

DISTRICT COURT 2017 ANNUAL REPORT



FOREWORD



RAMONA V. MANGLONA
CHIEF JUDGE

It is my pleasure to share with you the 2017 Annual Report for the U.S. District Court for the Northern Mariana Islands. Every year presents an opportunity to reflect on what we have achieved, what we have learned, and what challenges we continue to face. I am grateful to the District Court family and all of the offices that work with us, and this Report is truly a reflection of their dedication and collaborative spirit.

We made significant progress after several setbacks with the construction of a new courthouse. The diligent and creative efforts of GSA, the Circuit Executive's Office, and the District Court team led by Magistrate Judge Heather L. Kennedy and Court architect Walter Popen, culminated in a groundbreaking ceremony on December 7, 2017. Our goal is to open the courthouse for business in late 2019.

Similarly, our Drug Offender Re-Entry (D.O.R.E.) Program had its first graduate this year. Our team has continued to update and improve the program, including by increasing the number of sessions held each month. I thank all of the team members for their continued support as we refine this program to serve our community.

In 2017, the Court extensively revised its local civil rules. The re-named “Local Rules” became effective on November 1, 2017. The Court thanks all attorneys who submitted comments on the rule revisions and the following Committee members who assisted with finalizing the rules: Bruce Berline, Sean Frink, Mark Hanson, Vince Seman and Colin Thompson.

Finally, I would like to extend my gratitude to those at the Court and in the legal community who have volunteered their time to engage with students about the law, leadership, and education. Our District continues to support the Ninth Circuit’s Civics Contest and encourages all high school students in our islands to participate and get a chance of winning cash prizes and recognition at the 2018 Ninth Circuit Judicial Conference that will be held in Anaheim, California. Investing in our students now will only strengthen our community in the future.

It is a privilege and pleasure to serve as Chief Judge for this District, in no small part due to the contributions from everyone who works with or for the Court. I look forward to continuing to work with all of you to provide justice to our community.



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 13 clerk's office staff. 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. On February 6, 2017, she was reappointed for a second four-year term after undergoing a review by a Merit Selection Panel and public comment period.



Teresa K. Kim-Tenorio
Designated Judge



Frances M. Tydingco-Gatewood
Chief Judge (Guam)



Roberto C. Naraja
Designated Judge

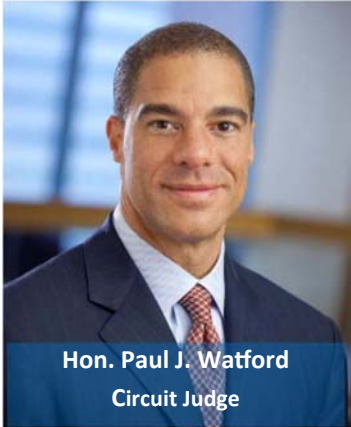
DESIGNATED JUDGES

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 (District of Guam), Senior Judge John C. Coughenour (Western District of Washington), Judge David O. Carter (Central District of California), Judge Consuelo B. Marshall (Central District of California), Judge Susan Oki Mollway (District of Hawaii), Magistrate Judge Joaquin V. Manibusan, Jr. (District of Guam) and Chief Bankruptcy Judge Robert J. Faris (District of Hawaii) for their assistance.

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 Roberto Naraja** and **Associate Judge Teresa Kim-Tenorio**, of the Commonwealth Superior Court, who serve this Court as designated judges.

2017 ANNUAL DISTRICT CONFERENCE

“Law: Buoy or Anchor? Cultural and Ethical Currents”



Hon. Paul J. Watford
Circuit Judge

The District Court held its Annual District Conference on Saturday, February 11, 2017, at the Ka-noa Resort, Saipan.

The conference’s theme was “Law: Buoy or Anchor? Cultural and Ethical Currents.” Keynote speakers included Hon. Paul J. Watford, Circuit Judge, Ninth Circuit of Appeals and Professor Jonathan Turley, George Washington University Law School. With opening addresses from Lilian Teno-rio, President of NMI Bar Association; Bruce L.

Berline, Chairman, Criminal Justice Act (CJA) Panel; and Alicia A.G. Limtiaco, U.S. Attorney, Districts of Guam and NMI.

The attendees received a great amount of information with the presentations from Hon. Paul J. Watford, “Appellate Practice—Tips from the Bench”; and Professor Jonathan Turley, “Unpacking the Court: The Reform and Expansion of the Supreme Court,” “The Cultural Defense: The Increasing Use of Cultural Norms in Criminal and Civil Cases in the U.S.,” and “Better Not Call Saul: the Current Ethical Issues Facing Criminal Prosecution and Defense.”



Prof. Jonathan Turley

A preview of the proposed revisions to the civil rules scheduled for adoption in late 2017, was presented by Hon. Heather L. Kennedy, Clerk of Court/ Magistrate Judge; and Richard Miller, Career Law Clerk.

2017 DISTRICT CONFERENCE PHOTOS



ATTORNEY REPRESENTATIVES

Ninth Circuit Lawyer Representative

This District's Ninth Circuit Lawyer Representative is Vincent J. Seman. The Lawyer Representative plays an important role in the administration of justice in the circuit's 15 districts, including the planning and execution of the annual Circuit Conference.



Vincent J. Seman

Vincent J. Seman, Esq., has served as general counsel for Century Insurance since 2011. Vince is licensed to practice law in the CNMI, Guam and Hawaii. Prior to joining Century Insurance, he was an attorney with Carlsmith Ball, LLP. Vince has served on numerous governmental, professional, and civic organizations, including the Northern Marianas College Board of Regents, the Saipan Chamber of Commerce Board of Directors, and the CNMI Bar Association Board of Directors. He is also a Pacific Century Fellow. Vince received his J.D. degree from Whittier Law School and his B.S. degree in management from Bentley College.



Bruce L. Berline

CJA REPRESENTATIVE AND RESOURCE COUNSEL

Bruce L. Berline, Esq., is the Criminal Justice Act (CJA) Resource Counsel. He has been a member of the CJA panel since 1999. He has been practicing as a criminal defense attorney and civil litigator in the CNMI for more than 19 years.

Honoring Timothy H. Bellas and Michael W. Dotts for Years of Service in the NMI District Court as CJA Panel Members



Timothy H. Bellas

Timothy H. Bellas, Esq., served from 2003 to 2017 and **Michael W. Dotts, Esq.**, served from 2009 to 2017.

Both attorneys are commended for their dedication and diligent service as CJA attorneys.

We appreciate all the hard work they contributed over the years.



Michael W. Dotts

ATTORNEY ADMISSION FUND

With the implementation of the new Local Rules at the end of 2017, an Attorney Admission Biennial Renewal fee is now required for all attorneys admitted to the Court, pursuant to LR 83.5(c). The main purpose of the renewal fee is to ensure that the court has an accurate listing of its current bar members and that all contact information is up to date. The renewal fees will be deposited into the Attorney Admission Fund, which is primarily used to support educational programs and events for members of the bar. Other expenditures include support for the civics programs for students and the community, the reimbursement of attorney costs associated with handling attorney disciplinary matters, and the Pacific Judicial Council.

ATTORNEY ADMISSIONS

In 2017, four attorneys (Brian Flaherty, Rene Holmes, Philip Tydingco, and Oliver Manglona) were permanently admitted and two attorneys were temporarily admitted to practice in the District Court.



Attorney Rene C. Holmes



Attorney Oliver M. Manglona

HIGHLIGHTS OF 2017

DRUG COURT



The first NMI District Court 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 has been holding monthly sessions with four participants throughout the year, and in December, two additional participants were accepted into the program. Participants are being offered a creative blend of treatment and sanction alternatives to effectively address offender behavior, rehabilitation and the safety of our community. Participants who successfully complete the program will earn a one-year reduction in their term of supervision.

On December 12, 2017, Bob Hajime DLG. Yamagishi was the first D.O.R.E participant to have graduated from the program. His successful completion of the program led the D.O.R.E. Team to recommend that Mr. Yamagishi's term of supervised release be reduced by one year.

2017 PACIFIC JUDICIAL COUNCIL BIENNIAL CONFERENCE



2017 Pacific Judicial Council (PJC) Biennial Conference official Group Photo at Fiesta Resort & Spa, Saipan.

Photo by: William Bezzant



On September 26-29, 2017, the PJC held its Biennial Conference in Saipan. The Pacific Islands Committee used compact and technical assistance grant funds from the Department of Interior to sponsor presenter travel and expenses for 26 judges and court administrators from the territories and Freely Associated States to attend the conference. Attorneys from the member jurisdictions attended the sessions as well.

