

Summary of select restitution orders, fines, and fees in delinquency cases					Rev. 05/2021
Authorizing statute	Type	Applies when	Amount	Ability to pay dispositive?	Mandatory?
Pen. Code § 987.4	Attorney fees	Public defender or assigned counsel represents minor in criminal proceeding	Court may order parent or guardian to reimburse the county for the expense. (Repealed as of 7/1/2021.)	No.	No.
Welf. & Inst. § 730.5	Fine	Minor is adjudged ward as person described in section 602	Up to amount that could be imposed on adult for same offense. Penal Code § 1464 penalty assessment applies.	Fine may be levied if court finds ability to pay.	No.
Welf. & Inst. § 730.6, subds. (a)(2)(A) and (b)	Restitution fine (similar to Pen. Code, § 1202.4, subd (b))	Minor is adjudged ward as person described in section 602	\$100-\$1000 for felonies; ≤ \$100 for misdemeanors, in addition to any § 730.5 fine imposed. Fine waived for § 241.1 minors (subd. (g)(2)). County may also impose ≤10% collection fee.	No (subd. (c))	Yes, but can be waived for extraordinary and compelling reasons stated on the record if minor was found to have committed felony (subd. (g)(1)). Community service shall be ordered if fine is waived (subds. (n), (o)).
Welf. & Inst. § 730.6, subds. (a)(2)(B) and (h)	Victim restitution (similar to Pen. Code, § 1202.4, subd. (f))	Minor is adjudged ward as person described in section 602 and victim incurs an economic loss as a result of the minor's conduct	Amount of loss(es).	No. Inability to pay shall not be considered in determining amount (subd. (h)(1))	Yes, but can be waived for extraordinary and compelling reasons (but not inability to pay) stated on the record (subd. (h)(1))
Welf. & Inst. § 731, subd. (a)(1)	Treatment fine	Minor is adjudged ward as person described in section 602 and ordered to undergo treatment referred to in §§ 727 and 730	Up to \$250	Yes	No
Welf. & Inst. § 742.16	Graffiti and vandalism restitution	Minor is adjudged ward as person described in section 602 by reason of commission of an act prohibited by Pen. Code § 594, 594.3, 594.4, 640.5, 640.6, or 640.7	Amount required to fully compensate owner or possessor of property for their damages (subd. (a)) or total cost incurred by public entity for removal, repair, or replacement (subd. (b)).	Court shall make order to the extent it determines minor has ability to pay (subds. (a), (b), (c)).	Yes, but court may find full restitution is inappropriate (subd. (a)).

Table is provided as a summary of select Welfare & Institutes statutes only. It is not intended as a substitute for reading the code sections or verifying currentness. Check the code and cases for updates, interpretation, and applicability.