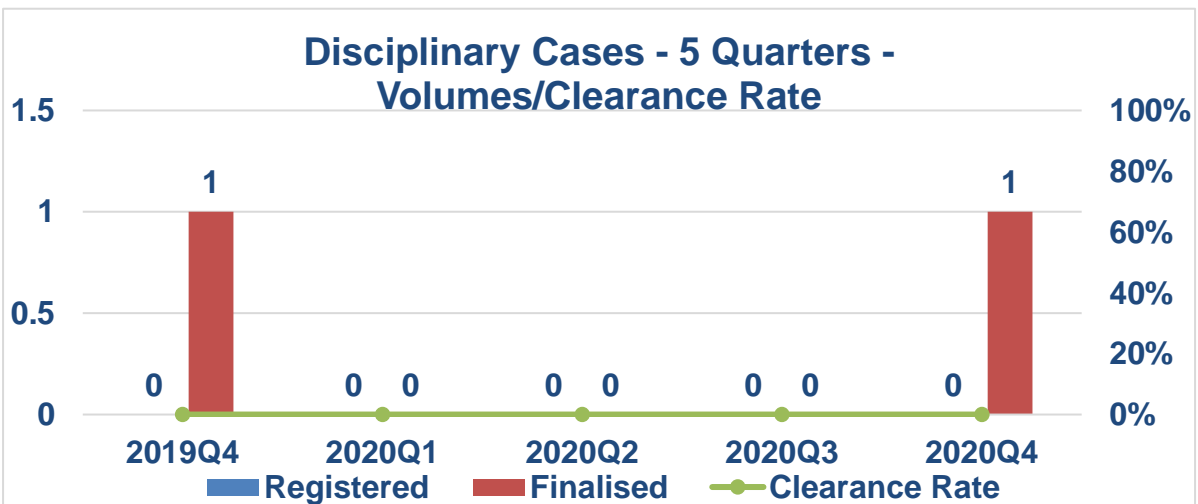
For the past 5 years, there were no bankruptcy cases filed. There were only 2 cases pending since 2015 and were disposed in 2018 and 2020.



DISCIPLINARY CASES 2020



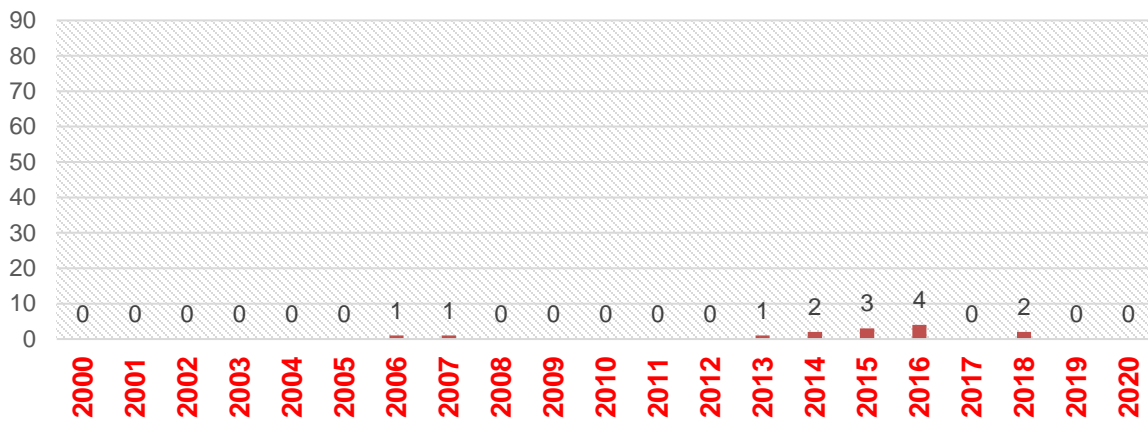
Previous 5 Calendar Years	Registered	Finalised	Clearance Rate
2016	5	1	20%
2017	0	0	0%
2018	5	3	60%
2019	0	1	0%
2020	0	1	0%
Total/clearance rate	10	6	60%





Previous 5 Quarters	Registered	Finalised	Clearance Rate
2019Q4	0	1	
2020Q1	0	0	
2020Q2	0	0	
2020Q3	0	0	
2020Q4	0	1	
Total/clearance rate	0	2	

Disciplinary Case Age and Distribution Of Pending Cases

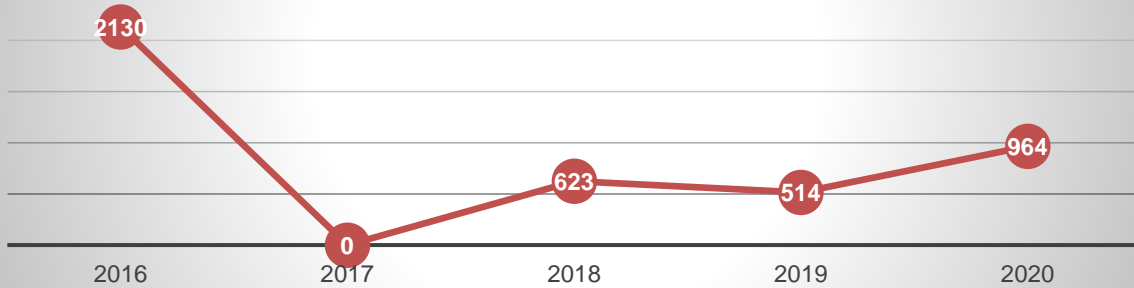


Pending Workload

Current Pending	14	CASES
Average Age of Pending	2335	DAYS
Pending to Disposal Ratio (PDR) (target - less than 1)	14.0	



Disciplinary Cases - 5 Years - timeliness of disposals

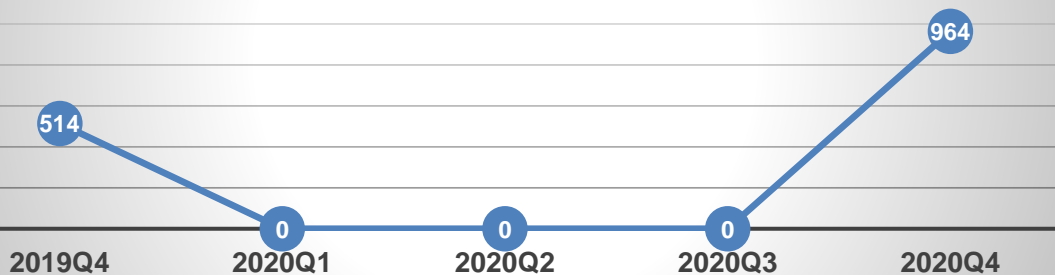


Previous 5 Calendar Years

2016	2130
2017	0
2018	623
2019	514
2020	964

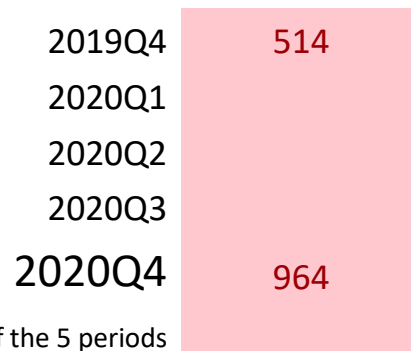
Average of the 5 years

Disciplinary Cases - 5 Quarters - timeliness of disposals





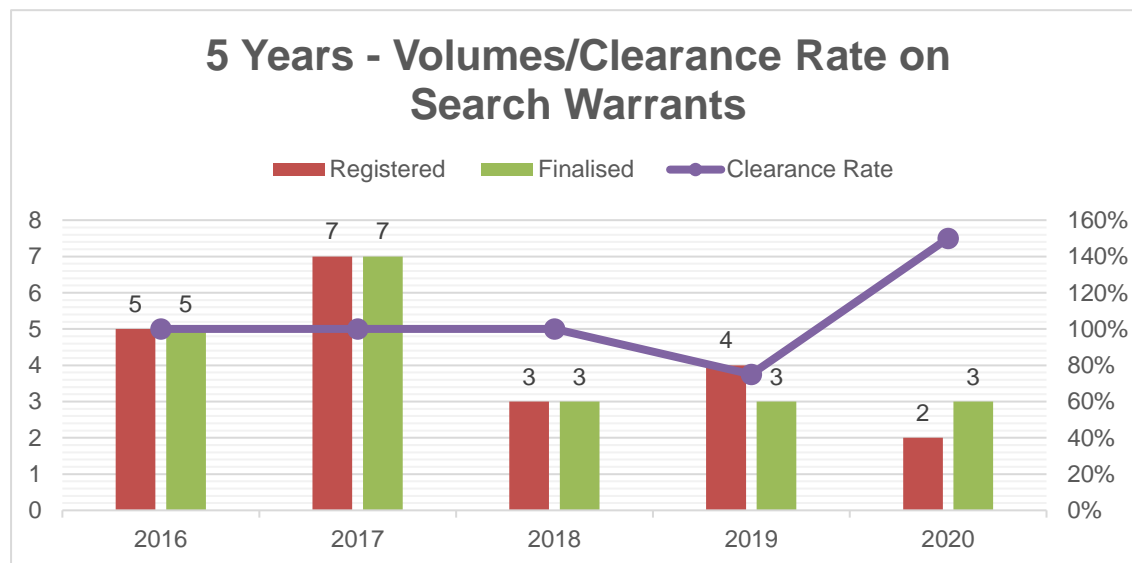
Previous 5 Quarters



Average of the 5 periods

There were no Disciplinary cases filed in 2019 and 2020. Pending cases are from the previous years (2006-2018), awaiting hearings. Parties are off island and cannot travel to the FSM due to COVID-19 travel restrictions.

SEARCH WARRANTS 2020



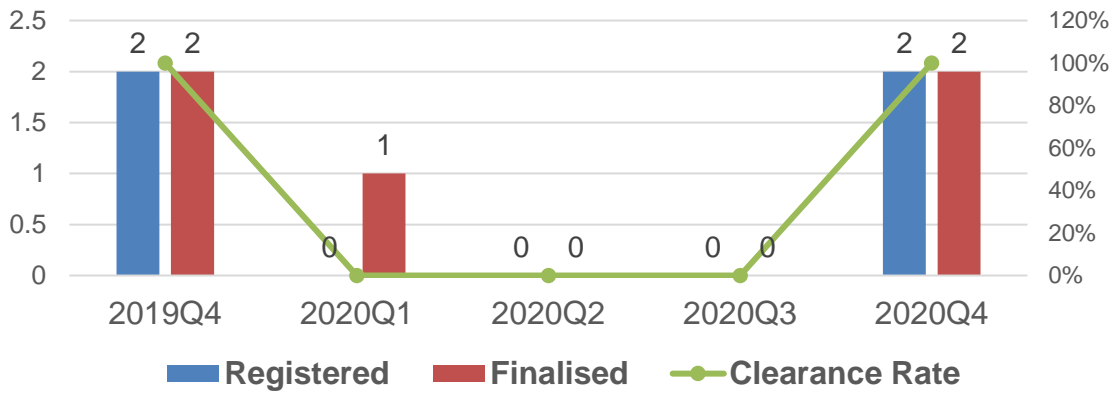
Previous 5 Calendar Years

	Registered	Finalised	Clearance Rate
2016	5	5	100%
2017	7	7	100%
2018	3	3	100%
2019	4	3	75%
2020	2	3	150%
Total/clearance rate	21	21	100%



FSM SUPREME COURT 2020 ANNUAL REPORT

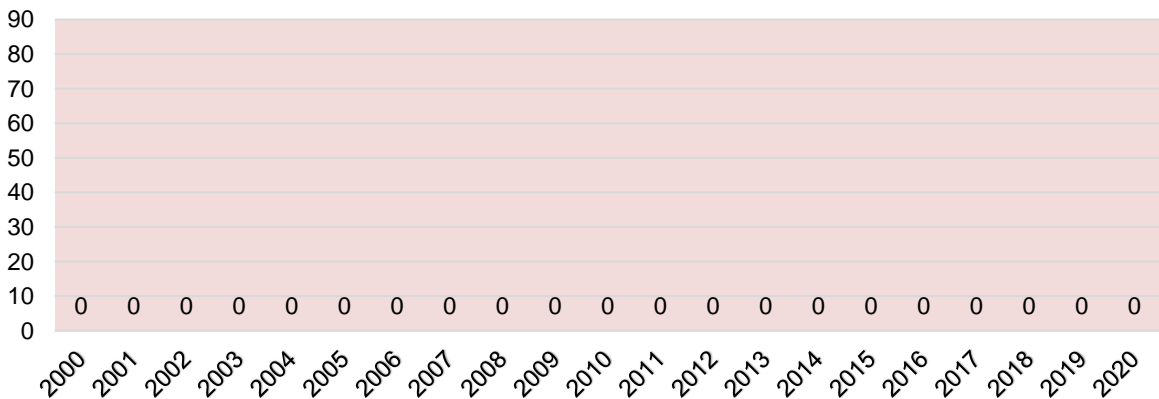
Search Warrants - 5 Quarters - Volumes/Clearance Rate



Previous 5 Quarters

	Registered	Finalised	Clearance Rate
2019Q4	2	2	100%
2020Q1	0	1	
2020Q2	0	0	
2020Q3	0	0	
2020Q4	2	2	100%
Total/clearance rate	4	5	125%

Search Warrant 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)		

Search Warrant - 5 Years - timeliness of disposals



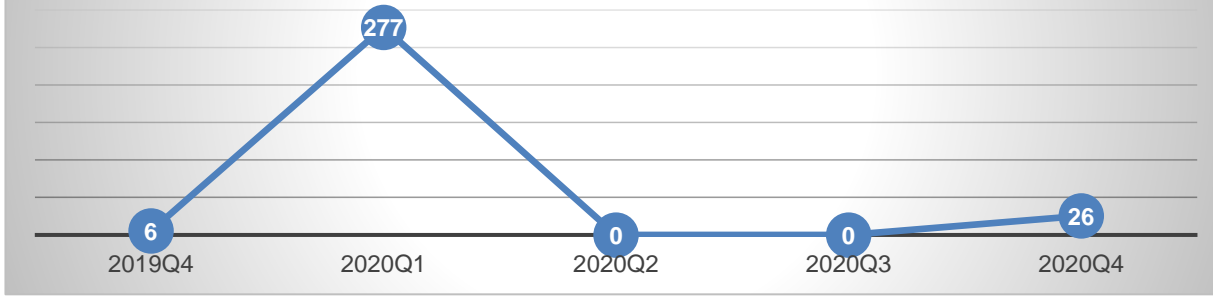
Previous 5 Calendar Years

2016	29
2017	6
2018	2
2019	9
2020	109

Average of the 5 years	26
------------------------	----



Search Warrant - 5 Quarters - timeliness of disposals



Previous 5 Quarters

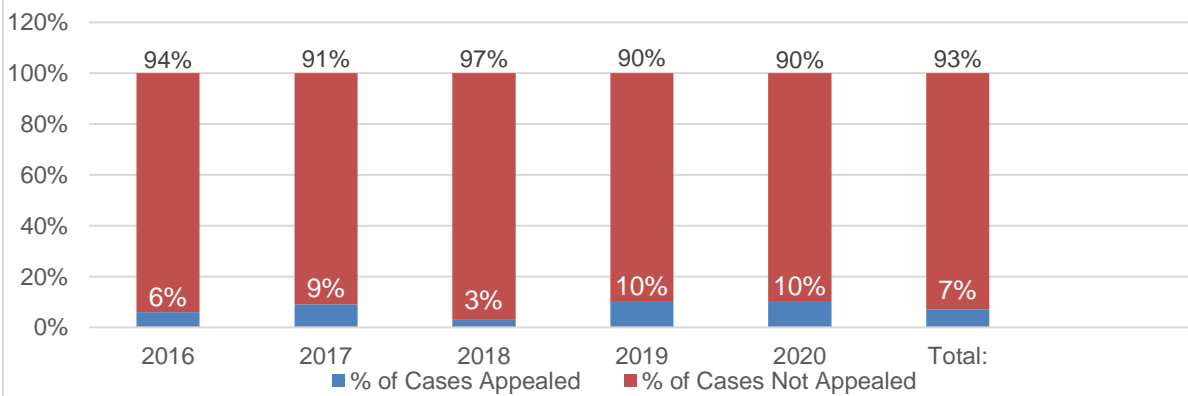
2019Q4	6
2020Q1	277
2020Q2	
2020Q3	
2020Q4	26
Average of the 5 periods	

For the past 5 years, there were 21 search warrant cases filed, and all 21 were disposed of.



