

Required Information

Pursuant to MDCodeAnn., Criminal Procedure §11-607, subject to federal law, DJS shall obtain the Social Security number of the restitution obligor to facilitate the collection of restitution. This information must be provided by the juvenile or parent/guardian.

Enforcing a Judgment of Restitution

A judgment enables the victim to take action in civil court against the juvenile/parent/guardian to obtain unpaid restitution.

Four remedies are available to a victim in civil court. A victim may:

1. Garnish the juvenile's/parent's/ guardian's wages;
2. Levy the juvenile's/parent's/guardian's bank account(s);
3. Place a lien(s) on any property owned by the juvenile /parent/guardian; or
4. Obtain a writ of execution from the court that allows the victim to take the juvenile's/ parent's/guardian's property.

The victim may obtain information about the juvenile's/parent's/guardian's assets from court records, the tax assessor's office, or through an oral examination held in civil court where parties are required to answer questions about their assets. This information will assist the victim in determining what collection remedies may be used.

If a judgment is issued, it becomes a matter of public record. It is valid for 12 years and may be renewed until the debt is paid in full or otherwise compromised. A judgment may impact the debtor's credit score, ability to obtain a loan, tax refund, etc.

Mission of the Maryland Department of Juvenile Services

By law, DJS is a child-serving agency responsible for assessing the individual needs of referred youth and providing intake, detention, probation, commitment, and aftercare services.

DJS collaborates with youth, families, schools, community partners, law enforcement, and other public agencies to coordinate services and resources to contribute to safer communities.

If you have any questions regarding this information or other questions regarding restitution collection, please contact:

Case Manager: _____

Office phone #: _____

Restitution Coordinator: _____

Office Phone #: _____

Petition/Docket #: _____

REMINDER: When mailing a payment make sure to include the payment slip and to put the youth's name, petition number, and/or restitution account number on the check or money order. **NO CASH PAYMENTS ARE ACCEPTED.**



Auxiliary aids or alternative formats are available for individuals with disabilities upon request at: 410-230-3282.

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Youth & Parent Guide to Restitution Obligations



Wes Moore
Governor

Aruna Miller
Lt. Governor

Betsy Fox Tolentino
Acting Secretary



Restitution Provisions under Maryland Law

Restitution is a remedy whereby the court or as a result of a Pre-Court Supervision Agreement a juvenile/parent/guardian is ordered to compensate a victim for losses suffered as a result of a crime or delinquent act committed by a juvenile.

The victim or the State's Attorney may request restitution. The court must be provided with sufficient evidence to support the restitution claim. A court may order a juvenile, parent, or legal guardian to pay restitution for committing a delinquent act. The restitution may be paid through the Department of Juvenile Services (DJS) directly to the victim or to another agency which provides financial or other assistance to the victim.

Restitution may be ordered if one or more of the following situations occur:

1. Victim's property was stolen, damaged, destroyed, unlawfully obtained, or the value of the property has been substantially decreased.
2. Victim suffered medical, dental, hospital, counseling, funeral, or burial expenses, direct out-of-pocket loss, loss of earnings, or expenses with rehabilitation.
3. The Maryland Department of Health or any governmental agency paid the victim's medical expenses.
4. Any governmental agency had to pay money for removing, towing, transporting, preserving, storing, selling, or destroying an abandoned vehicle.
5. The Criminal Injuries Compensation Board paid benefits to the victim.
6. The Maryland Department of Health or another governmental agency incurred costs for the HIV testing of the juvenile.

The Restitution Order

When restitution is ordered by the court, compliance with the order of restitution becomes a condition of the juvenile's supervision by DJS.

Restitution may be granted at a restitution hearing or in conjunction with the juvenile's disposition hearing conducted before a juvenile court judge or magistrate.

If the court determines that a judgment of restitution is warranted, the judgment may be ordered against the juvenile, his/her parent(s)/guardian(s), or both. If more than one juvenile is involved, the restitution may be ordered against each juvenile, the parents/guardians of each juvenile, or all parties involved. By definition, being jointly and severally liable means that each individual remains responsible for payment of the **entire liability**, when any part is unpaid.

A court does not have to order restitution if it finds the juvenile or liable parent(s)/guardian(s) does not have the ability to pay or if there are extenuating circumstances that make restitution inappropriate.

The Payment Process

DJS administers payment of restitution. An initial letter explaining how to make payments along with payment slips and pre-addressed envelopes will be sent to the juvenile/parent/guardian. When DJS receives a restitution payment, the juvenile's account is credited.

In order to ensure that the payment is credited to the correct account, make sure to include the youth's name, petition number, and/or restitution account number on the check or money order. NO CASH PAYMENTS ARE ACCEPTED.

For additional envelopes or payment slips please contact the Restitution Coordinator at the number provided. Payments may also be mailed directly to: Department of Juvenile Services, P.O. Box 41399, Baltimore, MD 21203.

Overdue Restitution Accounts

A restitution account is considered overdue if the entire restitution or a payment has not been made by the date ordered by the court or established by DJS. If there is a lapse in payments, the Restitution Coordinator is required to send three warning letters to the juvenile/parent/guardian at 30-day intervals.

After three warning letters, if no payment is received, pursuant to Md. Code Ann., Criminal Procedure Article §11-616, DJS is obligated to notify the court of overdue restitution. In addition, DJS may refer overdue restitution to the Central Collection Unit for further action. This is the collection agency for overdue accounts for the State of Maryland. A 17% administrative fee will be added to the balance due. In addition, CCU will seek and collect interest on restitution obligations reduced to money judgments at the rate of 10% annually. At this point, the Restitution Coordinator will notify the juvenile/parent/guardian and victim of this action.

If court-ordered supervision is terminated and restitution is still owed, the case will be referred to the Central Collection Unit to pursue payment until the debt is satisfied.

Terminating a Restitution Account

A restitution account may be closed for only two reasons:

1. Restitution has been paid in full; or
2. The court ordered the account closed due to extenuating circumstances (i.e., death of the juvenile).