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Page 1 of 8

VIA FAX: 011-670-664-4759

Mr. Herman Guerrero, Chair
Pre-Convention Committee
Third Northern Mariana Islands
Constitutional Convention
Saipan, MP 96950

Dear Mr. ^{Herman} Guerrero:

Thank you for your letter of April 10 advising me of the interest of the Third Northern Mariana Islands Constitutional Convention in retaining legal consultants.


I am enclosing my formal proposal to provide legal assistance to the Third Constitutional Convention, with the names of other attorneys who will assist in the effort. These are people with whom I have worked with in the past and, therefore, you can be assured of high quality control.

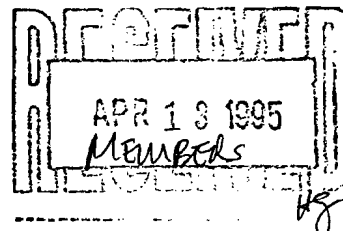
As I mentioned to you, I headed a three-man legal team which addressed both Guam and Virgin Islands Constitutional Conventions. In addition, I provided the technical assistance for the Pre-Convention of the D. C. Constitutional Convention.

Other persons who would work with me are persons with significant public policy experience, Commonwealth or territorial experience, and legal drafting skills. I am confident that we can provide the assistance you desire.

With best personal regards,

Cordially,


Arnold H. Leibowitz



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PROPOSAL TO PROVIDE LEGAL CONSULTANT ASSISTANCE TO THE THIRD
NORTHERN MARIANA ISLANDS CONSTITUTIONAL CONVENTION

The key to a successful convention, and a successful role for outside counsel, is that the counsel not make this his convention or his constitution. Rather, it is the constitution and product of the delegates. What counsel can do is help the delegates so that they are comfortable with the choices they make, draft language that carries out their desires, and examines for the convention as a whole and the delegates as required particular provisions which may have been used elsewhere in the U.S. and which may now be coming up in the Northern Mariana Islands.

1. Name of Lawyer Responsible for Directing the Legal Services To Be Provided to the Pre-Convention Committee and the Convention

Arnold Leibowitz will direct the legal services to be provided to the Pre-Convention Committee and the Convention. Mr. Leibowitz is an acknowledged expert both in territorial and Commonwealth status matters, having written the leading treatise in the field: Defining Status: A Comprehensive Analysis of U.S. Territorial Relations (Martinus Nijhoff, 1989).

Mr. Leibowitz directed a team of three lawyers when his organization was selected as Counsel to the Guam Constitutional Convention in 1976-77 and to the Virgin Islands Constitutional Convention in 1977-78. Both of these Conventions successfully adopted a constitution. Mr. Leibowitz was also Technical Adviser to the District of Columbia Constitutional Convention in 1986 during the pre-convention period, giving a series of lectures on the structure of the convention to delegates who were elected to be members of the D.C. Constitutional Convention. This involved advice on adoption of rules for the Constitutional Convention, the structure of committees, assembly of the Constitutional Convention staff and operation of a Convention Secretariat.

2. Statement as to How the Requirements of the Convention Would be Staffed

The attorneys available to the Constitutional Convention assisting Mr. Leibowitz would be experienced in Constitutional and island matters. They would, in all likelihood, be drawn from: Richard Oppen, former Attorney General of Guam; Madeline Austin,

formerly with the Chuuk and Guam Attorney General's offices; Jose Martinez, formerly Special Counsel to the Governor of Puerto Rico; and Lee Goldberg, who drafted legislation in both the House and Senate before he joined Mr. Leibowitz in his firm.

A. During the Pre-Convention Period from April 6 - June 5, 1995

We would expect that Mr. Leibowitz would be available for a week to assist the delegates on issues that may arise during this pre-Convention period. Usually, no other legal assistance is required during this pre-Convention period. However, should the Convention with it, we would make available an experienced attorney throughout the entire pre-Convention period. This option is presented in this proposal as Option A.

B. During the Convention Period from June 5 - August 19, 1995

During the Convention period, at least two attorneys would be present at all times, with an additional attorney available as necessary (see Option A). Additional time for the lead attorney is also envisioned (Option A).

Staffing would be flexible depending upon the structure of the Convention and what the delegates' needs are.

3. Total Dollar Amount to be Paid in Compensation for Lawyer Services

A. The Pre-Convention Period

	<u>Budget</u>	<u>Option A</u>
Arnold Leibowitz (1 week)	\$ 7,000	\$ 7,000
Additional Attorney (1 mo.)	\$ --	\$10,000

B. Convention Period

	<u>Budget</u>	<u>Option A</u>
Attorney	\$20,000	\$20,000
Attorney (weeks)	\$16,000	\$16,000
Attorney	\$ --	\$10,000
Lead Attorney (2 weeks)	\$14,000	\$14,000
Total	\$57,000	\$77,000

The budget for legal services would be:

\$57,000 - Mr. Leibowitz for one week during the pre-Convention period and two attorneys during the Convention period and Mr. Leibowitz for two weeks); or

\$77,000 for Option A - Pre-Convention: Mr. Leibowitz for one

week and one attorney for one month. Convention period: Mr. Leibowitz for two weeks and two attorneys for the entire period (9 weeks) of the Convention.

The legal expenses are based on a Pre-Convention period from April 6-une 5, 1995; and a Coinvention period from June 5-August 19, 1995.

In addition to these legal fees, the Convention would be asked to reimburse air fare and related travel costs to and from the CNMI; hotel and board while on island or travelling to the Convention; and xeroxing, faxes and long distance telephone calls related to the work.

Built into the fee is preparatory research in Washington at no charge.

Payments would be requested as follows:

- 25% upon signing of this agreement
- 25% at end of Pre-Convention period
- 25% one week after Convention begins
- 15% one month after Convention begins
- 10% at end of Convention

4. Requirements for Experts

It is not expected that any additional experts would be required.

5. Requirements for Non-Lawyer Staff

We would expect to utilize the clerical staff available to the Convention as a whole. That is, in fact, what was done for the Guam, Virgin Islands and District of Columbia Constitutional Conventions. What the legal team would need is one secretary/clerk available at all times to the legal team, in addition to one or two student researchers. The researchers are not absolutely essential, however, If these are not available at all, then we would expect to hire these persons locally either from the Northern Mariana Islands or Guam at prevailing wage rates.

Messengers and administrative personnel available to the Convention delegates should be available to the legal staff.

6. Equipment Required

In addition to the standard office furniture, we would expect to have two word processors available for the legal staff.

We would also expect one car to be available for attorney use

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and to be provided at no charge by the Convention.

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