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DRAFT
October 10, 1974

ARTICLE IV

United States Judicial Authority

Section 401.(a). The United States will provide for and within the Northern Mariana Islands a court of record to be known as the "District Court for the Northern Mariana Islands." [The United States will provide a district judge for the District Court for the Northern Marian Islands.]

[(b). The United States shall provide for the northern Mariana Islands a United States attorney and a United States marshall who, in addition to their regular functions, shall perform such functions relating to the execution of the laws of the Northern Mariana Islands as may be assigned to them by the legislature.]

Section 402.(a). The District Court for the Northern Mariana Islands shall have the jurisdiction of a district court of the United States, except that in all causes arising under the Constitution, treaties and laws of the United States it shall have jurisdiction without regard of the sum or value of the matter in controversy.

(b) The District Court shall have original jurisdiction in all causes in the Northern Mariana Islands not described in subsection (a), jurisdiction over which has not

been transferred by the legislature to another court or courts established by the Constitution or laws of the Northern Mariana Islands.

(c) The District Court shall have such appellate jurisdiction as the legislature shall determine. When it sits as an appellate court, the District Court shall consist of three judges, at least one of whom shall be a judge of a court of record of the Northern Mariana Islands.

Section 403.(a). The relations between the courts established by the United States and the courts of the Northern Mariana Islands with respect to appeals, certiorari, removal of causes, the issuance of writ of habeas corpus, and other matters or proceedings shall be governed by the laws of the United States pertaining to the relations between the courts of the United States and the courts of the several states in such matters and proceedings. [For purposes of review by the Supreme Court of the United States of judgments and decrees of courts established by the United States, the Northern Mariana Islands shall be treated as if it were a state of the Union.]

[(b). Those portions of Title 28 of the United States Code applicable with respect to the territory of Guam or the District Court of Guam shall be applicable in the same manner with respect to the Northern Mariana Islands or the District Court for the Northern Mariana Islands, except as otherwise specifically provided in this agreement.

Section 403. (a) The court of appeals for the Ninth Circuit shall have jurisdiction of appeals from all final decisions of the highest court of the Northern Mariana Islands in all cases involving the Constitution, laws or treaties of the United States or any authority exercised thereunder, and in all habeas corpus cases [and in all other civil cases where the value in controversy exceeds \$5,000, exclusive of interest and costs,], unless those decisions are reviewable in the District Court of the Northern Mariana Islands pursuant to section 402. [Based on 28 U.S.C. 1293 (1958 ed.). Matters in brackets presumably should be omitted.]

(b) * * * *