

**TITLE 8: FAMILY LAW AND PROBATE**  
**DIVISION 1: DOMESTIC RELATIONS**

**§ 1615. Modification of Custody Decree of Another State.**

(a) If a court of another state has made a custody decree, the Commonwealth Trial Court shall not modify that decree unless:

(1) It appears to the Commonwealth Trial Court that the court which rendered the decree does not now have jurisdiction under jurisdictional prerequisites substantially in accordance with this chapter or has declined to assume jurisdiction to modify the decree; and

(2) The Commonwealth Trial Court has jurisdiction.

(b) If the Commonwealth Trial Court is authorized under subsection (a) of this section and 8 CMC § 1609 to modify a custody decree of another state it shall give due consideration to the transcript of the record and other documents of all previous proceedings submitted to it in accordance with 8 CMC § 1623.

**Source:** PL 3-50, § 15.

**Commission Comment:** Section 4 of PL 6-25, the “Commonwealth Judicial Reorganization Act of 1989,” provides that “[w]herever the term ‘Commonwealth Trial Court’ appears in the Commonwealth Code, it is henceforth to be interpreted and understood to refer to the Commonwealth Superior Court.”