



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

A photograph of a tropical island with lush green vegetation, including palm trees, situated in the middle of clear, turquoise water. The sky is a clear, bright blue.

2015 ANNUAL DISTRICT REPORT

February 6, 2016

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 February 2015 through January 2016.

Last February's conference, entitled "Warriors or Lawyers? Ethics and Professionalism," focused on how lawyers can maintain a high standard of ethical practice while vigorously advocating for their clients' interests. The Honorable M. Margaret McKeown of the Ninth Circuit Court of Appeals examined the process of achieving the client's goals ethically from the perspectives of the bench and the bar, and gave a lively presentation on the ethical pitfalls for lawyers and judges using social media. Marivic David, Assistant U.S. Attorney for Guam and the NMI, Guam Federal Public Defender John Gorman, and CJA Resource Counsel Jim Sirok engaged in a panel discussion of ethical problems facing criminal prosecutors and defense attorneys. Members of the NMI Disciplinary Committee — Timothy Bellas, Steven Pixley, Bruce Mailman, and Catherine Cachero — discussed common ethical violations and how to avoid them.

These annual remarks would not be complete without commenting on Typhoon Soudelor, which directly hit Saipan late on August 2, 2015. The storm completely devastated the island. Buildings were destroyed, windows broken, and approximately 800 power poles were down across the island. Residences, businesses and public offices suffered power and water outages for months following the typhoon. With advance preparation, determination and some luck, the court was able to resume operations after a brief closure.

On the morning after the storm struck, I began emergency communications with court staff to assess damage to the courthouse and to employees' homes and families. The clerk's office, the audio system in the courtroom and windows throughout the building sustained damage. Work began immediately to restore the operation of the court. Fortunately, the court building has a generator system which provided power and water to the building. Once the diesel fuel supply on the island stabilized, court proceedings and the clerk's office resumed operations on August 12.

But, the work began many days ahead of the reopening. Court employees who were able to leave their homes officially reported for a half day of work on Friday, August 7. Over the next week, they implemented emergency procedures, assessed and repaired the damage, and cleaned their work areas.

I am proud of and grateful to the members of my court family. Despite personal hardships and trouble meeting their basic daily needs at home, they returned to work. Many staff members subsisted in damaged homes without electricity or running water and some resided temporarily in hotels. Two staff members' homes were so heavily damaged that they still have not been able to return home but are living in temporary housing. Without power in the weeks following the storm, employees had a difficult time sleeping in the hot and humid evenings, especially while tending to sleepless children. Windows and screen doors were left open at night, which left the occupants ravaged by mosquitoes and vulnerable to burglars. Employees arrived at the courthouse in the mornings exhausted from the heat and lack of sleep. Despite all of these challenges and the physical, emotional and financial stress that they endured, our dedicated court employees reported to work and performed exceptionally under these exhausting circumstances. Our experience taught us about the generosity of others and how we can better respond to any future disasters.

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 Manglona with Court operations.

The Office of Pretrial and Probation Services for the Districts of Guam and the Northern Mariana Islands has four 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 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, when he then took senior status. 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 for the District Court for the Northern Mariana Islands. Judge Kennedy became Clerk of Court on April 15, 2013, and assumed magistrate judge duties on June 11, 2013.

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 Judge David O. Carter (CA-C), Senior Judge Consuelo B. Marshall (CA-C), Chief Judge J. Michael Seabright (HI), Magistrate Judge Joaquin V. Manibusan, Jr. (GU) and Chief Bankruptcy 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.

INTERNET OUTAGE



On July 8, 2015, Saipan experienced its first complete disconnection from the outside world. Due to the high seas and rough waters from Typhoon Nangka, IT&E's submarine fiber optic cable was severely damaged and the defective backup system affected internet services, long distance calls, data services, SMS networks, banks and ATM machines. After days with limited

access to the internet, cellular service, and long distance calls, the fiber optic cable was finally repaired on July 26. During this period, the District Court suspended electronic filing and required counsel to provide hard copies for service on parties. The public terminals in the Clerk's Office remained operational and readily available for viewing of documents in CM/ECF. During the outage, chambers library was made accessible to members of the federal bar and CNMI Judiciary staff.

TYPHOON SOUDELOR

The night of Sunday, August 2, 2015, Typhoon Soudebor pummeled Saipan with winds gusting over 91 mph. On Monday, August 3, 2015, we awoke to trees and power poles littering the streets, which blocked safe passage on our roadways. Business and government offices were all closed. Most court employees could not travel from their homes due to road blockages and government advisories to stay off the roads so emergency response vehicles could travel unencumbered. By Tuesday, roads began to be cleared by government services and community members, but some areas remained inaccessible.

