
AN ACT

To amend Section 101 of Title 5 of the Trust Territory Code, regarding District Court Jurisdiction, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1 Section 1. Section 101 of Title 5 of the Trust Territory Code is
2 hereby amended by adding a new Subsection (3) to read as follows:

3 "Section 101. Jurisdiction.

4 (1) Each District Court shall have original jurisdiction,
5 concurrently with the Trial Division of the High Court:

6 (a) In all civil cases (including proceedings for
7 changes of name) where the amount claimed or value of the
8 property involved does not exceed one thousand dollars, except
9 admiralty and maritime matters and the adjudication of title to
10 land or any interest therein (other than the right to immediate
11 possession); PROVIDED, that each District court shall have
12 jurisdiction to award alimony and support for children in divorce
13 cases and separate support or separate maintenance for a spouse
14 and support for children in support and maintenance cases regard-
15 less of whether the awards may ultimately exceed one thousand
16 dollars and to include in such award land or any interest therein
17 owned by any parties in the case (but this shall not include
18 jurisdiction to adjudicate the validity of such party's ownership
19 of the land or interest therein in question);

20 (b) In all criminal cases involving offenses against
21 the laws of the Trust Territory, including generally recognized
22 local customs, where the maximum punishment which may be imposed

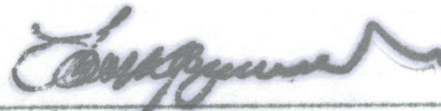
1 does not exceed a fine of two thousand dollars or imprisonment
2 for five years, or both.

3 (2) Each District Court shall have jurisdiction to review
4 on appeal the decisions of the Community Courts of the District
5 in all cases, civil and criminal.

6 (3) When a justice of the High Court is not available, each
7 District Court shall have limited jurisdiction to issue temporary
8 restraining orders and preliminary injunctions in all civil cases
9 which are otherwise outside the District Court's jurisdiction, as
10 defined in Subsection (1)(a) of this Section. The original
11 complaint shall be filed in the High Court, with a copy of the
12 complaint attached to the application for temporary restraining
13 order or preliminary injunction filed in the District Court. Upon
14 either the granting or denial of a temporary restraining order,
15 the District Court shall immediately notify the High Court of the
16 action taken and the reasons thereof. Upon such notification, the
17 High Court may issue, affirm, modify or vacate a temporary
18 restraining order, with or without a hearing. A preliminary
19 injunction may be reviewed on the record or by a hearing de novo."

20 Section 2. This act shall take effect upon approval by the President
21 of the Federated States of Micronesia, or upon its becoming law without such
22 approval.

23
24 December 10, 1979

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Tosiwo Nakayama
President
Federated States of Micronesia