

YOUTH RIGHTS IN PENNSYLVANIA: RESTITUTION

When a juvenile is adjudicated delinquent, the judge may require the juvenile to pay one or more of the following as part of the juvenile's sentence or disposition: restitution, reparation, fees, fines, or costs. Typically, **restitution** is paid to victims to reimburse them for lost property or damage to their property. **Reparation** is also paid to victims to reimburse them for personal injury suffered. A **fee** could include things such as attorney's fees. A **fine** is paid to the court or community as a penalty. A **cost** is assessed to reimburse the county for the expense of various administrative items associated with court proceedings.



How are restitution, reparation, fees, fines, and costs collected?

Typically, these are collected by the court that imposed the judgment. The court can, however, refer collections to a private collection agency.

Can the judgment be ordered to be paid in installments?

Yes.

How long will the youth be held responsible for the judgment?

The youth is responsible for the judgment until the entire amount is paid. The juvenile court that ordered the judgment has the power to collect money from the youth until he or she reaches age 21. After age 21, another court can assume the power to collect the judgment if it remains unpaid.

How is the amount of the judgment determined?

A judge will determine the amount of the judgment based on the nature of the acts committed and the earning capacity of the youth. In sentencing the youth, the judge must look at:

- 1) The amount of loss suffered by the victim;
- 2) Whether the youth caused the harm;
- 3) The youth's ability to pay; and
- 4) The type of payment that is best for the victim and youth



Can the court require the youth to work to pay for the judgment?

Yes. A court can, as a part of the terms of a youth's probation, require that the youth work to help pay for the judgment ordered. The court must specify the nature of the work, the number of hours to be spent performing the assigned tasks, and the percentage of the youth's earnings (up to 75%) that can contribute to the restitution ordered. The youth must earn no less than the minimum wage of Pennsylvania. If the youth needs assistance in finding an appropriate job, the youth may ask the judge to instruct the probation department to aid in a job search.

Can parents be required to contribute to the judgment?

Yes. A court may order parents, guardians or custodians to contribute to the judgment. If they do not comply with this order, they may be found in contempt of court.

Are there other costs that may have to be paid by the juvenile defendant in addition to the judgment?

Yes. Any sheriff's costs, filing fees, and costs of the county probation department or other appropriate governmental agency will be charged to the juvenile defendant. These costs, along with the total amount of the judgment, can be collected by the county probation department or other appropriate governmental agency.

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