

Deputy Probation Officer Core Training

Topic 11.0: Report Writing and Record Keeping

Class 11.5: Restitution, Fines and Other Payments

Instructional time-2 hours

1. Welcome and Introductions
2. Objectives
 - a. Given relevant codes for reference, identify the types of victim claims that are recoverable in a restitution order.
 - b. Identify the process for determining a victim's losses and formulating a restitution recommendation.
 - c. Identify the circumstances under which an offender has a right to a restitution hearing.
 - d. Given probation orders and a financial declaration, design a payment schedule that is reasonable and based on ability to pay.
3. Victim's Rights
4. Marsy's Law
5. Penal Code 679-Respect for Victims
6. Judge's Authority to Order Victim Restitution
7. Determining Restitution
8. The Goal of Restitution – Making Victims “Whole”
9. Victim Restitution in Juvenile Cases
 - a. Parental Liability
10. Non-Economic Losses
11. Who Qualifies as a Victim?
12. California Victim Compensation Board (CalVCB)
13. Joint and Several Liability
14. What about Insurance? (Defendant's Insurance and Victim's Insurance)
15. Receiving Stolen Property and Restitution Orders
16. Hit and Run Cases
17. Harvey Waivers
18. Restitution Hearings
19. Restitution Fines
20. Procedures for Adult Cases
21. Procedures for Juvenile Cases
22. Restitution Orders as Civil Judgments
23. Form CR-115 (for garnishing wages / placing a lien on property)
24. How the Victim Collects Restitution / Collection Options
25. Victim's Responsibilities
26. Probation Officer's Responsibilities
27. Victim Restitution Brochure
28. Class Exercise: Victim Restitution Scenarios