



United States District Court
District Court for the Northern Mariana Islands
2nd Floor, Horiguchi Building
123 Kopa Di Oru St., Beach Road, Garapan
Saipan, MP 96950



ANNUAL DISTRICT REPORT

August 30, 2014

FOREWORD

Chief Judge Ramona V. Manglona



The release of this annual report to coincide with the yearly district court conference provides an opportunity to reflect on last year's district conference as well as the challenges and the achievements of the court from August 1, 2013 through August 29, 2014.

Last August, approximately fifty participants attended our district conference, entitled "Taking on the Feds and Privacy, Technology and the Law." We had an exciting line-up of distinguished guests who informed and charmed our local bar members and judiciary. The Honorable Paul J. Watford reported on the developments in the Ninth Circuit and reflected on his first year as a circuit judge in giving practical advice to attorneys handling appeals. The Honorable Francis M. Allegra gave an engaging presentation on litigating claims against the United States in the U.S. Court of Federal Claims. In a unique conversational setting, former Chief Judge of the Northern District of California Vaughn R. Walker answered questions about the Constitution, privacy and the litigation regarding California's Proposition 8. An island-style barbeque concluded the event. This informal gathering, held on the beach at sunset, provided an opportunity for participants to mingle with the presenters as well as to show them our island food, beauty and hospitality. I look forward to another successful conference this year.

As FY13 came to a close, the court operated under continued sequestration measures and faced the possibility of continued funding reductions and a government shutdown in FY14. In August 2013, I joined 86 other chief judges in a letter to Congress to express our grave concern over flat funding and

sequestration's effect on the Judiciary's ability to carry out its constitutional and statutory responsibilities. The government shutdown in early FY14 for 17 days, followed by a continuing budget resolution for the first quarter, challenged our court's planning and operations.

In preparation for the government shutdown, district courts throughout the nation developed contingency plans and issued orders regarding judicial operations during a government shutdown. This court was no exception. After comprehensive research and consultation with chief judges and clerk's offices in other districts, I issued General Order 13-6, which limited travel and identified the essential services of the District Court for the Northern Mariana Islands. With a skeleton crew of only fourteen employees already working in chambers, the clerk's office and pretrial and probation services on Saipan, all employees were designated as necessary to perform the essential functions of the court. Fortunately, the Federal Judiciary was not forced to close its doors when much of the rest of the government shutdown from October 1 - 17, 2013. Although a number of civil cases were delayed, particularly those in which a party was represented by the U.S. Attorney's Office, other court business continued. We weathered the storm with this limited interruption through careful planning, consultation, and funding from the Administrative Office of the Courts utilizing judiciary fee revenues.

Upon the passage of the Consolidated Appropriations Act, 2014, the District Court for the Northern Mariana Islands received sufficient funding to avoid furloughs or layoffs and was able to accomplish the activities set forth in this annual report. We celebrated employee landmarks. We welcomed new staff. We engaged with students of all ages to provide them opportunities to understand the work of our district court. We pursued technology updates and security compliance to ensure efficient, effective, and safe delivery of judicial services. I am proud of the accomplishments of the District Court for the Northern Mariana Islands. I am grateful to all — court staff and members of the federal bar — for assisting the court with its obligation to provide continued access to the judiciary and to render timely dispositions. I look forward to meeting the challenges that may arise in the coming year.

MISSION STATEMENT

The mission of the U.S. District Court for the Northern Mariana Islands is to serve the community by ensuring equal access to justice for all by providing an impartial forum to resolve disputes in a fair, effective and timely manner pursuant to the rule of law.

GENERAL INFORMATION

The District Court for the Northern Mariana Islands was established by an act of Congress in 1977 and became operational in January, 1978. It sits on the island of Saipan, in the CNMI, but may also sit at other places within the Commonwealth. The District Court has the same jurisdiction to hear federal cases as the United States District Courts, including bankruptcy cases. Appeals are taken directly to the United States Court of Appeals for the Ninth Circuit.

As the smallest and youngest district among the 94 district courts, the District Court for the Northern Mariana Islands employs three chambers staff and ten clerk's office employees. These hard-working employees serve chambers and the community by assisting Chief Judge Ramona V. Manglona with the operation of the District Court.

The Office of Pretrial and Probation Services for the Districts of Guam and the Northern Mariana Islands has three employees stationed on Saipan.

