

ACCESS TO JUSTICE
AS COVID-19 CHALLENGES CONTINUE



2021 COURT ANNUAL REPORT

2021 COURT ANNUAL REPORT

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I. MESSAGE FROM PRESIDING JUSTICE KATHLEEN M. SALII



Alii from the Office of the Presiding Justice of the Trial Division.

On behalf of third branch of our government, I am pleased to present the 2021 Annual Report of the Palau Judiciary. The Annual Report is a comprehensive look into what it takes to maintain an efficient Judiciary, especially during an unprecedented and challenging period.

The COVID-19 Pandemic which reached us in 2020 continues to affect us all both personally and professionally, and it is through innovations, adjustments and determination of those dedicated Judiciary personnel in all divisions that allowed us to ensure that access to justice was never closed.

In looking at the number of cases filed, criminal charges filed went down drastically from about 1500 to over 850. However, civil cases, including land cases, increased from about 400 cases to over 600. Appeals and civil domestic abuse cases gradually increased with appeals up by 4 and domestic abuse cases up by 2.

But in a time of continued worries while the Republic focused on getting the population vaccinated, virtual conferences, trainings, and presentations were taken advantage of and hearings that would have had to be continued were able to be held via remote court proceedings (RCP). The statistics reflect this. For example, the number of RCPs increased from 29 in 2020 to 235 in 2021. The majority of these are debt collection cases with off-island counsel, with the rest comprising of civil cases where parties are unable to travel due to continued travel restrictions.

Despite dealing with the uncertainties brought on by the second year of the pandemic, the commitment of the staff has been constant. This hard work and determination surely can only lead to even more progress. It is the hope that as you read through the report, you will see it as a testament to the dedication and hard work of the members of the Judiciary family who, through their dedication, professionalism, perseverance and work ethics, continue to be committed to providing efficient access to justice despite various challenges.

Of course, there is always room for improvement in providing services to ensure the efficient administration of justice. To this end, constructive criticism from the public is welcome. Comments, concerns, or questions regarding case status of the trial courts may be directed to Chief Clerk of Courts of the Trial Division, Ms. Allison Sengebau, at asengebau@palausupremecourt.net; comments, concerns, or questions regarding overall administration of the Judiciary, its policies, procedures and operations may be directed to the Judiciary's Acting Deputy Administrative Director at judiciary@palausupremecourt.net, Attn: ADAD or at telephone number (680)488-2607.

Regards,

A handwritten signature in blue ink that reads "Kathleen M. Salii".

Kathleen M. Salii

Presiding Justice, Trial Division

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Palau Supreme Court

II. INTRODUCTION

The Republic of Palau is an island nation located in the western Pacific Ocean, roughly 500 miles southeast of the Philippines. Geographically, Palau constitutes part of the Caroline Islands chain and is part of the larger island group of Micronesia. Palau consists of more than 340 islands, only 9 of which are permanently inhabited. The land area of Palau totals approximately 460 square kilometers (178 square miles), about 2.5 times the size of Washington, D.C.

In 1978, after more than three decades of United States administration under the United Nations Trust Territory of the Pacific Islands (TTPI), Palau, as part of a process toward self-government, voted against joining the Federated States of Micronesia and opted for independent status. Palau adopted its own constitution and became the Republic of Palau in 1981. It signed a Compact of Free Association with the United States in 1982 and the Compact was ratified in 1993. Palau gained full sovereignty when the Compact went into effect on October 1, 1994, concluding Palau's transition from trusteeship to independence.

According to the 2015 Census of Population Housing and Agriculture for the Republic of Palau, Palau's population was 17,661. Approximately 65% of the total population live in the former capital city of Koror, on Koror Island. The capital relocated in 2006 from Koror State to Melekeok State on the larger but less developed island of Babeldaob – the second largest island in Micronesia after Guam. Ngerulmud, the land in Melekeok where the new government buildings for the Executive, Legislative, and Judicial branch of the government were constructed is now the National Capitol.¹

Palau is a multi-party democratic republic with directly elected executive and legislative branches. The President is both head of state and head of government. Executive power is exercised by the President while legislative power is vested in the Palau National Congress

¹ On January 5, 2017, after the Final Rules Implementing the Separation of the Justices of the Appellate Division were promulgated, the judiciary building at the Capitol now houses the Appellate Division, while the judiciary building located in Koror houses the lower trial courts, encompassing the Trial Division, Court of Common Pleas and the Land Court.

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(the Olbiil era Kelulau). The Palau National Congress has two houses – the Senate (with 13 members elected nationwide), and the House of Delegates (made up of 16 members, one from each of Palau’s 16 states). There is also a Council of Chiefs, comprising the highest traditional chiefs from each of the 16 states. The Council of Chiefs serves as an advisory board to the President on matters concerning traditional laws and customs. Article X of the Constitution of the Republic of Palau provides for a judiciary “independent of the legislative and executive powers.”

This Annual Report summarizes the Judiciary’s operations and accomplishments in the 2021 calendar year, as well as its challenges going forward. The Annual Report is intended to inform the public about what the Palau Judiciary does and how it functions.

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III. MISSION AND VISION

MISSION

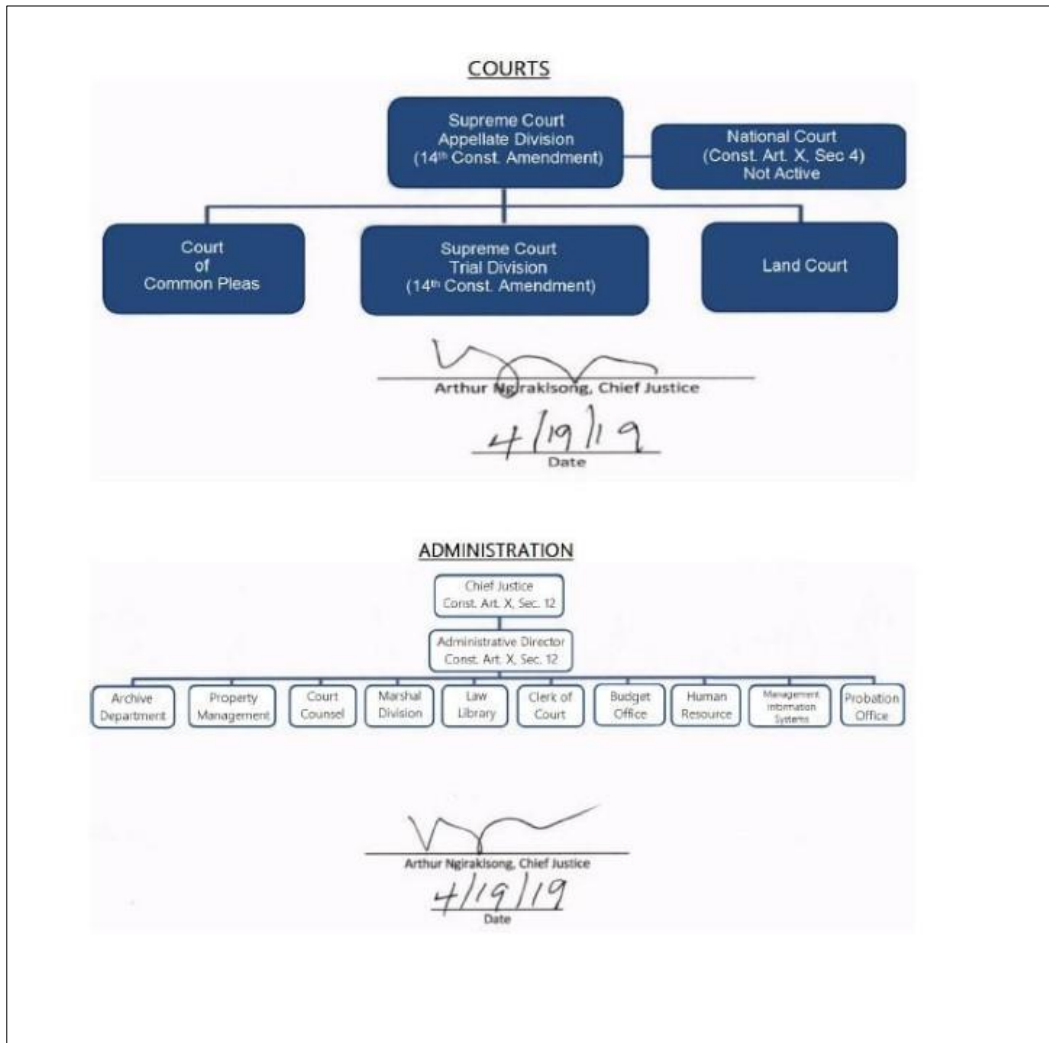
The mission of the Palau Judiciary is to preserve and enhance the rule of law by providing a just, efficient, and accessible mechanism for resolving disputes. The Judiciary will interpret and apply the law, as modified by custom and tradition, consistently, impartially, and independently, in order to protect the rights and liberties guaranteed by the laws and Constitution of the Republic of Palau.

VISION

The Courts of the Republic of Palau will provide justice for all while maintaining the highest standards of performance, professionalism, and ethics. Recognizing the inherent dignity of every person who participates in the justice system, the Judiciary will treat each participant with respect and will strive to make the process understandable, affordable, and efficient. Through the thoughtful, impartial, and well-reasoned resolution of disputes, the Judiciary enhances the public trust and confidence in this independent branch of government.

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IV. ORGANIZATIONAL CHART



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V. ABOUT THE COURTS

The Palau Judiciary consists of the Supreme Court (Appellate Division and Trial Division), Court of Common Pleas, the Land Court, and the associated administrative sections that provide various services to the courts.

A. SUPREME COURT (APPELLATE DIVISION AND TRIAL DIVISION)

Article X of the Constitution vests the Supreme Court with power over all matters in law and equity and outlines its structure and operation. The Supreme Court is divided into an Appellate Division and a Trial Division. Cases are initially adjudicated by a single justice in the Trial Division. Appeals from Trial Division decisions are heard by panels of three different justices in the Appellate Division. The Appellate Division is a “court of last resort,” a superior court of record having appellate jurisdiction with final authority to adjudicate all cases and controversies properly brought before it. The Supreme Court also handles disciplinary matters (involving members of the Palau Bar) and other special proceedings. The Supreme Court currently consists of the Chief Justice and two Associate Justices that sit in the Appellate Division; and a Presiding Justice and two Associate Justices that sit in the Trial Division. Additional Justices are appointed on an as-needed basis as Part-Time Associate Justices to assist with the Court’s workload.

B. COURT OF COMMON PLEAS

The Court of Common Pleas was created by statute in 1981 and officially established in 1982 to handle “common” civil and criminal cases. It has jurisdiction to hear civil cases where the amount claimed or in dispute is \$10,000 or less. It does not, however, adjudicate cases involving land interests, regardless of the amount claimed or in dispute. (Land cases are heard in the Land Court—See next section). Generally, the civil cases that come before the Court include name changes, family law matters, and simple estate settlement proceedings. For alimony and child support cases, there is no cap on the amount in controversy. The Court also hears small claims, where the amount claimed is \$3,000 or less, in less formal hearings. The Court of Common Pleas may also adjudicate criminal cases. Prior to July of 2017, criminal cases were assigned to the Court of Common

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Pleas by the Chief Justice. Since the separation of the justices from the trial division and the appellate division, rules of criminal procedures were amended and now cases involving minor offenses defined by statute as misdemeanor, petty misdemeanor, or violations are filed and tried in the first instance in the Court of Common Pleas. Appeals from cases adjudicated by the Court of Common Pleas are filed directly with the Appellate Division of the Supreme Court. The Chief Justice of the Supreme Court has also designated the Court of Common Pleas to handle civil domestic abuse cases brought under the Family Protection Act (“FPA”), which was enacted in November 2012. To meet the requirements of the FPA’s mandates, the court has created forms and protocols to assure that the court is always available to assist persons seeking orders of protection, both during the court’s normal operating hours and during afterhours, if victims of abuse need immediate protection. The court is also collaborating with other agencies, including the Ministry of Justice, the Ministry of Health and Human Services, and the Ministry of Education to successfully implement the FPA’s mandates.

C. LAND COURT

The Land Court was established in 1996 and is vested with jurisdiction over civil cases involving the adjudication and certification of title to land. The Land Court makes determinations with respect to the ownership of all lands within the Republic, including the return of land that became public as a result of its acquisition by previous occupying powers through force, coercion, fraud, or without just compensation. Appeals from the Land Court go directly to the Appellate Division of the Supreme Court. The Land Court currently includes an Acting Senior Judge and one Associate Judge. Land Court proceedings are generally conducted in Palauan, although translation is available for non-Palauan speakers.

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VI. JUDICIAL NOMINATING COMMISSION (JNC)

The Judicial Nominating Commission (“JNC”) consists of seven members, all of whom must be citizens of Palau. The Chief Justice serves as the JNC’s Chairperson. Three members are elected from and by the Palau Bar Association and the final three members are appointed by the President of Palau. If a JNC member becomes a candidate for political office, they must resign their seat on the JNC. When a vacancy for a Judge or Justice within the Palau Judiciary becomes available, the JNC produces a list of seven nominees and presents the list to the President. The list of nominees is created using a secret ballot. If there is a conflict of interest involving a JNC member and a potential nominee, the JNC member must recuse himself or herself from voting or discussions regarding the nominee. In addition, should a JNC member become a potential nominee, that member must also recuse himself or herself. The qualities sought in judicial nominees include: integrity and moral courage; legal ability and experience; intelligence and wisdom; compassion and fairness; diligence and decisiveness; judicial temperament; and awareness of and sensitivity to Palauan culture. Every year, regardless of whether there is a Judicial Office vacancy, the JNC chairperson is required to call a meeting to review the commission’s current rules and procedures, educate new members on current rules and procedures, and compose a list of seven potential nominees for Chief Justice should the current Chief Justice resign or pass away.

VII. PALAU JUDICIARY HIGHLIGHTS

We entered 2021 still facing the challenges of COVID-19 but maintained normal court operations to the best and safest of our abilities. Continuously updated safety measures were put in place based on the status of this viral infectious disease to make sure the court is accessible and safe for all patrons and staff. With preventative measures in place, court staff were able to participate in conferences, trainings, workshops, and even public outreach events virtually or in-person.

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A. CONFERENCES, TRAININGS, WORKSHOPS

Pacific Judicial Strengthening Initiative (PJSI)

Human Rights Checklists Webinar, February 18, 2021 – Honora E. Remengesau Rudimch, then Senior Judge of the Court of Common Pleas attended this PJSI webinar on the six (6) Human rights Checklists created by PJSI to support coordinated best practice actions for judges to apply to human rights in their daily practices. The Checklists provide practical step-by-step guidance for applying relevant human rights standards to particular groups of court users, and for making courts more inclusive and welcoming.

Most Significant Change Webinar, March 11, 2021 – The goal of this webinar was to assess the development work with pacific island partner courts over the course of PJSI's term. The participants were asked to identify what changes had been made in how they did their job, what changes were observed in others, and what changes overall the courts had made and how PJSI contributed to those changes. Honora E. Remengesau Rudimch, then Senior Judge of the Court of Common Pleas and Clerk of Courts Allison I. Sengebau participated in this webinar.

Sustainable Development Goals Follow-up Webinar, June 10, 2021 – This was a follow up webinar to the Sustainable Development Goals three-part webinar series that took place the previous year. The objective was to discuss and identify what the partner courts had done since then. Clerk of Courts Allison I. Sengebau participated in the webinar and worked with the consultants to identify within the Annual Report the specific related SDG targets.

Pacific Judicial Council Webinars

Judicial Leadership: Court Leaders 4-part Series, Jan – April, 2021 – This series of webinars was geared to key personnel in leadership, supervisor or managerial positions. The series of webinars aimed to introduce participants to general leadership concepts and to provide guidelines, assess strengths and weaknesses, focusing on ongoing motivation, engagement, and productivity of personnel. Presiding Justice Kathleen M. Salii, Clerk of Courts Allison I. Sengebau, Librarian Halora Paulus, Property Manager Nikolas Ngirailid were in attendance

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Code of Conduct Session – In February 2021, Presiding Justice Kathleen M. Salii and Associate Justice Honora E. Remengesau Rudimch conducted a workshop with all Judiciary departments on the Employee Code of Conduct, an ongoing, recurrent training. The emphasis of the workshop was to review and reassess the Code provisions, identify any sections that need clarification, and emphasize the importance of adhering to the provisions with the overall goal of maintaining ethical conduct by all employees in the administration of justice in order to promote and maintain public confidence in the Courts.

Overview of the Courts: Why Your Role Matters, March 16 and May 11, 2021 – This webinar was attended by new department managers and staff. Attendees were Efrechia Kazuma, Sherene Adolf, Madeline Tengeluk, and Leia Taro from the Clerk of Courts, Trial Division; Vernice Rechebei and Vivian Ngringetrang from the Clerk of Courts, Appellate Division; Nikolas Ngirailild and Syringa Gulibert from the Property Management Office; Alura Ngirengkoi from Human Resource; Knox Tkel and Obertin Amalei from Management Information System; Persilla Rengiil from the Probation Office; and Connie Saburo from the Law Libraries. They were given a brief overview of the courts, its purpose and how their roles as court staff support the mission and vision of the courts. Topics of discussion also covered assisting customers with legal information without giving legal advice.

Effective Case Management Principles and Practices, June 9, 2021– This was an interactive refresher course on court efficiency for the chamber and courtroom clerks. It covered time standards, performance rates, tracking cases from listing to disposition, etc. It also addressed the various challenges faced by each participating jurisdiction and best practices to overcome such challenges. Attendees were staff from the Clerk of Courts, Trial Division – Allison I. Sengebau, Clarinda Alexander, Leia Taro, Viola Stephanus, Sherwin Yamanguchi, Sylver Swenny, Ikrebai Blesam, Madeline Tengeluk, and Sherene Adolf.

Secondary Trauma: Identifying and Addressing Occupational Stressors, July 14, 2021 – This webinar was designed to apprise the participants of the various types of occupational stress, whether they relate to cognitive processing and emotion regulation

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strategies and identify approaches to address the stress. It was attended mainly by staff from the Clerk of Courts Office and Probation Department but included a few from the other judiciary departments.

Linked-in Learning (Annual Subscription commencing March 2021) – This is an online educational platform that offers variety of courses for staff development. Some judiciary staff and judges availed of this opportunity.

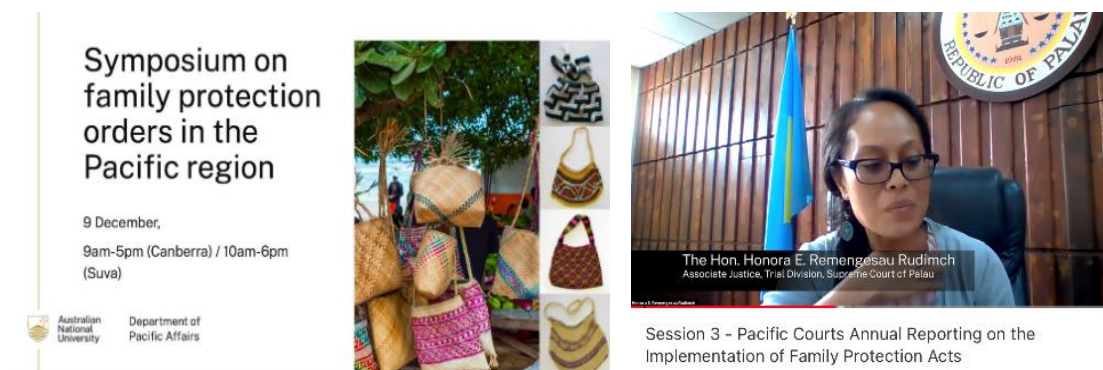
EQ Initiative: Reducing Violence in the Islands Training Conference, December 1 – 3, 2021 - In an effort to reduce family violence in the Micronesian Islands and American Samoa, PJC hosted a three-part series training on the Emotional Quotient (EQ) Initiative. The first phase of a three-part series was held live at the District Court of Guam as well as live-streamed to other courtrooms in the region using an interactive virtual platform. Presiding Justice Kathleen M. Salii, Associate Justice Honora E. Remengesau Rudimch, Acting Deputy Admin. Director Lue Dee Dechol Kotaro, Chief Probation Officer Vierra Toribiong, and Probation Officer Young Sikyang, Jr. attended virtually.

