

STANDING COMMITTEE REPORT NO. 14-138

RE: C.R. NO. 14-84/J&GO

SUBJECT: NOMINATION OF MR. READY JOHNNY FOR ASSOCIATE
JUSTICE OF SUPREME COURT OF FSM

JANUARY 17, 2007

The Honorable Peter M. Christian
Speaker, Fourteenth Congress
Federated States of Micronesia
Sixth Regular Session, 2007

Dear Mr. Speaker:

Your Committee on Judiciary and Governmental Operations ("J&GO"), to which was referred C.R. No. 14-84 entitled:

"CONFIRMING THE NOMINATION OF READY JOHNNY TO SERVE AS ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE FEDERATED STATES OF MICRONESIA.",

begs leave to report as follows:

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

The nomination of Mr. Ready Johnny was transmitted to Congress via Presidential Communication No. 14-267. This nomination is for the position of Associate Justice of the Supreme Court of the Federated States of Micronesia.

Article XI of the FSM Constitution allows for a Chief Justice and not more than five associate justices on the Supreme Court of the FSM. Justices of the Supreme Court are appointed by the President with the approval of two-thirds of Congress. There are currently less than five associate justices on the Supreme Court. Mr. Johnny has accepted the nomination for Associate Justice.

Mr. Johnny is a graduate of the Law School of the University of Papua New Guinea, with a Bachelor of Laws degree. He is a licensed attorney, admitted to practice before both the FSM Supreme Court and the Chuuk State Supreme Court. During the course of his long career in law, he has worked in a variety of legal capacities in the FSM, including as Attorney General for the State of Chuuk and Assistant Chief of the Division of Litigation within the Office of the FSM Attorney General. Mr. Johnny is currently Staff Attorney for the FSM Public Defender's Office.

Your committee has solicited written comments on this nomination from the governments of each of the four state governments, legislatures, attorney generals, legal services, public defenders and FSM bar members. Written comments have been received from the Yap State

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Attorney General, one bar member from Yap and one bar member from the State of Pohnpei.

On November 3, 2006, your Committee held a series of hearings on this nomination in the State of Chuuk. Witnesses at the hearings included representatives of Micronesia Legal Services, the Chuuk State Attorney General and the Chuuk State Office of the Public Defender. All witnesses spoke in favor of the nomination.

Your committee held another hearing in Palikir, Pohnpei, on November 21, 2006. The Pohnpei State Governor, Attorney General, Members of the Legislature and Court, Micronesia Legal Services, Office of the Public Defender and bar members were invited to attend. Three members of the bar appeared at the hearing. All spoke in favor of the nominee.

Your committee held a nomination hearing in Palikir, Pohnpei on January 16, 2007, in order to give members an opportunity to question the nominee extensively. After careful deliberation, your committee considers that Mr. Johnny is suitable for the position of Associate Justice of the Supreme Court of the Federated States of Micronesia.

Your Committee on Judiciary and Governmental Operations is in accord with the intent and purpose of C.R. No. 14-84 and recommends its adoption in the form attached hereto as C.R. No. 14-84.

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Respectfully submitted,

/s/ Dohsis Halbert
Dohsis Halbert, chairman

/s/ Roosevelt D. Kansou
Roosevelt D. Kansou, vice chairman

/s/ Alik L. Alik
Alik L. Alik, member

Tiwiter Aritos, member

/s/ Peter M. Christian
Peter M. Christian, member

/s/ Moses A. Nelson
Moses A. Nelson, member

/s/ Ramon Peyal
Ramon Peyal, member