DEPARTMENT OF PUBLIC SOCIAL SERVICES

WELFARE FRAUD PREVENTION & INVESTIGATIONS SECTION
Administrative Memorandum

No.	Date:
04-15	**June 28, 2004**

SUBJECT: **ORDER OF RESTITUTION AND ABSTRACT OF JUDGMENT / ACKNOWLEDGEMENT OF SATISFACTION OF JUDGMENT**

REFERENCE: None

CANCELS: None **FILE IN:**

SPECIAL ATTENTION: WFP&I Administration

Effective immediately, the DA will begin attaching liens (Order for Restitution and Abstract of Judgment – see sample) to successfully adjudicated welfare fraud cases.

Recording Of Liens:

The liens will be filed with the County Register-Recorder. The liens will effectively mean an individual will not be able to sell or purchase property, refinance a home, etc. without settling the debt owed to the County.

WFP&I is listed as the victim/creditor on the lien and the number for the WFP&I Director is listed as the contact number. Therefore, individuals will call to determine how to have the lien resolved.

WFP&I will receive copies of the recorded documents and maintain a file with the documents. WFP&I will also maintain a simple electronic database of the cases.

Contact From Defendants:

As the Director's number is listed as the contact on the Order for Restitution and Abstract of Judgment, we can expect calls. All of these calls should be forwarded to and handled by an administrator.

Basic Information:

As needed, the caller should be informed:

1. That the lien is a result of their welfare fraud case.
2. To resolve the lien, they must repay the overpayment.
3. We can negotiate the resolution of the debt.

Resolution Of Debt Owed:

Technically, all money fraudulently obtained is owed to the County of Los Angeles. Our initial attempt should always be to obtain the entire amount owed as soon as possible. However, an individual may offer to immediately pay a smaller amount (say 70% of the total). We will consider every "reasonable" offer. "Reasonable" is highly subjective and in each of these cases we will confer with the DA's office and TTC.

Updating Systems And Clearing The Lien:

Once we have agreed to a repayment amount, several things must happen:

1. The individual must be informed;

2. Arrangements should be made to have the individual come in and pay the agreed upon amount (cashiers check or money order preferably);

3. The amount must be applied to the proper LEADER claim;

4. An "Acknowledgement of Satisfaction of Judgment" (see attached) must be completed. All of the highlighted areas must be completed;

5. The "Acknowledgement of Satisfaction of Judgment" must be filed with the Register-Recorder; and

6. The internal database must be updated.

Any questions regarding this missive should be directed to the Director WFP&I.

Luther Evans, Director
Welfare Fraud Prevention & Investigations Section

LE:le

Attachments

c: Deputy Directors
Chief Clerk

CASE NAME	CASE NUMBER:
PEOPLE VS. [redacted] NAME	BA[redacted]

APPLICATION AND ABSTRACT OF JUDGMENT

The ☐ judgment creditor ☐ assignee of record x Deputy District Attorney ☐ other *(specify)*: applies for an abstract of judgment and represents the following:

1. Judgment's debtor's
   Name and last known address

   1. [redacted] NAME
      [redacted] ADDRESS
      [redacted] CITY

2. X Driver's license No. and State: [redacted] ☐ Unknown
3. X Social Security No.: [redacted] ☐ Unknown
4. X Date of Birth: [redacted] ☐ Unknown

Date: 05/06/2004

MICHAEL DAVIS ▶ M/N Davis
(TYPE OR PRINT NAME) (SIGNATURE OF APPLICANT OR ATTORNEY)

NOTICE TO VICTIMS

PENAL CODE SECTION 1214 PROVIDES THAT ONCE A DOLLAR AMOUNT OF RESTITUTION HAS BEEN ORDERED, THIS ORDER IS THEN ENFORCABLE AS IF IT WERE A CIVIL MONEY JUDGMENT. ALTHOUGH THE CLERK OF THE COURT IS NOT ALLOWED TO GIVE LEGAL ADVICE, YOU ARE ENTITLED TO ALL RESOURCES AVAILABLE UNDER THE LAW TO OBTAIN OTHER INFORMATION AND TO ASSIST IN ENFORCING THE ORDER, INCLUDING ALL WRITS AND ORDERS IN SECTIONS 695.010 TO 709.030 OF THE CODE OF CIVIL PROCEDURE. UNDER PENAL CODE SECTION 1214 (d), THIS ORDER DOES NOT EXPIRE. THE VICTIM SHALL FILE A SATISFACTION OF JUDGMENT WITH THE COURT WHENEVER AN ORDER TO PAY RESTITUTION IS SATISFIED, PURSUANT TO PENAL CODE SECTION 1214 (d).

1. I certify that this document is a true and correct judgment entered in this action.
2. Judgment creditor: *LOS ANGELES COUNTY DEPT. OF PUBLIC SOCIAL SERVICES* whose address or whose attorney's address appears above the court's name.
3. Judgment debtor: [redacted] whose address, social security number and drivers license number appears above.
4. Judgment entered on: [redacted]
5. Total amount of judgment as entered or last renewed: $ [redacted]
6. This judgment has not been stayed.

[SEAL]

This judgment issued on *(date)*: 5/12/04

Clerk, by S. Berman, Deputy

NOTICE TO COUNTY RECORDER

THIS ORDER IS ENFORCEABLE AS IF IT WERE A CIVIL JUDGMENT, PURSUANT TO PENAL CODE SECTIONS 1202.4 (l) 1202.4 (m), AND 1214. THE ENTIRE ORDER FUNCTIONS AS AN ABSTRACT OF JUDGMENT.

