

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

TELEPHONE NO.:

FAX NO. (Optional):

E-MAIL ADDRESS (Optional):

ATTORNEY FOR (Name):

SUPERIOR COURT OF CALIFORNIA, COUNTY OF

SHORT TITLE OF CASE:

FORM INTERROGATORIES—CRIME VICTIM RESTITUTION

Asking Party:

Answering Party:

Set No.:

CASE NUMBER:

Sec. 1. Instructions to All Parties

- (a) Interrogatories are written questions prepared by a party to the action that are sent to any other party in the action to be answered under oath. The interrogatories below are form interrogatories approved for use by victims in criminal cases to assist them in recovering unpaid restitution.
- (b) For time limitations, requirements for service on other parties, and other details, see Code of Civil Procedure sections 2030.010—2030.410 and the cases construing those sections.
- (c) These form interrogatories do not change existing law relating to interrogatories, nor do they affect an answering party's right to assert any privilege or make any objection.

- (f) Whenever an interrogatory may be answered by referring to a document, the document may be attached as an exhibit to the response and referred to in the response. If the document has more than one page, refer to the page and section where the answer to the interrogatory can be found.
- (g) Whenever an address and telephone number for the same person are requested in more than one interrogatory, you need only provide them in the first interrogatory asking for that information.
- (h) If you are asserting a privilege or making an objection to an interrogatory, you must specifically assert the privilege or state the objection in your written response.
- (i) Your answers to these interrogatories must be verified, dated, and signed. You may wish to use the following form at the end of your answers:

I declare under penalty of perjury under the laws of the State of California that the foregoing answers are true and correct.

(DATE)

(SIGNATURE)

Sec. 2. Instructions to the Asking Party

- (a) These interrogatories are designed for optional use by crime victims to assist them in recovering unpaid restitution as provided in Code of Civil Procedure section 2033.720.
- (b) Check the box next to each interrogatory that you want the answering party to answer. Take care to choose those interrogatories that are applicable to the case.
- (c) Additional interrogatories may be attached.

Sec. 4. Definitions

Words in **BOLDFACE CAPITALS** in these interrogatories are defined as follows:

- (a) You must answer or provide an appropriate response to each interrogatory checked by the asking party.
- (b) As a judgment debtor you must disclose assets up to an amount clearly sufficient to satisfy the judgment.
- (c) As a general rule, within 30 days after you are served with these interrogatories, you must serve your responses on the asking party and serve copies of your responses on all other parties to the action who have appeared in court. See Code of Civil Procedure sections 2030.260—2030.270 for details.
- (d) Each answer must be as complete and straightforward as the information reasonably available to you, including the information possessed by your attorneys or agents, permits. If an interrogatory cannot be answered completely, answer it to the extent possible.
- (e) If you do not have enough personal knowledge to fully answer an interrogatory, say so, but make a reasonable and good-faith effort to get the information by asking other persons or organizations, unless the information is equally available to the asking party.

- (a) **PERSON** includes a natural person, firm, association, organization, partnership, business, trust, corporation, or public entity.
- (b) **ADDRESS** means the street address, including city, state, and zip code.
- (c) **ASSET** or **PROPERTY** includes any interest in real estate or personal property. It includes any interest in a pension, profit-sharing, or retirement plan.
- (d) **SUPPORT** means any benefit or economic contribution to the living expenses of another person, including gifts.

Sec. 5. Interrogatories

The following interrogatories have been approved by the Judicial Council under Code of Civil Procedure section 2033.720:

CONTENTS

- 1.0 Identity of Persons Answering These Interrogatories
- 2.0 General Background Information—Individual
- 3.0 Current Income
- 4.0 Employment Information
- 5.0 Employment History
- 6.0 Support Received From Others
- 7.0 General Background Information—Business
- 8.0 Bank Accounts and Cash
- 9.0 Property
- 10.0 Other Assets
- 11.0 Other Income
- 12.0 Liabilities and Debts

1.0 Identity of Persons Answering These Interrogatories

- 1.1 State the name, **ADDRESS**, telephone number, and relationship to you of each **PERSON** who prepared or assisted in the preparation of the response to these interrogatories. (*Do not identify anyone who simply typed or reproduced the responses.*)

