

Circuit Court for Montgomery County  
Case No.: C-15-JV-23-000308

UNREPORTED\*

IN THE APPELLATE COURT

OF MARYLAND

No. 959

September Term, 2024

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IN RE: A. P-Z.

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Graeff,  
Beachley,  
Kenney, James A., III  
(Senior Judge, Specially Assigned),

JJ.

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PER CURIAM

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Filed: September 17, 2025

\*This is a per curiam opinion. Under Rule 1-104, the opinion is not precedent within the rule of stare decisis, nor may it be cited as persuasive authority.

Appellant A. P-Z. admitted involvement in a second-degree burglary. The Circuit Court for Montgomery County, sitting as a juvenile court, ordered that A. P-Z. be detained and placed in an appropriate juvenile facility. On his release, the court placed A. P-Z. on probation for one year. The court then held two hearings on restitution and ultimately ordered A. P-Z. to pay \$2,500 in restitution. On appeal, A. P-Z. contends the juvenile court erred in ordering restitution. For the reasons below, we affirm.

A juvenile court, generally, may order a juvenile to make restitution if, “as a direct result of the . . . delinquent act, property of the victim was stolen, damaged, destroyed, converted, or unlawfully obtained, or its value substantially decreased[.]” Md. Code Ann., Crim. Proc. (“CP”) § 11-603(a)(1). A “victim is presumed to have a right to restitution” if it is requested and the “court is presented with competent evidence” in support of the amount sought. CP § 11-603(b). That said, the court need not issue a judgment of restitution if the juvenile “does not have the ability to pay the judgment” or “there are extenuating circumstances that make a judgment of restitution inappropriate.” CP § 11-605(a). Both “the decision to require restitution, as well as the amount, are reviewed for abuse of discretion.” *In re A.B.*, 230 Md. App. 528, 531 (2016). “However, where a [juvenile] court’s order involves an interpretation and application of Maryland statutory and case law, we review its decision *de novo*.” *In re G.R.*, 463 Md. 207, 213 (2019) (cleaned up).

On appeal, A. P-Z. argues that the juvenile court erred in three ways. He first contends that the State failed to present competent evidence to justify restitution. To order restitution, the juvenile court had to find that “sufficient evidence [was] admitted to prove: (i) the amount of loss or expense incurred for which restitution is allowed and (ii) that such

loss or expense was the direct result of the respondent’s delinquent act[.]” Md. Rule 11-422(g)(1)(C). In A. P-Z.’s view, the State did not introduce any evidence to support the amount of loss or expense incurred for which restitution was requested by the victim. Instead, he argues, “the prosecutor simply represented to the court that it was requesting half of [the] expenses incurred by [the victim] (because [A. P-Z.’s] co-respondent had been ordered to pay the other half).” We are not persuaded.

We first note that A. P-Z. never objected to the evidentiary sufficiency of the restitution award. Rather, he argued only that the issue of restitution was not properly before the court because the State had not filed a restitution petition—an argument he abandons on appeal—and that the amount should be limited to a “reasonable amount that he can actually do during the course of probation.” But even if this issue is preserved, the juvenile court had before it documentation supporting the restitution request. The record reflects that the State had previously submitted an invoice billed to the damaged business, in the care of its owner—the victim. The State also provided copies of payments the victim made for repairs. Indeed, A. P-Z. filed these same documents with his motion opposing restitution, and there was never any dispute that A. P-Z.’s delinquent act caused these expenses. This provided “sufficient evidence” to prove “the amount of loss or expense incurred for which restitution is allowed[.]” Md. Rule 11-422(g)(1)(C)(i).

A. P-Z.’s remaining arguments are connected. He next contends that the State failed to present sufficient evidence of his ability to comply with the restitution order. He also contends that the juvenile court erred in assessing his ability to pay restitution based on the length of time he could be under the jurisdiction of the court. On both points, we disagree.

Like adult cases, a juvenile court must conduct a “reasoned inquiry” into a juvenile’s ability to pay at a restitution hearing. *In re Don Mc.*, 344 Md. 194, 203 (1996) (cleaned up). In reviewing a court’s determination that a juvenile or their parent has the ability to pay, this Court considers the amount of restitution ordered, the time available for repayment, the individual’s present and future potential for employment, familial support, number of dependent children, and other factors that may be relevant to the determination. *See In re A.B.*, 230 Md. App. at 533, 563–37; *In re Delric H.*, 150 Md. App. 234, 251–54 (2003); *In re Levon A.*, 124 Md. App. 103, 143–47 (1998), *rev’d in part on other grounds*, 361 Md. 626 (2000).

At the time of the restitution hearing, A. P-Z. was 15 years old. His father testified that A. P-Z. had no medical issues preventing him from working and that he was physically able to do so. A. P-Z.’s family provides for all of his living expenses. His father explained, the main barrier to A. P-Z. obtaining employment was that he had not yet secured a Maryland State ID card to present to employers. A. P-Z. has never suggested that he is unable to put together the necessary paperwork to secure the documents he needed to gain employment. Further, A. P-Z.’s father also indicated that he was willing to have A. P-Z. come work at his landscaping company.

After hearing this evidence, the juvenile court chose to order \$2,500 in restitution for A. P-Z. (just over half of what the State requested) but declined to make his parents responsible for the amount. The court reasoned that, once A. P-Z. secured his ID, he would be able to work and that paying restitution out of his earnings would be rehabilitative and help create a sense of responsibility. As we have held previously, future ability to pay is a

valid consideration in determining if restitution should be ordered, and, if so, how much the judgment should be. *See, e.g., In re A.B.*, 230 Md. App. at 536; *Delric H.*, 150 Md. App. at 253.

The juvenile court, when setting the restitution amount, also observed that A. P-Z. could remain under its jurisdiction until age 21 “depending upon sort of how probation goes.” It further speculated that, if his supervised probation was going well, the court could place A. P-Z. on unsupervised probation to give him additional time to finish paying the restitution. The court later added, however, that “hopefully you will have finished paying it by the time probation is done.”

A. P-Z. reads these comments as the court considering the length of time that he could be under its jurisdiction in assessing his ability to pay. We reject his interpretation. The court’s comments, taken as a whole, did not presume that A. P-Z. could pay the \$2,500 only if he had six years to do so—just the opposite. The court expressed a clear belief that it expected A. P-Z. could reasonably pay the restitution within the initial term of probation if he obtained employment.

In sum, the State presented sufficient evidence to support the restitution amount and to show A. P-Z.’s ability to pay. Nothing in the record demonstrates that the juvenile court erred in conducting its analysis when setting the amount of restitution. We shall therefore affirm its judgment.

**JUDGMENT OF THE CIRCUIT  
COURT FOR MONTGOMERY  
COUNTY AFFIRMED. COSTS TO  
BE PAID BY APPELLANT.**