

## **Payment of Criminal Monetary Penalties**

### **General Information on Special Assessments, Restitution, and Fines**

As a result of the Mandatory Victims Restitution Act of 1996, all payments for special assessments, fines and restitution are received by the United States District Court Clerk's Office. Payments should be mailed to:

United States District Court  
Attn: Financial Department  
U.S. Courthouse  
2 Niagara Square  
Buffalo, New York 14202

or presented in person to the cashier at the District Court Clerk's Office in either Buffalo or Rochester. Money Orders or bank checks should be made payable to Clerk, U.S. District Court. Funds must be paid in U.S. currency drawn on a U.S. bank. Third party checks are not accepted.

Special assessments, fines and restitution when imposed are ordered on the J&C (Judgment and Commitment Order) at sentencing. All monetary penalties are recorded by the Clerk's Office as documented in the J&C. Special assessments are due immediately to the court. Fines and restitution are also generally due immediately, however the Judge often allows monthly payments when large amounts are involved. Payment schedules are made by the U.S. Probation Office and are identified in the J&C. The fine and/or restitution is due based on the applicable statute, and interest is accrued even if a payment schedule has been established once the interest start date has passed. Adherence to a payment schedule stops the imposition of the applicable penalties, delinquency and default provisions. Inquiries regarding interest and penalty calculations should be directed to the United States Attorney's Office Financial Litigation Unit at (716) 843-5700.

### **Application of Payments**

Payments are applied to outstanding debts in the following order: 1) special assessment; 2) non-federal restitution; 3) federal restitution; and 4) fine. Within each category, payments are applied in the order of principal, costs, interest and penalties.

You may contact the Financial Department of the United States District Court Clerk's Office at (716) 551-1730 to inquire on the balance or status of the

payments in a particular case. Likewise, the U.S. Attorney is responsible for the collection and enforcement of special assessments, fines and restitution ordered by the Court. The Financial Litigation Unit of the U.S. Attorney's Office monitors the status of payments and will take action as appropriate. You may contact the unit at (716) 843-5700.

### **Restitution Payments to Victims**

Victims are generally contacted by the U.S. Attorney's Office after sentencing and informed of any restitution that has been ordered. They are advised on the process and what they should expect to receive. All monies received from the defendant for restitution are paid to the victim(s) according to the J&C. There is a standard waiting period of at least two weeks to assure that all payments have cleared through the Federal Reserve before payment to the victim(s) is processed. Payments are normally paid proportionally to each victim unless otherwise specified in the J&C.

### **Case by Case Situations**

The information provided above is general information that applies to all cases. However, deviations may be allowed on a case by case basis. The Judge may specify additional requirements or waive certain items if warranted in a particular case. You may wish to verify detailed information regarding your case with the Court.