Family Protection Act (FPA) Strengthening Workshop, November 29-30, 2021 – Associate Justice Honora E. Remengesau Rudimch and Myla M. Oimei participated in a workshop with FPA stakeholders in an effort to further strengthen the coordination and implementation of the FPA.



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Symposium on Family Protection Orders in the Pacific Region, December 09, 2021 – The Department of Pacific Affairs (DPA) at Australian National University (ANU) and the Pacific Community (SPC) hosted an online symposium on family protection orders in the Pacific region. Associate Justice Honora E. Remengesau Rudimch attended the symposium and was a panelist from the Palau Judiciary.



Working with Sex Offenders and Problem Sexualized Behaviors, December 1-3, 2021 –

The Probation Officers had a training with Ms. Gregoria Kay Rirou, a licensed independent social worker, visiting from the United States, in an effort to better understand and manage their clients.

The trainings and workshops relate to SDG Target No. 16.3 – Promoting the rule of law at the National and International level and ensure equal access to justice for all and 16b - Strengthening relevant institutions, including through international cooperation for building capacity at all levels to prevent violence and combat terrorism and crime.

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B. OTHER COMMUNITY EVENTS AND PUBLIC OUTREACH

Family Protection Act (FPA) Service Providers Radio Talk Show, November 22, 2021 – FPA service providers, as part of the 16 Days of Activism Campaign Against Violence Against Women & Children, did a radio talk show on the various services available for victims of abuse. Myla M. Oimei, designated Judiciary FPA Clerk participated in the talk show and talked about the process of obtaining protective orders.



FPA Service Providers Dialogue with Youth, November 22, 2021 – FPA service providers held a dialogue with the students from Palau Community College on the various services available for victims of abuse. Myla M. Oimei, designated Judiciary FPA Clerk attended the dialogue and talked about the process of obtaining protective orders.

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Presentation Before the Council of Chiefs, **November 30, 2021** – Associate Justice Honora E. Remengesau Rudimch, along with Vice President/Minister of Justice J. Uduch Sengebau Senior, Dr. Sylvia Wally and other FPA stakeholder representatives met with the national Council of Chiefs and did a presentation on the prevalence of violence against women & children and all members of the community.



Community Outreach in Aimeliik, **November 30, 2021** – Associate Justice Honora E. Remengesau Rudimch, along with Vice President/Minister of Justice J. Uduch Sengebau Senior, Dr. Sylvia Wally and other FPA stakeholder representatives also did a town hall meeting in the state of Aimeliik. The Delegate of Aimeliik State, the Governor of Aimeliik State, and Speaker of the Aimeliik State Legislature were in attendance.



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Presentation to the National Emergency Committee, December 09, 2021 – Associate Justice Honora E. Remengesau Rudimch, along with Vice President/Minister of Justice J. Uduch Sengebau Senior, Dr. Rachel Arurang and other FPA stakeholder representatives did a presentation to the National Emergency Committee. Associate Justice Rudimch did a presentation on the mandates of the FPA and the prevalence of domestic violence in Palau.



Community Outreach in Ngiwal, December 09, 2021 – Associate Justice Honora E. Remengesau Rudimch, along with Vice President/Minister of Justice J. Uduch Sengebau Senior, Dr. Rachel Arurang and other FPA stakeholder representatives also did a town hall meeting in the state of Ngiwal. The Governor of Ngiwal State, and Speaker of the Ngiwal State Legislature were in attendance.



These community outreach events relate to SDG 16.1 reducing violence and SDG 5, ending discrimination against women/girls.

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C. SWEARING IN CEREMONY OF ASSOCIATE JUSTICE HONORA E. REMENGESAU RUDIMCH

On March 12, 2021 Senior Judge Honora E. Remengesau Rudimch of the Court of Common Pleas was sworn in as an Associate Justice of the Supreme Court, Trial Division.



Associate Justice
Honora E. Remengesau Rudimch



TRIAL DIVISION FULL-TIME JUSTICES
Associate Justice Lourdes F. Materne, Presiding Justice Kathleen M. Salii, Associate Justice Honora E. Remengesau Rudimch

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D. ASSOCIATE JUDGE SALVADOR INGEREKLII OF THE LAND COURT RETIRES FROM THE BENCH



Associate Judge Ingereklii
Land Court

In December of 2021 Associate Judge Salvador Ingereklii of the Land Court retired from the bench after serving 18 years. Judge Ingereklii was appointed by former President Tommy E. Remengesau, Jr. His retirement brought bittersweet emotions as it is well-deserved after so many years of service, but at the same time, his professionalism, knowledge and expertise will be missed not just by the Judiciary family but by the Palauan people he served.



Associate Judge Ingereklii
retirement reception

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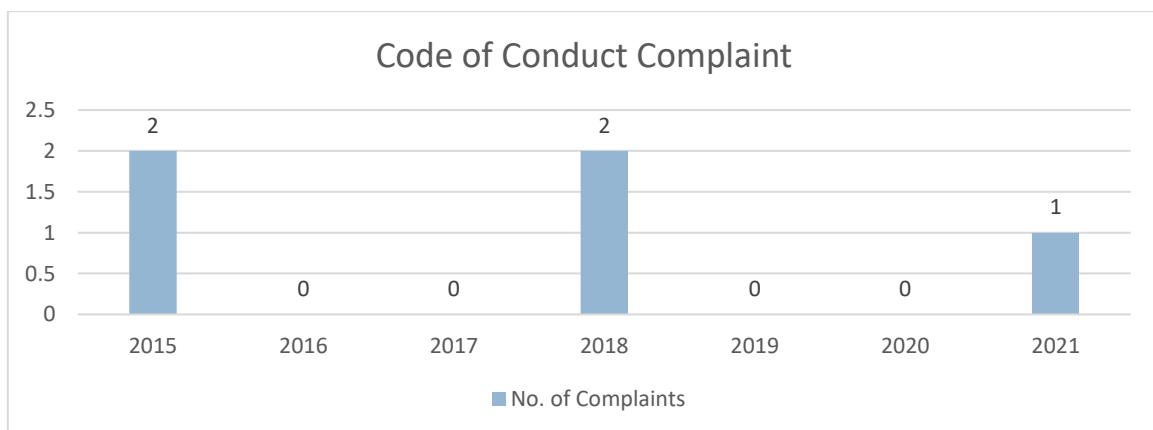
VIII. THE COURTS' WORK

The Palau Judiciary prides itself on operating ethically and efficiently, producing quality decisions and ensuring access to justice for all of Palau's citizens and residents. The indicators below measure the judiciary's performance. The clearance rate and average duration of case statistics measure how efficiently the courts are managing their case load. The quality of decisions can be evaluated by the number of decisions appealed and, more importantly, the number of decisions overturned on appeal. And finally, access to justice can be gauged by looking at the fee structure, availability of free legal counsel, and accessibility of forms and court services. The information in the following pages provides details about how well the judiciary is doing regarding these indicators.

IX. ACCOUNTABILITY: CODE OF CONDUCT AND COMPLAINTS

The Judiciary's Code of Judicial Conduct was promulgated on March 1, 2011 by the Palau Supreme Court and amended on March 9, 2011. A copy of the Judicial Code of Conduct can be retrieved from the Rules & Other Publications tab of the Palau Judiciary website: <http://www.palausupremecourt.net>.

In 2021, there was one (1) complaint against a judicial officer or staff.



Having a process in place for complaints against judicial officers and staff ensures meeting SDG target 16.5 -- Reducing Corruption and Bribery.

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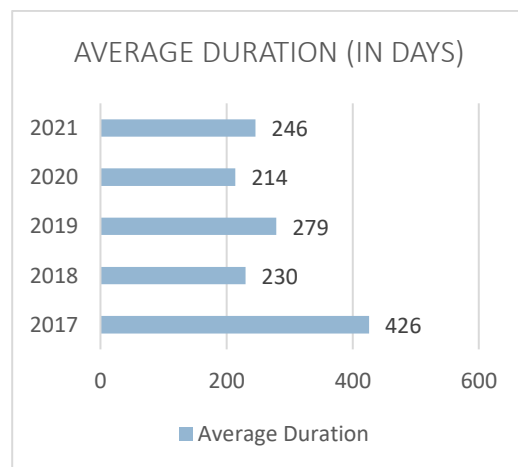
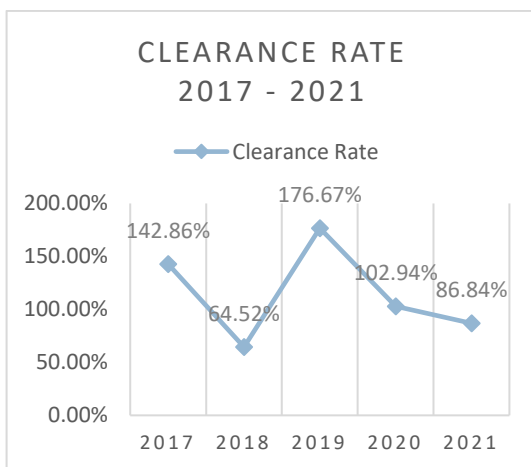
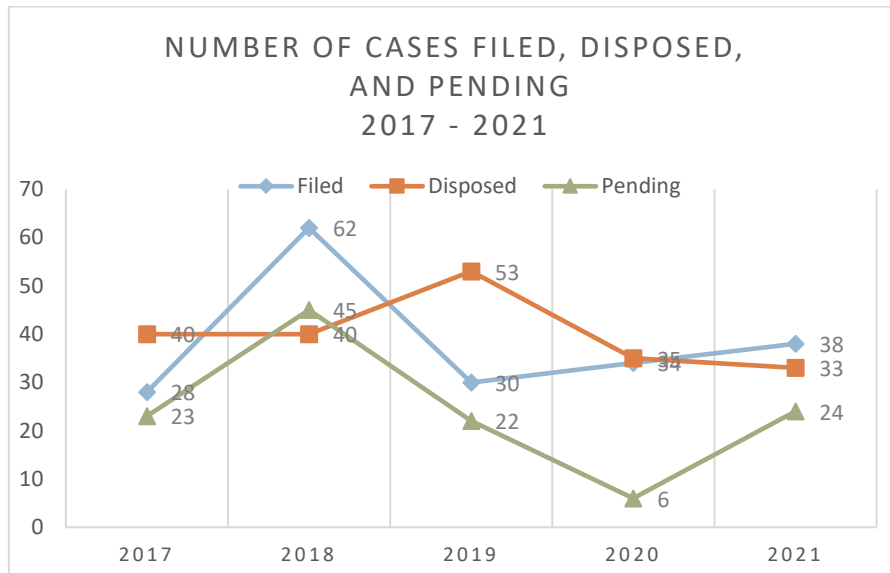
X. CASE MANAGERMENTS, CLEARANCE RATES, AVERAGE DURATION

The Palau Judiciary recognizes its obligation to dispose of cases before it in a reasonable time. Accordingly, the courts seek to finalize cases in a timely manner. The “clearance rate” reflects cases “cleared” or finalized as a percentage of (in relation to) the total number of cases filed. The average duration is the average number of days from filing to final disposition.

A. SUPREME COURT, APPELLATE DIVISION

i. CRIMINAL AND CIVIL APPEALS (CR/APP AND CA/APP)

In 2021, a total of thirty-eight (38) cases were filed, thirty-three (33) were disposed, with twenty-four (24) pending resulting in 86.84% clearance rate.



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In 2021, the average number of days it took for an appealed case to be finalized was two hundred forty-six (246) days. This includes the date the case was filed to the date an opinion was issued.

ii. APPEALED CASES TRENDS AND OUTCOMES

The types of cases appealed in 2021 are as follows:

Case Type	Disposed Lower Courts Cases	# of cases appealed	# of cases NOT appealed	% of cases appealed	% of cases NOT appealed
Criminal	167	6	161	4%	96%
Juvenile	29	0	29	0%	100%
Citations	777	1	776	1%	99%
Civil Action	220	16	204	7%	93%
Common Pleas Civil Actions	110	0	110	0%	100%
Civil Action Domestic Abuse	71	0	71	0%	100%
Small Claims	92	2	90	2%	98%
Land Court	304	13	291	4%	96%

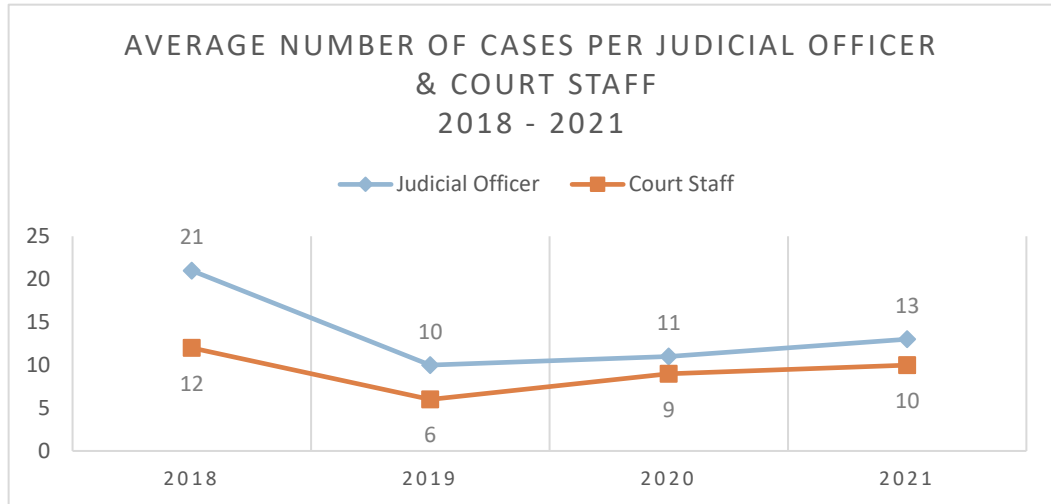
(Note: All criminal, juvenile, and citations case types are filed as Criminal Appeals (CR/APP) while civil, court of common pleas/civil cases, civil domestic abuse cases, small claims, and land court cases are filed as Civil Appeals (CA/APP).

Overturn rate on appeal is as follows:

Case Outcome	Number	Percentage
Affirmed	18	55%
Dismissed	8	24%
Remanded	6	18%
Reversed	1	3%

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iii. AVERAGE NUMBER OF CASES PER JUDICIAL OFFICER IN THE SUPREME COURT, APPELLATE DIVISION



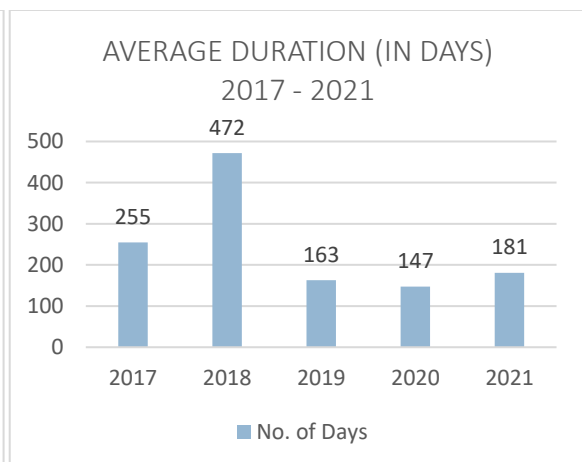
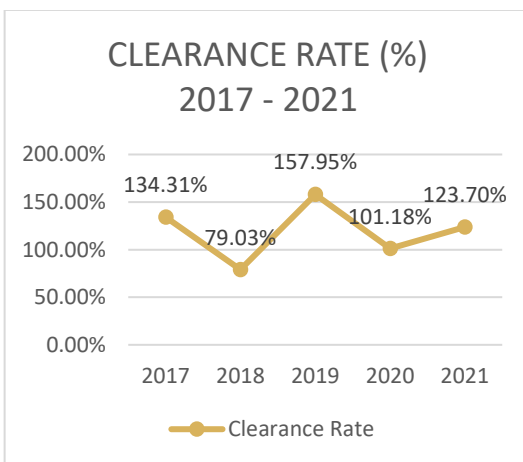
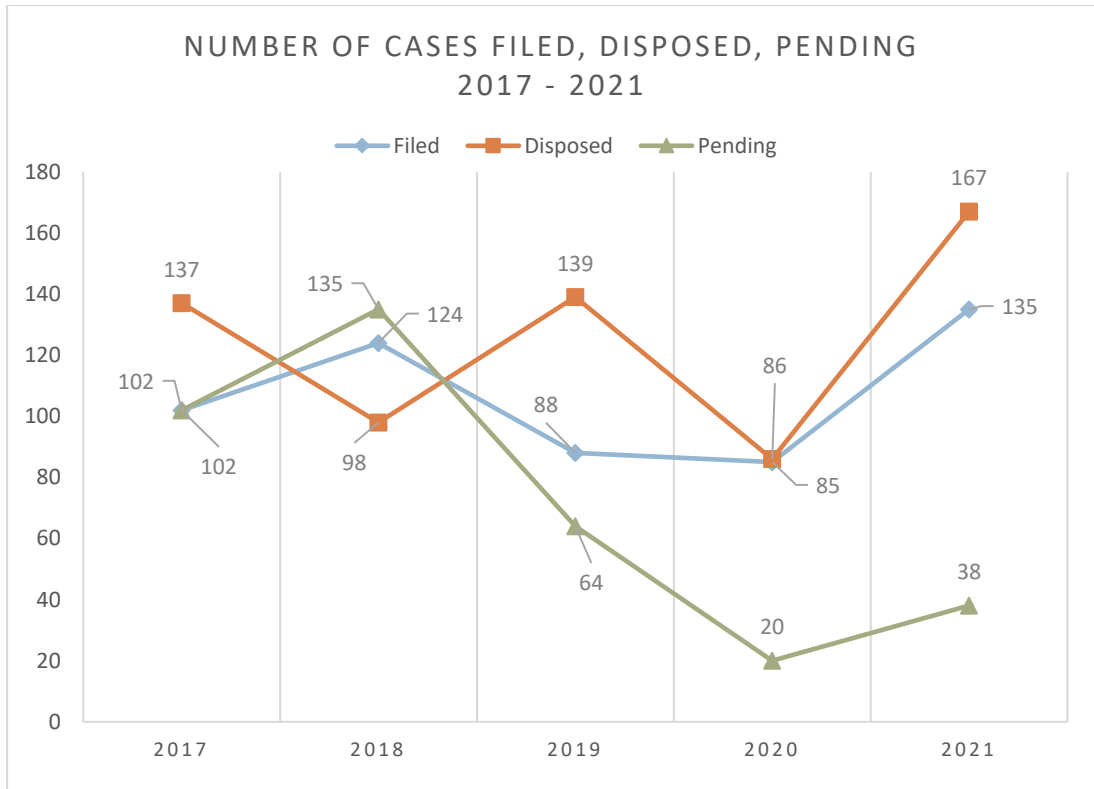
B. SUPREME COURT, TRIAL DIVISION

On February 8, 2021 Senior Judge Honora E. Remengesau Rudimch of the Court of Common Pleas was appointed to be an Associate Justice of the Supreme Court, Trial Division, leaving a vacancy. She took her oath of office on March 12, 2021. As a result, the Court of Common Pleas cases were divided among the three (3) justices of the Trial Division. For some of the data, the information has been combined for both courts, and will be stated as such.

