

TITLE 1: GOVERNMENT
DIVISION 3: JUDICIAL BRANCH

§ 3901. Marshals Service Division: Establishment.

(a) There is in the judicial branch of the Commonwealth government a CNMI Marshals Service Division, established by the Judicial Council, having the authority and responsibility to perform the duties and functions set forth in this chapter. As used in this chapter, "Division" shall mean the CNMI Marshals Service Division.

(b) The Director of Courts shall hire a chief marshal and deputy marshals whose specific duties and responsibilities shall be determined by the Judicial Council.

(c) Each employee of the Marshals Service Division shall take an official oath of office prior to employment.

(d) Marshals Service Division personnel, including the chief marshal, shall qualify under such minimum standards of professional experience, physical and mental health, and education as established by the Judicial Council. No individual who has been convicted of a felony or other crime of moral turpitude may serve in the Marshals Service Division. The chief marshal and deputies shall undergo firearms training and periodic certification to the same extent as Police Officers of the Department of Public Safety. The Judicial Council shall establish standards for such training and certification consistent with the Department of Public Safety's standards.

Source: PL 17-41 § 2(3901) (May 9, 2011), modified.

Commission Comment: The Commission made "Marshal" plural where necessary to ensure consistency in this section pursuant to 1 CMC § 3806(g). Public Law 17-41 (effective May 9, 2011) was enacted to ensure that marshals, as law enforcement personnel, clearly have the authority to "perform duties involving the service of court processes and protection of the courts" and "are afforded the same benefits statutorily enjoyed by the beneficiaries of other law enforcement officers of the Commonwealth." PL 17-41 § 1.