

**Total Amount of Restitution Requested
represents the following loss:**

1. _____

2. _____

3. _____

4. _____

5. _____

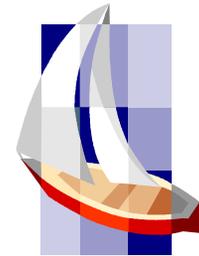
6. _____

7. _____

City of Lake Geneva Municipal Court



Victim Restitution Information



City of Lake Geneva
Municipal Court

Judge Henry A. Sibbing

Office Hours
Monday – Friday
8:30 am to 5:00 pm

626 Geneva Street
Lake Geneva, WI 53147

Phone: 262-248-4651
Fax: 262-248-4278

Website:
www.cityoflakegeneva.com

Case No. _____

Court Date: _____

Offender(s) Names:

Notice of Rights for Victim's

As a victim of a crime, you may have suffered some loss. If a defendant pleads no contest or is found guilty of a crime, the sentence can include an order that the defendant pay restitution to you. This means that the defendant must pay for any damages or loss you suffered as a result of the crime.

What Happens Now

Once a defendant has been issued a citation, they are scheduled for an initial appearance in Court. You will find the court date on the front of this brochure. The court MUST receive your restitution request, receipts, bills, estimates and any other supporting documentation prior to this date. The defendant must enter a plea to the charges. Once the defendant pleads no contest or has been found guilty, the matter of the requested restitution is presented to the defendant. A Restitution Hearing will then be scheduled if it is requested by the defendant or at the Judge's discretion.

Restitution Hearings

If a hearing has been scheduled, you will be notified by mail. As the Victim, YOU MUST appear at this hearing to present your request for restitution. YOU MUST bring ALL receipts, bills, estimates and any other supporting documentation with you to this hearing. As is the case with all proceedings in Municipal Court, the overriding principal at a restitution hearing is fairness to all those involved. Both the victim and the defendant are afforded the opportunity to speak and to present relevant evidence.

The restitution hearing is different from the informal hearing in that it is held on the record. Each side is allowed to present their evidence. The victim bears the burden of proof and therefore is allowed to speak first.

The victim must demonstrate, by a preponderance of the evidence, the amount of loss sustained. For instance, if a pack of gum was stolen, the victim would need to prove what the pack of gum cost when purchased. Evidence might include the receipt for the pack of gum or similar pack of gum. It could also include testimony from the victim stating they went to the local store and saw that a pack of gum cost \$0.50, so they are trying to recover \$0.50. The defendant is then allowed to present evidence relevant to the amount of the loss sustained. The defendant may present a receipt showing that a pack of gum at a local store only costs \$0.30. After each side has had the opportunity to speak, the Court determines what the restitution will be.

What Happens Now

Pursuant to Wisconsin State Statute 938.346 you have the right to notification of any juvenile hearing regarding an act for which you are a victim. Victims of juvenile offenses or violations have all the rights granted to the victims of adult offenses, except that statutory procedures must be followed in obtaining the release of certain information in order to advance the public interest of keeping juvenile matters confidential. Victims of juvenile violations have the right to notice of the following:

- The procedures under the statutes for obtaining the identity of the juvenile and the juvenile's parents.
- The potential liability of the juvenile's parents.

The information may not include any information that deals with sensitive personal matters of the juvenile and the juvenile's family that does not directly relate to the act or alleged act committed against the victim.

CITY OF LAKE GENEVA MUNICIPAL COURT AFFIDAVIT FOR RESTITUTION

This Affidavit for Restitution MUST be completed and returned to the **City of Lake Geneva Municipal Court, 626 Geneva Street, Lake Geneva, WI 53147, by the court date indicated on the front of this brochure. If not received by this date, it will be assumed that you do not wish to claim any restitution in this matter.**

Name of Victim(s)

Address

City, State, Zip

Phone:

Total Amount of Restitution Requested: \$_____

PLEASE CHECK WHICHEVER IS APPLICABLE:

_____ I do NOT desire any restitution for my loss.

_____ I hereby request that I be paid \$_____ for my loss for which I will not be paid by any insurance company.
(Please Attach Supporting Documentation)

I certify the above information is true and correct to the best of my knowledge and represents actual and reasonable expenses incurred by me.

Signature of Victim(s)

Date