



VICTIM RESTITUTION INFORMATION AND INSTRUCTIONS

Please Read Carefully. Should you have any questions, do not hesitate to ask.

INFORMATION

WHAT IS RESTITUTION?

- Restitution is a cash amount a defendant/respondent is ordered to pay to the victim due to personal injury or property damage caused by the defendant/respondent.
- All restitution must be ordered by the Court.
- Restitution may be paid in one lump sum or over time depending on the amount of restitution and the ability of the defendant/respondent to pay.
- Restitution is paid by cash or by a money order or cashier's check made out to the Tohono O'odham Nation in order for the Court to keep track of the payments. A check will be reissued by the Nation to the victim.
- The victim may opt for the restitution to be mailed or to pick up the restitution in person. **Picking up the restitution in person requires additional processing time.**
- The Court will send a Restitution Notice when a defendant/respondent pays restitution unless the victim has requested delivery by mail, in which case the Restitution Notice will be mailed with the restitution check.
- Requests to pick up restitution and restitution pick-ups may be done Monday through Friday from 7:30 A.M. to 3:00 P.M., excluding holidays.
- If the victim chooses, his or her contact information may be kept confidential.
- The victim should notify the Court in writing if his or her contact information changes.

FAILURE TO PAY

If the defendant/respondent fails to pay restitution the victim may inform the Nation's Prosecutor's Office and additional charges may be filed. A victim may also pursue other remedies in civil court to ensure payment.

RELEASE OF RESTITUTION

A victim who chooses to have restitution mailed to them only needs to keep his or her contact information current. Failure to do so will result in the funds being held in an account until the victim updates his or her contact information in writing. A victim who chooses to pick up his or her restitution in person should know that:

- A Restitution Notice will be sent to you upon any payment of restitution.
- It is your responsibility to come to the Justice Center to request the release of restitution.
- Your request may take up to five (5) business days to process.
- The money will be returned in the form of a check.
- You may choose to pick up your check in person or have the check mailed to you by regular mail.
- If you choose to pick up the check, you will be notified by phone when the check is ready.
- Tribal- or state-issued photo identification is required to pick up the check.
- If you do not pick up the check within a week of notification, the check will be mailed to you by regular mail at the address provided on the request form.

INSTRUCTIONS

1. Review the Restitution Information and Instructions form.
2. Provide the prosecutor with the information required to complete the Restitution Form if the defendant has not yet been sentenced.
3. If the defendant/respondent has been sentenced and you have received a Restitution Notice, fill out the Request for Release of Restitution and return the form to the information window.
4. You will be notified by phone when the check is ready. **Tribal- or state-issued photo identification is required to pick up the check.**