

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
PROBATION OFFICE**

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Effective September 2005

The Probation Office has revised its policy regarding the collection of financial information.

All defendants are required to submit completed Financial Forms 48, 48A, 48B, 48C, 48D (and 48F, if self-employed) , including any supporting documentation.

All financial information must be received within three weeks of the Rule 11 hearing or by the interview, whichever is later.

If completed statement is not received by the above time frame, the Probation Office will include the following in the report:

- 1) any available information (from the defendant which was received in accordance with the deadline and other sources)**
- 2) a notation regarding which sections were not completed**
- 3) a declaration that the defendant has not demonstrated an inability to pay a fine**

If completed statement is not received by the above time frame, defense counsel shall submit the entire financial statement or any additional financial information directly to the Court.

It is the defendant's burden to demonstrate an inability to pay a fine, and therefore, unless documentation for liabilities and expenses is provided within the above time frame, such information will not be used to determine the defendant's ability to pay a fine.