



IN THE
SUPREME COURT
OF THE
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

IN RE COMMONWEALTH RULES OF ADMISSION

SUPREME COURT NO. 2007-ADM-0029-RUL

**ORDER ADOPTING INTERIM AMENDMENT TO COMMONWEALTH
RULE OF ADMISSION 5**

¶ 1 This matter is before the Court on our own motion to amend Commonwealth Rule of Admission 5 in furtherance of our constitutional responsibility and our inherent authority to maintain appropriate standards of professional conduct for Commonwealth justices, judges and attorneys. We recently adopted the Commonwealth Rules of Judicial Disciplinary Procedure on an interim basis. 2007-ADM-0026-RUL. To help effectuate those rules, and to provide a more efficient means for prosecuting ethics complaints, we find it necessary to provide an exception to our Rules of Admission allowing an attorney not admitted in the Commonwealth to obtain limited admission as a Special Ethics Prosecutor. Accordingly, we adopt Rule of Admission 5(K) on an interim basis until such time as, after submission to the legislature, the Rule becomes effective pursuant to NMI Constitution, Article IV, Section 9(A).

¶ 2 IT IS THEREFORE ORDERED the attached Rule of Admission 5(K) shall be effective immediately, until revocation or modification by this Court or through the process defined at NMI Constitution, Article IV, Section 9(A).

SO ORDERED this 18th day of October, 2007.

/s/
MIGUEL S. DEMAPAN
Chief Justice

/s/
ALEXANDRO C. CASTRO
Associate Justice

/s/
JOHN A. MANGLONA
Associate Justice

Amendment to Commonwealth Rule of Admission 5

(K) Special Ethics Prosecutor Exception. If prosecution of an ethics complaint against a Commonwealth judge, justice, or attorney requires the services of an ethics prosecutor not admitted to practice law in the Commonwealth, any attorney in good standing in the United States jurisdiction where he or she is admitted to practice may be appointed a Special Ethics Prosecutor. The chief justice or his designee may require the attorney complete certain or all parts of the Bar Admissions Application Packet and file them with the Supreme Court. The attorney may not commence practicing law in the Commonwealth until the attorney's application is approved and the attorney takes the Oath of Admission before a Supreme Court Justice.

Admission under this exception is limited to duties in furtherance of prosecuting the specific ethics complaint(s) for which admission is granted. The chief justice shall have sole discretion in determining whether a Special Ethics Prosecutor is required and whether the credentials of a suggested Special Ethics Prosecutor are sufficient for appointment. If a Special Ethics Prosecutor is needed to prosecute an ethics complaint against a Commonwealth attorney, the president of the Commonwealth Bar Association shall notify the chief justice of such need in writing and shall recommend at least two potential appointees. If the chief justice is implicated in, or conflicted by an ethics complaint, authority under this rule vests in the most senior associate justice not so implicated or conflicted.