

## What steps do I take after the court has ordered restitution for me?

You are responsible for filing the order as a judgment in the Court of Queen's Bench. **Be sure to give the Court of Queen's Bench of your current mailing address.**

You are also responsible for enforcing the judgment in the same way as if you had brought an action in Civil Court and obtained a judgment.

## Will I have to pay a fee to file the order in the Court of Queen's Bench?

No. A Civil Court filing fee will not be charged for a restitution order.

## What if restitution is ordered, but not paid?

Victim Services Units are not allowed to give legal advice; however, they can provide you with information about the civil claims process. As well, you may wish to consult a lawyer of your own choosing for advice on enforcing the judgment.

The Law Society of Alberta offers a Dial-a-Law and Lawyer Referral Service (1-800-661-1095). This service allows you to listen to tapes offered on different legal topics, or to consult a lawyer for 30 minutes at no charge.

Also, you can ask Victim Services for a brochure entitled "Getting and Enforcing Your Judgment in Alberta."

## If the Criminal Court does not or cannot grant restitution or I am unsatisfied with the amount of restitution granted, can I pursue the matter in Civil Court?

**Yes. This does not stop you from using the Civil Court process.**

### Further Information:

Alberta Justice and Solicitor General helps communities assist victims of crime.

For further information contact:

Alberta Justice and Solicitor General  
Victims Services  
10th Floor, J.E. Brownlee Building  
10365 – 97 Street  
Edmonton AB T5J 3W7  
Telephone: 780-427-3460  
Fax: 780-422-4213  
Toll-free through Service Alberta at 310-0000  
[www.victims.alberta.ca](http://www.victims.alberta.ca)

Victim Services Unit Address and Phone Number

2014/09  
VIC0019



Alberta

# Restitution for Victims of Crime

**VICTIMS DESERVE TO BE HEARD**



## Introduction

If you have suffered financial loss as a result of a crime, you may have the right to seek restitution from the offender. Restitution may also be sought from young offenders, but there are limitations.

## How do I apply for Restitution?

Complete a Request for Restitution form, which will be provided to you by a police officer investigating your case, or a Victim Services Unit representative. If a Request for Restitution form is not given to you, please ask for one.

## Who can assist me?

A Victim Advocate from your local Victim Services Unit can assist you in filling out the Request for Restitution form. See the back of this guide for their contact information.

Once you have filled out the form, attach a copy of any necessary documents and return it to the police as quickly as possible. Be sure to make a copy of your application for your own records.

The police will then send your form to the Crown prosecutor, who will decide whether an application will be made to the Court.

## How will I know the status of my request?

You may ask at the Crown prosecutor's office, the police station or at the nearest police Victim Services Unit.

## What information is required on the Request for Restitution form?

The form sets out the available categories of restitution and asks that you provide background information to identify the incident, yourself and the offender. The amount of restitution requested must be easily established by the Court.

## Do I have to provide proof of my loss?

Yes. You are responsible for attaching copies of receipts and other documents to the Request for Restitution form. This will assist in establishing the amount you are claiming.

## Why must I submit the Request for Restitution form to the police as quickly as possible?

The form is needed quickly as the offender may plead guilty at any time. If the Crown prosecutor decides that the application will be made to the Court, a copy of the Request for Restitution form is provided to the defence counsel and/or the offender.

## Will I have to appear in court?

The Crown prosecutor decides whether or not it is necessary for you to appear in court, and if it is, you will be notified.

## When can an offender be ordered to make restitution?

After an offender is found guilty, the Judge can consider restitution when sentencing.

## What if the offender is unable to pay a fine and repay me?

When appropriate, the Restitution Order will be given priority.

## What restitution may be ordered by the court as a result of a crime?

**Damage, destruction, or loss of property:** the Restitution Order will not exceed the value of the property and will be reduced by the value of any property that has been returned.

**Bodily or psychological harm:** the Restitution Order will cover monetary loss, including income or loss of support. It does not address pain and suffering.

**Expenses incurred in moving out of the offender's house:** the Restitution Order will cover any reasonable expenses.

**Losses incurred by unknowingly purchasing or lending money on stolen property:** where the property has been returned to its lawful owner, the Restitution Order will cover the loss you have incurred. The order will not exceed the original amount you paid, or the amount outstanding on a loan.

## If I'm not in court, how will I get a copy of the Restitution Order?

A copy of the Restitution Order will be sent to you by the Court. Make sure that the Crown prosecutor and/or Provincial Clerk's Office has your current mailing address.