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January 25, 2020

The Honorable Larry Hogan
Governor of Maryland
100 State Circle
Annapolis, MD 21401

The Honorable William C. "Bill" Ferguson IV
President of the Senate
State House, H-107
Annapolis, MD 21401-1991

The Honorable Adrienne A. Jones
Speaker of the House of Delegates
State House H-101
Annapolis, MD 21401-1991

Re: 422 of 2018 (House Bill 247), *Criminal Procedure – Victim Services Unit – Victims' Compensation, Report on Restitution*

Dear Governor Hogan, President Ferguson, and Speaker Jones:

As required by Chapter 422(9) of 2018, the Justice Reinvestment Oversight Board is to report to the Governor and the General Assembly by December 31, 2019, on any recommendations to improve the process of restitution.

The Oversight Board respectfully requests an extension on this report through April 2020. This delay will allow the Board additional time to thoroughly review, discuss, and vote on the recommendations.

Should you have any questions, please contact Daniel Atzmon at the Governor's Office of Crime Control and Prevention at 410-697-9338.

Sincerely,

Daniel M. Long
Chair, Justice Reinvestment Oversight Board

cc: Sarah Albert, Department of Legislative Services (5 copies)
V. Glenn Fueston, Jr., Executive Director, Governor's Office of Crime Control and Prevention



**GOVERNOR'S OFFICE OF
CRIME PREVENTION, YOUTH,
AND VICTIM SERVICES**

**Justice Reinvestment Oversight Board
One-Time Victim Services Report on Restitution**

Chapter 422 of 2018 (House Bill 247)

Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

V. Glenn Fueston Jr.
Executive Director
Governor's Office of Crime Prevention, Youth, and Victim Services

Daniel M. Long
Chair, Justice Reinvestment Oversight Board

Submitted by:
Justice Reinvestment Oversight Board

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August 6, 2020
MSAR #11641

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Introduction

Chapter 422 of 2018 (House Bill 247), *Criminal Procedure - Victim Services Unit - Victims' Compensation*, established the Victim Services Unit (Unit) in the Governor's Office of Crime Prevention, Youth, and Victim Services ("Office"). This Unit consists of the Criminal Injuries Compensation Board, the program for sexual assault forensic examinations, a restitution section, and any other program that provides victim services under the Office that the Executive Director determines would benefit from inclusion under the Unit.¹

In accordance with § 11-1104 of the Criminal Procedure Article, the Unit must coordinate with the Judiciary, the Department of Public Safety and Correctional Services, the Department of Juvenile Services, the Central Collection Unit, State's Attorney's Offices, and local correctional facilities to:²

1. Collect data;
2. Develop best practices, using data and other evidence to the extent available, for restitution collection;
3. Coordinate and improve efforts of State and local entities regarding restitution;
4. Ensure the interoperability of justice system databases;
5. Require that each of the databases has a data field to indicate that there are outstanding restitution orders; and
6. Coordinate efforts to improve restitution collection.

With regards to restitution, § 11-1105 of the Criminal Procedure Article requires the Unit to:³

1. Monitor and provide guidance to the Executive Director on the adoption of regulations establishing minimum mandatory standards for State and local correctional facilities regarding notification, restitution, and administrative record keeping;
2. Encourage the use of earnings withholding orders to collect restitution;
3. Coordinate with the Central Collection Unit to improve restitution collection;

¹ Maryland General Assembly. (2018). [Chapter 422 of 2018 \(House Bill 247\). Criminal Procedure - Victim Services Unit - Victims' Compensation](#).

² Ibid.

³ Ibid.

4. Coordinate with the Division of Parole and Probation to modernize and improve collections and collaborate on communicating with parole and probation agents on their role in restitution collection;
5. Coordinate with the Division of Parole and Probation and the Department of Budget and Management Central Collection Unit on ways to expedite the referral of cases to the Central Collection Unit;
6. Develop programs to be presented to the Maryland State's Attorneys' Association to emphasize statutory obligations regarding restitution;
7. Promote notification to victims; and
8. Examine the current remedies available to enforce restitution orders to determine whether the remedies are being effectively used and make recommendations regarding the need for additional remedies.

