

910.10 Restitution lien.

1. The state or a person entitled to restitution under a court order may file a restitution lien.
2. The restitution lien shall set forth all of the following information, if known:
 - a. The name and date of birth of the person whose property or other interests are subject to the lien.
 - b. The present address of the residence and principal place of business of the person named in the lien.
 - c. The criminal proceeding pursuant to which the lien is filed, including the name of the court, the title of the action, and the court's file number.
 - d. If applicable, any juvenile delinquency proceeding pursuant to which the lien is filed, including only the name of the court, the title of the action, and the court's file number.
 - e. The name and business address of the attorney representing the state in the proceeding pursuant to which the lien is filed or the name and residence and business address of each person entitled to restitution pursuant to a court order.
 - f. A statement that the notice is being filed pursuant to this section.
 - g. The amount of restitution the person has been ordered to pay or is likely to be ordered to pay.
3. A restitution lien may be filed by any of the following:
 - a. A prosecuting attorney in a criminal proceeding in which restitution is likely to be sought after the filing of an information or indictment. At the time of arraignment, the prosecuting attorney shall give the defendant notice of any restitution lien filed.
 - b. A victim in a criminal proceeding after restitution is determined and ordered by the trial court following pronouncement of the judgment and sentence.
 - c. A victim in a juvenile delinquency proceeding after restitution has been determined and ordered by the juvenile court and the juvenile offender has been discharged from the jurisdiction of the juvenile court due to reaching the age of eighteen years.
4. The filing of a restitution lien in accordance with this section creates a lien in favor of the state and the victim in any personal or real property identified in the lien to the extent of the interest held in that property by the person named in the lien.
5. This section does not limit the right of the state or any other person entitled to restitution to obtain any other remedy authorized by law.

91 Acts, ch 219, §31; 2006 Acts, ch 1164, §4, 5; 2007 Acts, ch 22, §108

Referred to in §232.149A, 232.150, 915.28