



Pursuant to the authority granted to the Chief Justice of the Supreme Court in Article XI, Section 9 of the Constitution, and in recognition of

Action Item 1.2 (b) and 1.6 (a) and (d) of the 5 year Strategic Plan of the FSM Supreme Court, which designates the Chief Justice, Associate Justices, Chief Clerk and General Counsel to develop Timelines and Standards for management of all cases from filing to disposition, set specific limits on how long a legal matter may be left pending without justification, and establish written policies that limit continuances.

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 delayed, to maintain a proficient and well-organized court docket, and after a survey of the other judiciary Timeline Standards of many jurisdictions in similarly situated island states and countries.

**Timeline Standards for the
Supreme Court of the Federated States of Micronesia**

- (1) Judges shall meet every six months and have a meeting where they will review how many of their cases were decided within the time limits prescribed in the FSM. This meeting shall also include the Chief Clerk of Court and other court staff to be designated by the Judges.
- (2) The following are the time standards for cases in the FSM:
 - a) Civil Case Disposition: 21 months
 - b) Criminal Case Disposition: 9 months
 - c) Appeal Case Disposition: 15 months
 - d) Pending motions: 6 months

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

- e) Matters taken under advisement: 4 months

The timeline standard shall begin after the last submittal in the matter.

- (3) Deadlines shall be monitored by publishing an annual public report on the court website and in the court newsletter, and shall state the reason for any matter that does not fall within the established timeline standards.
- (4) A committee, consisting of 5 (five) members, shall be appointed by the Chief Justice to oversee compliance of these Timeline Standards bi-annually. Excluding the Chief Clerk of Court, who shall be one of the committee members, the term of each member shall be no longer than three years. The findings of this committee shall be published in the newspaper of general circulation.
- (5) The Chief Clerk shall notify judges and relevant parties of upcoming deadlines within a reasonable time.
- (6) In following these standards, the court may also consider other factors that may cause delay, on a case by case basis.



**SUPREME COURT
of the
FEDERATED STATES OF MICRONESIA**

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Announcement of Time Goal Promulgation

It is the obligation of the Supreme Court of the FSM to conduct a fair trial in a reasonable time. For this right to be effective for the benefit of citizens and businesses, our judiciary must have transparent methods to control case flow to prevent delay.

For these benefits to be realized it is a necessity for the court, its stakeholders and users to have a common concept of what a reasonable time may be for particular case types and to have consistent policies to support timely case disposals.

To achieve this, the judiciary of the FSM in consultation with stakeholders has determined the time goals and time frames for principle case types for the court. In developing these goals the Strategic Plan Committee has viewed the length of proceedings integrally and in particular from the perspective of the users of the justice system. I am delighted that the time frames are developed and that we are now ready to pilot their introduction.

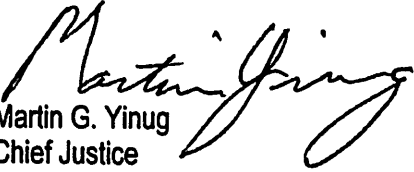
I propose to pilot these time goals from July 12, 2014 to July 12, 2015 in order to test their appropriateness and allow time for feedback. After this interim period, the goals will be reviewed and I propose to institute the resulting goals as a permanent general court order. Timely disposal requires actions to be expeditiously prepared by the parties. The court expects that actions are not commenced until they are ready to meet the requirements of the timetables that judges may set to meet time goals.

Minimizing continuances is crucial in helping the courts reach time goals. Excessive continuances delay case resolution and consume court time and resources. Stakeholders, particularly all practicing lawyers, must be aware of the effect that continual continuances have on court performance and understand that the court expects matters to proceed on the date allocated. This Court looks with strong disfavor on motions or requests to continue court events, and especially disfavors adjournment of matters scheduled for trial.

In addition, achieving our time goals will require that judicial and courtroom time is fully used. While the commitments of lawyers may be considered in scheduling and calendaring, these commitments cannot in general override the interests of equity and timely justice. Lawyers are therefore requested to carefully manage their court calendars to avoid double booking.

I look forward to the commitment of all stakeholders to ensure the court can guarantee for its users and the citizens of the FSM that cases are dealt with without undue delay.

Dated this 10 July, 2014.


Martin G. Yinug
Chief Justice