

**IN THE
SUPREME COURT OF THE REPUBLIC OF PALAU**

AMENDMENT TO RULES	:	
OF	:	ORDER
CIVIL PROCEDURE	:	

PURSUANT TO ARTICLE X, Section 14 of the Constitution of the Republic of Palau, the Supreme Court amends Rule of Civil Procedure 57 by adding (b) the following language. [Changes noted in brackets].

Rule 57. Declaratory Judgments

(a) In General. In a case of actual controversy within its jurisdiction, the court, upon the filing of an appropriate pleading, may declare the rights and other legal relations of any interested party seeking such declaration, whether or not further relief is or could be sought. Any such declaration has the force and effect of a final judgment or decree and is to be reviewable as such. The existence of another adequate remedy, except as provided in subsection (b), does not preclude a judgment for declaratory relief in cases where it is appropriate. The court may order a speedy hearing of a declaratory-judgment action. [Former Rule 57 designated as subsection (a)]


(b) In Customary Disputes. In actions raising an issue of custom or traditional law, a pleading seeking declaratory relief must include a certification that the plaintiff has conferred with all other parties to the action in a good faith effort to exhaust all available traditional or customary remedies and settle the dispute without court intervention. The certification shall identify the date and outcome of any attempted or actual settlement discussions, as well as each party involved. Failure to include this certification shall not serve as grounds for dismissal of the case but may justify a stay of the proceedings or other extension of time, as provided by these rules, to permit the parties to exhaust traditional or customary remedies. [Subsection (b) and comment added]

This Amendment is immediately applicable to all proceedings except to the extent that it adversely affects the substantive rights of any party.

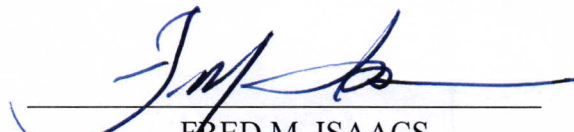
Comment: The addition of Rule 57(b) is intended to reconcile our contemporary recognition of custom as a source of law with our time-honored practice of encouraging the use of traditional processes to resolve customary disputes. This amendment expands upon the parallel provisions of the Declaratory Judgment Act, 14

P.N.C. § 1001, pursuant to the Supreme Court's authority to promulgate rules governing the administration of practice and procedure in civil matters. *See* Palau Const. art. X, § 14.

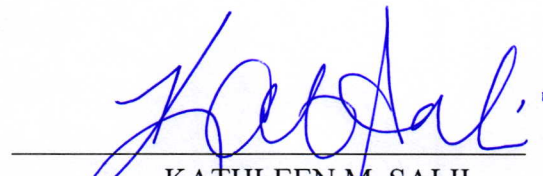
SO ORDERED this 24th day of November 2025.



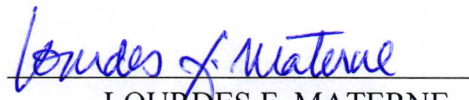
OLDIAIS NGIRAIKELAU
Chief Justice




FRED M. ISAACS
Associate Justice




KATHLEEN M. SALII
Presiding Justice



LOURDES F. MATERNE
Associate Justice



HONORA E. REMENGESAU RUDIMCH
Associate Justice



PETER D. HUFFMAN
Associate Justice