



FY 2018  
Budget  
Request

CNMI  
Judicial  
Branch

Supreme Court  
Superior Court  
Drug Court  
Judiciary Administrative Office  
Law Revision Commission

February 28, 2017

HON. ARNOLD I. PALACIOS  
*Senate President*

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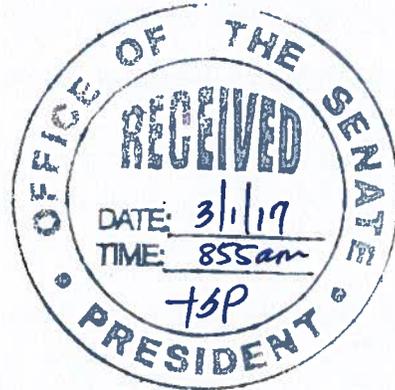
**Supreme Court – THE JUDICIARY • COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS**  
Guma' Hustisia / Iimwal Aweewe / House of Justice • P.O. Box 502165 • Saipan, MP 96950  
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**Alexandro C. Castro**  
CHIEF JUSTICE

February 28, 2017

The Honorable Rafael S. Demapan  
Speaker  
HOUSE OF REPRESENTATIVES  
Twentieth Commonwealth Legislature  
P.O. Box 500586  
Saipan, MP 96950

The Honorable Arnold I. Palacios  
President  
THE SENATE  
Twentieth Commonwealth Legislature  
P.O. Box 500129  
Saipan, MP 96950



**Subject: FY 2018 Budget Request**

Dear Speaker Demapan and President Palacios:

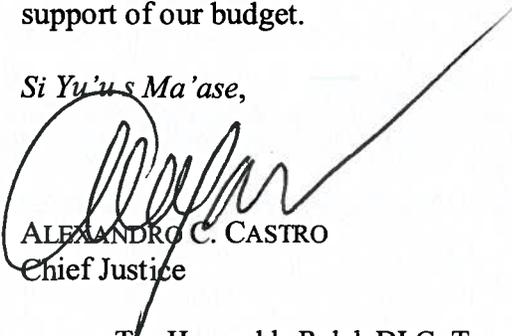
On behalf of the Judiciary, we respectfully ask for your untiring support in approving the budget request for fiscal year 2018. For the last fifteen years, we have been operating under the strain of limited funding. The funding gaps have created obstacles in providing timely, efficient resolution of cases and services to our people. In a nutshell, we are understaffed and our employees underpaid, resulting in voluntary and dysfunctional turnover.

In spite of these barriers, we demonstrated laudable ability in delivering public service, providing access to justice and information, and in effectively handling all matters including criminal, civil, public safety and probation in our island communities of Saipan, Tinian, and Rota. We also displayed strategic growth by reforming and advancing our legal system through the adoption of alternative dispute resolution in family and civil matters. Further, the recent development of our Drug Court with the assistance of the legislative and the executive branches to address the use of methamphetamine and other drug related issues reflected our evolution in the face of new challenges.

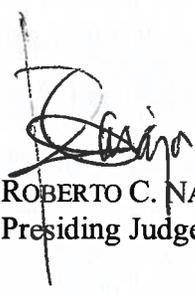
Throughout the years, we exercised fiscal prudence in attempts to cover the gaps by seeking alternative funding with the federal government including the USDA loan. However, at current state, the Judiciary is operating under a burden.

Nonetheless we will strive to do our best to ensure that the fundamental rights of the people are protected. We believe you are equally committed to this endeavor and look forward to your support of our budget.

*Si Yu'u s Ma'ase,*



ALEXANDRO C. CASTRO  
Chief Justice



ROBERTO C. NARAÑA  
Presiding Judge

cc: The Honorable Ralph DLG. Torres, Governor  
The Honorable Victor B. Hocog, Lieutenant Governor  
The Honorable Angel Demapan, Chairman, House Committee on Ways and Means  
The Honorable Jude U. Hofschneider, Chairman, Senate Committee on Fiscal Affairs  
Virginia C. Villagomez, Special Assistant for Management and Budget



**FY 2018  
Budget  
Request**

**CNMI  
Judicial  
Branch**

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Supreme Court  
Superior Court  
Drug Court  
Judiciary Administrative Office  
Law Revision Commission

February 28, 2017

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# FY 2018 Budget Request



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## EXECUTIVE SUMMARY

Pursuant to Article IV, Section 9(b) of the NMI Constitution, the Judiciary hereby submits its Fiscal Year 2018 budget request to the Legislature. The total request for FY 2018 is \$ 8,293,053, which covers:

- Supreme Court (1691): \$ 949,320
- Superior Court (1690): \$ 2,882,374
- Drug Court (1695): \$ 452,782
- Judiciary Administrative Office (1694): \$ 3,598,206
- Law Revision Commission (1692): \$ 410,371.

We urge the Legislature to accept our budget in full, and we thank you for reviewing our proposed budget.

We have demonstrated ourselves to be a good steward of public funds. When many of our divisions are underfunded and understaffed, we kept delivering services—providing court assistance to families in dispute, handling large civil and criminal caseload, providing evidence-based treatment to non-violent drug abuse offenders through the Drug Court, hosting events to educate the public about the legal system, carrying out probation supervision to criminal offenders, managing land and commercial documents for public access, as well as providing user-friendly access to legal resources and other myriad court services. We have conducted our operations efficiently and resourcefully and delivered services to the people. We will continue to strive to serve the public.

We have also exercised fiscal prudence. In August 2015, we acquired two grants from the U.S. Department of Agriculture (USDA) for the purchase of necessary road vehicles for and computer equipment upgrade. In December 2016, we submitted application for a low-interest loan from the USDA's Rural Development Loan Program. The loan will be used to pay off the current balance of our building loan with the NMI Retirement Settlement Fund, and to upgrade and expand the facilities on Saipan, Tinian, and Rota. Applying for the USDA loan was a fiscally important move because the old indebtedness with the NMI

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Retirement Settlement Fund carries a high interest rate. We continue to seek other available funding sources to maximize alternative funding resources.

At the same time, we highlight our great need for adequate personnel funding. Currently, several of our units consist of one- or two- person teams—e.g. Information Technology, Human Resources, Recorder's Office, Building and Grounds Maintenance—which handle substantial amount of requests for the entire Judiciary. The lack of staffing has strained our employees, obstructed with the unit's operation, and created backlogs. Some important positions have been vacant, including the Director of Courts and Staff Attorney, resulting in other employees having to take up substantial additional work to make up, which again strains our employees, creates delays, and compromises our efficiency.

Furthermore, many of our employee salaries have not received a raise for many years. This affects our retention rate, as employees have actually left for other higher-paying jobs elsewhere. The lack of funding for personnel has hindered our work, and we cannot afford to go on with this insufficiency, especially when the demand for services will likely increase due to economic expansion.

In this budget request, we first lay out the overview of the Judiciary's organizational structure in Sections A and B. Then we provide performance figures for our divisions. Next, we discuss each item of our requests in detail, including justifications for each of the nineteen (19) requested FTEs and items of operational costs. We respectfully urge you to consider each of our request items and accept our budget.

**A. Overview of the Judiciary**

Established by Article VI of the NMI Constitution, the Judiciary holds and exercises the judicial power of the Commonwealth. It is co-equal with and independent of the legislative and executive branches. Our role is to uphold and enforce the rule of law in the society and to administer justice for each individual who comes to us.

**Mission**

*The Judiciary’s mission is to ensure the people of the CNMI an independent judiciary that provides impartial, timely, accountable services in the pursuit of judicial excellence.*

**B. Judiciary Administrative Structure and Authority**

The Judiciary is comprised of the Supreme Court, Superior Court, Judiciary Administrative Office (“JAO”), Law Revision Commission, and Drug Court. The Supreme Court hears appeals from final judgments and orders of the Superior Court. The Superior Court has original jurisdiction in all cases in equity and at law and in all criminal actions. The JAO oversees the administrative functions and operations of the courts. The Law Revision Commission’s primary duties include codifying Commonwealth laws and publishing decisions of the courts.

In 2009, the Judicial Council was established by Title VIII, Rule 52 of the Supreme Court Rules to ensure efficient court management and implement administrative actions that promote public trust in the Judiciary. The Judicial Council’s duties include

promulgating rules governing Council business, recommending court rules to the Supreme Court for submission to the legislature, and performing other functions as provided by law. It also oversees the financial management of the Judiciary. The Council meets at least quarterly at the Guma’ Hustisia.

The Judicial Council is under the leadership of Chief Justice Alexandro C. Castro, chairperson of the Council. The Council consists of five voting members and at least three non-voting members. The voting members are the three justices of the Supreme Court, the Presiding Judge of the Superior Court, and one associate judge of the Superior Court elected by all Superior Court judges.

The current voting members are:

- Alexandro C. Castro, *Chief Justice*
- John A. Manglona, *Associate Justice*
- Perry B. Inos, *Associate Justice*
- Robert C. Naraja, *Presiding Judge*
- Teresa Kim-Tenorio, *Associate Judge*

The non-voting members are:

- Deanna M. Ogo, *Clerk of the Supreme Court*
- Patrick V. Diaz, *Clerk of the Superior Court*
- Sonia A. Camacho, *Acting Director of Courts*
- Sheila N. Trianni, *General Counsel*
- John T. Villagomez, *Budget and Finance Director*
- Charles Brasington, *President of the CNMI Bar Association*



Table 1 details the Judiciary’s organization structure and the legal authorities that provide for each division’s establishment and functions.

Table 1. Judiciary Structure and Authority

	Business Unit	Division	Authority
SUPREME COURT	1691	Office of the Chief Justice  Clerk of the Supreme Court	NMI Constitution Article IV and Title 1, Division 3, Chapter 1 of the Commonwealth Code (1 CMC §§ 3101–3108) address jurisdiction, appellate and other powers and responsibilities of the Supreme Court.
SUPERIOR COURT	1690	Office of the Presiding Judge	NMI Constitution Article IV and Title 1, Division 3, Chapter 2 of the Commonwealth Code (1 CMC §§ 3201-3253) address jurisdiction, divisions and other powers and responsibilities of the Superior Court.
		Clerk of the Superior Court	
		Family Court Division	Title 1, Division 3, Chapter 2, Article 1, Section 3205 (1 CMC § 3205) establishes the Family Court within the Superior Court and its responsibilities.
		Office of Adult Probation	Title 1, Division 3, Chapter 2, Article 2 (1 CMC §§ 3231–3236) creates the Office of Adult Probation and sets forth its powers and responsibilities.
		Administrative Services Unit	Title 1, Division 3, Chapter 7 (1 CMC §§ 3701–3712) creates the Commonwealth Recorder’s Office within the Superior Court and sets forth its powers and responsibilities.
		Office of the Commonwealth Recorder	
	1695	Drug Court	Title 1, Division 3, Chapter 2 (1 CMC §3207) establishes within the Commonwealth Superior Court a drug court.
JUDICIARY ADMINISTRATIVE OFFICE	1694	Marshals Service Division	Title 1, Division 3, Chapter 9 (1 CMC §§ 3901–3902) establishes the Marshals Service Division of the Judiciary as a law enforcement unit and sets forth its powers and duties.
		Information Services Division	Title 1, Division 3, Chapter 4 (1 CMC §§ 3401–3406) addresses the administrative, budgetary and rule-making authority of the NMI Judiciary. See also NMI Jud. Pers. R.
		Facilities Management Division	
		Human Resources Office	
		Public Information Office	
Law Revision Commission	1692	N/A.	Title 1, Division 3, Chapter 8 (1 CMC §§ 3801–3810) creates the Law Revision Commission within the judicial branch and sets forth its powers and responsibilities.

The Commonwealth Law Revision Commission is managed by an executive director and has four support staff to carry out its statutory mandates and daily operations. Its requested budget ensures fulfillment of its mandates and continued access to Commonwealth law. The Commission is composed of the following members:

- Chief Justice Alexandro C. Castro  
*Commonwealth Supreme Court, Commission Chair*
- Senator Steve K. Mesngon  
*Chairman, Senate Committee on Judiciary, Government & Law*
- Representative Ivan A. Blanco  
*Chairman, House Committee on Judiciary, Government & Operation*
- Attorney General Edward Manibusan
- Bruce L. Mailman, Esq.  
*Representative, CNMI Bar Association*

### C. Demonstrated Achievements

The Judiciary has demonstrated to be an effective, efficient, and resourceful utilizer of public funds. This section highlights the achievements and services from each of our divisions: the Superior Court, Supreme Court, Family Court, Drug Court, Office of Adult Probation, Marshal Service Division, Office of the Commonwealth Recorder, and Law Revision Commission.

#### i. Supreme Court

The NMI Supreme Court is the highest court in the Northern Mariana Islands. Established by Article VI of the NMI Constitution and Public Law 6-25, the Court reviews appealed decisions of the Superior Court. The Supreme Court is ultimately tasked with deciding issues of law on appeal. Table 2 (on the next page) shows the number of appealed cases filed and related figures in the past years.

The justices, Clerk of Court, and judicial law clerks spend great amount of time and effort to render fair and well-reasoned opinions. Because the Supreme Court is only 28 years old, many of its cases are of first impression—presenting legal issues decided for the first time in this jurisdiction. As such, extensive research and consideration is required to properly develop a new area of jurisprudence.

Furthermore, in recent years, the Court has followed its commitment in fostering a positive relationship with the public by hosting outreach and

educational events such as the Justices and Judges in the Classroom program, Mock Trial Competition, and the Summer Pre-Law Program. In November 2016, for example, the Court co-hosted a one-day workshop for the public on “No-Cost Legal Research,” introducing participants to, and providing hands-on training on how to conduct free legal research online. Participants included attorneys, students, court staff, and members of the public from diverse age groups. The event was beneficial to the participants as legal research with traditional private companies can be unaffordably high.

In January 2017, the Court also hosted the biennial Law and the Freshman Legislator seminar, presenting newly elected legislators condensed courses on the CNMI legal structure and law, judicial process, and engaging them in a roundtable discussion on relevant issues. The event provided a valuable opportunity for a direct dialogue between legislators and members of the bench on contemporary topics.

#### ii. Superior Court

The Superior Court has jurisdiction over civil, criminal, and all other specialized matters. The Office of the Clerk of Court, with offices on Rota, Tinian, and Saipan manages the day-to-day operation of the Court.

The Superior Court judges, Office of the Superior Court Clerk of Court, judicial law clerks and staff continued to work hard to efficiently handle the Court’s caseload, including over 4,000 new case filings in 2016, which averages over 13 new cases per day. The new cases involve a diverse range of tasks ranging from filing of court filings to motion hearings. Table 3 provides the number of new case filings in recent years.

The Judiciary is committed to provide accessible justice to all. It ensures that indigent criminal defendants have attorneys, litigants have the transcripts necessary for an appeal to the Supreme Court, litigants with limited English proficiency have interpreters, and parties in family disputes have guidance with court proceedings. Table 4 shows the number of court-appointed attorneys provided to indigent defendants.

Sufficient funds will help ensure each individual have access to the court services that they deserve.

**Table 2: Supreme Court Case Filings**

	2014	2015	2016
Cases Filed	26	16	30
Cases Disposed	30	28	30
Published Opinions	21	19	20
Attorney Admissions	16	11	16

**Table 3: Superior Court Case Filings**

Case Type	2014	2015	2016
Civil	258	204	255
Criminal	147	222	242
Family Court (incl. juvenile cases)	582	645	658
Small Claims	544	289	429
Traffic	3696	2507	3352
<b>Total</b>	<b>5,227</b>	<b>3,866</b>	<b>4,936</b>

**Table 4: Number of Court-Appointed Counsel for Indigent Defense**

Superior Court	2015	2016
Civil	36	18
Criminal	35	64
Family Court	35	22
Juvenile	15	2
Small Claims	8	11
Traffic	4	0
<b>Total</b>	<b>133</b>	<b>117</b>

**iii. Family Court Division**

The Family Court Division assists the Superior Court Clerk of Court in processing pleadings and distributing orders for pro se litigants who appear before the family court judge. In addition to its administrative duties, the Family Court offers client services to families and individuals and provides information and guidance on pro se family cases.

The Family Court has continued to help troubled families seeking assistance. In FY 2016, the number of people coming to the Family Court for assistance was over 5000. This is due to the fact that the number of troubled families in CNMI is persistent.

**Table 5: Number of Inquiries to the Family Court Division**

Year	Number of people requesting assistance
2014	5,806
2015	4,840
2016	5,006

The FCD has been able to provide quick and efficient solution to many of the inquiries, including assistance with pro se filings. In FY 2016, over 600 cases were filed with the FCD, averaging over 1.6 case filings per day. Table 6 shows the breakdown of cases.

**Table 6: New Case Filings with the Family Court Divisions**

Family Court Case Type	Number of case filings
Restraining orders	215
Divorce	186
Paternity (child support)	77
Adoption	42
Guardianship	54
Others (e.g., juvenile, name change, commitment orders, wardship, and annulments)	71
<b>Total</b>	<b>645</b>

The FCD works closely with individual clients and guides them through the court process, which is daunting to many. The staff in the division communicates regularly with them on what steps they need to take next to ensure that the processing of their case is done promptly so that they can have their case heard before the judge in a timely fashion.

Other non-pro-se-litigation services provided by the Family Court include:

- Separating Parents Classes
- Home Study
- Alternative Dispute Resolution
- DNA Paternity Supervision

**iv. Drug Court**

Established in 2015, the Drug Court is the CNMI's first specialized, problem-solving court incorporating drug and alcohol dependency treatment with intensive court supervision for eligible non-violent offenders. The development of a Drug Court is a response to the harmful effects that alcohol and methamphetamine abuse has in our community.

The momentum the Drug Court is underway:

- In October 2015, Public Law 19-14, enabling act of the Drug Court, was signed into law.
- The first ever CNMI Drug Court Seminar was a success, where 45 community organizations expressed interest in serving as providers to Drug Court participants for family planning, HIV/STD screenings, and vocational trainings.
- As of December 2016, the program is serving approximately 10 high risk, high need participants requiring intensive treatment services. More participants are expected in 2017.

As drug abuse and related crimes become increasingly alarming problem in CNMI, the Judiciary, with the support of the executive and legislative branches, as well as the community, is getting ready and geared up one step at a time to tackle these problems with evidence-based treatment programs.

**v. Office of Adult Probation**

The Office of Adult Probation (OAP) monitors and supervises criminal offenders for public safety, investigates and reports to the court and assists victims with recovery restitution.

In 2015 and 2016, the Office of Adult Probation continued to handle a high number of criminal and traffic cases requiring probation services, as shown in Table 7.

Table 7: Probation Cases in 2015 and 2016

Case Type	2015	2016
All new criminal cases	95	80
New criminal cases—STOP VAWA cases	41	55
New traffic cases	105	92

As a substantial portion of the new criminal cases are STOP VAWA cases, the OAP continues to address incidences of domestic violence and sexual assault and victim protection.

The OAP also performs other essential court-ordered functions such as case reporting, bench warrants executions, drug-testings, offender services, and recovery of restitution for victims. Table 8 shows the OAP's performance pursuant to court order.

Table 8: OAP's Court-Ordered Services

	2015	2016
Reports submitted to the court	400	824
Probation officer court appearances	404	933
Pending bench warrants	94	103

Although understaffed and underfunded, the OAP has delivered essential services for law enforcement, public safety, and rehabilitation needs.

**vi. Marshal Service Division**

The Marshal Service Division (MSD) is tasked with ensuring public safety for the courthouse. In 2016, the MSD confiscated a total of 1,303 prohibited items at the main entrance of the Guma' Hustisia. Table 9 shows the relevant figures. Additional marshals and equipment are needed to deter all criminal activities.

Table 9: MSD operation—Prohibited items confiscated at main court entrance

Description	2015	2016
Sharp/Blunt objects	283	268
Flammable spray/other objects	345	76
Betel Nut	366	171
Other	506	788
Total	1500	1303

In 2016, the MSD also performed field trips on 1,030 occasions, conducting service of process and executing bench warrants. Table 11 shows the breakdown for these services.

Table 11: MSD operation—Field services

	2015	2016
Service of process/orders	41	47
Jury summons	1211	540
Bench warrants	330	443
Writ of possession and seizure	1	0
<b>Total</b>	<b>1583</b>	<b>1030</b>

The MSD will continue to strengthen security in and around the courthouse by means of security improvement projects such as adding cameras at blind spots and installing glass windows in holding cells. Security and law enforcement is the top priority in the Marshal Service Division. Sufficient funding in staffing and equipment is needed to keep the court safe for patrons and staff.

**vii. Office of the Commonwealth Recorder**

The Office of the Commonwealth Recorder keeps and safeguards real property deeds, lease commercial documents, birth certificates, and other public documents and provides the public access to the information by indexing.

As the economy expands and population grows, the services of the Recorder’s Office become frequently utilized. Tables 12 and 13 show the services provided by the Recorder’s Office in 2016.

Table 12: Number of Birth, Death, and Marital Status Documents Processed in 2016

	Number of documents
Death certificates sold	11
Marriage certificates filed	439
Single status affidavit for marriage processed	4

Table 13: Land and commercial filings in 2016

	Number of documents filed
Land documents & all others	2937
Saipan	2841
Tinian	35
Rota	61
Certification	19
Photocopies	6464
Uniform Commercial Code filings	
UCC-1	267
UCC-2	51
UCC-3	65
<b>Total</b>	<b>383</b>

The Recorder’s Office has also been scanning all public documents for preservation and efficiency purposes, as shown in Table 14.

Table 14: Scanning of documents

<b>Documents scanned</b>	Documents from 2004 to 2016
<b>Documents currently being scanned</b>	Documents from 2003
<b>Number of documents being scanned daily</b>	Approx. 100–150

The number of document filing requests is expected to rise in FY 2018 due to economic expansion. Though understaffed — the Recorder’s Office has a one-person team — the Office strives to meet the current demands.

**viii. Law Revision Commission**

The Law Revision Commission compiles the documents for the Northern Mariana Islands Reporter series, the Commonwealth Code, the Administrative Code, and their supplements, indexes, and digests. It has continued to maintain and expand its website to ensure up-to-date access to Commonwealth law and access to historical legal materials not previously available. Table 15 (see next page) details the services provided by the Commission in recent years.

**Table 15: Law Revision Commission**

Description	2015	2016
Public Laws, uploaded	45	52
Local Laws, uploaded	2	30
Commonwealth Register, 1974-2016, Volumes uploaded	455	1,711
Supreme Court Opinions, uploaded	19	29
Superior Court Orders, uploaded	44	36
Court Rules, uploaded	6	3
Notices of Certification, PDF Files uploaded	18	1
Commonwealth Code	86	263
Administrative Code, Codified Regulations uploaded	21	5,907
cnmilaw.org Visits	<b>62,799</b>	<b>85,235</b>

These resources are crucial to many members of the public in legal research and information. The Commission continues to make the resources accessible to the public.

#### ix. Conclusion

Despite limits in resources and funding, the Judiciary has kept providing quality services to the CNMI people. Our performance is demonstrated by the services provided by each of our divisions. We worked diligently and used resources efficiently to make these achievements. We will continue to strive to deliver efficient and quality services. As the economy expands and becomes increasingly more complex, there will be continued demand for quality court services and a strong court system. We ask that the Legislature provide us with adequate funding to allow us to keep providing the people with court services they need. Adequate funding is needed for us to continue to provide services. In the next section, we present details and justifications for each item of our budget.

**D. FY 2018 Budget Highlights**

In this section, we discuss how we came up with our budget. The key components of the budget are personnel and operations costs. For personnel, we request funds for nineteen (19) additional number of positions (“NOP”). Each of the FTE requests arises from staffing needs in the respective divisions. We also seek a modest increase for employee salary. This increase is justified and long-overdue because the salary for many positions have not been raised for over a decade despite increased workload, inflation, and rise of wage in comparable governmental agencies. We believe a 10% increase for employees is fair, given the hard work they do for the public. For operations, the key components include professional services, personnel training cost, repair and maintenance, computer systems and equipment, and utilities. The costs are calculated based on reasonable estimations.

**i. Personnel**

**(a) Nineteen Additional NOPs**

We request an additional nineteen (19) NOPs in order to have full and secure operation of the courts. Table 16 provides a list of the requested NOPs, followed by justification for each.

Table 16: Requested NOPs

No.	Title	Account	FY 2018 Salary	FY 2018 Total Salary and Benefits
1	Administrative Specialist I (CRO)	1690	\$ 20,000	\$ 32,627
2	Administrative Specialist I (CRO)	1690	\$ 20,000	\$ 32,627
	Probation Officer II	1690	\$ 26,131	\$ 45,175
4	Probation Officer III	1690	\$ 27,437	\$ 46,652
5	E-Publication Clerk	1692	\$ 22,000	\$ 40,503
6	Deputy Marshal I	1694	\$ 20,000	\$ 38,241
7	Deputy Marshal I	1694	\$ 20,000	\$ 38,241
8	Computer Specialist	1694	\$ 20,000	\$ 38,241
9	Building & Ground Maintenance Worker	1694	\$ 25,000	\$ 43,896
10	Director of Courts	1694	\$ 70,000	\$ 94,501
11	Deputy Director of Courts for Administration	1694	\$ 65,000	\$ 88,919
12	General Counsel	1694	\$ 65,000	\$ 88,919
13	Limited English Proficiency (LEP) Coordinator	1694	\$ 30,000	\$ 49,551
14	Grants Writer	1694	\$ 30,000	\$ 49,551
15	Chief Marshal	1694	\$ 50,000	\$ 72,171
16	Staff Attorney	1694	\$ 65,000	\$ 88,919
17	Human Resource Specialist	1694	\$ 25,000	\$ 43,896
18	Administrative Officer	1695	\$ 28,000	\$ 47,289
19	Deputy Clerk II (Drug Court)	1695	\$ 25,000	\$ 43,896
	<b>Total</b>		<b>\$ 653,568</b>	<b>\$1,023,815</b>

**(1)-(2) Two Administrative Specialists (Recorder's Office)**

Due to lack of funding, the Recorder's Office is currently comprised of only one staff member – its manager. At least two Administrative Specialists are in urgent need. Every day, clients walk into to back room of the office to access and view documents. Because the only staff member, the manager, needs to stay at the front of the office to be on watch, no one supervises the back room when customers are there alone. This results in unfortunate losses of important documents (land, commercial, etc.). The Recorder's Office has occasionally relied on student interns as added manpower, but that is not a sustainable solution in the long run. Additionally, the Recorder's Office needs manual labor to continue its ongoing project of scanning all documents to the database, which is important for the long-term sustainability and efficiency of the Office.

**(3)-(4) Probation Officer II & Probation Officer III**

The Office of Adult Probation has been understaffed. The Office of Adult Probation has 11 probation officers, including the Chief, each responsible for voluminous caseloads. The two new NOPs are needed to provide the human resource support needed to adequately operate and secure all units in probation. A sufficient number of staff is needed to supervise hundreds of offenders in the community, as well as providing needed rehabilitation treatment. Insufficient staff, on the other hand, strains employees and causes backlogs.

**(5) E-Publication Clerk (LRC)**

The Law Revision Commission is in need of one additional employee to assist the Commission in fulfilling its duties. The Commission maintains the *cnmilaw.org* website enabling the public to have up-to-date access to the laws of the Commonwealth. The additional staff requested for FY 2018 is necessary to provide the technical assistance to enable the Commission to provide timely and accurate information to the public. In a year's time the Commission converts, codifies, and uploads thousands of pages of laws and regulations to its website, which is currently done by the Office/Website Manager, Albert Hicking, in addition

to his Office Manager duties for the Commission. The E-Publication Clerk is needed to help Mr. Hicking with digital and e-publication duties, including creating and maintaining archived compilations of the law to move toward compliance with the Uniform Electronic Legal Materials Act; assisting in revamping our online database to ensure accuracy and increased utility; converting Public Laws, Local Laws, and rules and regulations into searchable formats after codification by legal staff; assisting in creation of e-publications such as E-books, and other digital publications, and a new online platform for those products; and, tracking and updating all Commission electronic/digital publications. These functions are needed to make the resources more useable to the public.

**(6)-(7) Two Deputy Marshal I's**

Security is critical to making the court a safe environment for court staff and patrons. The Marshal's presence is needed all around: detention, court, offices, chambers, and public areas. However, the Marshal Service Division is short-staffed, resulting in a compromise in security. Two deputy marshals are needed to make sure the court is safe for staff, visitors, litigants, and judges.

**(8) Computer Specialist**

The Information Systems Unit is urgently in need of at least one additional Computer Specialist. The ISU currently has two (2) personnel, a Systems Administrator and a Computer Specialist I. The court's sole Computer Specialist has been on leave for off-site training, leaving one person having to manage all technological needs of all three islands. The requested NOP will provide the much needed help with systems and equipment maintenance and improvement projects. Due to lack of manpower, improvement projects are being delayed, resulting in out-of-date systems and functionalities, and compromising our efficiency and productivity.

**(9) Building & Ground Maintenance Worker**

The Building & Ground Maintenance Division has been long understaffed. The division is staffed by only two workers, including the manager. The two-person team manages all three sites of the Judiciary: Saipan, Tinian, and Rota. Safety protocols for electricity, paint jobs and the like require the

presence of at least two workers. When that happens, the entire staff would be occupied, leaving no staff available to manage the routine operations of the division. An additional worker will help ensure safety issues around the buildings are promptly addressed.

#### **(10) Director of Courts**

The Judiciary has not had a Director of Courts for years. Due to the vacancy, the Deputy Director of Courts takes on additional responsibilities as both Acting Director of Courts and Special Assistant to the Presiding Judge, resulting in her having to handle enormous weight of responsibilities and duties. The Director of Courts is responsible for ensuring smooth daily, which involves coordination of all divisions. As we ready ourselves for the growing public demands due to the continual economic and population growth, and take concrete steps in expansion and modernization projects, the Director of Court's position will make these endeavors possible.

#### **(11) Deputy Director of Courts for Administration**

We do not have funding for the Deputy Director of Courts position. As a result, the Special Assistant to the Presiding Judge has had to handle additional responsibilities as the Deputy Director of Courts. The Director of Courts and Deputy Director of Courts are prescribed with the responsibilities for daily operation of the court system, from administering the Language Assistance Plan and Policy to providing continuing education for judges, and from procuring contracts for court-mandated services to overseeing the management of the entire court staff. A Deputy Director of Courts is needed to help the Director of Courts with the enormous and myriad responsibilities to ensure reliable operation of the Judiciary.

#### **(12) General Counsel**

The Judiciary currently lacks a staff dedicated on a full-time basis to the legal matters of the Judiciary as an entity. A General Counsel is needed to provide representation to the Judiciary, including the Supreme Court, Superior Court, and the JAO, on matters that may give rise to legal liability, such as procurement, personnel, and contractual issues. Having a General Counsel is the

first step of creating an independent legal counsel for the Judiciary. Due to lack of funding, the Executive Director of the Law Revision Commission has had to take on the additional responsibilities as General Counsel to the Judiciary, resulting in her having to handle an unduly enormous workload. A General Counsel is urgently needed to make sure the Judiciary's wide variety of legal needs is addressed sufficiently.

#### **(13) Limited English Proficiency (LEP) Coordinator**

In November 2015, the Supreme Court adopted the Language Assistance Plan and Policy to address the Constitutional mandate and Title VI of the Civil Rights Act of 1964, which require litigants and court patrons with limited English proficiency be provided interpreters and translators. We have not been able to implement the Policy because of insufficient funding. One of the first steps needed to address this concern is to have a Limited English Proficiency Coordinator dedicated to the administration of the Plan and Policy. The Coordinator will facilitate interpreter and translation services, training, and compliance with the requirements. The Plan and Policy is not only a legal obligation, but also a fair, increasingly relevant concern, as the CNMI population is becoming one consisting of increasingly many people with limited English proficiency.

#### **(14) Grants Writer**

A Grants Writer is needed to apply for, manage, and track our alternative sources of funding, and to report our ability to ascertain grant applications. This position is important for the Judiciary's financial sustainability and planning. Current alternative funding sources include funds from the Criminal Justice Planning Agency and Office of Management and Budget.

#### **(15) Chief Marshal**

The Chief Marshal is responsible for overseeing the operations of the Marshals Service Division. The MSD has a wide variety of responsibilities ensuring public safety for personnel, litigants, victims, visitors to the courthouse,

providing security on court premises. Because of the necessity of maintaining the high safety standards, the Division must stay on top of strategic planning and implementation of safety improvement projects. This requires a leader dedicated to the management of the Division. Due to lack of funding, however, we have not had a Chief Marshal for many years, and the Chief Probation Officer has had to take on added responsibilities as both Acting Chief Marshal Acting Director of Law Enforcement, resulting in compromised operation of the MSD and OAP.

**(16) Staff Attorney**

The Judiciary does not have a staff dedicated on a full-time basis to the legal matters of the Judiciary as an entity. These matters include those that may give rise to legal liability, such as procurement, personnel, and contractual issues. Having a Staff Attorney is a first step of creating an independent legal counsel for us and providing the needed support to the General Counsel, another lacking position. Due to lack of funding, the Executive Director of the Law Revision Commission has had to take on the additional responsibilities as General Counsel to the Judiciary, resulting in her having to handle an unduly enormous workload. A Staff Attorney is urgently needed to make sure the Judiciary's wide variety of legal needs is addressed sufficiently.

**(17) Human Resources Specialist**

One Human Resources Specialist is in great need to support our current one-person Human Resources division. The Human Resources division is staffed by only one employee, its manager, who has to handle all employees' requests and inquiries for the entire Judiciary, an enormous task. The lack of staff results in inevitable delay in processing of personnel concerns, which in turn decreases productivity for employees and may have an adverse effect in turnover rate.

**(18) Drug Court Administrative Officer**

The Drug Court expects to expand services to Rota and Tinian and to include services to Rota and Tinian in 2018. It will also extends services for other disorders that affect the treatment effectiveness. Expansion of services will help ensure

effective treatment is provided to participants. Expansion efforts will require increased staffing, as our current staff members already have a full caseload. We are in need of an administrative officer to handle private insurance and Medicaid billing systems, eligibility procedures, assist with computer data entry, record keeping and filing systems, which are important tasks for smooth operation of the office.

**(19) Deputy Clerk II (Drug Court)**

One Deputy Clerk II is needed to schedule and coordinate Drug Court activities and hearings, complete orders, develop other reports as ordered by the Drug Court Judge, help manage the Drug Court docket, and coordinate all referrals from Rota and Tinian. This position is needed to support the operations and expansion plans of the Drug Court.

**(b) Funding for One Existing NOP**

In addition, we seek funding for one (1) existing NOP, the Family Court Coordinator. This position has been given to the Family Court Division in last year's budget legislation but it came with no funds. Currently, the only staff that is paid with local funding at the Family Court Division is the manager position. As stated earlier, the FCD handled over thousands of intakes and hundreds of new case filings last year, and the numbers are expected to remain, if not increase, in FY 2018 due to the prevalence of family disputes in the CNMI. The coordinator is needed to help the manager with the daily operations of the Division on Saipan, Rota and Tinian. Because of the requirements of federal grants such as those from the Criminal Justice Planning Agency, the staff paid out of these grants is limited in the type of clients that they can serve. Funding for at least one Coordinator is needed to meet the demands of patrons seeking the Division's assistance.

**Table 17. Funding for Unfunded Existing FTE**

No.	Title	Account	FY 2018 Salary	FY 2018 Total Salary and Benefits
	Family Court Coordinator	1690	\$ 35,000	\$ 55,206
	<b>TOTAL</b>		<b>\$ 35,000</b>	<b>\$ 55,206</b>

**(c) Salary increase**

The Judiciary-wide salary increase is another area of serious need. Most of our staff positions have not had an increase for many years, despite increased workloads for many and the concurrent rise in minimum wage. We aim to attract, hire, and retain well-qualified and competent employees by providing competitive pay for exemplary service and performance. The lack of funding for salary, however, has created a real concern for turnover and recruitment—employees have actually left the Judiciary for jobs elsewhere. Judiciary staff salaries fall consistently below salaries at other governmental entities and average salaries for other state courts.

We have many faithful, dedicated staff members who work tirelessly and selflessly for the Judiciary's patrons. Many take on additional duties due to vacancy in unfunded positions or pay raise. We believe a 10% increase is long-overdue and only fair.

Pay raise for our division managers are especially well justified. Each manager has tremendous responsibilities and tasks requiring great concentrated effort to ensure the functional operation and sustainability of the division. Each has the expertise and knowledge necessary to manage the team that is difficult to replicate or replace. A pay increase is justified compensation for their service, knowledge, and expertise.

**ii. Operations****(a) Professional Services**

The bulk of the funds requested for professional services constitute court appointed counsel for indigent criminal defendants and transcription services for Rota, Tinian, and Saipan.

**1. Indigent Defense**

The Constitution states that indigent criminal defendants be provided with court services such as fees for defense attorneys, expert witness costs, investigators, interpreters, psychiatrists if needed, and other services related to indigent defense. The court has a legal obligation to provide services to indigent litigants in the civil contexts, including paternity cases, small claims, and certain groups of debtors facing incarceration. We need

adequate funds to provide these required services.

**2. Transcription**

Parties in criminal and certain civil actions rely on us to transcribe and prepare trial court proceeding transcripts, including transcripts necessary for appeal to the Supreme Court. In FYs 2016 and 2017, we outsourced these transcription services due to inadequate staffing. In FY 2018 we will continue to outsource transcription services to ensure that transcripts will be timely produced for appeals. Requiring our overburdened staff to transcribe and prepare transcripts in addition to other duties is untenable.

**3. Language Assistance Plan and Policy**

In November 2015, the Supreme Court adopted the Language Assistance Plan and Policy to address the Constitutional mandate and Title VI of the Civil Rights Act of 1964, which require litigants and court patrons with limited English proficiency be provided interpreters and translators. Implementation of the policy is ongoing but is hampered by lack of funding necessary to fully implement the program, including required training, personnel and equipment to facilitate the program, and to pay the interpreters. Therefore, we ask for funding to help ensure that those with limited English proficiency have the same legal protection as others. This is not only a legal obligation, but also a fair, increasingly relevant concern, as the CNMI population is becoming one consisting of increasingly many people with limited English proficiency.

**(b) Personnel Training Cost**

The Judiciary requests \$ 91,800 to cover training expenses for justices, judges, and court staff. In November 2016, during the Judiciary's Strategic Planning Conference—the branch's agency-wide staff conference—many staff members overwhelming expressed the need and desire for more staff training to improve and streamline services. Increased personnel training is essential for increased staff efficiency and employee retention. The requested funds will cover professional development and other continuing legal education through webinars and local courses, judicial

education programs through the National Judicial College, the Institute of Court Management, and other national chapters.

**(c) Repair and Maintenance**

The Judiciary requests \$257,408.85 for repair and maintenance expenses, consisting of cost for maintenance of elevators (\$22,308), generator (\$4,332), and air conditioning maintenance on all three islands (\$8,075). In particular, the courthouses on Tinian, Rota, and Saipan are in need of new painting. The paint job has is long overdue and affects aesthetics, which is important because we host many outreach events at the Guma Hustisia. Further, new painting is needed for durability and longevity of the structure, as internal building materials are vulnerable to rust and erosion from moisture and environmental contaminants.

The breakdown of repair and maintenance costs are as follows:

Table 18: Summary of Repair and Maintenance Expenses

Repair and Maintenance	Amount
Preventative Maintenance-AC Air handling units (AHU)-\$475.00 ea @ 17 units	\$8,075
Preventative Maintenance-Smardt chiller & pumps	\$7,500
Preventative Maintenance-Generator	\$4,332
Preventative Maintenance-Fire extinguishers	\$594
Preventative Maintenance-Elevator	\$22,308
Preventative Maintenance-Door locks	\$4,200
Termite & Pest control	\$5,000
Water system 4" valve	\$3,500
Chilled water piping insulation	\$800
TIQ AC Preventative Maint.	\$2,000
AC Ducting repair	\$2,300
Painting Tinian Court House	\$10,000
Roof Coating Tinian Court House	\$15,000
Rota AC Preventative Maint.	\$3,000
Painting Rota Judicial Center	\$15,000
Riding Mower Preventative Maint	\$200
Smardt evaporator repair	\$17,000
Pump motor rewind	\$2,800
Water blasting Guma Hustisia	\$11,000
Exterior Painting Guma Hustisia	\$100,000
Parking lot painting & marking	\$14,300

**(d) Computer Systems and Equipment**

Information Systems equipment (\$76,000), and laptop and projectors for the Family Court Division (\$8,000) are being requested for our budget.

64550	Computer Systems and Equip	
	<b>Computers/Laptops</b>	
	ISU Computer Systems (1 - New FTE)	\$ 2,500.00
	Laptop for Operations	\$ 1,500.00
	Laptop for COOP	\$ 1,500.00
	<b>Servers</b>	
	Terminal Server	\$ 4,000.00
	<b>Audio/Video</b>	
	Video Equipment for Supreme Court	\$ 2,000.00
	Video Equipment for Superior Court Courtrooms	\$ 40,000.00
	Audio Equipment for Superior Court Courtrooms	\$ 10,000.00
	Equipment for Tinian	\$ 5,000.00
	Equipment for Rota	\$ 2,500.00
	<b>Other</b>	
	Back Up Battery Units	\$ 2,000.00
	Back Up Battery Units Replacement Battery	\$ 2,000.00
	Back Up Equipment	\$ 2,000.00
	External Hard Drives for Managers COOPKit	\$ 1,000.00
		\$76,000.00

**(i) Information Systems equipment**

We continue to consider technological modernization as a key investment for improving the efficient delivery of court services. We request \$76,000 to fund desktop computers for new FTEs, one laptop for IT operation, audio and video equipment for courthouses on Tinian, Rota and Saipan, terminal servers, and battery backup units.

**(ii) Laptop and Projectors for Family Court**

In addition, one laptop computer is needed for the Family Court Division’s Separating Parents Class in Rota and one for Tinian. Projectors are also needed for Family Court presentations on Saipan, Tinian and Rota. The computer and projected equipments are necessary for the expansion of FCD’s current programs to meet the expected rise in the number of pro se clients seeking assistance in FY 2018. The total cost for the requested equipment for FCD is \$8,000.

**(e) Machinery, Tools & Equipment**

We request \$243,770 for this expense. The significant portion of this fund covers: the Rota Judicial Center air conditioning retrofit (\$135,000) and dehumidifiers and UV lights to fight mold problems (\$104,000).

Mold has become a serious health concern for Judiciary employees and patrons. Mold problems at the Guma Hustisia, for example, are visible and palpable by smell in some areas. Exposure to indoor mold has been linked to physical illness such as upper respiratory tract symptoms, asthma, and hypersensitivity pneumonitis. Indoor mold has also damaged carpet and ceiling. Currently the Judiciary attempts to control the problem by turning on the air conditioning at all hours. This is, however, not a cost-effective solution. Humidifiers are the better solution because they prevent future mold growth and lower our operating cost.

**(f) Utilities**

The Judiciary seeks \$650,000 to cover utility expenses for four locations—the three courthouses on all three islands and the recently acquired off-site adult probation facility—and to satisfy outstanding utility balances, including the anticipated FY 2017 shortfall due to previous inadequate appropriations for utilities. The estimate is based on the amount granted us for utilities for FY 2017.

While the Judiciary has made strides in energy conservation, as discussed above, the air conditioners at the Guma' Hustisia must be run on a daily basis in order to prevent the growth of toxic mold.

**E. Conclusion**

The Judiciary has demonstrated itself to be an efficient and resourceful utilizer of taxpayer money. We have accomplished and delivered much in all of our divisions, from rendering well-reasoned opinions and proving probation supervision of criminal offenders, to providing rehabilitation to offenders and public access to land and commercial documents.

The current funding, however, is lacking. We have been understaffed — divisions and units handled by one-person teams, and staff members taking on additional duties due to vacant positions from lack of funding. Each of the 19 requested FTEs is needed to support and secure our division's operations.

A modest salary increase is long overdue, considering our employees' increased workload and service. Lack of salary affects our retention rate, which in turn is costly to us. Adequate funds in personnel and operational costs are necessary for our goal in providing court services to the people.

**CNMI JUDICIARY OPERATING EXPENDITURE WORKSHEET**

<b>Branch:</b>	Judicial Branch
<b>Activity:</b>	Supreme Court/Superior Court/Drug Court/Judiciary Administrative Office/Law Revision Commission
<b>Bus. Unit:</b>	1691/1690/1695/1694/1692

Class Code	Object	Supreme Court	Superior Court	Drug Court	Judiciary Administrative Office	Law Revision Commission	FY 2018 Total Request
		1691	1690	1695	1694	1692	
<b>a. PERSONNEL</b>							
61090	WAGES/SALARIES - CSC	0	179,014	0	55,648	0	234,662
61100	WAGES/SALARIES - UNG	780,970	2,043,508	259,800	975,908	266,200	4,326,387
61110	OVERTIME COMPENSATION						
<b>b. FRINGE BENEFITS</b>							
61180	PERSONNEL INSURANCE	11,324	32,227	3,767	14,958	3,860	66,135
61190	RETIREMENT CONTRIBUTION						
61195	401k DC RET. EMPLR. CONTR.	6,360	33,409	10,392	25,633	3,828	79,622
61196	FICA @ 6.20%	48,420	137,796	16,108	63,956	16,504	282,785
61200	SUBSISTENCE						
61210	HEALTH INSURANCE PREMIUM	81,523	395,654	82,255	279,957	41,006	880,395
61220	MEDICARE CONTRIBUTION	11,324	32,227	3,767	14,958	3,860	66,135
61260	HOLIDAY PAY						
61299	PERSONNEL APPROPRIATION						
61700	COMPACT IMP REIMB-PERSONNEL						
<b>c. TOTAL PERSONNEL</b>							
	<b>Total Personnel</b>	\$939,921	\$2,853,835	\$376,089	\$1,431,018	\$335,258	\$5,936,122
	<b>Number of Positions</b>	11	54	7	32	6	110
<b>d. TRAVEL</b>							
62500	TRAVEL			8,710	50,000	6,000	64,710
62500.10	TRANSPORTATION						
62500.20	PER DIEM						
62500.30	SUBSISTENCE						
62500.40	REGISTRATION						
	<b>TOTAL TRAVEL</b>	0	0	8,710	50,000	6,000	64,710
<b>e. EQUIPMENT</b>							
63120	EQUIPMENT UNDER \$5000						
64540	MACHINERY, TOOLS & EQUIPMENT				243,770		243,770
64550	COMPUTER SYSTEM & EQUIPMENT			5,000	82,000	15,000	102,000
64560	OFFICE EQUIPMENT				20,000	25,000	45,000
64570	OFFICE FURNITURE & FIXTURES			10,000	1,500	1,600	13,100

64580	VEHICLES-PUB.SVC & ADMIN.				125,000		125,000
	<b>TOTAL EQUIPMENT</b>	0	0	15,000	472,270	41,600	285,100
<b>f. SUPPLIES</b>							
63010	BOOKS & LIBRARY MATERIALS				2,000	800	2,800
63020	FOOD ITEMS				10,000	500	10,500
63030	FUEL & LUBRICATIONS				50,000	500	50,500
63040	SUPPLIES-OFFICE			1,000	27,500	2,500	31,000
63050	SUPPLIES-OPERATION			5,000	29,384	1,800	36,184
	<b>TOTAL SUPPLIES</b>	0	0	6,000	118,884	6,100	130,984
<b>g. CONTRACTUAL</b>							
62060	PROFESSIONAL SERVICES			26,000	295,000	1,000	322,000
62080	ADVERTISING				5,500	600	6,100
62090	RECRUITMENT & REPATRIATION				24,000	5,000	29,000
62250	COMMUNICATIONS				85,000	2,500	87,500
62260	DUES AND SUBSCRIPTIONS				26,500	1,200	27,700
62280	INSURANCE			1,500	11,000		12,500
62300	PRINTING & PHOTOCOPYING				5,500	250	5,750
62440	RENTAL-OFFICE						
62460	RENTAL-OFFICE EQUIPMENT						
62470	RENTAL-HEAVY EQUIPMENT						
62480	RENTAL-OTHERS						
62660	REPAIRS & MAINTENANCE				255,908	1,500	257,408
62680	FREIGHT & HANDLING				500	1,600	2,100
62690	PERSONNEL TRAINING COSTS			15,000	75,000	1,800	91,800
62750	CLEANING SERVICES				50,000		50,000
62780	OTHER SERVICES & CHARGES					300	300
	<b>TOTAL CONTRACTUAL</b>	0	0	42,500	833,908	15,750	892,158
<b>h. CONSTRUCTION</b>							
64050	BUILDING & IMPROVEMENTS						
64280	ARCHITECTURAL & ENGINEERING						
64290	PROJECT INSPECTION						
64320	CONSTRUCTION						
64340	CONTINGENCIES						
64420	DEMOLITION & REMOVAL						
64520	IMPROVEMENTS						
	<b>TOTAL CONSTRUCTION</b>	0	0	0	0	0	0
<b>i. OTHER</b>							
62050	OFFICIAL REPRESENTATION				5,000		5,000
62240	BANK CHARGES				500	100	600
62290	LICENSES & FEES				1,000	1,500	2,500
62670	ALL OTHERS (BUDGET ONLY)						
62710	UTILITIES-POWER				650,000		650,000
62720	UTILITIES-WATER						

64250 ADMIN & LEGAL EXPENSE  
 65400 SCHOLARSHIPS AND GRANTS  
 65600 CONTRIBUTIONS AND DONATIONS  
 65700 COMPACT IMP REIMB-ALL OTHER  
 65800 TRANSFERS OUT-GOV'T AGENCY

**TOTAL OTHERS** 0 0 0 656,500 1,600 658,100

**j. TOTAL "ALL OTHERS" (sum of d to i)** \$0 \$0 \$72,210 \$2,131,562 \$71,050 \$2,031,052

**Subtotal Personnel and All Others (sum of c & j)** \$939,921 \$2,853,835 \$448,299 \$3,562,580 \$406,308 \$7,967,174

62070 Public Auditor 1% Fee 9,399 28,538 4,483 35,626 4,063 79,672

**k. GRAND TOTAL** \$949,320 \$2,882,374 \$452,782 \$3,598,206 \$410,371 \$8,293,053

**SUPREME COURT OPERATING EXPENDITURE WORKSHEET**

<b>Branch:</b>	Judicial Branch
<b>Activity:</b>	Supreme Court
<b>Bus. Unit:</b>	1691

<b>Class Code</b>	<b>Object Classification</b>	<b>2017 Request</b>	<b>2017 Budget PL19-68</b>	<b>2018 Request</b>
<b>a. PERSONNEL</b>				
61090	WAGES/SALARIES - CSC	0		0
61100	WAGES/SALARIES - UNG	783,855		780,970
61110	OVERTIME COMPENSATION			
<b>b. FRINGE BENEFITS</b>				
61180	PERSONNEL INSURANCE	11,366		11,324
61190	RETIREMENT CONTRIBUTION			
61195	401K DC RET. EMPLR. CONTR.	6,420		6,360
61196	FICA @ 6.20%	48,599		48,420
61200	SUBSISTENCE			
61210	HEALTH INSURANCE PREMIUM	64,915		81,523
61220	MEDICARE CONTRIBUTION	11,366		11,324
61260	HOLIDAY PAY			
61299	PERSONNEL APPROPRIATION		890,647	
61700	COMPACT IMP REIMB-PERSONNEL			
<b>c. TOTAL PERSONNEL</b>				
	<b>Total Personnel</b>	\$926,521	\$890,647	\$939,921
	<b>Number of Positions</b>	11	11	11
<b>d. TRAVEL</b>				
62500	TRAVEL			
62500.10	TRANSPORTATION			
62500.20	PER DIEM			
62500.30	SUBSISTENCE			
62500.40	REGISTRATION			
	<b>TOTAL TRAVEL</b>	0	0	0
<b>e. EQUIPMENT</b>				
63120	EQUIPMENT UNDER \$5000			
64540	MACHINERY, TOOLS & EQUIPMENT			
64550	COMPUTER SYSTEM & EQUIPMENT			
64560	OFFICE EQUIPMENT			
64570	OFFICE FURNITURE & FIXTURES			
64580	VEHICLES-PUB.SVC & ADMIN.			
	<b>TOTAL EQUIPMENT</b>	0	0	0
<b>f. SUPPLIES</b>				
63010	BOOKS & LIBRARY MATERIALS			
63020	FOOD ITEMS			
63030	FUEL & LUBRICATIONS			
63040	SUPPLIES-OFFICE			
63050	SUPPLIES-OPERATION			
	<b>TOTAL SUPPLIES</b>	0	0	0

<b>g. CONTRACTUAL</b>			
62060	PROFESSIONAL SERVICES		
62080	ADVERTISING		
62250	COMMUNICATIONS		
62260	DUES AND SUBSCRIPTIONS		
62300	PRINTING & PHOTOCOPYING		
62440	RENTAL-OFFICE		
62460	RENTAL-OFFICE EQUIPMENT		
62470	RENTAL-HEAVY EQUIPMENT		
62480	RENTAL-OTHERS		
62660	REPAIRS & MAINTENANCE		
62680	FREIGHT & HANDLING		
62690	PERSONNEL TRAINING COSTS		
62750	CLEANING SERVICES		
<b>TOTAL CONTRACTUAL</b>		0	0
<b>h. CONSTRUCTION</b>			
64050	BUILDING & IMPROVEMENTS		
64280	ARCHITECTURAL & ENGINEERING		
64290	PROJECT INSPECTION		
64320	CONSTRUCTION		
64340	CONTINGENCIES		
64420	DEMOLITION & REMOVAL		
64520	IMPROVEMENTS		
<b>TOTAL CONSTRUCTION</b>		0	0
<b>i. OTHER</b>			
62050	OFFICIAL REPRESENTATION		
62290	LICENSES & FEES		
62670	ALL OTHERS (BUDGET ONLY)	8,906	
62710	UTILITIES-POWER		
62720	UTILITIES-WATER		
64250	ADMIN & LEGAL EXPENSE		
65400	SCHOLARSHIPS AND GRANTS		
65600	CONTRIBUTIONS AND DONATIONS		
65700	COMPACT IMP REIMB-ALL OTHER		
65800	TRANSFERS OUT-GOV'T AGENCY		
<b>TOTAL OTHERS</b>		0	8,906
<b>j. TOTAL "ALL OTHERS" (sum of d to i)</b>		\$0	\$8,906
<b>Subtotal Personnel and All Others (sum of c &amp; j)</b>		\$926,521	\$899,553
62070	Public Auditor 1% Fee	9,328	9,399
<b>k. GRAND TOTAL</b>		\$935,849	\$899,553
			\$949,320

**SUPREME COURT PERSONNEL SERVICE WORKSHEET**

**Branch:** CNMI Judicial Branch  
**Division/Activity:** Supreme Court  
**Business Unit:** 1691

PID#	Position Title	Incumbent	**FY17 PAY LEVEL**			**FY18 Request**		
			Emp Stat	Grade Step	Base Salary	Ret Plan	Grade Step	Base Salary

1	9028001	Chief Justice	Castro, Alexandro C.	ELT	UNG	130,000	ELT	UNG	130,000
2	9014001	Associate Justice	Manglona, John A.	ELT	UNG	126,000	ELT	UNG	126,000
3	9014002	Associate Justice	Inos, Perry B.	APT	UNG	126,000	APT	UNG	126,000
4	1940001	Clerk of Court	Ogo, Deanna M.	ESC	UNG	65,000	ESC	UNG	71,500
5	9520001	Law Clerk (CJ)	Lee, Hyun Jae	ESC	UNG	50,000	ESC	UNG	55,000
6	1873004	Law Clerk	Cheung, Cynthia C.	ESC	UNG	50,000	ESC	UNG	55,000
7	1873005	Law Clerk	Byers, Benjamin C.	ESC	UNG	50,000	ESC	UNG	55,000
8	0960001	Deputy Clerk of Court	Borja, Nora V.	ESC	UNG	40,000	ESC	UNG	44,000
9	0960002	Chamber Administrator	San Nicolas, Irene T.	ESC	UNG	42,500	ESC	UNG	46,750
10	0999001	Judicial Assistant to Associate Justice	Mendiola, Martha B.	ESC	UNG	35,200	ESC	UNG	38,720
11	999003	Judicial Assistant to Associate Justice	Aidan, Ignatia C.	ESC	UNG	30,000	ESC	UNG	33,000

<b>Elected (ELT)</b>	2	256,000	2	256,000
<b>Appointed (APT)</b>	1	126,000	1	126,000
<b>Excepted Service Contracts (ESC)</b>	8	362,700	8	398,970
<b>Limited Term Appointments Ungraded (LTU)</b>	0	0	0	0
<b>Civil Service (CS)</b>	0	0	0	0
<b>Limited Term Appointments Graded (LTG)</b>	0	0	0	0

**WAGES & OTHERS:**

Wages Civil Service (61090)	0	0
Wages Ungraded (61100)	744,700	780,970
Wages Adjustment for Austerity/Unpaid Holidays	0	0
Overtime	0	0
Differentials	0	0
Total Wages & Others	744,700	780,970

**BENEFITS:**

Life Insurance 1.45%	7,217	11,324
Retirement - 30%	0	0
DB Ret. Adjustment for Austerity/Unpaid Holidays	0	0
401K DC Retirement - 4%	2	6,360
DC Ret. Adjustment for Austerity/Unpaid Holidays	0	0
Social Security - 6.2%	46,171	48,420
Medicare - 1.45%	10,798	11,324
Medicare Adjustment for Austerity/Unpaid Holidays	0	0
Subsistence	0	0
Health Insurance	81,523	81,523
Total Personnel Benefits	151,949	158,951

**TOTAL FTEs, PERSONNEL COMPENSATION, & BENEFITS**

11	\$896,649	11	\$939,921
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**SUPREME COURT BUDGET JUSTIFICATION**

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The Supreme Court offers appellate court services and document custodianships on Rota, Saipan, and Tinian. The requested amounts include the wages and salaries of the Justices, chamber personnel, and staff of the Office of the Clerk of Court. Operational expenses are provided for in the budget categories for Account No. 1694, the Commonwealth Judiciary Administrative Office.

<b>61100</b>	<b>WAGES/SALARIES UNGRADED</b>	<b>\$780,970</b>
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This amount is requested to maintain the annual wages of 11 positions with the Commonwealth Supreme Court. The number of positions (NOPs) consist of the Chief Justice and two Associate Justices, three law clerks, Clerk of the Supreme Court, Deputy Clerk of the Supreme Court, Chamber Administrator, and two Judicial Assistants.

The salaries of the Chief Justice and two Associate Justices, which are constitutionally protected, are \$130,000 and \$126,000 respectively, and shall remain the same. The Judiciary seeks to increase the salary of the remaining eight ungraded employees. The increases total \$36,270.

<b>61180</b>	<b>PERSONNEL INSURANCE</b>	<b>\$11,324</b>
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This amount covers the employer's mandatory contribution to select life insurance carrier for the group plan administered through the Group Health & Life Insurance Trust Fund. The cost is based on the projected selection per individual and calculated as a percentage (1.45%) of base pay.

<b>61195</b>	<b>RETIREMENT CONTRIBUTION (401K DC PLAN)</b>	<b>\$6,360</b>
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This amount covers the employer's contribution to the Defined Contribution (DC) Retirement Plan administered through ASC Trust Corporation. The figure is based on 4% of the total base salaries of 2 employees who are forecasted to continue opting for this benefit.

<b>61196</b>	<b>SOCIAL SECURITY</b>	<b>\$48,420</b>
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This amount covers the mandatory employer's contribution for Social Security and is based on 6.2% of the total salaries for the 11 NOPs.

<b>61210</b>	<b>HEALTH INSURANCE PREMIUM</b>	<b>\$81,523</b>
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This amount covers the employer's contribution for employee enrollment in the group health policy with Aetna International. The policy is administered through the Group Health & Life Insurance Trust Fund. Calculations were based on the new rates for coverage that were announced on December 19, 2016. Effective January 1, 2017 to December 31, 2017, the employer's contribution for employees' options are:

EMPLOYER'S CONTRIBUTION	HIGH OPTION		LOW OPTION		BASIC	
	Per Pay Period	Per Year	Per Pay Period	Per Year	Per Pay Period	Per Year
Employee	187.75	4,882	187.75	4,882	187.75	4,882
Employee + Spouse/Dependent	384.88	10,007	384.88	10,007	384.88	10,007
Employee + Dependents	600.79	15,621	600.79	15,621	600.79	15,621

The amount reflects the projected cost for 8 NOPs' enrollment.

<b>61120</b>	<b>MEDICARE CONTRIBUTION</b>	<b>\$11,324</b>
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This amount covers the Judiciary's mandatory contribution to the Medicare program, which is currently based at 1.45%.

<b>62070</b>	<b>PUBLIC AUDITOR'S FEE</b>	<b>\$9,399</b>
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This amount covers the mandated 1% allocation from the total budget amount for the public auditor's fee. This requirement is mandated by CNMI law.

**SUPERIOR COURT OPERATING EXPENDITURE WORKSHEET**

<b>Branch:</b>	Judicial Branch
<b>Activity:</b>	Superior Court
<b>Bus. Unit:</b>	1690

<b>Class Code</b>	<b>Object Classification</b>	<b>2017 Request</b>	<b>2017 Budget PL19-68</b>	<b>2018 Request</b>	
<b>a. PERSONNEL</b>					
61090	WAGES/SALARIES - CSC	169,702		179,014	
61100	WAGES/SALARIES - UNG	2,057,268		2,043,508	
61110	OVERTIME COMPENSATION				
<b>b. FRINGE BENEFITS</b>					
61180	PERSONNEL INSURANCE	32,291		32,227	
61190	RETIREMENT CONTRIBUTION				
61195	401k DC RET. EMPLR. CONTR.	39,358		33,409	
61196	FICA @ 6.20%	138,072		137,796	
61200	SUBSISTENCE				
61210	HEALTH INSURANCE PREMIUM	266,759		395,654	
61220	MEDICARE CONTRIBUTION	32,291		32,227	
61260	HOLIDAY PAY				
61299	PERSONNEL APPROPRIATION		2,366,143		
61700	COMPACT IMP REIMB-PERSONNEL				
<b>c. TOTAL PERSONNEL</b>		<b>Total Personnel</b>	<b>\$2,735,741</b>	<b>\$2,366,143</b>	<b>\$2,853,835</b>
		<b>Number of Positions</b>	<b>55</b>	<b>50</b>	<b>54</b>
<b>d. TRAVEL</b>					
62500	TRAVEL				
62500.10	TRANSPORTATION				
62500.20	PER DIEM				
62500.30	SUBSISTENCE				
62500.40	REGISTRATION				
		<b>TOTAL TRAVEL</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>e. EQUIPMENT</b>					
63120	EQUIPMENT UNDER \$5000				
64540	MACHINERY, TOOLS & EQUIPMENT				
64550	COMPUTER SYSTEM & EQUIPMENT				
64560	OFFICE EQUIPMENT				
64570	OFFICE FURNITURE & FIXTURES				
64580	VEHICLES-PUB.SVC & ADMIN.				
		<b>TOTAL EQUIPMENT</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>f. SUPPLIES</b>					
63010	BOOKS & LIBRARY MATERIALS				
63020	FOOD ITEMS				
63030	FUEL & LUBRICATIONS				
63040	SUPPLIES-OFFICE				
63050	SUPPLIES-OPERATION				
		<b>TOTAL SUPPLIES</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>g. CONTRACTUAL</b>					
62060	PROFESSIONAL SERVICES				

62080	ADVERTISING			
62250	COMMUNICATIONS			
62260	DUES AND SUBSCRIPTIONS			
62300	PRINTING & PHOTOCOPYING			
62440	RENTAL-OFFICE			
62460	RENTAL-OFFICE EQUIPMENT			
62470	RENTAL-HEAVY EQUIPMENT			
62480	RENTAL-OTHERS			
62660	REPAIRS & MAINTENANCE			
62680	FREIGHT & HANDLING			
62690	PERSONNEL TRAINING COSTS			
62750	CLEANING SERVICES			
<b>TOTAL CONTRACTUAL</b>		0	0	0
<b>h. CONSTRUCTION</b>				
64050	BUILDING & IMPROVEMENTS			
64280	ARCHITECTUAL & ENGINEERING			
64290	PROJECT ENSPECTION			
64320	CONSTRUCTION			
64340	CONTINGENCIES			
64420	DEMOLITION & REMOVAL			
64520	IMPROVEMENTS			
<b>TOTAL CONSTRUCTION</b>		0	0	0
<b>i. OTHER</b>				
62050	OFFICIAL REPRESENTATION			
62290	LICENSES & FEES			
62670	ALL OTHERS (BUDGET ONLY)		23,661	
62710	UTILITIES-POWER			
62720	UTILITIES-WATER			
64250	ADMIN & LEGAL EXPENSE			
65400	SCHOLARSHIPS AND GRANTS			
65600	CONTRIBUTIONS AND DONATIONS			
65700	COMPACT IMP REIMB-ALL OTHER			
65800	TRANSFERS OUT-GOV'T AGENCY			
<b>TOTAL OTHERS</b>		0	23,661	0
<b>j. TOTAL "ALL OTHERS" (sum of d to i)</b>		\$0	\$23,661	\$0
<b>Subtotal Personnel and All Others (sum of c &amp; j)</b>		\$2,735,741	\$2,389,804	\$2,853,835
62070	Public Auditor 1% Fee	27,634		28,538
<b>k. GRAND TOTAL</b>		\$2,763,375	\$2,389,804	\$2,882,374

**SUPERIOR COURT PERSONNEL SERVICE WORKSHEET**

**Branch:** CNMI Judicial Branch  
**Division/Activity:** Superior Court  
**Business Unit:** 1690

PID#	Position Title	Incumbent	**FY17 PAY LEVEL**			**FY18 Request**		
			Emp Stat	Grade	Base Salary	Ret Plan	Emp Stat	Grade

**Office of the Presiding Judge**

1	9097001	Presiding Judge		Naraja, Robert C.	ELT	UNG	123,000	123,000	ELT	UNG	123,000	DC	
2	9013004	Associate Judge		VACANT VICE-Wiseman, David A. (effct: 5/23/16)	ELT	UNG	120,000	120,000	DC	ELT	UNG	120,000	DC
3	9013001	Associate Judge		Govendo, Kenneth L.	ELT	UNG	120,000	120,000	ELT	UNG	120,000	DC	
4	9013003	Associate Judge		Camacho, Joseph James N.	ELT	UNG	120,000	120,000	DC	ELT	UNG	120,000	DC
5	9013002	Associate Judge		Kim-Tenorio, Teresa K.	APT	UNG	120,000	120,000	APT	UNG	120,000	DC	
6	9141001	Spec Asst to the Pres Judge/Dep Dir of Cts		Camacho, Sonia A.	ESC	UNG	50,000	50,000	DC	ESC	UNG	55,000	DC
7	1873002	Law Clerk		Spott, Hal J.	ESC	UNG	50,000	50,000	ESC	UNG	55,000	DC	
8	1873001	Law Clerk		Nicolas, Jacqueline A.	ESC	UNG	50,000	50,000	ESC	UNG	55,000	DC	
9	1873006	Law Clerk		Swartz Go, Dayla R.	ESC	UNG	50,000	50,000	ESC	UNG	55,000	DC	
10	1873003	Law Clerk		Manglona, Oliver M.	ESC	UNG	50,000	50,000	ESC	UNG	55,000	DC	
11	1873002	Law Clerk		Murphy, Finella Y.	ESC	UNG	50,000	50,000	ESC	UNG	55,000	DC	
12	0939001	Chamber Administrator		Camacho, Rose Lynette M.	ESC	UNG	38,000	41,800	ESC	UNG	41,800	DC	
13	0940002	Judicial Assistant to Associate Judge		Dela Cruz, Vivian S.	ESC	UNG	33,100	36,410	DC	ESC	UNG	36,410	DC
14	0940003	Judicial Assistant to Associate Judge		Santos, Rebecca R.	ESC	UNG	29,000	31,900	DC	ESC	UNG	31,900	DC

15	0940006	Judicial Assistant to Associate Judge	Magafna, Delia S.	ESC	UNG	28,000	DC	ESC	UNG	30,800	DC
16	0940001	Judicial Assistant to Associate Judge	Mendoza, Clarice C.	ESC	UNG	28,000		ESC	UNG	30,800	
17	1002007	Accountant II	Calvo, Evelyn P.	CS	27/12	33,345		CS	27/12	35,012	
18		Accountant I	Licop- Mendoza, Catherine C.	ESC	UNG	20,000		ESC	UNG	22,000	
19	1801004	Accountant I	Kelley, Jason D.	ESC	UNG	17,706		ESC	UNG	19,477	
<b>Office of the Clerk of Court</b>											
20	1938001	Clerk of Court	Diaz, Patrick V.	ESC	UNG	50,000	DC	ESC	UNG	55,000	DC
21		Deputy III	Wania-Tenorio, Novelyn A.	ESC	UNG	35,000		ESC	UNG	38,500	
22	6033001	Deputy Clerk II	Ada, Rosie Jane T.	ESC	UNG	26,500	DC	ESC	UNG	29,150	DC
23	6034001	Deputy Clerk II	Mendiola, Daisy Rina S.	ESC	UNG	26,500		ESC	UNG	29,150	
24	6033005	Deputy Clerk I	VACANT VICE: Villegomez, Luis S.	ESC	UNG	24,835		ESC	UNG	27,318	
25	6033002	Deputy Clerk I	Ada, Marissa F.	ESC	UNG	20,485		ESC	UNG	22,534	
26	6033008	Deputy Clerk I	Dela Cruz, Sabrina Lynn	ESC	UNG	23,500		ESC	UNG	25,850	
27	6034002	Deputy Clerk I	Diaz, Kristy Noreen R.	ESC	UNG	23,500		ESC	UNG	25,850	
28	6033004	Deputy Clerk I	Higgins, Berliann P.	ESC	UNG	22,500		ESC	UNG	24,750	
29	6033003	Deputy Clerk I - Tinian	Pangelinan, Joann A.	ESC	UNG	22,500	DC	ESC	UNG	24,750	DC
30	6033007	Deputy Clerk I	Shiprit, Okalani R.	ESC	UNG	20,485		ESC	UNG	22,534	
31	0351006	Deputy Clerk I	Calvo, Eva-Sophia P.	ESC	UNG	22,500	DC	ESC	UNG	24,750	DC
32	0351005	Deputy Clerk I	Tereyama, Adeline C.	ESC	UNG	22,500		ESC	UNG	24,750	
33	0350004	Records Assistant	Piteg, Byron G.	ESC	UNG	18,000		ESC	UNG	19,800	
34	1491003	Data Systems Analyst	VACANT VICE: Deleon Guerrero, Jack C. (Comp Imp)	ESC	UNG	25,000		ESC	UNG	27,500	
<b>Family Court Division</b>											
35	1974001	Family Court Manager	Villegomez, Joseph Kevin P.	ESC	UNG	50,000		ESC	UNG	55,000	

36	Family Court Coordinator	VACANT (FY 2016)	ESC	UNG	ESC	UNG	35,000
<b>Commonwealth Recorder's Office</b>							
37	1145001 Commonwealth Recorder	Deleon Guerrero, Luise S.	CS	33/11	42,558	33/12	44,686
38	1021015 Administrative Specialist I (Rota)	Mendiola, Michelle A.	CS	22/07	21,243	22/09	23,413
<b>Office of Adult Probation and Supervision</b>							
39	6162001 Chief Probation Officer	Lifofoi-Aldan, Ursula I.	ESC	UNG	50,000	DC	55,000
40	6161001 Probation Officer III	Simram, Simram W.	CS	34/08	38,601	34/10	42,558
41	6160001 Probation Officer II	Aguon, Juan R.	CS	32/05	30,246	32/07	33,345
42	6160002 Probation Officer I	Bermudes, Matilde H.	ESC	UNG	30,000	DC	33,000
43	6159002 Assistant Probation Officer	Salas, Michael B.	ESC	UNG	20,485	ESC	22,534
44	6159003 Probation Officer I	Geisinger, Sophia C.	ESC	UNG	20,485	ESC	22,534
45	6159004 Probation Officer I	Santos, Barbara K.	ESC	UNG	20,485	DC	22,534
46	Probation Officer II	Torres, Oscar C.	ESC	UNG	33,344	DC	36,679
47	Probation Officer II	VACANT VICE: Del Rosario, JD	ESC	UNG	28,808	DC	31,689
48	FY 2017	VACANT	ESC	UNG	20,485	ESC	22,534
49	FY 2017	VACANT	ESC	UNG	20,485	ESC	22,534
50	FY 2017	VACANT	ESC	UNG	20,485	ESC	22,534
<b>FY 2018 New</b>							
51	Administrative Specialist (CRO)	NEW	ESC	UNG	20,000	DC	20,000
52	Administrative Specialist (CRO)	NEW	ESC	UNG	20,000	DC	20,000
53	Probation Officer III (OAPS)	NEW	ESC	UNG	27,437	DC	27,437
54	Probation Officer II (OAPS)	NEW	ESC	UNG	26,131	DC	26,131

Elected (ELT)	4	483,000	4	483,000
Appointed (APT)	1	120,000	1	120,000
Excepted Service Contracts (ESC)	40	1,192,673	44	1,440,508
Limited Term Appointments Ungraded (LTU)	0	0	0	0
Civil Service (CS)	5	165,994	5	179,014
Limited Term Appointments Graded (LTG)	0	0	0	0

**WAGES & OTHERS:**

Wages Civil Service (61090)	165,994	179,014
Wages Ungraded (61100)	1,795,673	2,043,508
Wages Adjustment for Austerity/Unpaid Holidays	0	0
Overtime	0	0
Differentials	0	0
Total Wages & Others	1,961,667	2,222,523

**BENEFITS:**

Life Insurance 1.45%	23,326	32,227
Retirement - 30%	0	0
DB Ret. Adjustment for Austerity/Unpaid Holidays	0	0
401K DC Retirement - 4%	15	20
DC Ret. Adjustment for Austerity/Unpaid Holidays	26,569	33,409
Social Security - 6.2%	0	0
Medicare - 1.45%	121,623	137,796
Medicare Adjustment for Austerity/Unpaid Holidays	28,444	32,227
Subsistence	0	0
Health Insurance	0	0
Total Personnel Benefits	208,202	395,654
	408,165	631,313

**TOTAL FTEs, PERSONNEL COMPENSATION, & BENEFITS**

<b>50</b>	<b>\$2,369,832</b>	<b>54</b>	<b>\$2,853,835</b>
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**SUPERIOR COURT BUDGET JUSTIFICATION**

The Superior Court offers trial court services and document custodianships on Rota, Saipan, and Tinian. The requested amounts include the wages and salaries of the judges, chamber personnel, and staff of the Office of the Clerk of Court, the Office of Adult Probation and Supervision, the Family Court Division, and the Commonwealth Recorder's Office. Operational expenses are provided for in the budget categories for Account No. 1694, the Commonwealth Judiciary Administrative Office.

<b>61090</b>	<b>WAGES/SALARIES – CIVIL SERVICE SYSTEM</b>	<b>\$179,014</b>
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This amount covers the wages of 5 employees maintaining Civil Service status. Funds requested will help retain the necessary personnel for all trial court services on Saipan, Tinian, and Rota, as the Court maintains offices and holds regular sessions on these islands.

After examination of relevant statutory and regulatory considerations, the Judicial Council unanimously voted in January 2017 to request for funds to provide for a 10% increase in the salaries of its personnel. Reflected in the amount is a 10% salary increase for the 5 tenured employees in this category who are anticipated to meritoriously serve within the trial court. The total increase is \$9,312.

<b>61100</b>	<b>WAGES/SALARIES - UNGRADED</b>	<b>\$2,043,508</b>
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This amount covers the wages of 49 ungraded NOPs, comprised of the 5 Judge positions, 5 law clerks, a special assistant/deputy director of courts, a chamber administrator, 4 judicial assistants, 4 department heads, the other 25 existing NOPs, and 4 new NOPs.

Funds requested will help retain the necessary personnel for all trial court services on Saipan, Tinian, and Rota. Special and technical assistance is needed with case management, processing legal documents, assisting the public in stressful situations, providing courtroom support duties, performing legal research, etc.

Unfunded NOP: Of the 49 NOPs in this category, one NOP granted in FY 2016 was and remains unfunded. The amount includes funds for this position that is critical to the growing Family Court docket.

Unfunded FTEs for Office of the Clerk of Court and Family Court Division

No.	Title	Account	Total Salary	Total Salary and Benefits
1	Family Court Coordinator	1690	\$35,000	\$ 55,206
	<b>Total</b>		<b>\$35,000</b>	<b>\$ 55,206</b>

New NOPs: Of the 54 NOPs for the Superior Court, four (4) new NOPs are being requested and the amount to cover the applicable wages is included in this category.

Two of these NOPs are necessary to address the needs of the Office of the Clerk of Court and the Commonwealth Recorder's Office. Currently, due to lack of funding, the Recorder's Office is comprised of only one staff member—its manager. At least two Administrative Specialists are in urgent need to assist customers and handle document custodianship. Every day, clients walk into back room offices to access and view documents because the only staff member, the manager, needs to stay at the front of the office to address intake and customer traffic. Thus, no one supervises the back room when customers are there. This results in unfortunate incidents of important documents (land, commercial, etc.) being mishandled. On occasion where the manager is in the back offices, the front office is left without direct assistance, resulting in prolonged delays for other clients. The Recorder's Office has occasionally relied on student interns as added manpower, but that is not a sustainable solution in the long run. Additionally, the Recorder's Office needs manual labor to continue its ongoing project of scanning all documents to the database, which is important for the long-term sustainability and efficiency of the Office.

**New FTEs for Commonwealth Recorder's Office**

No.	Title	Account	FY 2018 Salary	FY 2018 Total Salary and Benefits
1	Administrative Specialist I (Saipan)	1690	\$20,000	\$39,241
2	Administrative Specialist I (Saipan)	1690	\$20,000	\$39,241
<b>Total</b>			<b>40,000</b>	<b>76,482</b>

The 2 other NOPs are also being requested to supplement the adult probation and supervision services. Probation officers are responsible for probation administration, pre-trial release supervision, conducting indigent and restitution assessment, appearing in court, executing probation bench warrants, conducting drug testing, visiting homes, providing rehabilitation referrals, and furnishing victim services.

The Office of Adult Probation and Supervision (OAPS) has and continues to be understaffed. Currently, the OAPS has 11 probation officers, including the Chief, tending to voluminous caseloads. The new NOPs are needed to provide the human resource support to adequately operate and secure all units in probation on all three islands. A sufficient number of staffs are needed to supervise hundreds and thousands of offenders in the community, as well as providing needed rehabilitation treatment. Insufficient staff, on the other hand, strains employees and causes backlogs.

**New Law Enforcement FTEs**

No.		Account	Salary	Salary and Benefit
1	Probation Officer II	1690	\$ 26,131	45,175
2	Probation Officer III	1690	\$ 27,437	46,652
<b>Total</b>			<b>\$ 53,568</b>	<b>\$ 91,827</b>

Also included in the amount requested in this category is the 10% increase of staff salaries totaling \$119,267. Most of our staff positions have not had an increase for many years, despite increased workloads for many and concurrent rise in minimum wage. We aim to attract, hire, and retain well-qualified and competent employees by providing competitive pay for exemplary service and performance. The lack of funding for salary, however, has created a real concern for turnover and recruitment—employees have actually left the Judiciary for jobs elsewhere.

Judiciary staff salaries fall consistently below salaries at other governmental entities and average salaries for other state courts.

We have many faithful, dedicated staff members who work tirelessly and selflessly for the Judiciary's patrons. Many take on additional duties due to vacancies, unfunded positions, and lack of alternate resources. A 10% increase, supported by the Judicial Council at its January 2017 meeting, is long-overdue and sufficient funds are requested.

<b>61180</b>	<b>PERSONNEL INSURANCE</b>	<b>\$32,227</b>
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This amount covers the employer's mandatory contribution to the select life insurance carrier for the group plan administered through the Group Health & Life Insurance Trust Fund. The cost is based on the projected selection per individual and calculated as a percentage (1.45%) of base pay.

<b>61195</b>	<b>RETIREMENT CONTRIBUTION (401K DC PLAN)</b>	<b>\$33,409</b>
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This amount covers the employer's contribution to the Defined Contribution (DC) Retirement Plan administered through ASC Trust Corporation. The figure is based on 4% of the total base salaries of 20 NOPs who are forecasted to continue opting for this benefit.

<b>61196</b>	<b>SOCIAL SECURITY</b>	<b>\$137,796</b>
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This amount covers the mandatory employer's contribution for Social Security and is based on 6.2% of the total salaries for the 54 NOPs.

<b>61210</b>	<b>HEALTH INSURANCE PREMIUM</b>	<b>\$395,654</b>
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This amount covers the employer's contribution for employee enrollment in the group health policy with Aetna International. The policy is administered through the Group Health & Life Insurance Trust Fund. Calculations were based on the new rates for coverage that were announced on December 19, 2016. Effective January 1, 2017 to December 31, 2017, the employer's contribution for employees' options are:

EMPLOYER'S CONTRIBUTION	HIGH OPTION		LOW OPTION		BASIC	
	Per Pay Period	Per Year	Per Pay Period	Per Year	Per Pay Period	Per Year
Employee	187.75	4,882	187.75	4,882	187.75	4,882
Employee + Spouse/Dependent	384.88	10,007	384.88	10,007	384.88	10,007
Employee + Dependents	600.79	15,621	600.79	15,621	600.79	15,621

The amount reflects the projected cost for 34 NOPs' enrollment.

<b>61220</b>	<b>MEDICARE CONTRIBUTION</b>	<b>\$32,227</b>
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This amount covers the employer's mandatory contribution for the 54 NOPs to the Medicare program, which is currently based at 1.45%.

<b>62070</b>	<b>PUBLIC AUDITOR'S FEE</b>	<b>\$28,538</b>
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This amount covers the mandated 1% allocation from the total budget amount for the public auditor's fee. This requirement is mandated by CNMI law.

**DRUG COURT OPERATING EXPENDITURE WORKSHEET**

<b>Branch:</b>	Judicial Branch
<b>Activity:</b>	Drug Court
<b>Bus. Unit:</b>	1695

<b>Class Code</b>	<b>Object Classification</b>	<b>2017 Request</b>	<b>2017 Budget PL19-68</b>	<b>2018 Request</b>
<b>a. PERSONNEL</b>				
61090	WAGES/SALARIES - CSC	0		0
61100	WAGES/SALARIES - UNG	160,000		259,800
61110	OVERTIME COMPENSATION			
<b>b. FRINGE BENEFITS</b>				
61180	PERSONNEL INSURANCE	2,320		3,767
61190	RETIREMENT CONTRIBUTION			
61195	401k DC RET. EMPLR. CONTR.	6,400		10,392
61196	FICA @ 6.20%	9,920		16,108
61200	SUBSISTENCE			
61210	HEALTH INSURANCE PREMIUM	42,689		82,255
61220	MEDICARE CONTRIBUTION	2,320		3,767
61260	HOLIDAY PAY			
61299	PERSONNEL APPROPRIATION		267,289	
61700	COMPACT IMP REIMB-PERSONNEL			
<b>c. TOTAL PERSONNEL</b>				
	<b>Total Personnel</b>	\$223,649	\$267,289	\$376,089
	<b>Number of Positions</b>	4	5	7
<b>d. TRAVEL</b>				
62500	TRAVEL			8,710
62500.10	TRANSPORTATION			
62500.20	PER DIEM			
62500.30	SUBSISTENCE			
62500.40	REGISTRATION			
	<b>TOTAL TRAVEL</b>	0	0	8,710
<b>e. EQUIPMENT</b>				
63120	EQUIPMENT UNDER \$5000			
64540	MACHINERY, TOOLS & EQUIPMENT			
64550	COMPUTER SYSTEM & EQUIPMENT			5,000
64560	OFFICE EQUIPMENT	10,400		
64570	OFFICE FURNITURE & FIXTURES			10,000
64580	VEHICLES-PUB.SVC & ADMIN.			
	<b>TOTAL EQUIPMENT</b>	10,400	0	15,000
<b>f. SUPPLIES</b>				
63010	BOOKS & LIBRARY MATERIALS	5,000		
63020	FOOD ITEMS			
63030	FUEL & LUBRICATIONS			
63040	SUPPLIES-OFFICE	5,000		1,000
63050	SUPPLIES-OPERATION			5,000

	<b>TOTAL SUPPLIES</b>	10,000	0	6,000
<b>g. CONTRACTUAL</b>				
62060	PROFESSIONAL SERVICES	50,000		26,000
62080	ADVERTISING			
62090	RECRUITMENT & REPATRIATION			
62250	COMMUNICATIONS			
62260	DUES AND SUBSCRIPTIONS			
62280	INSURANCE			1,500
62300	PRINTING & PHOTOCOPYING			
62440	RENTAL-OFFICE			
62460	RENTAL-OFFICE EQUIPMENT			
62470	RENTAL-HEAVY EQUIPMENT			
62480	RENTAL-OTHERS			
62660	REPAIRS & MAINTENANCE			
62680	FREIGHT & HANDLING			
62690	PERSONNEL TRAINING COSTS	20,000		15,000
62700	STORAGE & HANDLING			
62750	CLEANING SERVICES			
	<b>TOTAL CONTRACTUAL</b>	70,000	0	42,500
<b>h. CONSTRUCTION</b>				
64050	BUILDING & IMPROVEMENTS			
64280	ARCHITECTUAL & ENGINEERING			
64290	PROJECT INSPECTION			
64320	CONSTRUCTION			
64340	CONTINGENCIES			
64420	DEMOLITION & REMOVAL			
64520	IMPROVEMENTS			
	<b>TOTAL CONSTRUCTION</b>	0	0	0
<b>i. OTHER</b>				
62050	OFFICIAL REPRESENTATION			
62240	BANK CHARGES			
62290	LICENSES & FEES			
62670	ALL OTHERS (BUDGET ONLY)		93,977	
62710	UTILITIES-POWER			
62720	UTILITIES-WATER			
64250	ADMIN & LEGAL EXPENSE			
65400	SCHOLARSHIPS AND GRANTS			
65600	CONTRIBUTIONS AND DONATIONS			
65700	COMPACT IMP REIMB-ALL OTHER			
65800	TRANSFERS OUT-GOV'T AGENCY			
	<b>TOTAL OTHERS</b>	0	93,977	0
<b>j. TOTAL "ALL OTHERS" (sum of d to i)</b>		<b>\$90,400</b>	<b>\$93,977</b>	<b>\$72,210</b>
<b>Subtotal Personnel and All Others (sum of c &amp; j)</b>		<b>\$314,049</b>	<b>\$361,266</b>	<b>\$448,299</b>
62070	Public Auditor 1% Fee	3,140		4,483
<b>k. GRAND TOTAL</b>		<b>\$317,189</b>	<b>\$361,266</b>	<b>\$452,782</b>

**DRUG COURT OPERATING PERSONNEL SERVICE WORKSHEET**

Branch: CNMI Judicial Branch  
 Division/Activity: Drug Court  
 Business Unit: 1695

PID#	Position Title	Incumbent	**FY17 PAY LEVEL **				**FY18 Request**			
			Emp Stat	Grade Step	Base Salary	Ret Plan	Emp Stat	Grade Step	Base Salary	Ret Plan

1	Drug Court Manager	Kabua, TaAnn T.	ESC	UNG	50,000	DC	ESC	UNG	55,000	DC
2	Caseworker I	Mendiola, Jaclyn T.	ESC	UNG	40,000	DC	ESC	UNG	44,000	DC
3	Caseworker I	VACANT VICE: Atalig, Francine P.	ESC	UNG	40,000	DC	ESC	UNG	44,000	DC
4	Community Supervision Provider	VACANT VICE: Bermudes, Matilde H.	ESC	UNG	30,000	DC	ESC	UNG	33,000	DC
5	Compliance Specialist	VACANT	ESC	UNG	28,000	DC	ESC	UNG	30,800	DC
6	Administrative Officer	NEW					ESC	UNG	28,000	DC
7	Deputy Clerk II	NEW					ESC	UNG	25,000	DC

Elected (ELT)	0	0	0	0
Appointed (APT)	0	0	0	0
Excepted Service Contracts (ESC)	5	188,000	7	259,800
Limited Term Appointments	0	0	0	0
Ungraded (LTU)	0	0	0	0
Civil Service (CS)	0	0	0	0
Limited Term Appointments Graded (LTG)	0	0	0	0

**WAGES &  
OTHERS:**

Wages Civil Service (61090)	0	0
Wages Ungraded (61100)	188,000	259,800
Wages Adjustment for Austerity/Unpaid Holidays	0	0
Overtime	0	0
Differentials	0	0
Total Wages & Others	188,000	259,800

**BENEFITS:**

Life Insurance 1.45%	2,726	3,767
Retirement - 30%	0	0
DB Ret. Adjustment for Austerity/Unpaid Holidays	0	0
401K DC Retirement - 4%	7,520	10,392
DC Ret. Adjustment for Austerity/Unpaid Holidays	0	0
Social Security - 6.2%	11,656	16,108
Medicare - 1.45%	2,726	3,767
Medicare Adjustment for Austerity/Unpaid Holidays	0	0
Subsistence	0	0
Health Insurance	51,013	82,255
Total Personnel Benefits	75,641	116,289

**TOTAL FTEs, PERSONNEL COMPENSATION, &  
BENEFITS**

5	7	\$376,089
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## DRUG COURT BUDGET JUSTIFICATION

The CNMI Judiciary and government at large have recognized the need to have a drug court program to address the epidemic drug abuse problem in CNMI. To address the problem in a systematic approach, a drug task force consisting of professionals directly handling such cases has been created. Through discussions and meetings, founders and planners of the drug court have agreed to employ an evidence-based, rehabilitative approach as an alternative to incarceration for offenders exhibiting high levels of drug use severity who would benefit from an intensive treatment program.



Judge Teresa K. Kim-Tenorio (third from left) poses with CNMI Drug Court staff and partners after a drug court hearing on February 2, 2017. From left: Dept. of Corrections Commissioner Gerogia Cabrera, Community Guidance Center's Ed Camacho, Judge Kim-Tenorio, Northern Marianas College Intern Alvin Tagabuel, Assistant Public Defender Cindy Nesbit, Drug Court Case Worker Jaclyn T. Mandiola, Drug Court Manager TaAnn Kabua, Assistant Attorney General Chester Hinds, Superior Court Law Clerk Jackie Nicolas, and Superior Court Deputy Clerk Kistly Diaz. Not in photo are Dept. of Public Safety representatives Lt. Paul Ogumoro and Police Officer Fred Sato.

61100

WAGES/SALARIES – UNGRADED

\$259,800

The amount is to cover the wages of 5 existing and 2 new NOPs. Development of the Drug Court infrastructure will require a full staff. As such, the following new NOPs are requested:

**Administrative Officer:** New NOPs are requested to assist Drug Court's priorities in 2018 to fully expand services to Rota and Tinian and to include services for other co-occurring disorders would otherwise affect the treatment effectiveness. Full expansion of Drug Court services will help ensure evidence-based, effective treatment is provided to participants. Expansion efforts will require increased staffing, as our current staff members already have a full caseload. We currently do not have an administrative officer and are in need of one. The Administrative Officer, with knowledge of private insurance and Medicaid billing systems, codes, eligibility rules and related regulations, will assist with computer data entry, general office routines, record keeping and filing systems necessary to support funding proposals.

**Deputy Clerk II:** This proposed NOP will work closely with Drug Court Manager to coordinate Court activities including scheduling of Drug Court staffing and hearing, helping to balance the work load for the manager and to help ensure smooth operation of the drug court program. The Deputy Clerk will be responsible to document hearings, complete orders, and develop other reports (i.e. Drug Court Memorandum) as ordered by the Drug Court Judge. He/she will be responsible for the Drug Court docket and ensure all team members are provided a monthly calendar. Further, NOP will coordinate all referrals from Rota and Tinian.

<b>61180</b>	<b>PERSONNEL INSURANCE</b>	<b>3,767</b>
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This amount covers the employer's mandatory contribution to the select life insurance carrier for the group plan administered through the Group Health & Life Insurance Trust Fund. The cost is based on the projected selection per individual and calculated as a percentage (1.45%) of base pay.

<b>61195</b>	<b>RETIREMENT CONTRIBUTION (401K PLAN)</b>	<b>\$10,392</b>
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This amount covers the employer's contribution to the Defined Contribution (DC) Retirement Plan administered through ASC Trust Corporation. The figure is based on 4% of the total base salaries of 7 NOPs who are forecasted to continue opting for this benefit.

<b>61196</b>	<b>SOCIAL SECURITY</b>	<b>\$16,108</b>
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This amount covers the mandatory employer's contribution for Social Security and is based on 6.2% of the total salaries for the 7 NOPs.

<b>61210</b>	<b>HEALTH INSURANCE PREMIUM</b>	<b>\$82,255</b>
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This amount covers the employer's contribution for employee enrollment in the group health policy with Aetna International. The policy is administered through the Group Health & Life Insurance Trust Fund. Calculations were based on the new rates for coverage that were announced on December 19, 2016. Effective January 1, 2017 to December 31, 2017, the employer's contribution for employees' options are:

EMPLOYER'S CONTRIBUTION	HIGH OPTION		LOW OPTION		BASIC	
	Per Pay Period	Per Year	Per Pay Period	Per Year	Per Pay Period	Per Year
Employee	187.75	4,882	187.75	4,882	187.75	4,882
Employee + Spouse/Dependent	384.88	10,007	384.88	10,007	384.88	10,007
Employee + Dependents	600.79	15,621	600.79	15,621	600.79	15,621

The amount reflects the projected cost for 7 NOPs' enrollment.

<b>61220</b>	<b>MEDICARE CONTRIBUTION</b>	<b>\$3,767</b>
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This amount covers the employer's mandatory contribution for the 7 NOPs to the Medicare program, which is currently based at 1.45%.

<b>62060</b>	<b>PROFESSIONAL SERVICES</b>	<b>\$26,000</b>
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This amount covers \$10,000 for court-appointed services for indigent defense and \$16,000 for ancillary trainings and housing for participants.

The ancillary services (job & educational trainings, housing, childcare, etc.,) component of this therapeutic court is from evidence-based practices. The program will coordinate each client with community resources such as the Northern Marianas Trades Institute and Housing Corporation. Each participant's needs will be assessed in Phase I of the program. Of the existing participants, two were homeless prior to entering the program, and at least four require housing services. The Drug Court will offer minimum of 3 months housing assistance, while Caseworkers work closely with homeless participants to secure permanent housing. Two of the participants require job training due to lack of prior experience. Therefore, the program requests funds to support housing, training, and other ancillary services for the participants. The following estimates include training for all 40 participants and housing support for at least 10 participants.

Training (job, skills, etc.): \$10,000

Housing: \$200 per month, 3 months x 10 participants = \$6000

**Total: \$16,000**

<b>62070</b>	<b>PUBLIC AUDITOR'S FEE 1%</b>	<b>\$4,483</b>
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This amount covers the mandated 1% allocation from the total budget amount for the public auditor's fee. This requirement is mandated by CNMI law.

<b>62280</b>	<b>INSURANCE</b>	<b>\$1,500</b>
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Funds are requested to cover insurance coverage for Drug Court vehicles.

<b>62500</b>	<b>TRAVEL</b>	<b>\$8,710</b>
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Out of State Travel: Funds are requested for each member of the CNMI Drug Court Team to attend specialized training off island. Team members include Drug Court Judge and staff. Representatives from other agencies are also required to attend at least one training per year. Estimated costs are listed below for only two (2) members of the team. CNMI DCP will actively seek federal funding to cover other members.

Airfare: \$2500 x 2 people = \$5,000

Per Diem: \$250/day x 2 people x 7 days = \$3,500

Grounds: \$15/day x 2 people x 7 days = \$210

**Total: \$8,710**

<b>62690</b>	<b>PERSONNEL TRAINING COST</b>	<b>\$15,000</b>
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The Drug Court manager, caseworkers and staff need to be properly trained to provide best practices and procedures, as well as effective and cost-effective treatment. Funds are requested to continue substance abuse certification courses for Caseworkers, maintain certifications for screening tools (SASSI and RANT), and Moral Recognition Training for CNMI DCP staff, team members, and treatment providers.

<b>63040</b>	<b>SUPPLIES – OFFICE</b>	<b>\$1,000</b>
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The requested funds will cover the cost of office supplies needed for daily office operations, such as pens, notepads, paper, folders, binders, paperclips, envelopes, sticky notes, etc.

<b>63050</b>	<b>SUPPLIES – OPERATIONS</b>	<b>\$5,000</b>
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CNMI DCP treatment services require rewarding positive behaviors through incentives. Funds will be used to purchase incentives such as tools, vouchers, sports equipment, and so forth. Purchases for incentives will not exceed \$1,000. Remaining funds will be used for other operational needs such as rapid testing kits (i.e. HIV/STD and drug testing kits). Funds could also be used for educational and outreach materials.

<b>64550</b>	<b>COMPUTER SYSTEMS &amp; EQUIPMENT</b>	<b>\$5,000</b>
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This is to cover the cost of new computer systems for additional NOPs. Equipment and software will be purchased with requested funds.

<b>64570</b>	<b>OFFICE FURNITURE &amp; FIXTURES</b>	<b>\$10,000</b>
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This is to cover the cost of two (2) sets of furniture and fixtures for the additional NOPs.

**JUDICIARY ADMINISTRATIVE OFFICE OPERATING EXPENDITURE WORKSHEET**

<b>Branch:</b>	Judicial Branch
<b>Activity:</b>	Judiciary Administrative Office
<b>Bus. Unit:</b>	1694

<b>Class Code</b>	<b>Object Classification</b>	<b>2017 Request</b>	<b>2017 Budget PL19-68</b>	<b>2018 Request</b>
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**a. PERSONNEL**

61090	WAGES/SALARIES - CSC	52,664		55,648
61100	WAGES/SALARIES - UNG	849,924		975,908
61110	OVERTIME COMPENSATION			

**b. FRINGE BENEFITS**

61180	PERSONNEL INSURANCE	13,088		14,958
61190	RETIREMENT CONTRIBUTION			
61195	401k DC RET. EMPLR. CONTR.	55,960		25,633
61196	FICA @ 6.20%	21,930		63,956
61200	SUBSISTENCE			
61210	HEALTH INSURANCE PREMIUM	190,281		279,957
61220	MEDICARE CONTRIBUTION	13,088		14,958
61260	HOLIDAY PAY			
61299	PERSONNEL APPROPRIATION		658,176	
61700	COMPACT IMP REIMB-PERSONNEL			

**c. TOTAL PERSONNEL**

<b>Total Personnel</b>	\$1,196,935	\$658,176	\$1,431,018
<b>Number of Positions</b>	29	20	32

**d. TRAVEL**

62500	TRAVEL	33,066		50,000
62500.10	TRANSPORTATION			
62500.20	PER DIEM			
62500.30	SUBSISTENCE			
62500.40	REGISTRATION			

<b>TOTAL TRAVEL</b>	33,066	0	50,000
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**e. EQUIPMENT**

63120	EQUIPMENT UNDER \$5000			
64540	MACHINERY, TOOLS & EQUIPMENT			243,770
64550	COMPUTER SYSTEM & EQUIPMENT	59,500		82,000
64560	OFFICE EQUIPMENT	10,000		20,000
64570	OFFICE FURNITURE & FIXTURES	1,500		1,500

64580	VEHICLES-PUB.SVC & ADMIN.	73,000		125,000
	<b>TOTAL EQUIPMENT</b>	144,000	0	472,270
<b>f. SUPPLIES</b>				
63010	BOOKS & LIBRARY MATERIALS	2,000		2,000
63020	FOOD ITEMS	10,000		10,000
63030	FUEL & LUBRICATIONS	51,200		50,000
63040	SUPPLIES-OFFICE	16,700		27,500
63050	SUPPLIES-OPERATION	38,000		29,384
	<b>TOTAL SUPPLIES</b>	117,900	0	118,884
<b>g. CONTRACTUAL</b>				
62060	PROFESSIONAL SERVICES	272,950		295,000
62080	ADVERTISING	2,000		5,500
62090	RECRUITMENT & REPATRIATION	24,000		24,000
62250	COMMUNICATIONS	78,000		85,000
62260	DUES AND SUBSCRIPTIONS	56,500		26,500
62280	INSURANCE			11,000
62300	PRINTING & PHOTOCOPYING	4,000		5,500
62440	RENTAL-OFFICE			
62460	RENTAL-OFFICE EQUIPMENT			
62470	RENTAL-HEAVY EQUIPMENT			
62480	RENTAL-OTHERS			
62660	REPAIRS & MAINTENANCE	583,168		255,908
62680	FREIGHT & HANDLING	2,600		500
62690	PERSONNEL TRAINING COSTS	103,000		75,000
62700	STORAGE & HANDLING			
62750	CLEANING SERVICES	40,000		50,000
	<b>TOTAL CONTRACTUAL</b>	1,166,218	0	833,908
<b>h. CONSTRUCTION</b>				
64050	BUILDING & IMPROVEMENTS			
64280	ARCHITECTUAL & ENGINEERING			
64290	PROJECT INSPECTION			
64320	CONSTRUCTION			
64340	CONTINGENCIES			
64420	DEMOLITION & REMOVAL			
64520	IMPROVEMENTS			
	<b>TOTAL CONSTRUCTION</b>	0	0	0
<b>i. OTHER</b>				
62050	OFFICIAL REPRESENTATION	10,000		5,000
62240	BANK CHARGES	500		500
62290	LICENSES & FEES	1,000		1,000

62670	ALL OTHERS (BUDGET ONLY)		787,794	
62710	UTILITIES-POWER	806,000	586,569	650,000
62720	UTILITIES-WATER			
64250	ADMIN & LEGAL EXPENSE			
65400	SCHOLARSHIPS AND GRANTS			
65600	CONTRIBUTIONS AND DONATIONS			
65700	COMPACT IMP REIMB-ALL OTHER			
65800	TRANSFERS OUT-GOV'T AGENCY			
<b>TOTAL OTHERS</b>		<b>817,500</b>	<b>1,374,363</b>	<b>656,500</b>
<b>j. TOTAL "ALL OTHERS" (sum of d to i)</b>		<b>\$2,278,684</b>	<b>\$1,374,363</b>	<b>\$2,131,562</b>
<b>Subtotal Personnel and All Others (sum of c &amp; j)</b>		<b>\$3,475,619</b>	<b>\$2,032,539</b>	<b>\$3,562,580</b>
62070	Public Auditor 1% Fee	35,107		35,626
<b>k. GRAND TOTAL</b>		<b>\$3,510,726</b>	<b>\$2,032,539</b>	<b>\$3,598,206</b>

**JUDICIARY ADMINISTRATIVE OFFICE PERSONNEL SERVICE WORKSHEET**

**Branch:** CNMI Judicial Branch  
**Division/Activity:** Judiciary Administrative Office  
**Business Unit:** 1694

PID#	Position Title	Incumbent	**FY17 PAY LEVEL**				**FY18 Request**			
			Emp Stat	Grade	Step	Base Salary	Ret Plan	Emp Stat	Grade	Step

<b>Administration</b>										
1	9047001	Budget and Finance Director		Villagomez, John T.	ESC	UNG	50,000	ESC	UNG	55,000
2	9808001	Administrative Officer		Stowell, James William	ESC	UNG	35,000	ESC	UNG	38,500
3	8969001	Building Superintendent		Weaver, Gerald E.	ESC	UNG	35,000	DC	ESC	38,500
4	8970001	Bldg & Ground Maint Worker		Babauta, Raymond C.	ESC	UNG	20,000	ESC	UNG	22,000
5	8942002	Systems Administrator		Villacrusis, Michael C.	ESC	UNG	50,000	DC	ESC	55,000
6	1955002	Computer Specialist		Demapan, John Jerome B.	ESC	UNG	20,000	ESC	UNG	22,000
7	1484001	Human Resources/Adm Officer		Guerrero, Michelle V.	ESC	UNG	35,000	ESC	UNG	38,500
8	0023028	Administrative Assistant		Cabrera, Steven S.	CS	20/08	20,234	CS	20/10	22,303

<b>Marshal Services Division</b>										
9	1304001	Deputy Marshal IV		Ogo, Joseph M., Jr.	ESC	UNG	26,131	ESC	UNG	28,745
10	1310001	Deputy Marshal III		Santos, Jesus S.	CS	27/10	30,248	CS	27/12	33,345
11	1309001	Deputy Marshal II		VACANT VICE: Lisua, Benusto M.	ESC	UNG	18,585	ESC	UNG	20,444
12	1305001	Deputy Marshal I		Pangelinan, Dustin Jon B.	ESC	UNG	16,652	ESC	UNG	18,317
13	1305004	Deputy Marshal I		Serrano, Cindy D.	ESC	UNG	16,652	ESC	UNG	18,317
14	1305003	Deputy Marshal I		Segotier, Roemar M.	ESC	UNG	16,652	DC	ESC	18,317
15	1305005	Deputy Marshal I (Tinian)		Conner, Marlon S.	ESC	UNG	16,652	ESC	UNG	18,317
16	1306001	Deputy Marshal I		Salas, Alvin	ESC	UNG	16,652	ESC	UNG	18,317
17	1306003	Deputy Marshal I		Manglona, Joshua	ESC	UNG	16,652	ESC	UNG	18,317
18	1306002	Deputy Marshal I (Rota)		Atalig, Donovan M.	ESC	UNG	16,652	ESC	UNG	18,317

19	FY 2017	VACANT	ESC	UNG	20,000	DC	ESC	UNG	22,000	DC
20	FY 2017	VACANT	ESC	UNG	20,000	DC	ESC	UNG	22,000	DC
<b>FY 2018 New</b>										
21	Director of Courts	NEW					ESC	UNG	70,000	DC
22	Deputy Director of Courts for Administration	NEW					ESC	UNG	65,000	DC
23	General Counsel	NEW					ESC	UNG	65,000	DC
24	Staff Attorney	NEW					ESC	UNG	65,000	DC
25	Grants Writer	NEW					ESC	UNG	30,000	DC
26	Limited English Proficiency (LEP) Coordinator	NEW					ESC	UNG	30,000	DC
27	Human Resource (HR) Specialist	NEW					ESC	UNG	25,000	DC
28	Computer Specialist	NEW					ESC	UNG	20,000	DC
29	Building and Grounds Maintenance Worker	NEW					ESC	UNG	25,000	DC
30	Chief Marshal	NEW					ESC	UNG	50,000	DC
31	Deputy Marshal I	NEW					ESC	UNG	20,000	DC
32	Deputy Marshal I	NEW					ESC	UNG	20,000	DC

<b>Elected (ELT)</b>	0	0	0	0
<b>Appointed (APT)</b>	0	0	0	0
<b>Excepted Service Contracts (ESC)</b>	18	446,280	30	975,908
<b>Limited Term Appointments Ungraded (LTU)</b>	0	0	0	0
<b>Civil Service (CS)</b>	2	50,482	2	55,648
<b>Limited Term Appointments Graded (LTG)</b>	0	0	0	0

**WAGES & OTHERS:**

<b>Wages Civil Service (61090)</b>	50,482	55,648
<b>Wages Ungraded (61100)</b>	446,280	975,908
<b>Wages Adjustment for Austerity/Unpaid Holidays</b>	0	0
<b>Overtime</b>	0	0

Differentials	0	0	
Total Wages & Others	496,762	1,031,556	
<b>BENEFITS:</b>			
Life Insurance 1.45%	7,203	14,958	
Retirement - 30%	0	0	
DB Ret. Adjustment for Austerity/Unpaid Holidays	0	0	
401K DC Retirement - 4%	5	17	
DC Ret. Adjustment for Austerity/Unpaid Holidays	5,666	25,633	
Social Security - 6.2%	0	0	
Medicare - 1.45%	30,799	63,956	
Medicare Adjustment for Austerity/Unpaid Holidays	7,203	14,958	
Subsistence	0	0	
Health Insurance	92,505	279,957	
Total Personnel Benefits	143,376	398,461	

TOTAL FTEs, PERSONNEL COMPENSATION, & BENEFITS

20	\$640,139	32	\$1,431,018
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**JUDICIARY ADMINISTRATIVE OFFICE BUDGET JUSTIFICATION**

The Commonwealth Judiciary Administrative Office (“CJAO”) oversees the administrative functions and operations of the courts on Saipan, Rota, and Tinian. Accordingly, this office must be staffed to assist the Chief Justice and the Presiding Judge in their administrative responsibilities. This office is tasked with implementing the Judicial Council’s policies and strategic plans.

The budget includes the wages and salaries of the Director of Courts and various administrative support personnel in 7 divisions: Administrative Services, Human Resource, Grants Management, Marshal Services Division, Building and Grounds Maintenance, Information Systems, and the anticipated Office of the General Counsel.

<b>61090</b>	<b>WAGES/SALARIES – CIVIL SERVICE</b>	<b>\$55,648</b>
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This amount covers the wages and salaries of two full-time Civil Service employees assigned to the JAO. Reflected in the amount is a 10% salary increase for the 2 tenured employees in this category who are anticipated to meritoriously serve within the JAO. After examination of relevant statutory and regulatory considerations, the Judicial Council unanimously voted in January 2017 to request for funds to provide for a 10% increase in the salaries of its personnel. The total increase is \$2,984.

<b>61100</b>	<b>WAGES/SALARIES – UNGRADED</b>	<b>\$975,908</b>
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This amount is requested to maintain the annual wages of 30 NOPs and includes a 10% proposed increase for tenured and dedicated staff. The NOPs consist of 18 existing and 12 new positions.

Many of our divisions are understaffed. Some of the JAO’s divisions — Information Systems Unit, Human Resources—are a one-person team. The lack of funding has left some positions vacant—such as the Direct of Courts, Deputy Director of Courts, General Counsel, Chief Marshal, and Staff Attorney—resulting in other employees having to take on substantial additional workload, which in turn causes backlogs. Each of the 12 requested NOPs for the JAO are critical to the overall administrative functions of the Judiciary and are essential to access to justice programs. The justification for each requested position is provided in page nine (9) of the Executive Summary.

<b>61180</b>	<b>PERSONNEL INSURANCE</b>	<b>\$14,958</b>
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This amount covers the employer’s mandatory contribution to the select life insurance carrier for the group plan administered through the Group Health & Life Insurance Trust Fund. The cost is based on the projected selection per individual and calculated as a percentage (1.45%) of base pay.

<b>61195</b>	<b>RETIREMENT CONTRIBUTION (401K DC PLAN)</b>	<b>\$25,633</b>
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This amount covers the employer's contribution to the Defined Contribution (DC) Retirement Plan administered through ASC Trust Corporation. The figure is based on 4% of the total base salaries of 17 employees who are forecasted to continue opting for this benefit.

<b>61196</b>	<b>SOCIAL SECURITY</b>	<b>\$63,956</b>
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This amount covers the mandatory employer's contribution for Social Security and is based on 6.2% of the total salaries for the 32 NOPs.

<b>61210</b>	<b>HEALTH INSURANCE PREMIUM</b>	<b>\$279,957</b>
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This amount covers the employer's contribution for employee enrollment in the group health policy with Aetna International. The policy is administered through the Group Health & Life Insurance Trust Fund. Calculations were based on the new rates for coverage that were announced on December 19, 2016. Effective January 1, 2017 to December 31, 2017, the employer's contribution for employees' options are:

EMPLOYER'S CONTRIBUTION	HIGH OPTION		LOW OPTION		BASIC	
	Per Pay Period	Per Year	Per Pay Period	Per Year	Per Pay Period	Per Year
Employee	187.75	4,882	187.75	4,882	187.75	4,882
Employee + Spouse/Dependent	384.88	10,007	384.88	10,007	384.88	10,007
Employee + Dependents	600.79	15,621	600.79	15,621	600.79	15,621

The amount reflects the projected cost for 19 NOPs' enrollment.

<b>61220</b>	<b>MEDICARE CONTRIBUTION</b>	<b>\$14,958</b>
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This amount covers the employer's mandatory contribution for the 32 NOPs to the Medicare program, which is currently based at 1.45%.

<b>62050</b>	<b>OFFICIAL REPRESENTATION</b>	<b>\$5,000</b>
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This amount covers expenses associated with the constitutional and statutory duties of the Offices of the Chief Justice and the Presiding Judge, which include promoting public interest and goodwill in topics central to the CNMI justice system. Off-island visitors/guest programs, inter-island judicial exchanges, inter-agency functions, and other judiciary-hosted projects, such as the mock trial academy and the island-wide mock trial event, are some of the costs covered under this request.

<b>62060</b>	<b>PROFESSIONAL SERVICES</b>	<b>\$295,000</b>
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The Professional Services budget category is one of the most important budget line items for the Commonwealth Judiciary. These funds are necessary to cover the costs of court-ordered services in connection with trial and appellate court activities, including: (1) the costs of prosecutors appointed to sit in judicial discipline cases, (2) expenses incurred for paternity testing, (3) pre-trial proceedings in Family Court cases, (4) fees for jury panel services for Rota, Tinian, and Saipan, (5) costs of legal defense counsel for indigent individuals, (6) costs of Pro Tem Judges and Justices, (7) costs of professional services that support the Judiciary's court case management system, (8) costs of online legal research, (9) transcription service, (10) cost to upgrade, maintain, and repair IT equipment, and (11) cost to procure services for the digitization of the Judiciary's building plans.

Indigent Defense: Indigent defense fees and associated costs have historically been the biggest operational cost for the Judiciary. The requested amount covers the continuing costs of court-ordered services, including the legal defense of indigent clients. The Judiciary has previously incurred and will continue to incur the following costs in FY 2017: court-appointed counsel, court-appointed translators, expert/psychiatrist fees, investigative fees, and jury costs for court-appointed defense cases.

As a financial austerity measure, in FY 2012, the Judiciary partnered with the NMI Bar Association to create a Conflicts Counsel program. Before the implementation of this program, cases were assigned to various attorneys and fees were assessed on a per hour basis, which resulted in higher indigent appointment costs for the Judiciary. The Conflicts Counsel program lowers costs, decreases time spent on administrative tasks, and increases efficiency by assigning the majority of criminal cases and their associated costs to one entity. This program was discontinued in 2013 due to lack of funding. The Judiciary seeks to restore the Conflicts Counsel program, but needs to ensure that outstanding balances and counsels that are currently representing indigent defendants will be paid. Funding of indigent defense is vital.

Transcription: Indigent parties in criminal and certain civil actions rely on the Judiciary to transcribe and prepare trial court proceeding transcripts, including transcripts necessary for appeal to the Supreme Court. In FYs 2016 and 2017, we outsourced these transcription services due to inadequate staffing. In FY 2018 we will continue to outsource transcription services to ensure that transcripts will, in the interest of justice, be timely produced for appeals. Requiring our overburdened staff to attempt to timely produce transcripts and adequately attend to other duties is untenable. Transcription services for FY 2018 are expected to be \$ 25,000.

IT Equipment: \$25,500 of the funds requested under this account will cover IT-related professional services, including Laserfiche Web Access, Laserfiche Forms, Justware Business Intelligence, and Cisco Router Maintenance.

JustWare aids in the management of processes unique to the legal services industry. JustWare performs a variety of functions, including the provision of reports, business rules, automated documents, and screens configured to match the Judiciary's processes. The Judiciary seeks \$10,000 for JustWare support and services.

62070

PUBLIC AUDITOR'S FEE

\$35,626

This amount covers the mandated 1% allocation from the total budget amount for the public auditor's fee. This requirement is mandated by CNMI law.

<b>62080</b>	<b>ADVERTISING</b>	<b>\$5,500</b>
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This amount is requested to comply with existing laws that mandate public announcements for bids, requests for proposals, personnel vacancies and judicial public notices.

<b>62090</b>	<b>RECRUITMENT &amp; REPATRIATION</b>	<b>\$24,000</b>
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The Judiciary seeks \$24,000 to cover the cost of recruiting and repatriating Supreme and Superior Court Law Clerks. The Judiciary must be able to recruit capable law clerks. The geographical location of the CNMI makes recruiting law clerks especially challenging. Law clerks are hesitant to travel from the mainland to the CNMI unless they are provided with incentives such as travel reimbursement.

Law clerks are vital to the Judiciary's administration of justice because they research, evaluate, and provide recommendations as to the disposition of legal arguments, they draft orders and opinions, and they execute a number of administrative responsibilities. These responsibilities include assisting in the CNMI's Mock Trial Program, preparing Continuing Legal Education materials for members of the CNMI Bar Association, and aiding in the reports issued by the Judiciary.

<b>62240</b>	<b>BANK CHARGES</b>	<b>\$500</b>
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This budget category is used to purchase checks for our accounts payable imprest fund, fiduciary, and other revolving accounts.

<b>62250</b>	<b>COMMUNICATIONS</b>	<b>\$85,000</b>
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Approximately \$50,000 of the \$85,000 requested under this account covers communications costs associated with online research, internet services for e-filings, the payment of monthly telephone, the procurement of postage stamps and other mailing costs, facsimile, and information management, and for. High speed internet access for the judicial facilities in Saipan, Tinian, and Rota is absolutely necessary to facilitate online legal research via databases, such as LexisNexis, Westlaw, and electronic case filing systems.

The rest of the requested funds (approximately \$35,000) will also be used to satisfy the balance on the current phone system contract. Because the existing phone system contract will be ending soon, and the new contract will likely cost more than before, we seek extra funds than we did last year to cover the increased cost.

<b>62260</b>	<b>DUES &amp; SUBSCRIPTIONS</b>	<b>\$26,500</b>
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The requested amount will cover subscription costs for IT-related professional services, including the renewal of Laserfiche Support and Services, IBSS support and services for copiers

in the building, Xerox support and services for copiers in the building, GoDaddy Email Services which include calendars and storage, and GoDaddy Web Hosting. These are services the Judiciary utilizes that require annual renewal of subscriptions.

<b>62290</b>	<b>LICENSES &amp; FEES</b>	<b>\$1,000</b>
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This amount is requested to pay for user licenses for various professional software applications needed to create and maintain publications and to pay vehicle registration.

<b>62300</b>	<b>PRINTING &amp; PHOTOCOPYING</b>	<b>\$5,500</b>
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The amount covers costs for printing forms, letterhead, business cards, brochures for docket procedures, reports, and addresses on envelopes. Forms include legal documents used by the court staff, parties in litigation, and other agencies, such as Judgment and Commitment Orders for Criminal Traffic cases, and various necessary forms for pro se litigants.

<b>62660</b>	<b>REPAIR &amp; MAINTENANCE</b>	<b>\$255,908</b>
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This amount is budgeted to cover repairs and maintenance of specialized equipment, machines, and air conditioning systems of the Saipan, Rota, and Tinian judicial centers. Equipment includes but is not limited to water pumps, fan motors, a reverse osmosis system and air conditioning systems, copier machines, fax machines, computers, printers, and other office equipment. This amount also includes the cost of outsourcing maintenance of the six elevators located in the Guma Hustisia, required to maintain compliance with ADA requirements.

Preventative maintenance includes servicing for our standby generator and air conditioning units for the Guma Hustisia, Rota Judicial Center and Tinian Courthouse, as well as, repairs for Judiciary vehicles, and the purchase of fire extinguishers, lawn mowers, and power tools.

The breakdown of repair and maintenance costs are as follows:

Repair and Maintenance	Amount
Preventative Maintenance-AC Air handling units (AHU)-\$475.00 ea @ 17 units	\$ 8,075.00
Preventative Maintenance-Smardt chiller & pumps	\$ 7,500.00
Preventative Maintenance-Generator	\$ 4,332.00
Preventative Maintenance-Fire extinguishers	\$ 594.00
Preventative Maintenance-Elevator	\$ 22,308.00
Preventative Maintenance-Door locks	\$ 4,200.00
Termite & Pest control	\$ 5,000.00
Water system 4" valve **	\$ 3,500.00
Chilled water piping insulation**	\$ 800.00
TIQ AC Preventative Maint.	\$ 2,000.00
AC Ducting repair **	\$ 2,300.00
Painting Tinian Court House	\$ 10,000.00
Roof Coating Tinian Court House	\$ 15,000.00

Rota AC Preventative Maint.	\$	3,000.00
Painting Rota Judicial Center	\$	15,000.00
Riding Mower Preventative Maint	\$	200.00
Smardt evaporator repair	\$	17,000.00
Pump motor rewind	\$	2,800.00
Water blasting Guma Hustisia	\$	11,000.00
Exterior Painting Guma Hustisia	\$	100,000.00
Parking lot painting & marking	\$	14,300.00

Painting: The court houses on Saipan, Tinian and Rota are in need of new painting. The paint job is long overdue, affects aesthetics, and more importantly, improves durability and longevity of the structure, as internal building materials are vulnerable to rust and erosion from moisture and environmental contaminants.

The remaining \$7,000 for this category is budgeted towards repair of information systems equipment like servers, computers, network drives, printers, scanners, adaptors, etc.

<b>62680</b>	<b>FREIGHT &amp; HANDLING</b>	<b>\$500</b>
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This amount covers freight, handling, and other shipping costs of court documents and materials to Rota, Tinian, and off-island Pro Tem Judges assigned to cases in the Superior Court.

<b>62690</b>	<b>PERSONNEL TRAINING COST</b>	<b>\$75,000</b>
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The Judiciary requests \$75,000 to cover training expenses for justices, judges, and court staff. In November 2016, during the Judiciary's Strategic Planning Conference—the branch's agency-wide staff conference—many staff members overwhelming expressed the need and desire for more staff training to improve and streamline services. Increased personnel training is essential for increased staff efficiency and employee retention. The requested funds will cover professional development and other continuing legal education through webinars and local courses, judicial education programs through the National Judicial College, the Institute of Court Management, and other national chapters.

<b>62710</b>	<b>UTILITIES</b>	<b>\$650,000</b>
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This amount is projected to cover utility expenses for five locations—the three courthouses on all three islands and two recently acquired off-site facilities --- the adult probation facility behind the Guma Hustisia and Capitol Hill Building No. 1361. The estimate will also satisfy outstanding utility balances, including the anticipated FY 2017 shortfall due to previous inadequate appropriations for utilities.

While the Judiciary has made strides in energy conservation, as discussed above, the air conditioners at the Guma' Hustisia must be run on a daily basis in order to prevent the growth of toxic mold.

**62750****CLEANING SERVICES****\$50,000**

These funds will maintain the current janitorial services contract for the Guma Hustisia and provide the same services for the Tinian and Rota courthouses. Janitorial services are required to maintain a minimum level of sanitization in all three courthouses, which are public facilities, and a lack of consistent janitorial services will negatively affect the health and safety of employees and court patrons.

**63010****BOOKS & LIBRARY MATERIALS****\$2,000**

This amount covers costs for books, journals, periodicals, and other publications and instructional materials.

**63020****FOOD ITEMS****\$10,000**

This category covers costs for the purchase of drinkable water and food for members of the jury and for Judiciary programs. It is estimated that the islands of Saipan may have 20 jury trials per year while the islands of Tinian and Rota will have three (3) each. Food items will include light refreshments for breakfast and lunch or dinner during deliberations. Examples of Judiciary programs include the Mock Trial Competition, Law and Freshman Legislator, Justices and Judges in the Classroom program.

**63030****FUEL & LUBRICATION (POL)****\$50,000**

This amount covers fuel and lubrication costs for all Judiciary vehicles, the reserve fuel tank, which provides fuel for the emergency generator of the courthouse, and other equipment used by the grounds maintenance staff, such as lawn mowers, and bush cutters.

**63040****SUPPLIES – OFFICE****\$27,500**

This category covers office supplies, such as paper, folders, pencils, pens, paper clips, fasteners, erasers, logbooks, computer diskettes and discs, printer ink, labels, stickers, binders, folders, staplers, staples, toner, dry ink, re-writable CDs, and other expendable office supplies. The Superior Court's need for paper and supplies, especially, are abundant in includes services for Rota and Tinian.

**63050****SUPPLIES – OPERATIONS****\$29,384**

This amount will purchase parts for the Judiciary's air conditioning systems, electrical supplies, plumbing supplies, batteries, ground maintenance supplies, and other related supplies for the operation of the Marshals Service Unit, such as batons, marshal uniforms, handguns, and ammunition. This request also covers expenses for anticipated equipment and industry-standard tools used by the staff of the Office of Adult Probation, Clerk of Court, and the Family Court Division.

**64550****MACHINERY, TOOLS, & EQUIPMENT****\$243,770**

The significant portion of this request covers \$135,000 for the Rota Judicial Center air conditioning retrofit, \$4,000 for the Tinian courthouse air conditioning retrofit, and \$104,000 for dehumidifiers and UV lights to fight mold problems in the Guma Hustisia on Saipan.

Dehumidifiers & UV lights for Mold Problems: Mold has become a serious health concern for Judiciary employees and patrons. Exposure to indoor mold has been linked to physical illness such as upper respiratory tract symptoms, asthma, and hypersensitivity pneumonitis. Indoor mold has also damaged carpet and ceiling. Currently the Judiciary attempts to control the problem by turning on the air conditioning at all hours. This is, however, not a cost-effective solution. The benefits of humidifiers are twofold: they prevent future mold growth and lower the Judiciary's operating cost.

The remaining amount of \$770 is for the projected purchases of maintenance equipment including a push mower, wet/dry vacuum, proximity ladder, and cordless drill.

**64550****COMPUTER SYSTEMS & EQUIPMENT****\$82,000**

Information Systems Equipment: The Judiciary continues to distinguish technological modernization as a key investment for improving the efficient delivery of court services. It seeks these funds for desktop computers for new NOPs, laptops for IT operation, audio and video equipment for courthouses on Tinian, Rota and Saipan, terminal servers, and battery backup units.

One Laptop computer is needed for the Family Court Division's (FCD) Separating Parents Class in Rota and one for Tinian. Projectors are also needed for FCD offices on Saipan, Tinian and Rota for FCD's Presentations. The computer and projected equipments are necessary for the expansion of FCD's current programs to meet the expected rise in the number of pro se clients seeking assistance in FY 2018.

**64570****OFFICE FURNITURE & FIXTURES****\$20,000**

This amount is for the purchase of a specialized printer for the Commonwealth Recorder's Office to scan and print recorded maps and other large-scaled documents.

**64580****VEHICLES – PUB. SVC & ADM****\$125,000**

The amount will cover costs for the purchase of 5 vehicles essential to all court services on all three islands. One passenger vehicle will be for Tinian services, one for Rota services, two for adult probation enforcement, and one for maintenance services.

Currently, the Judiciary's offices in Rota and Tinian have no functioning vehicles. We have to rent a vehicle whenever we need to transport jurors or perform fieldwork out of those offices. Up until now, and for many years, we have been getting through this insufficiency by using

employees' cars. This temporary solution, however, is not feasible or sustainable in the long run. Two vehicles—one for each of Tinian and Rota—are urgently needed.

Building maintenance also needs a vehicle. We have been without a maintenance vehicle for years as well and from time to time, employees have been using their own vehicles to load debris and equipment.

Two vehicles are needed for probation supervision and related law enforcement work including those for home visits.

**LAW REVISION COMMISSION OPERATING EXPENDITURE WORKSHEET**

<b>Branch:</b>	Judicial Branch
<b>Activity:</b>	Law Revision Commission
<b>Bus. Unit:</b>	1692

<b>Class Code</b>	<b>Object Classification</b>	<b>2017 Request</b>	<b>2017 Budget PL19-68</b>	<b>2018 Request</b>
<b>a. PERSONNEL</b>				
61090	WAGES/SALARIES - CSC	0		0
61100	WAGES/SALARIES - UNG	247,675		266,200
61110	OVERTIME COMPENSATION			
<b>b. FRINGE BENEFITS</b>				
61180	PERSONNEL INSURANCE	3,591		3,860
61190	RETIREMENT CONTRIBUTION			
61195	401k DC RET. EMPLR. CONTR.	2,800		3,828
61196	FICA @ 6.20%	15,356		16,504
61200	SUBSISTENCE			
61210	HEALTH INSURANCE PREMIUM	43,776		41,006
61220	MEDICARE CONTRIBUTION	3,591		3,860
61260	HOLIDAY PAY			
61299	PERSONNEL APPROPRIATION		271,014	
61700	COMPACT IMP REIMB-PERSONNEL			
<b>c. TOTAL PERSONNEL</b>				
	<b>Total Personnel</b>	\$316,789	\$271,014	\$335,258
	<b>Number of Positions</b>	5	5	6
<b>d. TRAVEL</b>				
62500	TRAVEL			6,000
62500.10	TRANSPORTATION			
62500.20	PER DIEM			
62500.30	SUBSISTENCE			
62500.40	REGISTRATION			
	<b>TOTAL TRAVEL</b>	0	0	6,000
<b>e. EQUIPMENT</b>				
63120	EQUIPMENT UNDER \$5000			
64540	MACHINERY, TOOLS & EQUIPMENT			
64550	COMPUTER SYSTEM & EQUIPMENT	3,000		15,000
64560	OFFICE EQUIPMENT			25,000
64570	OFFICE FURNITURE & FIXTURES			1,600
64580	VEHICLES-PUB.SVC & ADMIN.			
	<b>TOTAL EQUIPMENT</b>	3,000	0	41,600
<b>f. SUPPLIES</b>				
63010	BOOKS & LIBRARY MATERIALS	500		800
63020	FOOD ITEMS	200		500
63030	FUEL & LUBRICATIONS	500		500
63040	SUPPLIES-OFFICE	2,000		2,500
63050	SUPPLIES-OPERATION			1,800
	<b>TOTAL SUPPLIES</b>	3,200	0	6,100

<b>g. CONTRACTUAL</b>				
62060	PROFESSIONAL SERVICES	8,000	1,000	
62080	ADVERTISING	200	600	
62090	RECRUITMENT & REPATRIATION		5,000	
62250	COMMUNICATIONS	5,800	2,500	
62260	DUES AND SUBSCRIPTIONS	500	1,200	
62300	PRINTING & PHOTOCOPYING		250	
62440	RENTAL-OFFICE			
62460	RENTAL-OFFICE EQUIPMENT			
62470	RENTAL-HEAVY EQUIPMENT			
62480	RENTAL-OTHERS			
62660	REPAIRS & MAINTENANCE	2,000	1,500	
62680	FREIGHT & HANDLING	300	1,600	
62690	PERSONNEL TRAINING COSTS	3,500	1,800	
62750	CLEANING SERVICES			
62780	OTHER SERVICES & CHARGES		300	
<b>TOTAL CONTRACTUAL</b>		20,300	0	15,750
<b>h. CONSTRUCTION</b>				
64050	BUILDING & IMPROVEMENTS			
64280	ARCHITECTUAL & ENGINEERING			
64290	PROJECT INSPECTION			
64320	CONSTRUCTION			
64340	CONTINGENCIES			
64420	DEMOLITION & REMOVAL			
64520	IMPROVEMENTS			
<b>TOTAL CONSTRUCTION</b>		0	0	0
<b>i. OTHER</b>				
62050	OFFICIAL REPRESENTATION			
62240	BANK CHARGES	200	100	
62290	LICENSES & FEES	300	1,500	
62670	ALL OTHERS (BUDGET ONLY)		21,193	
62710	UTILITIES-POWER			
62720	UTILITIES-WATER			
64250	ADMIN & LEGAL EXPENSE			
65400	SCHOLARSHIPS AND GRANTS			
65600	CONTRIBUTIONS AND DONATIONS			
65700	COMPACT IMP REIMB-ALL OTHER			
65800	TRANSFERS OUT-GOV'T AGENCY			
<b>TOTAL OTHERS</b>		500	21,193	1,600
<b>j. TOTAL "ALL OTHERS" (sum of d to i)</b>		\$27,000	\$21,193	\$71,050
<b>Subtotal Personnel and All Others (sum of c &amp; j)</b>		\$343,789	\$292,207	\$406,308
62070	Public Auditor 1% Fee	3,473		4,063
<b>k. GRAND TOTAL</b>		\$347,262	\$292,207	\$410,371

**LAW REVISION COMMISSION PERSONNEL SERVICE WORKSHEET**

**Branch:** CNMI Judicial Branch  
**Division/Activity:** Law Revision Commission  
**Business Unit:** 1692

PID#	Position Title	Incumbent	**FY17 PAY LEVEL**			**FY18 Request**		
			Emp Stat	Grade Step	Base Salary	Ret Plan	Emp Stat	Grade Step

1	9408001	Executive Director/Legal Counsel	ESC	UNG	67,000	DC	ESC	UNG	73,700	DC
2	1407002	Staff Attorney (Judicial Reporters)	ESC	UNG	52,000	DC	ESC	UNG	57,200	
3	1407003	Staff Attorney (Judicial Reporters)	ESC	UNG	52,000		ESC	UNG	57,200	
4	9074002	Website Office Manager	ESC	UNG	32,000		ESC	UNG	35,200	
5	1951001	Publications Clerk	ESC	UNG	19,000		ESC	UNG	20,900	
6		E-Publications Clerk	NEW				ESC	UNG	22,000	DC

Elected (ELT)	0	0	0
Appointed (APT)	0	0	0
Excepted Service Contracts (ESC)	5	222,000	266,200
Limited Term Appointments Ungraded (LTU)	0	0	0
Civil Service (CS)	0	0	0
Limited Term Appointments Graded (LTG)	0	0	0
<b>WAGES &amp; OTHERS:</b>			
Wages Civil Service (61090)		0	0
Wages Ungraded (61100)		222,000	266,200
Wages Adjustment for Austerity/Unpaid Holidays		0	0
Overtime		0	0

Differentials 0  
 Total Wages & Others 222,000 266,200

**BENEFITS:**

Life Insurance 1.45% 3,219 3,860  
 Retirement - 30% 0 0  
 DB Ret. Adjustment for Austerity/Unpaid Holidays 0 0  
 401K DC Retirement - 4% 2,680 3,828  
 DC Ret. Adjustment for Austerity/Unpaid Holidays 0 2 0  
 Social Security - 6.2% 13,764 16,504  
 Medicare - 1.45% 3,219 3,860  
 Medicare Adjustment for Austerity/Unpaid Holidays 0 0  
 Subsistence 0 0  
 Health Insurance 25,385 41,006  
 Total Personnel Benefits 48,267 69,058

**TOTAL FTEs, PERSONNEL COMPENSATION, & BENEFITS** 5 **\$270,267** 6 **\$335,258**

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**LAW REVISION COMMISSION BUDGET JUSTIFICATION**

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<b>61100</b>	<b>WAGES/SALARIES – UNGRADED</b>	<b>\$266,200</b>
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This amount to cover the wage and salary costs for 6 NOPs: 5 existing and 1 new NOP. The six include the Executive Director, two Staff Attorneys, one Website/Office Manager, and two Publication Clerks. These six positions are necessary to continue timely codification of the Public Laws into the Commonwealth Code; codification of the administrative regulations and rules into the Administrative Code; update of the Commission’s website with Public Laws, orders and decisions of the courts, registers, and codifications of both the Administrative Code and the Commonwealth Code; and fulfilling other duties regarding publications under the Commission’s mandates.

New FTE: The Law Revision Commission is in need of one additional employee to assist the Commission in fulfilling its mandates. The additional staff is necessary to provide the technical assistance to enable the Commission to provide timely and accurate information to the public. In a year’s time the Commission converts, codifies, and uploads thousands of pages of laws and regulations to its website, which is currently done by the Office/Website Manager in addition to his Office Manager duties for the Commission. The additional staff would work directly with the Office/Website Manager and the legal staff and would be tasked with digital and e-publication duties that would include: creating and maintaining archived compilations of the law to move toward compliance with the Uniform Electronic Legal Materials Act; assisting in revamping our online database to ensure accuracy and increased utility; converting Public Laws, Local Laws, and rules and regulations into searchable formats after codification by legal staff; assisting in creation of e-publications such as E-books, and other digital publications, and a new online platform for those products; and, tracking and updating all Commission electronic/digital publications. The new NOP will help ensure the Commission’s duties are performed promptly.

<b>61180</b>	<b>PERSONNEL INSURANCE</b>	<b>\$3,860</b>
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This amount covers the employer’s mandatory contribution to the select life insurance carrier for the group plan administered through the Group Health & Life Insurance Trust Fund. The cost is based on the projected selection per individual and calculated as a percentage (1.45%) of base pay.

<b>61195</b>	<b>RETIREMENT CONTRIBUTIONS (401K)</b>	<b>\$3,828</b>
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This amount covers the employer’s contribution to the Defined Contribution (DC) Retirement Plan administered through ASC Trust Corporation. The figure is based on 4% of the total base salaries of 2 NOPs who are forecasted to continue opting for this benefit.

<b>61196</b>	<b>SOCIAL SECURITY</b>	<b>\$16,504</b>
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This amount covers the mandatory employer’s contribution for Social Security and is based on 6.2% of the total salaries for the 6 NOPs.

<b>61210</b>	<b>HEALTH INSURANCE PREMIUM</b>	<b>\$41,006</b>
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This budgeted amount is to cover the employer's mandatory contribution to health insurance. This amount is not a calculation of potential costs if all employees were enrolled, but is based only on current enrollment in the plan plus one employee who is not currently covered but will join the healthcare plan. This amount is included in the Commission's request to ensure that sufficient funds are appropriated to cover the mandatory health insurance payments for the enrolled employees of the Commission.

<b>61220</b>	<b>MEDICARE CONTRIBUTION</b>	<b>\$3,860</b>
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This budgeted amount is required to cover the employer's mandatory contribution to the Medicare program. This figure is based on a rate of 1.45% of salaries. This amount is included in the Commission's request to ensure that sufficient funds are appropriated to cover Medicare costs for the five employees of the Commission.

<b>62060</b>	<b>PROFESSIONAL SERVICES</b>	<b>\$1,000</b>
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This amount covers professional services that are needed to support the work of the Commission in meeting its mandates. These services allow the Commission to build, maintain, and update its website: they ensure that CNMI legal materials are easily available to the public and format publications to industry standards.

<b>62070</b>	<b>PUBLIC AUDITOR'S FEE 1%</b>	<b>\$4,063</b>
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This amount covers the mandated 1% allocation from the total budget amount for the public auditor's fee. This requirement is mandated by CNMI law.

<b>62080</b>	<b>ADVERTISING</b>	<b>\$600</b>
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This amount will allow the Commission to publish required notices under CNMI laws and regulations, such as meeting, publication, and procurement announcements in local newspapers, and for advertising personnel vacancies in national legal publications.

<b>62090</b>	<b>RECRUITMENT &amp; REPATRIATION</b>	<b>\$5,000</b>
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The Commission seeks to attract, employ, and retain highly-qualified, competent individuals for its legal positions, including lawyers from reputable laws schools in Mainland U.S. The requested funds for this account will cover airfare to and from the CNMI for selected job candidates.

<b>62240</b>	<b>BANK CHARGES</b>	<b>\$100</b>
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This amount is requested to allow the Commission to reorder checks and pay necessary charges related to maintaining the bank account.

<b>62250</b>	<b>COMMUNICATIONS</b>	<b>\$2,500</b>
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This amount covers the following expenses: (1) local, long distance, and fax telephone services; (2) internet connections necessary for maintaining, updating, and expanding the Commission's website and for necessary legal research; and (3) packaging and mailing Commission publications. This amount is necessary for the Commission to serve the public through its website and to make publications available for sale.

<b>62260</b>	<b>DUES &amp; SUBSCRIPTIONS</b>	<b>\$1,200</b>
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This amount covers the following expenses: (1) dues for membership in the Association of Reporters of Judicial Decisions, (2) dues for membership in the CNMI Bar Association, and (3) subscriptions to publications of related professional organizations.

<b>62290</b>	<b>LICENSES &amp; FEES</b>	<b>\$1,500</b>
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This amount is requested to pay for user licenses for various professional software applications needed to create and maintain publications and to pay vehicle registration.

<b>62300</b>	<b>PRINTING &amp; PHOTOCOPYING</b>	<b>\$250</b>
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This amount covers printing and photocopying costs for administrative tasks, inter- and intra-division communication materials, and all other copying in support of tasks that are statutorily assigned to the Commission.

<b>62500</b>	<b>TRAVEL</b>	<b>\$6,000</b>
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This amount covers the cost of travel and per diem for attendance at relevant and necessary off-island meetings and trainings to ensure staff and the Commission are knowledgeable regarding the mandated publications, such as the Association of Reporters of Judicial Decisions Administrative Codes and Registers division conferences.

<b>62660</b>	<b>REPAIR &amp; MAINTENANCE</b>	<b>\$1,500</b>
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This amount is for repairs and routine servicing of the photocopier, computers, and other electronic office equipment. The Commission's photocopier is critical to the production of statutory and administrative code materials and maintaining it in working order is vital to timely access to Commonwealth law.

<b>62680</b>	<b>FREIGHT &amp; HANDLING</b>	<b>\$1,600</b>
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This amount covers the delivery of publications from stateside publishers and suppliers to the Commission.

<b>62690</b>	<b>PERSONNEL TRAINING COST</b>	<b>\$1,800</b>
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This amount is requested to cover conference, training, and workshop attendance needed to keep abreast of the latest technological aspects/advances in legal publishing to ensure Commonwealth law distribution and accessibility is equal to other jurisdictions, both online and in publications, to ensure efficient and effective methods in publishing, and for attorneys to meet continuing legal education requirements.

<b>62780</b>	<b>OTHER SERVICES &amp; CHARGES</b>	<b>\$300</b>
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The Commission utilizes a Pitney-Bowes postage machine for off-island shipping, which requires an annual usage fee.

<b>63010</b>	<b>BOOKS &amp; LIBRARY MATERIALS</b>	<b>\$800</b>
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The Commission requests \$800 to purchase updated supplements and updated reference volumes, such as Sutherland on Statutory Construction, legislative manuals, legal dictionaries, Blue Books, and other reference materials required to ensure the publications by the Commission are produced in accordance with current standards and so that the Commission may carry out its daily duties.

<b>63020</b>	<b>FOOD ITEMS</b>	<b>\$500</b>
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The Commission requests \$500 to provide its employees with drinking water and to provide food, as necessary, at Commission meetings.

<b>63030</b>	<b>FUEL &amp; LUBRICATION</b>	<b>\$500</b>
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The Commission requests this budgeted amount to cover fuel costs for employees on official Commonwealth business using the Commission vehicle and for routine lubrication of the Commission vehicle.

<b>63040</b>	<b>SUPPLIES – OFFICE</b>	<b>\$2,500</b>
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This amount is requested for necessary consumable items such as paper, ink cartridges, and toner used in photocopying and printing drafts of publications prior to final publication and materials received for review and codification, and for items commonly used in daily editing or necessary to common office work. This amount budgeted for office supplies is necessary for the Commission to complete the preliminary work necessary to support the publication of the Commonwealth Code, Administrative Code, NMI Reporter, and other legal and resource publications.

**63050****SUPPLIES – OPERATIONS****\$1,800**

In order to maintain the health and safety of the Commission staff, and to maintain the Commission's products and equipment, it is necessary to further reduce the humidity in the Law Revision Commission office. The purchase of additional dehumidifiers for the individual offices within the Commission and the maintenance of the commercial library unit dehumidifier, including the regular replacement of the ultra-violet lights, are necessary to maintain an appropriate humidity level in the office. In addition, the purchase of air-purifiers and filters are necessary to combat the mold and mildew growth issue.

**64550****COMPUTER SYSTEMS & EQUIPMENT****\$15,000**

The Commission requires this amount in order to upgrade its computer systems, including a necessary upgrade of Windows, and updated scanning software and programs used in publications online and in print. These upgrades are necessary for the continued productivity and efficiency of the Commission, especially considering the small number of staff. This amount is necessary for the Commission to compile and publish the website at [www.cnmilaw.org](http://www.cnmilaw.org), the Commonwealth Code and Administrative Code Supplements, the Code Index, and the Digest of Decisions and Citations. It is also necessary for archiving and safely storing the legal documents and ever-changing editions of the Codes.

**64560****OFFICE EQUIPMENT****\$25,000**

The Commission's current Canon IR5050 Machine is limited to black and white printing and is beginning to require additional maintenance due to the volume of printing necessary when producing in-house products. The Commission requires a high-volume color printer that allows increased in-house printing capabilities. The machine will need to have publishing capabilities such as saddle-stitch, booklet, binding, and hole punch in order for the Commission to produce most of other main products in a more efficient and cost-saving manner..

**64570****OFFICE FURNITURE & FIXTURES****\$1,600**

This amount is to cover replacement costs of broken office chairs and to purchase a conference table and chairs for staff meetings with the Commission members and legal research training sessions.

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**GRANT AWARDS**

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**I. APPROVED FUNDING/ACTIVITY**

<b>1</b>	<b>Criminal Justice Planning Agency</b>	<b>\$177,801</b>
A.	Recipient: Drug Court Division Program: Drug Court Program	
B.	Recipient: Office of Adult Probation and Supervision Type: Justice Assistance Grant Program (1): Probation Home Front Support Program Type: Violence Against Women Act (VAWA) Program (2): Putting Victims First	
C.	Recipient: Family Court Division Type: Victims of Crime Act (VOCA) Program (1): Victim Assistance Program (Rota) Type: Victims of Crime Act (VOCA) Program (2): Victims Assistance Program (Saipan) Type: Violence Against Women Act (VAWA) Program (3): STOP VAWA Project Assistant Type: Justice Assistance Program Program (4): Family Court Client Services	
D.	Recipient: Marshal Services Division Program: Training and Instruction	
<b>2</b>	<b>Saipan Legislative Delegation</b>	<b>\$25,000</b>
	Recipient: Drug Court Division Program: Drug Court Vehicle	
<b>3</b>	<b>State Justice Institute</b>	<b>\$50,000</b>
	Recipient: CNMI Judiciary Program: Technical Assistance - Human Trafficking Project	

**I. OTHER FUNDING BEING EXPLORED OR PENDING REVIEW**

<b>1</b>	<b>Bureau of Justice Assistance</b>	
	Recipient: Drug Court Division Program: Drug Court Program	
<b>2</b>	<b>U.S. Department of Interior, Office of Insular Affairs</b>	
	Recipient: CNMI Judiciary Program: Lighting System Retrofit	
<b>3</b>	<b>Office of Management and Budget - Capital Improvement Project (CIP)</b>	
	Recipient: CNMI Judiciary Program: Assessment for Mold Mitigation	

**GRANT FUNDED PERSONNEL**

**Branch:** CNMI Judicial Branch  
**Division/Activity:** Grant Funded Employees

Grant Number	Position Title	Incumbent	Emp Stat	Grade Step	Base Salary	Ret Plan	Ret Plan (DB/DC)

1	J6588N Stop VAWA Project Assistant	Cabrera, Nikita M.	ESC	UNG	20,790		
2	J55750 Client Service Coordinator	Calvo, Delia Marie S.	ESC	UNG	18,000	DC	DC
3	J5588U Probation Officer II	Del Rosario, John Peter D.	ESC	UNG	30,247		
4	J5738I Probation Officer I	Iguel, Weena Gwendolyn T.	ESC	UNG	26,131	DC	DC
5	J6575L Pro Se Client Service Assistant	Manibusan, Monica V.	ESC	UNG	18,000		
6	J5575W Probation Officer / Social Worker	Camacho, Priscillia C.	ESC	UNG	24,889	DC	DC

**Elected (ELT)**

**Appointed (APT)**

**Excepted Service Contracts (ESC)**

**Limited Term Appointments Ungraded (LTU)**

**Civil Service (CS)**

**Limited Term Appointments Graded (LTG)**

0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0
6	138,057						
0	0						
0	0						
0	0						

**WAGES & OTHERS:**

Wages Civil Service (61090)	0
Wages Ungraded (61100)	138,057
Wages Adjustment for Austerity/Unpaid Holidays	0
Overtime	0
Differentials	0
<b>Total Wages &amp; Others</b>	<b>138,057</b>

**BENEFITS:**

Life Insurance 1.45%	1,641	<b>Total</b>
Retirement - 30%	0	<b>Wages</b>
DB Ret. Adjustment for Austerity/Unpaid Holidays	0	
401K DC Retirement - 4%	2,761	
DC Ret. Adjustment for Austerity/Unpaid Holidays	0	
Social Security - 6.2%	8,560	
Medicare - 1.45%	2,002	
Medicare Adjustment for Austerity/Unpaid Holidays	0	
Subsistence	0	
Health Insurance	9,764	
<b>Total Personnel Benefits</b>	<b>24,727</b>	

**TOTAL FTEs, PERSONNEL COMPENSATION, & BENEFITS**

**6      \$162,784**



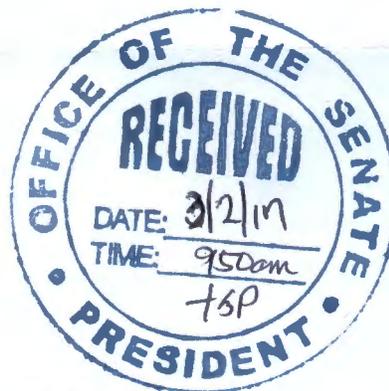
**Supreme Court** – THE JUDICIARY • COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
Guma' Hustisia / Iimwal Aweewe / House of Justice • P.O. Box 502165 • Saipan, MP 96950  
Telephone: (670) 236-9800 Fax: (670) 236-9702 E-mail: [accastro@justice.gov.mp](mailto:accastro@justice.gov.mp)

**Alexandro C. Castro**  
CHIEF JUSTICE

March 2, 2017

The Honorable Arnold I. Palacios  
President of the Senate  
Twentieth Northern Marianas Commonwealth Legislature  
P.O. Box 500129  
Saipan, MP 96950

The Honorable Rafael S. Demapan  
Speaker of the House  
Twentieth Northern Marianas Commonwealth Legislature  
P.O. Box 500586  
Saipan, MP 96950



**Re: Proposed Amendments to NMI Rules of Criminal Procedure**

Dear President Palacios and Speaker Demapan:

Pursuant to Article IV, Section 9A of the Commonwealth Constitution, I hereby submit the proposed amendments to the NMI Rules of Criminal Procedure. These Rules address our plea in abeyance procedure.

The Judiciary Rules committee reviewed and proposed amendments to the Rules to provide a framework of procedures for our problem-solving courts. The proposed amendment creates a plea in abeyance to be used in conjunction with these courts.

Please note that these proposed amendments to the Rules become effective 60 days from the Judiciary's submission to the Legislature, unless disapproved by a majority of either House. Thank you for your untiring support to the Judiciary.

*Si Yu'us Ma'ase,*

ALEXANDRO C. CASTRO  
Chief Justice

*Don*  
**RECEIVED**  
DATE: 3/3/17 9:05am

# Exhibit A

## COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS COMMONWEALTH SUPERIOR COURT

### RULES OF CRIMINAL PROCEDURE

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...  
...

#### IV ARRAIGNMENT AND PREPARATION FOR TRIAL

...

#### **[Proposed] RULE 11-1 PLEA IN ABEYANCE**

##### (a) Definitions.

- (1) A plea in abeyance is an order entered by a problem-solving court accepting a plea of guilty or nolo contendere from the defendant but not, at that time, entering judgment of conviction against the defendant nor imposing sentence upon the defendant on condition that the defendant comply with specific conditions as set forth in a plea in abeyance agreement.
- (2) A plea in abeyance agreement is an agreement entered into between the government and defendant setting forth the specific terms and conditions upon which, following acceptance of the agreement by the court, a guilty or nolo contendere plea may be held in abeyance.

##### (b) Permitted Use.

- (1) A plea in abeyance may only be used in conjunction with defendant's entry into a problem-solving court.

##### (c) Plea in Abeyance Agreement.

- (1) After entry of a plea of guilty or nolo contendere but prior to entry of judgment of conviction and imposition of sentence, the court may, upon motion of both the government and the defendant, hold the plea in abeyance and not enter judgment of conviction against the defendant nor impose sentence upon the defendant.
- (2) The defendant shall be represented by counsel during plea negotiations and at the time of acknowledgment and affirmation of any plea in abeyance agreement, unless the defendant shall have knowingly, voluntarily, and intelligently waived the right to counsel.
- (3) The defendant has the right to be represented by counsel at any court hearing relating to the defendant's plea in abeyance agreement.

(A) A plea in abeyance agreement shall be in writing,

(B) specify the requirements and conditions agreed to by the defendant, and

(C) be executed by the government, the defendant, and the defendant's counsel in the presence of the court.

(5) A plea shall not be held in abeyance for a period longer than 24 months absent an extension made by the judge upon a showing of good cause.

(6) A plea in abeyance agreement shall not be accepted unless the defendant, before the court and in the plea in abeyance agreement, knowingly, voluntarily, and intelligently waives time for sentencing. This does not limit other waivers that may be included in the plea in abeyance agreement.

(d) Manner of Entry of Plea and Powers of the Court.

(1) Consideration of any plea in anticipation of a plea in abeyance agreement shall be done in full compliance with the provisions of this rule.

(2) A plea in abeyance agreement may provide that the court may, upon finding that the defendant has successfully completed the terms of the agreement:

(A) reduce the degree of the offense and enter judgment of conviction and impose sentence for a lower degree of offense; or

(B) dismiss the charges.

(3) Upon finding that a defendant has successfully completed the terms of a plea in abeyance agreement, the court may reduce the degree of the offense or dismiss the charges only as provided in the plea in abeyance agreement or as agreed to by all parties.

(4) The terms of a plea in abeyance agreement may include:

(A) an order that the defendant pay a nonrefundable plea in abeyance fee, which shall not exceed in amount the maximum fine which could have been imposed upon conviction and sentencing for the same offense as set forth in 6 CMC § 4101;

(B) an order that the defendant pay restitution to the victims of the defendant's actions as provided in 6 CMC § 4109;

(C) an order that the defendant pay the costs of any remedial or rehabilitative program required by the terms of the agreement; and

(D) an order that the defendant comply with any other conditions which could have been imposed as conditions of probation upon conviction and sentencing for the same offense.

(5) A court may not enter a plea in abeyance without the consent of both the government and the defendant.

(e) Violation of Plea in Abeyance Agreement.

- (1) The court, through a written motion and supported by an affidavit, made by the government , or upon the court's own motion, shall issue an order to show cause against the defendant for violating any condition of the plea in abeyance agreement. The order to show cause shall state the time and place for the hearing and served on the defendant and the attorney of record at least 7 calendar days before the hearing date.
- (2) If a problem-solving court finds that the defendant has violated the plea in abeyance agreement such that defendant is terminated from that problem-solving court's program, then the problem-solving court judge shall accept the plea and enter judgment of conviction against the defendant for the offense to which the original plea was entered.
- (3) The termination of a plea in abeyance agreement and subsequent entry of judgment of conviction and imposition of sentence shall not bar any independent prosecution arising from any offense that constituted a violation of any term or condition of an agreement whereby the original plea was placed in abeyance.