

TITLE 1: GOVERNMENT  
DIVISION 2: EXECUTIVE BRANCH

**§ 26012. Certification of Birth Following Adoption, Legitimation, Court Determination of Paternity, and Paternity Acknowledgement.**

(a) The Registrar shall establish a new certificate of birth for a person born in the CNMI when he or she receives the following:

(1) A certificate of adoption as provided in Section 26011 or a certificate of adoption prepared and filed in accordance with the laws of another State or foreign country, or a certified copy of the decree of adoption, together with the information necessary to identify the original certificate of birth and to establish a new certificate of birth; except that a new certificate of birth shall not be established if so requested by the court decreeing the adoption, the adoptive parents, or the adopted person.

(2) A request that a new certificate be established as prescribed by regulation and such evidence as required by regulation proving that such person has been legitimated, or that the CNMI Superior Court has determined the paternity of such a person, or that both parents have acknowledged the paternity of such person and request that the surname be changed from that shown on the original certificate.

(b) When a new certificate of birth is established, the actual village and/or district and date of birth shall be shown. The new certificate shall be substituted for the original certificate of birth in the files, and the original certificate of birth and the evidence of adoption, legitimation, court determination of paternity, or paternity acknowledgment shall not be subject to inspection except upon order of the CNMI Superior Court or as provided by regulation or as otherwise provided by CNMI law.

(c) Upon receipt of a report of an amended decree of adoption, the certificate of birth shall be amended as provided by regulation.

(d) Upon receipt of a report or decree of annulment of adoption, the original certificate of birth shall be restored to its place in the files and the new certificate and evidence shall not be subject to inspection except upon order of the CNMI Superior Court or as provided by regulation.

(e) Upon written request of both parents and receipt of a sworn acknowledgment of paternity signed by both parents of a child born out of wedlock, the Registrar shall reflect such paternity on the certificate of birth in the manner prescribed by regulation if paternity is not already shown on the certificate of birth.

(f) If no certificate of birth is on file for the person for whom a new birth certificate is to be established under this section, and the date and place of birth have not been determined in the adoption or paternity proceedings, a delayed certificate of birth shall be filed with the Registrar as provided in Section 26009 or Section 26010 of this Act before a new certificate of birth is established. The new birth certificate shall be prepared on the delayed birth certificate form.

(g) When a new certificate of birth is established by the Registrar, all copies of the original certificate of birth in the custody of any other custodian of vital records in the CNMI shall be sealed from inspection or forwarded to the Registrar, as he or she shall direct.

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(h) The Registrar shall, upon request, prepare and register a certificate in the CNMI for a person born in a foreign country who is not a citizen of the United States and who was adopted through the CNMI Superior Court. The certificate shall be established upon receipt of a certificate of adoption from the court decreeing the adopted person if 18 years of age or over that such a certificate be prepared. Such certificate shall be labeled “Certificate of Foreign Birth” and shall show the actual country of birth. A statement shall also be included on the certificate indicating that it is not evidence of United States citizenship for the child for whom it is issued. After registration of the birth certificate in the new name of the adopted person, the Registrar shall seal and file the certificate of adoption which shall not be subject to inspection except upon order of the CNMI Superior Court or as provided by regulation or as otherwise provided by CNMI law.

**Source:** PL 15-50, § 14, modified.

**Commission Comment:** The Commission changed “Section 13” in subsection (a)(1) above to “Section 26011” and “Section 11 or Section 12” in subsection (f) above to “Section 26009 or Section 26010” pursuant to the authority granted by 1 CMC § 3806.