



MARICOPA COUNTY
ADULT PROBATION
**UNDERSTANDING
RESTITUTION:
A GUIDE
FOR VICTIMS**

R4-2026



If you are a victim of a crime and the court ordered restitution in your case, or you expected restitution to be paid, you may have questions or concerns about payments, timelines, or what happens next. The information below is intended to help you understand the process, your options, and the resources available to support you.

1. RESTITUTION WAS ORDERED IN MY CASE. WHY HAVEN'T I RECEIVED PAYMENTS?

Waiting for restitution payments can be frustrating and upsetting. Please know that a delay in payment does not mean your case has been forgotten or that restitution has been denied.

One common reason for a delay is that the court may not have your current mailing address. If your contact information has changed, payments may not reach you. You can update, or confirm, your address with the Criminal Financial Obligations (CFO) Unit at 602-372-5375 or coccfresponse@maricopa.gov, and you are encouraged to notify them of any future changes to help prevent delays.

In some cases, payments may be delayed because the individual ordered to pay restitution has not made payments as ordered.

For more information about potential Department or Court actions related to unmade restitution payments, please refer to Question 6.

2. HOW DO I REQUEST RESTITUTION IF THE COURT DID NOT HAVE MY INFORMATION AT THE TIME OF SENTENCING?

If the Presentence Investigation Officer did not receive your restitution information before sentencing, you may still be able to request restitution. This depends on whether restitution is still open in your case, meaning the judge's deadline for restitution requests has not passed.

How do I know if restitution is still open?

You can contact the Probation Officer assigned to the case to find out whether restitution is still available or contact the Adult Probation Department Victim Service Unit (APD VSU) at 602-619-2955 or apdvsu@jbazmc.maricopa.gov.

What should I do if restitution is still open and I would like to request restitution?

Let the assigned Probation Officer know that you would like to request restitution. The officer can explain the process and provide information on next steps.

What information will I need to provide?

You will need documentation showing your financial losses related to the crime, such as bills, receipts, repair estimates, or medical bills. You may also be asked to provide a summary of your request.

What happens after I submit my request?

The Probation Officer will submit documents to the court providing information regarding your request. If the judge grants the request, the probationer will be ordered to pay the restitution amount set by the court.

Who can I contact if I don't know which Probation Officer is assigned to my case?

You may contact the APD VSU at 602-619-2955 or email apdvsu@jbazmc.maricopa.gov for assistance.

3. CAN THE TOTAL RESTITUTION AMOUNT OR THE MONTHLY PAYMENT BE MODIFIED?

Yes. If you have new, additional, or future costs related to the crime, you may be able to request that restitution be modified. This can include expenses such as ongoing medical care or counseling.

To request additional restitution, send documentation showing your losses to the Probation Officer assigned to your case, as outlined in Question 2. The Probation Officer will review and provide the information to the Court.

IMPORTANT THINGS TO REMEMBER:

The Judge sets a deadline for how long restitution can remain open, so it is important to make your request for restitution as soon as possible.

Proof is required: You must be able to prove your financial losses with documentation.

Only the Court has the authority to change, add, or modify restitution.

5. WHAT IF THE RESTITUTION AMOUNT WAS REDUCED FROM THE AMOUNT ORIGINALLY ORDERED?

If you have opted in to receive notifications, the Probation Officer assigned to your case will notify you of any change to the restitution amount. If you have questions or concerns about a reduction in restitution, you are encouraged to contact the assigned Probation Officer, who can review the change with you and provide additional information.

6. WHAT IF MY RESTITUTION WAS ORDERED ONLY ON A COUNT FOR WHICH THE OFFENDER WAS SENTENCED TO PRISON (ARIZONA DEPARTMENT OF CORRECTIONS, REHABILITATION & REENTRY (ADCRR))?

If your restitution is connected to a count for which the offender was sentenced to prison, the Adult Probation Department does not have jurisdiction over the case. You can contact the Criminal Financial Obligations (CFO) Unit at 602-372-5375 or cocccforesponse@maricopa.gov to discuss filing a Criminal Restitution Order (see Question 11).

While the offender is in prison, you can also contact ADCRR Victim Services at 602-542-5309 or azvictims@azadc.gov to obtain information about the inmate and restitution.

7. WHAT ARE THE CONSEQUENCES TO THE PROBATIONER FOR NONPAYMENT OF RESTITUTION?

If the individual is actively on probation, the Probation Officer works with them to encourage and support restitution payments. This can include explaining the importance of making restitution a priority, helping them find employment or job training, providing budgeting or financial management guidance, and monitoring their payment progress through the Department's Financial Compliance Unit.

The Probation Officer will notify the Court if the probationer is two full months behind in restitution payments, and again if payments are four full months behind. In some cases, the probationer may also be enrolled in the Tax Intercept Program, which can use their tax refund to help pay restitution.

If the Court finds that the probationer has willfully chosen not to pay, the judge can require the probationer to explain the nonpayment, hold them in contempt of court, impose a jail term, extend probation, order

wage garnishment, or require community service.

