

DRAFT  
4/12/74

02  
5

Marianas

Canal Zone Judiciary

There is a United States District Court for the District of the Canal Zone. 3 Canal Zone Code Section 1. The District of the Canal Zone has one district judge, appointed by the President, with the advice and consent of the Senate, who holds office for a term of eight years and who may be removed by the President sooner for cause. 3 Canal Zone Code Section 5(a). The salary of the district judge is equal to the salary of district judges of the United States district courts generally. 3 Canal Zone Code Section 5(b). In addition, the President may appoint a special district judge to act during the absence of the regular district judge or disability. 3 Canal Zone Code Section 6.

The Canal Zone Code also provides for appointment of a United States attorney for the District of the Canal Zone and a United States marshal for the District of the Canal Zone. 3 Canal Zone Code Sections 41-47. In addition, the governor of the Canal Zone appoints a qualified member of the bar as a public defender. 3 Canal Zone Code Section 10.

The district court has the following jurisdiction:  
(1) civil and criminal actions except those within the original jurisdiction of the magistrates' courts, (2) admiralty cases,

08035

(3) appeals from the magistrates' courts, (4) actions and proceedings involved in laws of the United States applicable to the Canal Zone, and (5) other matters and proceedings wherein jurisdiction is conferred by this Code or any other law. 3 Canal Zone Code Section 141. The admiralty jurisdiction conferred is the same as that exercised by the United States district courts. Section 142. Additionally the Canal Zone district court has jurisdiction of "offenses under the criminal laws of the United States when such offenses are committed beyond the territorial limits of the Canal Zone but within the special maritime and territorial jurisdiction of the United States as defined by section 7 of Title 18, United States Code, and the offenders are found in the Canal Zone or brought into the Canal Zone after the commission of the offense."

Those actions accepted from the jurisdiction of the district court because they are within the exclusive original jurisdiction of the magistrates' court are as follows: (1) civil actions in which the claim does not exceed \$500, (2) criminal actions in which the punishment which may be imposed does not exceed a fine of \$100 or imprisonment in jail for 30 days or both, (3) criminal actions for reckless driving or bodily injuries not involved and for driving while intoxicated, and (4) forcible entry and detainer of real estate.

Civil actions in the district court may be brought in the division when the defendant resides or is found or in

the division where the plaintiff or one of the plaintiffs resides at the election of the plaintiff. Section 201(a). Other special provisions enable actions to be brought, for example, where the property in question is situated. Section 201(b), (c), (d).