Indicator 3: Appeals: Percentage of Appeals

Percentage of Appeals





FSM SUPREME COURT 2020 ANNUAL REPORT

Year	Total Cases Finalized	Total Cases Appealed	Total Cases Not Appealed
2016	136	8	128
2017	139	12	127
2018	152	4	148
2019	91	9	82
2020	120	12	108
Total:	638	45	593

Year	% of Cases Appealed	% of Cases Not Appealed
2016	6%	94%
2017	9%	91%
2018	3%	97%
2019	10%	90%
2020	10%	90%
Total:	7%	93%

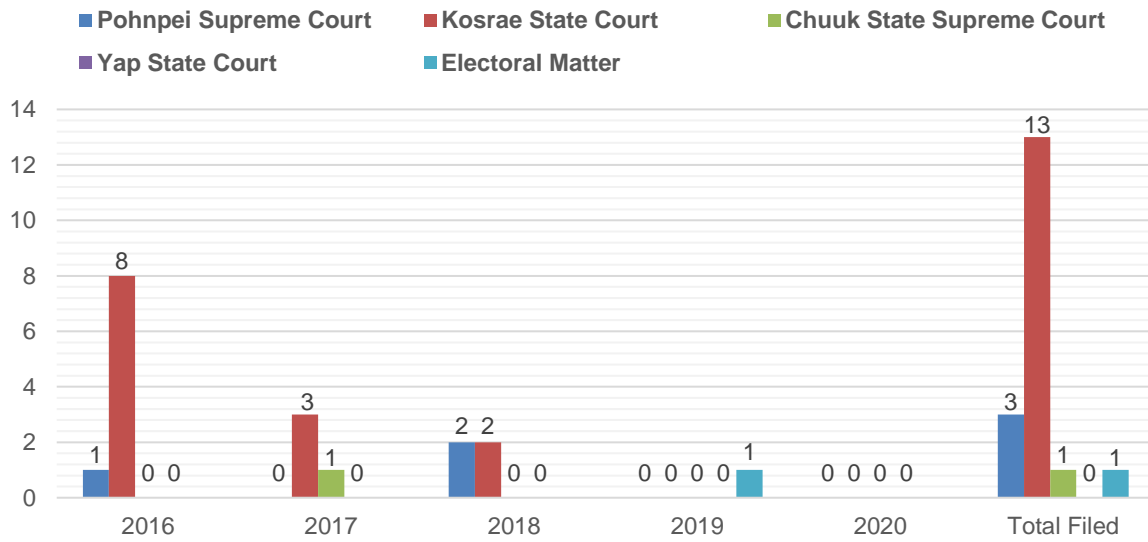
From 2016 to 2020, there were 638 cases filed at the Trial Division of the FSM Supreme Court. Of the 638, 45 (7%) cases were appealed. A total of 593 (93%) were not appealed.



Gender & Family Violence workshop



Percentage on Appeal from the Other Courts

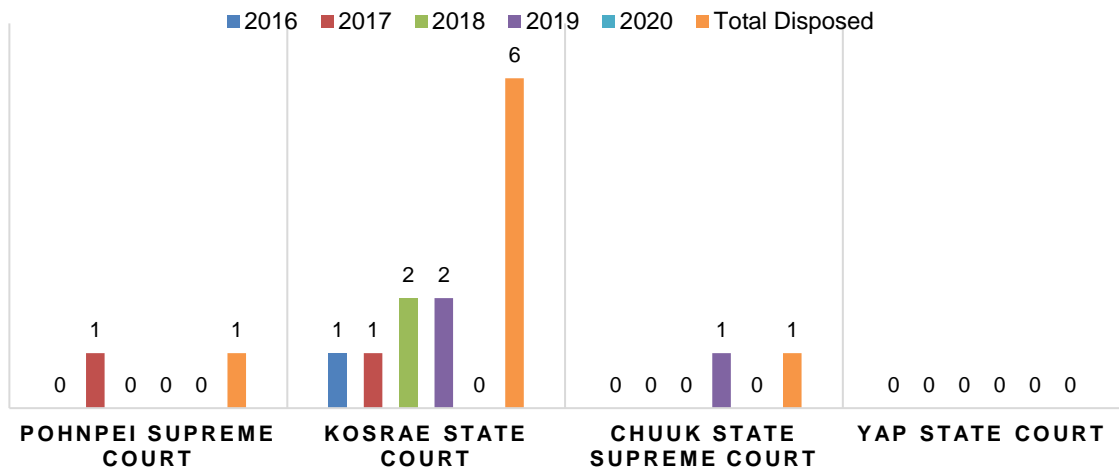


Year	Pohnpei Supreme Court	Kosrae State Court	Chuuk State Supreme Court	Yap State Court	Electoral Matter
2016	1	8	0	0	
2017	0	3	1	0	
2018	2	2	0	0	
2019	0	0	0	0	1
2020	0	0	0	0	
Total Filed	3	13	1	0	1

The FSM Supreme Court serves as the Appellate Court for the state courts (Other courts). Therefore, all cases appealed from the state courts were filed directly to the Appellate Division of the FSM Supreme Court. There was one Electoral matter referred to the court in the last 5 years.



DISPOSITION OF APPEAL CASES FROM OTHER COURTS



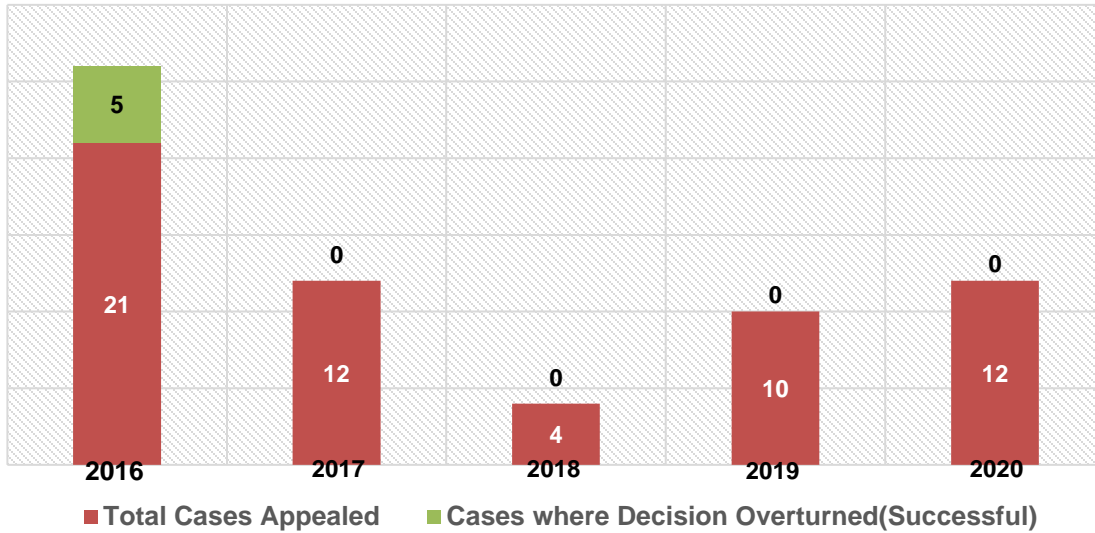
Year	Pohnpei Supreme Court	Kosrae State Court	Chuuk State Supreme Court		Yap State Court
2016	0	1	0		0
2017	1	1	0		0
2018	0	2	0		0
2019	0	2	1		0
2020	0	0	0		0
Total Disposed	1	6	1		0



Indicator 4: Appeals: Overturn Rate on Appeal



Overturn Rate on Appeal from FSM Supreme Court Trial Division (2016-2020)



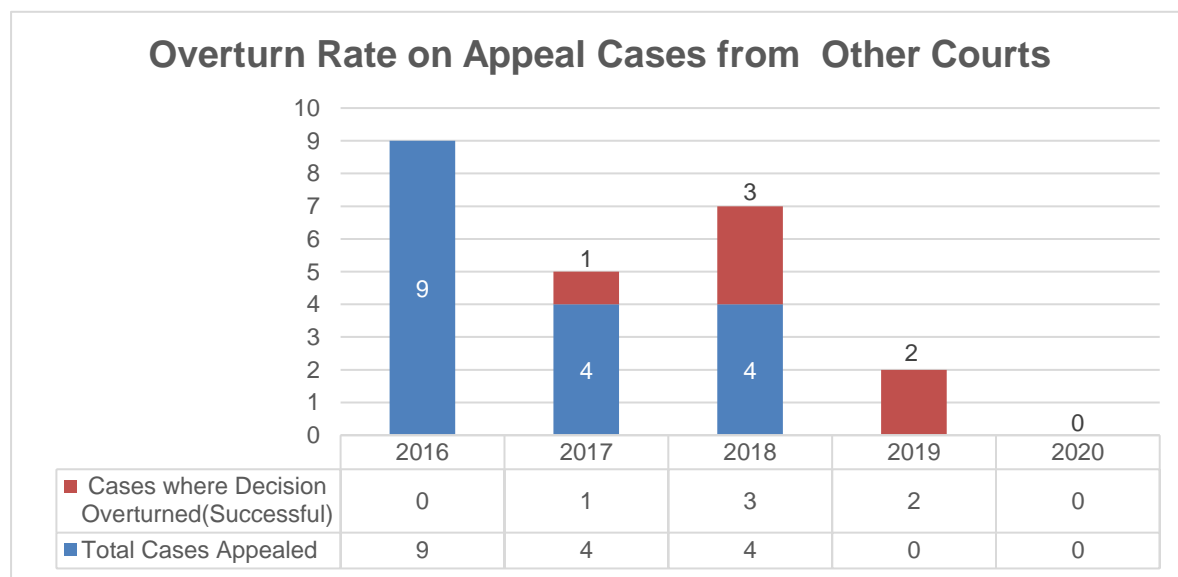
Year	Total Cases Appealed	Cases where Decision Overturned(Successful)
2016	21	5
2017	12	0
2018	4	0
2019	10	0
2020	12	0



FSM SUPREME COURT 2020 ANNUAL REPORT

Year	Unsuccessful Appeals	Successful Appeal
2016	16	5
2017	12	0
2018	4	0
2019	10	0
2020	12	0

Since 2016, 59 cases were appealed from the FSM Trial Division. Of the 59 cases, 5 cases were overturned at the Appellate Division.



