

Commonwealth of the Northern Mariana Islands
OFFICE OF THE ATTORNEY GENERAL

Location: Edward E. Manibusan, Attorney General
Juan A. Sablan Memorial Bldg. 2nd Floor
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**PUBLIC NOTICE OF PROPOSED REGULATIONS REGARDING THE USE OF
INVESTIGATIVE SUBPOENAS BY THE OFFICE OF THE ATTORNEY GENERAL**

INTENDED ACTION TO ADOPT THESE PROPOSED REGULATIONS: The Commonwealth of the Northern Mariana Islands Office of the Attorney General intends to adopt as permanent regulations the attached Proposed Regulations, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). The Regulations would become effective 10 days after adoption and publication in the Commonwealth Register. (1 CMC § 9105(b))

AUTHORITY: NMI Constitution, Article III, Section 11 & The CNMI Administrative Procedure Act (1 CMC §§ 9101-9115). The Office of the Attorney General is constitutionally established as an independent agency within the executive branch, headed by the elected Attorney General. The NMI Constitution requires the Attorney General to "prosecut[e] violations of Commonwealth law."

THE TERMS AND SUBSTANCE: The Regulations provide the process by which the Office of the Attorney General shall issue and enforce investigative subpoenas to investigate violations of Commonwealth law.

THE SUBJECTS AND ISSUES INVOLVED: These rules and regulations: establish the process by which the Office of the Attorney General will issue and enforce investigative subpoenas for documents and testimony in connection with prosecuting violations of Commonwealth law.

DIRECTIONS FOR FILING AND PUBLICATION: These Proposed Regulations shall be published in the Commonwealth Register in the section on proposed and newly adopted regulations (1 CMC § 9102(a)(1)) and posted in convenient places in the civic center and in local government offices in each senatorial district, both in English and in the principal vernacular. (1 CMC § 9104(a)(1)).

TO PROVIDE COMMENTS: Send or deliver your comments to the Office of the Attorney General, at the above address or email address, with the subject line "Subpoena Regulations." Comments are due within 30 days from the date of publication of this notice. Please submit your data, views or arguments. (1 CMC § 9104(a)(2)).

These proposed regulations were approved by the Attorney General on September 23, 2025.

Submitted by:


Edward E. Manibusan
Attorney General

10/10/2025
Date

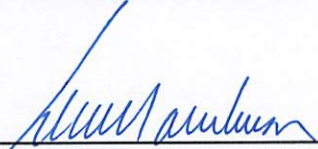
Filed and
Recorded by:


ESTHER R.M. SAN NICOLAS
Commonwealth Registrar

10.14.25
Date

Pursuant to 1 CMC § 2153(e) (AG approval of regulations to be promulgated as to form) and 1 CMC § 9104(a)(3) (obtain AG approval) the proposed regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General and shall be published, 1 CMC § 2153(f) (publication of rules and regulations).

Dated the 10th day of October, 2025.


EDWARD MANIBUSAN
Attorney General

Commonwealth gi Sangkattan na Islas Mariñas

Ufisinan Abugådu Hineråt

Edward E. Manibusan, Abugådu Hineråt

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**NUTISIAN PUPBLIKU PUT I MANMAPROPONI NA REGULASIÓN PUT I USUN NU
IMBESTIGASIÓN “SUBPOENAS” GININ I UFISINAN ABUGÅDU HINERÁT**

I AKSIÓN NI MA’INTENSIONA PARA U ADÁPТА ESTI I MANMAPROPONI NA REGULASIÓN SIHA: I Ufisinan Abugådu Hineråt gi Commonwealth gi Sangkattan na Islas Mariñas ha intensiona para u adápта komu petmanienti na regulasió n i mañechettun Manmaproponi na Regulasió n siha, sigun gi manera nu i Åktun Administrative Procedure, 1 CMC § 9104(a). I Regulasió n siha siempri umifektibu gi halum dies (10) dihas dispues di adaptasió n yan publikasió n gi halum i Rehistran Commonwealth. (1 CMC § 9105(b))

ÅTURIDÁT: I Konstitusió n NMI, Attikulu III, Seksiona 11 & I Åktun CNMI Administrative Procedure (1 CMC §§ 9101-9115). I Ufisinan Abugådu Hineråt ligåt ma’istablesi komu independienti na ahensia gi halum i rámas eksakatibu, dinirihi ni ma’ilekta na Abugådu Hineråt. I Konstitusió n NMI ha dimånda i Abugådu Hineråt para u “fotma ligåt na aksió n kontra håyi yumamak i lain Commonwealth.”

