

STANDARD DEFINITION OF “CASE ASSIGNMENT - MISCELLANEOUS MATTERS”

A case assignment regarding a petition to revoke probation, includes all matters brought in all related petitions, no matter how many underlying cases are involved.

A case assignment regarding a post-conviction application involves all matters brought in the application or amended application, no matter how many underlying cases are involved.

A case assignment regarding an appeal involves all matters raised in the appellate brief, no matter how many case assignments were involved at the trial level.

A case assignment regarding a child support matter involves all court files in which the petitioner and respondent are identical, but only includes those matters in the court files in which the petitioner and respondent are identical, but only includes those matters in the court files in which a constitution, statute or rule requires that an attorney be provided by this agency at public expense.

A motion for a new trial based on newly discovered evidence under Rule 33 (b) (1) of the North Dakota Rules of Criminal Procedure is a separate case assignment.

A case assignment regarding any other matter includes only the specific matter in the court file for which a constitution, statute or rule requires that an attorney be provided by this agency at public expense.

Adopted at July 22nd, 2013 Commission Meeting