

UNITED STATES GOVERNMENT

Memorandum

DL - Lawyers
→ *Trust Territories*

TO : Jerry Fullmer, GC

DATE: 12/22/66

FROM : Roger Flather, EAP *RF*

SUBJECT: Micronesia Lawyer Program

At the present time five lawyers are on duty in Micronesia. These lawyers are a part of a program designed to extend public defender services to a greater part of the population than heretofore was possible.

In training are eleven lawyers specializing in land law codification. Land is the most precious commodity in Micronesia, there being only 700 square miles of it in 3,000,000 square miles of ocean. As a result complex hierarchies of rights to land, and buildings or coconut trees there on, exist. It is not uncommon to encounter a group of persons rather than a single owner when attempting to negotiate a lease. At the present time there is no single land law encompassing all of Micronesia; rather, the law differs according to local custom island by island in patchwork fashion. The local custom-oriented land law has been further complicated by the overlaying of first Spanish and then Germans, Japanese, and American law. These successively imposed law systems were necessarily accompanied by court decisions, resulting today in some conflict between systems and debate as to applicability.

The land codification lawyers will assist the government's program to determine to codify the land law island by island. It is noted that in some areas, development is being inhibited by the government's inability to utilize land, due to unresolved land claims and conflicting land law.

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