

~~1/1/69~~ 7

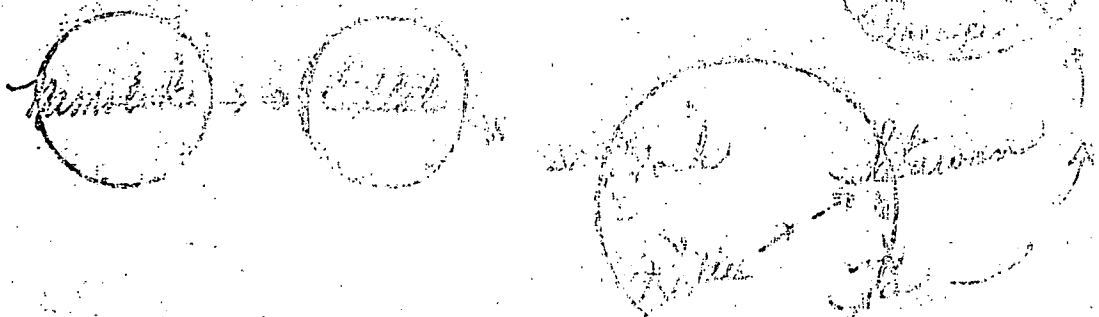
It is obvious that law, no less than the desire for order, must provide a framework for its efforts. In order to ensure that a legal framework is developing in the Truk District, the Public Defenders office and the District Prosecutors office of the Truk District will conduct a legal training workshop for the Lower Mortlock islands in Laksor during the month of March, 1969. It is contemplated that this shall only be the first of such programs throughout the Truk District.

The objective of this program shall be not only to upgrade the legal education and awareness of the participants, but shall be to develop a standardized legal system for each of the islands concerned.

The Logistics

1. The Magistrates of each of the eight islands of the lower mortlocks will be asked to submit a form indicating five participants from their island to attend the program. Each island will submit the name of their Community Court judge, their two most active trial assistants, and two representatives of their police staff.

2. During the first week of March Truk's field trip vessel, the Truk Islander, performing routine field trip activity, shall take the following course: Namoluk, Eral, Mook, Kook, Saisob, Ta, Laksoor, and Okeob. It shall take the five participants from the first six islands listed above, and have said participants depart at Laksoor, the program site. The participants from Okeob shall make arrangements for their own transportation to Laksoor.



3. Housing facilities and the classroom facilities shall be provided by the municipality of Laksoor.

4. Rice, tea, coffee and sugar will be provided to the participants from the budget of this program. There shall be boats available for the participants from each island to fish during free hours -- the participants from each island will be required to do sufficient fishing to maintain an adequate supply of fish for the duration of the program. It is suggested and hoped that the participants will bring a supply of salted fish and other food to Laksoor in order to facilitate the food program.

22  
X - 429904

5.) Pens, paper, and legal forms, and a training manual will be supplied from the budget of this program.

6.) When the program has ended, the Peace Corps vessel, the Oriental Lady, will provide transportation back to the participants islands.

#### THE PROGRAM

duration -- 20 days

#### Two days -- Introduction

- 1.) The nature of legal process and why it is important to island life.
- 2.) Advisory system of justice.
- 3.) Criminal law as opposed to Civil Law.
- 4.) Legal Ethics (a lawyer's responsibility  
(judicial responsibility  
(police responsibility and  
(police administration

#### Five days -- Criminal Procedure

- 1.) Law of arrest, probable cause
- 2.) Arraignment
- 3.) Preliminary hearing
- 4.) Pre-trial Motions
- 5.) The concept of due process and the improper use of evidence
  - (a.) Search and seizure
  - (b.) Confessions
  - (c.) Self-incrimination
  - (d.) Double jeopardy

#### Three days -- Civil Procedure

- 1.) Service of process
- 2.) Form of pleading -- the complaint -- the answer
- 3.) Motions
- 4.) Defense and objections
- 5.) Judgments
- 6.) Appeals
- 7.) Small claims procedure

#### Three days -- Trust Territory Criminal Law

- 1.) Crimes against the person
- 2.) Crimes against property
- 3.) Crimes against public health and safety
- 4.) Crimes against public justice and peace

#### Three days -- Trial Practice

- 1.) Staging of a criminal trial
  - a.) Opening statements
  - b.) Prosecution case  
burden of proof + evidence  
Cross examination  
Verdicts

22  
76-429905

- c.) Presenting the defense
- d.) Summation
- 2.) Staging of a civil trial
  - a.) Plaintiff's case and burden of proof - plaintiff's evidence
  - b.) Motion for summary judgment
- c.
  - c.) Defendant's case
  - d.) Closing arguments
  - e.) Judgment and measure of damages

### Three days - Specialized Workshops

The entire group shall be divided as to their professions - judges, police, and trial assistants. The objective here is to bring the legal doctrines into practical application - that is, to show the participants how to use what they have learned. The representative from the Public Defender's office, Manic, the representative from the Prosecutor's office, Kara, and a Peace Corps lawyer, will instruct each group individually:

Police - Police Patrol and arrests  
 Police reports  
 Disposition of drunks  
 Review

Judges - Court Docket  
 Court filing system and reports  
 Judgments  
 Review

### Trial Assistants

Writing a complaint - answer  
 Writing motions  
 Presenting evidence  
 Review

### Examination - One Day

Most educators create a most plan of study at the beginning and stick to it regardless of the needs of the pupil. There is no doubt here that the curriculum should grow concrete as it develops. The outline which I have given has some basic objectives and will be adhered to in order to fulfill these objectives - I believe that the program will establish some legal standards for each of the municipalities involved and in that respect will be successful. If proved successful the program it will continue in other island groups of the Truck District - Hall, Nomanito, and Westerns.

Paul Mancini - FOU Attorney, Moss

22  
 429906