I TEMA YAN I SUSTANSIAN I PALÁBRA SIHA: I Regulasió n prumubeniya i maneraña i Ufisinan Abugådu Hineråt manmannå’i yan magubietna i imbestigasió n “subpoenas” para u imbestiga i yinamak i lain Commonwealth.

I SUHETU NI MASUMÁRIA YAN ASUNTU NI TINEKKA: Esti na areklamentu yan regulasió n siha: istablesi i maneraña i Ufisinan Abugådu Hineråt siempri mannå’i yan gubietna i imbestigasió n “subpoenas” para dokumentu yan testimonia chechettun yan i aksió n kontra håyi yumamak i lain Commonwealth.

DIREKSIÓ N PARA U MAPO’LU YAN MAPUPBLIKA: Esti i Manmaproponi na Regulasió n siha siempri mapupblika gi halum Rehistran Commonwealth gi halum i seksiona ni maproponi yan nuebu ma’adápта na regulasió n siha (1 CMC § 9102(a)(1)) ya u mapega gi halum mangkumbinienti na lugåt gi halum i civic center yan gi halum u fisinan gubietnamentu siha gi kada distritun senadót, parehu yan i dos na lingguåhin natibu. (1 CMC § 9104(a)(1)).

PARA U MAPRIBENIYI UPIÑON SIHA: Na'hanão pat intrega hálum i upiñom-mu guatu gi Ufisinan Abugãdu Hineråt, gi sanhilu' na "address" pat "email address," yan i suhetu na rason "Regulación Subpoena." I Upiñon siha debi di u fanhálum gi halum trenta (30) dihas ginin i fetcha publikasión esti na nutisia. Put fabot na'hálum i imfotmación, upiñon pat i agumentom-mu siha. (1 CMC § 9104(a)(2)).

Esti i manmaproponi na regulasión siha manma'aprueba ginin i Abugãdu Hineråt gi Septembri 23, 2025.

Nina'hálum as:


Edward E. Manibusan
Abugãdu Hineråt

10/10/2025
Fetcha

Pine'lu yan
Ninota as:


ESTHER R.M. SAN NICOLAS
Rehistran Commonwealth

10.14.25
Fetcha

Sigun gi 1 CMC § 2153(e) (Inaprueba i regulasion siha ni Abugãdu Hineråt ni para u macho'gui komu fotma) yan 1 CMC § 9104(a) (3) (hentan inaprueban Abugãdu Hineråt) i manmaproponi na regulasion siha ni mañechettun guini ni manmaribisa yan manma'aprueba komu fotma yan sufisienti ligåt ginin i CNMI Abugãdu Heneråt yan debi na u mapublika, 1 CMC § 2153(f) (publikasion i areklamentu yan regulasion siha).

Mafetcha gi diha 10th gi October, 2025.


EDWARD MANIBUSAN
Abugãdu Hineråt

**Commonwealth Téel Falúw kka Efáng Ilól Marianas
BWULASIYOL SOULEMELEMIL ALLÉGH LAPALAP**

Edward E. Manibusan, Soulemelemil Allégh Lapalap

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**ARONGORONGOL TOULAP REEL PPWOMWOL MWÓGHUTUGHUT IKKA E
SÚLLÚNGÁLI YÁÁYÁL “INVESTIGATIVE SUBPOENAS” SÁNGI BWULASIYOL
SOULEMELEMIL ALLÉGH LAPALAP**