Year	Total Cases Appealed	Cases where Decision Overturned(Successful)
2016	9	0
2017	4	1
2018	4	3
2019	0	2
2020	0	0



FSM SUPREME COURT 2020 ANNUAL REPORT

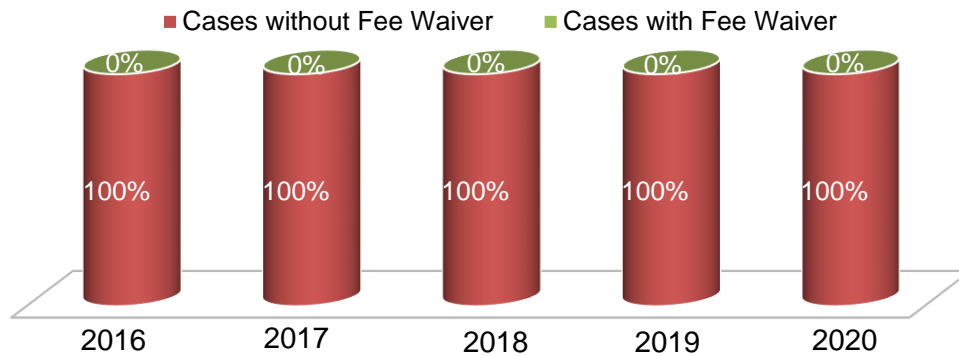
Year	Unsuccessful Appeals	Successful Appeal
2016	9	0
2017	3	1
2018	1	3
2019	0	2
2020	0	0



INDICATOR 5: 2018-2020

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

Percentage of cases with Fee Waiver



Year	Total Cases Filed	Where Fees were Waived
2016	159	0
2017	141	0
2018	91	0
2019	88	0
2020	105	0



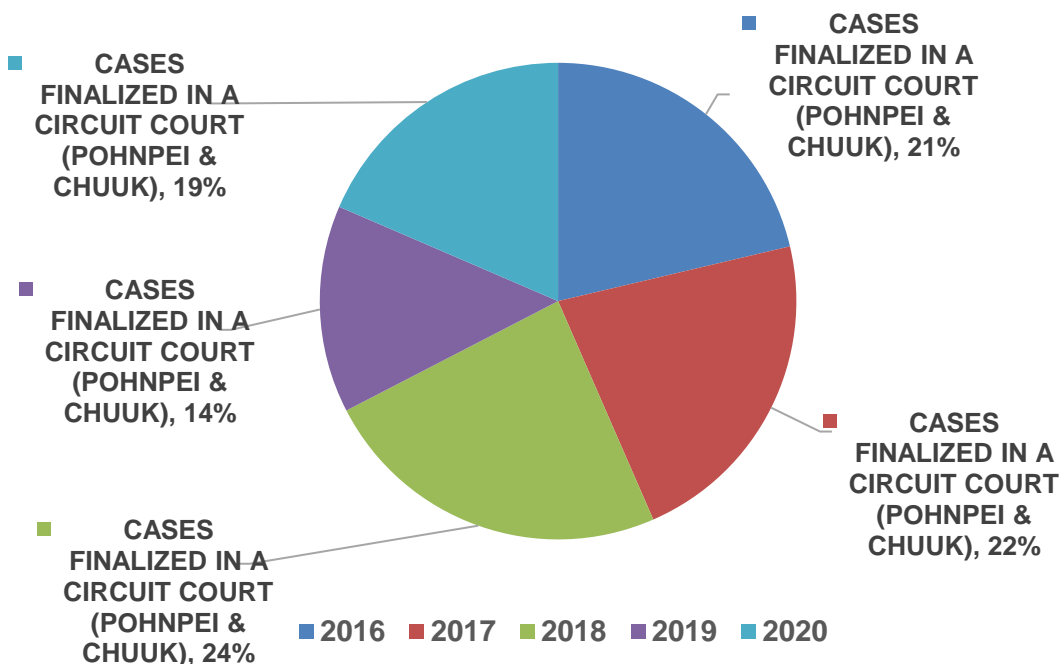
Year	Cases without Fee Waiver	Cases with Fee Waiver
2016	100%	0%
2017	100%	0%
2018	100%	0%
2019	100%	0%
2020	100%	0%

FSM Supreme Court does not impose filing fees; therefore, fee waivers are not applicable.



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

PERCENTAGE OF CASES DISPOSED THROUGH A CIRCUIT COURT



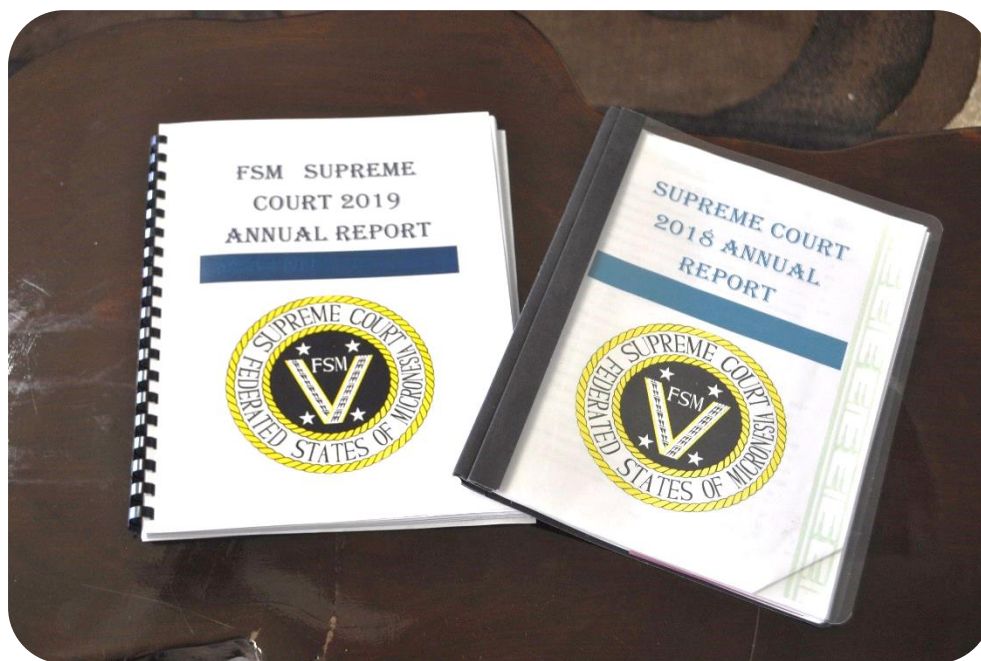


FSM SUPREME COURT 2020 ANNUAL REPORT

Year	Cases finalized in a Circuit Court	Cases finalized in a Non-Circuit Court
2016	5.23%	94.77%
2017	12.58%	87.42%
2018	26.16	73.84%
2019	9.90	90.10%
2020	24.81	75.19%

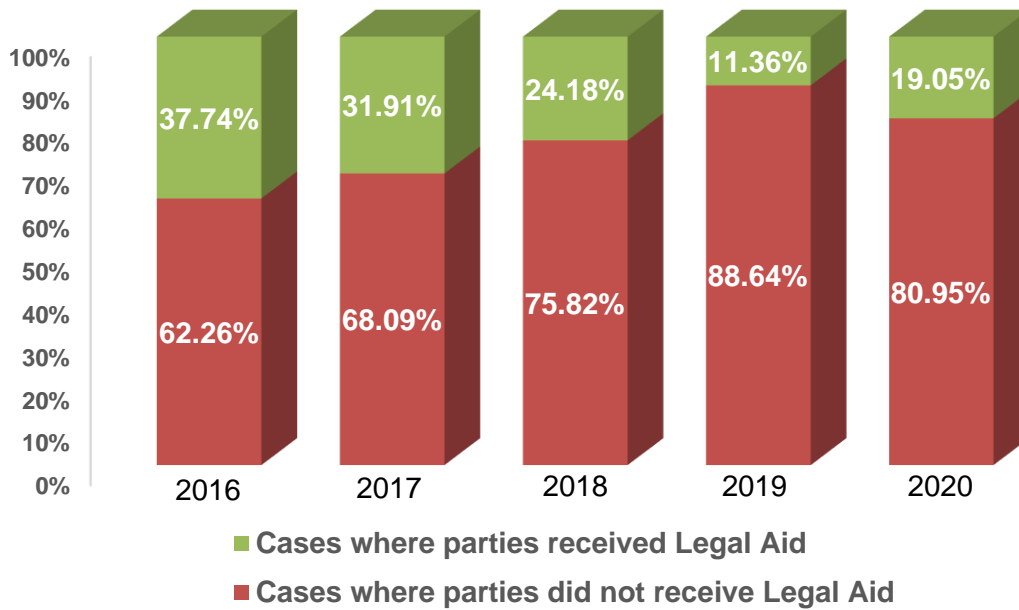
Year	Total Cases Finalized	Total Cases Finalized in a Circuit Court(s)
2016	153	8
2017	159	20
2018	172	45
2019	101	10
2020	133	33

Total cases finalized in the circuit court (Yap and Kosrae) averages 15.74% of all cases filed in the FSM Supreme Court, for the last 5 years.



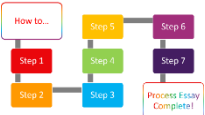


Indicator 7: Access: Percentage of Cases Where a Party Receives Legal Aid



Year	Total Cases Filed	Total Cases Where Parties received Legal Aid	Percentage of Cases where parties receive Legal Aid	Percentage of Cases where parties did not receive Legal Aid
2016	159	60	37.74%	62.26%
2017	141	45	31.91%	68.09%
2018	91	22	24.18%	75.82%
2019	88	10	11.36%	88.64%
2020	105	20	19.05%	80.95%

For the last five years (2016-2020), 25% of parties were represented by legal aid. The other 75% were not represented by 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



civil cases does not include post judgment matters, bankruptcy matters, or disciplinary matters.

(d) *Criminal case*: is a matter where charges are brought against an individual by the Government of the Federated States of Micronesia in the Trial Division of the court, from the time a complaint/information is filed until a conviction or dismissal is entered by the court. The timeline for criminal cases does not include post-conviction matters, including revocation hearings and monitoring proceedings.

(e) *Matter taken under advisement*: are matters that are heard in open court, and the court does not make a ruling before the conclusion of the hearing.

(f) *Pending motion*: does not include non-substantive motions, such as motions for enlargement of time and motions to reschedule matters.

2. Review:

(a) Judges, attorneys, and committee members shall meet at least every six months and review how many of their cases were decided within the time limits prescribed under the standards. The Chief Clerk shall provide statistical data during this meeting to assist in the review.

3. Timelines: The following are the time standards for cases in the FSM Supreme Court:

- (a) Civil Case Disposition: 21 months
- (b) Criminal Case Disposition: 9 months
- (c) Appeal Case Disposition: 24 months
- (d) Attorney Disciplinary Case Disposition: 15 months
- (e) Pending motions: 6 months

The timeline standard for a pending motion shall begin when responsive papers have been filed, or when the time to respond has lapsed, or when the hearing on the motion has concluded.

- (f) Matters taken under advisement: 4 months

The timeline standard shall begin at the conclusion of the hearing.

4. **Deadlines and Monitoring:** Deadlines shall be monitored by publishing an annual public report on the FSM Supreme Court website, in the court newsletter or a newspaper of general circulation.

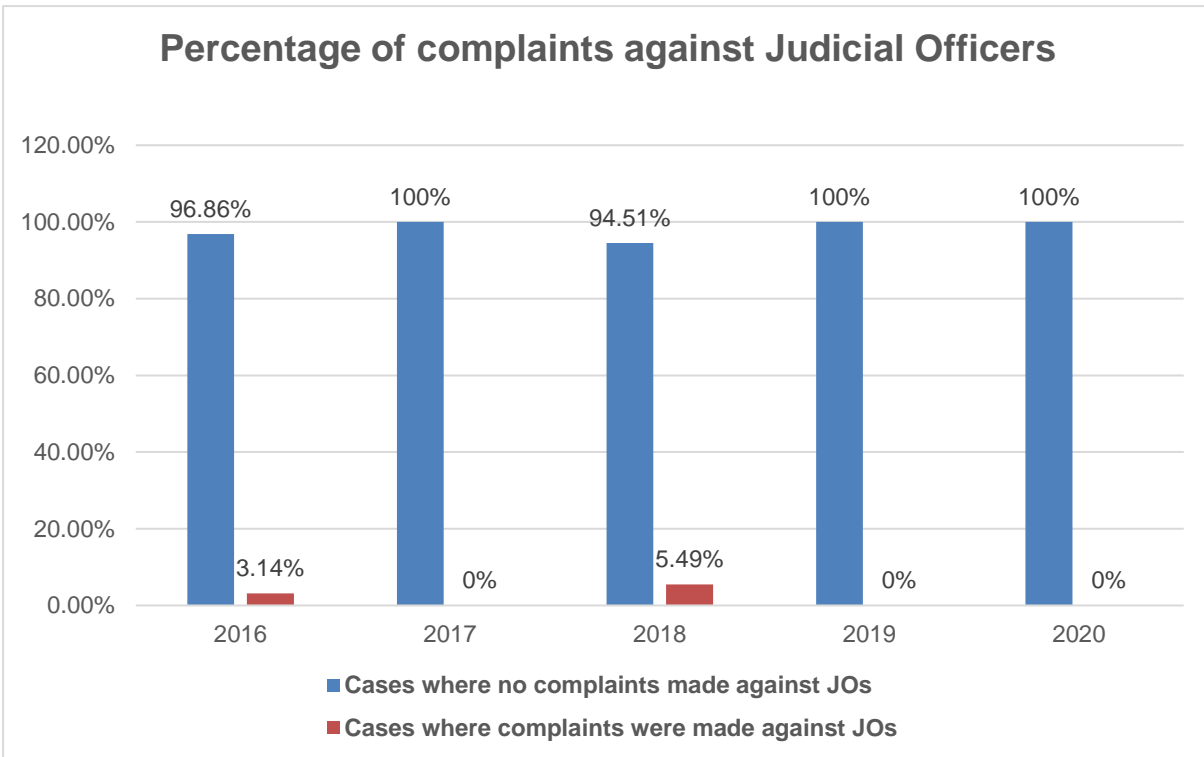
5. **Compliance Committee:** A committee, consisting of three members, shall oversee compliance with these Timeline Standards. The members of the committee are: the General

The FSM Supreme Court in April 2017, issued General Court order No. 2017-001, setting timeline standards for Trial and Appellate Divisions.



shutterstock - 1247490214

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



Year	Total Number of Cases Filed	Total Complaints Filed Against JOs
2016	159	5
2017	141	0
2018	91	5
2019	88	0
2020	105	0

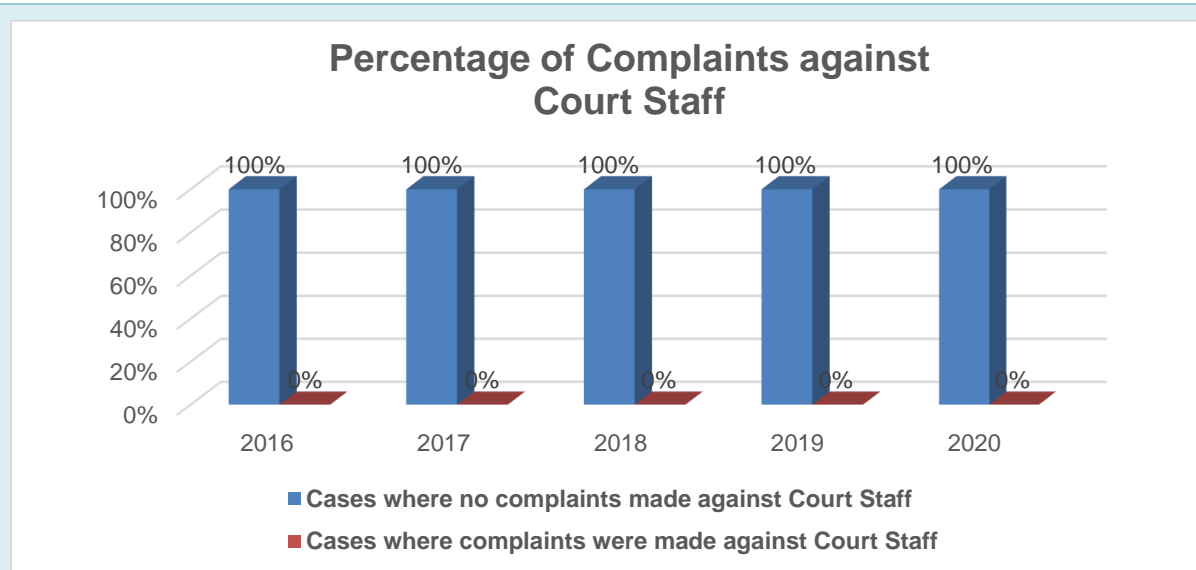


Year	Cases where no complaints made against Judicial Officers	Cases where complaints were made against Judicial Officers
2016	96.86%	3.14%
2017	100%	0%
2018	94.51%	5.49%
2019	100%	0%
2020	100%	0%

Since 2016, 584 cases were filed. Of the 584, 10 complaints were filed against judicial officers.



