

PEACE CORPS / MICRONESIA

TRUST TERRITORY OF THE PACIFIC ISLANDS

6/21/71

Headquarters
P. O. Box 392
Saipan, Mariana Islands
96950

MICRONESIA

Lawyers' Program, *Marshall's and Truk*

SUMMER 71

I. BRIEF SUMMARY

~~The districts of Truk and the Marshalls will need lawyers to replace those terminating in June of 1971. This request comes through the district legislative bodies for Volunteer assistance, to be continued.~~

It is felt by Peace Corps/Micronesia that the placement of the lawyers comes at a critical time. The move towards decentralization of government responsibilities will put greater responsibility on the respective district legislatures. The Volunteer lawyer, in an educational role, will be a vital element in the development of the district legislatures.

The Volunteer lawyers do not take an active role in the operation of the respective legislatures. They provide a resource that is trained in the legal system that has been adopted in concept, procedure, and practice. Successful use of that system requires training in the procedures, techniques, codes at all levels of participation in the fundamental processes of law. The lawyers serve as trained technicians to further the understanding of Micronesians in the procedures they are using to develop a legal system for their district and Micronesia.

There are now three Micronesians in law school and nineteen studying in pre-law undergraduate programs. It will be three years before the first of these complete their studies and are available to return to Micronesia.

This project calls for two Volunteers:

2 Lawyers who have passed the BAR Examination Male

Proposed implementation schedule:

~~In-country training for ten weeks.~~

March 15 - June 1, 1971.

Length of service, including training, will be 24 months.

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II. PROJECT OBJECTIVES

This project addresses itself to the critical need for skilled, trained, lawyers in Micronesia. The lawyers will assist Micronesians in learning and using correct procedures in every phase of legislative and government operation that requires adherence to specific legal concepts and rules to be enforceable at law. Assistance is needed in this rapidly developing society to insure a sound and legal base for the society to continue to develop. Specifically, the program will assist in the development of:

- 1) Essential legal skills, techniques and procedures not currently present in Micronesia to keep abreast of the pace of development.
- 2) To help, assist and train Micronesians in the various legislative bodies, municipal offices, administrative functions, who, without a legal education or without the knowledge and skills of legal experience are charged with the responsibility of conducting government procedures by precise legal dictum.
- 3) To provide legal training in procedures and techniques in the administration, writing, coding and enforcement of laws through the legislative bodies and government offices throughout the Trust Territory.

III. JOB DESCRIPTION

The Volunteer lawyers' primary assignments will be as legislative counsels with District Legislatures and Municipal Legislatures and Councils. The Volunteer will assist with the drafting of legislation, advising officers and committees on the legal technicalities of legislation and rules of procedure and interpretation of procedural questions as they arise. Lawyers will assist in the training of members ~~and~~ employees of the legislatures in the proper and correct terminology and language used to make their ordinances, resolutions, laws, and other legal materials have the force and effect desired by that body. In between sessions of these law making bodies, the lawyers will assist legislative secretaries in incorporating and codifying enacted legislation. They will help train legislative clerks and other employees in procedures and techniques necessary for sound administrative operation of the legislature. They will provide a comprehensive research and reference service on legislative

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matters. They will advise on the need to revise present laws and recommend possible new areas of legislation. They will render legal opinions when requested by officers of the legislative bodies after due consideration and legal research on the question or problem.

With the rapid development of Micronesia and expanded role of Micronesian government participation, the legislatures' role requires more and more time and skill and greater degrees of maturity and sophistication. The PCVs' time will be occupied in preparation and training legislative members and employees in the precise techniques and procedures necessary to function in this development.

Secondary assignments - Legal assistance is at a premium in Micronesia. There is only one lawyer engaged in private practice in the whole of Micronesia. Although the Peace Corps lawyers will not practice law in the courts of Micronesia, they will be called upon by many Micronesian private groups to draw legal documents dealing with incorporation of non-private organizations, community projects, charitable bodies and related needs for legal assistance. In many instances the lawyers will work with and train court clerks, municipal clerks and officials, trial assistants, and others by classroom instruction or by on-the-job assistance. The Volunteer will be a source of advice to and for prosecutors, public defenders, and others in the legal fields of his district.

IV. SELECTION CRITERIA

The Volunteers assigned will be required to have graduated from an American law school. Admission to practice (passing BAR examination) is generally required. ~~Those~~ lacking it must obtain a specific waiver from Peace Corps/Micronesia. *US State Dept waiver*

The Volunteer should be single. Sex is not important, but males would be preferred. *due to military restrictions*

Due to the large number of married Volunteer lawyers now in country, single lawyers would increase the mobility and usefulness of their legislatures' program. If not possible, Peace Corps/Micronesia should be notified and non-matrix wives will be accepted rather than leave a district without this resource.