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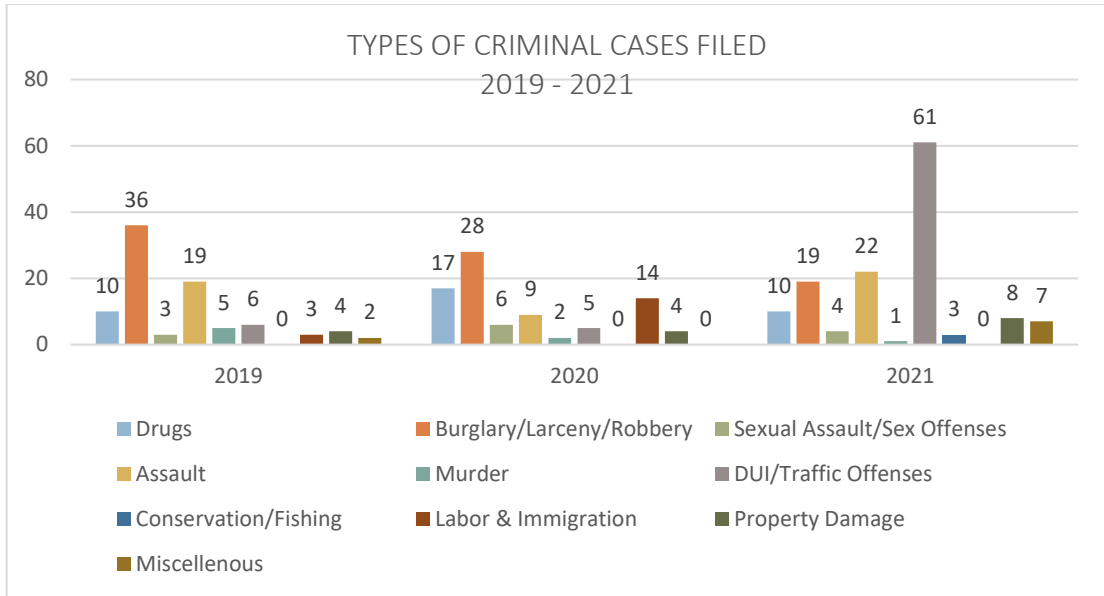
i. CRIMINAL CASES

Criminal Cases – there were seventy (70) criminal cases filed in the Trial Division and sixty-five (65) cases filed in the Court of Common Pleas for a total of one hundred thirty-five (135) cases. At the end of the year, one hundred sixty-seven (167) cases were disposed and thirty-eight (38) cases were pending.



The clearance rate for criminal cases in 2021 was 123.7%. The average number of days from filing to disposal was one hundred eight-one (181) days.

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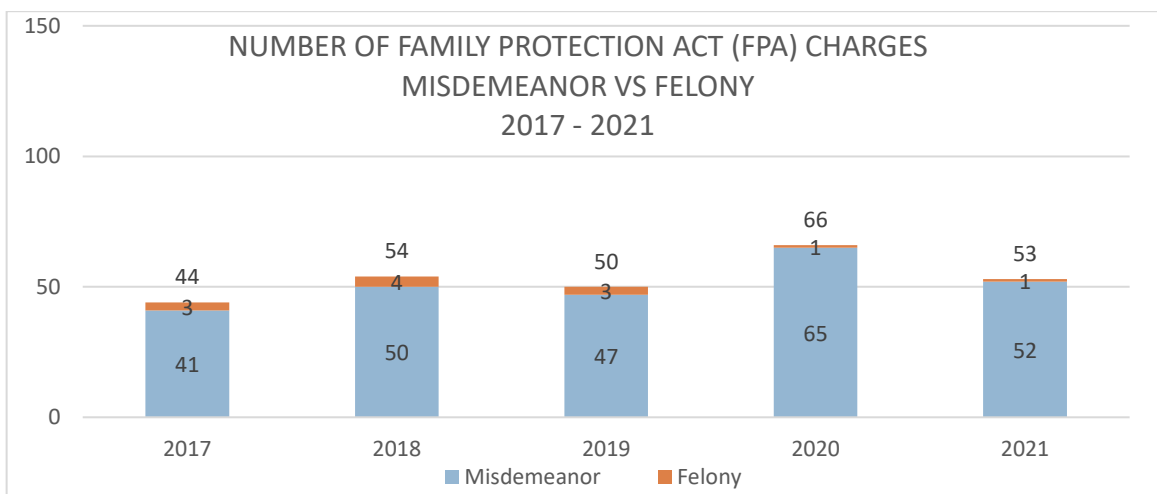


The seventy (70) cases filed in the Trial Division were felony cases, with a majority of them being assault cases. The sixty-five (65) cases filed in the Court of Common Pleas were misdemeanor cases, with a majority of being driving under the influence (DUI) cases.

CRIMINAL CHARGES FILED UNDER THE FAMILY PROTECTION ACT (FPA)

Criminal charges filed pursuant to the Family Protection Act (FPA) are filed in both the Trial Division and the Court of Common Pleas, depending on whether they are felony or misdemeanor charges. Felony charges are filed via an information as a criminal case. Misdemeanors are generally filed via citations.

In 2021, there were fifty-two (52) FPA misdemeanor citations filed, and one (1) FPA felony case filed, totaling fifty-three (53) criminal actions filed.



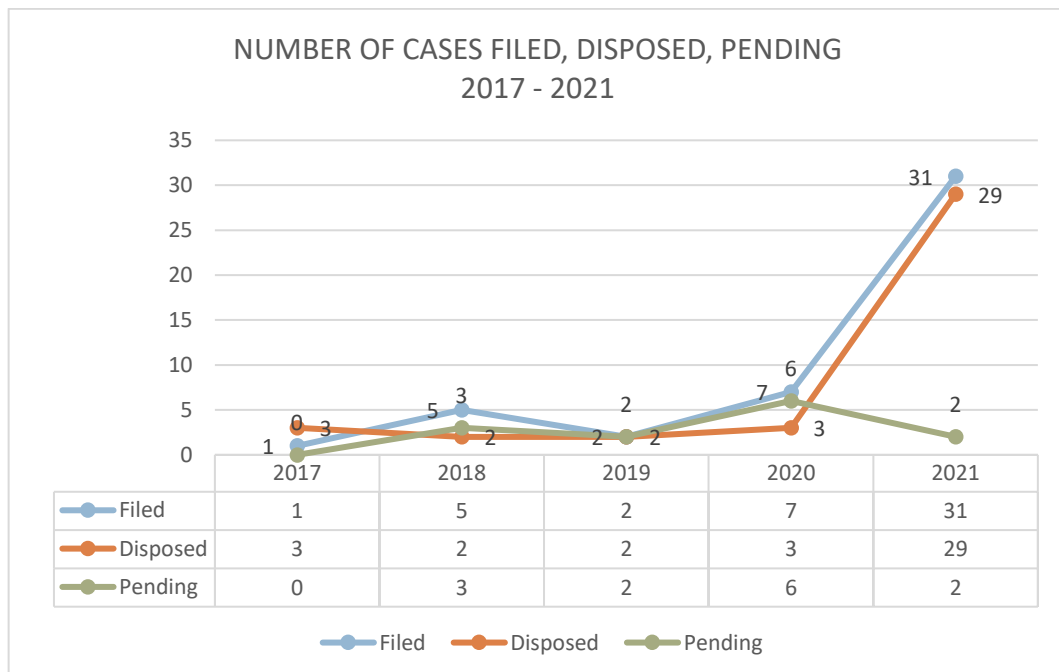
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Year	Criminal Cases under FPA filed against males	Criminal Cases under FPA filed against females	Criminal Cases under FPA filed jointly against male and female	% of cases where defendant is male	% of cases where the defendant is female	% of cases where the defendants are both male and female
2021	49	4	0	92%	8%	0%
2020	54	11	0	83%	17%	0%

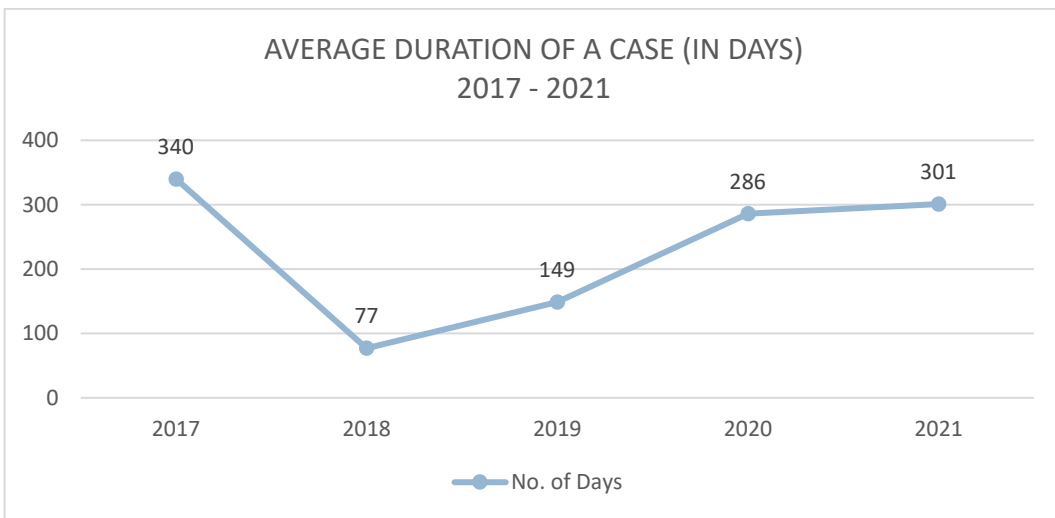
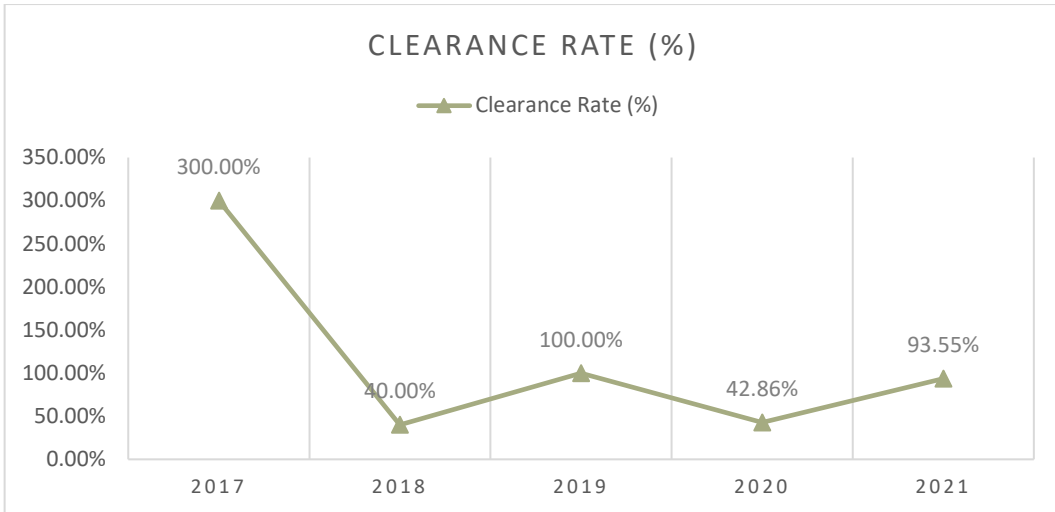
Of the fifty-three (53) cases, forty-nine (49) were filed against males and four (4) were filed against females.

ii. JUVENILE CASES AND CITATIONS

In 2021, there were ten (10) juvenile cases and twenty-one (21) juvenile citations filed. Of the ten (10) juvenile cases, six (6) were felony juvenile cases filed in the Trial Division and four (4) were misdemeanor juvenile cases filed in the Court of Common Pleas. The twenty-one (21) juvenile citations were filed in the Court of Common Pleas. By year's end there were a total of twenty-nine (29) juvenile matters disposed and two (2) pending.



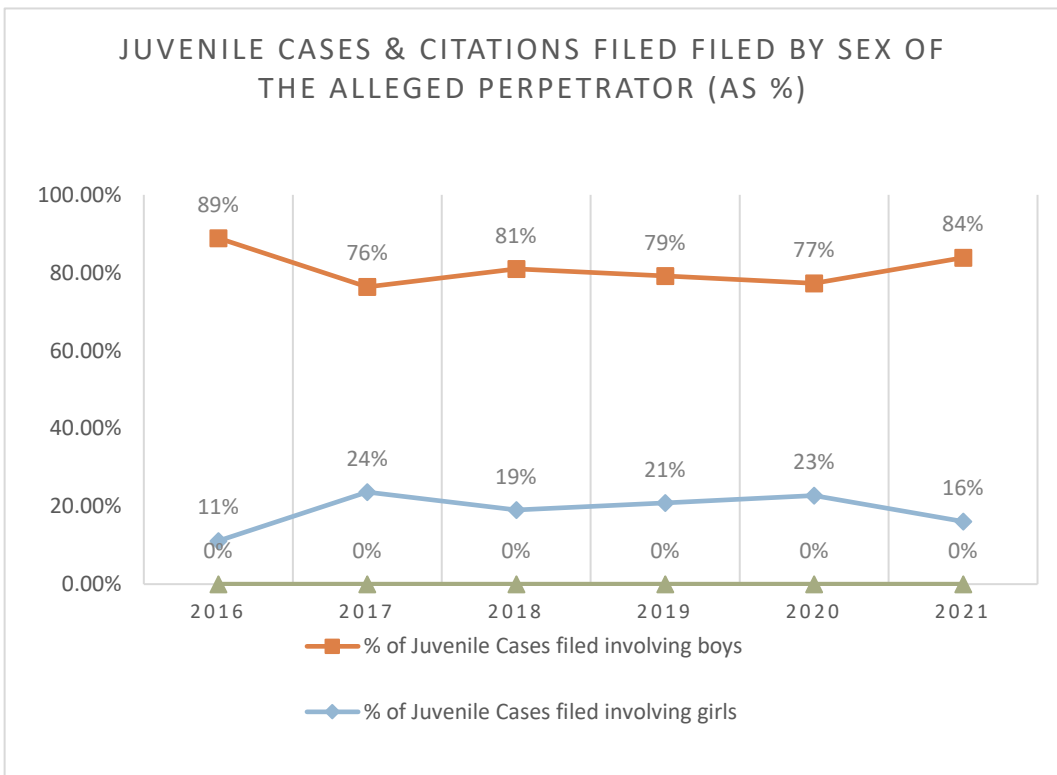
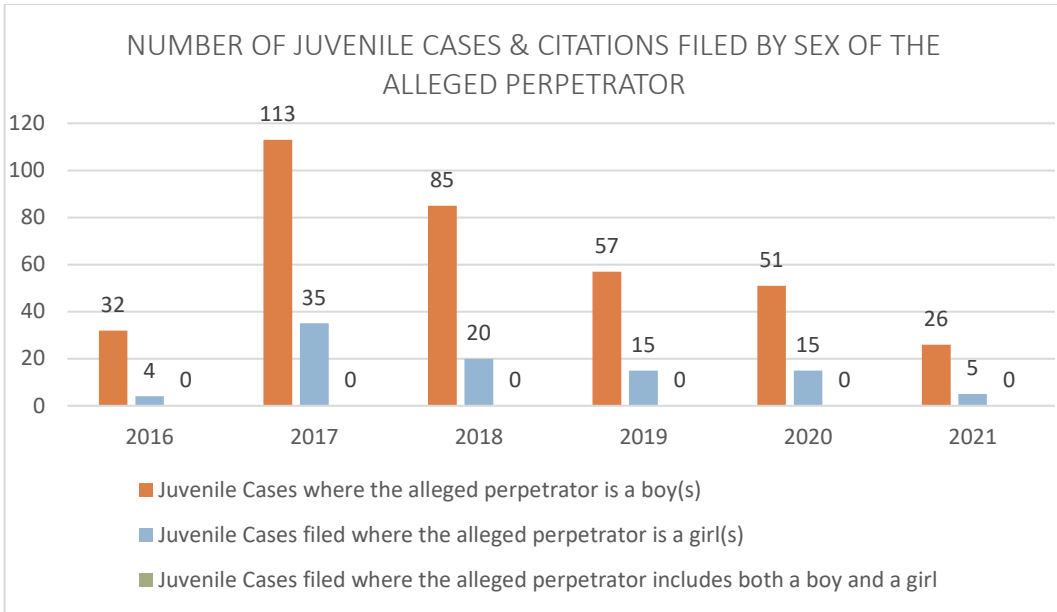
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Note: The number of cases filed, disposed, and pending for the year 2021 combines both juvenile cases and juvenile citations that were filed. Year 2020 back represents juvenile cases only.

The clearance rate in 2021 was 93.55% with an average number of days of three hundred-one (301). This is because some of the cases were given a diversionary process which allows for an ultimate dismissal of allegations if alleged juvenile successfully completes the period.

2021 COURT ANNUAL REPORT

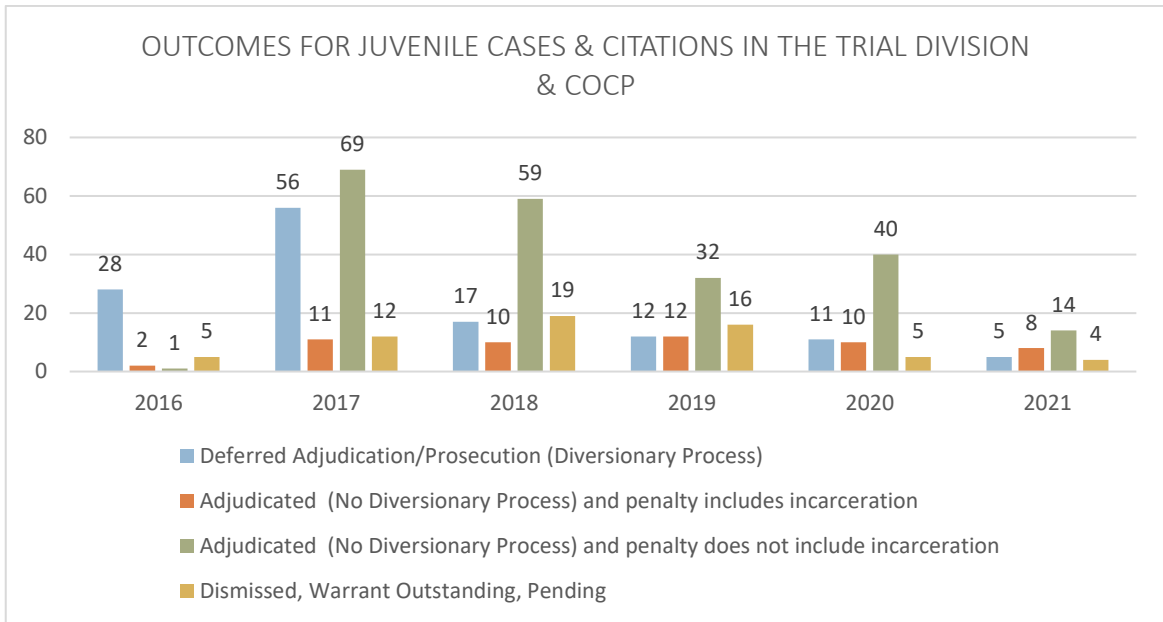


Twenty-six (26) or 84% of the cases and citations were filed against boys. Five (5) or 16% were filed against girls.

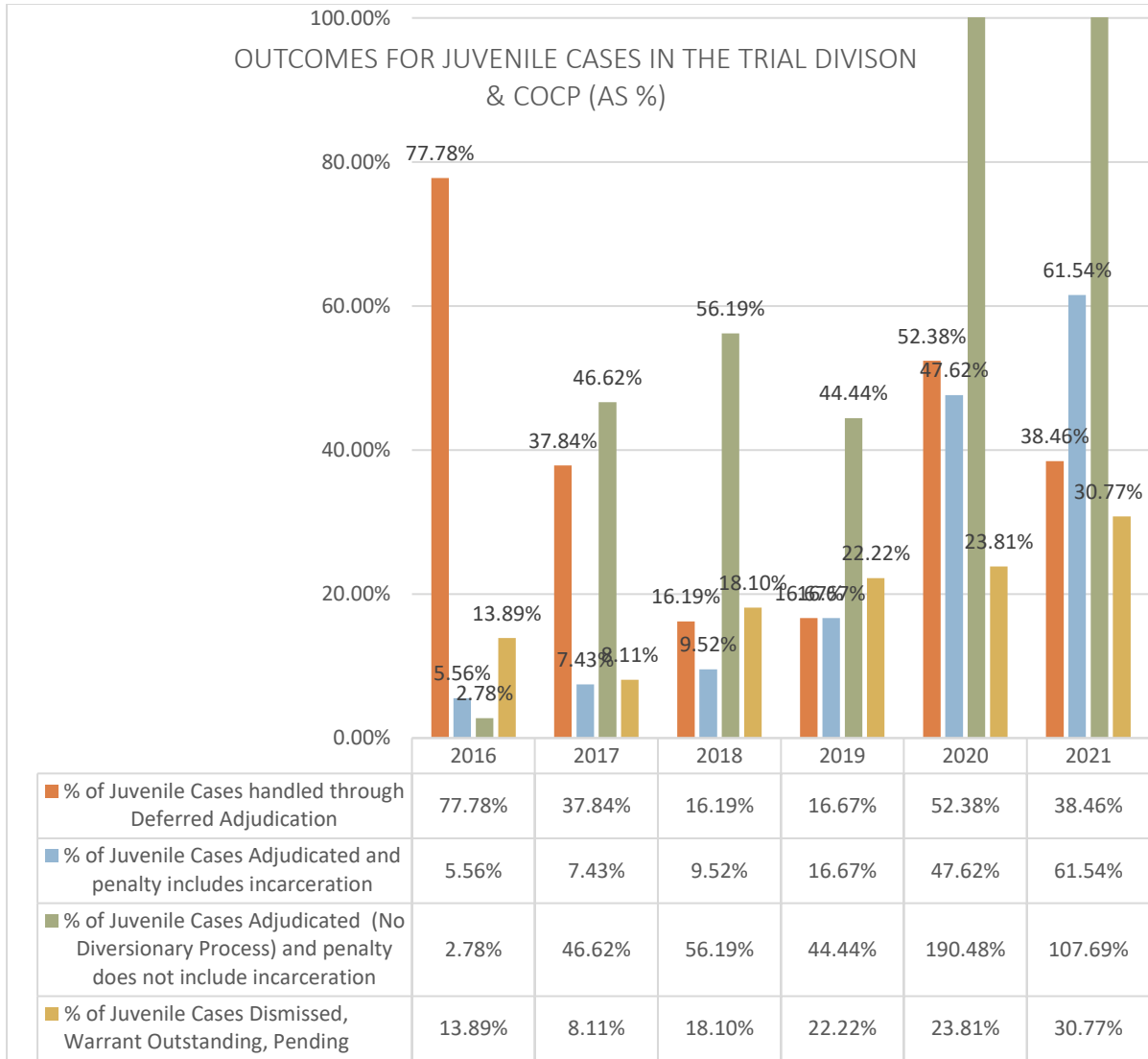
The outcome trends for the twenty-nine (29) juvenile cases and citations disposed in 2021 are as follows: five (5) received a deferred adjudication/prosecution (diversionary process); eight (8) were adjudicated (no diversionary process) and

2021 COURT ANNUAL REPORT

penalty included confinement; fourteen (14) were adjudicated (no diversionary process) and penalty did not include confinement; two (2) were dismissed; and two (2) were pending.



