

1 Rule 6-303. Collection of fines and restitution.

2 Intent:

3 To provide consistency in the collection of all fines and restitution ordered by the  
4 District Court.

5 Applicability:

6 This rule shall apply to all District Courts, the Department of Corrections and the  
7 Office of ~~Recovery Services~~ State Debt Collection.

8 Statement of the Rule:

9 (1) Upon order of the court, the Department of Corrections shall be responsible for  
10 the collection and distribution of fines and restitution during the probation period in  
11 cases where the court orders supervised probation by the Department.

12 (2) If a defendant fails to pay the amount of fines and restitution ordered by the court  
13 pursuant to the payment schedule established by the Department, the Department shall  
14 file a progress/violation report with the court. The report shall contain any explanation  
15 concerning the defendant's failure to pay and a recommendation as to whether the  
16 defendant's probation should be modified, continued, terminated or revoked or whether  
17 the defendant should be placed on bench probation for the limited purpose of enforcing  
18 the payment of fines or restitution.

19 (3) If the court orders the defendant placed on bench probation for the purpose of  
20 enforcing the payment of fines and restitution, the court shall notify the defendant of  
21 such order.

22 (4) ~~If the court allows for statutory termination of probation, the Department of~~  
23 ~~Corrections shall, when ordered by the Court, collect restitution on behalf of the victim.~~  
24 The court shall transfer an account to the Office State Debt Collection for collection as  
25 required by statute.

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