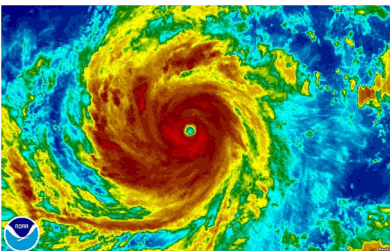
The storm destroyed the electrical distribution system on Saipan and the power generation plant was seriously damaged. The public water distribution system relies on a series of underground wells with electrical pumps at the well-heads. Without electricity, the well pumps were not operating. Power, water and ice were unavailable, and fuel was rationed. People waited four hours or more to fuel up their cars. Many were turned away from the pumps when the fuel ran out. Lines for ice and water were also hours long.

Fortunately, support agencies were quick to respond to the water crisis. The U.S. Marine Corps and the Red Cross provided donated water to those in need. FEMA provided generators to well pumps in some areas.

Throughout August, most areas remained without publicly supplied power and water. August is often the hottest and wettest month of the year. Humidity is above 90% continuously day and night. Villages, homes and businesses slowly came back on line during the months of September through November. Nearly 80 days after the storm, all court employees had power restored to their homes or temporary housing. Soudelor was truly an exceptionally devastating typhoon for the community.

During the recovery period, the outpouring of support from those near and far was astounding. The Court received donations from the districts of Guam, Hawaii, California Central, California Eastern, and Washington Western, as well as retired Clerk of Court Galo Perez and family.

We are grateful to all of those who have assisted us in our most difficult time. A special thanks to the Horiguchi Building staff and management, James C. Duff, Director of the Administrative Office, and Kristof Hermans, Judiciary Emergency Preparedness Officer, and other members of the Administrative Office of the United States Courts who provided advice and support during the Typhoon response and recovery period.



ATTORNEY REPRESENTATIVES

Lawyer Representative

Ninth Circuit Lawyer Representative Colin Thompson will be finishing his three-year term in 2016 representing attorneys practicing in the District for the NMI. The Ninth Circuit has fifteen districts in nine western states and two Pacific Island jurisdictions. Lawyer Representatives play an important role in the administration of justice in the circuit, including the planning and execution of the Circuit Conference. In July 2015, Colin Thompson attended the Circuit Conference held in San Diego, California. He also co-presented with Chief Judge Manglona in January, 2016 at the Conference of Chief District Judges and Lawyer Representatives Coordinating Committee (LRCC) on the experiences of the court and attorneys during the internet outage and recovery from Typhoon Soudelor. He also assisted in the planning of the annual district conference.

LRCC Meets in San Francisco



The Ninth Circuit Lawyer Representatives Coordinating Committee, or LRCC, met at the James R. Browning United States Courthouse in San Francisco on September 25, 2015, to participate in a joint meeting with the Conference Executive Committee.

Appointment of CJA Standing Committee

In March 2015, the Court established the first CJA Standing Committee. The Committee was established pursuant to the Court's Amended CJA Plan, which became effective on February 18, 2015. The Committee is composed of three CJA Panel attorneys; the Clerk of Court or her designee will be a permanent non-voting member of the committee. The CJA Panel attorneys are Bruce L. Berline, Michael W. Dotts, and Robert T. Torres.

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 CNMI, 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.

ATTORNEY ADMISSIONS



From January 2015 to January 2016 six attorneys were permanently admitted and eight attorneys were temporarily admitted to practice in the District Court.

Newly sworn attorney Rosemond B. Santos (center) with Chief Judge Manglona, and her husband Gary Sword.

TRAINING EVENTS

U.S. Sentencing Commission Training: On February 14 and 15, 2015, Alan Dorhoffer, Esq., Deputy Director of the Office of Education and Sentencing Practice at the United States Sentencing Commission, conducted a training for court staff, Criminal Justice Act panel of attorneys, assistant U.S. attorneys, and U.S. Probation officers on the application of the Sentencing Guidelines and recent updates.



Settlement Conference Training: In May 2015, Hon. Alex R. Munson, Senior District Judge, conducted a settlement conference training with the judges from the CNMI Superior Court .

Ninth Circuit Librarian Site-Visit: Shannon Lashbrook, JD MLIS, Ninth Circuit Librarian, conducted a legal research training in June 2015 at the District Court. The training was open to the law clerks and judges of the District Court and the CNMI Judiciary.

Federal Bureau of Prisons and U.S. Marshal Service Team Visit: On June 26-27, 2015, a team from the Federal Bureau of Prisons, led by BoP Director Charles E. Samuels, Jr., and the U.S. Marshals were in Saipan to meet with the NMI stakeholders for a question-and-answer session, as well as a tour of the Department of Corrections where the federal detainees are housed.

DRUG COURT

The first NMI Drug Offender Re-Entry (DORE) program, popularly known as “drug court”, was established on January 26, 2016. With the cooperation of the CJA Panel, the U.S. Attorney's Office, and the Probation Office, the court entered into an agreement to create the DORE team and program, patterned after a successful program in the District of Guam. The DORE program objective is to offer a creative blend of treatment and sanction alternatives to effectively address offender behavior, rehabilitation and the safety of our community. Volunteer participants are persons serving a federal sentence who have a term of supervision of at least two years and a documented history of substance abuse. Participants who successfully complete the program will earn a one-year reduction in their term of supervision. The first session of drug court convened on January 26, 2016, with the complete DORE team and four volunteer participants.



eVOUCHER

eVoucher, a national electronic CJA voucher processing system, was officially launched on April 1, 2015. The CJA Panel attorneys and their staff attended training two weeks prior to the court’s going live. The system has eliminated the paper and manual processing of CJA vouchers and streamlined the review of the voucher at the district level, through to the Ninth Circuit.

