

(iv) Filing an application for review of criminal sentence under §§ 645JA through 645JG of this article; or

(v) Filing a notice for in banc review under the Maryland Rules.

(2) If a defendant files an action described in paragraph (1) of this subsection, an individual, governmental entity, or third-party payor may not execute on a judgment recorded and indexed under this section until a court issues a final judgment upholding the conviction, sentence, or order of restitution.

(3) An individual, governmental entity, or third-party payor may not execute on a judgment recorded and indexed under this section until the time period has expired in which a defendant may file any of the actions listed under items (1)(i) through (v) of this subsection.

(m) (1) Notwithstanding any other provision of law, if the defendant is a child who has been charged as an adult, the court may order the child, the child's parent, or both to pay restitution to a victim.

(2) As an absolute limit against any one child, the child's parent, or both, an order of restitution issued under this section may not exceed \$10,000 for all acts arising out of a single incident.

(3) A court may not issue an order of restitution against a parent under this section unless the parent has been afforded a reasonable opportunity to be heard and to present appropriate evidence on the parent's behalf. A hearing under this section may be held as part of the criminal proceeding against the child.

(n) The State's Attorney should, if practicable, notify any eligible victim of the right to request restitution and provide assistance in the preparation of the request and advice as to the steps that a victim may take to collect any restitution that is awarded.

DRAFTER'S NOTE: This section formerly was Art. 27, § 640 of the Code.

In subsection (a)(1) and (5) of this section, the reference to "section" is substituted for the former, overly broad references to "subtitle" and "article" for clarity.

In subsection (e)(2) and (3) of this section, the references to parole are deleted because absent statutory authority, a court may not make decisions concerning parole, which is a function of the executive branch. See State v. Parker, 334 Md. 576, 640 A.2d. 1104 (1994) and Patuxent Board of Review v. Hancock, 329 Md. 445, 620 A.2d 917 (1993).

The only other changes are in style.

808. LIABILITY FOR ACTS OF CHILD.

(a) (1) The JUVENILE court may enter a judgment of restitution against the parent of a child, the child, or both in any case in which the court finds a child has committed a delinquent act and during or as a result of the commission of that delinquent act has: