

S.C.R. NO. 13-34

SEPTEMBER 2, 2003

COMMITTEE ON JUDICIARY AND GOVERNMENTAL OPERATIONS

Your Committee on Judiciary and Governmental Operations, to which was jointly referred C.B. No. 13-30, entitled:

"A BILL FOR AN ACT TO FURTHER AMEND PUBLIC LAW NO.12-50, AS AMENDED, BY AMENDING SECTION 8 THEREOF, TO CLARIFY THE USE OF CERTAIN FUNDS APPROPRIATED FOR STATE JUDICIARIES AND TO BROADEN THE USE OF CERTAIN FUNDS APPROPRIATED FOR THE CHUUK JUDICIARY, AND FOR OTHER PURPOSES.",

begs leave to report as follows:

The intent and purpose of the bill are expressed in its title.

C.B. No. 13-30 proposes to amend section 8(8) of Public Law No.12-50, as amended ("P.L. No.12-50"), the FY 2003 budget law, in two (2) specific ways. First, C.B. No. 13-30 amends section 8(8) to clarify that funds appropriated under "Grants, Subsidies and Contributions" for each State's Judiciary for "Law School" actually means "Law School Scholarships". This was made clear in your committee's report on the FY 2003 budget (see S.C.R. No. 12-81, C.D.1) and has been the practice every year that such funds have been appropriated. For some unknown reason, however, the word "scholarship" was inadvertently left out of the relevant provisions of the FY 2003 budget bill. Because your committee has received calls about this, your committee is in agreement with the first proposed amendment.

Second, C.B. No. 13-30 would amend section 8(8) (c) of Public Law No. 12-50 to allow the Chuuk State Judiciary to use the funds appropriated for its "Law School [Scholarship]" program to assist students participating in the COM Trial Counselor Certificate program. Your committee has no objection to this proposed amendment.

Your committee has been told that the Chuuk State...Judiciary has rarely, if ever, used the funds to award law school scholarships. Your committee is also-aware that Chuuk is sorely in need of trial counselors and trained law professionals.

Your committee has learned that the COM Chuuk Campus is now offering the Trial Counselor Certificate program and that approximately 10½ students have enrolled in the program at the Chuuk Campus this semester. Allowing the Chuuk State Judiciary to use these funds to assist these students would be a positive step toward encouraging our young people to seriously consider careers in the law. Your committee wishes to emphasize, however, that a "Trial Counselor Certificate" program should not be viewed as a complete substitute for law school. Every State in the FSM needs fully trained and licensed attorneys. Hopefully, by

assisting interested Trial Counselor students this year, such students will be more prepared for the rigors of an accredited law school and will continue their education accordingly.

With these thoughts in mind, your Committee on Judiciary and Governmental Operations is in accord with the intent and purpose of C.B. No. 13-30 and recommends its passage on First Reading and that it be placed on the Calendar for Second and Final Reading, subject to the concurrence of your Committee on Ways and Means.

Signed by Senators Halbert, Kansou, Alik, Asugar, Peyal and Fritz