In addition, Section 9 of Chapter 422 of 2018 (See Appendix) requires the Justice Reinvestment Oversight Board (Board) to monitor the formation of the Unit, and to provide oversight and guidance. It also requires the Board to ensure that the data systems developed by the Unit enhance victim services and are user-friendly for persons responsible for the data systems. In addition, the Board must ensure the Unit adopts appropriate outcome measures, reviews outcomes, and recommends any appropriate actions based on the outcomes; and assess whether the current system of collecting restitution should remain within the existing State and local entities. Furthermore, it requires the Board to report to the Governor and the General Assembly by December 31, 2019, on any recommendations to improve the process of restitution, including whether the Unit can take over restitution collections without impacting its ability to serve victims. Specifically, and when considering whether the Unit should assume the duties of collecting restitution, the report must include the following matters:

⁴

1. The needs of the Unit, including personnel requirements;
2. Whether, in order to avoid duplication of effort and resources, the Unit should take over the duties of collecting other money in addition to restitution; and
3. Ways to avoid confusion and to streamline the payment system for persons owing restitution as well as other payments.

On January 14, 2020, the Justice Reinvestment Oversight Board discussed the draft Restitution Report required by Chapter 422 of 2018. At the Board meeting, members agreed to request a postponement from the General Assembly to give the Board additional time to review and consider the recommendations. In addition, the Board agreed to reconstitute the Restitution Workgroup which would be charged with finalizing

⁴ Ibid.

the report with the expert input of Workgroup members representative of all stakeholders in the Restitution Process.

The Board also voted to allow the Office to utilize funding from the Performance Incentive Grant Fund to hire a Restitution Coordinator both to staff the Workgroup and help implement its recommendations.

Due to the Covid-19 pandemic and the State of Emergency, some of this work has been delayed, including the reconstitution of the Restitution Workgroup and the submission of this report.

Therefore, the recommendations seek to provide items for consideration and investigation by the Restitution Workgroup.

Relevant Maryland Restitution Law

Maryland law regarding restitution is in Title 11, Subtitle 6 of the Criminal Procedure Article. There are currently several restitution collection provisions in law that are either under-utilized, inconsistently utilized, or not utilized at all. Identifying and enforcing these remedies would likely provide significant improvement to restitution collection throughout the State with little to no financial impact to State agencies. Current law dictates that a court may enter a judgment of restitution and that a victim is presumed to have a right to restitution. Regarding collection, [§ 11-607 of the Criminal Procedure Article](#) provides that:

- Restitution may be a requirement in the judgment of conviction or disposition in a juvenile delinquency proceeding.
- Restitution shall be a condition of work release, if work release is ordered or allowed.
- Restitution shall be a condition of probation, if probation is ordered.
- Subject to federal law, the social security number of the restitution obligor shall be obtained to facilitate the collection of restitution.
- The restitution obligor shall make restitution under the terms and conditions of the judgment of restitution.

Additionally, when restitution is overdue, the Division of Parole and Probation or the Department of Juvenile Services shall:

- Notify the court
- Request an earnings withholding order if one is not already in place

The court may hold a hearing to determine whether the restitution obligor is in contempt of court or in violation of probation.

The [Justice Reinvestment Act \(Chapter 515 of 2016\)](#) prioritized restitution as a key element of restorative justice. Failure to pay restitution constitutes a technical violation. Graduated sanctions are to be utilized to address technical violations as an alternative to the revocation of parole or probation, but with that, the Justice Reinvestment Act dictates that prompt notice of any technical violation be provided to the court. The Justice Reinvestment Act also requires the Division of Correction to establish payment plans under certain circumstances; requires training of Division of Parole and Probation agents regarding restitution and to use programs designed to encourage payment of restitution; makes payment of restitution a condition for an inmate to receive a Certificate of Rehabilitation; requires correctional institutions to collect 20% of an inmate's wages for restitution; and requires governmental units to collect and report data related to restitution collection.

Recommendations for Systemic Repair of the Restitution Collection Process

The process of repairing the restitution collection system in Maryland will require a multi-year, multi-tiered approach. Both short-term and long-term solutions are required to promote and enforce all necessary changes to hold offenders accountable, operate within the structure of the Justice Reinvestment Act standards, and make victims whole.

