

# STATE OF NORTH CAROLINA

File No.

\_\_\_\_\_ County

In The General Court Of Justice  
 District  Superior Court Division

## STATE VERSUS

## RESTITUTION WORKSHEET, NOTICE AND ORDER (INITIAL SENTENCING)

G.S. 15A-1340.34 through -1340.38, 15A-1343(d)

Name And Address Of Defendant

### I. TOTAL RESTITUTION TO BE PAID BY DEFENDANT

**NOTE:** Enter total restitution from Parts II - IV. The clerk should enter the total as "Restitution" on the Judgment Suspending Sentence or Judgment and Commitment. If total granted differs from total requested, enter only the total granted on the judgment.

See attached AOC-CR-611A for additional victims/aggrieved parties.

**Requested:**

\$

**Granted, If Different:**

\$

### II. VICTIMS' RIGHTS ACT (VRA) VICTIMS

**NOTE:** List each victim "directly and proximately harmed," G.S. 15A-1340.34(a), as a result of an offense listed in G.S. 15A-830(a) as of the date of offense. Record each such victim's SSN or Taxpayer ID on the AOC-CR-382 for the bookkeeping department.

#### VRA VICTIM INFORMATION (NOTE: If victim has refused to disclose any information, so state.)

#### RESTITUTION AMOUNT

Name And Address

Telephone No.

**Requested:**

\$

Account No.

**Granted, If Different:**

\$

Contact Person

Race

Sex

DOB

Docketing Info  
Abs. No.

The defendant is held jointly and severally liable to this victim with the following person(s), as provided in any order(s) for restitution against them (enter names of other defendants and file numbers; if no file numbers assigned, enter law enforcement agency and incident number):

Name And Address

Telephone No.

**Requested:**

\$

Account No.

**Granted, If Different:**

\$

Contact Person

Race

Sex

DOB

Docketing Info  
Abs. No.

The defendant is held jointly and severally liable to this victim with the following person(s), as provided in any order(s) for restitution against them (enter names of other defendants and file numbers; if no file numbers assigned, enter law enforcement agency and incident number):

### III. OTHER VICTIMS (NON-VRA)

**NOTE:** List each victim "directly and proximately harmed," G.S. 15A-1340.34(a), as a result of an offense **other** than one listed in G.S. 15A-830(a) as of the date of offense. Record each such victim's SSN or Taxpayer ID on the AOC-CR-382 for the bookkeeping department.

#### VICTIM INFORMATION

#### RESTITUTION AMOUNT

Name And Address

Telephone No.

**Requested:**

\$

Account No.

**Granted, If Different:**

\$

Contact Person

The defendant is held jointly and severally liable to this victim with the following person(s), as provided in any order(s) for restitution against them (enter names of other defendants and file numbers; if no file numbers assigned, enter law enforcement agency and incident number):

Name And Address

Telephone No.

**Requested:**

\$

Account No.

**Granted, If Different:**

\$

Contact Person

The defendant is held jointly and severally liable to this victim with the following person(s), as provided in any order(s) for restitution against them (enter names of other defendants and file numbers; if no file numbers assigned, enter law enforcement agency and incident number):

### IV. OTHER AGGRIEVED PARTIES (NON-VICTIMS)

**NOTE:** List each aggrieved party **other than a victim** entitled to restitution pursuant to G.S. 15A-1340.37. Record each such party's SSN or Taxpayer ID on the AOC-CR-382 for the bookkeeping department.

AGGRIEVED PARTY INFORMATION		RESTITUTION AMOUNT
Name And Address	Telephone No.	<b>Requested:</b> \$
	Account No.	<b>Granted, If Different:</b> \$
Contact Person		
<input type="checkbox"/> The defendant is held jointly and severally liable to this party with the following person(s), as provided in any order(s) for restitution against them (enter names of other defendants and file numbers; if no file numbers assigned, enter law enforcement agency and incident number): _____		
Name And Address	Telephone No.	<b>Requested:</b> \$
	Account No.	<b>Granted, If Different:</b> \$
Contact Person		
<input type="checkbox"/> The defendant is held jointly and severally liable to this party with the following person(s), as provided in any order(s) for restitution against them (enter names of other defendants and file numbers; if no file numbers assigned, enter law enforcement agency and incident number): _____		

### V. ORDER AND JUDGMENT FOR RESTITUTION

The Court, having considered the information presented by the parties about the loss or damage caused by the offense(s) of which the defendant has been convicted and about the defendant's ability to make restitution, ORDERS that:

1. The defendant pay to each victim and aggrieved party named in Parts II - IV the "Restitution Amount" shown for each such entity. If the defendant is sentenced to active punishment, such amounts shall be payable only if recommended as a condition of post-release supervision or parole or from work release earnings or if ordered docketed as a civil judgment in No. 5 below.
2. The amount(s) awarded is full restitution for each victim or party  except as described below for any party awarded partial restitution (state reasons for ordering partial restitution to any victim or aggrieved party, G.S. 15A-1340.36(a)):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

3. The defendant was ordered to pay restitution as a condition of probation.
4. (Check when awarding restitution under Part II for a misdemeanor committed before Aug. 31, 2019.) The defendant was convicted of committing a misdemeanor listed in G.S. 15A-830(a)(7)g. against a person with whom the defendant had a personal relationship, as defined in G.S. 50B-1(b).
5. IT IS FURTHER ORDERED, for any victim granted restitution in excess of two-hundred and fifty dollars (\$250.00) in Part II, that the clerk docket a civil judgment against the defendant in favor of such victim and for the "Restitution Amount" granted. G.S. 15A-1340.38(b).

Date	Name Of Judge (type or print)	Signature Of Judge
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**NOTE TO CRIMINAL CLERK:** Retain original criminal judgment, with this Restitution Worksheet, Notice And Order attached, in the criminal file. Provide a copy to your bookkeeping department, with the original AOC-CR-382. Do not keep a copy of the AOC-CR-382 in the criminal file. If a civil judgment is to be docketed for an award in Part II, provide a copy of this form to your civil department. Attach a copy of this form to the judgment and mail to the Department of Adult Correction, Combined Records, 2020 Yonkers Road, 4226 MSC, Raleigh, NC 27699-4226, or other agency receiving custody of defendant.

**NOTE TO BOOKKEEPER:** On the bill of costs in the Financial Management System, enter restitution information, along with information from the criminal judgment about any fine, costs, attorney's fee and other monetary obligations to be paid by the defendant, whenever the defendant is (1) given time to pay, (2) placed on supervised or unsupervised probation, or (3) sentenced to an active sentence and the Court recommends the payment of any amount as a condition of post-release supervision or parole or from work release earnings. Unless otherwise ordered, use account code 26120, distribution priority 1, for each victim awarded restitution in Parts II and III, and use distribution priority 5 for non-victims awarded restitution in Part IV.

**NOTE TO CIVIL CLERK:** For each victim listed in Part II for whom the Court has ordered restitution in excess of two hundred and fifty dollars (\$250.00), abstract a judgment against the defendant in Judgment Abstracting in favor of the victim. Enter all such judgments under the CR/CRS number for this case, and enter a separate "VRST" issue for each victim. In addition, if the defendant was ordered to pay restitution as a condition of probation (see Order No. 3 above): (1) make the entries necessary to indicate that interest does not accrue and execution may not issue, (2) enter the JA Abstract Number(s) in Part II, above, and (3) forward a copy to your bookkeeper.