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AN ACT

Establishing procedures for the exercise of in personam jurisdiction in the courts of the **Commonwealth**, the service of process upon certain persons, and for other purposes.

BE IT ENACTED BY THE NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1           Section 1. Application. The provisions of this Act shall apply  
2 to service of process in all actions and proceedings properly before  
3 or in a court of jurisdiction in the Commonwealth of the Northern  
4 Mariana Islands, including the Commonwealth Trial Court, a Commonwealth  
5 appeals court, and the U.S. District Court for the **Northern** Mariana  
6 Islands.

7           Section 2. Acts Submitting to Jurisdiction.

8           (a) Any person, whether or not a citizen or resident of the  
9 Commonwealth of the Northern Mariana Islands, **who** in person or  
10 through an agent does any of the acts hereinafter enumerated,  
11 thereby submits such person, and, if not an individual, his  
12 personal representative, to the jurisdiction of the courts of the  
13 Commonwealth of the **Northern** Mariana Islands **as** to any **cause** of  
14 action arising from the doing of any of the following acts:

15                   (1) The transaction of any business within the  
16 **Commonwealth** of the Northern Mariana Islands;

17                   (2) Contracting to supply goods or services within  
18 the Commonwealth of the Northern Mariana Islands;

19                   (3) Contracting to insure any person, property, or  
20 risk located within the **Commonwealth** of the Northern Mariana  
21 Islands;

1 (4) Causing tortious injury or damage within the  
2 Commonwealth of the Northern Mariana Islands by an act or  
3 omission done within the Commonwealth of the Northern  
4 Mariana Islands;

5 (5) Causing tortious injury or damage within the  
6 Commonwealth of the Northern Mariana Islands by an act or  
7 mission done outside the Commonwealth by a person engaged in  
8 business or other acts having impact within the Commonwealth,  
9 or who derives income or revenue from supplying goods or  
10 **services within** the Commonwealth;

11 (6) Holding or having any interest in real property,  
12 including security or leasehold interests, within the  
13 **Commonwealth** of the Northern Mariana Islands, or using,  
14 possessing or owning real property **within the**  
15 **Commonwealth**;

16 (7) Any act done outside the Commonwealth of the Northern  
17 **Mariana** Islands which causes or results in any harmful impact,  
18 injury or damages, including pollution of air, land or water  
19 **within** the Commonwealth; and

20 (8) Any other act done within or outside the Commonwealth  
21 of the Northern Mariana Islands from which a cause of action  
22 arises and for which it would not be unreasonable, unfair  
23 and/or unjustified to hold the person doing such act legally  
24 responsible in a court of the **Commonwealth**.

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1           (b) Service of process upon any person who is subject to  
2           the jurisdiction of the courts of the Commonwealth of the  
3           Northern Mariana Islands, as provided in this Section, may be  
4           made as provided by Section 4 hereof, if he cannot be found in  
5           the Commonwealth of the Northern Mariana Islands, with the same  
6           force and effect as if such process had been personally served  
7           within the Commonwealth of the Northern Mariana Islands.

8           (c) Only causes of action arising from acts enumerated  
9           herein may be asserted against a defendant in an action in which  
10          jurisdiction over him is based upon this Section.

11          (d) Nothing herein contained limits or affects the right  
12          to serve any process in any other manner now or hereafter provided  
13          by law.

14          (e) It is the intention of the Legislature that jurisdiction  
15          under this Section shall be coextensive with the minimum standards  
16          of due process as determined in the United States Federal Courts.  
17          Section 3. Service in Cases of Operations of Motor Vehicles.

18          (a) The use and operation by any person, whether a resident  
19          or nonresident of the Commonwealth of the Northern Mariana Islands,  
20          of any motor vehicle within the Commonwealth of the Northern  
21          Mariana Islands is deemed equivalent to an appointment by such  
22          person of the Attorney General of the Commonwealth of the Northern  
23          Mariana Islands to be his true and lawful attorney upon whom may  
24          be served the summons and complaint in any action or proceedings  
25          against him growing out of any accident or collision in which the

1 person and the motor vehicle so used and operated may be' involved.  
2 The use and operation of the motor vehicle is deemed a  
3 signification of his agreement that any such summons and complaint  
4 against him which is so served is of the same legal validity as if  
5 served upon him personally within the Commonwealth of the Northern  
6 Mariana Islands, vwhether the person is a nonresident of the  
7 Commonwealth of the Northern Mariana Islands or at the time a  
8 cause of action arises is a resident of the Commonwealth of the  
9 Northern Mariana Islands, but subsequently becomes a nonresident  
10 of the **Commonwealth** of the Northern Mariana Islands. Service of  
11 such summons and complaint shall be made as provided by  
12 Section 4 hereof, if the defendant cannot be found within the  
13 **Commonwealth** of the Northern Mariana Islands.

14 (b) This Section shall not be **construed** as repealing or  
15 amending any other provision of law relating to the service of  
16 process upon absent defendants nor as establishing an exclusive  
17 method of service of process in cases to which this Section may  
18 **apply.**

19 Section 4. Manner of Service.

20 (a) ~~When~~ service of process is provided for by Sections 2  
21 and 3 hereof, service shall be made by leaving a certified copy  
22 thereof with the Attorney General, **who** shall keep a record of each  
23 **such** process and the day and hour of service; Provided, that  
24 notice of the service and a copy of the summons and of the  
25 complaint are served upon the defendant personally by any person

1 authorized to serve process in the place in which he may be found  
2 or appointed by the court for the purpose; or sent by certified  
3 or registered mail, postage prepaid, with return receipt requested,  
4 by the plaintiff or his attorney to the defendant. The plaintiff  
5 or his attorney shall file an affidavit of service with the Clerk  
6 of Courts showing that copies of the summons and **complaint** were  
7 served as aforesaid or sent by certified or registered mail **as**  
8 **aforesaid**, and in the latter case, the return receipt signed by  
9 the defendant, shall be filed with the affidavit. The service  
10 shall be deemed complete upon delivery of the required papers to  
11 the defendant outside the Commonwealth. personally or by mail as  
12 provided.

13 (b) **After** service on the **Attorney** General, if the defendant  
14 cannot be personally served by mail the summons and the complaint,  
15 and if by affidavit or otherwise the court is satisfied that  
16 **with** reasonable diligence the defendant cannot be served, and  
17 that a cause of action arises against the party upon whom  
18 service is to be made, or he is a necessary and proper party  
19 to the action, the court may order that service be made by  
20 publication of the summons in at least one newspaper published  
21 and having a general circulation in the **Commonwealth** of the  
22 Northern Mariana Islands. Such publication shall be made once  
23 each week for four successive weeks, and the last publication  
24 shall be not less than twenty-one days prior to the return date  
25 stated herein.

1 Section 5. This Act shall have effect as set forth in Section 6  
2 hereof, and shall apply to any cause of action within the provisions  
3 of Sections 2 and 3 upon which the process issues arose which has not  
4 been reduced to judgement.

5 Section 6. Effective Date. This Act shall take effect **upon** its  
6 approval by the Governor, or upon its becoming law **without** such  
7 approval.

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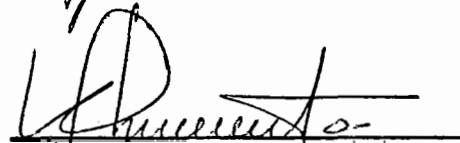
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April 6, 1981.



**Carlos S. Camacho**  
**Governor**  
Commonwealth of the Northern Mariana  
Islands