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Recording requested by and return to: [redacted] (213) 974-4337 Supervising Welfare Fraud Investigator Department of Public Social Services 210 West Temple Street, 12th Floor Los Angeles, California 90012 *Judgment Creditor*	*FOR RECORDER'S USE ONLY* COPY of Document Recorded 04 - [redacted] Has not been compared with original. Original will be returned when processing has been completed. LOS ANGELES COUNTY REGISTRAR - RECORDER
SUPERIOR COURT OF THE STATE OF CALIFORNIA **COUNTY OF LOS ANGELES UNIFIED COURTS** Foltz Criminal Justice Center, Div/Dept 133 210 W. Temple St, RM 15-311 Los Angeles, CA 90012-3210	
The People of the State of California vs. [redacted]	**Case No. - BA[redacted]**

ORDER FOR RESTITUTION AND ABSTRACT OF JUDGMENT
(Penal Code, §§ 1202.4(f), 1214)

FOR COURT USE ONLY

ORIGINAL FILED

MAY 12 2004

LOS ANGELES SUPERIOR COURT

ORDER FOR RESTITUTION

1. On [redacted], defendant [redacted] was convicted of a crime that entitles this victim to restitution. [redacted] is hereby Ordered to pay restitution, in the *Amount Ordered*, to LOS ANGELES COUNTY DEPARMTENT OF PUBLIC SOCIAL SERVICES. All payments shall be made payable to "LOS ANGELES COUNTY DEPARTMENT OF PUBLIC SOCIAL SERVICES" and sent to the person listed at top of this form.

2. Evidence was presented that Victim suffered losses as a result of defendant's conduct. Defendant was informed of the right to have a judicial determination of the amount of restitution and
   a. X Defendant waived the hearing and stipulated to the amount of this restitution order, *or*
   b. ☐ A hearing on victim restitution was held before this Court on *(date):* _____.

3. **AMOUNT ORDERED** for victim losses and expenses is currently *:* $ [redacted]
   This Court retains jurisdiction over all amounts yet to be determined.

4. In addition, Defendant to pay 10% interest per year from ☐ today or from X other *(date):* [redacted].

   Unless Defendant can prove restitution has already been paid, Defendant to pay all attorneys' fees and costs incurred by Victim: (a) to enforce this Order under the Code of Civil Procedure, including judgment enforcement proceedings; (b) in any civil action to recover economic losses incurred by Victim as a result of Defendant's criminal conduct in this case; and (c) in any civil action to preserve Defendant's assets to pay restitution.

FOR COURT USE ONLY

Dated: 5/12/04

Michael E. Pastor
(SIGNATURE)

MICHAEL E. PASTOR
(PRINT NAME OF JUDGE)
Judge of the Superior Court of California
County of Los Angeles Unified Courts

VICTIM TO RECEIVE CERTIFIED COPY FOR FILING WITH COUNTY RECORDER

EJ-100

ATTORNEY OR PARTY WITHOUT ATTORNEY *(Name, state bar number, and address)*:
After recording return to:
Dept of Public Social Serv. Director, WFP&I
12000 S. Hawthorne Blvd
Hawthorne, CA 90250
TELEPHONE NO.: (310) 349-4500
FAX NO. *(Optional)*:
E-MAIL ADDRESS *(Optional)*:
ATTORNEY FOR *(Name)*:

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles
STREET ADDRESS: 210 West Temple Street
MAILING ADDRESS:
CITY AND ZIP CODE: Los Angeles, California 90012
BRANCH NAME: CSF Criminal Justice Center

FOR RECORDER'S OR SECRETARY OF STATE'S USE ONLY

PLAINTIFF: The People of the State of California

DEFENDANT:

CASE NUMBER:
BA_____

FOR COURT USE ONLY

ACKNOWLEDGMENT OF SATISFACTION OF JUDGMENT

☐ FULL ☐ PARTIAL ☐ MATURED INSTALLMENT

1. Satisfaction of the judgment is acknowledged as follows:
   a. ☐ Full satisfaction
      (1) ☐ Judgment is satisfied in full.
      (2) ☐ The judgment creditor has accepted payment or performance other than that specified in the judgment in full satisfaction of the judgment.
   b. ☐ Partial satisfaction
      The amount received in partial satisfaction of the judgment is $
   c. ☐ Matured installment
      All matured installments under the installment judgment have been satisfied as of *(date)*:
2. Full name and address of judgment creditor:*
   Department of Public Social Services, Director, WFP&I,
   12000 S. Hawthorne Boulevard, Hawthorne, California 90205
3. Full name and address of assignee of record, if any:

4. Full name and address of judgment debtor being fully or partially released:*

5. a. Judgment entered on *(date)*:
   b. ☐ Renewal entered on *(date)*:

6. ☐ An ☑ abstract of judgment ☐ certified copy of the judgment has been recorded as follows *(complete all information for each county where recorded)*:

COUNTY	DATE OF RECORDING	INSTRUMENT NUMBER

7. ☐ A notice of judgment lien has been filed in the office of the Secretary of State as file number *(specify)*:

NOTICE TO JUDGMENT DEBTOR: If this is an acknowledgment of full satisfaction of judgment, it will have to be recorded in each county shown in item 6 above, if any, in order to release the judgment lien, and will have to be filed in the office of the Secretary of State to terminate any judgment lien on personal property.

Date:

▶ *(SIGNATURE OF JUDGMENT CREDITOR OR ASSIGNEE OF CREDITOR OR ATTORNEY**)*

*The names of the judgment creditor and judgment debtor must be stated as shown in any Abstract of Judgment which was recorded and is being released by this satisfaction. ** **A separate notary acknowledgment must be attached for each signature.**