

TITLE 4: ECONOMIC RESOURCES
DIVISION 9: LABOR

§ 9327. Collection of Defaulted Payments.

In case of default by the employer in the payment of compensation due under any award of compensation for a period of 30 days after the compensation is due and payable, the person to whom such compensation is payable may, within one year after such default, make application to the administrator for a supplementary order declaring the amount of the default. After investigation, notice, and hearing, as provided in 4 CMC § 9328, the administrator shall make a supplementary order declaring the amount of the default, if any, which shall be filed in the same manner as the compensation order. In case the payment in default is an installment of the award, the administrator may, at his discretion, declare the whole of the award as the amount in default. The applicant may file a certified copy of such supplementary payment in default as an installment of the award, the administrator may, at his discretion, declare the whole of the award as the amount in default. The applicant may file a certified copy of such supplementary order with the clerk of the Commonwealth Superior Court. Such supplementary order of the administrator shall be final, and the court shall, upon the filing of the copy, enter judgment for the amount declared in default by the supplementary order if such supplementary order is in accordance with law. Review of the judgment so entered may be had as in civil suits for damages at common law. Final proceedings to execute the judgment may be had by writ of execution. No fee shall be required for filing the supplementary order nor for the entry of judgment thereon, and the applicant shall not be liable for costs in a proceeding for review of the judgment unless the court shall otherwise direct. The court shall modify such judgment to conform to any later compensation order upon presentation of a certified copy thereof to the court.

Source: PL 6-33, § 1 (§ 9327).