

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

§ 1714. Civil Action; Jury.

(a) An action under this article is a civil action governed by the rules of civil procedure. The mother of the child and the alleged father are competent to testify and may be compelled to testify. 8 CMC §§ 1710(b) and (c), 1711 and 1712 apply.

(b) Testimony relating to sexual access to the mother by an unidentified man at any time or by an identified man at a time other than the probable time of conception of the child is inadmissible in evidence, unless offered by the mother.

(c) In an action against an alleged father, evidence offered by him with respect to a man who is not subject to the jurisdiction of the court concerning the man's sexual intercourse with the mother at or about the probable time of conception of the child is admissible in evidence only if the man has undergone and made available to the court blood tests the results of which do not exclude the possibility of his paternity of the child. A man who is identified and is subject to the jurisdiction of the court shall be made a defendant in this action.

(d) Notwithstanding 7 CMC § 3101(b), the trial shall be by the court without a jury.

Source: PL 4-38, § 14.