

TITLE 1: GOVERNMENT
DIVISION 3: JUDICIAL BRANCH

§ 30102. Definitions.

(a) “Administrator” means a designee of the Chief Justice.

(b) “Apparent owner” means a person whose name appears on the records of the Commonwealth Judiciary as the person entitled to property held, issued, or owing by the Judiciary.

(c) “Commonwealth Judiciary designee” means a person designated by the Judicial Council of the Commonwealth Judicial Branch obligated to hold for the account of, or deliver or pay to, the owner of the property that is subject to this Act.

(d) “Abandoned” or “unclaimed” property means moneys held within the Judiciary’s third party fiduciary account which have gone unclaimed for a period of one year or more after they are payable or distributable.

(e) “Notice” means:

(1) At the end of each calendar year, the administrator shall prepare a list of all abandoned funds in accordance with 1 CMC § 30103(a). The administrator shall then send notice by certified mail, return receipt requested, to the most recent mailing address on file with the Judiciary to any apparent owner; and

(2) The administrator shall also publish notice in a newspaper of general circulation within the Commonwealth. The published notice must contain:

(i) the name of each person appearing to be the owner of the property, as set forth in the report filed by the Commonwealth Judiciary designee;

(ii) a statement explaining that the owner’s property is presumed to be abandoned; and

(iii) a statement that information about the property and its return to the owner is available to a person having a legal or beneficial interest in the property, upon request to the administrator within six months.

(3) The administrator is not required to provide individualized notice under subsection (e)(1) to the owner of property having a total value less than \$250. Publication of notice in a newspaper of general circulation in accordance with subsection (e)(2) shall be sufficient.

(f) “Property” means a fixed and certain interest in intangible property that is held, issued, or owed in the course of the Judiciary’s business, and all income or increments therefrom. The term includes property that is referred to as or evidenced by money, a check, draft, deposit, interest, or dividend.

Source: PL 18-36 § 3 (Feb. 14, 2014), modified.

Commission Comment: The Commission corrected paragraph designations pursuant to 1 CMC § 3806(a). The Commission substituted section numbers pursuant to 1 CMC § 3806(d). The Commission corrected a semicolon at the end of subsection (f) to a period pursuant to 1 CMC § 3806(g).