Petit (trial) and grand jurors are selected in accordance with the Jury Plan. Citizens from the islands of Saipan, Tinian and Rota provide an invaluable service to the court and the community each year by serving as jurors during civil and criminal trials and during grand jury proceedings.



JUDGES

On January 26, 2011, President Barack Obama nominated the **Honorable Ramona Villagomez Manglona** to serve as District Court Judge. Judge Manglona's nomination was confirmed by the Senate on July 27, 2011. On July 29, 2011, President Obama signed the commission, which was the official act of appointment of Judge Manglona to the District Court. Judge Manglona assumed office as Chief Judge on July 30, 2011. Chief Judge Manglona is the first person of Northern Mariana Islands descent to serve as a federal judge.

The **Honorable Alex R. Munson** served as the Chief Judge of the District Court for the Northern Mariana Islands from 1988 to 2010. Judge Munson continues to serve the court and the community by presiding over settlement conferences and other court matters several times a year.

In 2013, Chief Judge Manglona appointed the **Honorable Heather L. Kennedy** to serve as the first Magistrate Judge/Clerk of Court for the District Court for the Northern Mariana Islands. Judge Kennedy became clerk of court on April 15, 2013 and assumed magistrate judge responsibilities on June 11,

DESIGNATED JUDGES

On occasion, federal judges from districts throughout the Ninth Circuit preside over certain matters in the District Court for the Northern Mariana Islands. The Court is grateful to Chief Judge Frances M. Tydingco-Gatewood (GU), District Court Judge David O. Carter (CA-C), Senior Judge Consuelo B. Marshall (CA-C), District Court Judge J. Michael Seabright (HI), Magistrate Judge Joaquin V. Manibusan, Jr. (GU) and Bankruptcy Chief Judge Robert J. Faris (HI).

Pursuant to 48 USC § 1821, judges of courts of record of the Northern Mariana Islands may be assigned temporarily to serve as a judge in the District Court for the Northern Mariana Islands. The District Court thanks Presiding Judge Robert Naraja and Associate Judge David A. Wiseman, of the Commonwealth Superior Court, who have served the district court as designated judges.

STAFFING MATTERS



Bernard Paraiso becomes Systems and Network Administrator

Bernard joined the Clerk's office in March 2014. His more than 10 years of experience in the modernization of information technology services and enterprise services and IT project integration during his employment at IT&E has proven invaluable to the upgrade of the court's communications system, including telephones.



Daniel Brown joins the Clerk's Office

In July 2013, Daniel Brown became the Case Processing Clerk. Dan brings to the court an array of office automation, clerical, data-entry, financial, and customer-service-related knowledge and skills from his experience in the public and private sectors in the CNMI and Guam. His primary focus is docketing cases dating back to 1978 so that they will be available online. Dan also performs a variety of other functions, including back-up cashier and courtroom deputy. While working for the Court, he is also pursuing a Bachelors degree in Human Services.



Dan Terzian returns to California

Dan Terzian's term as law clerk ended on August 29, 2014. Dan has served the court with distinction since November 2012. We thank Dan for his service and wish him luck in his future law career.

STAFFING MATTERS

BILL BEZZANT'S 20TH ANNIVERSARY



Bill Bezzant completed 20 years of service to the District Court in July 2013. He joined the staff in 1993 as the Systems Administrator, then as Systems Manager, and for the past 5 years has served as Chief Deputy Clerk. After Galo Perez's retirement, Bill served as Acting Clerk of Court from November 2012 until the position was permanently filled in April 2013. Bill has overseen the District Court's transition into the new era where all court functions are highly automated with advanced networking, including courtroom operations, case management, finance, and administration. His vision, insight and knowledge ensure that the court maintains a technologically advanced operation even in our remote location.

Over the past year, two other clerk's office employees celebrated milestone anniversaries with the federal judiciary. Patricia Garshak, court reporter, marked her 10th year with the federal judiciary and fifth year with the District Court for the Northern Mariana Islands in early 2014. Patricia has been a court reporter for more than 35 years and provides real-time services to the District Court. Tina Matsunaga, courtroom deputy, has served the District Court for more than 11 years. Before joining the District Court, Tina worked for the Commonwealth Superior Court.