Many of the potential short-term solutions will simply require the reinforcement of laws and practices already in place. The potential long term solutions will require the purchase of restitution management software, addressing staffing needs, the development of a pilot program, introducing legislation and other more challenging, time consuming, and costly means to institute the necessary changes to the restitution process in Maryland.

The Board in January 2020 voted to reconvene the Board's Restitution Workgroup in order to conduct a full examination of the following to determine which combination of solutions would best serve Maryland.

The Workgroup consists of representatives from the Oversight Board or their designees as well as additional experts from the victim services and law enforcement communities. The Workgroup will report on its progress at each meeting of the Board.

Workgroup

At the victims' roundtables held as part of the Justice Reinvestment Coordinating Council, the study group that preceded the current Board, the collection of restitution was found to be a matter of most importance to victims in the State. A Restitution Workgroup will help focus the attention of the board on this issue and other matters relating to victims' services. The Workgroup will review and report applicable recommendations to the Board on the matters required by Chapter 422, Section 9. Specifically, the Board will:

- 1) Monitor the formation of the Victim Services Unit and provide oversight and guidance to the Victim Services Unit;
- 2) Ensure that data systems developed and used by the Victim Services Unit enhance victim services and are user-friendly for persons responsible for the data systems;
- 3) Ensure the Victim Services Unit adopts appropriate outcome measures, reviews outcomes, and recommends any appropriate actions based on the outcomes; and
- 4) Assess whether the current system of collecting restitution should remain within the existing State and local entities.

Items for Consideration by the Workgroup

The following list of possible improvements have been identified for consideration by the Workgroup. **We want to emphasize that the following are suggestions for the Workgroup to consider.** Furthermore, each item or proposed solution for consideration should be read in conjunction with each of the other items as many relate to and are necessary preconditions for other solutions. For example, improved income and asset disclosures, the establishment of a Financial Litigation Unit pilot, or new software systems may be necessary preconditions for widespread adoption of new payment schemes. It will be up to the Workgroup to recommend to the full Board whether these or any other options will best serve the best interests of victims and the State.

They are broken down into three categories, with an estimated cost for each item if known: (1) Potential Short-term Solutions; (2) Potential Advanced Short-term Solutions; and (3) Potential Long-term Solutions.

Potential Immediate Short-term Solutions

1. Establish a training protocol for the judiciary (Judges and Court Clerks) and the staff of State's Attorney offices to encourage the proper use of existing restitution collection statutes and rules.
 - Estimated cost: None
2. Encourage that Circuit Court and District Court judges ensure their restitution process for ordering, recording, and indexing judgments are correctly implemented by policies and business practices in accord with law. Encourage that District Court judges (other than in Baltimore City) inform victims of their right to obtain the recording and indexing of a judgment of restitution upon the victim's written request and without charge. Consider additional training for judiciary staff as needed to comply with Maryland statutes and rules involving restitution.
 - Estimated cost: None
3. Encourage the use of earnings withholding orders.
 - Estimated cost: None
4. Establish a training protocol for the Division of Parole and Probation, the Department of Juvenile Services, the Department of Public Safety and Correctional Services, and local correctional facilities. This will ensure that all staff are adequately trained in restitution collection responsibilities and any best practices, and are utilizing data-driven collection measures that are both in compliance with the Justice Reinvestment Act and effective for victim restitution recovery.
 - Estimated cost: None
5. Review existing restitution related policies and procedures for the Division of Parole and Probation, the Department of Juvenile Services, the Department of Public Safety and Correctional Services, and local correctional facilities. Examine methods to enhance regular reporting of overdue restitution payments and other applicable information and collection options to Judges. This will allow the court to identify and address payment issues.
 - Estimated cost: Minimal. Costs may include staff time and costs associated with process improvements.
6. Develop additional social service and workforce development partnerships to enhance the ability of the Division of Parole and Probation, the Department of Juvenile Services, the Department of Public Safety and Correctional Services,

and local correctional facilities to assist restitution obligors earn sufficient funds where the obligors have an inability to make restitution payments as required.

