

SUPREME COURT
THE JUDICIARY
REPUBLIC OF PALAU

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June 6, 2017

PRESS RELEASE #110

Re: Non-Resident Associate Justices of the Appellate Division, Palau Supreme Court

*(It is our duty at the Judiciary to inform the people what we do.
This Press Release is one way to achieve that responsibility.)*

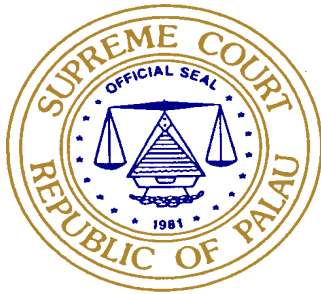
Before the 14th Constitutional Amendment, the Supreme Court consisted of a Chief Justice and at least three Associate Justices. The Chief Justice and the three Associate Justices served as Trial Justices. When an appeal is taken on a Justice's judgment, the other three Justices form an appellate panel to review that judgment. All the Justices served both Trial and Appellate divisions.

There were three non-resident Justices who were available to serve either at Trial or Appellate division in case of conflicts of interest by resident Justices. The non-resident Justices were sitting Justices or Judges of judiciaries in the CNMI, Guam and FSM.

These non-resident Justices serve the Palau Supreme Court without compensation, except travel and lodging when they are needed to be in Palau for oral arguments. In case a non-resident Justice retires from his court, Palau Judiciary would compensate that Justice for work done for the Palau Supreme Court based on the same hourly rate of a resident Justice's salary.

These three non-resident Justices were quite busy in the early days of this Judiciary. These were full time Judges of their court with a full docket and it was not always convenient for them to travel to Palau. But as judges of the statutory courts in Palau became law trained and became qualified to sit on the Supreme Court, they were appointed to serve on the Appellate Division of the Palau Supreme Court and give some relief to the only three non-resident Justices.

This was the Palau Supreme Court structure before the 14th Constitutional Amendment. The Amendment separates the Justices of the Appellate Division of the Palau Supreme Court. No longer would the same Justices be moving between the divisions of the Supreme Court.



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The 14th Amendment also eliminated the limit on the number of non-resident Justices to three. This is important because of the inevitable number of conflict of interest of the resident Justices of the Appellate Division.

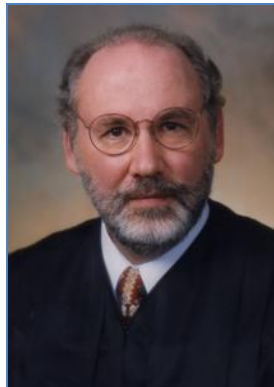
Since January 15, 2017 when the 14th Amendment took effect, Chief Justice Ngiraklsong, Justices Rechucher and Michelsen have declared a total of 24 conflicts of interest or disclosures of potential conflict of interest.

Fortunately, President Remengesau, Jr. has appointed three new non-resident Justices for the Appellate division. In addition to non-resident Justice Katharine Maraman, Chief Justice of Guam Supreme Court, retired Judge Daniel Foley, Intermediate Court of Appeals, Hawaii Judiciary, the new Justices are Dennis Yamase, Chief Justice of FSM Supreme Court, Alexandro Castro, Chief Justice of CNMI Supreme Court and Kevin Bennardo, law professor at North Carolina School of Law.

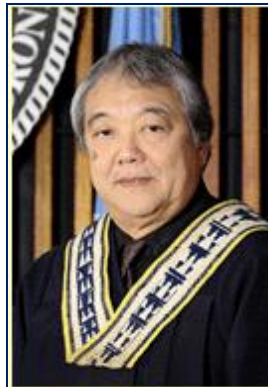
Meet all of the non-resident Justices of the Appellate Division, Palau Supreme Court.



Justice Maraman



Justice Foley



Justice Yamase



Justice Castro



Justice Bennardo

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