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

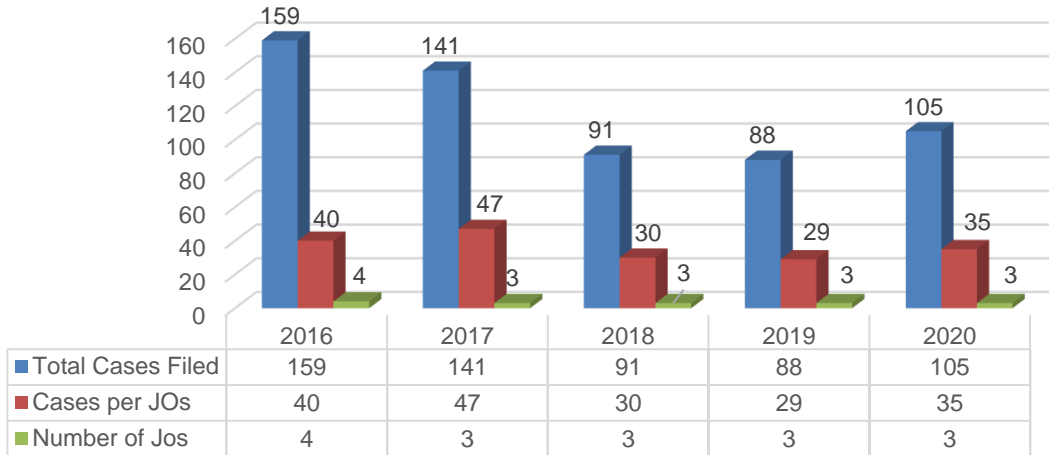


There has not been a complaint case filed against court staff for the last five years.



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

Average Number of Cases per Judicial Officers (Judges)

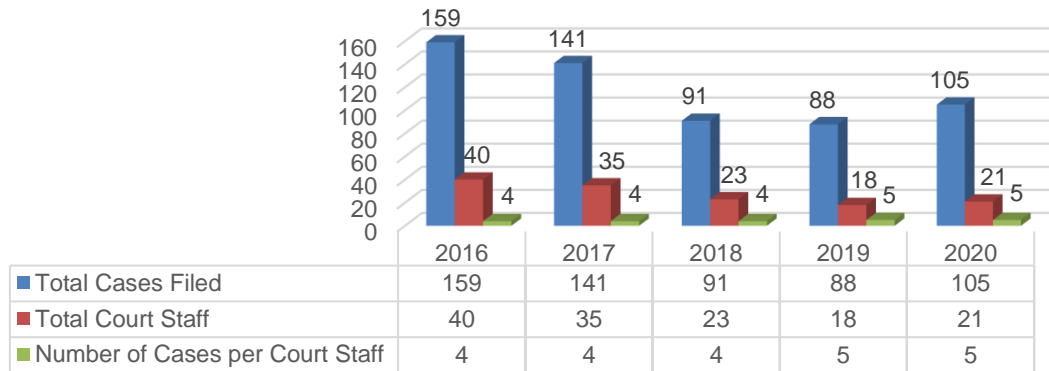


In 2020, the average number of cases per judge is 35. The average number of cases assigned per judge for the last five years is 36.



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

Average Number of Cases per Court Staff

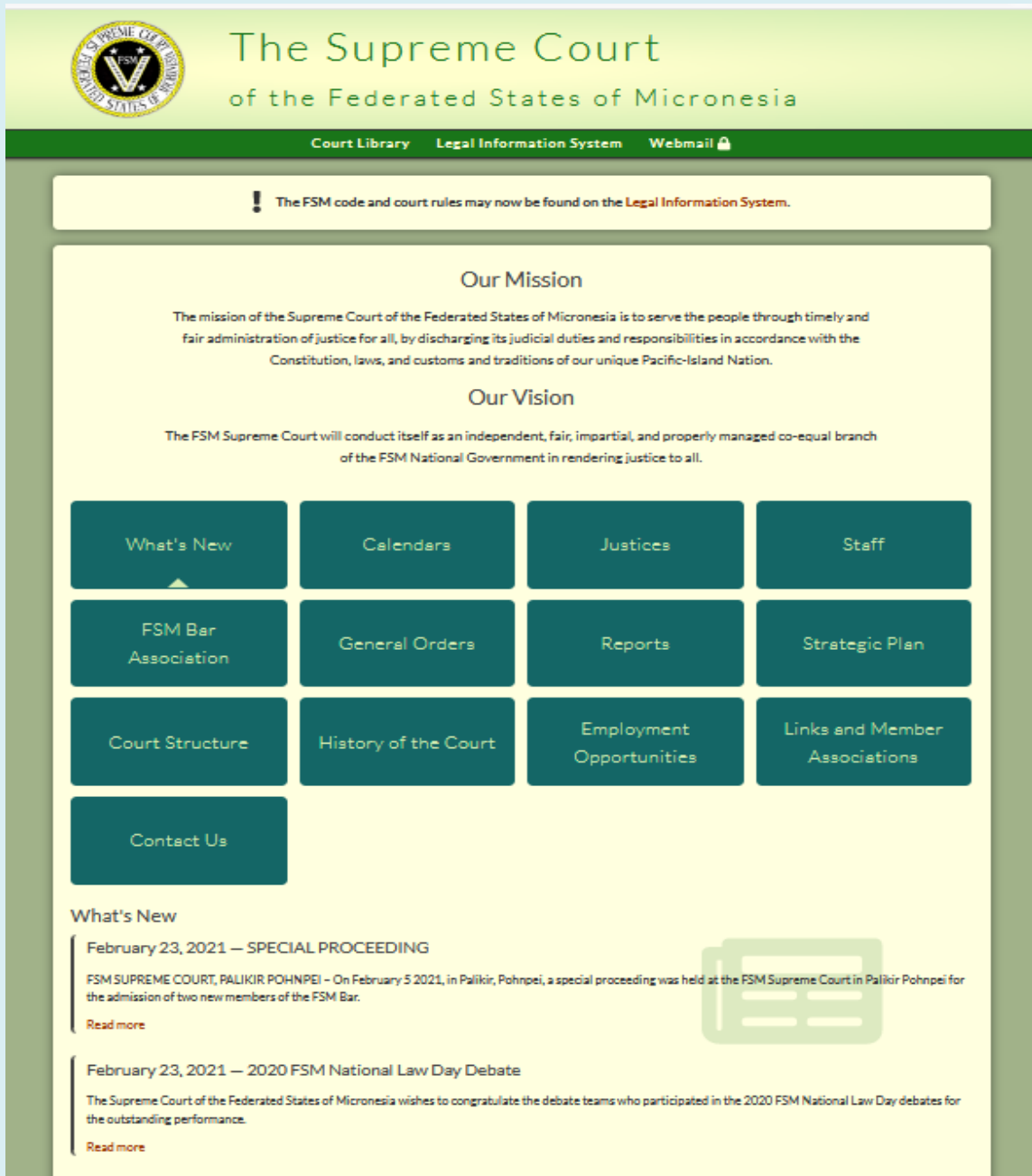


The average number of cases per court staff in 2020 is 21. The total average of cases assigned per court staff for the last five years is 27.



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.

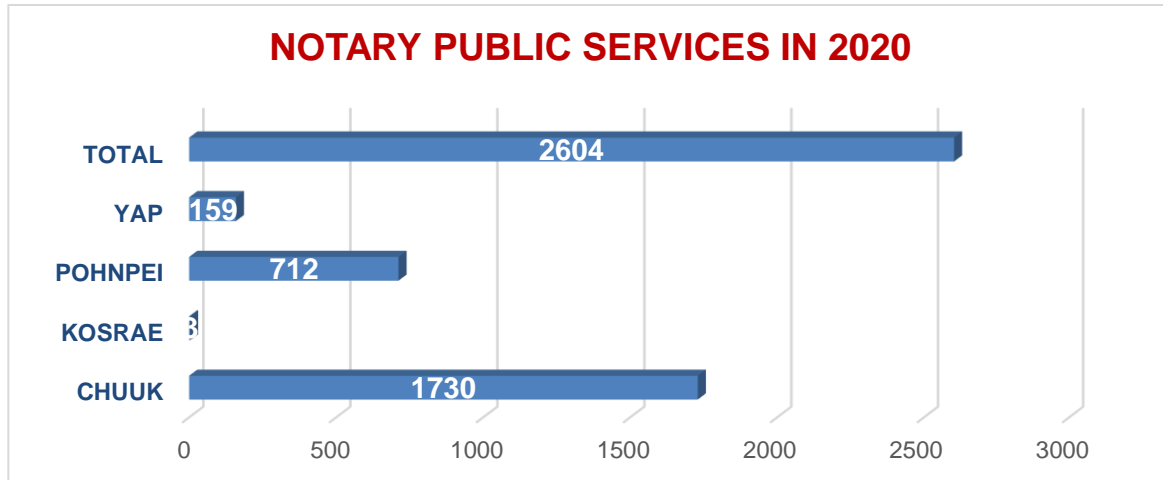




Indicator 14: Judicial Transparency: Court Services Information

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

SERVICES PROVIDED THROUGH NOTARY PUBLIC IN 2020



The FSM Supreme Court provided 2,604 notary services to the public in 2020. This is a decrease of about 4,000 services for previous years, due to the COVID-19 emergency declarations.

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
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.

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

TIME frame

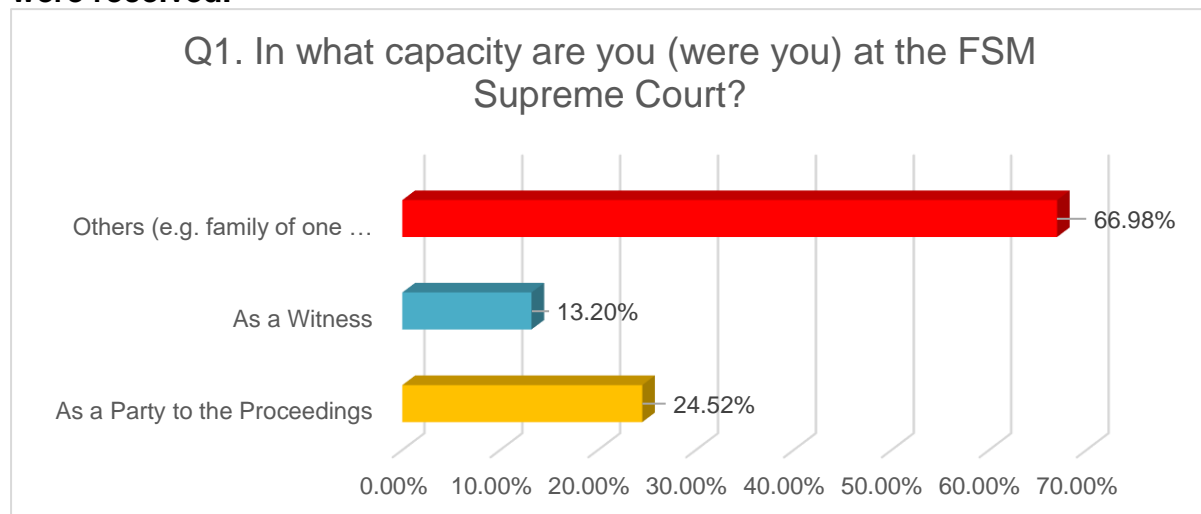
(See GCO on Time Standard under Indicator 8)



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

2020 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 106 samples were received.

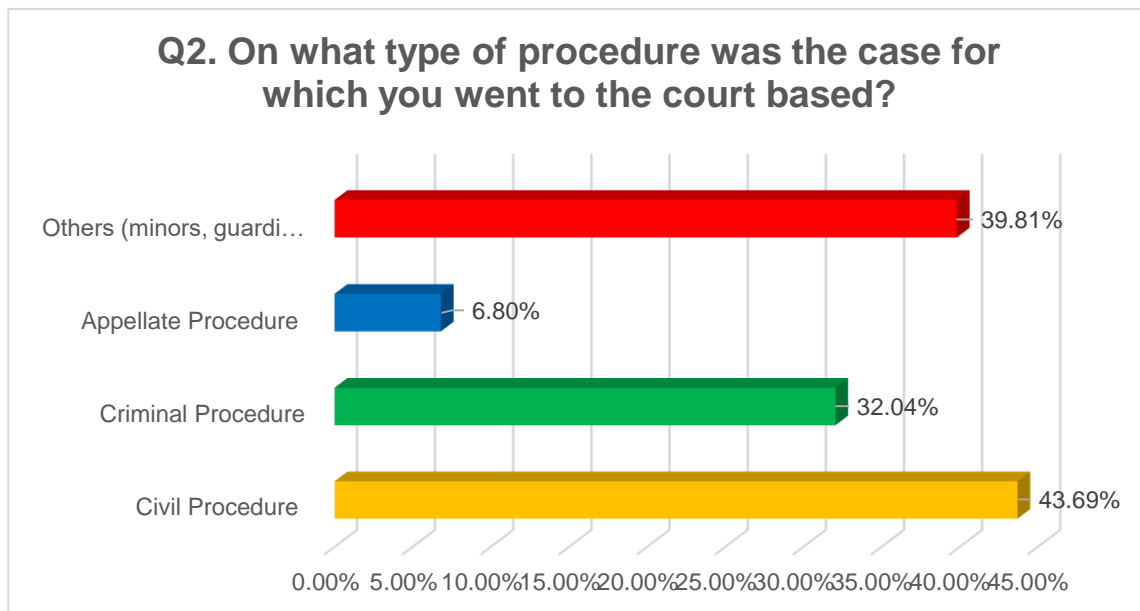




FSM SUPREME COURT 2020 ANNUAL REPORT

Answer Choices	Responses	
As a Party to the Proceedings	24.52%	26
As a Witness	13.20%	14
Others (e.g. family of one of the parties, requesting information, visitor, etc)	66.98%	71
Total Respondents: 106		

Of the 106 respondents, 67% appeared in court as family members/friends to a party in a case, 24% were parties to the proceedings and 13% were witnesses.

