

## IN THE SUPREME COURT OF THE

## COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

## IN RE THE ESTABLISHMENT OF THE OFFICE OF THE GENERAL COUNSEL

SUPREME COURT NO. 2021-ADM-0011-MSC

## ORDER ESTABLISHING OFFICE OF THE GENERAL COUNSEL

¶ 1 The Court recognizes the need to have a fully dedicated Office of the General Counsel (OGC) to provide a broad spectrum of advisory legal functions and to oversee various legal issues affecting the court system and its administration on Saipan, Rota, and Tinian.

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For many years, the Judiciary's General Counsel has served in a dual role of Executive Director of the Law Revision Commission and General Counsel to the Judiciary. Serving in these two roles prevents the General Counsel from fully dedicating their time to completing the duties of both positions, and thereby overloading the individual with work and straining services provided in both capacities.

Over the last five years, the Judiciary has been affected by various challenges, including shutdown of the courthouse due to HVAC and mold issues, two super typhoons, and the COVID-19 pandemic. Such disasters and challenges have further underscored the need for a separate OGC to assist the Court in navigating through complicated legal issues arising from procurement and contract management and to ensure legal compliance and sufficiency for the use of a multitude of federal grants that followed the aforementioned emergencies.

The Court further recognizes the need to create a separate OGC apart from the Administrative Office and under the direct supervision of the Chief Justice, with whom administrative responsibility of the Judiciary lies. Such placement is consistent with the NMI Constitution and 1 CMC § 3401 and ensures the office's independence and impartiality.

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The OGC shall oversee all legal matters of the Judiciary. Its responsibilities shall include, providing legal advice on a wide variety of legal issues affecting court system and administration, including but not limited to, state and federal compliance (including ADA, FLSA, FMLA, Title VI and VII of the Civil Rights Act of 1964, EEOC laws); contract and grants management, procurement, capital improvements and personnel matters; researching and formulating legal opinions and making recommendations on a wide variety of legal concerns faced by and impacting the Judiciary and its officials and employees; reviewing court rules, ensuring legal sufficiency, and recommending changes, if any, to the Supreme Court; reviewing and authoring court policies and procedures; researching and drafting legal memoranda and letters for the Office of Chief Justice and the Supreme Court; reviewing and standardizing legal forms for use by court officials and personnel; providing and reviewing the applicability of proposed and enacted local and federal legislation; conducting education and training programs for justices, judges, staff and the public on applicable local, federal, and Judiciary rules, policies, and regulations; assisting in judicial education and ethics; and providing support, oversight, and legal advice to Judiciary committees, task forces, and work groups.

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IT IS HEREBY ORDERED the Office of the General Counsel is established under the NMI Supreme Court.

SO ORDERED this 26th day of July, 2021.

/s/	
ALEXANDRO C. CASTRO	
Chief Justice	

JOHN A. MANGLONA
Associate Justice

PERRY B. INOS
Associate Justice

/s/