**MÁNGEMÁNGIL MWÓGHUT REEL REBWE ADÓPTÁÁLI PPWOMWOL
MWÓGHUTUGHUT:** Commonwealth Téel Falúw kka Efáng Ilól Marianas Bwulasiyol Soulemelemil Allégh Lapalap re mángemángil rebwe adóptááli Ppwomwol Mwóghutughut ikka e appasch bwe ebwe lléghló fféérúl, sáangi mwóghutughutúl Administrative Procedure Act, 1 CMC § 9104(a). Ebwe bwunguló mwóghutughut kkaal seigh ráál mwiril aar adóptááli me akkatééwowul me Ilól Commonwealth Register. (1 CMC § 9105(b))

BWÁNGIL: Allégh Lapalapal NMI, “Article III”, Tálil 11 & “The CNMI Administrative Procedure Act” (1 CMC §§ 9101-9115). Bwulasiyol Soulemelemil Allégh Lapalap re itittiw reel igha re lo bwe “independent agency” Ilól “executive branch”, afal sáangi Soulemelemil Allégh Lapalap. Alléghúl NMI e tipáli bwe Soulemelemil Allégh Lapalap ebwe “ayoorai mwóghutughutúl tipitá ngáli iyo iye ese attabweey alléghúl Commonwealth”.

KKAPASAL ME AWEEWEEL: Mwóghutughut kkaal e ayoorai allégh iye Bwulasiyol Soulemelemil Allégh Lapalap ebwe isiisiwow me ayoorai lemelem ngáli “investigative subpoenas” reel ffeiril alléghúl Commonwealth.

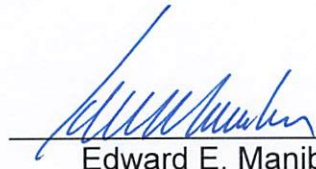
KKAPASAL ME AUTOL: Allégh me mwóghutughut: e itittiw mwóghutughut sáangi Bwulasiyol Allégh Lapalap bwe ebwe isiisiwow me yoor plóno me aalleta reel “subpoenas” ngáli pappid me arongorong ikka e schuu me mwóghutughutúl ffeiril alléghúl Commonwealth.

AFAL REEL AMMWELIL ME AKKATÉÉWOWUL: Ebwe akkatééwow Ppwomwol Mwóghutughut kkaal me Ilól Commonwealth Register Ilól tálil ppwomwol me ffél mwóghutughut ikka ra adóptááli (1 CMC § 9102(a)(1)) me ebwe appaschetá Ilól civic center me bwal Ilól bwulasiyol gobetnameento Ilól senatorial district, fengál reel English me mwáliyaasch. (1 CMC § 9104(a)(1)).

REEL ISIISILONGOL KKAPAS: Afanga ngare bwughiló yóómw ischil kkapas ebwe isiis ngáli Bwulasiyol Soulemelemil Allégh Lapalap, reel féléfél iye e lo weiláng ngare “email address”, fengál wóól “subject line” bwe “Soepoena Regulations”. Ebwe toolong kkapas eliigh ráál mwiril aal akkatééwow arongorong yeel. Isiisilong yóómw “data”, “views” ngare angingi. (1 CMC § 9104(a)(2)).

Aa átirow ppwomwol mwóghutughut kkaal sáangi Soulemelemil Allégh Lapalap wóól Maan 23, 2025.

Isáliyalong:


Edward E. Manibusan
Attorney General

10/10/2025
Ráál

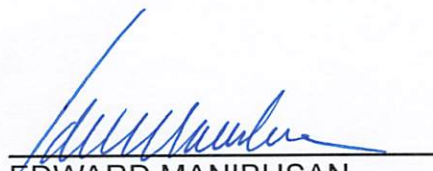
Ammwelil:


ESTHER R.M. SAN NICOLAS
Commonwealth Registrar

10.14.2025
Ráál

Sáangi 1 CMC § 2153(e) (sáangi átirowal AG reel mwóghutughut bwe aa fil reel fféérúl me ebwe arongowow) me 1 CMC § 9104(a)(3) (sáangi átirowal AG) reel ppwomwol mwóghutughut ikka e appasch bwe ra takkal amwuri fischiiy me átirowa bwe aa fil reel fféérúl me “legal sufficiency” sáangi Soulemelemil Allégh Lapalapal CNMI me ebwe akkatééwow, 1 CMC § 2153(f) (akkatééwowul allégh me mwóghutughut).

