

JUDGMENT AND RESTITUTION ORDER INSTRUCTION SHEET

(Revised May, 2007)

If a defendant is ordered to pay restitution through the Clerk of Courts by the issuance of a Judgment and Restitution Order and the defendant does not make restitution payments, this restitution order may be used and enforced in the same manner as a civil judgment. If civil enforcement is necessary, the defendant shall be liable for costs and attorney fees incurred by the enforcement of the order.

The instructions for pursuing the enforcement of a restitution order as a civil judgment are as follows:

Step 1. Record your Judgment and Restitution Order by bringing it to the Recording Department, of the Duval County Clerk's Office, 501 West Adams Street, Room 1046, Jacksonville, Florida 32202. The Clerk's fee for recording this document is \$10.00 for the first page and \$8.50 per additional page. The Clerk's Office cannot accept personal checks. Cash, Money Orders, and Cashier Checks are acceptable. If you bring the document to the Recording Department in person, the document will be recorded and given to you immediately. If you choose to mail the document, it will be recorded and mailed to you within 1 to 2 weeks.

Step 2. If you are aware of any real estate property the defendant owns which may be levied upon, you may wish to acquire a Writ of Execution from the Clerk's Office. A waiting period of 10 days from the entry date of the Judgment and Restitution Order must pass before the Clerk's Office can issue the Writ of Execution.

Writ of Execution pertaining to Criminal Felony cases (designated by CF in the case number) will be issued in the Felony Department of the Duval County Clerk's Office, 501 West Adams Street, Room 2136, Jacksonville, Florida 32202. Misdemeanor Writ of Execution (cases designated with MM in the case number) will be issued in the Misdemeanor Department of the Duval County Clerk's Office, 501 West Adams Street, Room 1223, Jacksonville, Florida 32202. Take your recorded document to the applicable department. The Felony and Misdemeanor Departments are located in the Duval County Courthouse.

Step 3. After the Writ of Execution has been completed, register the document with the Florida Department of State via the web at www.sunbiz.org. Registering is **mandatory** if you are attempting to seize personal property. For real estate property registering is not mandatory but highly recommended to do so. If you prefer you may contact the Florida Department of State (Judgment and Liens) at 850-656-7463.

When you are ready to place a levy on identified property owned by the defendant, you may access the Sheriff's Office through the www.coj.net website. Once this website has been accessed, click "Site Index", select "S", select "Sheriff's Office", select "Civil Process Unit" and the final step, select "Execution & Replevin Requirements" This site provides information pertaining to procedures and fees for services. Before making a trip to the Sheriffs Office it is advisable to contact the Civil Process Unit of the Jacksonville Sheriff's Office at (904) 630-2142. The Civil Process Unit is located in the Duval County Sheriffs Office at 501 E. Bay Street, Jacksonville, Florida 32202 - Room 219. The Sheriff's Office will not perform a property search for you.

If restitution is paid in full, the attorney for the defendant may require the completion of a "Satisfaction of Judgment on Restitution Order"
The purpose of this form is to verify that the defendant has fulfilled his/her financial obligation.

If you know or suspect the defendant owns property in another county in Florida, contact the Clerk of Court in that county for instructions on how to proceed.