2.0 General Background Information --Individual

- 2.1 State:
- (a) your full name;
 - (b) every name you have used in the past;
 - (c) the dates you used each name.
- 2.2 State the date and place of your birth.
- 2.3 State:
- (a) your present residence **ADDRESS** and telephone number;
 - (b) whether you live in a private home, apartment, or other type of residence;
 - (c) if you live in a private home, who owns it;
 - (d) if you live in an apartment, the name and **ADDRESS** of your landlord, the monthly rent, and the name of the **PERSON** who pays the rent;
 - (e) your residence **ADDRESSES** for the past five years;
 - (f) the dates you lived at each **ADDRESS**.
- 2.4 State:
- (a) the name, **ADDRESS**, and telephone number of each school or other academic or vocational institution you have attended, beginning with high school;
 - (b) the dates you attended;
 - (c) the highest grade level you have completed;
 - (d) the degrees you received;
 - (e) the dates the degrees were received.
- 2.5 Do you have a driver's license or identification card? If so, state:
- (a) the state or other issuing entity;
 - (b) the license or identification card number, type of license, and expiration date.
- 2.6 State any and all social security numbers that you have.
- 2.7 Are you married? If so, state:
- (a) your spouse's full name;
 - (b) any maiden name;
 - (c) the date of your marriage;
 - (d) your spouse's current **ADDRESS**.

- 2.8 Have you ever filed for bankruptcy? If so, state:
- (a) the disposition;
 - (b) the court;
 - (c) the year.
- 2.9 Have you filed income tax returns during the last three years? If so, state:
- (a) the dates filed;
 - (b) a date and place where the records can be inspected;
 - (c) whether you are attaching the income tax records to your answers to these interrogatories.

3.0 Current Income

- 3.1 List all income you received during the past 12 months, its source, the basis for its computation, and the total amount received from each source.

4.0 Employment Information

- 4.1 State:
- (a) the name, **ADDRESS**, and telephone number of your present employer;
 - (b) your current title, the nature of your work, and dates of employment;
 - (c) whether you work part-time or full-time;
 - (d) the frequency of payment (weekly, biweekly, or monthly);
 - (e) gross pay;
 - (f) net pay;
 - (g) whether you receive additional compensation for overtime pay;
 - (h) the average amount of overtime you work per week;
 - (i) the form of payment of salary (*check, cash, or other; if other, please explain*);
 - (j) the name and **ADDRESS** of each bookkeeper, payroll clerk, or other person having records of salaries or other sums of money paid to you by your present employer.
- 4.2 Are you self-employed or an independent contractor? If so, state:
- (a) the address and telephone numbers of the persons or businesses for whom you have performed work or services during the last 12 months;
 - (b) the nature of the work or services performed and the dates they were provided;
 - (c) whether you billed each service or the work performed at a flat rate, an hourly rate, or a job rate, and the amount of payment you received;
 - (d) the name and **ADDRESS** of each bookkeeper, payroll clerk, or other person having records of salaries or other sums of money paid to you during the last three years for your work.

5.0 Employment History

- 5.1 State the employer's name and **ADDRESS**, dates of employment, job title, and nature of the work for each job you have had in the last five years. If you were self-employed in the last five years, state your business **ADDRESS**, dates of self-employment, title, and nature of the work.

6.0 Support Received From Others

- 6.1 Have you received any financial **SUPPORT** in the last three years? If so, state:
- the name, age, **ADDRESS**, and relationship to you of each **PERSON** from whom you have received **SUPPORT**;
 - the dates you received the **SUPPORT** and the amount you received.

7.0 General Background Information— Business

- 7.1 Are you in any partnerships? If so, state for each:
- the current partnership name;
 - all other names used by the partnership in the last five years and the dates each was used;
 - whether you are a limited partnership and, if so, in what jurisdiction it operates;
 - the name and **ADDRESS** of each general partner;
 - the **ADDRESS** of the principal place of business
- 7.2 Have you done any business under a fictitious name during the last five years? If so, state:
- the current and any former fictitious business names;
 - the dates each was used;
 - the **ADDRESS** of the principal place of business.

