

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

ORDER OF ADOPTION

Supreme Court No. 20220226

**Amendments to North Dakota Supreme Court Administrative Rule
51 Regarding the Applicable Mortality Table**

[¶1] The Court Services Administration Committee submitted proposed amendments to North Dakota Supreme Court Administrative Rule 51 Regarding the Applicable Mortality Table. The proposal is available at <https://www.ndcourts.gov/supreme-court/dockets/20220226>. Individuals who do not have internet access may contact the Office of the Clerk of the Supreme Court to obtain a copy of the proposal. The Court considered the matter, and

[¶2] IT IS HEREBY ORDERED that the amendments to North Dakota Supreme Court Administrative Rule 51 are ADOPTED effective September 1, 2022.

[¶3] The Supreme Court of the State of North Dakota convened with the Honorable Jon J. Jensen, Chief Justice, and the Honorable Gerald W. VandeWalle, the Honorable Daniel J. Crothers, the Honorable Lisa Fair McEvers, the Honorable Jerod E. Tufte, Justices, directing the Clerk of the Supreme Court to enter the above order.

[¶4] Dated: August 9, 2022

/s/ Petra H. Mandigo Hulm
Clerk
North Dakota Supreme Court

Administrative Rule 51 - SENTENCING OFFENDERS — MORTALITY TABLE

Effective Date: 3/2/2022

Section 1. Authority and Purpose.

In accordance with N.D. Const. art. VI, § 3 and N.D.C.C. § 12.1-32-09.1, the supreme court adopts this administrative rule relating to mortality tables in determining the sentence imposed upon certain offenders.

Section 2. Applicable Mortality Table.

In determining the sentence imposed upon a violent offender in accordance with N.D.C.C. § 12.1-32-09.1, the trial court must compute the remaining life expectancy of the offender by reference to the Total All origins and races column of Table B A (Expectation of life by age, race, sex and Hispanic origin) of the *United States Life Tables, 2008 2019*, included in the *National Vital Statistics Reports, Volume 70, No. 19, p. 3, March 20, 2022*, prepared by the National Center for Health Statistics (Center for Disease Control and Prevention) https://www.cdc.gov/nchs/products/life_tables.htm
<https://www.cdc.gov/nchs/data/nvsr/nvsr70/nvsr70-19.pdf>.

Section 3. Effective Date.

This rule is effective February 9, 2005.

Explanatory Note

This rule is effective February 9, 2005; amended effective August 11, 2021; March 2, 2022; _____, 2022.