

other sources. Eligibility requirements include, but are not limited to:

- * A crime occurred, and the crime was reported to law enforcement.
- * Applicants will need to provide information about crime-related costs.
- * Information is reviewed to see what crime-related costs can be paid according to program rules.
- * Must apply within 3 years from the date of crime unless good cause is shown e.g., age of victim, mental or physical capacity of the victim, etc.

A victim who has already received full restitution from a defendant may not receive duplicate payment from the Crime Victims' Compensation Program.

Additional information and direction on filing a claim can be found at: <https://www.texasattorneygeneral.gov/crime-victims/crime-victims-compensation-program>

How long will it take until payment is made in full?

The defendant may be given a payment plan with monthly restitution installments or the defendant may pay restitution in full

at the time of sentencing. If there are multiple victims, the restitution payments are divided among them. There is no guarantee that the defendant will have income and make the payments as ordered by the court. A restitution order does survive a defendant's bankruptcy and is still enforceable.

What are the victim's responsibilities?

- * Notify the appropriate entity collecting and forwarding the restitution of any change of address.
- * Complete and return all required forms promptly, including the Texas Application for Payee Identification.
- * Be proactive and aware of whether the defendant is incarcerated, on probation, or on parole. Contact the TDCJ's Victim Services Division at 1-800-848-4284 for victim notification services.

<https://www.tdcj.texas.gov/divisions/vs/index.html>

This brochure is a general guide to victim restitution questions. It does not contain legal advice for specific situations

Texas Department of Criminal Justice RESTITUTION



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What is restitution?

Some offenders are ordered to pay financial restitution to compensate the victim for losses incurred as a result of the crime. Restitution can be ordered by the sentencing judge and must be recorded on the judgment and sentence or order revoking probation. Fines, court costs, and attorney fees should not be confused with restitution. Additional information on restitution can be found in the Texas Code of Criminal Procedures 42.037 – Restitution.

<http://statutes.capitol.texas.gov/Docs/CR/htm/CR.42.htm>

How is restitution collected?

If the defendant is:

* on probation:

Probationers with court ordered restitution should submit monthly payments to the Community Supervision and Corrections Department when reporting to a probation officer. The restitution funds are then forwarded to the victim(s) on file at the county.

* incarcerated with a court order:

The TDCJ can withdraw the restitution from the inmate's trust fund account and forward to the county of conviction for distribution to the victim(s). If there is no court order, the victim can request the court to issue one.

* on parole or mandatory supervision:

Offenders pay restitution to the Parole Division. The Accounting and Business Services Department distributes payments to the victims. This ensures that a victim and offender have no contact.

Does restitution always involve paying the victim money?

If the victim consents, a defendant may also be allowed to make restitution by performing services for an organization of the victim's choice as part of a restitution order. If the court orders a minor to make restitution but that is not financially possible, the court may order the minor to perform community service, or the parents may be ordered to pay the restitution for the minor. Any adult defendant who is financially unable to pay restitution may be ordered by the court to complete community service instead.

Are there other options to recover for a crime-related economic loss?

The victim may seek a:

- * Restitution Lien
- * Crime Victims' Compensation Program
- * Civil Lawsuit

What is a restitution lien?

A victim, or the victim's attorney, may file a lien on any interest in real property, any interest in tangible or intangible personal property, or any interest in a motor vehicle owned by a person convicted of a crime to secure payment of restitution. Additional information about how to file a lien on a motor vehicle can be found in 43 Texas Administrative Code § 217.103. <https://www.sos.state.tx.us/ucc/instructions.shtml>. There is a fee for the lien. Filing a lien on other types of property may be more complicated and may require the assistance of an attorney.

What is the difference between restitution and receiving money from the crime victims' compensation program?

Restitution is court ordered by a judge and paid by the defendant.

The Crime Victims' Compensation (CVC) Program is administered by the Texas Attorney General's Office. The CVC Program helps crime victims and their immediate families with the financial costs of crime. CVC covers crime-related costs such as counseling, medical treatment, funerals, and loss of income not paid by