

RESTITUTION CLAIM FORM INSTRUCTIONS

What is Restitution?

Restitution: Damages or losses caused directly or indirectly by the defendant(s) offense(s); and expenses directly related to a criminal incident in which defendant was charged, found or plead guilty to. Restitution may be ordered by the Judge to *reimburse* expenses incurred by victim(s).

Please know the Criminal Court cannot order restitution for physical pain, suffering, or emotional distress or trauma.

How can I request Restitution?

Please review, complete, and submit the applicable information within the Victim Impact Statement by fax, email, or hand delivery to the Victim/Witness Office. This form must be signed in front of a Notary, in order to be filed with the court.

Your restitution request MUST INCLUDE:

- Copies of receipts to show out of pocket expenses.
- Supporting documentation (estimates, invoices, internet print outs with monetary amounts) showing medical and/or mental health expenses, or value(s) of lost, stolen, or damaged property.
- Claim information from your health, auto, property, or homeowner's insurance company if a claim has been made.
- Accurate accounting of who paid for what (self-pay, auto insurance, defendant's insurance, Crime Victims Compensation, financial institution, etc.) AS WELL AS an address(es) for where restitution payment(s) should be sent.
- TOTAL amount of restitution being requested. Again, this amount must be substantiated with supporting documentation.

*Failure to submit complete and accurate documentation may result in your claim not being considered. Restitution cannot be added for something that our office is not made aware of. It is IMPORTANT and REQUIRED to attach all copies of receipts/and or supporting proof verifying the claim of the costs listed.

Furthermore, it is important to gather and submit your request to our office AS SOON AS YOU CAN. If/When the defendant chooses to plead guilty or is found guilty, the amount of bills that our office has at that point can be considered for restitution. The defendant can plead guilty at any time during the criminal court process.

What happens next?

After all documentation for restitution has been received, it will be shared with the defendant/defendant's attorney. The defendant has the right to contest the amount of restitution being requested. If this happens, a Restitution Hearing will be scheduled and witnesses will testify to the amount(s). If the amount is agreed upon by the defendant and the State it can be included with the defendant's Criminal Judgment which will be sent to you following the resolution of the case.