

IN THE SUPREME COURT OF THE STATE OF KANSAS



Administrative Order No. 41

Re: Reparation and Restitution pursuant to K.S.A.
1983 Supp. 21-4610(4) (a) or 38-1663(a) or (b)

1. In cases in which reparation or restitution is ordered pursuant to the requirements of K.S.A. 1983 Supp. 21-4610 or 38-1663, the total amount of reparation or restitution, the manner of payment if designated by the court, the names and addresses of the persons to whom restitution is to be made, and the amount to be paid each shall be journalized.

2. Imposition of restitution and determination of the amounts, recipients and manner of payment shall be a judicial function which shall not be assigned or delegated to the court services staff of the district court.

3. If, at the time reparation or restitution is ordered, the sentencing judge completes and files with the clerk of the district court a copy of the attached restitution order form (OJA-52) for each person being ordered to make reparation or restitution, the requirements of paragraph one of this order are satisfied.


4. It shall be the duty of the clerk of the district court to receive, disburse, account for and keep running balances of reparation and restitution payments coming into the court. The court services staff of the district court shall have access to the court's reparation and restitution payment records for the purpose of monitoring timely payment.

5. Unless otherwise required by law and except as otherwise directed by the court, moneys received from persons ordered to make reparation or restitution through the district court shall be credited to the following, in the order indicated, as applicable:

- a. Docket fee, costs and fines.
- b. Reparation or restitution.
- c. Reimbursement ordered pursuant to K.S.A. 1983 Supp. 21-4610(4) (b) for expenditures by the State Board of Indigents' Defense Services.

6. Court services staffs of the district courts shall monitor timely payment of reparation or restitution ordered. The Judicial Administrator shall develop a set of procedures for monitoring timely payment of reparation and restitution and recommend the procedures to the judges of the district courts and assist in the implementation of the procedures upon request of the district courts.

BY ORDER OF THE COURT this 6th day of March 1984.


ALFRED G. SCHROEDER
Chief Justice

Attachment

FILED

MAR 6 1984

LEWIS C. CARTER
CLERK APPELLATE COURTS

(CAPTION)

Case No. _____

RESTITUTION ORDER

On this _____ day of _____, 19____, IT IS ORDERED that the above-named (defendant) (respondent) pay restitution in the total amount of \$_____ through the Office of the Clerk of the District Court to the persons and in the amounts and manner stated below:

<u>Name</u>	<u>Address</u>	<u>Amount</u>
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Restitution shall be paid in the following manner:

(Judge)