

**NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
37TH CONSTITUTIONAL REGULAR SESSION, 2016**



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

JUDICIARY (AMENDMENT) ACT 2016

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JUDICIARY (AMENDMENT) ACT 2016

AN ACT to amend the *Judiciary Act 1983*, 27 MIRC Chp. 2, for the following four purposes: to amend §210(2) the Judiciary Act to expressly provide that associate justices of the High Court can be part-time justices; to amend §219 of the Judiciary Act to expressly mandate Court Rules for continuing legal education; to amend §219 of the Judiciary Act to expressly mandate Court Rules for the provision of pro bono and reduced-fee legal services; and to amend the Judiciary Act to add a new Section 279 that expressly provides for a code of judicial conduct.

BE IT ENACTED BY THE NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS

§1. Short Title.

This Act may be cited as the Judiciary (Amendment) Act 2016.

§2. Amendment.

(1) §210(2) of the *Judiciary Act 1983*, 27 MIRC Chp. 2 ("Judiciary Act"), is amended to read as follows:

(2) The High Court shall consist of a Chief Justice and one or more other judges who shall be designated as Associate Justices of the High Court. An Associate Justice may be employed to work full time or part time. An Associate Justice employed to work part time shall be paid such amounts as may be agreed upon by the Chief Justice and such judge; provided, however, that the amount of paid shall not exceed the pro rated salary of an Associate Justice based upon the highest salary payable, and, if the judge is resident in the Republic, pro rated

monetary benefits, or, if the judge is non-resident, air fare and per diem.

(2) §219 of the Judiciary Act is amended to read as follows:

§219. Admission rules.

Subject to this Chapter and any other law the Chief Justice of the Supreme Court, with the concurrence of the Chief Justice of the High Court, or if the position of the Chief Justice of the High Court is vacant, then the Chief Justice of the Supreme Court acting alone, shall adopt rules that:

- (a) regulate the admission of persons to practice as an attorney at law or trial assistant before any court and their continuing qualification to practice, including requirements for continuing legal education and requirements for pro bono or reduced-fee work in the Marshall Islands for the people of the Marshall Islands who cannot afford legal counsel or obtain free legal counsel;
- (b) establish the standards of professional responsibility and conduct for any person practicing law in the Republic; and
- (c) provide for the discipline, including suspension or disbarment, of any person practicing law in the Republic.

(3) A new §279 is added to the Judiciary Act that reads as follows:

§279. Code of Judicial Conduct.

Consistent with the Constitution and any Act, the Chief Justice of the Supreme Court and the Chief Justice of the High Court shall adopt a code of judicial conduct for all courts, with provisions for the Judicial Service Commission to handle complaints.

§3. Effective Date.

This Act shall take effect on the date of certification in accordance with Article IV, Section 21 of the Constitution.

CERTIFICATE

I hereby certify:

1. That Nitijela Bill No: 03 was passed by the Nitijela of the Republic of the Marshall Islands on the 14 day of March 2016; and
2. That I am satisfied that Nitijela Bill No: 03 was passed in accordance with the relevant provisions of the Constitution of the Republic of the Marshall Islands and the Rules of Procedures of the Nitijela.

I hereby place my signature before the Clerk this 28 day of March 2016.

Attest:**Hon. Kenneth A. Kedi**

Speaker

Nitijela of the Marshall Islands

**Lena Tiobech**

Clerk

Nitijela of the Marshall Islands