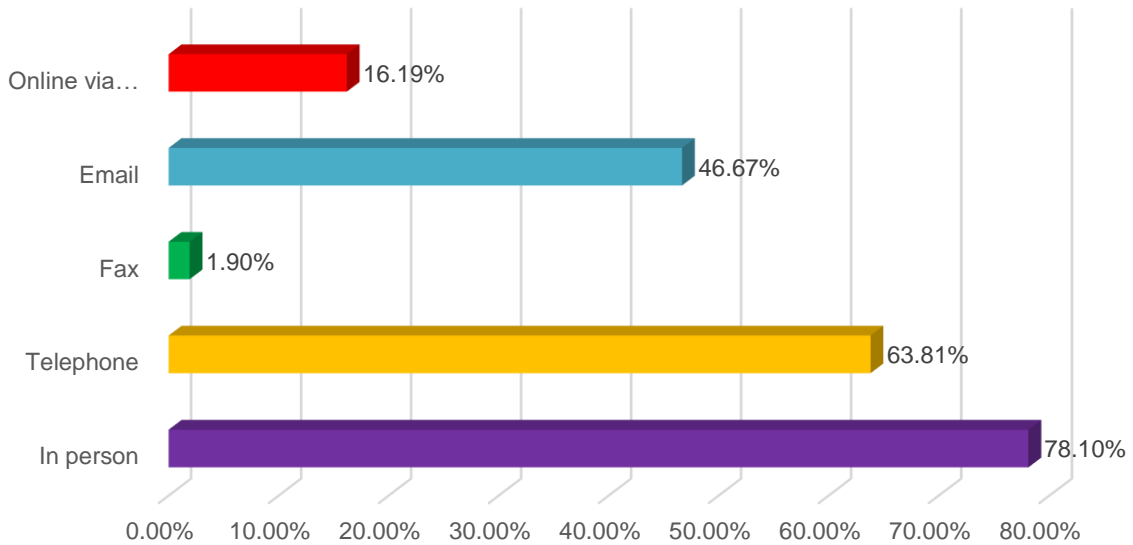


Answer Choices	Responses	
Civil Procedure	43.69%	45
Criminal Procedure	32.04%	33
Appellate Procedure	6.80%	7
Others (minors, guardianship, bankruptcy, etc.)	39.81%	41
Total Respondents: 103		

Of the 106 Respondents, 43% appeared in court for civil matters, another 40% appeared for other purposes, 32% for criminal proceedings and 7% for appellate proceedings.



Q3. What means of communication have you used to contact the court?

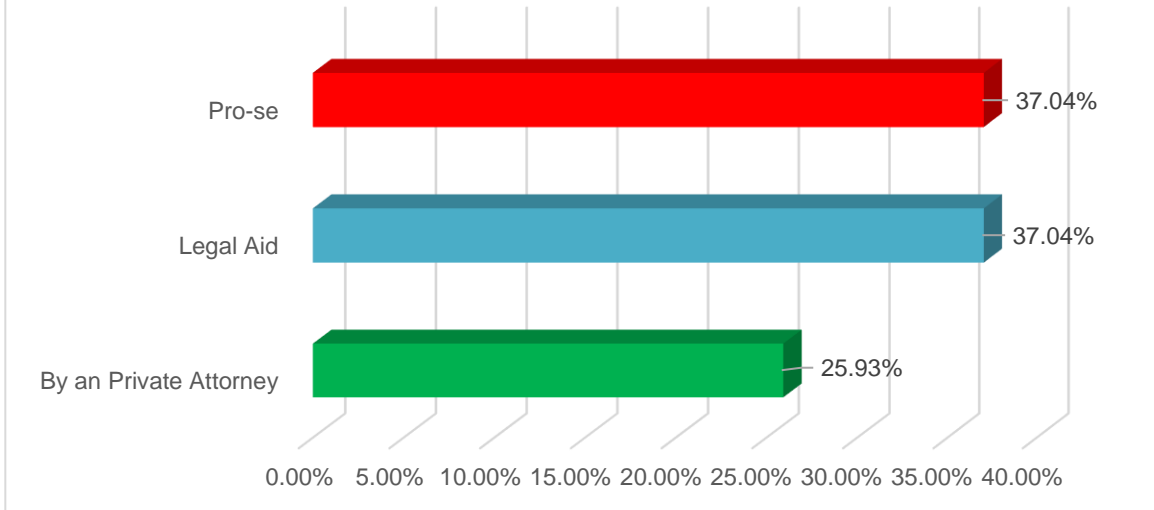


Answer Choices	Responses	
	In person	78.10%
Telephone	63.81%	67
Fax	1.90%	2
Email	46.67%	49
Online via court's website	16.19%	17
Total Respondents: 105		

Of the total 105 Respondents, 78% of court users appeared in person, 64% used the telephone as means of communication with the court, 46% by email and 16% utilized the online or court's website.



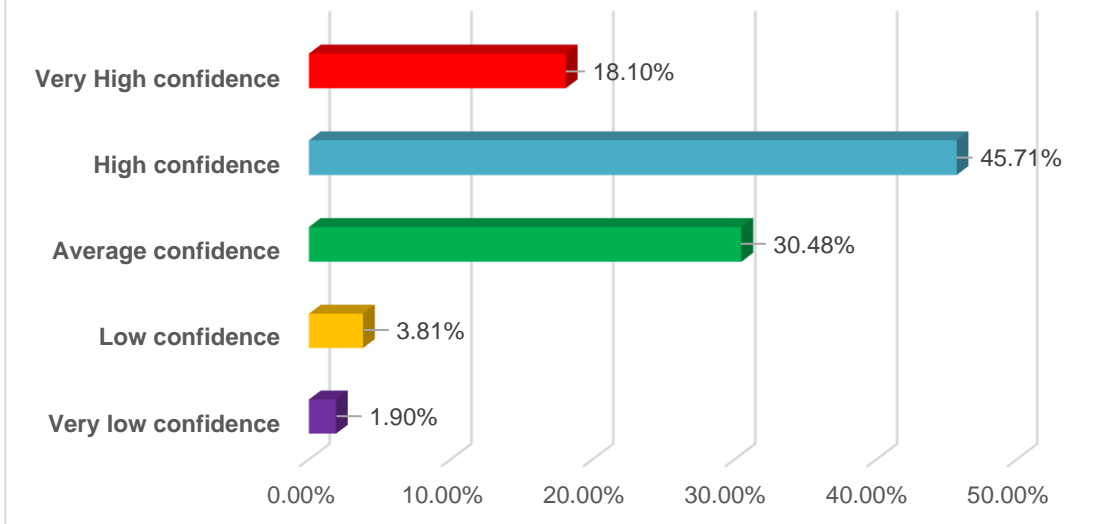
Q4. How were you represented in Court?



Answer Choices	Responses
By an Private Attorney	25.93%
Legal Aid	37.04%
Pro-se	37.04%
Total Respondents: 81	

37% of Respondents stated they were represented by legal aids. About 26% were represented by private attorneys and 37% appeared pro se.

Q5. What level of confidence do you have in the justice system?

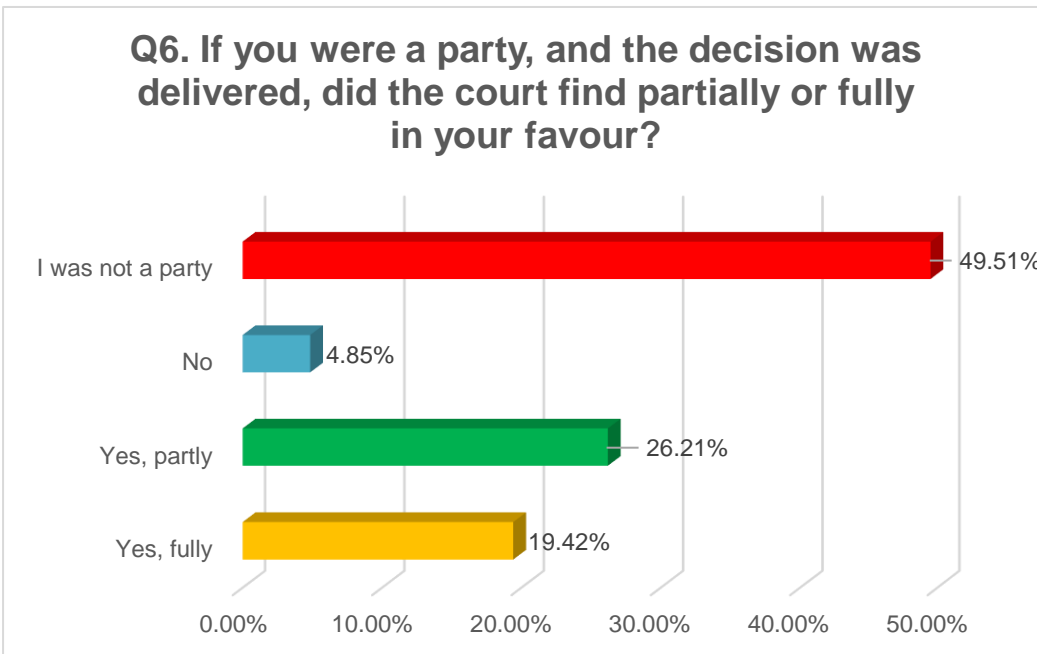




FSM SUPREME COURT 2020 ANNUAL REPORT

Answer Choices	Responses	
Very low confidence	1.90%	2
Low confidence	3.81%	4
Average confidence	30.48%	32
High confidence	45.71%	48
Very High confidence	18.10%	19
Total Respondents: 105		

Of the 105 Respondents, 64% of court users have high confidence in the justice system. About 30% have average confidence, and 5% have low confidence in the judicial system.

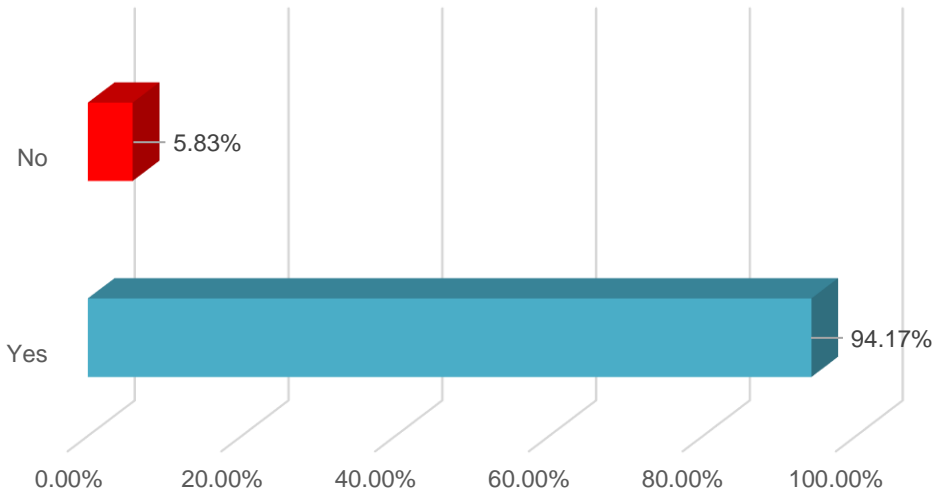


Answer Choices	Responses	
Yes, fully	19.42%	20
Yes, partly	26.21%	27
No	4.85%	5
I was not a party	49.51%	51
Total Respondents: 103		

Of the 103 Respondents, about 19% of Respondents stated the court decisions are fully in their favor, about 26% stated the decisions are partly in their favor, 5% stated decisions were not in their favors and 49% were not parties in a court decision.



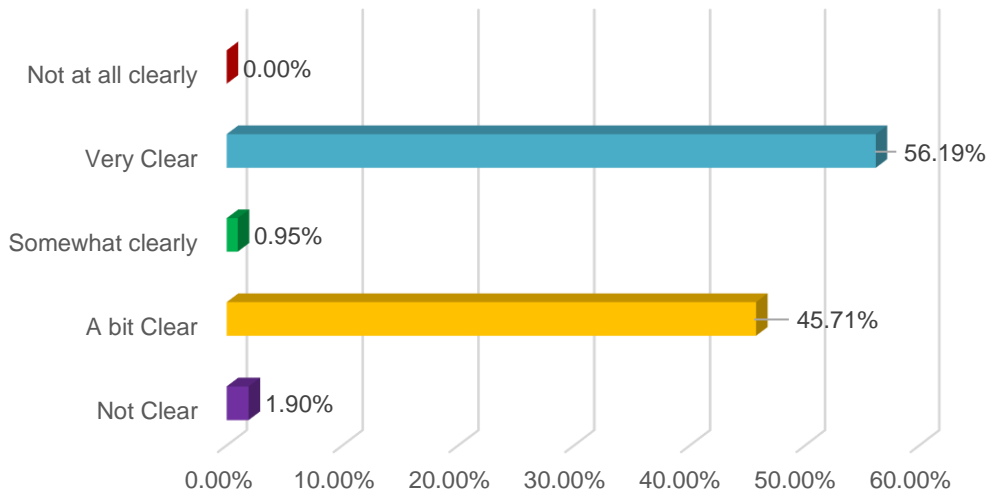
Q7. Information provided by the court's information system was useful



Answer Choices	Responses	
Yes	94.17%	97
No	5.83%	6
Total Respondents: 103		

94% of Respondents found the Court's Information System useful. 6% of Respondents did not find the Information System useful, due to unavailability of internet access.

Q8. In general terms, what is your assessment of the operation of the courts?

