
NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
38TH CONSTITUTION REGULAR SESSION, 2017

Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

RESOLUTION 31

A RESOLUTION requesting that the Nitijela approve the Cabinet's appointment of James H. Plasman to be the acting chief justice of the Supreme Court to preside over the Bikej appeal cases.

WHEREAS Supreme Court Chief Justice Daniel Cadra has recused himself from hearing the Bikej case appeals, *Hitto and Emil, plaintiffs-appellants, v. Toka, et al., defendant-appellants*, S. Ct. Case No. 15-03, and *Hitto and Emil, plaintiffs-appellants, v. Bejang, et al., defendants/counter-claimants-appellees*, S.Ct. Case No.15-04, because he was a trial court judge over the matter; and

WHEREAS, James H. Plasman has expressed his willingness to serve as the acting chief justice of the Supreme Court over the Bikej case appeals, if Government of the Marshall Islands desires that he do so; and

WHEREAS, James H. Plasman has a long record of distinguished service to the Republic as an acting associate justice of the High Court (part of 2015 and 2016), as a full-time associate justice of the High Court (2008-2015), as a member of the Nuclear Claims Tribunal (1990-2007), as a pro tem justice of the High Court (2003), as a pro tem justice of the Supreme Court (mid 2007), as a law lecturer for court-sponsored professional development courses (2005-2007), as an outer island legal advisor (summer of 1981), and as the chief public defender (1979-1981); and

WHEREAS, on November 3, 2016, the Cabinet, upon the recommendation of the Judicial Service Commission, appointed Judge James H. Plasman to be, as of March 28, 2016, the acting chief justice of the Supreme Court to preside over the Bikej case

appeals, *Hitto and Emil, plaintiffs-appellants, v. Toka, et al., defendant-appellants*, S. Ct. Case No. 15-03, and *Hitto and Emil, plaintiffs-appellants, v. Bejang, et al., defendants/counter-claimants-appellees*, S.Ct. Case No.15-04, until the matters are brought to a reasonable conclusion without prospect of being reopened, now therefore,

BE IT RESOLVED by the People of the Republic of the Marshall Islands, through their Nitijela in its 38th Constitution Regular Session, 2017, that the Nitijela hereby approves the appointment of James H. Plasman as the acting chief justice of the Supreme Court of the Republic to preside over the Bikej appeals, *Hitto and Emil, plaintiffs-appellees, v. Toka, et al., defendants-appellants*, S.Ct. Case No. 15-03, and *Hitto and Emil, plaintiffs-appellants, v. Bejang, et al., defendants/counter-claimants-appellees*, S.Ct. Case No. 15-04, from March 28, 2016, until the matters are brought to a reasonable conclusion without prospect of being reopened.

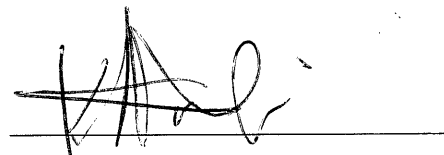
CERTIFICATE

I hereby certify:

1. That Nitijela Resolution No: 31 was passed by the Nitijela of the Republic of the Marshall Islands on the 13th day of February 2017; and

2. That I am satisfied that Nitijela Resolution No: 31 was passed in accordance with the relevant provisions of the Constitution of the Republic of the Marshall Islands and the Rules of Procedures of the Nitijela.

I hereby place my signature before the Clerk this 24th day of February 2017.



Hon. Kenneth A. Kedi
Speaker
Nitijela of the Marshall Islands

Attest:



Morean Watak
Clerk
Nitijela of the Marshall Islands