

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 District Court.

4 **Applicability:**

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

7 **Statement of the Rule:**

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

11 (1) For criminal accounts receivable established after July 1, 2021, the sentencing court shall
12 maintain responsibility for receiving, processing, and distributing payments for the criminal
13 accounts receivable until the account is satisfied or the account is transferred to OSDC pursuant
14 to statute. For criminal accounts receivable established before July 1, 2021, any prior order of
15 the sentencing court remains in effect.

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

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

25 (4) The court shall transfer an account to the Office State Debt Collection for collection as
26 required by statute.

27 | *Effective ~~May/November 1, 20~~January 1, 2022*