

TITLE 1: GOVERNMENT
DIVISION 2: EXECUTIVE BRANCH

§ 26021. Copies from the System of Vital Statistics.

In accordance with Section 26022 of this Act and the regulations adopted pursuant thereto:

(a) The Registrar shall, upon receipt of an application, issue a certified copy of a vital record in his or her custody or a part thereof to the registrant, his or her spouse, children, parents, or guardian, or their respective authorized representative. Others may be authorized to obtain certified copies when they demonstrate that the record is needed for the determination or protection of his or her personal or property right. The State Agency may adopt regulations to further define those who may obtain copies of vital records filed under this Act.

(b) All forms and procedures used in the issuance of certified copies of vital records in the CNMI shall be uniform and provided or approved by the Registrar. All certified copies issued shall have security features that deter the document from being altered, counterfeited, duplicated, or simulated without ready detection.

(c) Each copy or abstract issued shall show the date of registration and copies or abstracts issued from records marked "Amended" shall be similarly marked and show the effective date. Copies issued from records marked "Delayed" shall be similarly marked and shall include the date of registration and a description of the evidence used to establish the delayed certificate. Any copy issued of a "Certificate of Foreign Birth" shall indicate this fact and show the actual place of birth and the fact that the certificate is not proof of United States citizenship for the adoptive child.

(d) A certified copy or other copy of a death certificate containing the cause of death information shall not be issued except as follows:

(1) Upon specific request of the spouse, children, parents, or other next of kin of the decedent or their respective authorized representative; or

(2) When a documented need for the cause of death to establish a legal right or claim has been demonstrated; or

(3) When the request for the copy is made by or on behalf of an organization that provides benefits to the decedent's survivors or beneficiaries; or

(4) Upon specific request by local, State, or federal agencies for research or administrative purposes approved by the Registrar; or

(5) When needed for research activities approved by the Registrar; or

(6) Upon receipt of an order from a court of competent jurisdiction ordering such release.

(e) A certified copy of a vital record or any part thereof, issued in accordance with subsections (a), (b), and (c) shall be considered for all purposes the same as the original and shall be prima facie evidence of the facts stated therein, provided that the evidentiary value of a certificate or record filed more than one year after the event, or a record which has been amended, or a certificate of foreign birth, shall be determined by the judicial or administrative body or official before whom the certificate is offered as evidence.

(f) Nothing in this section shall be construed to permit disclosure of information contained in the "Information for Medical and Health Use Only" section of the birth certificate unless specifically authorized by the State Agency for

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statistical or research purposes. Such data shall not be subject to subpoena or court order and shall not be admissible before any court, tribunal, or judicial body.

(g) When the Registrar receives information that a certificate may have been registered through fraud or misrepresentation, he or she shall withhold issuance of any copy of that certificate pending an administrative hearing to determine whether fraud or misrepresentation has occurred. The Registrar shall offer the registrant or the registrant's authorized representative notice and opportunity to be heard. If upon conclusion of the hearing no fraud or misrepresentation is found, copies may be issued. If upon conclusion of the hearing, fraud or misrepresentation is found, the Registrar shall remove the certificate from the file. The certificate and evidence shall be retained but shall not be subject to inspection or copying except upon order of the CNMI Superior Court or by the Registrar for purposes of administering the vital statistics program.

Source: PL 15-50, § 23, modified.

Commission Comment: The Commission changed "Section 24" in the introductory sentence above to "Section 26022" pursuant to the authority granted by 1 CMC § 3806.