

**IN THE MUNICIPAL COURT OF THE CITY OF BROOKINGS  
COUNTY OF CURRY, STATE OF OREGON**

**In the Matter of**

**Restitution Hearings**

**RULE 6**

**As provided in ORS137.106 when a person is convicted of an offense as a violation by the Brookings Municipal Court Judge that has resulted in harm to a victim by the offender's wrongful acts the Judge may impose restitution.**


- A. In determining whether to order restitution which is complete, partial or nominal, the court shall order a restitution hearing. The victim and defendant will be given a notice to appear before the court within 90 days of the conviction.
- B. The Judge will review all evidence presented to him by the victim to show the harm caused by the offenders act. Restitution can cover any out of pocket losses directly relating to the crime including:
- Medical Expenses
  - Therapy Costs
  - Prescription Charges
  - Lost Wages
  - Expenses related to participating in the crime justice process(such as travel cost, childcare expenses, etc.)
  - Lost or damaged property
  - Insurance Deductibles
  - Crime –scene clean up, or any other expense that resulted from the violation.

Restitution will not cover such things as pain and suffering or emotional distress, only damages that are easy to prove things for which a victim might have a bill or receipt.

- C. In addition, the hearing will provide the defendant time to inform the court of what burden the restitution order will impose and provide financial resources.

A restitution hearing will be set by the court in the interest of justice.

Dated this 4<sup>th</sup> day of December, 2015; effective at 12:01 AM, December 5,2015.

  
Richard Harper  
Brookings Municipal Court Judge