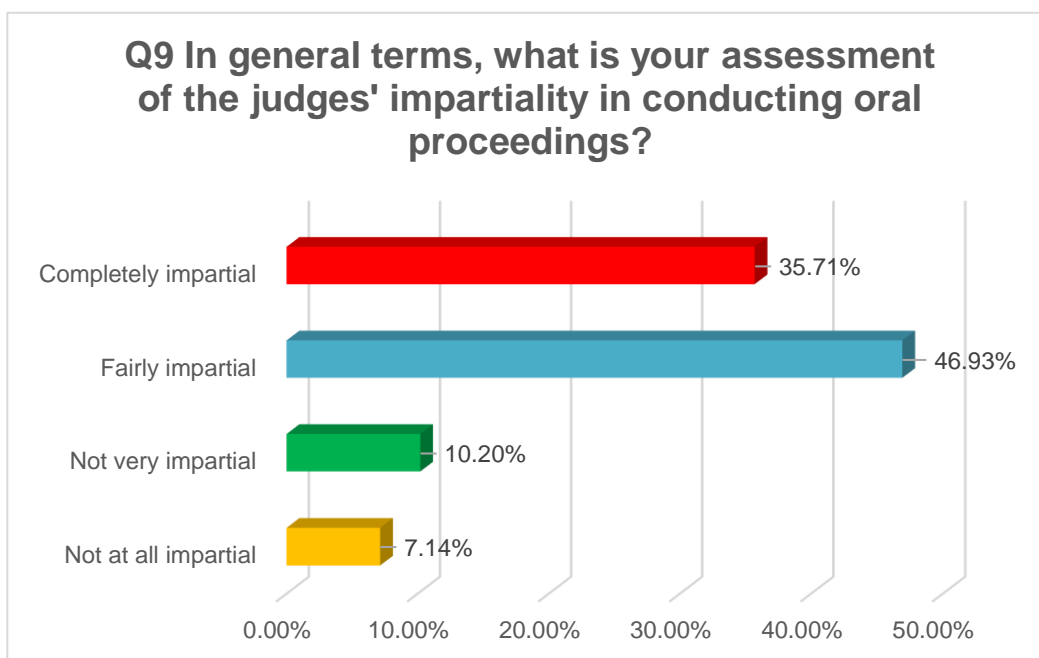




FSM SUPREME COURT 2020 ANNUAL REPORT

Answer Choices	Responses	
Not Clear	1.90%	2
A bit Clear	45.71%	48
Somewhat clearly	0.95%	1
Very Clear	56.19%	59
Not at all clearly	0.00%	0
Total Respondents: 105		

Of the 105 Respondents, 56% assessed the court’s operation as “Very Clear”, while 46% assessed the Court’s operation as “Somewhat” or “A bit clear” and 2% responded that the Court’s operation is not clear.



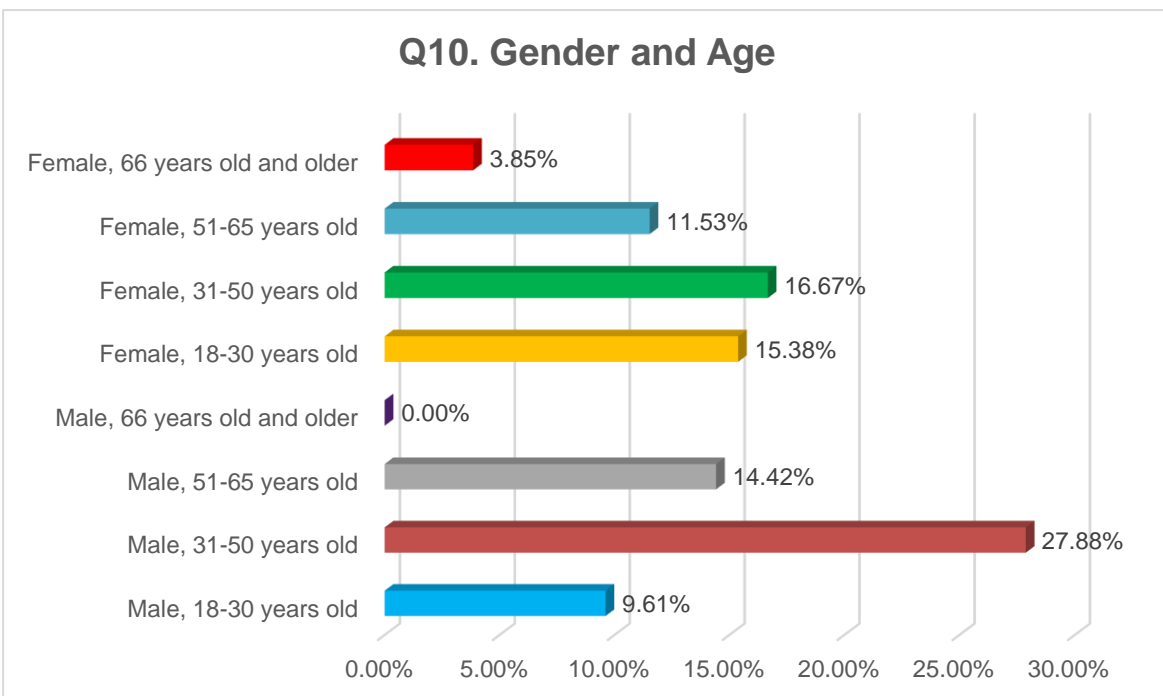
Answer Choices	Responses	
Not at all impartial	7.14%	7
Not very impartial	10.20%	10
Fairly impartial	46.93%	46
Completely impartial	35.71%	35
Total Respondents: 98		

83% of Respondents rated the impartiality of judges’ in conducting oral proceedings as either Completely Impartial or Fairly Impartial. The other 17% rated the impartiality of judges in conducting oral proceedings as “Not very Impartial” and “Not at all impartial”.



FSM SUPREME COURT 2020 ANNUAL REPORT

Answer Choices	Responses	
Male, 18-30 years old	9.61%	6. 10
Male, 31-50 years old	27.88%	29
Male, 51-65 years old	14.42%	15
Male, 66 years old and older	0.00%	0
Female, 18-30 years old	15.38%	16
Female, 31-50 years old	16.67%	18
Female, 51-65 years old	11.53%	12
Female, 66 years old and older	3.85%	4
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:



Virtual Gender Family Violence Webinar with PJSI



Training of Trainers Webinar with PJSI



TRAININGS/EVENTS CONDUCTED IN 2020

DATE	TRAINING TYPE	BY WHOM
March	FSM Bar Examination	FSM Supreme Court
April	FSM Technology Training (Initial for CTS)	PJSI
June	Video Conferencing	PJSI
August	COVID-19	PJSI
September - October	Sustainable Development Goals	PJSI
September	Anti-Human Trafficking	FSM Department of Justice
September	FSM National Law Day Debate	FSM Supreme Court
October	COVID-19 Response Plan	PJSI
October	Training of Trainers	PJSI
October	FSM Bar Examination	FSM Supreme Court
October	Case Data Analysis	PJSI
November	Gender Family Violence	PJSI
December	Case Data Analysis	PJSI
December	Remote Court Proceedings Toolkit	PJSI



UPCOMING 2021 TRAINING/WORKSHOP & EVENTS

Month	Type of Events/Training	By Whom
January	Financial Management Act	FSM National Government
February	Court Trend Report	PJSI
February	Anti-Human Trafficking	Guam Coalition Against Domestic Violence
March	International Women’s Day – Access to Justice	Pohnpei Women Council
March	FSM Bar Examination	FSM Supreme Court
March	International Women’s Day – Access to Justice	Pohnpei Women Council
March	In-house Staff Training (Kosrae staff)	FSM Supreme Court
March	Legal Aid Webinar	PJSI
March	Chief Justice’s Meeting	PJSI
March	Bar Association Discussion Webinar	PJSI
July	FSM National Law Day Debate	FSM Supreme Court
October	FSM Bar Examination	FSM Supreme Court



Indicator 20: Human Resources: The Percentage Use of Courtroom

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

COURT ROOM PROCEEDINGS

From January 1, 2020 To December 31, 2020
FSM Supreme Court

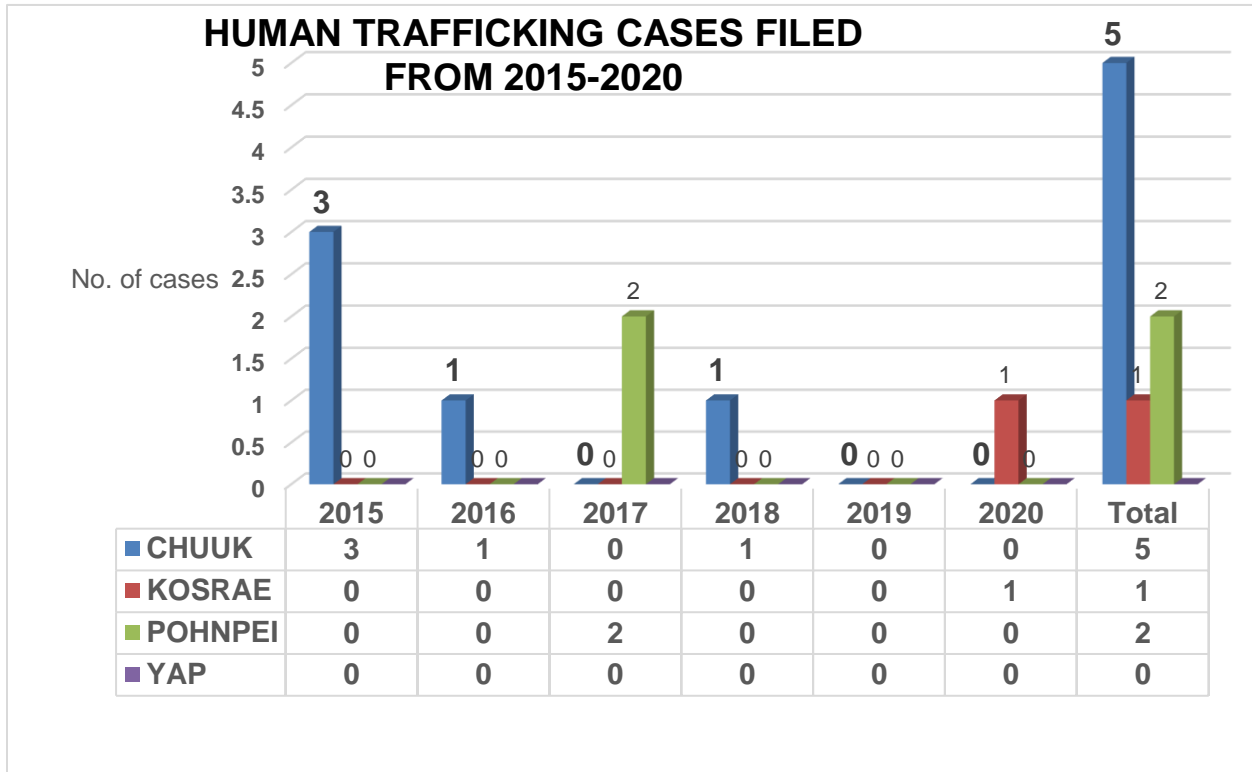
TOTAL HEARINGS ON:	MONTH												TOTAL
	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	
Criminal Cases	6	5	4	4	0	5	23	21	24	32	12	10	146
Civil Cases	15	3	4	11	5	7	21	26	9	9	11	8	129
Search & Seizure Cases	0	0	1	0	0	0	0	0	0	0	0	0	1
Disciplinary Cases	0	0	0	0	1	1	1	2	1	1	0	0	7
Bankruptcy 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
Sub-Total	21	8	9	15	6	13	45	49	34	42	23	18	283
OTHERS:													
Depositions	0	0	0	0	0	0	0	0	0	0	0	0	0
Swearing-In for New FSM Bar Members	0	0	1	0	0	0	0	1	0	1	0	0	3
Others													6
Sub-Total													9

TOTAL: 292

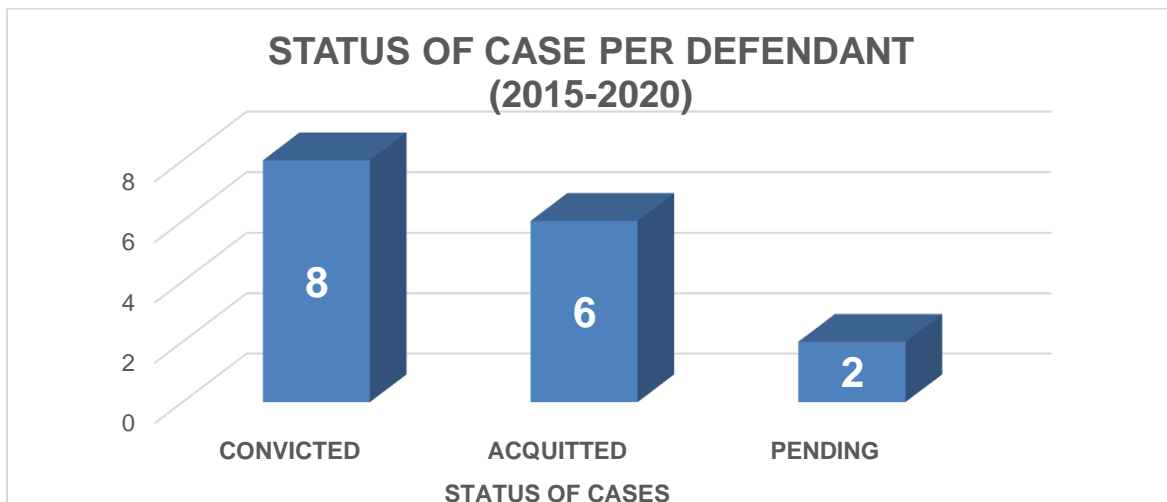


HUMAN TRAFFICKING CASES:

DISAGGREGATED DATA 2020

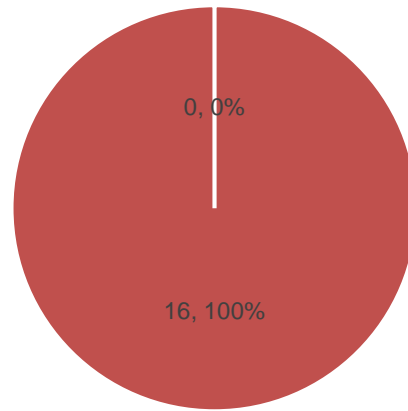


There are total of 8 human trafficking cases filed with the Court since 2015. Some cases involve multiple defendants and multiple victims.





