

TITLE 1: GOVERNMENT
DIVISION 3: JUDICIAL BRANCH

§ 3706. Receipt of Document for Record.

(a) When in any document authorized by law to be recorded is deposited in the Recorder's Office for record, the Recorder shall immediately endorse upon it the proper filing number in the order in which it is deposited, the year, month, day, hour and minute of its reception, and the amount of fees for its recording. The document shall be recorded without delay, together with the acknowledgments, proofs and certificates written upon or annexed to it, and any plats, surveys, schedules, and other papers annexed to it.

(b) Any document authorized by law to be recorded may be filed with the office of the clerk of the Superior Court on Rota or Tinian for transmission to the Commonwealth Recorder. The office of the clerk of court shall time-stamp the document and collect the required fee. The Rota or Tinian office of the clerk of court, as the case may be, shall promptly notify the Commonwealth Recorder's Office on Saipan by facsimile, or other electronic means, of the nature of the interest and a brief description of the property and shall transmit all documents so filed to the Commonwealth Recorder on Saipan on a daily basis, together with accounting fees collected.

(c) Documents filed in accordance with subsection (b) of this section shall be deemed recorded as of the date and time they were filed with the office of the clerk of court. In the event a document is rejected by the Commonwealth Recorder for failure to conform the requirements of 1 CMC § 3709 or 2 CMC § 4913, the person who filed the document shall be notified promptly, and the document shall not be deemed recorded until such day and time as a conforming copy is recorded or filed.

(d) The Presiding Judge may supplement the provisions of this section by rule.

Source: PL 3-64, § 2; amended by PL 10-33, § 2.

Commission Comment: PL 10-33 took effect October 4, 1996. According to PL 10-33, § 1:

Section 1. Findings. The Legislature finds that requiring residents of Tinian and Rota to travel to Saipan whenever they have document which needs to be filed with the Commonwealth Recorder imposes significant additional burden and expenses on citizens of the First and Second Senatorial Districts. In addition, because recipients of interests in land are protected against subsequent purchasers only once the interest is recorded, the delays in recording that may result from the present system place residents of Rota and Tinian at increased risk. The purpose of this Act is to remedy those inequities and alleviate these difficulties by providing an efficient and effective means by which documents can be filed for recording through the Rota and Tinian offices of the Clerk of Court for the Commonwealth Superior Court. At the present time, we have only one title insurance company left operating on island. Their greatest concern is the "lag time" between filing a document with the clerk of court on Tinian or Rota, and the arrival and acceptance of the document on Saipan. The Legislature further finds that the aforementioned changes may significantly add to the cost of their doing business here in the Commonwealth. Therefore, the Legislature finds that it is necessary to install computers with scanners on Tinian and Rota. Documents filed there would be scanned and then transmitted to Saipan instantly in electronic form.