



## Victim Restitution Information and Instructions

### Information

#### What is Restitution?

- Restitution is a specific amount of money that the Court orders a defendant/respondent to pay to a victim/recipient, which repays the victim/recipient for damages caused by the defendant/respondent.
- The defendant/respondent may pay the restitution in one lump sum or over time depending on the amount of restitution and the defendant/respondent's ability to pay.

#### How do I get my Restitution?

- You must complete a restitution form. We recommend that you complete the restitution form before the Court orders restitution.
- On the restitution form, you must choose:
  - a) to pick up the check in-person;
  - b) to have the check mailed; or
  - c) to pick up the first check in-person and then to have the remaining checks mailed.
- The defendant/respondent pays the restitution to the Court in certified funds (cash, money order, or cashier's check). The Court keeps track of the defendant/respondent's payments.
- After the defendant/respondent makes a payment, the Court will do one of the following, depending on your choice:

##### *In-Person Pick Up*

- If you requested in-person pick up, the Court will mail a Notice of Restitution to the address on the restitution form.
- You must contact the Court and schedule when you will pick up the check. Available hours are Monday through Friday from 7:30 a.m. to 3:00 p.m., excluding legal holidays.
- The Court will contact you when the check is ready to be picked up.
- You must bring a tribal or state issued photo identification to pick up the check.
- If you don't pick up the check within five days of your scheduled pick up date, the Court will mail it to the address on the restitution form.

##### *Mailed*

- If you requested the check to be mailed, the Court will mail the Notice of Restitution and the check to the address on the restitution form.

*First Payment In-Person Pick Up and All Remaining Payments Mailed*

- If you requested this option, the Court will mail a Notice of Restitution to the address on the restitution form.
- You must contact the Court and schedule when you will pick up the check. Available hours are Monday through Friday from 7:30 a.m. to 3:00 p.m., excluding legal holidays.
- The Court will contact you when the check is ready to be picked up.
- You must bring a tribal or state issued photo identification to pick up the check.
- The Court will verify your mailing address when you pick up the check.
- You must notify the Court in writing if your address or contact information changes. Failing to do so will result in the Court holding the funds until you update your address and contact information.

**What if the Defendant/Respondent Doesn't Pay?**

- If the defendant/respondent doesn't pay the restitution, you have a few options:
  - 1) You may notify the Tohono O'odham Prosecutor's Office and ask for additional criminal charges to be filed (7 T.O.C. § 2.1).
  - 2) You may notify the Court and ask for a Review Hearing or an Order to Show Cause Hearing for the defendant/respondent.
  - 3) You may pursue other civil remedies, such as wage garnishment (4 T.O.C. Ch. 3).
- When considering your options, we recommend seeking legal counsel because the Court cannot give legal advice.

**Instructions**

1. Please complete the attached restitution form.
2. If the Court has not ordered restitution yet, please give the restitution form and the supporting documents to Victim Services at the Prosecutors Office. The Prosecutors Office will file the document with the Court.
3. If the Court has already ordered restitution, please complete the attached restitution form and file it with the Court.
4. If you are updating your contact information, please complete the attached restitution form and file it with the Court.