V. TRAINING

All training will be done in-country. *US State Dept waiver*

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The Volunteers should reach an FSI of 1 plus prior to the end of training. Language ability will be a great asset in this position.

All technical orientation will be supplied by the Judiciary Department and they will provide personnel for Area Studies also.

~~Cross cultural studies will start with second culture sensitivity with an analysis of American cultural patterns. This, then, will be contrasted to specific cultural patterns of the Trukese and Marshallese, and the position the Volunteer will hold in this district.~~

Time will ^{also} be spent on developing an understanding of the existing government structure on a district and country level. The development of the history of Micronesia will be done with emphasis on the relationship with the United Nations and future political status.

IV. APPENDIX

A. Volunteer Support.

1. Technical support.

The Government of Micronesia will support with funds, materials and technical supervision, this program. Additional country staff are not required.

2. Host Country Contribution.

The Government of Micronesia will supply the necessary materials to carry out this program. All job related transportation will be covered by the government.

3. Allowances

Volunteer living allowances are set at three levels (\$90.00, \$105.00 & \$120.00) and are paid on a monthly basis. The Volunteer may decide which level best fits his needs.

A settling-in allowance is provided up to a maximum of \$135.00.

Leave allowance is deposited on a quarterly basis at \$18.00 for every month of service.

4. Supplies and equipment

All major supplies and job related equipment will be supplied by the Government of Micronesia. Peace Corps will supply Volunteers with job related reference books as needed.

5. Transportation

All job related transportation will be provided by the Government of Micronesia.

6. Medical Support

No special medical considerations are necessary.

B. Factors in implementation

1. Host Government request

Requests for Peace Corps assistance in Micronesia are initiated on the district level in the six administrative centers.

An Advisory Council is made up of Micronesian leadership and community members reviews with the Peace Corps District Director and Government officials. All requests for Volunteers are then forwarded to Saipan where Peace Corps Micronesia staff reviews the request with Government officials. The High Commissioner approves the final total request.

2. Clearance with other U.S. Agencies

This project will be implemented under the existing Memorandum of Agreement between the High Commissioner of the Trust Territory of the Pacific Islands and the Director of the Peace Corps signed on November 11, 1966.

3. Program Note

A program note in the usual sense is not required for the Micronesia program because the U.S., as administrator, exercises

22
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full authority.

Current Peace Corps projects in Micronesia.

<u>Project:</u>	<u>No. PCVs.</u>	<u>Std. Trng.</u>	<u>Return U.S.</u>
Total: 145			
<u>Resources & Development Dept.: (36)</u>			
<u>Agriculture Div.:</u>			
Ag/Extension	29	6/69	6/71
Ag/Veterinary	1	6/69	6/71
<u>Fisheries Div.:</u>			
Fisheries	5	6/69	6/71
<u>Economic Dev. Div.:</u>			
Handicraft	1	6/69	6/71
<u>Public Affairs Dept.: (5)</u>			
<u>Community Dev. Division:</u>			
Community Dev.	2	6/69	6/71
Architect	3	6/69	6/71
<u>Public Information Div.:</u>			
Mass Media	1	6/69	6/71
<u>Legal (2)</u>			
Lawyers	2	6/69	6/71
<u>Public Health Dept.: (1)</u>			
Technician/Lab.	1	6/69	6/71
<u>Public Works Department: (1)</u>			
Engineers/Civil	1	6/69	6/71

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Education Department: (98)

Primary TESL
Secondary
Special Pl./Media
Teacher Training

72	6/69	6/71
22	6/69	6/71
1	6/69	6/71
3	6/69	6/71

Secretary (1)

Secretary

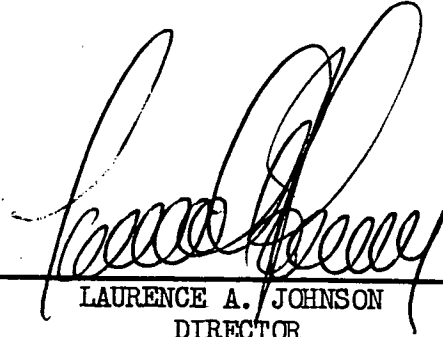
1	6/69	6/71
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The foregoing project for two (2) Volunteers for the Trust Territory
Judiciary Department, as outlined in the Program Overview, is hereby
approved.

28 SEP 1970

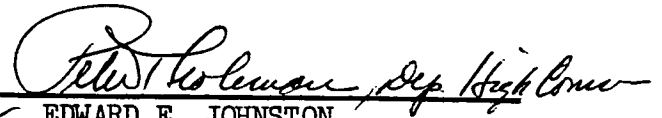
(Date)



LAURENCE A. JOHNSON
DIRECTOR
PC/MICRONESIA

14 Oct 70

(Date)


for EDWARD E. JOHNSTON
HIGH COMMISSIONER
TRUST TERRITORY HEADQUARTERS

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