Ghikkill wóól 10th ráálil October, 2025.


EDWARD MANIBUSAN
Soulemelemil Allégh Lapalap

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Title 5: OFFICE OF THE ATTORNEY GENERAL

Chapter 5-80

Criminal Investigative Subpoena Regulations

Authority: CNMI Const. art. III, § 11

Part 001 - General Provisions

§ 001.101 Purpose

These regulations implement the independent, constitutional authority of the Attorney General of the Commonwealth of the Northern Mariana Islands (CNMI) to prosecute violations of criminal law, which includes the authority to investigate and evaluate each case before making a charging decision. As part of that authority to investigate, the Attorney General has inherent power to issue investigative subpoenas. These regulations establish the process for issuing and enforcing investigative subpoenas.

§ 001.102 Authority

These regulations are promulgated by the Attorney General under the authority granted by CNMI Const. art. III, § 11, 1 CMC § 2153 & 2156, 4 CMC § 5119 and the CNMI Administrative Procedure Act.

§ 001.103 Definitions

"Attorney General" means the Attorney General of the CNMI.

"Subpoena" means an investigative subpoena issued before any formal criminal charge has been filed with a court.

Part 100 - Investigative Subpoenas

§ 100.101 Scope

These procedures apply to subpoenas issued for documents, information, objects, or testimony in connection with criminal or consumer protection matters.

§ 100.102 Application Process

- (a) Any law enforcement officer or prosecutor with the Office of Attorney General may apply for a subpoena.
- (b) Subpoena applications shall be reviewed by the Attorney General, appointed Special Prosecutor, or Chief of the Criminal Division.

(c) An application for a subpoena duces tecum (for documents, information or objects) must include a:

1. Statement that the matter is sought by the Attorney General and is material to an ongoing criminal or consumer protection investigation;
2. Description of documents, information, objects sought;
3. Witness or Record Custodian's identity and address;
4. Date and location of delivery;
5. Whether a copy is sufficient; and
6. Whether an affidavit of a certified domestic record of a regularly conducted activity is being attached and requested, see NMI R. Evid. 902(11).

(d) An application for a subpoena ad testificandum (for testimony) must include a:

1. Statement that the witness testimony is sought by the Attorney General and is material to an ongoing criminal or consumer protection investigation;
2. Witness' identity and address;
3. Date and location of testimony.

§ 100.103 Issuance

- (a) A subpoena shall issue upon approval of an application.
- (b) A subpoena shall have the signature of the Attorney General, Chief Prosecutor or Special Prosecutor.
- (c) A subpoena must provide at least 24 hours notice, unless shortened for good cause.

100.104 Service

(a) Any law enforcement officer, including an Attorney General Investigator, may serve a subpoena.

(b) A subpoena may be served at any place within CNMI.

§ 100.105 Witness Rights and Warnings

(a) A witness who appears for testimony must be informed of:

1. The matter under investigation;
2. Whether they are a target of the criminal investigation or consumer protection;

3. Their right to counsel;
 4. Their right against self-incrimination; and
 5. That oral testimony must be taken under oath and recorded or transcribed.
- (b) An attorney may accompany a witness but must remain outside during questioning.
- (c) A witness may pause questioning to consult an attorney.
- (d) The witness must be given an opportunity to obtain an interpreter if needed.

§ 100.105 Recording

All oral testimony taken subject to subpoena shall be recorded or transcribed. However, a sworn, written statement is sufficient upon approval of the witness and the prosecutor.

Part 200 - Enforcement and Oversight

§ 200.101 Improper Use and Harassment Prohibited

- (a) Upon failure to comply with a subpoena, a prosecutor may seek enforcement by a motion with the superior court.
- (b) A witness may challenge a subpoena by filing a motion to quash with the superior court. A subpoena may not be used for purposes unrelated to the legitimate investigation. A subpoena may not be oppressive or unreasonable.

§ 200.102 Annual Reporting

The Criminal Division shall submit an annual summary to the Attorney General documenting:

- Number of subpoenas issued;
- General nature of investigations opened;
- Number of motions to enforce; and
- Number of motions to quash.