

A RESOLUTION

Disapproving the continued service of retired FSM Supreme Court Justice Richard H. Benson, whose cumulative service as a temporary Justice has exceeded three months.

1       WHEREAS, the Constitution of the Federated States of  
2 Micronesia, article XI, section 9(b) provides that the Chief  
3 Justice of the FSM Supreme Court, as the chief administrator of  
4 the national judicial system, may assign judges among the  
5 divisions of the national court and give special assignments to  
6 retired Supreme Court justices and judges of state and other  
7 courts; and

8       WHEREAS, the Constitution of the Federated States of  
9 Micronesia, article XI, section 5 provides that the qualifications  
10 and compensation of justices and other judges may be prescribed by  
11 statute; and

12       WHEREAS, section 104 of title 4 of the FSM Code specifies that  
13 the Chief Justice may give special assignments pursuant to article  
14 XI, section 9(b) of the Constitution and that, in the case of  
15 temporary Justices appointed pursuant to this authority, the  
16 Congress may by resolution disapprove of the continued service of  
17 any temporary Justice whose cumulative service exceeds three  
18 months; and

19       WHEREAS, Retired Justice Richard H. Benson has been designated  
20 to act as a temporary Justice on multiple matters with cumulative  
21 service exceeding three months; now, therefore,

1       BE IT RESOLVED by the Thirteenth Congress of the Federated  
2 States of Micronesia, Third Special Session, 2004, that the  
3 Congress hereby disapproves of the continued service of temporary  
4 Justice Richard H. Benson, such that he shall hereafter be  
5 ineligible for further service as a temporary Justice for one  
6 year, unless Congress shall sooner revoke its disapproval; and

7       BE IT FURTHER RESOLVED that certified copies of this  
8 resolution be transmitted to the President of the Federated States  
9 of Micronesia and the Chief Justice of the Supreme Court of the  
10 Federated States of Micronesia.

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12 Date: 1/15/04

Introduced by: /s/ Henry C. Asugar

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Henry C. Asugar  
(by request)

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