

approved by the Act of March 24, 1976 (90 Stat. 263), the provisions of part II of title 18 and of titles¹ 28, the rules of practice and procedure heretofore or hereafter promulgated and made effective by the Congress or the Supreme Court of the United States pursuant to titles 11, 18, and 28 shall apply to the District Court for the Northern Mariana Islands and appeals therefrom; except that the terms "Attorney for the government" and "United States attorney", as used in the Federal Rules of Criminal Procedure, shall, when applicable to cases arising under the laws of the Northern Mariana Islands, include the Attorney General of the Northern Mariana Islands or such other person or persons as may be authorized by the laws of the Northern Mariana Islands to act therein.

(Pub. L. 95-157, §1, Nov. 8, 1977, 91 Stat. 1265; Pub. L. 98-454, title IX, §901, Oct. 5, 1984, 98 Stat. 1744.)

REFERENCES IN TEXT

The Covenant, referred to in subsec. (c), is the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, which is contained in section 1 of Pub. L. 94-241, set out as a note under section 1801 of this title.

Act of March 24, 1976, referred to in subsec. (c), is Pub. L. 94-241, Mar. 24, 1976, 90 Stat. 263, as amended, which is classified generally to subchapter I (§1801 et seq.) of this chapter. For complete classification of this Act to the Code, see Tables.

The Federal Rules of Criminal Procedure, referred to in subsec. (c), are set out in the Appendix to Title 18, Crimes and Criminal Procedure.

CODIFICATION

Section was formerly classified to section 1694 of this title.

AMENDMENTS

1984—Subsec. (b)(1). Pub. L. 98-454, §901(a), substituted "for a term of ten years" for "for a term of eight years".

Subsec. (b)(2). Pub. L. 98-454, §901(b), inserted "or a recalled senior judge of the District Court of Guam or of the District Court of the Northern Mariana Islands" after "President" in first sentence.

Subsec. (c). Pub. L. 98-454, §901(c), amended subsec. (c) generally. Prior to amendment, subsec. (c) read as follows: "The provisions of chapters 43 and 49 of title 28, and the rules heretofore or hereafter promulgated and made effective by the Congress or the Supreme Court of the United States pursuant to titles 11, 18, and 28 shall apply to the District Court for the Northern Mariana Islands and appeals therefrom where appropriate, except as otherwise provided in articles IV and V of the covenant provided by the Act of March 24, 1976 (90 Stat. 263). The terms 'attorney for the government' and 'United States attorney' as used in the Federal Rules of Criminal Procedure (rule 54(c)) shall, when applicable to cases arising under the laws of the Northern Mariana Islands, include the attorney general of the Northern Mariana Islands or any other person or persons as may be authorized by the laws of the Northern Marianas to act therein."

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-454 effective on ninetieth day following Oct. 5, 1984, see section 1005 of Pub. L. 98-454, set out as a note under section 1424 of this title.

¹ So in original.

EFFECTIVE DATE

For effective date of this section, see section 1825 of this title and Effective Date of Constitution note thereunder.

TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of this title.

EXTENSION OF TERM OF DISTRICT JUDGES

Extension of term of district court judges to ten years applicable to judges holding office on Oct. 5, 1984, see section 1004 of Pub. L. 98-454, set out as a note under section 1424b of this title.

§ 1822. Jurisdiction of District Court; original jurisdiction; procedural requirements

(a) The District Court for the Northern Mariana Islands shall have the jurisdiction of a District Court of the United States, including, but not limited to, the diversity jurisdiction provided for in section 1332 of title 28 and that of a bankruptcy court of the United States.

(b) The district court shall have original jurisdiction in all causes in the Northern Mariana Islands not described in subsection (a) of this section jurisdiction over which is not vested by the Constitution or laws of the Northern Mariana Islands in a court or courts of the Northern Mariana Islands. In causes brought in the district court solely on the basis of this subsection, the district court shall be considered a court of the Northern Mariana Islands for the purposes of determining the requirements of indictment by grand jury or trial by jury.

(Pub. L. 95-157, §2, Nov. 8, 1977, 91 Stat. 1266; Pub. L. 98-454, title IX, §902, Oct. 5, 1984, 98 Stat. 1744.)

CODIFICATION

Section was formerly classified to section 1694a of this title.

AMENDMENTS

1984—Subsec. (a). Pub. L. 98-454 amended subsec. (a) generally, substituting "including, but not limited to, the diversity jurisdiction provided for in section 1332 of title 28 and that of a bankruptcy court of the United States" for "except that in all causes arising under the Constitution, treaties, or laws of the United States, it shall have jurisdiction regardless of the sum or value of the matter in controversy".

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-454 effective on ninetieth day following Oct. 5, 1984, see section 1005 of Pub. L. 98-454, set out as a note under section 1424 of this title.

EFFECTIVE DATE

For effective date of this section, see section 1825 of this title and Effective Date of Constitution note thereunder.

§ 1823. Appellate jurisdiction of District Court; procedure; review by United States Court of Appeals for Ninth Circuit; rules

(a) Appellate jurisdiction of District Court

Prior to the establishment of an appellate court for the Northern Mariana Islands the district court shall have such appellate jurisdiction