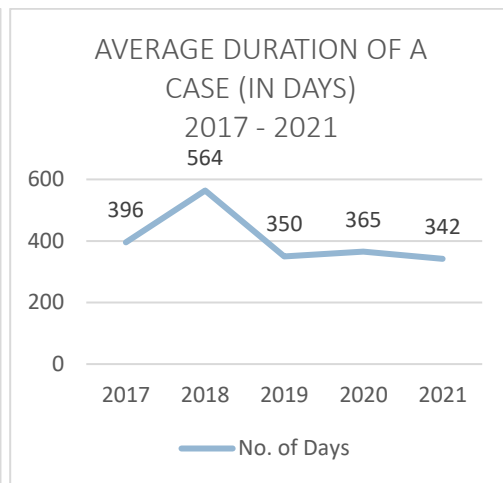
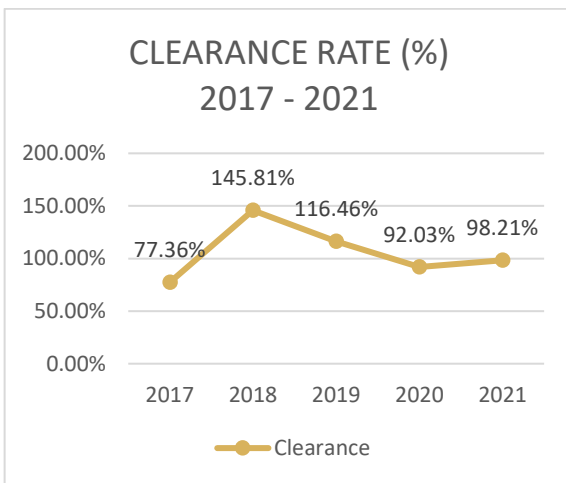
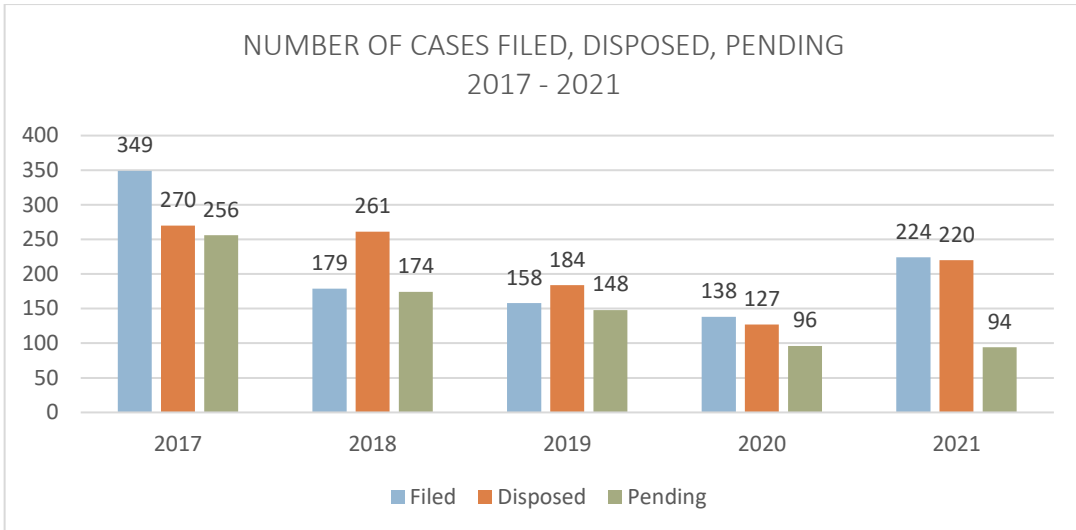
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iii. CIVIL CASES

In 2021, two hundred twenty-four (224) new civil cases were filed; two hundred twenty (220) were disposed with ninety-four (94) pending -- resulting in a 98.21% clearance rate. The average number of days from filing to final disposition was three hundred forty-two (342) days.

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The following is a breakdown of the types of civil cases filed for 2021 in the Trial Division:

CIVIL CASE CATEGORIES	
CATEGORY	Number of Cases Filed
Adoption	3
Breach of Contract	9
Chief Title Dispute	1
Conservatorship	1
Constitutional Conflict	1
Customary Clan Dispute	2
Debt	47

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Defamation	1
Divorce	5
Ejectment	5
Election	1
EQPB Violation	1
Estate	108
Eviction	2
Forfeiture	5
Grievance	1
Guardianship	3
Constitutional Conflict	1
Land Matter	22
Marriage	1
Public Funds	1
Termination	1
Traditional Conflict	1
Trespass	1
TOTAL	224

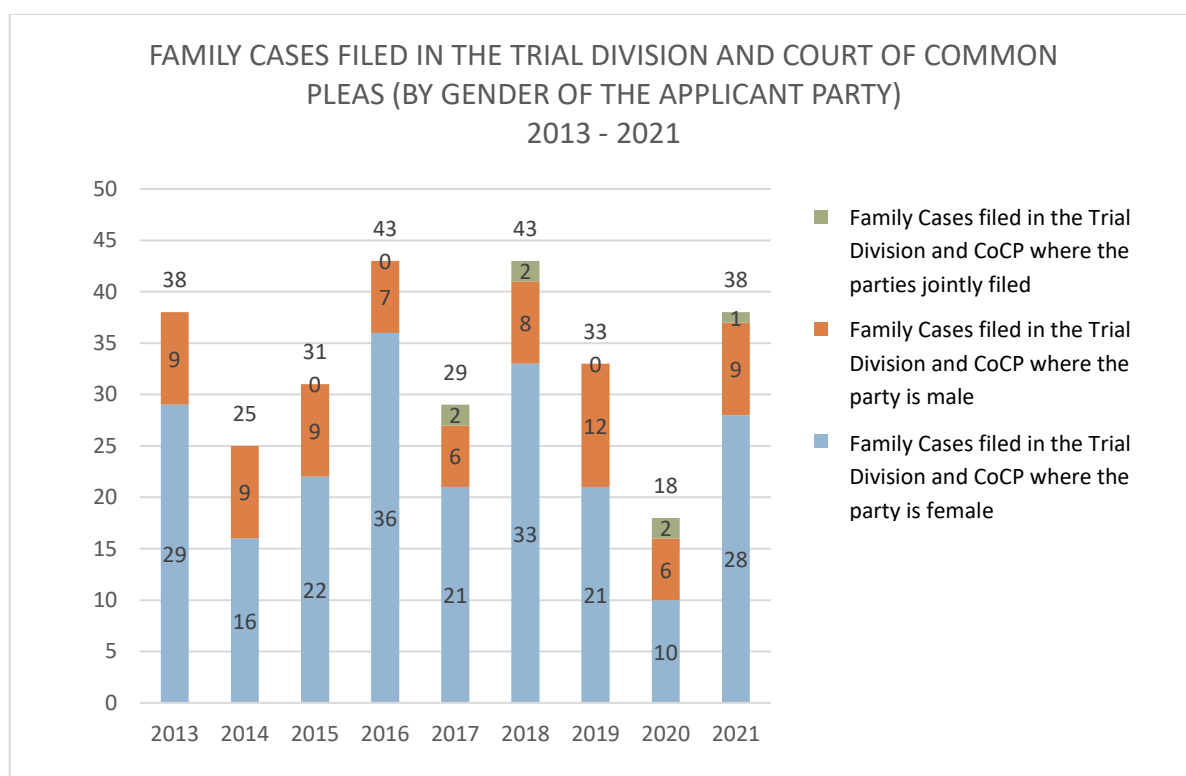
iv. FAMILY CASES (DIVORCE, CHILD CUSTODY AND/OR CHILD SUPPORT

Of the civil cases filed, thirty-eight (38) were family law cases were filed in the Trial Division and the Court of Common Pleas. Twenty-eight (28) were filed by females, nine (9) were filed by males, and one (1) was filed jointly by a male and female. Of the thirty-eight (38) family cases nine (9) were granted fee waivers and all thirty-eight (38) were represented by counsel. Thirty-three (33) of the applicants resided in urban areas while five (5) resided in rural areas. The following charts breaks down the family cases that were filed.

Year	Total Cases Filed	Female Applicants	Male Applicants	Joint Applicants	Fee Waiver Requested	Fee Waiver Granted	Fee Waver Denied	Represented by Counsel	Applicant from Urban Area	Applicant from Rural Area	Applicant from
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											Outer Area
2021	38	28	9	1	9	9	0	38	33	5	0
2020	3	1	2	0	n/a	n/a	n/a	3	67	33	0
2019	3	1	2	0	n/a	n/a	n/a	3	67	0	0

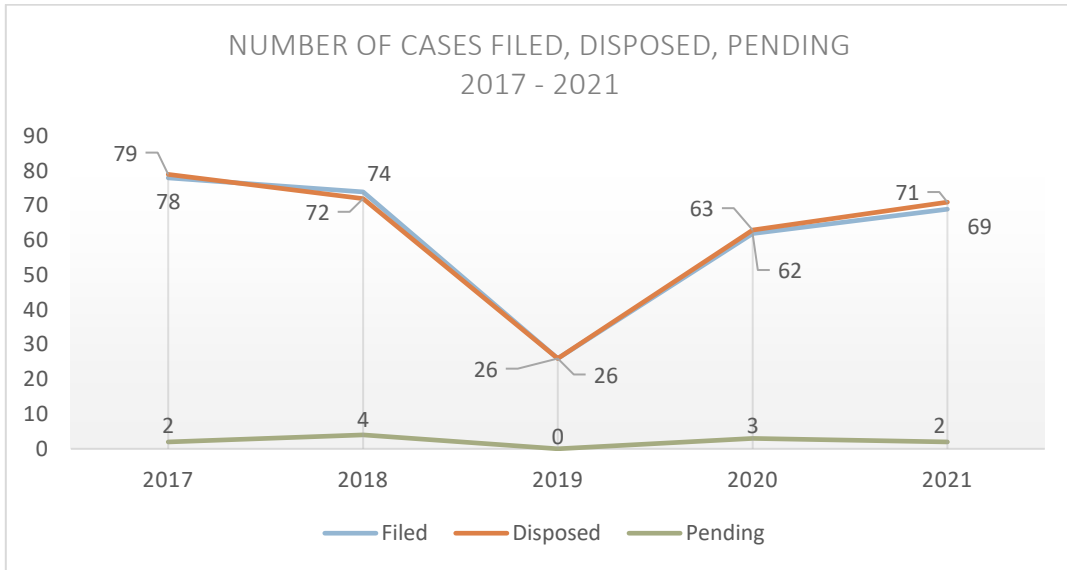


v. CIVIL ACTION/DOMESTIC ABUSE CASES (CADA) FILED UNDER THE FAMILY PROTECTION ACT (FPA)

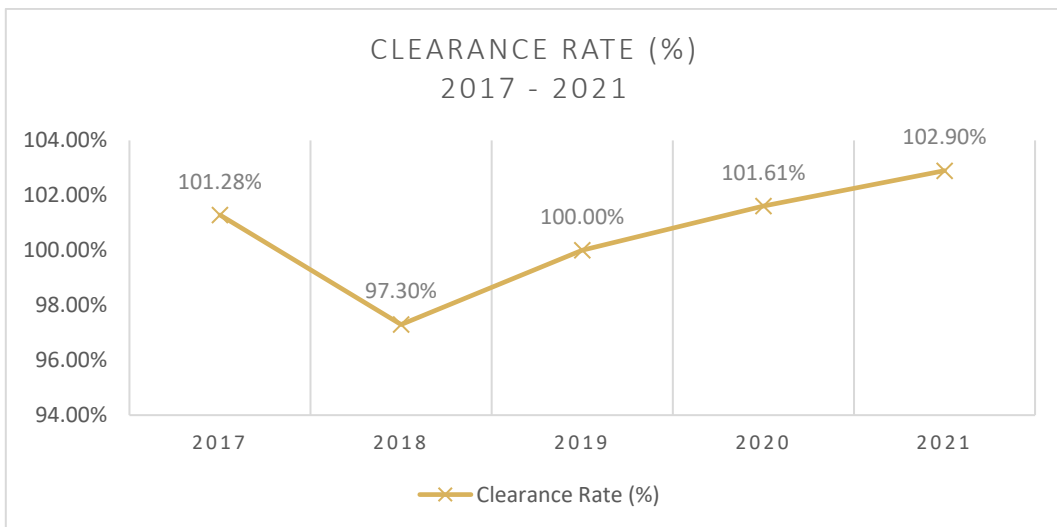
Civil domestic abuse protective order cases are filed in the first instance in the Court of Common Pleas, but if there is a conflict or the presiding judge is unavailable, the case will be filed with the Trial Division of the Supreme Court.

These cases relate to SDG Target 16. Reducing violence and SDG Target 5 – Ending discrimination against women/girls.

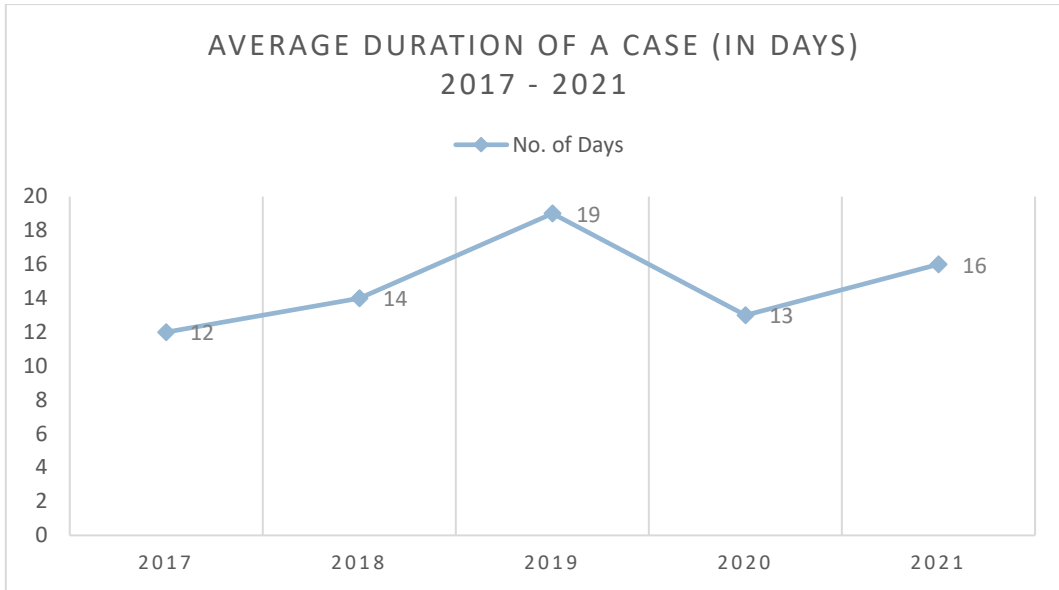
2021 COURT ANNUAL REPORT



NOTE: 2019 AND 2020 NUMBERS ARE COCP CASES ONLY.

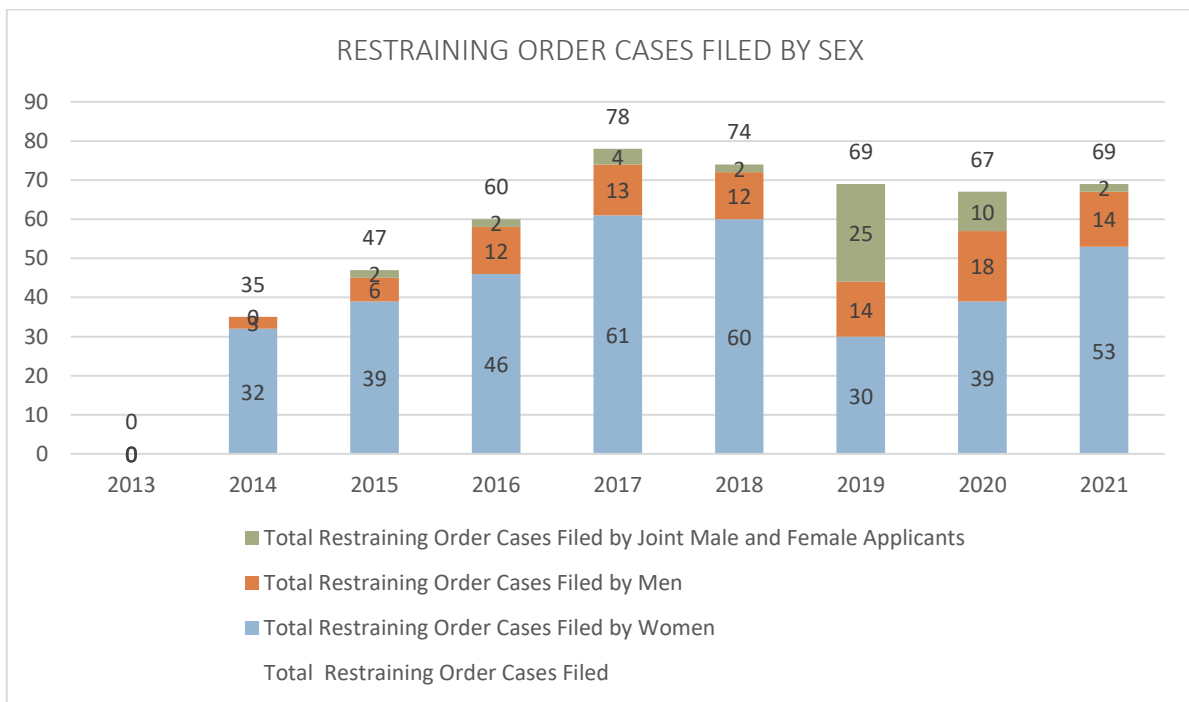


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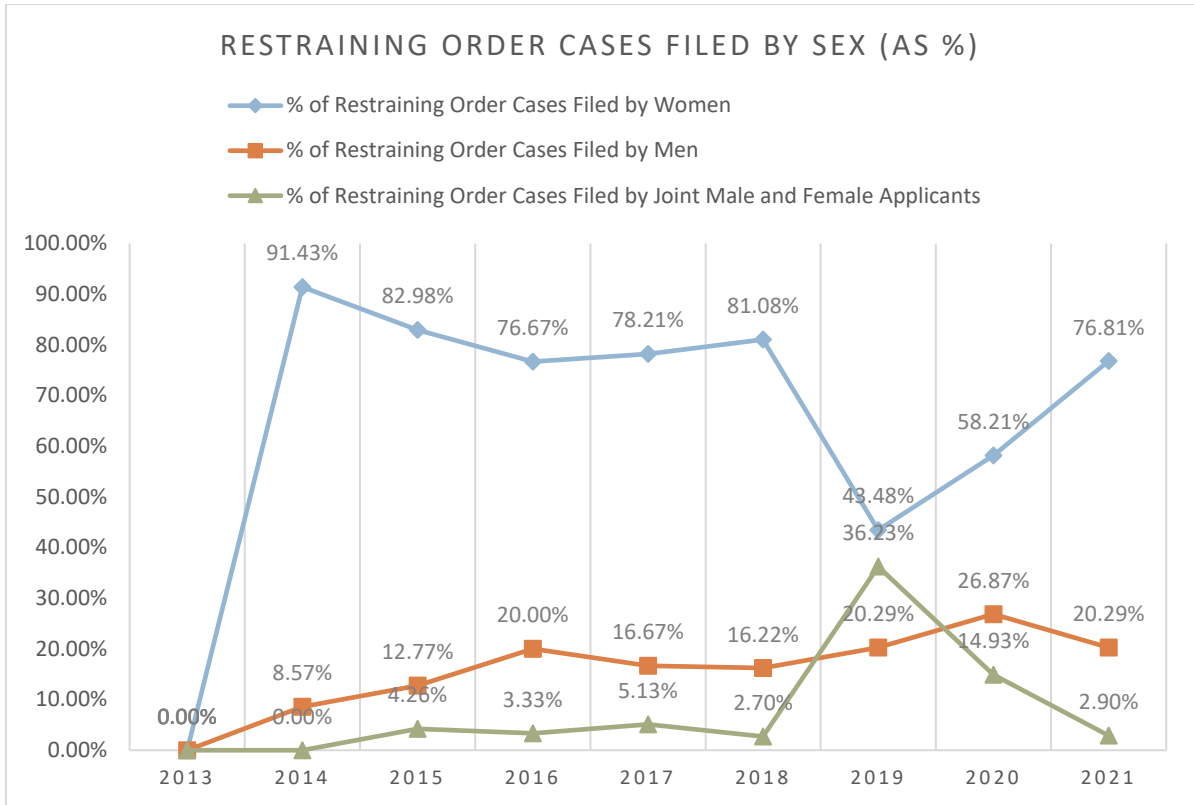


In 2021, the total cases filed in both the Trial Division and the Court of Common Pleas involving CADA case was sixty-nine (69) – eight (8) filed in the Trial Division and sixty-one (61) filed in the Court of Common Pleas. By years end, there were a total of seventy-one (71) cases disposed, and two (2) pending. The clearance rate was 102.90%. The average duration was sixteen (16) days.

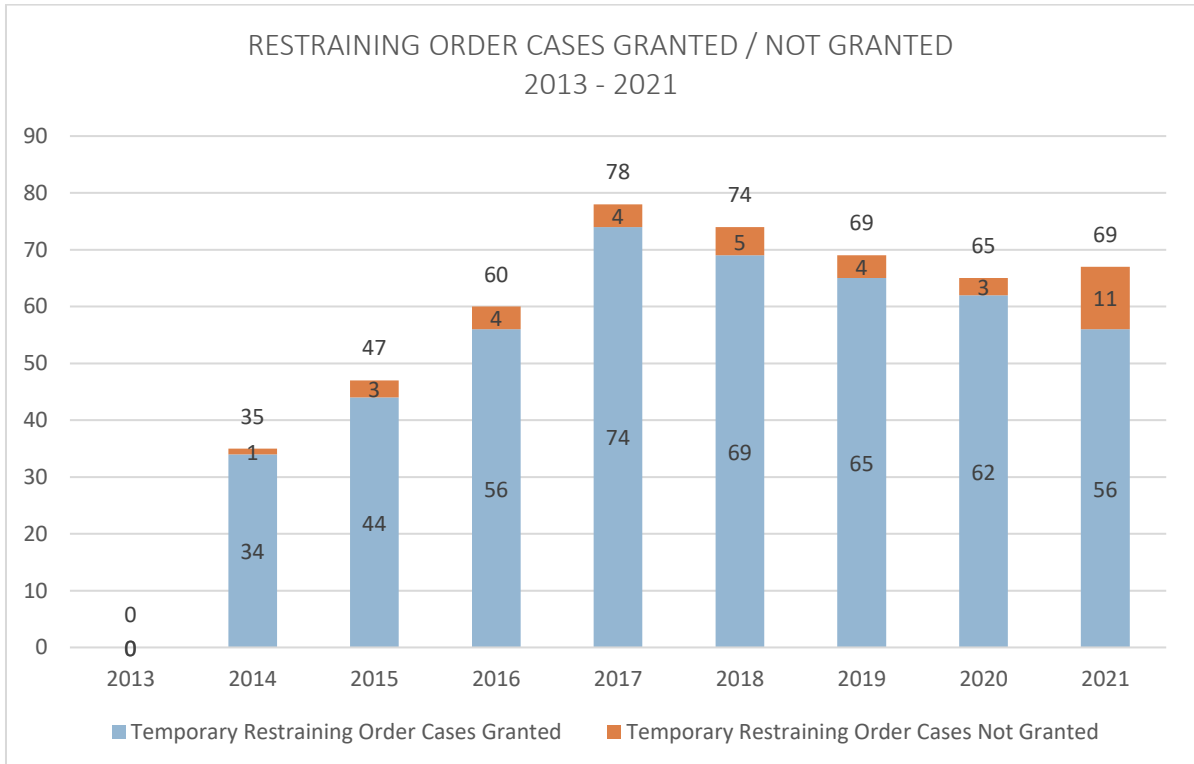
The graphs below show the trends for cases filed in both the Trial Division and the Court of Common Pleas:



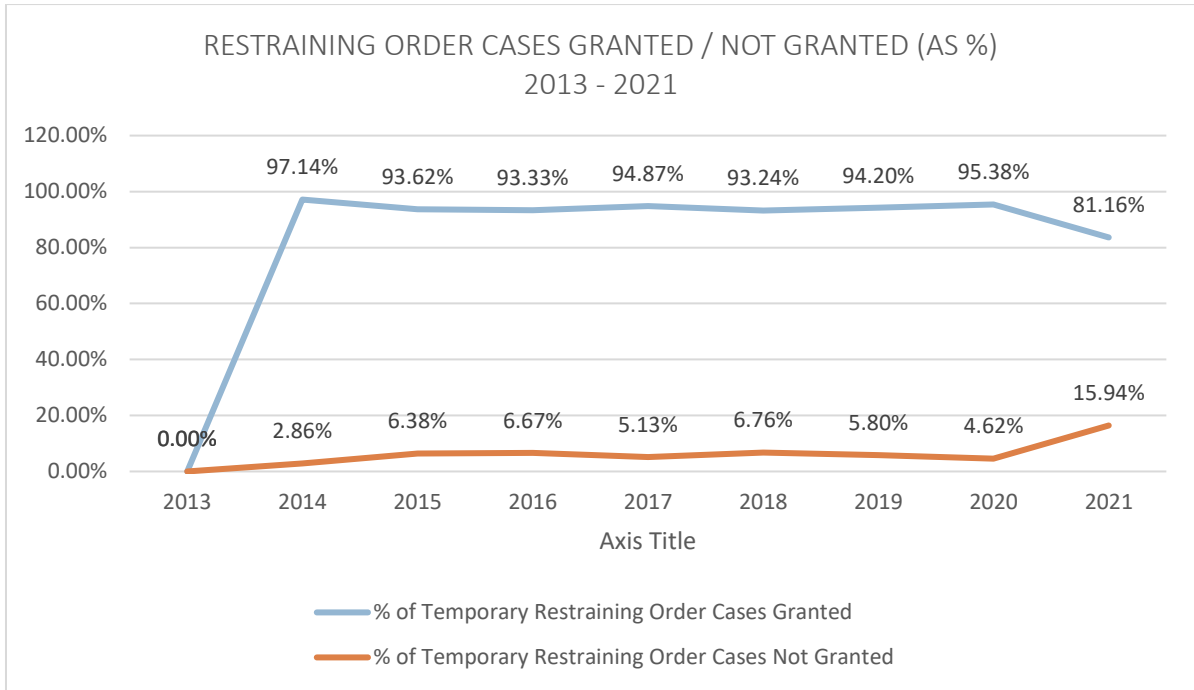
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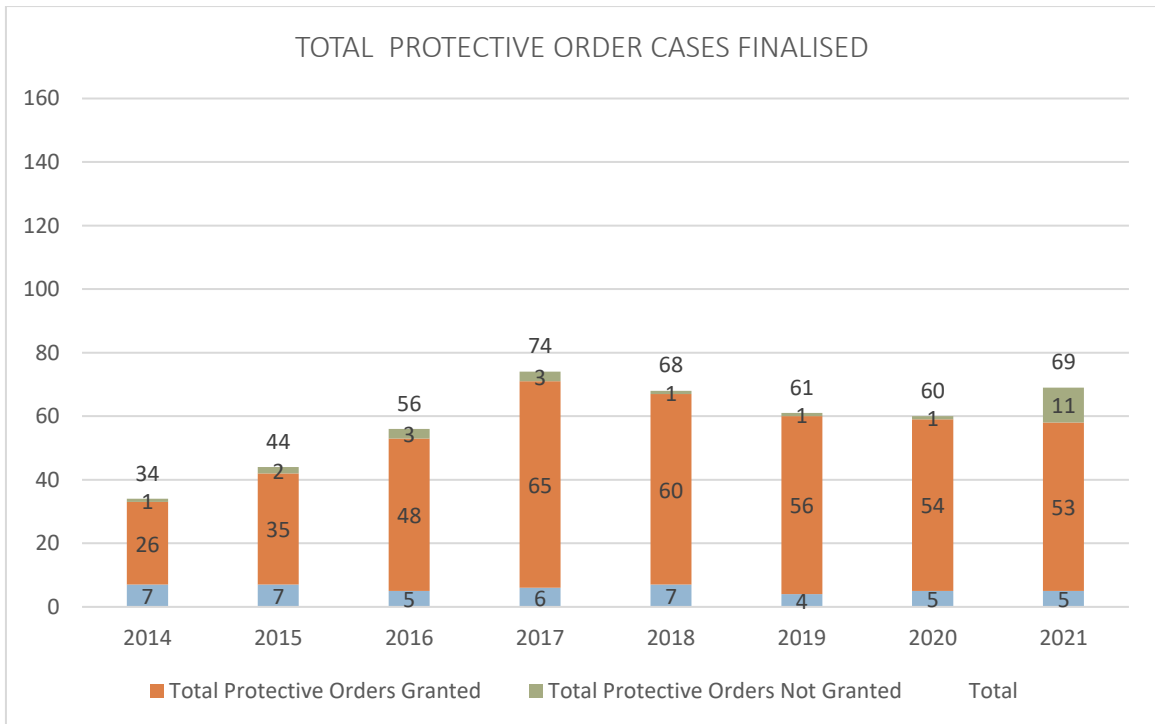
Of these cases, fifty-three (53) or 76.81% were filed by females; fourteen (14) or 20.29% were filed by males; and two (2) or 2.9% were filed jointly by a male and female.



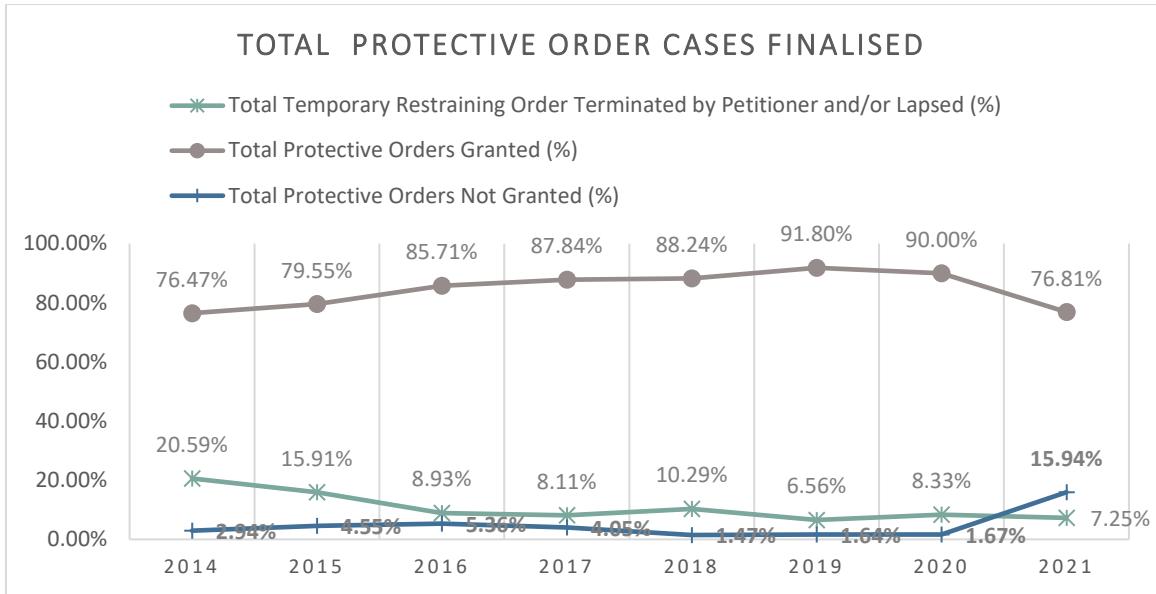
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Of the sixty-nine (69) filed CADA cases, fifty-six (56) or 83.58% of the temporary restraining order requests were granted, while eleven (11) or 16.42% were not granted. The remaining two (2) cases not reflected in the charts above for year 2021 are cases in which only a protective order was issued.



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In 2021, of the sixty-nine (69) filed CADA cases, fifty-three (53) or 76.81% of the cases resulted in a final protective order granted; five (5) or 7.25% were terminated by petitioner and/or lapsed; and eleven (11) or 15.94% of protective orders were those where the initial TROs were denied.

In 2019, we began compiling the applicant’s residence, and whether the cases involved children and/or people with disabilities. This year we have further included the relation between the applicant and the respondent. Below is a breakdown for all civil domestic abuse cases filed in both the Trial Division and the Court of Common Pleas under these new categories:

	2019	2020	2021	Total
Total Restraining Order Cases Involving Children	21	21	18	60
Total Restraining Order Cases Involving Persons with Disability	12	4	1	17
Total Restraining Order Cases Involving Both Children & Person with Disability	0	1	0	1

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Total Restraining orders where respondent is male	46	52	56	154
Total Restraining orders where respondent is female	18	12	12	42
Total Restraining orders where there are two respondents (1 male and 1 female)	5	3	1	9
Total Restraining Order Cases from Urban Area	58	57	56	171
Total Restraining Order Cases from Rural Area	8	7	12	27
Total Restraining Order Cases from Outer Islands	3	3	1	7
% of Restraining Order Cases Involving Children	30%	31%	26%	
% of Restraining Order Cases Involving Persons With Disability	17%	6%	1%	
% of Restraining Order Cases Involving Both Children & Persons With Disability	0%	1%	0%	
% of Restraining Order Cases from Urban Area	84%	85%	81%	
% of Restraining Order Cases from Rural Area	12%	10%	17%	
% of Restraining Order Cases from Outer Islands	4%	4%	1%	

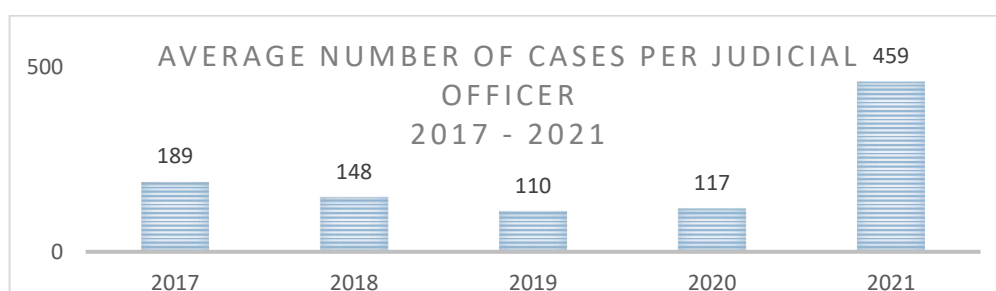
Relations Between Applicant And Respondent:	2019	2020	2021
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	No.	Percentage	No.	Percentage	No.	Percentage
Spouse (including former)	10	14%	7	10%	9	13%
Parent – Child	10	14%	8	12%	6	9%
Persons with common Child	7	10%	12	18%	1	1%
Persons related by consanguinity	20	29%	18	27%	24	35%
Dating relationship (including former)	11	16%	13	19%	25	36%
Persons jointly residing in the same dwelling unit (including former)	11	16%	9	13%	4	6%
	69		67		69	

vi. AVERAGE NUMBER OF CASES PER JUDICIAL OFFICER IN THE SUPREME COURT, TRIAL DIVISION

On February 8, 2021, Senior Judge Honora E. Remengesau Rudimch was appointed as Associate Justice of the Trial Division. She took her oath of office on March 12, 2022. The Court of Common Pleas judicial position remains vacant to date with the workload of both courts shared by the three(3) justices of the Trial Division. The average number of cases per judicial officer for year 2021 is four hundred fifty-nine (459) cases. The cases include cases from Court of Common Pleas as they were divided among the justices.



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C. COURT OF COMMON PLEAS

Criminal Cases – *For statistics, trends and outcomes see Supreme Court, Trial Division above -- Section B i., page 24.*

Criminal Charges Filed Under The Family Protection Act (FPA) – *For statistics, trends and outcomes see Supreme Court, Trial Division above -- .Section B i., page 25*

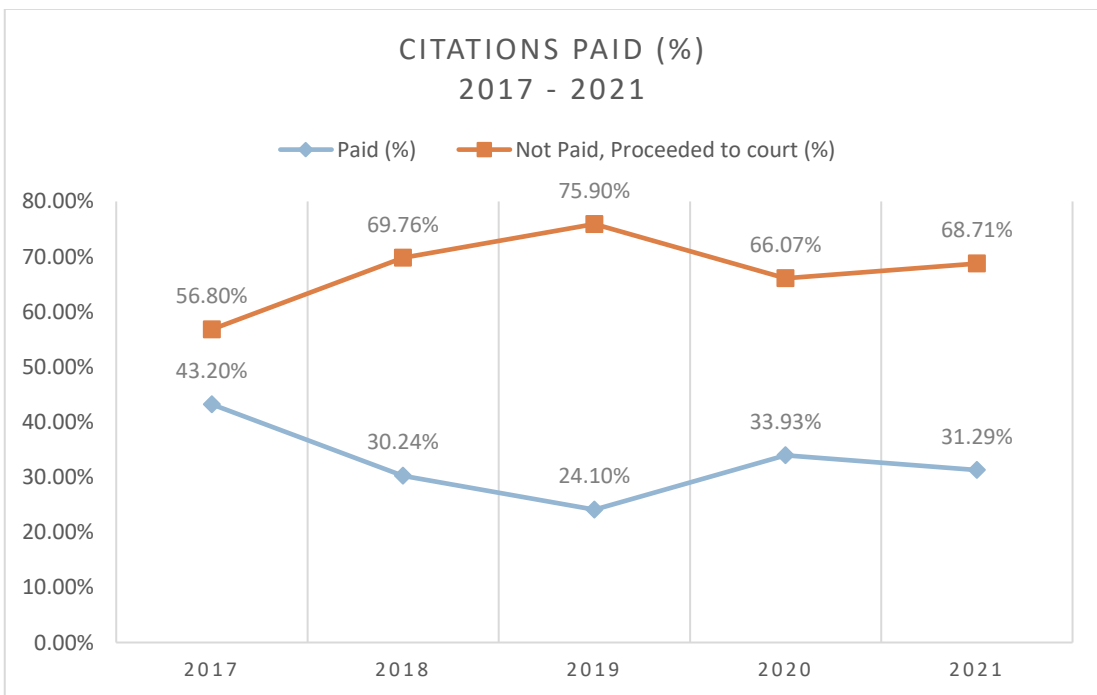
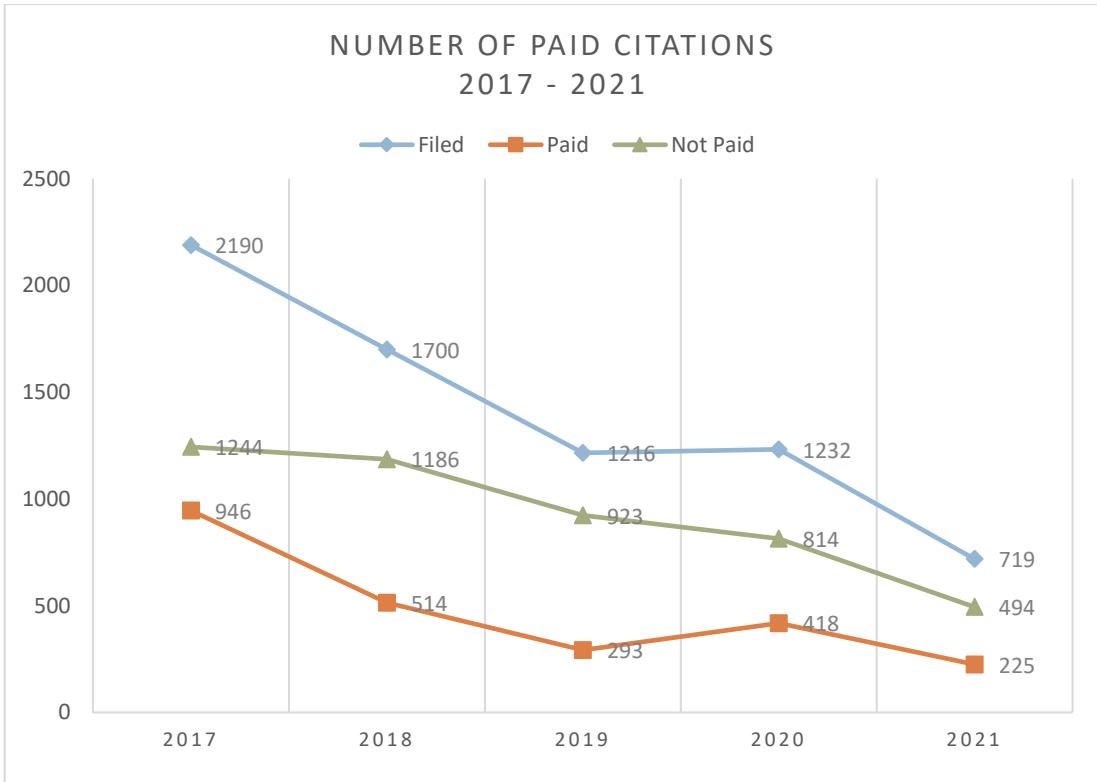
Juvenile Cases and Citations – *For statistics, trends and outcomes see Supreme Court, Trial Division above -- Section B ii., page 26*

i. CITATIONS

There were seven hundred nineteen (719) citations filed in 2021. The citations are filed in the first instance in the Court of Common Pleas. If the Court of Common Pleas judge has a conflict, a justice from the Trial Division is designated to preside over the citation. Citations comprise the majority of the court's case load and are heard weekly. A citation, depending on the charge, may be paid at the Office of the Clerk of Courts if an offender does not contest the charge(s).

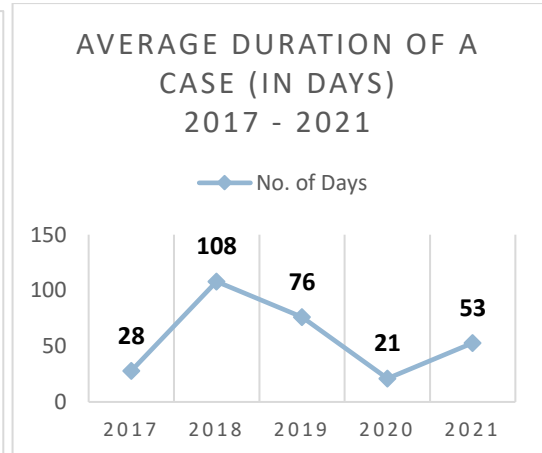
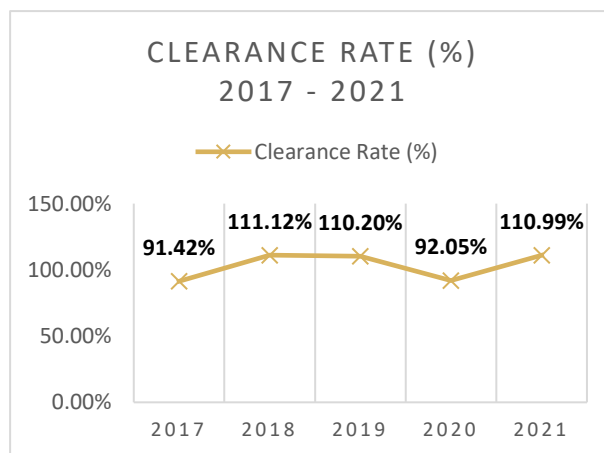
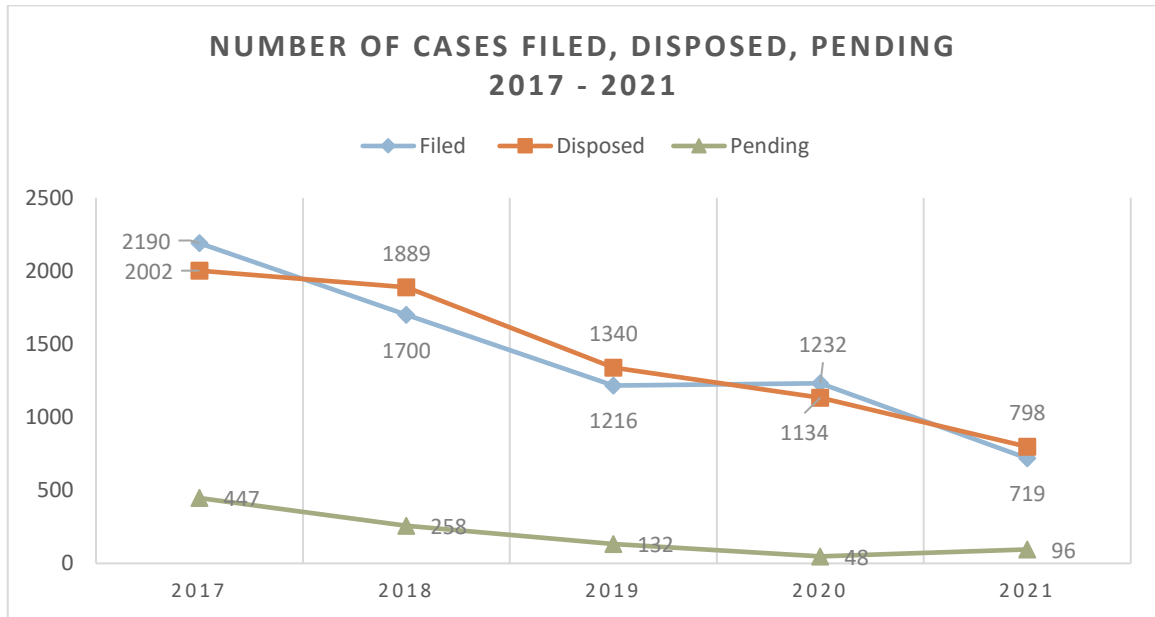
The figure below shows the number of paid citations for the past five (5) years. Certain types of offenses cannot be paid directly, however, and the offender must appear before the court. Out of the seven hundred nineteen (719) citations filed, two hundred twenty-five (225) were paid while the remaining four hundred ninety-four (494) citations proceeded to court.

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In 2021, 719 cases were filed, 798 were disposed, and 96 pending – making a 110.99% clearance rate. The average number of days was 53. See trend below.



CITATIONS – TRENDS AND OUTCOMES

Below is the breakdown of the different type of citations filed and disposed for 2021:

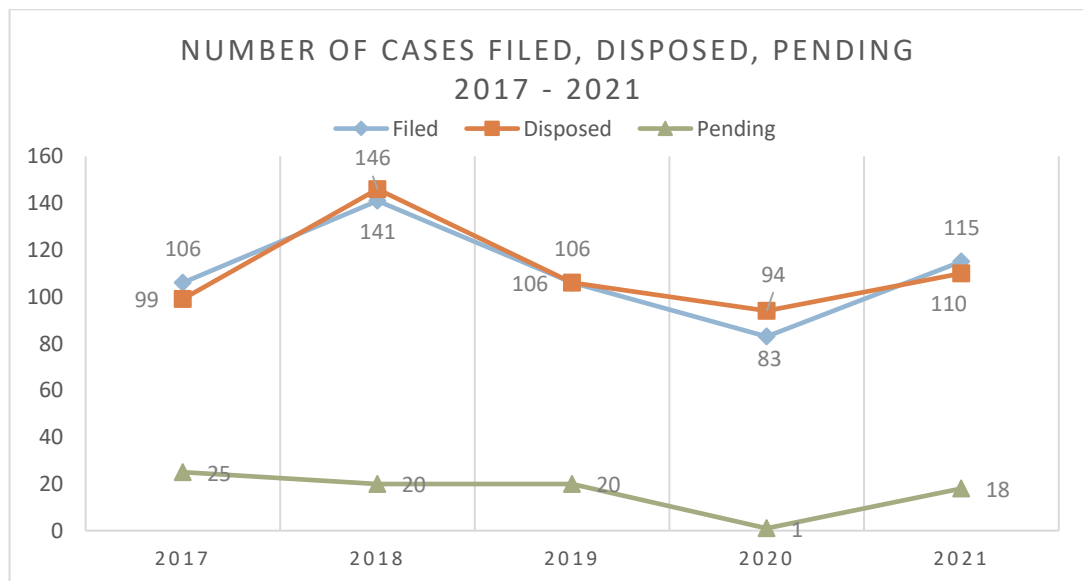
<i>Citation Category</i>	Filed	Disposed
<i>Airai State Government (ASG)</i>	0	0
<i>Division of Revenue and Taxation (DRT)</i>	0	1
<i>Alcoholic Beverages & Tobacco Products Control (ABTPC)</i>	1	2

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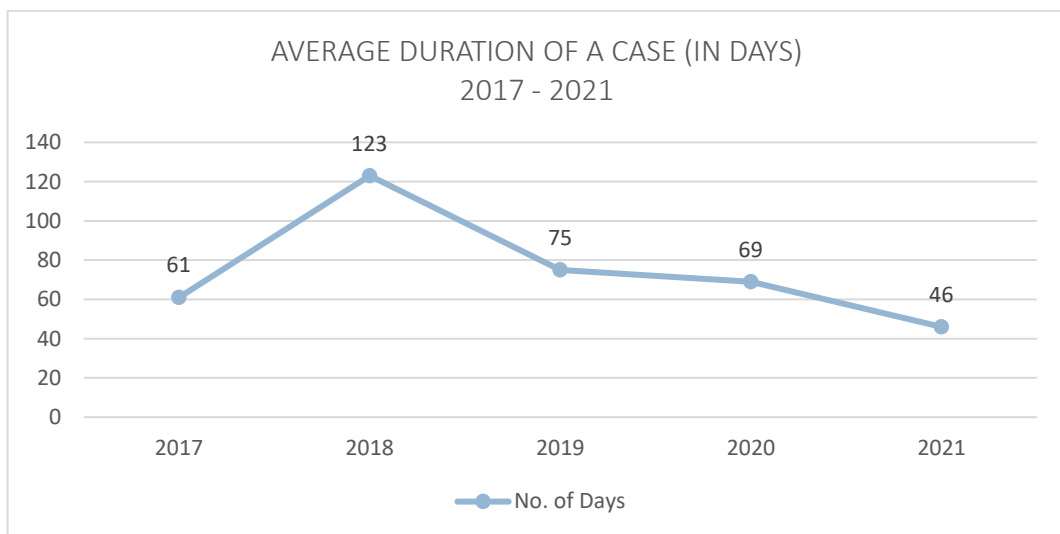
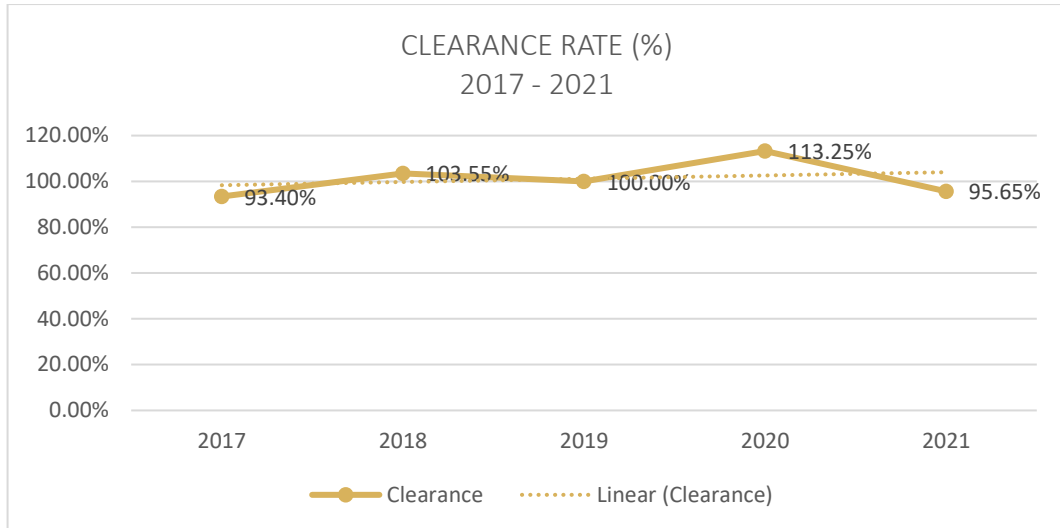
<i>Koror State Government (KSG)</i>	0	1
<i>Republic of Palau (ROP)</i>	604	675
<i>Marijuana Citation (MCC)</i>	2	3
<i>Juvenile Citations (JDC, JTC, JMC, JDVC)</i>	21	20
<i>Water Safety Citation (WSC)</i>	0	0
<i>Labor Violation Citation (LVC)</i>	39	38
<i>Domestic Violence Citation (DVC)</i>	52	53
TOTAL	719	798

ii. COMMON PLEAS/CIVIL ACTION

The Court of Common Pleas also hears civil cases. They are designated as Common Pleas/Civil Action cases and comprise mainly of divorce, child support, child custody, adoptions, guardianships, simple estates and correction of birth certificate matters.



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In 2021, there were one hundred fifteen (115) cases filed, one hundred ten (110) disposed, and eighteen (18) pending, resulting in a clearance rate of 95.65%. The average duration of cases was forty-six (46) days.

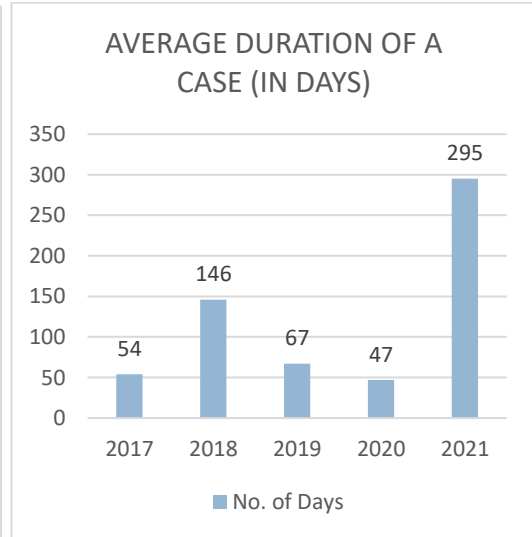
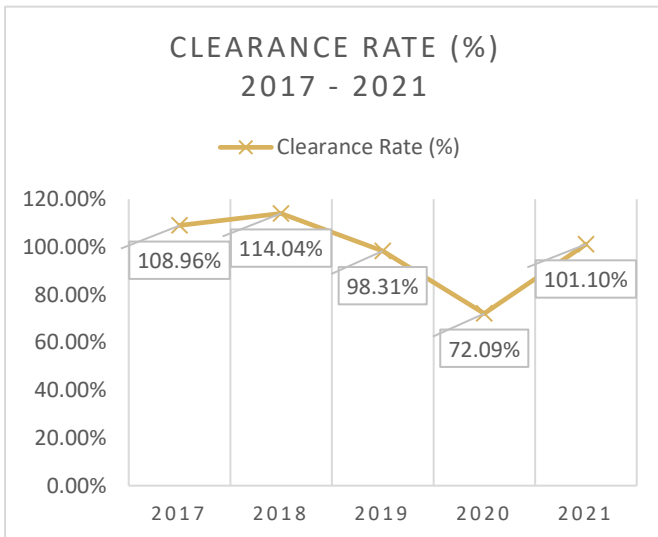
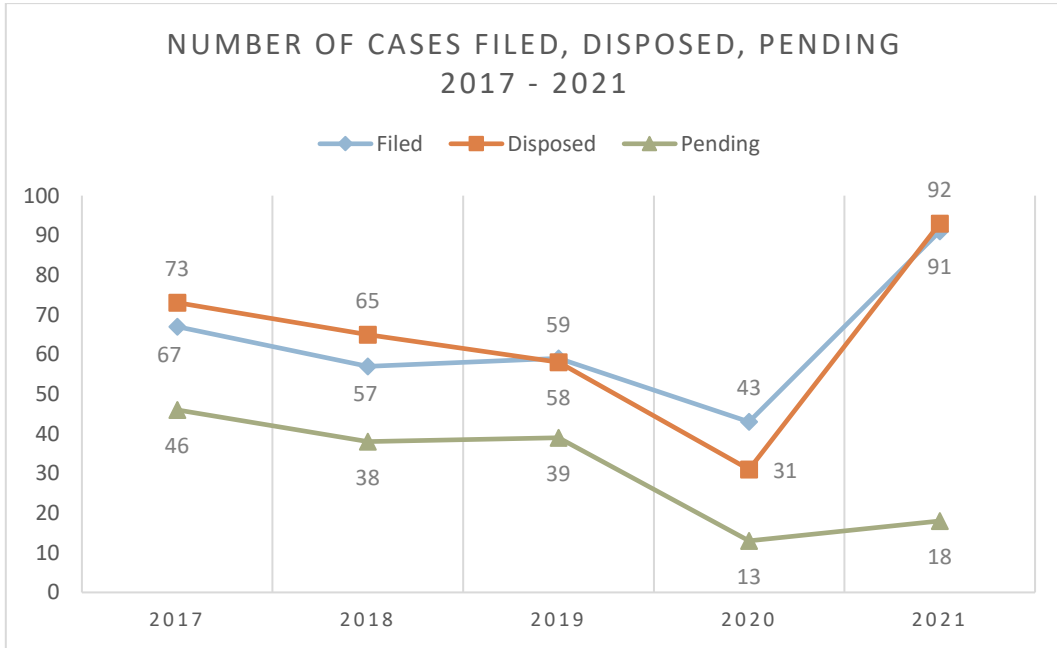
- iii. FAMILY CASES (DIVORCE, CHILD SUPPORT AND/OR CHILD SUPPORT) - *For family cases' trends and outcomes see Supreme Court, Trial Division above – section B iv, page 31.*

- iv. CIVIL ACTION/DOMESTIC ABUSE (CADA) FILED UNDER THE FAMILY PROTECTION ACT (FPA) - *For FPA trends and outcomes see Supreme Court, Trial Division section above – section B v. , page 33*

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v. SMALL CLAIMS

Small Claims cases are monetary claims of up to \$3,000 and are filed in the Court of Common Pleas. In 2021, there were ninety-one (91) small claim cases filed. At end of the year, ninety-two (92) cases were disposed and eighteen (18) remained pending, making a 101.10%. The average clearance rate was two hundred ninety-five (295) days.



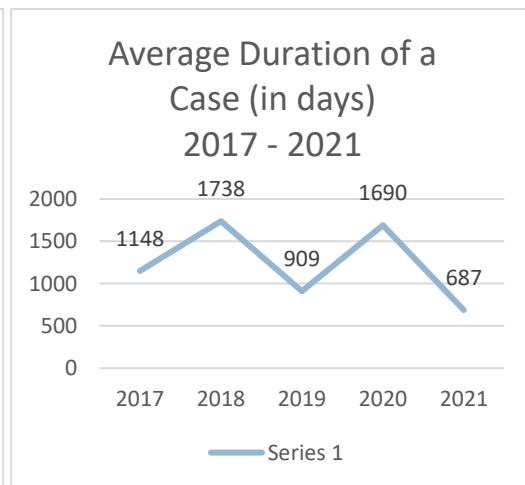
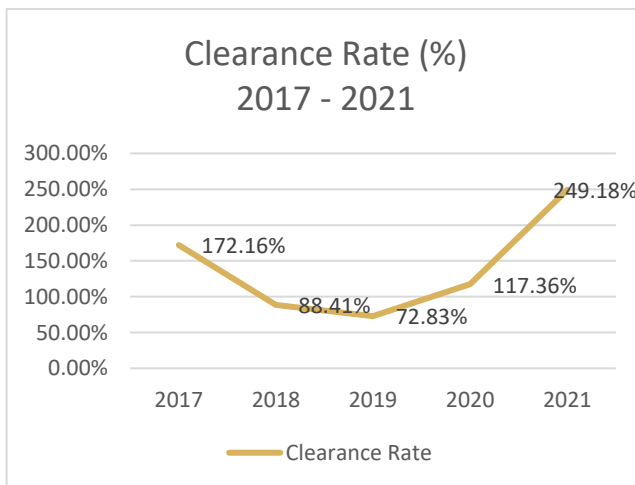
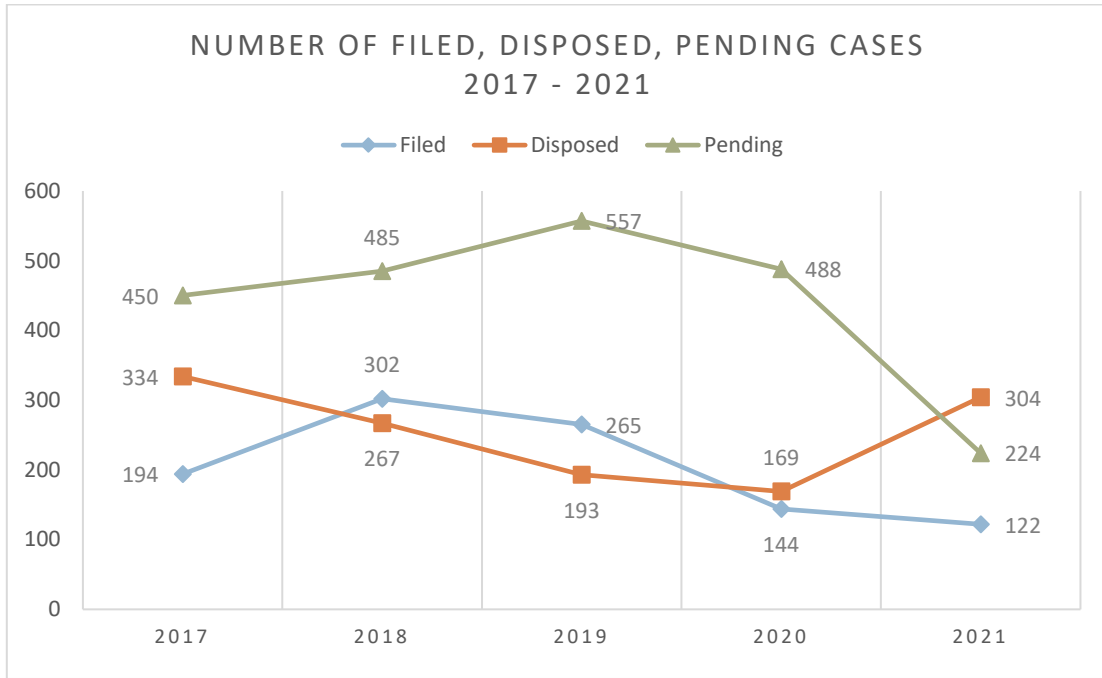
vi. AVERAGE NUMBER OF CASES PER JUDICIAL OFFICER IN THE COURT OF COMMON PLEAS -Please see average number of cases per judicial officer under the Trial Division section B vi., page 39.

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D. LAND COURT

i. LAND COURT CASES

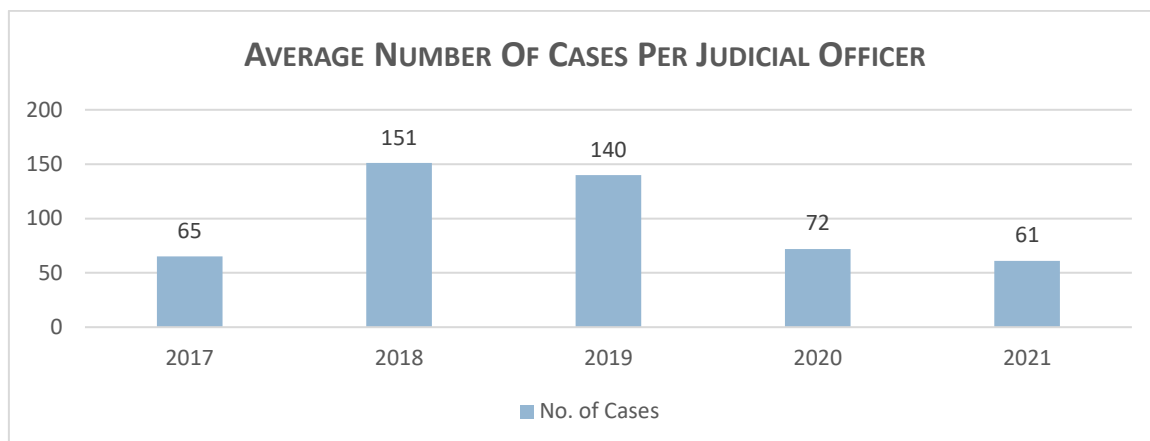
In 2021, there were one hundred twenty-two (122) land cases filed; three hundred four (304) were disposed; and two hundred twenty-four (224) cases pending – making a 249.18% clearance rate.



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ii. AVERAGE NUMBER OF CASES PER JUDICIAL OFFICER IN THE LAND COURT

In 2021, the average number of cases for each Judicial Officer in the Land Court was sixty-one (61) cases. There are two (2) Judicial Officers in the Land Court.



XI. ACCESSIBILITY AND FAIRNESS

The Judiciary strives to make the courts accessible to all meeting SDG target No. 16.3 to provide access to Justice. In this ongoing effort, it provides fee waivers, conducts annual public surveys, and maintains a website where members of the public can find rules, publications, court calendars, forms, information on selected cases, information about fees, and press releases. Please visit us at:

<http://www.palauspremeccourt.net>.

a. FREE LEGAL AID

Legal aid is available for parties who can't afford an attorney. The Office of the Public Defender ("PD") and Micronesian Legal Service Corporation ("MLSC") provide such services. In some cases, the court may appoint an attorney (when a party is facing criminal penalty) while some parties opt to be self-represented ("pro se"). Guidance for pro se parties is available at the Clerk of Courts Office.

Below is a summary of number of litigants who received free legal aides.

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Case Type	PD	MLSC	Court Appointed	Pro Se
Civil Action	1	91	0	59
Common Pleas Civil Action	0	71	0	72
Criminal	121	0	16	1
Citation	444	0	5	260
Juvenile	9	0	4	0
Domestic Abuse	0	1	0	135
Small Claims	0	0	0	179
Total	575	163	25	706

b. COURT FEE WAIVER

A lack of money should never be a barrier to justice. As a result, one way that the Judiciary ensures access to justice for all is to provide fee waivers to parties who cannot afford the costs associated with filing a lawsuit. Fees may be waived by the court of proper jurisdiction. The fee waiver form is available at the Office of the Clerk of Courts and on the Judiciary website under Forms.

(<http://www.palausupremecourt.net>).

In 2021, the court received eleven (11) court fee waiver applications, all brought by MLSC on behalf of their clients and all were granted.

Of the eleven applications, nine (9) were family law matters, representing 24% of the thirty-eight (38) family law cases filed while the other two (2) matters related to guardianship issues. All the applicants were female.

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C. REMOTE COURT PROCEEDINGS (RCP)

Remote Court Proceedings were made available giving virtual access to parties who otherwise can't be physically present due to the pandemic or for other reasons. See figure below for the number of RCPs held from 2020 to 2021. *This medium meets SDG Target 16.3 Access to Justice and 5.b, Enhancing the Use of Enabling Technology.*

Month	2020	2021
Jan	0	37
Feb	0	9
Mar	0	13
Apr	0	57
May	0	12
Jun	0	34
Jul	5	11
Aug	5	4
Sep	1	41
Oct	4	8
Nov	3	6
Dec	11	3
Total	29	235

XII. THE COURTS' MANAGEMENT, SUPPORT AND SERVICES

A. COURT OFFICES AND DEPARTMENTS

i. ADMINISTRATIVE OFFICE

The Judiciary Administrative Office is the administrative office of the Palau Judiciary. Article X, Section 12 of the Republic of Palau Constitution states that the Chief Justice of the Supreme Court shall be the administrative head of the unified judicial system. The Chief Justice shall appoint with the approval of the Associate Justices, an administrative director to supervise the administrative operation of the judicial system. The Administrative Office is responsible for the overall management, services, and support provided to the Palau Judiciary. Services provided include support for the office and court personnel systems, court security, budget, fiscal, contracts, project management, facilities operations, and publication of decisions.

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ii. OFFICE OF THE CHIEF JUSTICE

The Office of the Chief Justice serves as the focal point of all incoming and outgoing activities of the Palau Judiciary. Special Assistant to the Chief Justice and Chamber's Administrator are responsible for updating the Chief Justice on the progress of all assigned matters. This office oversees the administrative functions of the Judiciary and coordinates with other offices.

iii. OFFICE OF THE CLERK OF COURTS

1. APPELLATE DIVISION

The mission of the Clerk of the Appellate Court is to provide courteous, efficient, and professional service to the courts and public. On February 5, 2016, President Tommy E. Remengesau Jr., signed into law Public Law No. 9-55, and it is through this law that the Olbiil Era Kelulau (OEK) appropriated funds "for the purpose of implementing the separation of personnel within the trial and appellate divisions by hiring new personnel for both divisions of the Palau Supreme Court." On December 15, 2016, the public was notified of revised proposed "Rules Implementing the Separation of the Justices" and invited to comment. "Rules Implementing the Separation of the Justices" were then promulgated on January 5, 2017.

2. TRIAL DIVISION

The Office of the Clerk of Courts is the largest department within the Judiciary and is the primary point of contact for persons interacting with the courts. The main purpose of the office is to provide administrative support to the judicial officers and service the public. It is responsible for the overall management of cases within the judiciary from initial filing to final disposition. The Clerk of Courts oversees a number of sections with important functions vital to its operations: Vital statistics, Land Records, Land Registry and Mediation. It also receives and disburses court related funds such as fines and restitutions. The Office of the Clerk of Courts also handles a variety of miscellaneous services such as certification and notarization of documents.

2021 COURT ANNUAL REPORT

a. BIRTH, DEATH, AND MARRIAGE

BIRTH

Three hundred fifteen (315) birth certificates were registered at the Office of the Clerk of Courts in 2021. Two hundred nineteen (219) of the births occurred locally; 0 were domestic late births; and ninety-six (96) are births of Palauan citizens born abroad but submitted for registration.

QUARTERLY	1ST QUARTER			2ND QUARTER			3RD QUARTER			4TH QUARTER			YEARLY TOTAL
MONTHS	JAN	FEB	MARCH	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	
DOMESTIC	10	15	21	14	25	23	11	16	34	18	13	19	219
FOREIGN	1	3	12	5	2	5	22	8	7	10	15	6	96
DOMESTIC LATE BIRTHS	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL		18	33	19	27	28	33	24	41	28	28	25	315
QUARTERLY TOTAL			51	QUARTERLY TOTAL			74	QUARTERLY TOTAL		98	QUARTERLY TOTAL		81

DEATH

One hundred fifty-one (151) death certificates were registered at the Office of the Clerk of Courts in 2021. One hundred forty (140) were deaths that occurred locally while eleven (11) were deaths that occurred abroad but submitted for registration.

QUARTERLY	1ST QUARTER			2ND QUARTER			3RD QUARTER			4TH QUARTER			YEARLY TOTAL
MONTHS	JAN	FEB	MARCH	APRIL	MAY	JUN	JULY	AUG	SEPT	OCT	NOV	DEC	
DOMESTIC	13	8	16	9	10	14	10	16	10	7	12	15	140
FOREIGN	0	0	0	2	0	0	0	0	5	1	0	3	11
TOTAL	13	8	16	11	10	14	10	16	15	8	12	5	151
QUARTERLY TOTAL			37	QUARTERLY TOTAL			35	QUARTERLY TOTAL		41	QUARTERLY TOTAL		21

MARRIAGE

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In 2021, a total of ninety-nine (99) marriage certificates were registered at the Office of the Clerk of Courts: eleven (11) were civil marriages between Palauan citizens; fifty-two (52) were customary; and thirty-six (36) were marriages where one or both of the parties is a foreigner.

QUARTERLY	1ST QUARTER			2ND QUARTER			3RD QUARTER			4TH QUARTER			YEARLY TOTAL
MONTHS	JAN	FEB	MARCH	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	
CIVIL-PALAUANS	2	1	1	3	0	0	0	0	0	0	2	2	11
CUSTOMARY-PALAUANS	4	5	8	5	4	3	6	5	5	2	2	3	52
FOREIGN	3	2	2	5	0	3	4	6	3	3	4	1	36
TOTAL	9	8	11	13	4	6	10	11	8	5	8	6	99
QUARTERLY TOTAL			28	QUARTERLY TOTAL		23	QUARTERLY TOTAL		29	QUARTERLY TOTAL		19	

b. LAND REGISTRY

All documents pertaining to the transfer of land are registered at the Land Registry. It is the repository for all property plats, final cadastral maps, certificates of title, determinations of ownership, and other land-related documents.

In 2021, eight hundred thirty-nine (839) Certificates of Title (CT) were issued by the Land Registry.

	Jan	Feb	Mar	April	May	June	July	August	Sept	Oct	Nov.	Dec.	Total
Total CT Issued	72	45	46	38	82	81	133	64	41	93	80	64	839
Breakdown:													
CT issued based on DO	6	5	27	16	42	16	56	13	15	6	2	3	207
Transfer by Court Order	35	20	6	7	26	40	6	3	11	67	59	47	327
Transfer by Deed	30	17	9	14	12	22	58	38	11	11	17	8	247
Replacement/Lost Certificates	1	1	1	0	1	0	2	0	0	5	0	0	11
Re-Issue Change of Trustee/Name	0	0	0	0	1	0	1	1	0	0	0		3

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Change or Correction													
Re-Issue - Parcel Split	0	2	3	1	0	3	10	9	4	4	2	6	44

C. LAND RECORDS

In 2021, one thousand four hundred fifty-one (1,451) land records were registered at the Land Registry section of the Clerk of Courts.

	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>April</u>	<u>May</u>	<u>June</u>	<u>July</u>	<u>August</u>	<u>Sept</u>	<u>Oct</u>	<u>Nov.</u>	<u>Dec.</u>	<u>Total</u>
Total Docs Registered	109	102	88	96	141	129	197	109	80	136	159	105	1,451
<u>Breakdown:</u>													
Deeds	17	18	11	10	11	21	23	13	15	10	15	8	172
Mortgages	13	13	10	10	9	7	6	5	9	4	0	4	90
Certificate of Title	72	45	46	38	82	81	133	64	41	93	80	64	839
Maps (Finalized maps to be stored in the Vault)	0	11	6	8	4	7	17	13	6	12	0	0	84
Miscellaneous(Land Use Right, Release of Mortgage, Power of Attorney, Agreements, etc.)	7	14	15	30	35	13	18	14	9	17	64	29	265
Easement	0	1	0	0	0	0	0	0	0	0	0	0	1
Total Cases Appealed	1	0	1	0	0	2	1	1	1	0	2	1	10
LC/B08-00854 (2 vol) & 08-00239 (2 vol) (C/App 21-026) Acting SJ Skebong													
Cases Returned After Disposal of Appeal	1	0	3	1	0	2	0	0	2	2	1	0	12

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d. LAND COURT MEDIATION

In 2021, one hundred twenty-nine (129) cases “bypassed mediation”. No cases were assigned to Land Court Mediation.

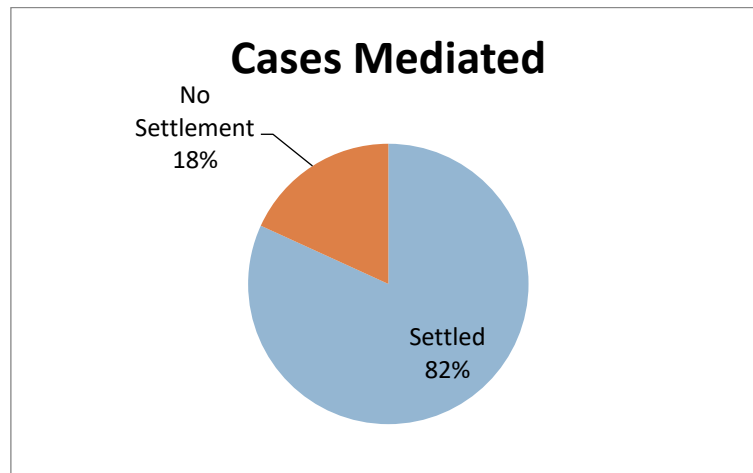
2021 LAND COURT INTAKE AND MEDIATION REPORT													
Description	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
# CLAIMS RECEIVED FROM BLS	1	12	1	15	3	16	27	23	29	1	0	1	129
# CLAIMS RETURNED TO BLS	0	0	0	0	0	0	0	0	0	0	0	0	0
# CLAIMS ACCEPTED	1	12	1	15	3	16	27	23	29	1	0	1	129
# CASE NUMBERS RE-ISSUED	0	0	0	0	0	0	0	0	0	0	0	0	0
# CASES ASSIGNED TO MEDIATION	0	0	0	0	0	0	0	0	0	0	0	0	0
# DISPUTED CASES - "PARTIALLY RESOLVED"	0	0	0	0	0	0	0	0	0	0	0	0	0
# CASES RESOLVED - (DISPUTED/UNDISPUTED)	0	0	0	0	0	0	0	0	0	0	0	0	0
CASES UNRESOLVED	0	0	0	0	0	0	0	0	0	0	0	0	0
NO. OF CASES PENDING RESULT FROM MEDIATION	0	0	0	0	0	0	0	0	0	0	0	0	0
NO. OF CASES PENDING ASSIGNMENT	0	0	0	0	0	0	0	0	0	0	0	0	0
NO. OF CASES "BYPASSED MEDIATION"	1	12	1	15	3	16	27	23	29	1	0	1	129
TOTAL NUMBER OF MEDIATION SELECTION FORMS SENT OUT	0	0	0	0	0	0	0	0	0	0	0	0	0

e. SUPREME COURT MEDIATION

Pursuant to Article X, Section 14, of the Constitution of the Republic of Palau, the Supreme Court added “Rule 72: Initiation of Mediation Procedures” to the Rules of Civil Procedures on February 27, 2013. Mediation is an extrajudicial procedure for resolving civil disputes. A mediator facilitates negotiation between parties and assists them in trying to reach a settlement. The mediator, however, does not have the authority to impose a settlement upon the parties. Mediators are court staff, judges, and some local attorneys.

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In 2021, thirteen (13) cases were assigned to mediation. Out of the thirteen (13) cases, nine (9) cases were settled through mediation, two (2) were not able to settle, and two (2) are still ongoing.



f. JURY SELECTION

In 2021, ten (10) criminal cases filed qualified for jury trial. There were seventeen (17) jury cases disposed in 2021- eleven (11) plead out and didn't go to trial, three (3) were dismissed, and three (3) proceeded to trial. The jury section printed five thousand four hundred and forty-seven (5,447) jury summons. Three thousand four hundred and ninety-one (3,491) were executed. The Judiciary continues to strive to improve its jury trial process and thanks everyone summoned for fulfilling their civic duty.

iv. MARSHAL DIVISION

The Marshal Division was created in 1998. The marshals are responsible for serving court documents, executing bench warrants, acting as courtroom bailiffs, and providing security for all the courts. The marshals are also authorized to make court-ordered arrests. When serving as courtroom bailiffs, marshals ensure that the courtroom is ready for court proceedings and maintain peace and order throughout proceedings. Additional services rendered by the marshals include night monitoring

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of juvenile and adult probationers on curfew or house arrest and the judges' residences. Two (2) marshals are on duty every night.