The PJC Biennial Conference features content specifically for judges and court leaders. The conference rotates between the member jurisdictions of American Samoa, the Northern Mariana Islands, Guam, the Federated States of Micronesia, and Palau.

CONT. HIGHLIGHTS OF 2017

U.S. COURTHOUSE GROUNDBREAKING CEREMONY



From left: Walter Popen - U.S. District Court Architect / Project Manager; Jose Arau - Ninth Circuit Project Manager; Cliff Harlan - Ninth Circuit Asst. Circuit Executive for Space & Facilities; Dan McGrath - GSA; Lupe Flores - GSA; Chief Judge Ramona V. Manglona; Magistrate Judge / Clerk of Court Heather L. Kennedy.

On December 07, 2017, the U.S. General Services Administration (GSA) and the U.S. District Court for the Northern Mariana Islands joined the Marianas Management Corporation at a groundbreaking ceremony to mark the start of construction for a new U.S. Courthouse in Saipan. The new courthouse is the result of a 20-year lease arrangement between the federal government and Marianas Management Corporation.

The three-story courthouse will be on Gualo Rai Road, Garapan, Saipan, and will house the U.S. District Court of the Northern Mariana Islands, the U.S. Probation Office, the U.S. Marshals Service, the U.S. Attorney's Office and the Federal Protective Service. The courthouse will include one courtroom, two judges' chambers, a jury assembly room and office space for building tenants.

Speakers at the groundbreaking included Acting Governor Victor B. Hocog; Chief Judge Ramona V. Manglona; Norman T. Tenorio, Secretary and Board member of MMC; Ryan Jimenez, D.D., Bishop of Chalan Kanoa; and Guadalupe Flores, GSA's Public Buildings Service Branch Chief, Real Estate Acquisition Division.



Rendering of courthouse courtesy of Marianas Management Company

NATURALIZATION CEREMONIES



Veterans Day Ceremony

Guest Speaker: Rear Admiral Shoshana Chatfield, Commander, Joint Region Marianas

The Court held five naturalization ceremonies in 2017. One hundred fifteen individuals were naturalized from thirteen countries, including Palau, the United Kingdom, Japan, South Korea, Thailand, Bangladesh, the People's Republic of China, Philippines, Dominican Republic, Federated States of Micronesia, Romania, Cuba and Russia.

Keynotes speakers were Lt. Mihai Leta, U.S. Coast Guard; Honorable Teresa Kim-Tenorio, Designated Judge, Oscar Torres, Executive Director, CNMI Military Liaison and Veteran's Affairs Office; Bishop Ryan Jimenez; Rear Admiral Shoshana Chatfield, Commander, Joint Region Marianas; and Brad Ruszala, Post Commander, Veterans of Foreign Wars—Post 3457, Saipan.



Independence Day Ceremony

Guest Speaker: Oscar Torres, Executive Director, CNMI Military Liaison and Veteran's Affairs Office

COMMUNITY OUTREACH

PACIFIC CENTURY FELLOWS

For the third year, the District Court welcomed students of the 2017 Pacific Century Fellows cohort. The fellowship is to train individuals from all walks of life, fields, and professions to become leaders. The students toured the District Court facility and engaged in a question-and-answer session with Chief Judge Manglona and Magistrate Judge Kennedy.



Chief Judge Manglona and Magistrate Judge Kennedy with Pacific Century Fellows.

JUDGES IN THE CLASSROOM



Magistrate Judge Kennedy with Saipan Community School students

In March, Chief Judge Manglona and Magistrate Judge Kennedy participated in the Career Awareness Event at Hopwood Jr. High School and Saipan Community School, respectively. They spoke to the students about the role the District Court plays in the Commonwealth.

CNMI HIGH SCHOOL MOCK TRIAL



On December 1-2, 2017, the NMI Judiciary conducted the Judiciary Mock Trial Academy to prepare students for the 2018 CNMI High School Mock Trial Competition and National High School Mock Trial Championship. Various high school students from Saipan, Tinian, and Rota came together at Guma' Hustisia for two days for lectures on mock trial rules and legal practices.

Lecturers included Chief Judge Manglona, Magistrate Judge Kennedy, Law Clerk Richard Miller from the

U.S. District Court, as well as Superior Court Judge Teresa K. Kim-Tenorio, Assistant U.S. Attorney Garth R. Backe, and Supreme Court Law Clerk Benjamin C. Byers.

