

Hi Austen,

Below is a redraft of subsection 9 (relating to a civil judgment for parental loss restitution), which attempts to account for the criminal judgment's inability to set out an accrued amount of parental loss restitution owed.

Under the redraft, North Dakota Rule of Court 3.2 would necessarily be implicated (as it applies to all motions unless another specific rule covers the situation), thus providing the defendant with a specific timeframe to respond and opportunity to request a hearing.

9. Upon motion of the prosecutor and evidence establishing the amount of accrued parental loss restitution that has been ordered but not paid, the court may order a civil judgment for such amount be docketed in the same manner as a civil judgment under section 29-26-22.1. The motion must be served upon the surviving parent or legal guardian at the last known address of the parent or guardian and upon the individual subject to the parental loss restitution order.

(Reid Brady - Bentley's Law)