- Estimated cost: Minimal. Costs may include staff time.
7. Have the Victim Services Unit meet with the Maryland Child Support Administration (CSA) to determine what methods used to collect child support may be emulated with or without statutory changes to streamline payments for restitution.
 - Estimated Cost: None

Potential Advanced Short-term Solutions

1. Collaborate with the Central Collection Unit to expand their collection efforts for victim restitution in a manner that follows the statutory priority for the collection of restitution payments. The development of a structured overdue restitution referral protocol to the Central Collection Unit will allow for earlier case referral while cases are more viable for collection. Encourage the early use of all collection methods (such as tax intercepts) utilized by the Central Collection Unit for other types of State debt collection.
 - Estimated cost: None
2. The Workgroup should explore the possibility of establishing a restitution docket pilot project in one or more jurisdictions. If a restitution obligor knows that the court will periodically review payment of restitution, timely payments can be effectuated. For the pilot project, a court can schedule periodic restitution reviews which may also ascertain unreported technical violations for failure to pay restitution. To avoid overwhelming the court dockets, these reviews can be canceled in advance if the restitution obligor is current on restitution payments. These hearings can also be utilized to make adjustments to the monthly restitution repayment rate as necessary based on the restitution obligor's employment status, income, and assets. The Workgroup should consider whether any changes to statutes and court rules would be necessary or desirable for the effective operation of a pilot project.
 - Estimated cost: Unknown
3. Updated technology improvements - Purchase electronic payment software, contract with an electronic payment system, or utilize a Central Collection Unit collection model for the collection of all restitution. Maryland restitution collection practices currently do not allow for electronic payments. Vouchers with payment

by cashier's check or money order are the current practice for restitution collection and having only that functionality is contrary to facilitating the collection of restitution. Consult with the Department of Juvenile Services, the Department of Public Safety and Correctional Services, and the Central Collection Unit regarding feasibility and costs.

- Estimated cost: Unknown. The cost is highly dependent on the type of system selected.
4. Electronic payment due date notification to the restitution obligor. This enhancement would best be utilized as a feature of an electronic payment system.
 - Estimated cost: Unknown
 5. Both enforcement and deferment of the 10% per annum interest on restitution judgments. Maryland law currently requires the assessment of 10% per annum interest on restitution judgments. This is seldom collected. If the victim consents, offering a period of deferment for restitution paid in full, followed by interest enforcement measures for unpaid restitution would potentially incentivize early payment.
 - Estimated cost: None
 6. Establish the position of Restitution Coordinator. The Restitution Coordinator would report to the current Program and Policy Administrator of the Victim Services Unit and help staff the Workgroup and implement its recommendations. Post-implementation, the Program and Policy Administrator would address the broader policy issues related to restitution while the Coordinator would investigate complaints, make referrals, and perform site visits to entities involved in the restitution process to ensure compliance.
 - Estimated cost: To be determined. At the January Board meeting the Board authorized funding for this position through the Performance Incentive Grant Fund.
 7. Asset and earnings disclosures. Require the restitution obligor to disclose assets and earnings to determine ability to pay and to order a realistic rate of repayment.
 - Estimated cost: Unknown. This may require staffing for verification.
 8. Encourage the use of periodic payments for restitution. Judges should receive additional training and support to help them determine the optimal restitution payment scheme for restitution obligors. The Division of Parole and Probation should monitor payment plans, provide periodic updates and receive related

training and support. Judges have broad discretion when establishing payments for restitution and use of periodic payments may be advantageous for some restitution obligors and victims. Restitution obligors may be more likely to make payments in accord within the obligors ability to pay on a monthly basis. This payment amount may be adjusted when the restitution obligor's circumstances change. Both DPP and DJS should consider increasing their authority to make earlier referrals for restitution collection to the Central Collection Unit rather than waiting until supervision is over and DPP must refer overdue restitution to CCU. Earlier referrals to CCU may be more productive to collect overdue restitution especially when a court has not ordered or set a schedule for the payment of restitution. Nothing in this recommendation would limit other payment collection methods of the Central Collection Units other than the amount of monthly payments.

Implementation of period payments may be related to other potential items for consideration, including the procurement of payment software, the use of electronic payments, and increased disclosure of income and assets.