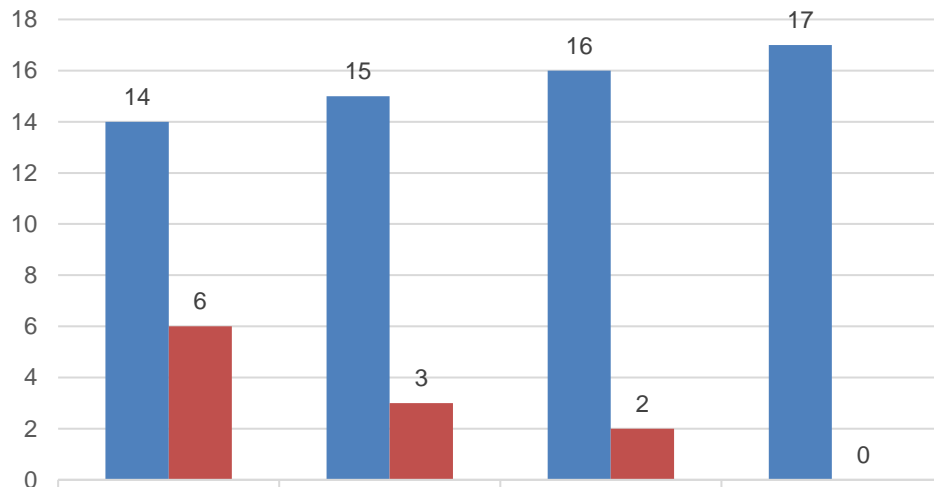
**DEFENDANTS BY AGE
(2015-2020)**



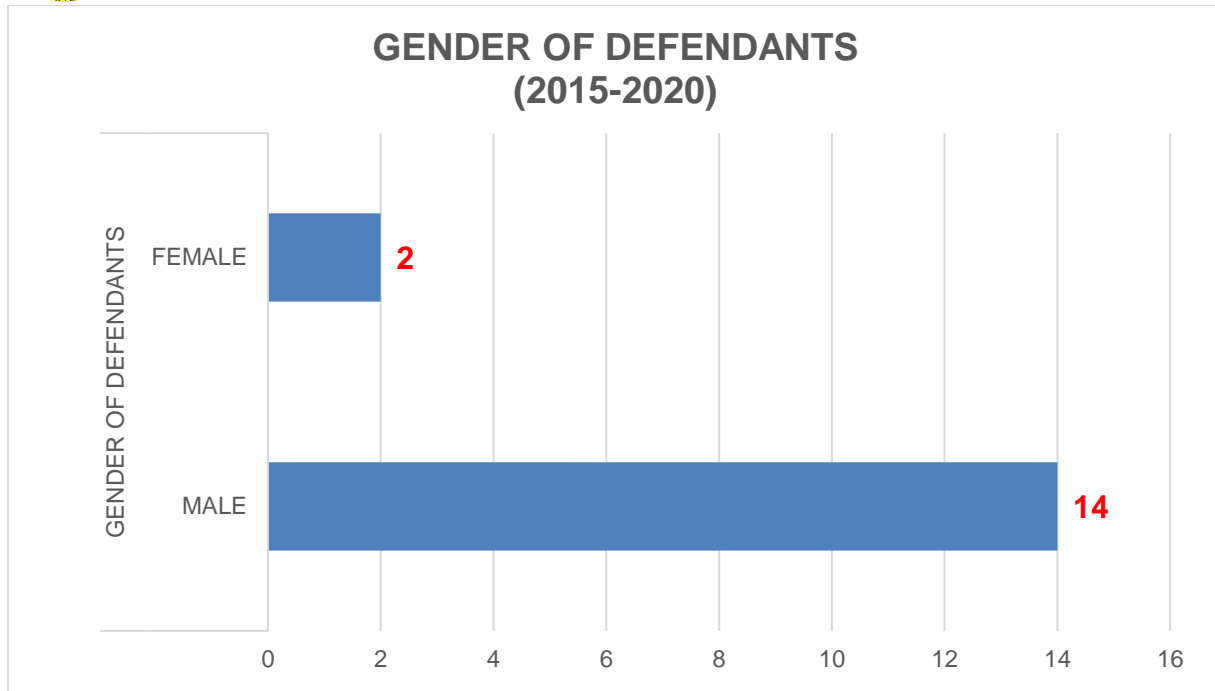
■ DEFENDANTS BY AGE 17 AND UNDER ■ DEFENDANTS BY AGE 18 AND OVER

All 16 defendants are adults

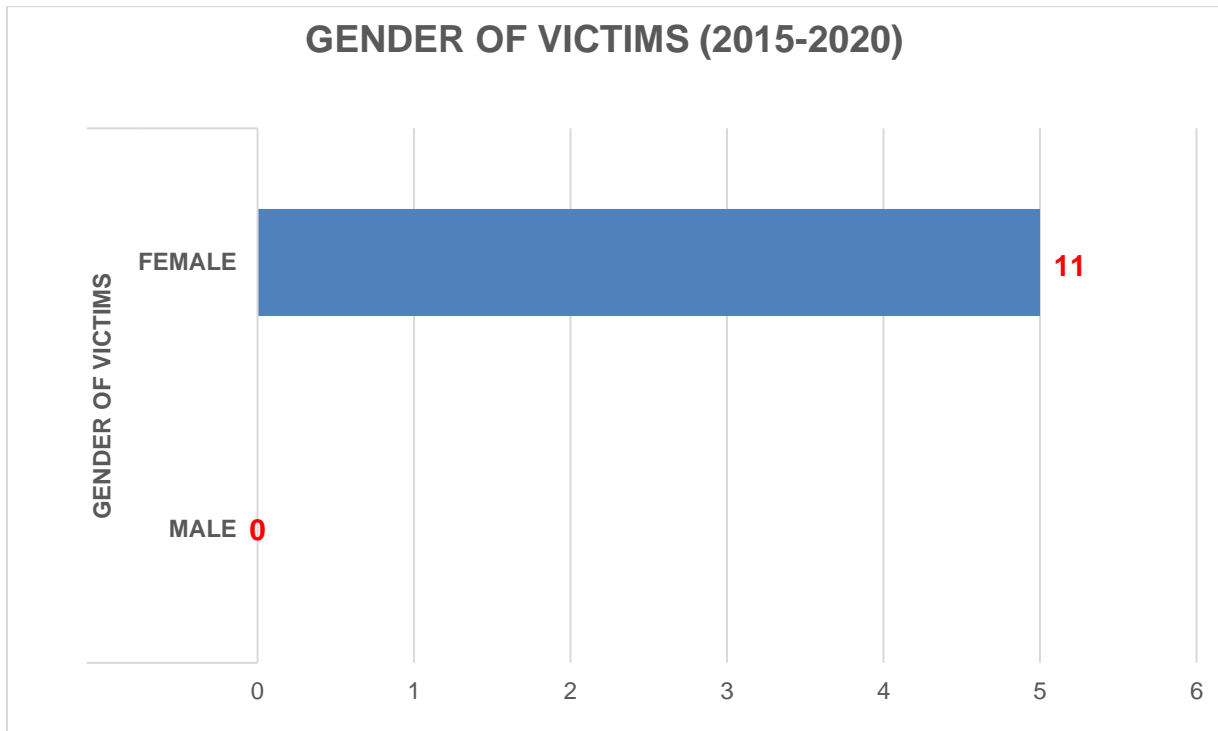
Victims By Age 2015-2020



■ AGE OF VICTIM	14	15	16	17
■ NO. OF VICTIMS	6	3	2	0



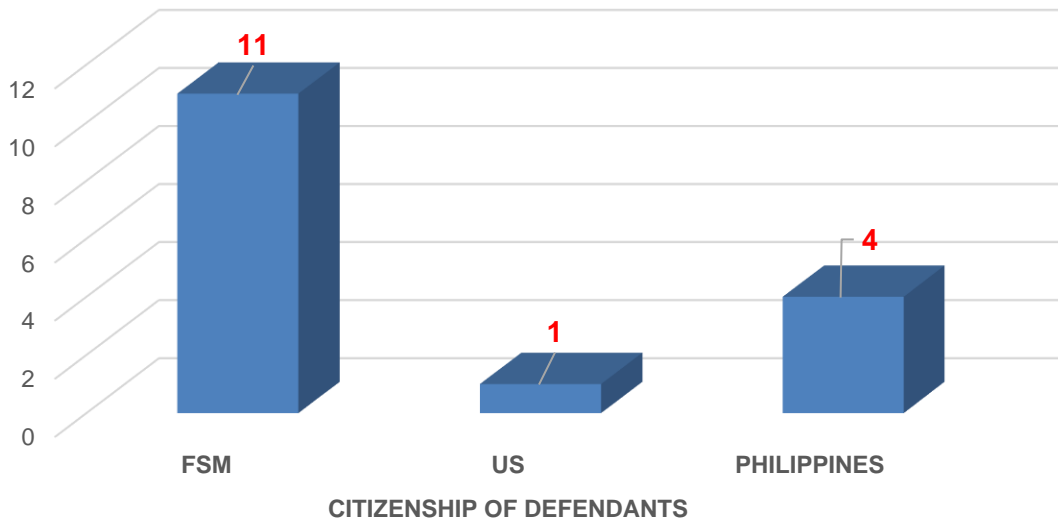
Of the 16 Defendants, 14 are Males and 2 Females.



All victims are Females

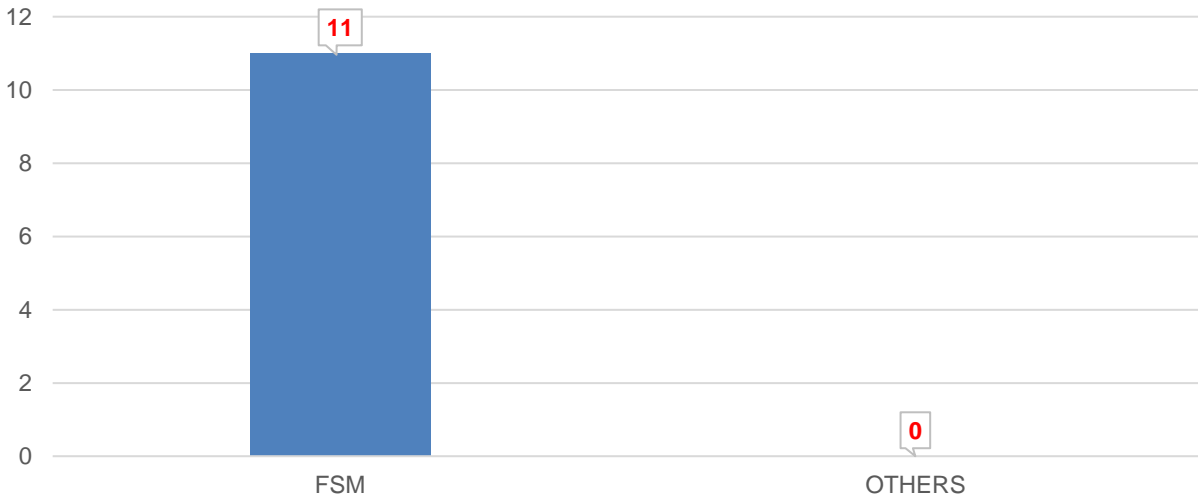


CITIZENSHIP OF DEFENDANTS



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

Citizenship of Victims



All Victims are FSM Citizens



FSM SUPREME COURT 2020 ANNUAL REPORT

FSM SUPREME COURT CONTINUES TO SUPPORT STUDENTS INTERESTED IN PURSUING LAW



Virtual visit by COM-FSM students with Associate Justice
Beaulen Carl-Worswick

SWEARING-IN OF NEW FSM BAR MEMBERS



Left: Court Staff Attorney Enlet Jr. Enlet
Right: Benedict Robert, MLSC Attorney



FSM SUPREME COURT 2020 ANNUAL REPORT

FSM JUDICIARY CONDUCTS VIRTUAL WORKSHOPS WITH PJSI



Courtesy visit by women non-governmental organization
(Lien Nan Wehi) to the Court

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

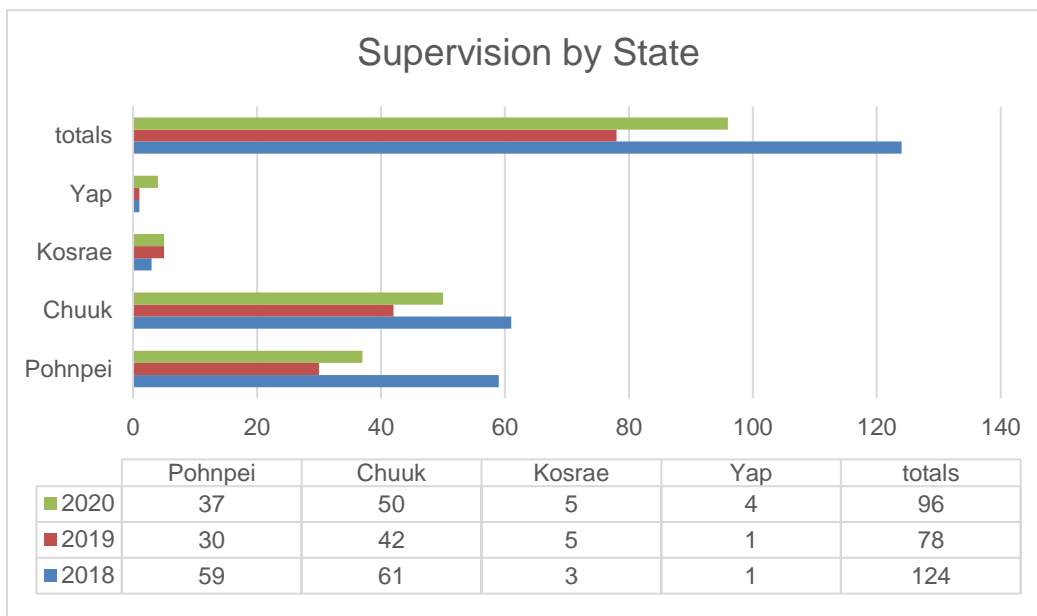
THE OMBUDSMAN DIVISION



FSM SUPREME COURT 2020 ANNUAL REPORT

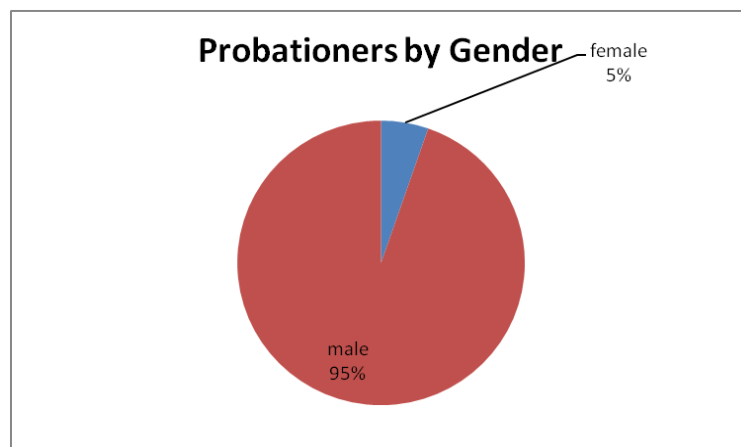
The Justice Ombudsmen serve as Probation Officers, Court Marshals, and Court Interpreters. The Ombudsmen are tasked with supervising all defendants released on probation and/or on suspended sentence and under pre-trial releases. Such supervisions encompass a range of responsibilities including:

- 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.



