A RESOLUTION

Requesting the Eighteenth Congress of the Federated States of Micronesia to disapprove of the continued services of all current temporary justices whose cumulative service exceeds three months, and to revoke and disapprove all other temporary justice assignments that are not made known to Congress.

1. WHEREAS, the special assignment of temporary justices to preside over FSM Supreme Court cases has been issued by the FSM Supreme Court in line with the FSM Constitution Article 9(b) and title 4, section 104 F.S.M.C.; and

2. WHEREAS, title 4 F.S.M.C., section 104(3) requires that the Chief Justice shall give notice to the President and Congress upon the appointment of any temporary justice.

3. WHEREAS, such appointment of past and current temporary justices have not been made known to Congress; and

4. WHEREAS, title 4 section 104(2) F.S.M.C provides that Congress may by resolution disapprove of the continued service of any temporary justice whose cumulative service exceeds three months, and the disapproved person shall thereafter be ineligible for further service as a temporary justice for one year, unless the Congress shall sooner revoke its disapproval; now, therefore,

BE IT RESOLVED, under the authority of title 4, section 104(2) F.S.M.C, the Eighteen Congress of the Federated States of Micronesia must disapprove the continued services of all current temporary justices whose cumulative service exceed three months,
and to revoke and disapprove all other temporary justice assignments that are not made known to Congress; and

BE IT FURTHER RESOLVED by the Eighteen Congress of the Federated States of Micronesia, Seventh Special Session, 2015, that the Committee on Judiciary and Governmental Operations conducts oversight of the special assignment of justices and to report to the plenary body on the committee’s work and findings for further actions; and

BE IT FURTHER RESOLVED that certified copies of this resolution be transmitted to the President of the Federated States of Micronesia, the Acting Chief Justice of the FSM Supreme Court, and the Chief Justices of the States of Chuuk, Kosrae, Pohnpei, and Yap.

Date: 4/17/15

Introduced by: /s/ Wesley W. Simina

Wesley W. Simina