- a. Estimated cost - Unknown.

Potential Long-term Solutions

1. Legislation to propose changes to Maryland's restitution law that require statutory changes to achieve improvements otherwise unable to be achieved.
 - o Estimated cost: Unknown
2. In the development of updated technology improvements, having a restitution management system capable in the future of interfacing with appropriate data systems would provide all relevant persons with real-time updated restitution payment data. One of the key missing elements of effective restitution management in Maryland is information sharing. Overdue restitution payment or willful non-payment is often not relayed to the State's Attorney's Office or the courts. The Victim Services Unit should consult with the Department of Information Technology and other states and the federal government to determine the types of systems that are available or would otherwise need to be developed.

Estimated cost: The cost is unknown.

3. Pilot a model similar to the U.S. Attorney's Office's Financial Litigation Unit program. Institute a pilot program in a single jurisdiction as a feasibility study to examine the success and cost of operating a unit to conduct restitution repayment enforcement programs. A paralegal could be hired for the role, and Assistant State's Attorney's in the pilot jurisdiction could be utilized for court appearances. The unit could, for example, utilize paralegals to conduct asset investigations, online searches in programs such as LexisNexis, run credit reports to identify other assets, research liens and garnishments, and track restitution payments. Investigations could be conducted both pre-indictment and post-judgment. The State unit could provide periodic training to The Division of Parole and Probation and the Department of Juvenile Service, and the Central Collection Unit's agents and attorneys to implement and maintain victim restitution collection as a priority. An expanded version of the pilot could include multiple paralegals and incorporation of many of the other proposed solutions including restitution management software. Legislation may be required for full implementation.
 - Estimated cost: Moderate. Staffing needs must be assessed.

Conclusion

The success of any restitution restructuring will rely heavily on multi-agency cooperation and participation. It is imperative that each agency's capabilities and challenges are examined and that necessary changes are made to ease the process, or to assist with outside resources and funding. While the timeline for implementation of each proposed solution is fluid and flexible, a working timeline will need to be developed and tracked.

Appendix

Chapter 422 of 2018

SECTION 9. AND BE IT FURTHER ENACTED, That the Justice Reinvestment Oversight Board shall: (1) monitor the formation of the Victim Services Unit and provide oversight and guidance to the Victim Services Unit; (2) ensure that data systems developed and used by the Victim Services Unit enhance victim services and are user–friendly for persons responsible for the data systems; (3) ensure the Victim Services Unit adopts appropriate outcome measures, reviews outcomes, and recommends any appropriate actions based on the outcomes; (4) assess whether the current system of collecting restitution should remain within the existing State and local entities; and (5) report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly by December 31, 2019, on any recommendations to improve the process of restitution, including whether the Victim Services Unit can take over restitution collections without impacting its ability to serve victims. In considering whether the Victim Services Unit should assume the duties of collecting restitution, the following matters should be included in the report: (i) the needs of the Victim Services Unit, including personnel requirements; (ii) whether, in order to avoid duplication of effort and resources, the Victim Services Unit should take over the duties of collecting other money in addition to restitution; and (iii) ways to avoid confusion and to streamline the payment system for persons owing restitution as well as other payments.

Relevant Justice Reinvestment Act Provisions

- Correctional Services Article, § 3–601(d)(2)(iii) – requires the Division of Corrections to have a case plan for the payment of restitution, not to supersede any payment plan established by the court, if restitution has been ordered.
- Correctional Services Article, § 6-120 – requires that the Department of Public Safety and Correctional Services shall require all parole and probation agents and supervisors, commission members, and hearing officers to undergo annual training based on the most current research, regarding: (3) supporting and encouraging compliance and behavior change, including regarding the payment of restitution.
- Correctional Services Article, § 7–104 - requires the Department of Public Safety issue a certificate of rehabilitation to certain individuals, but one of the required conditions is that the offender has paid all required restitution.