The mock trial competition was held February 15-16, 2018, at the Guma' Hustisia. Mount Carmel School emerged the winner over finalist Tinian Jr.-Sr. High School and will travel to the National High School Mock Trial Championship in Reno, Nevada, on May 10-12, 2018, to compete with over 40 teams from across the country. Chief Judge Manglona presided over the Championship Round.

The CNMI High School Mock Trial Program is sponsored by the NMI Judiciary, CNMI Bar Association, and CNMI Public System.

TOTTOT CLUB SUMMER CAMP



Tottot Club Summer Camp was created at Dandan Middle School. The 2017 Core summer program sessions were about character, leadership, education, career development, and health and life skills. The camp determined that the NMI District would be a great example for their students and visited the court. Keynote speakers included Chief Judge Manglona; Magistrate Judge Kennedy; Don Hall, U.S. Marshal; Margarita DLG. Wonenberg, U.S. Probation Officer; Juanette F. David-Atalig, U.S. Probation Officer Assistant; Gregory F. Arriola, U.S. Probation Officer; and Garth Backe, U.S. Attorney's Office.

CIVICS CONTEST

2017 NINTH CIRCUIT CIVICS CONTEST

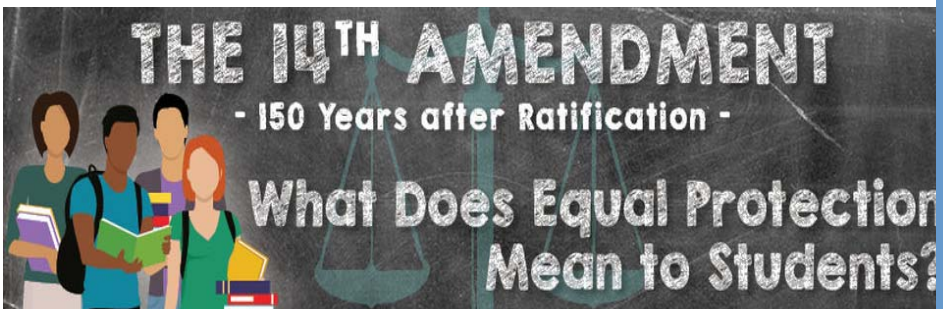
*Not to Be Forgotten:
Legal Lessons of the Japanese Internment*

2017 – “Not to Be Forgotten: Legal Lessons of the Japanese Internment”

On May 16, 2017, Chief Judge Manglona and Magistrate Judge Kennedy held an award ceremony to present certificates for the participants of the civics contest. In first place for video submission were Jae Yeon Lee, Stephen Carino, and Guillermo Faller from Saipan Southern High School. The top finalists for essay submission in order were Olivia Hirsh, Marianas School; Stephen Carino, Saipan Southern High School; Giu Hur, Saipan International School; Emma Timmons, Marianas High School; and Jaqueline Doctor, Mount Carmel School.



2018 CIVICS CONTEST



More information on the contest is available at:
<http://www.ca9.uscourts.gov/civicscontest> .

RED RIBBON CAMPAIGN



School presentations held at Dan Dan Middle School, Oleai Elementary School, Marianas High School – Alternative Education, Cha Cha Middle School, Tanapag Middle School, Garapan Elementary School, Saipan Southern High School, and the Francisco M. Sablan Middle School.

***“Your FUTURE is Key,
So Stay DRUG-FREE”***



For the third year in a row, the District Court participated in the Department of Justice's Red Ribbon Campaign alongside several other stakeholders in the CNMI. The Red Ribbon Campaign started after drug traffickers in Mexico City murdered DEA Agent Enrique “Kiki” Camarena in 1985. Friends and neighbors wore red badges in his honor and to show that they will continue to fight against illegal drugs. Since then, there has been a continuing tradition of wearing and displaying red ribbons as a symbol of intolerance towards the use of illegal drugs. The main purpose of the Red Ribbon Campaign is to present a unified and visible commitment toward the creation of a Drug-Free America. The campaign is the oldest and largest drug prevention program in the nation, reaching millions of young people. The event kicked off with a proclamation signing declaring October 23 to 31, 2017 as National Red Ribbon week.

