

COMMITTEE ON RULES OF PRACTICE AND PROCEDURE ESTABLISHED



Supreme Court of the Republic of Palau

September 11, 2026

PREFACE

The Republic of Palau Supreme Court is a Court of Record consisting of an Appellate Division and a Trial Division. Pursuant to Article X, Section 14 of the Palau Constitution, the Supreme Court is constitutionally authorized to promulgate rules governing the court cases and proceedings.

The establishment of a Committee on Rules of Practice and Procedure (Rules Committee) is essential to ensure the judicial system remains fair, efficient, and responsive to evolving legal needs. Rules of practice and procedure form the backbone of a functioning judiciary, and they must be regularly reviewed to maintain clarity, effectiveness, and consistency. A dedicated Rules Committee provides a structured mechanism for evaluating existing rules, identifying areas where modernization is necessary, and proposing well-considered amendments based on legal developments, best practices, and feedback from practitioners and the public.

By creating such a committee, the Judiciary strengthens its ability to promote due process, reduces ambiguity in court proceedings, and ensures that procedural and evidentiary standards remain with contemporary legal realities. The committee's work will not only enhance the administration of justice but also reinforce public confidence in the fairness and integrity of the judicial system. Establishing a Rules Committee is therefore both a practical measure and an important investment in the long-term effectiveness of the courts.

The Chief Justice takes this opportunity to thank all justices for providing helpful comments, assistance, and support in the adoption and establishment of the Rules Committee.

Consistent with the command of Republic of Palau Const. Article X, Section 14, the Palau Supreme Court has approved the adoption and establishment of the Rules Committee.

September 11th, 2026


OLDIAS NGIRAIKELAU
Chief Justice

IN THE
SUPREME COURT OF THE REPUBLIC OF PALAU

COMMITTEE ON RULES OF
PRACTICE AND PROCEDURE

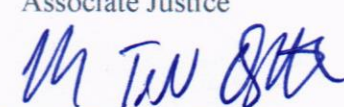
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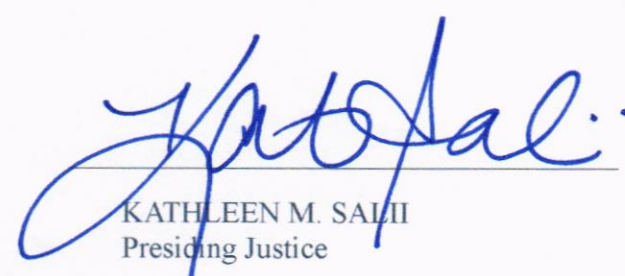
The Committee on Rules of Practice and Procedure is established by the Supreme Court of the Republic of Palau pursuant to Article X, Section 14 of the Constitution and 4 PNC § 101. The document takes effect immediately.

SO ORDERED this 11th day of September 2026.

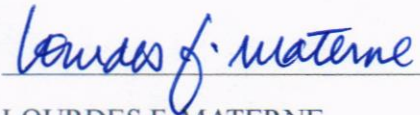


OLDI'AIS NGIRAI KELAU
Chief Justice

FRED M. ISAACS
Associate Justice

M. TODD OSTERLOH
Associate Justice

KATHLEEN M. SALII
Presiding Justice



LOURDES F. MATERNE
Associate Justice



HONORA. E. REMENGESAU RUDIMCH
Associate Justice



PETER D. HUFFMAN
Associate Justice

COMMITTEE ON RULES OF PRACTICE AND PROCEDURE

Section 1. Purpose

The Committee on Rules of Practice and Procedure (Rules Committee) is established to assist the Supreme Court in reviewing and improving the rules of practice and procedure governing civil and criminal matters.

The Rules Committee shall evaluate existing rules of practice and procedure and related forms, if any, and recommend amendments designed to promote fairness, improve efficiency in judicial proceedings, and ensure clarity and consistency in the conduct of trials, appeals, and other court proceedings.

Section 2. Authority

The Rules Committee shall serve in an advisory capacity to the Supreme Court.

The Rules Committee shall review existing rules of practice and procedure, receive and evaluate proposals for rule amendments, conduct research and analysis regarding rule changes, and draft proposed amendments to the rules. Existing rules of practice and procedure include, but are not limited to, rules of civil and criminal procedure, evidence, jury trial rules, appellate rules, rules governing proceedings in Land Court, the small claims rules and any other rules governing procedures in the Court of Common Pleas, and other procedural rules governing judicial proceedings. The Committee may propose new rules governing other judicial proceedings for which no rules exist, such as probate rules and rules relating to AI and digital evidence. Unless expressly authorized, the Committee will not review the Palau Bar Admission Committee's Rules, the rules governing Continuing Legal Education, the Disciplinary Rules, or rules relating to administrative matters and other non-judicial matters.

All proposed amendments to existing rules or new rules shall be submitted to the Supreme Court through the Chief Justice for review and final approval.

Section 3. Membership

The Rules Committee shall consist of members appointed by the Chief Justice and shall include:

- One or more Associate Justices of the Appellate Division of the Supreme Court
- One or more Associate Justices of the Trial Division of the Supreme Court or Judges of the Land Court or Court of Common Pleas
- One or more practicing attorneys representing the Palau Bar Association
- General Counsel of the Supreme Court
- Other members as deemed appropriate by the Chief Justice

The Chief Justice shall designate one member to serve as Chair of the Committee.

Section 4: Initial Appointment of Members of the Rules Committee

The initial Rules Committee shall consist of the following members appointed by the Chief Justice:

- Associate Justice Fred M. Isaacs of the Appellate Division of the Supreme Court
- Associate Justice M. Todd Osterloh of the Appellate Division of the Supreme Court
- Presiding Justice Kathleen M. Salii of the Trial Division of the Supreme Court
- Associate Justice Lourdes F. Materne of the Trial Division of the Supreme Court
- Ebil Matsutaro representing the Palau Bar Association
- Sherry M. Gilbertson, General Counsel of the Palau Judiciary

The Chief Justice designates Associate Justice Fred M. Isaacs to be the Chair of the Committee.

Section 5. Terms of Service

Members shall serve three-year terms unless otherwise specified by the Chief Justice.

Members may be reappointed. The Chief Justice may establish staggered terms for appointments to ensure continuity.

Section 6. Meetings

The Rules Committee shall meet at such times as determined by the Chair but no less than twice each year.

Meetings may be conducted in person or electronically. A majority of members shall constitute a quorum for conducting business.

Section 7. Rule Amendment Process

- Judges, attorneys, court personnel, bar associations, or members of the public may submit proposals for rule amendments.
- The Rules Committee shall review submissions and may recommend adoption, modification, or rejection of proposed amendments.
- The Rules Committee shall provide guidelines for the style and format of the new or amended rules or forms that it recommends.

Rules Committee

- The Rules Committee shall ensure the proposals for new or amended rules, standards, or forms do not conflict with statutes or other rules.
- Recommendations approved by the Rules Committee shall be submitted to the Supreme Court through the Chief Justice for consideration.
- When appropriate, the Committee may identify issues for discussion.

Section 8. Public Comment

When appropriate, proposed rule amendments may be circulated for public comment prior to final adoption.

The Rules Committee may review comments received and provide further recommendations to the Supreme Court.

Section 9. Administrative Support

Upon the Rules Committee's request, the Office of the Chief Justice shall provide administrative support to the Rules Committee.

Section 10. Reports

The Rules Committee shall provide at least one report yearly to the Chief Justice summarizing rules reviewed, proposed amendments, and issues requiring further study. This report shall be due by April 15th of each year. If April 15 falls on a holiday, non-workday, or weekend, the report shall be due the next business day.