

Sixth District Department of Correctional Services POLICY	Issue Date 04/17/15	Effective Date 04/25/19	Policy Number 2347-19
Subject RESTITUTION BY RESIDENT (ANCHOR Residential)		Review Month December	Author 0253/0588 (MST/(JGE))
Rescinds 2347-17	References 910.Code of Iowa, WR-35, 6 th JDDCS Policy 169 (Installment Payment Plan)		

POLICY:

Staff assures that residents make a reasonable effort to comply with Plans of Restitution.

PROCEDURE:

1. The PPO ensures that a Plan of Payment is completed for every case as required by Iowa law.
2. Upon case assignment the PPO reviews the file to determine if there is an existing Plan of Payment. If an Installment Plan was not ordered by the Judge at Sentencing and/or the resident was sentenced prior to Chapter 26 the PPO notifies the court. In the case of a WR/OWI or Parolee the PPO develops a Plan of Payment.
3. If an Installment Plan (169) was ordered at sentencing, the PPO ensures the Plan is followed.
4. If restitution was ordered and the installment payments were not addressed through a Plan of Payment or sentencing order, the PPO reviews Iowa Courts online to determine the amount(s) owing.
5. The PPO considers the following when developing restitution Plans of Payment:
 - A. Present income/employment;
 - B. Physical/mental health;
 - C. Education;
 - D. Financial situation;
 - E. Family circumstances.

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PROCEDURE: (continued)

6. The Plan of Payment is reviewed with the resident. The resident signs the Plan and it is forwarded to the appropriate party for final approval.
7. Plans of Payment and modifications for Work Release/OWI and Parolees are forwarded to the District Director for approval.
8. Willful failure of a resident to comply with the restitution Plan of Payment, including a community service requirement, if any, constitutes a major violation of facility rules.

BY ORDER OF:

Bruce Vander Sanden, District Director