

TITLE 1: GOVERNMENT  
DIVISION 7: PLANNING, BUDGETING AND AUDITING

**§ 7842. Access to Agency Information.**

(a) *Access Required.* The Public Auditor, in carrying out the provisions of this part shall have access to all records, reports, audits, reviews, papers, books, documents, recommendations, correspondence, and any other data and material that is maintained by or available to any agency which in any way relates to the activities to which the Public Auditor has duties and responsibilities. The Public Auditor shall request such information, cooperation, and assistance from any agency as may be necessary for carrying out his duties and responsibilities. Upon receipt of a request, each person in charge shall furnish to the Public Auditor or a designee the information, cooperation, and assistance requested. The Public Auditor may make such investigations, audits, and reports relating to the activities of the agencies audited as is necessary and may conduct any examination of any public documents. The Public Auditor shall have direct and prompt access to the head of any agency when necessary for any purpose pertaining to the performance of his or her duties.

(b) *Production of Testimony or Documents Required.* The Public Auditor may request the production, on a voluntary basis, of testimony or documents from any individual, firm, or nongovernmental entity which relate to his or her duties.

(c) *Authority to Summon for the Production of Records.* The Public Auditor may require by summons, the production of all records, reports, audits, review, papers, books, documents, recommendations, correspondence, and any other data and material relevant to any matter under audit or investigation. The summons shall be served in the same manner as the summons for the production of documents in civil cases issued on behalf of the Commonwealth, and all provisions of law relative to the summons shall apply to a summons issued under this part. Any judge of the Commonwealth Trial Court may, upon application by the Public Auditor, issue an order to compel the productions of records, audits, reviews, papers, books, documents, recommendations, correspondence, and any other data and material relevant to any matter under audit or investigation. Any failure to obey a court order is punishable by the court as contempt.

(d) *Procedures for a Summons of Records.* No summons issued under this section may be made public by the Public Auditor or any employee of the office of the Public Auditor, nor may any documents provided under this section be made public until such time as it is necessary for the Public Auditor to do so in the performance of duties.

(e) The provisions of subsections (c) and (d) of this section shall apply to 1 CMC §§ 7843, 7844 and 7845.

**Source:** PL 3-91, § 401.

**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.”