- Correctional Services Article, § 9–614 — requires all State and local correction facilities collect at least 20 % of an inmate’s earnings for restitution.
- State Government Article, § 9–3208 (a) semiannually, each county, the Department of Public Safety and Correctional services, the Maryland Parole Commission, the Administrative Office of the Courts, and the Maryland State Commission on Criminal Sentencing Policy shall collect and report data to the Oversight Board that is disaggregated by race and ethnicity in order for the board to perform its duties under § 9–3207 of this subtitle, including data relating to: (6) information about the inmate population, including the amount of restitution ordered and the amount paid; Failure to pay restitution constitutes a technical violation. The re-sentencing/parole caps for the failure to paid restitution may impede the collection of restitution.

Other Pertinent Provisions

- Md. CRIMINAL PROCEDURE Code Ann. § 11-608 (Circuit Court)

§ 11-608. Recording and indexing of judgment

- (a) Nature. -- A judgment of restitution is a money judgment in favor of the person, governmental unit, or third-party payor to whom the restitution obligor has been ordered to pay restitution.
- (b) Enforcement. -- The judgment of restitution may be enforced by the person, governmental unit, or third-party payor to whom the restitution obligor has been ordered to pay restitution in the same manner as a money judgment in a civil action.
- (c) Rights and obligations. -- Except as otherwise expressly provided under Part I of this subtitle, a person, governmental unit, or third-party payor to whom a restitution obligor has been ordered to pay restitution has all the rights and obligations of a money judgment creditor under the Maryland Rules, including the obligation under Maryland Rule 2-626 or 3-626 on receiving all amounts due under the judgment to file a statement that the judgment has been satisfied.

- Md. CRIMINAL PROCEDURE Code Ann. § 11-609 (Circuit Court)

§ 11-609. Judgment of circuit court

- (a) Recording and indexing requirements. -- A judgment of restitution that a circuit court orders under Part I of this subtitle shall be recorded and indexed in the civil

judgment index by the clerk of the circuit court as a money judgment as the Maryland Rules provide.

(b) Judgment as lien. -- A judgment of restitution that is recorded and indexed in the civil judgment index as a money judgment under subsection (a) of this section:

(1) in the county of entry of the judgment, is a lien from the date of entry in the amount of the judgment on the restitution obligor's interest in land located in the county of the entry of the judgment; but

(2) in a county other than the county of entry of the judgment, is a lien from the date of recording in the amount of the judgment on the restitution obligor's interest in land located in that county.

- Md. CRIMINAL PROCEDURE Code Ann. § 11-610 (Criminal)

§ 11-610. Judgment of District Court

(a) Requirements for recording and indexing. --

(1) Except as provided in paragraph (2) of this subsection, the provisions of this section do not apply in Baltimore City.

(2) In Baltimore City, a judgment of restitution shall: (Baltimore City)

(i) be entered, indexed, and recorded under Maryland Rule 3-601; and

(ii) constitute a lien as provided under Maryland Rule 3-621(b). (District Courts other than Baltimore City)

(3) A judgment of restitution that the District Court orders under Part I of this subtitle may not be recorded and indexed by the Clerk of the District Court as a money judgment in the District Court until the person or governmental unit to whom the restitution obligor has been ordered to pay restitution files with the Clerk of the District Court a written request for the recording and indexing.

(b) Requirements for Clerk of District Court. -- Once a judgment of restitution is recorded and indexed as a money judgment under subsection (a) of this section:

(1) the Clerk of the District Court shall immediately forward a notice of lien of judgment to the circuit court for the county of entry of judgment; and

(2) on the receipt of the written statement from the person or governmental unit to whom a restitution obligor has been ordered to pay restitution, the Clerk of the District

Court shall forward a notice of lien of judgment to the circuit court of any other county as the Maryland Rules provide.

(c) Recording and indexing of lien notice. -- Whenever the Clerk of the District Court forwards a notice of lien under subsection (b) of this section to a circuit court, the clerk of the circuit court shall record and index the notice of lien as the Maryland Rules provide.

(d) Judgment as lien. --

(1) A judgment of restitution that is issued by the District Court and is recorded and indexed as a money judgment under subsection (a) of this section is a lien in the amount of the judgment on the restitution obligor's interest in land in a county.

(2) The lien is in effect from the date that a notice of lien is recorded and indexed in the circuit court of the county.

