

(e) (1) When a defendant fails to make restitution as ordered, the Division shall notify the court.

(2) The court {may} SHALL hold a hearing to determine if the defendant is in contempt of court or has violated the terms of the probation or parole.

(3) IF THE COURT FINDS THAT THE DEFENDANT INTENTIONALLY BECAME IMPOVERISHED TO AVOID PAYMENT OF THE RESTITUTION, THE COURT MAY FIND THE DEFENDANT IN VIOLATION OF PROBATION OR PAROLE.

(f) An order of restitution may not preclude the owner of the property or the victim who suffered personal physical or mental injury or out-of-pocket loss of earnings or support from proceeding in a civil action to recover damages from the defendant. A civil verdict shall be reduced by the amount paid under the criminal restitution order.

(G) (1) AN ORDER OF RESTITUTION SHALL CONSTITUTE JUDGMENT AS IN A CIVIL ACTION.

(2) AN ORDER OF RESTITUTION FROM THE DISTRICT COURT OR THE CIRCUIT COURT SHALL BE INDEXED AND RECORDED AS PRESCRIBED BY THE MARYLAND RULES OR THE MARYLAND DISTRICT RULES.

~~(3) -- A JUDGMENT UNDER THIS SECTION CONSTITUTES A LIEN IN THE AMOUNT OF THE JUDGMENT ON THE REAL PROPERTY OF THE PERSON CONVICTED.~~

~~(4) -- A LIEN UNDER THIS SUBSECTION APPLIES:~~

~~(I) -- FROM THE DATE OF RECORDING IN THE CIVIL JUDGMENT INDEX, AND~~

~~(II) -- ONLY TO REAL PROPERTY LOCATED IN THE COUNTY OF RECORDING, WHETHER RECORDED IN THE COUNTY OF ENTRY OR IN ANOTHER COUNTY UNDER MARYLAND RULE 2-623(A).~~

(3) A JUDGMENT ENTERED UNDER THIS SECTION CONSTITUTES A LIEN IN THE AMOUNT OF THE JUDGMENT ON THE REAL PROPERTY OF THE DEFENDANT ONLY:

(I) FROM THE DATE OF RECORDING IN THE CIVIL JUDGMENT INDEX AS PRESCRIBED UNDER PARAGRAPH (2) OF THIS SUBSECTION; AND

(II) ON REAL PROPERTY LOCATED IN THE COUNTY OF RECORDING, WHETHER RECORDED IN THE COUNTY OF ENTRY OR IN ANOTHER COUNTY UNDER MARYLAND RULE 2-623(A).