

NINTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

PUBLIC LAW NO. 9-51

H. B. NO. 9-433, H.D.1

THIRD SPECIAL SESSION, 1995

AN ACT

To establish a Family Court within the Commonwealth Superior Court; and for other purposes.

BE IT ENACTED BY THE NINTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

Section 1. Title. This Act may be cited as "The Family Court Act of 1995."

Section 2. Findings and Purpose. The Legislature finds that the Commonwealth population has been increasing, steadily putting an increasing load of cases onto the Commonwealth Superior Court. The problems encountered by families, the backbone of this Commonwealth, necessitate a unique type of court intervention in which judges need special training and flexibility in order to effectively deal with such important and sensitive matters. The Legislature further finds that a court, when dealing with family issues, must be easily accessible to people who do not have attorneys and must also offer support services to families needing assistance with the court process. Finally, the Legislature recognizes that the Commonwealth Constitution, Article IV, Section 1, vests judicial power of the Commonwealth in a judiciary which "shall include those trial and appeals courts established by the legislature under this article." It is the purpose of this Act to, pursuant to Article IV, Section 1, establish within the Commonwealth Superior Court a Family Law Court and to require the Commonwealth Superior Court to report to the Legislature the amount of funds necessary to operate the Family Court so that the Legislature can appropriate funds for operations.

Section 3. Establishment of Family Court. There is hereby established within the Commonwealth Superior Court a Family Court which, upon appropriation by the Legislature, shall handle family legal matters including, but not limited to, adoption proceedings, child support, divorce, paternity, domestic violence, child abuse cases, delinquency cases, and temporary restraining orders against family members. The Commonwealth Superior Court shall study the requirements for establishing this Family Court and shall, within ninety (90) days after the enactment of this Act, report to the Legislature the amount of funds necessary for the Family Court's operations.

Section 4. Severability. If any provision of this Act or the application of any such provision to any person or circumstance should be held invalid by a court of competent jurisdiction, the remainder of this Act or the application of its provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

Section 5. Savings Clause. This Act and any repealer contained herein shall not be construed

as affecting any existing right acquired under contract or acquired under statutes repealed or under any rule, regulation or order adopted under the statutes. Repealers contained in this Act shall not affect any proceeding instituted under or pursuant to prior law. The enactment of this Act shall not have the effect of terminating, or in any way modifying, any liability, civil or criminal, which shall already be in existence at the date this Act becomes effective.

Section 6. Effective Date. This Act shall take effect upon its approval by the Governor or upon its becoming law without such approval.

CERTIFIED BY:

ATTESTED BY:

/s/ Diego T. Benavente
DIEGO T. BENAVENTE
Speaker
House of Representatives

/s/ Evelyn C. Fleming
EVELYN C. FLEMING
House Clerk

Approved this 13th day of September, 1995

/s/ Froilan C. Tenorio
FROILAN C. TENORIO
Governor
Commonwealth of the Northern Mariana Islands