



FOURTH BIENNIAL PACIFIC JUDICIAL COUNCIL CONFERENCE

SEVEN COLLEGE FELLOWS PARTICIPATED IN THE FOURTH BIENNIAL TRAINING CONFERENCE, CO-SPONSORED BY THE COLLEGE AND THE PACIFIC JUDICIAL COUNCIL (PJC) SINCE 2014-15, ON NOVEMBER 9-11, 2022. THE PJC IS COMPRISED OF THE CHIEF JUSTICES AND PRESIDING JUDGES OF AMERICAN SAMOA, GUAM, THE NATIONAL AND STATE COURTS OF THE FEDERATED STATES OF MICRONESIA, THE NORTHERN MARIANAS ISLANDS, AND PALAU. THE PRIMARY GOAL OF THE PJC IS TO ASSIST IN THE DEVELOPMENT AND DELIVERY OF CONTINUING JUDICIAL EDUCATION AND COURT PROFESSIONAL TRAINING AND TO ENSURE THE OVERALL IMPROVEMENT OF THE ADMINISTRATION OF JUSTICE IN THE MEMBER COURTS. THE TRAINING CONFERENCE WAS THE BRAIN-CHILD OF BRIAN O'NEILL, A FORMER REGENT AND PAST CHAIR OF THE COLLEGE'S INTERNATIONAL COMMITTEE. IN 2022 THE FOUNDATION OF THE COLLEGE CREATED THE BRIAN O'NEILL MEMORIAL FUND IN HONOR OF BRIAN, WHO HAD BEEN DIAGNOSED WITH ALS IN 2019 AND PASSED AWAY IN 2020 SOON AFTER THE THIRD CONFERENCE IN SAIPAN. FELLOWS PAY THEIR OWN WAY TO THESE CONFERENCES, BUT THE FUND HELPS DEFRAY THE EXPENSES FOR FELLOWS AND OTHER PARTICIPANTS WHO ARE IN PUBLIC SERVICE – JUDGES, PROSECUTORS AND DEFENDERS. THE FIRST CONFERENCE TOOK PLACE IN PALAU; THEN GUAM, SAIPAN, AND THIS YEAR'S CONFERENCE, HELD ONCE AGAIN IN KOROR, PALAU.



Palau is an independent South Pacific island country comprised of approximately 21,000 people. Prior to 1994 it was a United States territory. In 1994 Palau secured its independence. In 2008 the Palauan people passed a constitutional amendment allowing for criminal jury trials for defendants charged with crimes where exposure to prison exceeded 12 years. Given the small size of the population and relationships and friendships among the populace and clans, juries by necessity are limited to six people. The institution of these trials became the catalyst for the Conferences. Conference attendees travel from all islands of Palau as well as Guam, CNMI, American Samoa, and the Federated States of Micronesia (comprised of Yap, Kosrae, Pohnpei and Chuuk).



Fellows Keith Strong and Carolyn Ostby, both retired federal Magistrate Judges from Montana (Ms. Ostby is also a former Chair of the International Committee), Mickey Pohl of Pittsburgh, Claire Rauscher of Charlotte, Rob Goodin (current International Committee Chair) and Harold McElhinny, both of whom are from San Francisco, Rick Glaser of Charlotte, together with Hannah McElhinny, a federal Public Defender who handles juvenile cases in Washington, DC, presented on a number of topics. Fellows Strong, Pohl and Glaser have participated in all four conferences. Topics presented ranged from Search and Seizure, Pro Se litigants, Alternative Dispute Resolution, How to Handle High Profile Cases, How to Try Complicated Cases, Juvenile Justice Reform, Brady obligations, Expert Testimony, How to Get Documents into Evidence, Ethics, Civility and a review of the Criminal Trial experience on Palau.



Panels of local judges and attorneys discussed issues of concern in those areas for the Palau, Guam and CNMI Bars and Courts. There are unique issues faced by Palauan juries that were discussed by the criminal jury trial panel. Those issues ranged from proper translation of the multiple languages spoken in the island country (Palauan and English by Palauan citizens; foreign nationals who spoke Fijian, Filipino and Chinese), to serving summonses on those who live on the outer islands, transporting prospective jurors to the main island for jury duty and the approaching of jurors by interested persons outside the courtroom.

The success of this conference as well as the three prior conferences were a result of months of planning. In particular, Chief Justice Phillip Carbullido of Guam and his staff spent hours helping to develop presentation topics as well as preparing logistical support for the conference. Throughout two years of planning, complicated by the pandemic, our team collaborated on a monthly basis directly with Chief Justice Carbullido and his staff, specifically the justice's assistant, Petrina Ula.

The Bars of Palau and Guam as well as the PJC sponsored dinners for the presenters on all three nights of the conference. In addition to being feted each night by the local Bars, College team members enjoyed other island hospitality as well as the natural wonders of Palau. Fellows were able to snorkel and scuba dive in the pristine waters around and near the main island of Koror. We enjoyed local cuisine and were able to tour some of the smaller islands of Palau, including Peleliu, a living museum of an island where tanks, bunkers, man-carved caves and downed planes from a fierce WW II battle still dot its now-forested landscape.

On the last night of the conference, after listening to Palauan music and watching young adult Palauans perform historic dances, the Fellows presented the local organizers with crystal paper weights from the College for the extraordinary efforts the PJC displayed in partnering with the College for this event.

Plans are underway for the next Conference.

Richard S. Glaser
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