U.S. PROBATION & PRE-TRIAL SERVICES OFFICE

STAFFING

After 22 years of service, Specialist U.S. Probation and Pretrial Services Officer, Maria Cruz retired on October 26, 2017. Throughout the years, Maria approached her work with a standard of excellence that was truly



LR: Chief Judge Ramona V. Manglona , Geraldine Castro (Maria's Mother), Maria C. Cruz, and her husband Sergio Cruz.

exemplary. She would always do more than what was required. She was a positive addition to the office. She was dependable, and of high character with a strong work ethic. Although Maria will be greatly missed, we wish her

safe travels as she begins her next chapter in life following her love of travel.

In late February 2017, Officer Ricardo Leon Guerrero traveled to the National Training Academy and successfully completed a two



Maria's Retirement Group Photo



Officer Ricardo
Leon Guerrero



week course certifying him as a Firearms Instructor. We are proud to announce that he is now the lead Firearms Instructor for the Districts.



U.S. Probation Officer
Assistant Juanette
David-Atalig

In June 2017, U.S. Probation Officer Assistant Juanette David-Atalig travelled to Andersen, Indiana, where she was certified to manage LM (Location Monitoring) cases under the Location Monitoring Program through BI (Behavioral Interventions).

The U.S. Probation Office in the NMI welcomed its first U.S. Probation Officer Intern in August 2017, when Jacquelin Wonenberg, a sociology/criminal justice student from Boise State University (BSU) in Boise, Idaho came aboard. She has been able to spend two semesters with the office, and has become an important and contributing member of the team.



Officer Trina
Duenas

Officer Trina Duenas successfully completed the two-week course certifying her as an Officer Safety Instructor at the National Training Academy in December 2017. Recognized as exemplifying outstanding performance in all areas of the course, Officer Duenas won the prestigious Wendy Koontz Safety Award. She is now designated lead Safety Officer for the Districts.

TRAINING



In efforts to become armed districts, the Chief U.S. Probation Officer authorized Guam USPO's to participate in firearms training conducted by Firearms Instructors from the District of Hawaii and from the National Training Academy.

From February 14-17, Lisa Lambeth, National Firearms Instructor from the Administrative Office of the U.S. Court's National Training Academy, conducted firearms training with the District of Guam, with the assistance of Derek Kim, Lead Firearms Instructor for the District of Hawaii, John Hisashima, District Firearms Instructor for the District of Hawaii, and our own Firearms Instructor, Gregory F. Arriola.

The training conducted involved qualification, shooter diagnostics, tactical pistol applications, tactical movements, and MILO Simulator Scenarios. It should be noted that this was the first time a trainer from the Academy came to the region. Trainer Lambeth's feedback was that she was extremely impressed with the officers' proficiency. Her comments reflected the level of training provided by former Lead Firearms Instructor, SUSPO John San Nicolas throughout the years.





