

Micronesian Institute For Legal Education  
Projected Courses

To: Attorney General  
Chief Justice  
PCV Attorney's All Districts  
Congress of Micronesia Legislative Council  
Public Defender

Listed below is a series of courses with brief explanations to give some idea as to what might be included in such a course. We consider these courses and explanations as food for thought and a starting point for your comments.

The Committee feels that most courses should use a modified case approach. Profuse use of examples in lecture, preferably taken from Trust Territory cases is recommended. We do not feel that a pure case approach and the Socratic method of instruction can be used to good advantage.

After making such comments and suggestions as you wish, would the PCV Attorney's list their preferences as to courses they would like to prepare. A list of the top five should be sufficient. Would all PCV Attorney's also send in to Palau copies of materials that have been prepared in their districts, so we can duplicate and distribute them to persons preparing courses. Responses would be appreciated from all addresses prior to December 1, 1968.

The following courses have been divided into four phases of instruction. These phases would occur over a period of twelve to eighteen months. Each phase is designed to build on the preceding one. A phase should not exceed six weeks. Total class hours per phase would vary between thirty and forty hours. Each class period would not exceed 90 minutes. Total hours allotted for each course are listed in parentheses with course descriptions; these allotments are only suggestions, and your comments are requested.

First Phase

A. Historical and Political Foundations of Law in the Trust Territory (10 hrs.)

1. Basis of U.S. system of law and government. Cover history from British Magna Carta to U.S. Constitution rapidly to give some idea of basis for U.S. system. When covering U.S. history, give synopsis of cases to show how courts have been instrumental in establishing and delimiting powers in American government.

2. History of Micronesia from Spanish or German times to present. This can be rapid survey until U.N. and establishment of trustee system. Major stress may be put on comparison of U.S. system and trusteeship in T.T.

B. Introduction to Legal Reasoning, sources of law (15 to 20 hrs.)

1. Basic idea of case law, using T.T. decisions. Basic sources of T.T. law--T.T. Code, High Court decisions. Use of U.S. sources--U.S.C.A., Reporters, A. Jur., etc.

2. Use of problem-solving method in teaching. How to read statutes and cases, and sources for their interpretation.

3. Conclude course with a legal research problem or brief. (This course may well be the most sophisticated of all, especially as regards the use of English.)

C. Legal Profession

(5 hrs)

1. Ethics - practical examples in areas of conflicts of interest, judges demeanor, requirements of the adversary system, etc.

2. Duties of Attorneys - their function in society, areas where they are commonly expected to perform.

3. Legal Training - requirements for entrance to law school, bar exams, general licensing procedures, etc.

4. Bar Associations - duties, functions, history, and in legal education of lawyer and general public.

Second Phase

A. Criminal Law

(10 hrs.)

1. Substantive law of crimes using T.T. Code and cases.

2. Use of District Codes and municipal ordinances keyed to each district.

B. Civil Procedure and Drafting

(10 hrs.)

1. Use of T.T. Rules of Civ. Proc, Federal Rules and form books. Explanation of all steps in cause of action prior to trial, including drafting of pleadings.

2. Summary of legislative drafting.

C. Torts

(10 hrs.)

1. Intentional torts, using T.T. Code and cases and relating to criminal law.

2. Negligence law - greater use of U.S. cases will be required. Emphasis should be on this area rather than intentional torts.

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A. Contracts

(10 hrs.)

1. Elements of contract, general contract law.
2. Practical aspects of insurance contracts and shipping contracts.

B. Land Law

(10 to 20 hrs. depending on needs of each district)

1. Start with T.T. Code and work into custom and practice in each district. (This appears to be the most difficult course to formulate and your ideas are urgently solicited.)

C. Criminal Procedure

(10 hrs.)

1. T.T. Rules of Crim. Proc., arrest, search and seizure, use of warrants, etc.

Fourth Phase

A. Evidence and Trial Practice

(10 to 15 hrs.)

1. General rules of evidence and procedures during trial.
2. Appeal process, how to file an appeal, requirements and procedures.

B. Business Law

(10 to 15 hrs.)

1. Basic structure and rules of operation for corporations, partnerships and associations.
2. T.T. business law and licensing using T.T. Code and District laws.
3. International business transactions in relation to T.T. export and import businesses.

C. Criminal investigation, police administration, defensive and tactics, firearms, etc. (This course will be nearly exclusively for police personnel and will be largely formulated by the District Office with the probable exception of one or two PCV Attorneys. The course could well be included in the first phase of instruction and will probably extend beyond that period.)

Douglas F. Cusimic  
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