(e) Contents of notice of restitution. --

(1) If the District Court enters a judgment of restitution under Part I of this subtitle, the Clerk of the District Court shall send a written notice to the person or governmental unit in whose favor the judgment of restitution is entered.

(2) The notice shall say in substance:

"The District Court has awarded you a judgment of restitution. "The judgment of restitution is not a money judgment until it is recorded and indexed in the civil judgment records of the District Court. "On your written request and without charge, the Clerk of the District Court will record and index the judgment of restitution as a money judgment. Then, without charge, the Clerk of the District Court will also send a notice of lien to the circuit court for the county, and, without charge, the notice of lien will be recorded and indexed in the circuit court for the county. "On your further written request, the Clerk of the District Court will send a notice of lien to the circuit court for any other county that you specify."

- Md. CRIMINAL PROCEDURE Code Ann. § 11-611 (District Court)

§ 11-611. No costs for recording or indexing

A court may not assess costs on a person or governmental unit to whom a restitution obligor has been ordered to pay restitution:

(1) for recording and indexing an order of restitution as a money judgment in the court in which the judgment of restitution was issued;

(2) for recording and indexing a notice of lien that the District Court forwards to a circuit court; or

(3) for filing a notice of satisfaction.

- Md. CRIMINAL PROCEDURE Code Ann. § 11-612 (District Court)

§ 11-612. Termination of judgment or probation

(a) Requirements of Clerk of District Court. --

(1) If a District Court decides to terminate a probation before a judgment of restitution has been recorded and indexed as a money judgment, the court shall direct the Clerk of the Court:

(i) to record and index the judgment of restitution as a money judgment and forward a notice of lien to the circuit court of the county of entry of judgment before terminating the probation; and

(ii) to forward a written notice to the person or governmental unit to whom the restitution obligor was ordered to pay restitution.

(2) The written notice shall state that:

(i) the judgment of restitution has been recorded and indexed as a money judgment in the District Court; and

(ii) a notice of lien has been forwarded to the circuit court of the county of entry of judgment.

(b) Effect of termination or probation. -- Subject to the Maryland Rules, unless a restitution obligor pays complete restitution, termination of probation by a court does not affect a money judgment that has been recorded and indexed under Part I of this subtitle.

- Rule 4-342. Sentencing -- Procedure

(k) Recordation of restitution. (Criminal)

(1) Circuit court. Recordation of a judgment of restitution in the circuit court is governed by Code, Criminal Procedure Article, §§ 11-608 and 11-609 and Rule 2-601.

(2) District Court. Upon the entry of a judgment of restitution in the District Court, the Clerk of the Court shall send the written notice required under Code, Criminal Procedure Article, § 11-610 (e). Recordation of a judgment of restitution in the District

Court is governed by Code, Criminal Procedure Article, §§ 11-610 and 11-612 and Rule 3-621.

- Rule 4-354. Enforcement of money judgment (Criminal)

(b) Judgment of restitution. A judgment of restitution may be enforced in the same manner as a money judgment entered in a civil action.

- Rule 11-118. Parents' liability -- Hearing -- Recording and effect (Juvenile)

b. Recording. Recordation of a judgment of restitution shall be governed by Code, Criminal Procedure Article, § 11-608.

- Md. CRIMINAL PROCEDURE Code Ann. § 11-616

(c) Victim consent required for compromise and settlement. --

(1) The Central Collection Unit may not compromise and settle a judgment of restitution unless:

(i) the Division or the Department of Juvenile Services obtains the consent of the victim;
or

(ii) the court orders otherwise because a victim cannot be located.

(2) The Division or the Department of Juvenile Services shall contact the victim to determine whether the victim consents to compromise and settle a judgment of restitution.

(d) Notification of payment or compromise and settlement. -- If complete restitution and interest have been paid or a judgment of restitution has been compromised and settled as provided in subsection (c) of this section, the Division, the Department of Juvenile Services, or the Central Collection Unit immediately shall notify:

(1) the court that issued the judgment by filing the statement as provided under § 11-608(c) of this subtitle that the judgment has been satisfied; and

(2) the last known employer of a restitution obligor to terminate an earnings withholding order issued under § 11-617 of this subtitle.