U.S. Probation & Pretrial Services Staff and Training Instructors

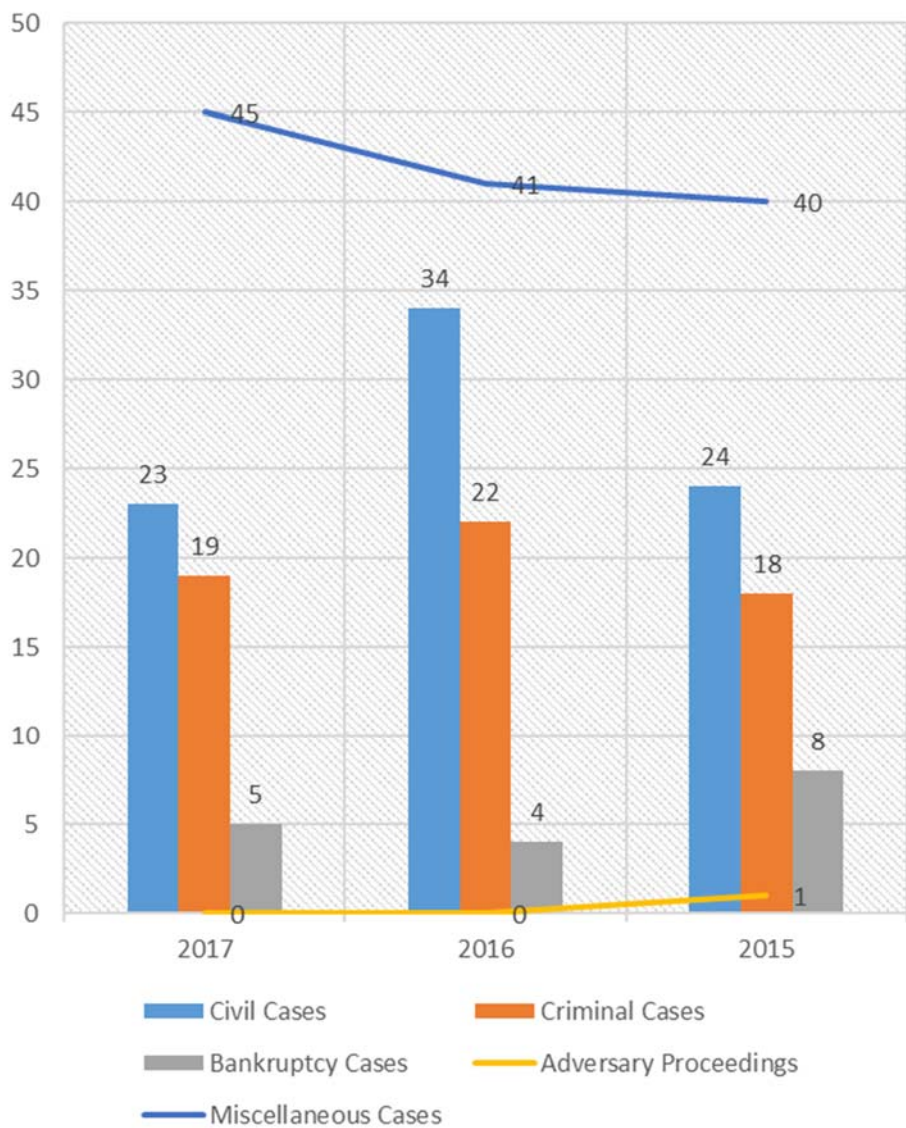
From June 8-10, 2017, Firearms Instructor Derek Kim returned to Guam and conducted firearms and Non-Lethal Training Ammunition (NLTA) training with the Districts, assisted by Lead Firearms Instructor Ricardo J.P. Leon Guerrero, and District Firearms Instructor Gregory F. Arriola. The training conducted involved tactical pistol applications, tactical movement, shooting from and moving from cover, a qualification, and NLTA training, with force on force, use of cover, and scenarios.

In 2017, Lead Firearms Instructor Ricardo J.P. Leon Guerrero and District Firearms Instructor Gregory F. Arriola also conducted several other firearms training events to prepare officers to be armed and to qualify with the Glock Model 17 and 19, 9mm Firearms, which were obtained via the Glock Exchange Program in June 2017. All USPOs who have volunteered to be armed have qualified.

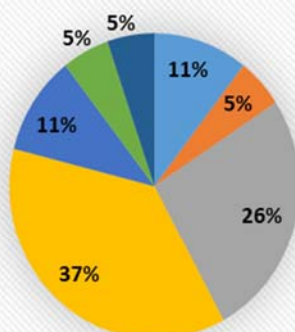
Mark Patricio from the U.S. Marshals conducted First Aid CPR/AED training as well as how to properly apply a tourniquet.

STATISTICS

CASES FILED

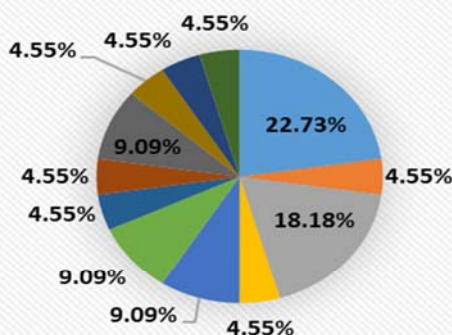


2017 Criminal Cases - Nature of Suit



- Mail Fraud
- Assault with a Dangerous Weapon
- Harboring Illegal Aliens
- Unlawful Employment of Aliens
- False State in and Application for a Passport
- Theft of Mail by Postal Service Employee
- Methamphetamine

2017 Civil Cases - Nature of Suit



- Contract
- 2255 Motion
- Civil Rights Acts
- Agency Review
- Habeas Corpus
- Constitutional- State Statue
- Assault Libel & Slander
- Federal Employer's Liability
- Mandamus & Other
- Other Statutory Actions
- Real Property
- Drug Related Seizure of Property



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
Tel (670) 237-1200 • Fax (670) 237-1201
<http://www.nmid.uscourts.gov>