


03

August 23, 1974

MEMORANDUM FOR D. THOMPSON

Subject: Marianas Status Agreement

There is attached for your consideration a copy of Title IV of the current draft of the Marianas Status Agreement. I would appreciate your views at your convenience.

  
Michael S. Helfer

Attachment

0140521

TITLE IV

UNITED STATES JUDICIAL AUTHORITY

Section 401. Upon the effective date of this Section there shall be established by the United States for and within the Northern Mariana Islands, a court of record to be known as the "District Court for the Northern Mariana Islands." The District Court for the Northern Mariana Islands shall be within the same judicial circuit as is [the District Court of Guam] [the judicial district of the State of Hawaii].

Section 402. The President of the United States shall nominate and, by and with the advice and consent of the Senate, shall appoint a district judge for the District Court for the Northern Mariana Islands, who shall hold office for a term of eight years, and until a successor is chosen and qualified, unless sooner removed by the President for cause [, provided however that if the President appoints an incumbent judge of the District Court of Guam to be the judge of the District Court for the Northern Mariana Islands, his term as such judge shall not extend beyond that as judge of the District Court of Guam.] [The judge of the District Court for the Northern Mariana Islands shall receive a salary payable by the United States which shall be at the same rate prescribed for judges of the United States district courts.] [Both brackets suggested by H.M.]

Section 403. The District Court for the Northern Mariana Islands shall have the jurisdiction of a district court of the United States [(which jurisdiction shall extend to all causes arising under the Constitution, treaties, or laws of the United States regardless of the sum or value of the matter in controversy)][?]; shall have the jurisdiction conferred upon it by Section \_\_\_\_\_ of this Agreement [naturalization]; and shall have such original and appellate jurisdiction as the Constitution or laws of the Northern Mariana Islands may provide.

Section 404. (A) For purposes of appeals from the decisions of the United States Courts of Appeals to the Supreme Court of the United States, for purposes of review by the Supreme Court of the final judgments and decrees of [federal] courts [of the United States], and for purposes of the original jurisdiction of the district courts [of the United States] based on diversity of citizenship, the Northern Mariana Islands shall be treated as if it were a State of the Union.

(B) The laws of the United States which govern the relations between the courts of the United States and the courts of the several States with respect to appeals, certiorari, removal of causes, issuance of writs of habeas corpus and other matters or proceedings shall govern the

relations between the courts of the United States and the courts established by the Northern Mariana Islands as if the Northern Mariana Islands were a State of the Union.

03

August 23, 1974

MEMORANDUM FOR F. DAVID LAKE

Subject: Marianas Status Agreement

There are attached for your consideration copies of Titles V and VI of the current draft of the Marianas Status Agreement. I would appreciate your views at your convenience.

Michael S. Helfer 

Attachments

01-1525