



THIRD JUDICIAL CIRCUIT
OF MICHIGAN

ROBERT J. COLOMBO, JR.
CHIEF JUDGE

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DOCKET DIRECTIVE 2015 – 12

STATE OF MICHIGAN
THIRD JUDICIAL CIRCUIT COURT

**SUBJECT: PROCEDURE FOR GATHERING INFORMATION FOR THE COURT TO
DETERMINE RESTITUTION AND FOR THE PROCESSING AND
DISBURSEMENT OF RESTITUTION PAYMENTS**

This Docket Directive rescinds and replaces Docket Directive 2010-17.

This Docket Directive is issued pursuant to MCR 8.110 and MCR 8.111. It addresses the updated procedure to assist stakeholders in the criminal justice system to effectively and efficiently gather information about and to determine the amount of restitution due to crime victims. The Directive clarifies the procedure to be used in accepting, processing, and disbursing restitution payments from or on behalf of defendants to crime victims or their designated representatives. This Docket Directive is necessary for the purpose of administrative efficiency and to allow prompt distribution of restitution payments to crime victims as ordered by the Court.

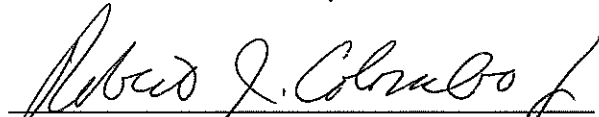
IT IS ORDERED:

This procedure applies to criminal cases at the time of sentencing and is effective April 29, 2015.

1. The Restitution Contact Information Form (RCIF) shall be completed and signed by a representative of the Prosecutor's Office or Attorney General's Office. The RCIF shall provide the victim's most current information, including address and telephone number. In accordance with MCL 780.758, the RCIF is a non-public record and shall not be filed in the court file nor shall the information be otherwise made available to the public. The Assistant

2. Prosecuting Attorney or Assistant Attorney General shall give the RCIF to the court clerk upon the defendant's conviction.
3. The court clerk shall send by interoffice mail the completed RCIF, a Conviction/Referral Form, a copy of the Investigator's Report, and/or plea form to the Michigan Department of Corrections (MDOC) Probation Department.
4. The Probation Department shall review the documents as part of the preparation of the Pre-Sentence Investigation Report (PSIR). Upon verification of the victim and that restitution is due; the Probation Department shall include a restitution amount in the PSIR. The Probation Department shall also attach the RCIF to the Blue Back copy of the PSIR that is delivered to the sentencing court.
5. On the day that the Court orders restitution, the court clerk shall deliver the RCIF with the relevant judgment/order to the Wayne County Clerk's Department Administrator's Office on the 9th Floor of the Frank Murphy Hall of Justice. The Wayne County Clerk's Department Administrator will ensure that the Wayne County Clerk's Office Financial Services Unit receives all forms with the attached orders on the date received to effectuate the appropriate and timely payment to the identified victims.
6. The MDOC shall continue to seek the necessary information about the victim or the restitution amount when the restitution amount has not yet been determined and/or the victim's contact information has not been obtained by the Prosecutor's Office or Attorney General's Office by the time of conviction.
7. If restitution is verified after the sentencing date, the MDOC shall submit an amended judgment/order along with the completed RCIF to the sentencing judge or successor. Once the judge signs the amended judgment/order, the court clerk and a representative from the Department Administrator's Office will process the amended order and RCIF as specified in paragraphs 3 and 4 of this Docket Directive.

The Wayne County Prosecutor's Office, the Michigan Attorney General, the Wayne County Clerk's Office, the Third Circuit Court, the Third Circuit Court Case Processing Department, the Third Circuit Court Information Technology Systems Bureau, and the Michigan Department of Corrections are directed to follow this procedure to accomplish this Directive.


Hon. Robert J. Colombo, Jr., Chief Judge
Third Judicial Circuit of Michigan

Dated: April 29, 2015