

**Seventeenth Northern Marianas Commonwealth Legislature**

**IN THE HOUSE OF REPRESENTATIVES**

\_\_\_\_\_ Session, 2011

H. J. R. 17- **34**

**A HOUSE JOINT RESOLUTION**

To approve the request of the Judicial Branch to hire employees deemed as very critical to the delivery of essential services under Public Law 17-21, Section 602(a).

1           **WHEREAS**, Public Law No. 17-21 established a hiring restriction that  
2 became effective on October 10, 2010; and

3           **WHEREAS**, as long as work hours and wages are reduced, no vacancies  
4 shall be filled except for critical and emergency positions; provided that until a  
5 law is passed defining critical and emergency positions, said critical and  
6 emergency positions must be approved by joint approval of the legislature  
7 pursuant to Section 602(a) of Public Law No. 17-21; and

8           **WHEREAS**, on March 4, 2011, Acting Chief Justice Alexandro C. Castro  
9 certified the following position(s) within the Judicial Branch as very critical to the  
10 delivery of essential services:

11                   In the Commonwealth of the Northern Mariana Islands Judiciary  
12           (Superior Court):

13                   Law Clerk (1 position)

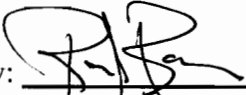
14                   Deputy Clerk III (1 position)

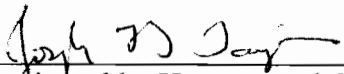
1           **WHEREAS**, this transmission was received by the Speaker of the House  
2 on March 4, 2011;

3           **NOW, THEREFORE, BE IT RESOLVED** by the House of  
4 Representatives of the Seventeenth Northern Marianas Commonwealth  
5 Legislature, the Senate concurring, that the Legislature hereby approves the hiring  
6 of employees to fill the above-listed position(s) pursuant to P.L. 17-21, Section  
7 602(a); and

8           **BE IT FURTHER RESOLVED** that the Speaker of the House of  
9 Representatives and the President of the Senate shall certify, and the House Clerk  
10 and the Senate Legislature Secretary shall attest to the adoption of this joint  
11 resolution and thereafter the House Clerk shall transmit a certified copy to the  
12 Honorable Miguel S. Demapan, Chief Justice of the Commonwealth Supreme  
13 Court; the Honorable Robert C. Naraja, Presiding Judge of the Commonwealth  
14 Superior Court; the Honorable Benigno R. Fitial, Governor of the Commonwealth  
15 of the Northern Mariana Islands; Ms. Larissa Larson, Acting Secretary of the  
16 Department of Finance; Ms. Vicky C. Villagomez, OMB Special Assistant; and  
17 Mr. Isidro K. Seman, Director, Office of Personnel Management.

Date: 4/28/11

Introduced By:   
Rep. Ramon S. Basa

  
Reviewed by House Legal Counsel





**Supreme Court - THE JUDICIARY - COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS**

Guma' Hustisia / Iimwal Aweewe / House of Justice • P.O. Box 502165 • Saipan, MP 96950

Telephone: (670) 236-9800 • Fax: (670) 236-9702 • E-mail: accastro@justice.gov.mp

**Alexandro C. Castro**  
ASSOCIATE JUSTICE

March 4, 2011

The Honorable Paul A. Manglona  
President of the Senate  
17<sup>th</sup> Commonwealth of the Northern  
Mariana Islands Legislature  
Jesus P. Mafnas Building, Capitol Hill  
Saipan, MP 96950

The Honorable Eliceo D. Cabrera  
Speaker of the House of Representatives  
17<sup>th</sup> Commonwealth of the Northern  
Mariana Islands Legislature  
Jesus P. Mafnas Building, Capitol Hill  
Saipan, MP 96950

Re: Filling of Vacant Positions for Superior Court

Dear President Manglona and Speaker Cabrera:

This is to notify you of the Judiciary's present need to fill two vacant positions for the CNMI Superior Court. One is for a law clerk and the other one is for a Deputy Clerk III. The positions have been vacant since September 25, 2010, and February 18, 2011 respectively. Budgetary resources are available for the full personnel costs associated with the these vacancies and filling of both fall within the Full-Time Employee (FTE) positions established by Public Law 17-21 for the Judiciary.

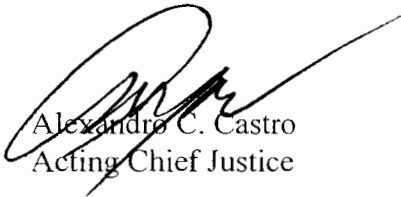
These two positions are critical to the operations of the trial court in that each provides courtroom and docket support for criminal and civil cases. Pre- and post-trial processing of cases, timely disposition of matters, and protection of life, liberty and property rely on an efficient court system and these positions assist the Judges in pursuing such a goal.

At the onset of this fiscal year, we suspended hiring of a replacement law clerk due to our budget situation, but have since determined that this position cannot remain unfilled due to the workload of the five chambers. It is essential to meet the docket demands and chamber activities. The deputy clerk position, vacated last month, has left an immediate void in courtroom readiness since there is an existing shortage of staff in the Office of the Clerk of Clerk. The filling of this vacancy would allow immediate attention to the processing of documents and case management issues.

The Honorable Paul A. Manglona  
The Honorable Eliceo D. Cabrera  
March 4, 2011  
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With the above and in line with the intent of Public Law 17-21, the Judiciary submits this notice of our intent to hire additional staff and requests for a joint resolution pursuant to Section 602(a).

Sincerely,



Alexandro C. Castro  
Acting Chief Justice

cc: Presiding Judge Robert C. Naraja  
Director of Courts Tracy Guerrero