



Victim Restitution Language for Agency Websites

Overview

People who have experienced victimization as a result of a crime may not always be aware of their right to request restitution or of what steps they must take to begin the restitution process. For this reason, publishing publicly available and easily accessible information on an agency website is a beneficial way to inform people who have experienced harm of their rights, available resources, and services, particularly as victims increasingly use the internet to access information.¹

This document provides simplified language and guidance on publishing victim restitution information on your website. Language provided may be copied verbatim or modified for your agency.

General Guidance

Use this general guidance to inform how you publish information about victim restitution on your agency website.

1. Use a victim-centered approach and plain, person-first language.

To ensure that information about restitution is accessible and non-stigmatizing, use a victim-centered approach. This means providing information in a sensitive way that reduces re-traumatization.² Additionally, the use of plain, readable language that avoids excessive use of legal terms may help increase understanding and clear communication to the general public and people who may not be familiar with legal terminology.³ Lastly, person-first language—language that describes people in terms of what they have experienced as opposed to who they are—can help reduce stigmatization further. For example, consider using the phrase “people who have been convicted of crime” as opposed to “defendants” and “people who owe restitution” instead of “offenders” when referring to people who owe restitution. Similarly, you may also use “people who have experienced harm” or “people who have been impacted by crime” instead of “victims.”

2. Define restitution first.

A general description and definition of restitution should be the first piece of information located at the top of any restitution webpage. Placing this information first not only provides context for all additional information on the webpage but may also provide common language and understanding for people who may be learning about restitution for the first time. The definition should be easily understood and clearly explain what victim restitution is to readers. To accomplish this, make sure the definition is written in accessible, straightforward language; avoid using legal terms and jargon. If possible, include a couple of sentences about how your agency prioritizes restitution and how your staff help people with restitution-related issues. See page 3 for an example of a general definition of restitution that may be copied verbatim or adapted for your agency website.

3. Answer commonly asked questions.

Once a general definition of restitution has been provided, people who have been impacted by crime and people who owe restitution may have additional questions about the process, next steps, and whom to contact. An easy way to provide this information is to anticipate what questions might be asked and preemptively provide answers to those questions. This can be done in a separate Frequently Asked Questions (FAQs) section or by listing each question and corresponding answer below the general description at the top of the website or landing page. See pages 3–7 for examples of FAQs and answers that may be copied verbatim or adapted for your agency website.

4. Provide links to other websites and resources.

Linking to websites and resources is a helpful way to direct people to the information they need. The convenience of being able to click a link that routes directly to a separate page, as opposed to searching for a resource or separate website in a search engine or browser, provides access in a seamless way. If possible, ensure that hyperlinks are provided both in text and in a separate section for additional resources. Examples of websites and resources that you may want to link to include other agency websites (e.g., Department of Corrections, probation and parole office, etc.), crime victim services (e.g., crime victim compensation, local domestic violence/sexual assault advocacy organizations, etc.), and/or restitution-related documents (e.g., pecuniary loss forms, victim registration forms, etc.). See page 7 for examples of websites and resources that may be hyperlinked.

5. List a specific contact person with a direct phone line and/or email when possible.

People who have experienced victimization and people who owe restitution may not always know who in an agency they need to speak with about their restitution and navigating an agency organizational chart or phone directory may be a barrier to receiving the information they need, as these systems are not always transparent or straightforward. For this reason, agency websites with information on restitution should

provide contact information for the specific individual who works on restitution as opposed to listing a general email or phone number whenever possible. Including this specific contact information provides a direct way to effectively connect people to the resources they need.

6. Identify the right amount of information.

Providing information in a visually pleasing way will make your website more effective. To accomplish this, avoid crowding your website with too much text that is difficult for people to navigate. While pictures may help readers visualize concepts and processes, refrain from using too many pictures or visuals, as this may distract from the information being provided. Remember, the goal of providing this information is to help people who have been impacted by crime, people who owe restitution, and the general public understand what restitution is and what the restitution process entails in a straightforward and accessible way, so continually assess whether you are providing the right amount of information to achieve that goal.

Templates and Example Language

Use these templates and example language to include information about restitution and restitution processes on your website. Language may be copied verbatim, or it may need to be adapted for your local jurisdiction.

Definition of Restitution

Use this definition of restitution up-front to provide context for the rest of the information on your website. If possible, follow this definition with a couple of sentences about how your agency prioritizes restitution and ways your staff help people with restitution-related issues.

Restitution for Victims of Crime

Restitution is a court-ordered financial payment to a person who has experienced victimization due to a crime paid by the person(s) who have caused harm. The money is intended to repay a person who has been impacted by crime for costs incurred due to the crime. Restitution is ordered by a judge through a court sentencing process, or may be negotiated by an attorney through a plea deal, and is part of the criminal sentence. Restitution may include, but is not limited to, payment for medical bills, counseling expenses, lost wages, and the replacement of stolen or damaged property.

Frequently Asked Questions (FAQs) about Restitution

Use these FAQs to provide answers to specific questions that people may have about restitution. Language may be copied verbatim, or it may need to be adapted for your local jurisdiction. Depending on the restitution work your agency conducts, you may not need to include every question on your agency website, so use discretion as to which questions are most applicable.