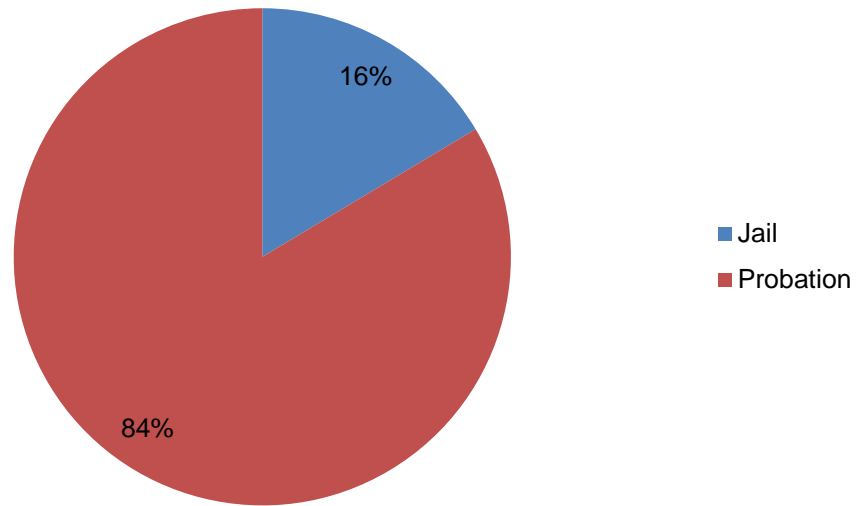
In 2020, the Ombudsman Office supervised 96 probationers, an increase of 23% from 2019.

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



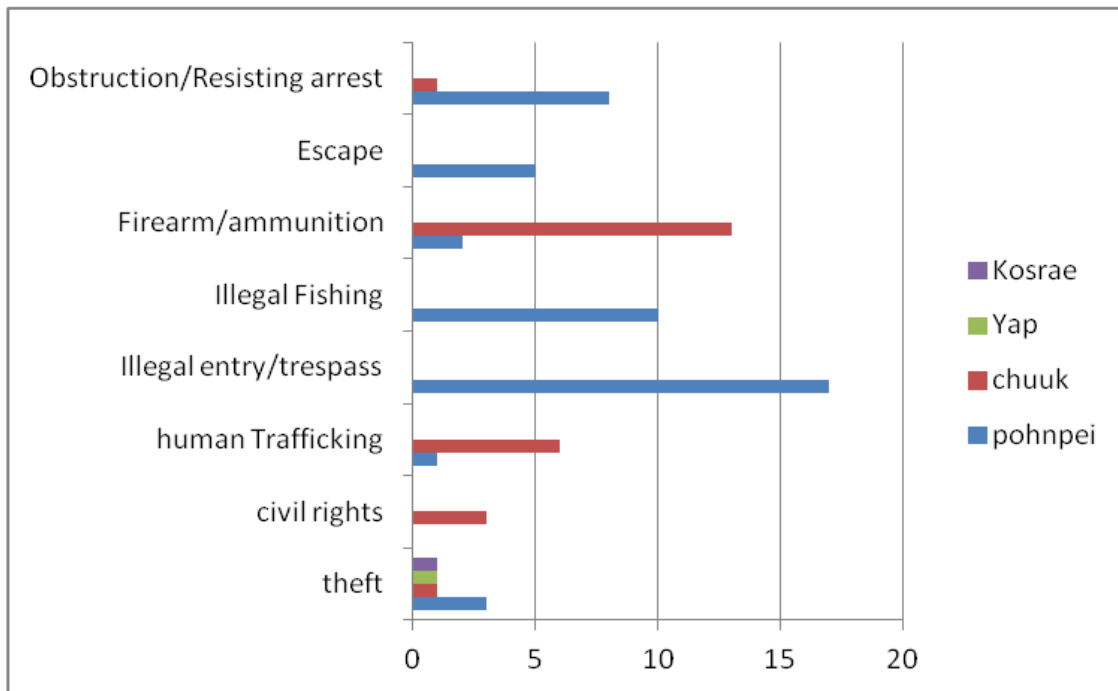


Sentence Type



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. Providing assistance to 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

E: lawlibrary@fmsupremecourt.org

Chuuk Office

Tel. #: 691-330-2397/2908

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:



FSM SUPREME COURT 2020 ANNUAL REPORT

The services of the FSM Supreme Court Library 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.

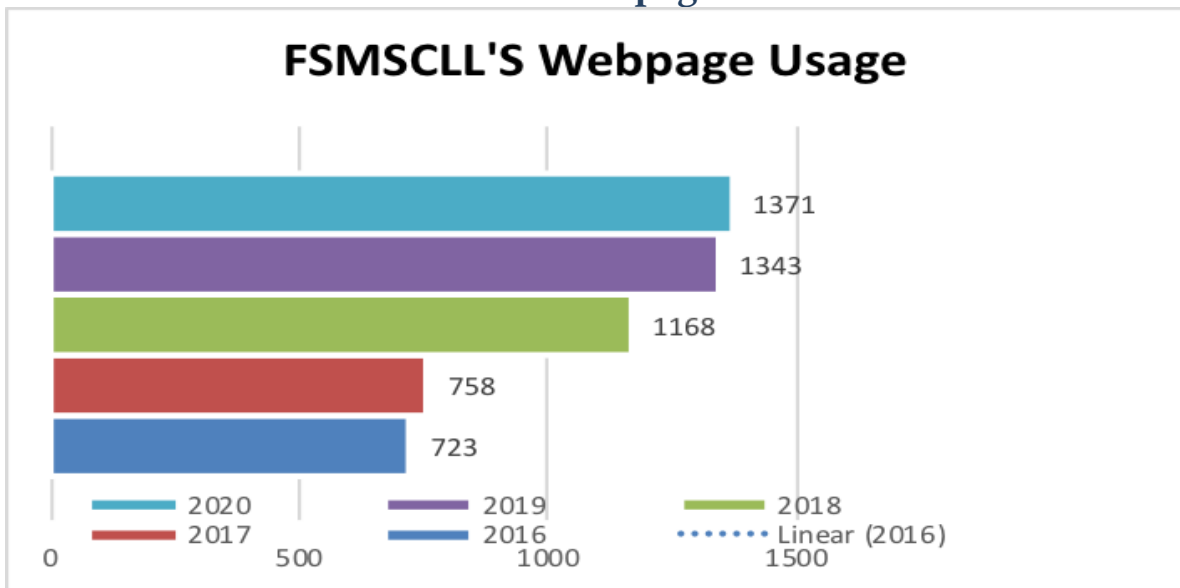


Copying Machine: A new multi-functional photocopier is available for library users.

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 were 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 on the graph below.

FSMSCLL’s Webpage Count



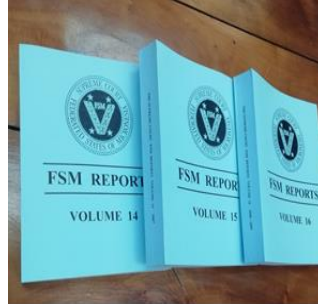
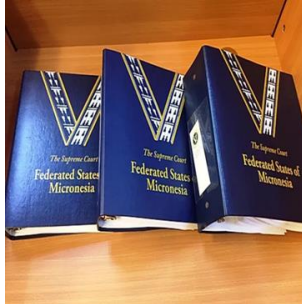
The Library and Publications Division maintains this website to enhance public access to information about the FSM Supreme Court laws, publications and policies. The Court’s goal is to keep this information timely and accurate.



FSM SUPREME COURT 2020 ANNUAL REPORT

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

Before & Now

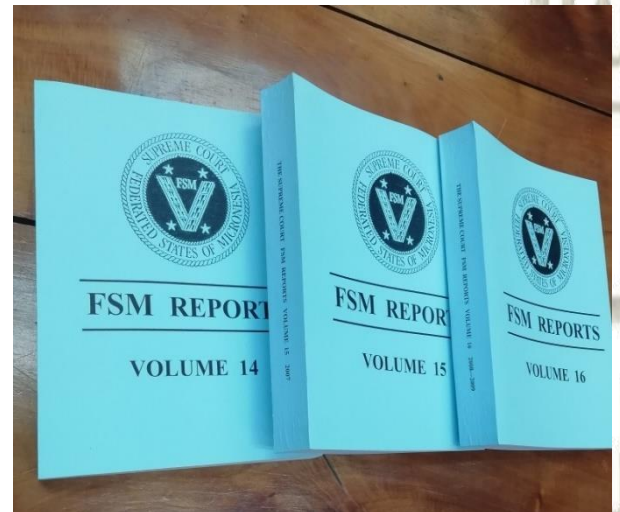


Since 1981, the Supreme Court of the Federated States of Micronesia started published its FSM Interim Reporters and Digest/Updaters on 3-ring binders. The 2020 Library project is to convert the Reporters and Digest/Updaters to hardcopies.

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 \(pages 1-293\)](#)
- [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 \(pages 1-270\)\(New\)](#)



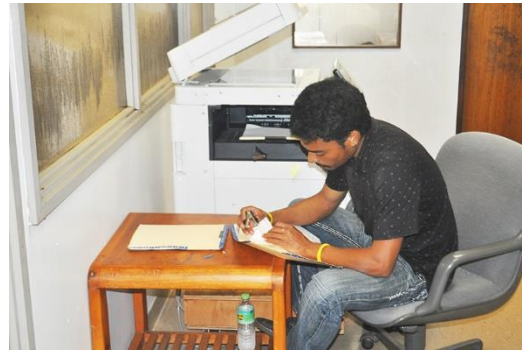
*Volume 1 with headnotes added also includes pages 28a, 53a-53c, 79a-79b, 97a, 135a, 161a, 183a, 201a, 209a, 239a-239b, 255a-255b, 284a, 299a, 306a, 322a, 339a-339b, 365a, 389a, 405a-405b, 433a, 449a, 464a-464b, 487a, 503a-503d, 532a-532b, 561a, & 566a-566b

Online Legal Research Database



FSM SUPREME COURT 2020 ANNUAL REPORT

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 are designated as “Disposed” 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 give us an opportunity 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 each and 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.



FSM SUPREME COURT 2020 ANNUAL REPORT

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



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

Weekends & Holidays
Closed

Email: lawlibrary@fsm-supremecourt.org



FSM Judiciary bid farewell to State Justice Ombudsman Johnny Peter joins the Pohnpei State Supreme Court as the new Chief Clerk of Courts



FSM NATIONAL LAW DAY 2020

FSM NATIONAL LAW DAY 2020 WAS A GREAT SUCCESS

The world pandemic in 2020 proved especially challenging for the FSM Supreme Court. Historically, July 12th of each year is a day when the FSM honors Law Day, which is when high school teams from around the FSM meet in one of the four FSM states and engage in debates of legal significance. In 2020, the National Law Day debate was:

“Be it resolved that the Federated States of Micronesia file a claim with the International Court of Justice against the more developed nations, who are host to large multi-national corporations, which have contributed heavily to global warming and climate change, seeking redress and relief including monetary damages”. On July



Team SDA, 2nd Place Winners

12, 2020, however, no one in the FSM was allowed to travel. Thus, it appeared that the 2020 National Law Day debates might not happen. This would have broken a nearly 25 year history of holding the National Law Day debates. The FSM Supreme Court, however, forged ahead and held the 2020 National Law Day debates using virtual-meeting technology on September 1, 2020.

Over the years, the FSM Supreme Court has invested in technology improvements at each of its facilities in Kosrae, Pohnpei, Chuuk and Yap. The issues that the FSM faced with the corona virus pandemic in 2020 proved that these strategic advances in upgrading the Court’s physical facilities and internet technology paid off. Indeed, the Court held virtual law day debates on September 1, 2020. Teams from Chuuk, Pohnpei and Yap participated in the debates from the FSM Court facility in each of these respective states. Each of the students participating in the debates received a \$2,000 scholarship and a laptop computer for their roles in this significant national event. For the 2020 Law



Team CCA, 3rd Place Winners



FSM SUPREME COURT 2020 ANNUAL REPORT

Day debates, Yap Catholic High School placed first, followed by Pohnpei's Seventh Day Adventist High School in second place, Pohnpei' Calvary Christian Academy in third place and Xavier High School in fourth place.

For 2021, the FSM Supreme Court is preparing to host the National Law Day debates in Chuuk on July 12, 2021. The debates will either be in person, with all the participating high school teams traveling to Chuuk to debate, or virtually, with each high school team remaining in its home state and appearing via video conference from the Supreme Court's facility in that team's state. 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 are established by the executive and legislative branches of government. In fact, the Court has begun using this virtual technology to host video conferences in connection with the adjudication of cases, including both civil and criminal trial court cases, as well as 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 is prepared to host debate teams from all across the FSM on July 12, 2021. Congratulations to the 2020 debate teams, and for 2021, may the best team win!

Celebrating the 39th Year Anniversary of the FSM Judiciary





INFRASTRUCTURE IMPROVEMENTS
CHUUK COURTROOM RENOVATION





CONTACT US:

Pohnpei Office:
 Phone: (691) 320-2357/2763/2764
 Mailing Address:
 P.O. Box PS-J
 Palikir, FM 96941

Chuuk Office
 Phone: (691) 330-2397
 Mailing Address
 P.O. Box 601 Weno, Chuuk, FM 96942

Yap Office
 • Phone: (691) 350-2159
 • Mailing Address
 P.O. Box 546
 • Colonia, Yap FM 96943

Kosrae Office
 • Phone: (691) 370-3185
 • Mailing Address
 P.O. Box J Tofol, Kosrae, FSM
 96944

For additional queries or feedback,
 email:
webmaster@fsm-supremecourt.org