8.0 Bank Accounts and Cash

- 8.1 Do you have, in your own name or jointly with another **PERSON**, any bank accounts, commercial savings accounts, credit union accounts, or safe deposit boxes? If so, state for each:
- the institution's name and **ADDRESS** where the account or the safe deposit box is located;
 - the amount of the balance of any account and the contents of any safe deposit box;
 - the source of the money in any account or safe deposit box;
 - the date you last made a deposit;
 - the type and the amount of your last deposit;
 - the amount of cash that you currently possess.
- 8.2 Does your spouse have, in his or her own name or jointly with another **PERSON**, any bank accounts, commercial savings accounts, credit union accounts, or safe deposit boxes? If so, state for each:
- the institution's name and **ADDRESS** where the account or the safe deposit box is located;
 - the source of the money in your spouse's bank account or safe deposit box.

9.0 Property

- 9.1 Do you or your spouse own or have any interest in **PROPERTY** in California or elsewhere? If so, state:
- the **ADDRESS** of any real estate, land, buildings, apartments, or condominiums in which you hold an interest;
 - the date acquired and the current value of any real estate, land, buildings, apartments, or condominiums in which you hold an interest.
- 9.2 Do you or your spouse own or have any interest in stocks, bonds, or other securities or IRA, Keogh, or deferred compensation accounts? If so, state the source, value, and location of each.

- 9.3 Are you or your spouse entitled to any money from any federal, state, city, county, or governmental department or agency? If so, state the agency, the date you received or will receive the money, and the amount.
- 9.4 Have you or your spouse inherited any money or property in the last two years? If so, state the nature and value of the money or property and the date you received it.
- 9.5 Do you or your spouse have vehicles? If so, state for each:
- the model, make, year, and owner's name;
 - whether you own it;
 - if it is encumbered, state to whom and to the amount.
- 9.6 Do you have any pending civil actions? If so, state for each:
- the parties' names, the court, and the case number;
 - the nature of the claim.
- 9.7 During the last three years have you received any judgments or insurance settlements? If so, state for each:
- the source or the judgment or insurance settlement;
 - the amount of the judgment or insurance settlement.
- 9.8 Have you or your spouse applied for loans from any banks, credit unions, financial companies, or other lending institutions in the last three years? If so, state for each:
- if the loan was approved;
 - the amount of the loan;
 - what you or your spouse did with the proceeds.
- 9.9 Do you own any of the following items? If so, describe each item, the item's location, its approximate value, and any joint owner:
- office equipment;
 - farm equipment;
 - gemstones or jewelry;
 - camera or video equipment;
 - antiques;
 - precious metals (gold or silver);
 - musical instruments;
 - weapons;
 - motorcycles;
 - motor homes;
 - boats;
 - airplanes;
 - furs;
 - watches;
 - stamp or coin collections;
 - china;
 - original works of art;
 - crystal.

10.0 Other Assets

- 10.1 Does any **PERSON**, company, or institution owe you money? If so, state for each:
- the name, **ADDRESS**, and telephone number of the person or institution;
 - the amount of the debt;
 - the basis of the debt;
 - the date the debt is due to be paid.

- 10.2 Do you have any pending court proceedings in a California court where you have posted cash bail to guarantee your appearance? If so, state:
- (a) the name of the court and date of posting;
 - (b) the amount of cash bail posted;
 - (c) the date to appear.
- 10.3 Are you the beneficiary of any trusts, or do you have any ownership interest in any partnerships, corporations, or companies? If so, state:
- (a) the name and **ADDRESS** of each trustee, partnership, corporation, or company;
 - (b) the date each entity or trust was established;
 - (c) the **ASSETS** of each trust or entity.

11.0 Other Income

- 11.1 During the last three years have you received cash or other property not identified in the above interrogatories? If so, state:
- (a) the nature and value of the cash or property
 - (b) the source of the cash or property;
 - (c) the current location of the cash or property.

12.0 Liabilities and Debts

- 12.1 Are there any other judgments of record against you? If so, state for each:
- (a) the date entered;
 - (b) the location of the court and the names of the parties;
 - (c) the case number;
 - (d) the amount of the judgment;
 - (e) whether you have made any payments;
 - (f) the amount and source of the payments;
 - (g) the amount still due.
- 12.2 What are your average monthly expenses, and how are they met?
- 12.3 Are there any liens, levies, or garnishments against your assets or wages? If so, please explain each in detail.
- 12.4 Have you paid any fines or fees in the criminal case in which the asking party is the victim?