To help improve the chances of receiving restitution, victims may choose to file a restitution lien (see Question 12) or apply for the Victim Compensation Program (see Question 14).

8. WHAT IF THE PROBATIONER FINISHES PROBATION AND RESTITUTION IS STILL OWED?

Even if the probationer completes or is discharged from probation, any restitution still owed remains their responsibility. Depending on the case, the probationer may have their probation extended, remain on standard probation, or be modified to unsupervised probation while restitution is still owed.

If the restitution balance remains unpaid after probation ends, the Probation Officer will file a Criminal Restitution Order (CRO) with the Court for each individual or business victim entitled to restitution (see Question 11).

9. IS COURT-ORDERED RESTITUTION DISCHARGEABLE IF THE PROBATIONER FILES FOR BANKRUPTCY?

No. Court-ordered restitution is not dischargeable in bankruptcy. The restitution remains owed and must still be paid in full.

10. WHAT HAPPENS IF THE VICTIM PASSES AWAY BEFORE THE COURT-ORDERED RESTITUTION IS PAID?

If a victim passes away before restitution is fully paid, the money will go to the victim's established trust or estate. The victim's next of kin will need to file a motion with the Court, including the death certificate and trustee information. The Court will determine the amount of restitution to be paid and establish the payment schedule.

For more information, you may contact the Clerk of the Court Criminal Financial Obligations Unit at 602-372-5375 or coccfresponse@maricopa.gov or visit the Law Library Resource Center in person or online at superiorcourt.maricopa.gov/llrc.

11. WHAT IF THE PROBATIONER VIOLATED PROBATION AND IS SENT TO PRISON. ARE THEY STILL RESPONSIBLE FOR PAYING RESTITUTION?

Yes. The Court can order that any remaining restitution be collected while the probationer is in prison. During this time, the Adult Probation Department no longer has jurisdiction over the individual or the restitution.

While incarcerated, the ADCRR can automatically deduct money the probationer earns to pay towards restitution. When the individual completes their prison sentence, a Criminal Restitution Order (CRO) will be issued for any unpaid restitution (see Question 11).

For information about the inmate or restitution while they are in prison, you may contact the ADCRR Victim Services at 602-542-5309 or azvictims@azadc.gov.

12. WHAT IS A CRIMINAL RESTITUTION ORDER (CRO)

A Criminal Restitution Order is issued by the Court when a defendant completes their probation or prison sentence and still owes restitution.

A CRO works like a lien on the individual's personal property, similar to a restitution lien. It can be used to collect money from tax refunds, lottery winnings, trustee sales, or victim judgement awards. A CRO is recorded and enforced like a civil judgement, does not require renewal, does not expire and cannot be excused until the restitution is fully paid.

For more information, you may contact the Law Library Resource Center in person or online at superiorcourt.maricopa.gov/llrc.

13. WHAT IS A RESTITUTION LIEN AND HOW CAN I FILE ONE?

A restitution lien is an official claim on a person's property that helps you collect restitution you are owed. It can be placed on a person's house, vehicle, or personal property. A lien can be filed after restitution has been ordered but only before a Criminal Restitution Order (CRO) has been issued, making it a useful tool to help collect restitution. Once restitution is fully paid, the lienholder is responsible for releasing the lien.

Who can file a lien? Any person entitled to restitution under a court order may file a restitution lien. There is no fee required.

How do I file a lien? To access Restitution Forms and Instructions online: www.azcourts.gov/restitution/Victim-Restitution/Restitution-Forms or visit the Law Library Resource Center in person or online: superiorcourt.maricopa.gov/llrc.

14. IF RESTITUTION IS ORDERED, CAN I STILL FILE A CIVIL LAWSUIT AGAINST THE PROBATIONER?

Yes, you can file a Civil lawsuit related to the crime, even if restitution has been ordered. A civil case may include damages that are not covered by restitution. However, you cannot recover for the exact same losses twice. Any amount you receive through restitution or a civil judgment may be credited against the other. You may wish to consult a private attorney regarding your specific situation. In addition, to access Civil Law information online go to: www.azcourts.gov/selfservicecenter/civil or visit the Law Library Resource Center in person or online: superiorcourt.maricopa.gov/llrc.

15. WHAT IS THE VICTIM COMPENSATION PROGRAM? AM I ELIGIBLE FOR IT?

The Victim Compensation Program helps crime victims and their families cover certain expenses related to the crime. These can include medical or mental health expenses, funeral expenses, or lost wages. Not all victims qualify.

To review the eligibility requirements online: Victim-Compensation-Program-Eligibility-Requirements-PDF or to apply online: acjc.hostedbykarpel.com/. For more information on the Victim Compensation Program visit: maricopacountyattorney.org/35/Victims.

If you have additional questions, please contact the APD VSU at 602-619-2955 or email apdvsu@jbazmc.maricopa.gov