ATTORNEY REPRESENTATIVES



**James Sirok, CJA Resource Counsel
and District Representative**

As District Representative, Mr. Sirok is charged with leading the district's Criminal Justice Act (CJA) panel and acting as a liaison between the CJA panel and the court. His responsibilities as Resource Council include organizing and presenting training programs; preparing and distributing resource materials; answering substantive questions about CJA cases; answering questions about appointment, compensation, and authorization



**Colin Thompson, Lawyer
Representative**

District Lawyer Representatives attend the annual meeting of the Ninth Circuit Judicial conference. As Lawyer Representative, Mr. Thompson attended the Circuit Conference this year held in Monterey, California. He also assists with the organization of the annual conference for the District Court for the NMI.

ATTORNEY ADMISSIONS



Newly sworn attorney Ms. Nicole Torres (bottom right) with Chief Judge Manglona, Chief Justice Alexandro Castro, family and friends

For the period of July 2013 to July 2014 two attorneys were permanently admitted (Nicole M. Torres and Ryan M. Johnson) and three attorneys temporarily admitted (Adam C. Hardwicke, James M. Zanores, and Sarah L. Vuong) to practice in the District Court.

ATTORNEY ADMISSION FUND

Attorney admission funds shall be used only for purposes which inure to the benefit of the members of the bench and the bar in the administration of justice. The NMI funds are used to support the District Conferences in conjunction with the NMI Bar Association. Other expenditures this year include a donation to the Pacific Judicial Council in the amount of \$1,500. The Pacific Judicial Council is comprised of justices and judges from Guam, the Commonwealth of the Northern Mariana Islands, Palau, American Samoa, and the Federated States of Micronesia. The mission of the council is to promote education for justice systems throughout the region. Programs offered by the PJC have provided valuable information to its members, judges, court employees, probation officers, prosecutors and criminal defenders as well as court interpreters.

FACILITIES



Emergency Preparation: On May 27, 2014, the District Court participated in the Exercise KONFITMA which was a drill conducted by the CNMI Office of Homeland Security. The purpose of the exercise was to create conditions to reinforce interoperability among the local stakeholders during an incident of national significance.

New Facility: The District Court continues its effort to locate and lease a facility that meets stringent federal security standards. The formal contracting process is overseen by the General Services Administration (GSA). The actual location of the new building is dependent on the selection of a successful bidder. The new lease is scheduled to be awarded before December 31, 2014, with occupancy expected by the end of 2015.

NATURALIZATION CEREMONIES

The Court held four naturalization ceremonies this year. In total, it administered the oath of allegiance to 95 new U.S. citizens. Keynote speakers included the Honorable Helen Shores Lee, Circuit Judge, Tenth Judicial Circuit—Jefferson County, State of Alabama Unified Judicial System; Vicente N. Santos, Former Vice Chairman—Marianas Political Status Commission; Matthew T. Gregory, Esq.; and Maya Kara, Esq., President of the CNMI Bar Association.



January 21, 2014—Martin Luther King, Jr. Day Ceremony

Presiding Judge: Ramona V. Manglona, Chief Judge

Guest Speaker: Hon. Helen Shores Lee, Circuit Judge, Tenth Judicial Circuit—Jefferson County, State of Alabama Unified Judicial System



June 13, 2014—Flag Day Ceremony

Presiding Judge: Alex R. Munson, Senior Judge
Guest Speaker: Matthew T. Gregory, Esq.



August 29, 2014—Labor Day Ceremony

Presiding Judge: Heather L. Kennedy, Magistrate Judge
Guest Speaker: Maya B. Kara, Esq.

COMMUNITY OUTREACH

STUDENTS

Elementary School: Chief Judge Manglona and Magistrate Judge/Clerk of Court Kennedy visited Gregorio T. Camacho Elementary School classrooms during career day in April 2014 to share information about their paths to the federal judiciary and their experiences at the District Court for the Northern Mariana Islands.

High School: The court accepted its first CO-OP student intern from Marianas High School in March 2014. The CO-OP intern was selected from a pool of qualified students to assist the clerk's office with data entry and other related tasks as a volunteer. Her enthusiasm and abilities impressed her supervisors. She is now currently employed as a part-time student with the Clerk's Office for the summer until her return to MHS in September.