You may also want to provide a separate FAQs section for people who owe restitution, as this information may be different from the information that people who receive restitution may need.

FAQs for People who Have Experienced Harm (Victims)

- **What is restitution?**

Restitution is a court-ordered financial payment to a person who has been impacted by crime (victim) paid by the person(s) who have caused harm. The money is intended to repay a person impacted by the crime for costs incurred due to the crime. Restitution is ordered by a judge through a court sentencing process, or may be negotiated by an attorney through a plea deal, and is part of the criminal sentence. Restitution may include, but is not limited to, payment for medical bills, counseling expenses, lost wages, and the replacement of stolen or damaged property.

- **Am I entitled to restitution?**

If you have experienced victimization due to a crime and have injuries, financial losses, or property damage because of that crime, you may be entitled to request restitution in your criminal case. Restitution must be ordered by a judge as part of a court sentence, so you are only able to request it if you are currently seeking a conviction in criminal court for the person who harmed you or caused damage to your property as a result of a crime.

- **How do I request restitution?**

To request restitution, you must provide information about any injuries, property damage, and/or financial losses you've experienced because of the crime to the prosecutor who is working on your case. Typically, this is done by completing a [INSERT FORM NAME] form provided by the prosecutor's office. The prosecutor or another staff person at the prosecutor's office may ask you for documentation (medical bills, receipts, records of damage, etc.) to give to the court, so it may be helpful to collect this information ahead of time. If you have not received a [INSERT FORM NAME], or if you need help determining what injuries and/or damages should be included in a restitution request, you can contact [INSERT NAME, PHONE NUMBER, AND HYPERLINKED EMAIL OF CONTACT PERSON HERE].

- **When is restitution ordered?**

Restitution is ordered by a court at the time of sentencing, after a sentencing hearing through a separate request filed by the prosecutor, or through a plea agreement process. To learn more about when restitution is ordered in your case, contact [INSERT NAME, PHONE NUMBER, AND HYPERLINKED EMAIL OF CONTACT PERSON HERE].

- **Was restitution ordered in my case?**

If you participated in a criminal case and are unsure whether victim restitution was ordered to you by the court, contact [INSERT NAME, PHONE NUMBER, AND HYPERLINKED EMAIL OF CONTACT PERSON HERE] to learn more.

- **Can I request restitution if my court case is over?**

According to [STATE] law, you are able to seek restitution up to XX [DAYS/MONTHS] after a sentencing hearing has occurred. If you are someone who has been victimized and who has also experienced injury, financial loss, and/or property damage as a result of a crime and restitution was not ordered in your criminal court case, you may contact [INSERT NAME, PHONE NUMBER, AND HYPERLINKED EMAIL OF CONTACT PERSON HERE] to learn more about your options.

- **Why am I not receiving my restitution payments?**

If restitution was ordered in your case and you are not currently receiving payments, it may be because the court recently ordered restitution to be paid and the restitution order has not yet been distributed to the clerk of court. Please contact [INSERT NAME, PHONE NUMBER, AND HYPERLINKED EMAIL OF CLERK OF COURT HERE] to learn more about the status of your restitution order. Not receiving restitution payments may also happen if you have recently moved or changed your phone number, and your contact information has not been updated. Please contact [INSERT NAME, PHONE NUMBER, AND HYPERLINKED EMAIL OF CONTACT PERSON HERE] to confirm that your contact information is correct. If your contact information is up to date and you are still not receiving restitution payments, contact [INSERT NAME, PHONE NUMBER, AND HYPERLINKED EMAIL OF CONTACT PERSON HERE] to learn more about your options.

Note: The following bullet points on civil judgments may/may not be relevant to your state, as statutes governing civil judgments vary greatly between states. Please use these bullets as a guide when adapting information for your specific jurisdiction.

- **Is there a difference between restitution and a civil judgment?**

A civil judgment (or civil judgment order) is a final court decision resulting from a lawsuit in civil court. A civil judgment requires a person to pay a specific sum of money to the person who has brought the lawsuit. A civil judgment is an entirely separate process from the prosecution process that takes place in criminal court. [INCLUDE STATE SPECIFIC INFORMATION ON THE CIVIL JUDGMENT PROCESS HERE]. To learn more about civil judgments, contact [INSERT NAME, PHONE NUMBER, AND HYPERLINKED EMAIL OF CONTACT PERSON HERE]. To speak with a legal professional about when to convert a restitution order to a civil judgment and whether converting your restitution order to a civil judgment is the right choice for your case, you may contact [STATE LEGAL AID] by visiting [STATE LEGAL AID WEBSITE HERE].

- **Will my restitution order become a civil judgment?**

[STATE] law [ALLOWS/DOES NOT ALLOW] restitution orders to be converted to a civil judgment. A judge may order a restitution order to be converted into a civil judgment if restitution has not been paid in full and the person who owes restitution is near the end of their probation. As someone who has experienced victimization due to a crime, you may

also file a [NAME OF DOCUMENT], along with a copy of your restitution order, with the civil court to begin the civil judgment process. To learn more about civil orders, you may contact [NAME, PHONE NUMBER, AND HYPERLINKED EMAIL ADDRESS OF CONTACT PERSON AT CIVIL COURT HERE] or visit [HYPERLINKED URL TO CIVIL COURT]. To speak with a legal professional about the process for converting your restitution order to a civil judgment and about the potential benefits of doing so, you may contact [STATE LEGAL AID] by visiting [STATE LEGAL AID WEBSITE HERE].

FAQs for People who Owe Restitution

- **How do I pay restitution?**

If you have been ordered to pay restitution by a court, or if you are unsure whether an order to pay restitution was issued in your case, you may contact [NAME OF COLLECTION AGENCY, PHONE NUMBER, AND HYPERLINKED WEBSITE OR EMAIL HERE] to learn more about your options. If you are on probation or parole, you may also speak to your supervision officer about restitution, making payments toward your restitution order, and ways to set up a payment plan that works within your financial budget.

FAQs for People Who Have Experienced Harm and for People who Owe Restitution

- **Does it matter if the person who committed the crime in my case cannot pay restitution?**

A person's ability to pay restitution to someone who has been impacted by crime [IS NOT TAKEN INTO ACCOUNT/IS CONSIDERED BY THE COURT] as part of criminal procedure in [STATE]. This means that the court [WILL NOT/WILL] look at the evidence and decide whether the person being charged in your case is able to reasonably pay the restitution you've requested before ordering it as a part of their sentence. [The attorney for the person being charged may also appeal the restitution order through a restitution hearing]. If you have experienced victimization and would like more information about a person's ability to pay restitution, you may talk to the victim-witness coordinator or prosecutor assigned to your case by contacting [INSERT NAME, PHONE NUMBER, AND HYPERLINKED EMAIL OF CONTACT PERSON HERE] to learn more. If you have been ordered to pay restitution and have concerns about your ability to make restitution payments, you may contact [INSERT NAME, PHONE NUMBER, AND HYPERLINKED EMAIL OF CONTACT PERSON HERE] to learn more about your options.

- **What is the difference between restitution and crime victim compensation?**

Unlike restitution, which is ordered by the court as part of your criminal court case, crime victim compensation is a state-run program that provides financial assistance to people who have experienced harm or victimization as a result of a crime. This program can pay for certain expenses after reviewing your eligibility for the program through a direct application to the state. You may be eligible for this program whether you have decided to prosecute your case in court or not. While crime victim compensation cannot pay for

property damages or costs to your home or vehicle, the program may be able to reimburse you for medical and dental bills, mental health and counseling bills, lost wages, funeral expenses, and other expenses directly related to the crime. People who have experienced victimization due to a crime may apply for crime victim compensation directly through the [STATE COMPENSATION PROGRAM NAME]. To learn more about crime victim compensation, you may contact the [STATE COMPENSATION PROGRAM NAME] by contacting [INSERT NAME, PHONE NUMBER, AND HYPERLINKED EMAIL OF STATE COMPENSATION PROGRAM HERE], or you may speak with the victim-witness coordinator and/or prosecutor assigned to your case [INSERT NAME, PHONE NUMBER, AND HYPERLINKED EMAIL OF CONTACT PERSON HERE] to learn more about your options. You may also visit the [STATE COMPENSATION PROGRAM NAME] website directly at [HYPERLINKED URL TO STATE COMPENSATION PROGRAM HERE] for more information.

Restitution Links and Resources

Use this list of helpful links and resources to quickly direct people to the information they need. Remember to hyperlink the resources below so that people who visit your website can quickly and directly access the listed resources.

Restitution Links and Resources for People Who have been Impacted by Crime

For additional information on restitution or other resources or to learn more about your rights as someone who has experienced victimization, please visit the following websites:

- County Clerk of Court
- Prosecutor's Office
- State Crime Victim Compensation Program
- State Victim Notification System
- Crime Victim Services
- Legal Aid
- Local Victim Advocacy Organization

Restitution Links and Resources for People Who Owe Restitution

For additional information and resources on paying toward your restitution, please visit the following websites:

- Probation and Parole
- County Clerk of Court
- Local jail/Corrections
- Legal Aid

Conclusion

Providing information about restitution on your website can be a great resource for people who have experienced victimization, people who owe restitution, and the general public. Ensuring that access to this information is available online will help increase understanding about restitution and the restitution process.

If you would like additional information and resources on restitution, please visit the [Restitution Resource Center website](#) or contact us at rrc@csg.org.

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¹ U.S. Department of Justice, Office for Victims of Crime (OVC), *Vision 21: Transforming Victim Services Final Report* (Washington, DC: Office for Victims of Crime, 2013).

² Office for Victims of Crime Training and Technical Assistance Center, “Human Trafficking Task Force e-Guide” (Washington, DC: Office for Victims of Crime Training and Technical Assistance Center), <https://www.ovcttac.gov/taskforceguide/eguide/1-understanding-human-trafficking/13-victim-centered-approach/>

³ Visit <https://www.plainlanguage.gov/> for additional information on plain language and how it may be utilized.