201—40.5(904,907,910) Restitution. Unless otherwise provided by statute or rule, this rule applies to persons under supervision of the district department.

40.5(1) *Restitution plan of payment.* When restitution is ordered by the court, the department will ensure that a restitution plan of payment is prepared, submitted, reviewed, and modified in accordance with Iowa Code chapter 910.

a. A restitution plan of payment will be developed for any client under supervision who is court ordered to pay restitution unless the court-ordered restitution plan has been completed.

b. Factors that must be considered in developing the restitution plan of payment are outlined in Iowa Code section 910.5(2)*"a"*(1).

c. A copy of the restitution plan will be given to the client in accordance with Iowa Code section 907.8(1).

d. The department will maintain policies and procedures governing the development and modification of restitution plans of payment.

e. The approved restitution plan of payment will be forwarded to the appropriate clerk of court by the district department or to the person responsible for collection if collections are performed by the district department.

40.5(2) *Restitution compliance.* Persons under supervision will comply with the terms of the restitution plan of payment.

a. Payments shall be submitted in a timely manner to the clerk of court or to the department, as applicable.

b. If payments are made to the clerk of court, the client must provide proof of payment to the department.

c. When community service is ordered in lieu of financial restitution, the department will provide statements to the appropriate clerk of court in accordance with department policy.

This rule is intended to implement Iowa Code sections 907.8 and 910.5.

[**ARC 0791D**, IAB 11/25/26, effective 12/30/26]