Pre-Law Program: Judge Manglona welcomed students of the 2014 summer pre-law program offered by the NMI Judiciary to the District Court for the Northern Mariana Islands. The students toured the District Court facility and engaged in a question-and-answer session with Judge Manglona and her law clerks. Chief Judge Manglona and Magistrate Judge Kennedy also judged the students in a moot court competition held in the NMI Supreme Court toward the end of the student's three-week intensive program.

Law School: Chief Judge Manglona opened her chambers to law student externs this summer. Frances T. Demapan, rising third-year law student at the University of Hawaii at Manoa William S. Richardson School of Law; John SJ Lee, rising second year at Brooklyn Law School; and Jose P. Mafnas, Jr., rising second year at University of California, Davis, School of Law, observed court proceedings, drafted memos and participated in chamber's conferences about cases. One student felt the experience definitely improved his writing skills and another appreciated the guidance received which sharpened his analytical thinking. The court hopes that the learning opportunities that the law students were exposed to this summer will provide valuable experience in their future legal careers.

CONGRESS

Chief Judge Manglona and Chief Judge Frances Tydingco-Gatewood of the U.S. District Court for the District of Guam visited Congressman Gregorio Kilili Camacho Sablan, Representative for the Northern Mariana Islands, while in Washington D.C. in 2014.



Summer Pre-Law Program Class of 2014



2014 Summer Interns

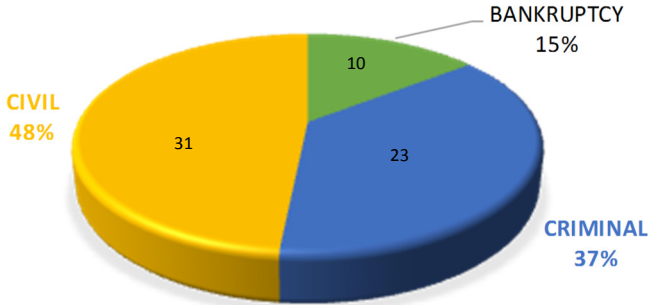
L-R: Chief Judge Manglona, Frances T. Demapan, Jose P. Mafnas, Jr., and John Lee.

L-R: Chief Judge Frances Tydingco-Gatewood, Chief Judge Manglona, and Congressman Sablan.

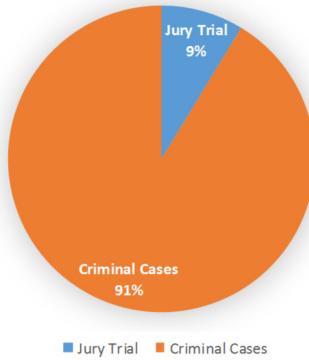


STATISTICS

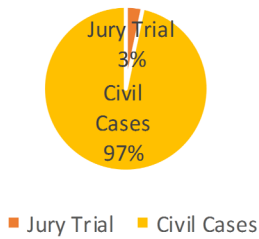
TYPES OF CASES FILE



CRIMINAL CASES



CIVIL CASES





EVOUCHER

EVoucher, which originated in the District of Nevada, is a national electronic voucher processing system. The system is designed to eliminate the paper and manual processing of CJA vouchers, which are claims for reimbursement filed by attorneys representing indigent clients. The steps are: An attorney electronically sends a voucher to the court. The Clerk's Office reviews and audits electronically, then sends it to the judge electronically. When applicable, a voucher is sent electronically to the circuit for review and approval.

The District Court for the Northern Mariana Islands has completed inputting necessary information and testing of the system. In 2014, Clerk's office staff have received training in the system. In October 2014, before launching the program, the Clerk's Office will provide training to CJA panel members regarding how to use the program.

VoIP System



The U.S. District Court for the Northern Mariana Islands deployed a Cisco UC500 series VoIP (Voice-over-Internet Protocol) Telephony System on June 1, 2014. The new system caused a change in the court telephone numbers when it replaced the 12-year-old Lucent Technology PBX system. VoIP is a technology that allows telephone calls to be made over computer networks via desktop or wireless phones or computer workstations using a softphone. VoIP converts analog voice signals into digital data packets and supports real-time, two-way transmission of conversations using Internet Protocol. VoIP offers substantial cost savings over traditional PBX systems. It allows greater flexibility and increased functionality, allowing our IT staff to make changes on an as-needed basis and creating more effective communication within the office and with the public.



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Photos by Jose Quan - www.ginenmarianas.com (Cover: Bird Island, Page 2: Saipan Sunset)