



# Third Northern Mariana Islands Constitutional Convention Pre-Convention Committee

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## MEMORANDUM

DATE: June 2, 1995

**TO** : Pre-Convention Committee  
**FROM** : The Legal Subcommittee  
**SUBJECT** : Final Report

The Legal Subcommittee consisted of the following delegates who served on the Pre-Convention Committee: Chair Dr. Carlos S. Camacho, Esther S. Fleming, Herman T. Guerrero, Victor B. Hocog, James M. Mendiola, Justo S. Quitugua, and Joaquin P. Villagomez. The Subcommittee was charged with hiring the legal team to support the Convention.

Pursuant to its assignment, the Legal Subcommittee has made the following decisions, which have been approved by the Pre-Convention Committee:

(1) Lead legal counsel: The Subcommittee retained Howard Willens and Deanne Siemer to serve as lead legal counsel for the Convention. Lead counsel will head the legal team; make assignments of lawyers to support the Convention, its committees, and its delegates; provide necessary legal opinions; prepare draft Constitutional language and supporting analyses; and assist the Committee on Organization and Procedures in guiding the activities of the Convention.

The contract with lead legal counsel requires the expenditure of a total of \$3,000 per month for subsistence plus travel and supplies and other items used in the Convention's work for the duration of the Convention. The contract also covers the post-Convention legal work under the same rates and arrangements.

The Subcommittee recommends that this contract be confirmed by the Convention.

(2) Legal counsel: The Subcommittee retained Bernard Zimmerman, Jose S. Dela Cruz, and Maya Kara to serve as legal counsel for the Convention. Counsel will assist the delegates, committees, Committee of the Whole, and Convention plenary sessions with legal questions and requirements as they arise.

Maya Kara is a government employee who is on loan from the Legislature.

The contract with Bernard Zimmerman and Jose S. Dela Cruz requires the expenditure for each lawyer of a total of \$3,000 per month for subsistence plus travel and supplies and other items used in the Convention's work for the duration of the Convention.

The Subcommittee recommends that the arrangements with Bernard Zimmerman and Jose S. Dela Cruz be confirmed by the Convention.

(3) Support lawyers: At the direction of the Subcommittee, lead counsel interviewed 11 local lawyers who expressed an interest in assisting the Convention. Seven submitted proposals

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to work with the legal team and lead counsel. The Subcommittee has reviewed the proposals and directed lead counsel to counsel to conduct further negotiations about certain of these proposals subject to the availability of funding.

The Subcommittee also directed lead to come up with contingency plans in the event further funding is not available, including a reduction in the number of substantive committees, measures to be considered by the Committee on Organization and Procedures to speed the Convention along and to make its processes more efficient, and other measures to save time and money.

The Subcommittee recommends that the authorization to negotiate further with potential support lawyers and to make contingency plans to be confirmed by the Convention.

(4) Conflicts of interest: The Subcommittee approved a rule on conflicts of interest that would: (1) bar any lawyer with a local private practice in the Commonwealth of the Northern Mariana Islands from advising the Convention on land matters, natural resources, environmental matters, local government matters, and gambling; (2) require disclosure by lawyers working for the Convention about the interests of current clients in areas other than those mentioned above which would be relevant to their impartiality in providing advice to the Convention; and (3) require voluntary measures by lawyers working for the Convention to take themselves out of any matter before the Convention where there is an actual or perceived conflict of interest. The implementation of the conflicts rule would be handled by lead counsel.

The Subcommittee recommends that this conflicts rule and procedure be endorsed by the Convention.

(5) Law students: The Subcommittee authorized lead legal counsel to hire up to four Northern Marianas law students to work with the legal team. The law students will assist the lawyers with drafting, research, proofreading, and other tasks. Two law students, Cinta Kaipat and Ramona Manglona, have been hired. Their contracts are for a weekly stipend that has not yet been determined, but will be competitive with law student stipends for other employers in the Commonwealth of the Northern Mariana Islands.

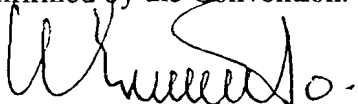
The Subcommittee recommends that the authorization to hire Northern Marianas law students be confirmed by the Convention.

(5) Support personnel: The Subcommittee authorized lead counsel to hire Pamela Carlson and Mary Andress to serve as support personnel for the legal team. The support personnel will provide administrative, secretarial, and clerical assistance to the legal team.

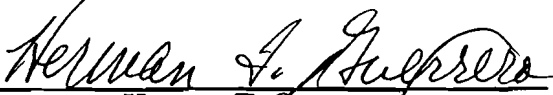
The contracts with Pamela Carlson and Mary Andress require the expenditure of a total of \$5,000 per month for subsistence (for both) plus travel and out-of-pocket expenses for the duration of the Convention.

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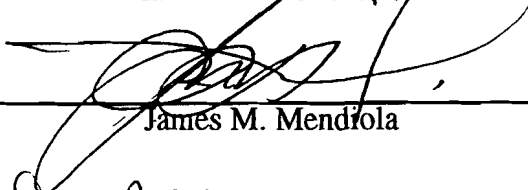
The Subcommittee recommends that the contracts with Pamela Carlson and Mary Andress be confirmed by the Convention.



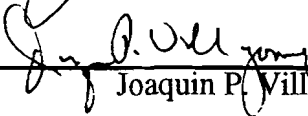
Carlos S. Camacho, Chair



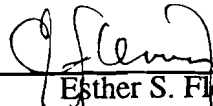
Herman T. Guerrero



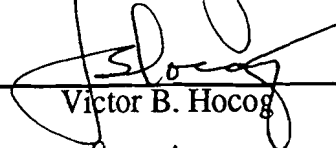
James M. Mendola



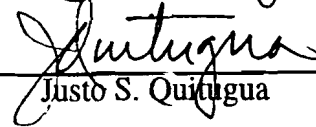
Joaquin P. Villagomez



Esther S. Fleming



Victor B. Hocog



Justo S. Quitigua