JUROR ELECTRONIC EVIDENCE PRESENTATION SYSTEM (JEEPS)

During 2015, the court launched the Jury Electronic Evidence Presentation System (JEEPS). This court technology system allows a deliberating jury to review the trial exhibits, such as documentary, photographic or video exhibits, on a large monitor using a touch screen kiosk. Jurors have praised this easy-to-use system which allows them to review evidence collectively on a large screen rather than flipping through pages of documents housed in individual binders.

Unless otherwise ordered by the court, JEEPS will be the exclusive medium used to present electronic evidence to a deliberating jury.



NATURALIZATION CEREMONIES

The Court held six naturalization ceremonies this year. One hundred and four individuals have been naturalized from various countries including Canada, Palau, the United Kingdom, Samoa, Japan, Mexico, Taiwan, Pakistan, South Korea, Thailand, Bangladesh, Nepal, the People’s Republic of China, Philippines, and Jamaica. Keynote speakers included Rear Admiral Babette Bolivar, Commander, Joint Region Marianas; the Honorable Gregorio Kilili Sablan, Delegate, U.S. House of Representatives—NMI; the Honorable David M. Apatang, Mayor, Municipality of Saipan; Stephen Deblasio, Sr., Federal Coordinating Officer, Federal Emergency Management Agency; and Mario Glenn Mendoza, Systems Manager, U.S. District Court, NMI.



December 9, 2015 — CNMI Constitution Day Ceremony

Students from Mt. Carmel High School and Saipan International School
Greeted by Designated Judge David A. Wiseman,
Rear Admiral Bette Bolivar and Chief Judge Ramona V. Manglona

COMMUNITY OUTREACH

High School: In May 2015, Chief Judge Manglona visited the AP Civics class at Marianas High School as part of the Judges in the Classroom program. She spoke to the students on the ABA Theme “Magna Carta: Symbol of Freedom Under the Law.”

Mock Trial: Chief Judge Manglona opened her courtroom to mock trial competitors on Saipan to practice during the 2015 season. Law clerk Jonathan Wilberscheid coached the Marianas High School Mock Trial team to a second place finish in the Commonwealth Mock Trial Championship. Magistrate Judge Kennedy and Law Clerk Richard Miller volunteered as presiding judges during the early rounds of the competition. On December 12, 2015, Judge Kennedy instructed students on techniques for witness testimony during the Mock Trial Academy, which included more than 60 students from public and private schools in Tinian, Rota, and Saipan.

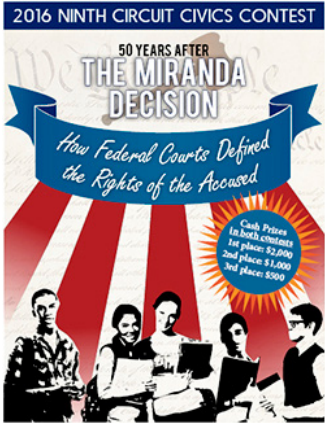
Pacific Century Fellows: Chief Judge Manglona welcomed students of the 2015 Pacific Century Fellows to the District Court for the Northern Mariana Islands. The students toured the District Court facility and engaged in a question-and-answer session with Chief Judge Manglona and Magistrate Judge Kennedy.



2016 Ninth Circuit Civics Contest: The NMI District Court and the Ninth Circuit courts and Community Committee is sponsoring an essay and video contest for high school students in the NMI.

The NMI District Court will conduct preliminary judging for the contest. The top three finishers in the essay and video competitions at the district level will go on to compete in the Ninth Circuit contest. To be eligible students must reside in the NMI. More information on the contest is available at:

<http://www.cap9.uscourts.gov/civicscontest>



UPDATE ON THE NEW COURTHOUSE

On June 29, 2015, the General Services Administration (GSA) announced the award of a 20-year lease for a new federal courthouse in Saipan. The building will house the District Court, U.S. Probation Office, U.S. Marshals Service, and U.S. Attorney’s Office. GSA designated the courthouse as a Design Excellence project. The Design Excellence Program ensures an efficient working environment that can accommodate ongoing technological innovation and allow for a state-of-the-art workplace throughout the project’s useful life. Unfortunately, construction is currently stalled, but we look forward to resuming work on the project shortly.

Although we have been happy tenants of the Horiguchi Building, it is not possible to meet the physical security requirements in our current location. The Horiguchi staff and management tirelessly worked during Typhoon Soudelor and the recovery period to protect and repair the courthouse. We are grateful for their dedication and service to the NMI District Court and look forward to continued tenancy in the Horiguchi Building until the new courthouse is ready for occupancy.



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