In 2021, the Marshal Division served a total of five thousand seven hundred eighteen (5,718) documents.

POS/ Service Type	1ST QTR	2ND QTR	3RD QTR	4TH QTR	ANNUAL TOTAL
CIVIL CASES	491	577	569	538	2175
LAND COURT	337	202	340	327	1206
CERTIFICATE OF TITLE	35	85	56	14	190
MAP REQUISITION	8	8	18	6	40
MAP TRANSMITTAL	4	7	6	2	19
LETTER	2	2	2	1	7
BENCH WARRANT	21	32	15	17	85
CRIMINAL CASES	224	156	181	188	749
DOMESTIC VIOLENCE CITATION	87	155	83	50	375
TRAFFIC/CRIMINAL CITATION	193	202	142	118	655
JUVENILE CASES	46	44	16	26	132
JUV. DELINQUENCY CITATION	8	18	6	17	49
JUV. DOMESTIC VIOLENCE CITATION	2	0	0	2	4
JUV. MARIJUANA CITATION	0	0	14	10	24
JUV. TRAFFIC CITATION	6	2	0	0	8
TOTAL	1464	1490	1448	1316	5718

NIGHT TASK	1ST QTR	2ND QTR	3RD QTR	4TH QTR	ANNUAL TOTAL
CENTRAL CHK (COURT/KOROR)	301	387	433	150	1271
AJ RECHUCHER	58	72	80	81	291
AJ DOLIN	0	26	152	92	270
CJ NGIRAIKELAU	97	114	150	135	496
AJ MATERNE	92	155	151	145	543
PJ SALII	100	113	204	142	559
SJ REMENGESAU RUDIMCH	67	86	125	140	418
ACTING SJ SKEBONG	76	100	134	140	450

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AJ INGEREKLII	9	3	8	28	48
HOUSE ARREST	19	0	2	0	21
MONITOR PROBATIONERS	39	6	48	3	96
PROTOCOL	0	1	3	2	6
JURY SUMMONS	190	254	202	13	659
SPECIAL ASSIGNMENT	4	2	0	65	71
LAND COURT DOCUMENTS	7	7	36	70	120
SUMMONS DOCUMENTS	45	54	50	89	238
OTHER DOCUMENTS	18	2	0	0	20
PENAL SUMMONS DOCUMENTS	57	58	65	120	300
INMATE & ARRESTEE TRANSPORT	1	2	0	3	6
FPA VICTIM SECURITY DETAIL	0	12	1	1	14
CIVIL ACTION/DOMESTIC ABUSETRO	3	35	11	29	78
ARREST WARRANT	0	0	0	4	4
BENCH WARRANT	0	3	1	0	4
NIGHT COURT HEARING	0	1	0	0	1
TOTAL	1183	1493	1856	1452	5984

CASE TYPE/BAILIIF	1ST QTR	2ND QTR	3RD QTR	4TH QTR	ANNUAL TOTAL
CIVIL CASES	182	162	123	108	575
LAND COURT	96	49	143	26	314
BENCH WARRANT	21	30	14	17	82
CRIMINAL CASES	172	76	70	76	394
DOMESTIC VIOLENCE CITATION	19	32	22	15	88
TRAFFIC/CRIMINAL CITATION	129	95	71	35	330
JUVENILE CASES	11	9	6	3	29
JUVENILE DELINQUENT CITATION	4	6	7	5	22
JUVENILE TRAFFIC CITATION	5	1	0	0	6
TOTAL	639	460	456	285	1840

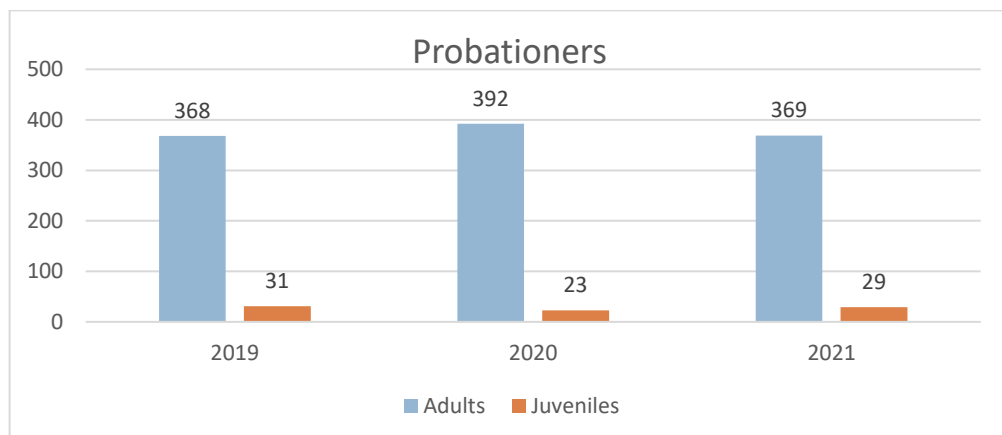
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V. PROBATION OFFICE



The Probation Office is comprised of five (5) employees consisting of one (1) Chief Probation Officer, three (3) Probation Officers, and a Probation Clerk. Together they are responsible in ensuring sentencing orders are followed and completed on time, making sure the terms and conditions of probation are met. In doing so they coordinate educational opportunities, job placement assistance, as well as counseling for the defendants and juveniles. The Probation Office also prepares and submits pre-sentence investigation reports to the judges to assist them in determining the appropriate sentence for defendants and juvenile delinquents.

In 2021, the Probation Office supervised three hundred ninety-eight (398) probationers, three hundred sixty-nine (369) of them being adults and twenty-nine (29) were juveniles. See graph below:



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The Probation Office also, with the approval of the Office of the Chief Justice, implemented evening shifts to ensure court sentencing order compliance. The shifts consist of two (2) officers who monitor from 6:00 pm until 10:00 pm. The Probation Office continues to update the Office of the Chief Justice to track the success of the program and collaborate with the Marshals Office to ensure the security of the Probation Officers as they are currently unarmed. They have also implemented the use of uniforms to ensure the officer's safety, and that they are visible from the public when working after regular working hours. In addition to the uniforms, over the years, the Probation Office has and continues to collaborate with other agencies, such the national public works, state governments, and the Juvenile Justice Office, under the Ministry of Justice, in placing defendants or juveniles for community service or other programs that are mandated by the court or beneficial to the rehabilitation of the defendant or juvenile. Finally, Probation Office continues to avail of trainings to assist the officers in their work and dealings with their clients.

In addition to the regular probationers that are convicted and sentenced to probation, there are the defendants that are given a deferred adjudication of guilt (DAG), which is a diversionary process. Defendants are placed on probation after they plead guilty to a charge, however they are not sentenced. Instead, they are given a period to comply with conditions set by the court. If they successfully complete the period and complete all the conditions, the case will be dismissed and it's as if they were not charged. In 2021, there were twenty (20) DAGs: seventeen (17) were adults and three (3) were juveniles.

vi. LAW LIBRARY

The Law Libraries, Ikesakes Law Library in Koror and Mokoll Memorial Law Library in Ngerulmud welcome the attorneys, judges, and the general public. These libraries provide legal research materials for the growing needs of the Palau judicial system, practicing bar, and general public. Housing over 15,000 volumes, they strive to provide access to comprehensive and current legal materials and resources in an efficient and timely manner. To improve their scope and purpose within Palau

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Judiciary and their services to the public, the Law Libraries continue to enhance operational efficiency through regular updates to their collections. Patrons have access to computers at both libraries for *Westlaw Online Research*, *Land Court Title Search*, and to listen to *Court Hearings*. Photocopying is available at \$0.15 per copy for bar members and \$0.50 for the general public.

vii. ARCHIVE DEPARTMENT

The Archive Office was established in March 2019. The mission and vision of the Archive Office is to provide a systematic and strategic approach to creating and controlling a comprehensive records management system for preservation and organization of court closed case files (disposed) and to avail the record electronically for public research. The goal is to ensure that court cases from the Appellate Division, Trial Division, Court of Common Pleas, and Land Court that are designated as “Disposed” are collected, maintained, and archived.

ARCHIVE DEPARTMENT Annual Report January 1, 2021 to December 31, 2021				
Description	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr
# CA/App & CR/App(1982 to1992) Case Files Scanned				204
# SCCR - Docket Books (1983 to 1985) -Scanned	3			
# SCCA - Docket Books (1982 to 2004) - Scanned	35			
# COCP/SM - Docket Books (1992 to 2012) - Scanned	11			
# COCP/CA - Docket Books (1982 to2004) - Scanned	10			
# DC.SM - Docket Book (1992 to1993) - Scanned	1			
# SM BOX 1 to 33 (1983 to 2015) - Indexed	33 bxs			
# SCCA - BOX 71 to BOX 160 (1990 to 1997) - Indexed	89 bxs			
# JUVENILE - BOX 1 to 12 (1982 to 2011) - Indexed	12 bxs			

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viii. BUDGET OFFICE

The Budget Office is responsible for managing the financial resources of the Judiciary in accordance to the laws, regulations, and policies of the Republic of Palau.

With a personnel of three (3) staff, the office oversees the following: (1) financial statements and reporting; (2) cash receipts; (3) accounts receivable; (4) cash disbursements; (5) accounts payable; (6) appropriations; (7) audit; (8) revenue forecasts; (9) grants; (10) budget; and (11) employee timesheets for payroll.

The office utilizes a straightforward financial management system that is effective and transparent to ensure that the accountability of Judiciary's financial resources is maintained.

1. ANNUAL BUDGET

Expenditures	2018	2019	2020	2021
Personnel	\$ 2,433,148.00	\$ 2,435,082.00	\$ 2,784,359.02	\$ 2,409,202.00
Leased Housing & Recruit/ Repatriation		\$ 98,733.00	\$ 57,961.46	\$ 13,226.48
Purchased Professional & Technical Services	\$ -	\$ 29,216.00	\$ 19,345.05	\$ 10,734.50
Repair and Maintenance	\$ 156,423.00	\$ 235,819.00	\$ 89,397.61	\$ 51,680.07
Rentals	\$ 15,833.00	\$ 1,630.00	\$ 2,924.98	\$ 40,953.24
Other Purchased Services	\$ 68,499.00	\$ 37,976.00	\$ 58,335.76	\$ 62,773.17
Communications	\$ 23,917.00	\$ 44,681.00	\$ 39,179.21	\$ 36,227.73
Supplies	\$ 27,353.00	\$ 45,535.00	\$ 108,511.44	\$ 102,869.51
Utilities	\$ 37,687.00	\$ 57,839.00	\$ 54,931.81	\$ 50,228.64
Purchased Properties	\$ 276,076.00	\$ 113,257.00	\$ 47,255.53	\$ 28,413.59
Others	\$ 147,139.00	\$ 90,811.00	\$ 11,893.07	\$ 31,964.17
Total	\$ 3,186,075.00	\$ 3,190,579.00	\$ 3,274,094.94	\$ 2,838,273.10

ix. PROPERTY MANAGEMENT OFFICE

The Property Management Office is a support unit that procures supplies, materials, equipment, and furniture for the Judiciary with the approval of the Chief Justice and in accordance with the procurement laws of the Republic of Palau. Our overall goal is to improve the practices within our realm of responsibilities, continue to identify best practices for transparent processes in management of inventory and Judiciary's capitalized and non-capitalized assets for cost savings, accessibility and efficiency.

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x. OFFICE OF THE COURT COUNSEL

The Office of the Court Counsel is primarily responsible for assisting the justices and judges with legal research related to cases that come before them. In addition, court counsels assist in preparing court publications and provide advice on the legality of administrative operations. The office consists of two to three attorneys under one-year contracts who are recruited from federal and state courts in the U.S.

xi. MANAGEMENT INFORMATION SYSTEMS (MIS)

The MIS Division provides the Judiciary with computer technology resources. The division maintains a networked database that provides ready access to records and cases to all court staff. Records are accessed quickly to serve the public more efficiently. The members of the public can also do research on land documents through this database system at the Singichi Ikesakes Law Library. With substantial financial assistance from the Taiwan government, the Judiciary was able to launch its Judiciary Information Systems (JIS) in November 2011. JIS is a web-based database program and is accessible at both the Koror and Melekeok Judiciary locations. This system aids the court in case management, resource management, and administrative services. The court continues to seek ways to utilize technology to provide better customer service.

xii. HUMAN RESOURCE OFFICE

The Human Resource Office is responsible for effectively managing the organization's human resource, the employees. It is responsible for overseeing personnel matters, including recruiting, hiring, and administering benefits; performance evaluations; pay increase; and training and development for staff. It is also responsible for ensuring that the organization's employees are adequately managed and appropriately compensated. The Human Resource Office provides effective policies, procedures, and serves to make sure that the organization's mission, vision, and values are part of the organizations culture.

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As an active member of the Belau Educators and Employers Alliance (BEEA), they continue to support and accommodate the career pathways curriculum for high school students throughout the school year. They continue to participate in the Summer Work Experience Program (SWEP), provide college internship programs, and offer career support to students interested in working for the Palau Judiciary. Additionally, the office works actively with the Palau National Scholarship Board to identify and recruit prospective graduates every semester in hopes of building a workforce with a strong education foundation. Finally, the office has been a Covid Relief One-Stop Shop (CROSS) Act employer through partnership with the Palau Visitors Authority since its implementation.

1. COURT PERSONNEL (AS OF DECEMBER 2021)

<u>Name</u>	<u>Title</u>	<u>Length of Service with Judiciary</u>
<u>Justice & Judges</u>		
Oldiais Ngiraikelau	Chief Justice	4 years & 11 months
John K. Rechucher	Associate Justice	4 years & 1 months
Gregory Dolin	Associate Justice	1 year & 11 months
Kathleen M. Salii	Presiding Justice	21 years 4 months
Mary Lourdes F. Materne	Associate Justice	19 years & 6 months
Honora E. Remengesau Rudimch	Associate Justice	16 years & 1 month
Rose Mary Skebong	Acting Senior Judge, Land Court	18 years & 7 months
Salvador Ingereklii	Associate Judge, Land Court	18 years & 7 months
3 males and 3 female justices, 1 male and 1 female judge		
<u>Part -Time Justices</u>		

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Daniel R. Foley	Part-Time Associate Justice	9 years
Katherine A. Maraman	Part-Time Associate Justice	14 years
Dennis K. Yamase	Part-Time Associate Justice	4 years
Alexandro C. Castro	Part-Time Associate Justice	4 years
Kevin Bennardo	Part-Time Associate Justice	4 years
Antonio L. Cortes	Part-Time Associate Justice	9 months
Richard W. Pollock	Part-Time Associate Justice	9 months
Arthur R. Barcinas	Part-Time Associate Justice	9 months
R. Barrie Michelsen	Part-Time Associate Justice	9 months
8 males and 1 female part-time justices		
<u>Office of Court Counsel</u>		
Carl Hennies	Court Counsel	5 months
Kathryn-Ann Stamm	Court Counsel	1 year & 1 month
Liam F. Holohan	Court Counsel	6 months
Taylor Kilpatrick	Court Counsel	4 months
2 males and 2 female in the Office of Court Counsel		
<u>Office of the Chief Justice</u>		
Lue Dee Dechol Kotaro	Administrative Assistant/Chambers Clerk	6 years & 7 months
1 female		
<u>Budget Office</u>		

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Ryobch W. Luii	Budget Officer	2 years & 9 months
Eden Benhart	Deputy Budget Officer	3 Years
Bridget Iyar	Senior Accounts Specialist	6 years & 6 months
1 male and 2 females in the Budget Office		
<u>Clerk of Courts – Trial Courts</u>		
Allison I. Sengebau	Clerk of Courts	25 years & 6 months
Sherwin Yamanguchi	Courtroom Clerk Interpreter III	21 years & 10 months
Juanita E. Udui	Land Title Registrar	32 years & 1 month
Clarinda S. Alexander	Chamber Clerk (assigned to PJ Salii)	32 years & 1 month
Madeline Tengeluk	Case Management Coordinator	14 years & 1 month
Myla M. Oimei	Courtroom Clerk Interpreter I	14 years & 1 month
Viola Stephanus	Chamber Clerk (assigned to AJ Rudimch)	18 years & 8 months
Sherene K. Adolf	Courtroom Clerk Interpreter I	21 years & 9 months
Leoniza S. Chiokai	Land Title Doc. Technician	20 years & 2 months
Ikrebai Blesam	Chambers Clerk	20years & 7 months
Sylver Swenny	Clerk II	7 years & 10 months
Efrecia R. Kazuma	Clerk II	7 years & 7 months
Bris Ulechong	Courtroom Clerk_ Interpreter II	5 years & 2 months
Biusech Tabelual	Courtroom Clerk_ Interpreter I	4 years & 7 months
Bodarlynn R. Ngiraibai	Clerk I	5 years & 1 month

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Leia E. Taro	Chamber Clerks (assigned to AJ Materne)	3 years & 9 months
3 males and 12 females in the Office of the Clerk of Courts – Trial Courts		
<u>Clerk of Courts – Appellate Division</u>		
Vernice Rechebei	Chief Appellate Clerk	4 years & 10 months
Lovey Alfonso	Deputy Appellate Clerk	4 years & 11 months
Zonalynn Jonathan	Chamber Clerk/Courtroom Clerk	6 years & 7 months
Vivian Ngirngetrang	Chamber Clerk/Courtroom Clerk	7 months
4 females and no males in the Office of the Clerk of Courts – Appellate Division		
<u>Law Library</u>		
Halora Paulus	Law Librarian	6 years & 5 months
Connie Joy Saburo	Assistant Law Librarian	11 months
2 females and no males in the Law Library		
<u>Marshal Division</u>		
Florence J. A. Sokau	Chief Marshal	20 years & 2 months
Keith Ngirchomlei	Marshal Sergeant	4 years & 2 months
Flavin Rubasch	Court Marshal III	22 years & 3 months
Bailey Eberdong	Court Marshal II	19 years & 3 months
Raldston K. Ngirengkoi	Court Marshal II	12 years & 10 months
Neil Ringang	Court Marshal II	11 years & 7 months
Caine Tmekei	Court Marshal II	6 years & 8 months

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William Andrew	Court Marshal I	6 years & 7 months
Tarkong Beches	Court Marshal I	10 months
Irachel Malsol	Court Marshal I	4 years & 2 months
Uong Ngirarou	Court Marshal I	2 years & 8 months
Josh Ngiraswei	Court Mashal I	8 months
Taina Yano	Clerical Marshal	2 years & 8 months
11 males and 2 females in the Marshal Division		
<u>Probation Office</u>		
Vierra Toribiong	Chief Probation Officer	2 months
Persilla A. Rengiil	Probation Officer	17 years & 4 months
Sebelau Kual	Probation Officer	5 years & 5 months
Young Sikyang, Jr.	Probation Officer	12 years & 4 months
Alvera Joy Azuma	Probation Clerk	11 years 11 months
2 males and 3 females in Probation Office		
<u>Property Management</u>		
Nikolas Ngirailild	Property Manager	1 year & 11 months
John Mark Ngirmekur	Maintenance Technician I	7 years & 3 months
Edward Tadao	Maintenance Technician III	21 years 10 months
Paul Basilius	Maintenance Technician II	22 years & 8 months
Noel I. Sadang	Maintenance Technician I	13 years & 8 months

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Syringa M. Gulibert	Property Administrative Assistant	7 years 11 months
Godwin Ngirchemat	Maintenance Technician III	4 years & 9 months
6 males and 1 female in Property Management		
<u>Management Information Systems (MIS)</u>		
Knox Tkel	Senior Computer Technician	2 years & 1 month
Rhine Remoket	Computer Technician	6 years & 5 months
Obertin Amalei	Computer Technician	9 months
Trevor Villanueva	Computer Programmer	2 months
3 males and 1 female in MIS		
<u>Archive</u>		
Marcella April	Chief Archivist	28 years & 11 months
1 female and no male in the Archive office		

The table above relates to SDG target 16.7 – The overall gender profile of the judges and staff ensures responsive, inclusive and participatory decision making.

Production of this report on an annual basis ensures compliance with SDG target no. 16.6 – Developing an Effective, Accountable and Transparent Institution and 16.10 - Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements.