

OFFICE OF THE ATTORNEY GENERAL

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Miscellaneous Comm.

No. 13-08

(J&G)

March 3rd. 2023

TH Semion J. Phillip
Speaker
13th Kosrae State Legislature
Tofol, Kosrae, FM 96944

Re: To repeal **Section 2.901(2)(b)(e)**

Dear Speaker Phillip;

I hope this does not bother you so much, as I know you have a tight agenda with the rest of the Honorable members of the 13th Kosrae State Legislature. Beg your indulgence to share our thoughts on the specific section in the law indicated herein:

Title 2, Chapter 9. State Lawyers

Section 2.901. State lawyer requirements

1. As used in this Section, "State lawyer" means:
 - (a) The Attorney General and any assistant attorney general;
 - (b) The Legislative counsel and any assistant legislative counsel;
 - (c) Any State employment position that requires the person holding that position to have a law degree or to be admitted to the practice of law in another jurisdiction.
2. A State lawyer must:
 - (a) Be or become admitted to practice before the Kosrae State Court within 3 months of hiring;
 - ~~(b) Be or become admitted to practice before the Supreme Court of the Federate States of Micronesia within three years of hiring; and~~

©For purposes of this statute "hiring" means the date upon which a contract employee begins working for compensation;


~~(d) Any person employed as a State lawyer who fails to meet the requirement of subsection 2 within the limits of that subsection shall be immediately dismiss from the position by the State lawyer branch head and may not be employed as a State lawyer until he meets all requirements~~

~~(e) Any person employed as a State lawyer, on the effective date of SL NO. 7-214 (May 2nd, 2002); has three months from the effective date to meet the requirement of Section 2.901(2)(a) **and one year from the effective date to meet the requirements of Section 2.901(b);**~~

Section 2.901 (b) prevents our local practitioners to practice in our own courts. This section can be made an option that would give local trial counselors opportunity to work towards passing the FSM bar.

I hope you and the Honorable members of our 13th Legislature see this as something worth your time and attention. Please let me know if there should be further explanation from this end. Appreciate your time and attention.

Sincerely,


Aliksa B. Aliksa
Attorney General

Cc: Governor Tulensa W. Palik
Lt. Gov. Arthy G. Nena

Rec'd 03/03/23
@ 1:49 pm
Lol / [Signature]