GEORGIA CRIME VICTIMS COMPENSATION PROGRAM (CVCP)

Crime Victims Compensation assists eligible victims of violent crime with actual expenses caused by the crime. Crime Victims Compensation is a payer of last resort and does not cover expenses that have been already covered by a third-party (e.g.; insurance sick leave, worker's compensation). The total award amount cannot exceed $25,000 and the categorical caps are as follows: Medical Expenses $15, 000; Counseling Bills $3,000; Funeral Expenses $3,000; Lost Wages/Support $10,000; and Crime Scene Clean-up $1,500.

There are other eligibility requirements. For more information, please contact the Georgia Crime Victims Compensation Program at 104 Marietta Street, Suite 440, Atlanta, Georgia, 30349, 1-404-657-1965, or 1-800-547-0060 (victims only).

WHAT ELSE SHOULD I KNOW?

You may submit an application even if there is no known offender. Prosecution is not a program requirement.

CVCP is the payer of last resort. This means your benefits will be reduced by the monies you receive from any other source as a result of the crime, such as insurance, restitution, and civil suit settlements.

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Your Right to Restitution

Georgia Department of Juvenile Justice
OFFICE OF VICTIM SERVICES

WHAT IS RESTITUTION?

Whenever someone suffers a loss through a crime and a person is found guilty of that crime in a court of law, the victim is entitled to receive reimbursement for those expenses that were out-of-pocket to the victim. This reimbursement is called restitution.

WHAT TYPES OF EXPENSES DOES RESTITUTION COVER?

* MEDICAL/DENTAL BILLS
* COUNSELING SERVICES
* STOLEN/DAMAGED PROPERTY
* LOST WAGES DUE TO INJURY
* CRIME SCENE SANITATION

HOW IS RESTITUTION DECIDED?

If the juvenile is adjudicated or found guilty of committing a misdemeanor or felony, the Probation Officer is required to prepare and submit a pre-sentence report to the court.

The local Office of Victim Services should contact you and provide a Victim Impact Statement detailing your loss information. You will be asked to submit receipts or any other documentation associated with your out-of-pocket expenses related to the offense.

A Court Official will then prepare a report to the court and include a recommendation of the amount the offender should be required to pay you. If the amount of losses is unknown at that time, a recommendation will be made that restitution should be ordered once the loss amount has been determined.

WHEN IS RESTITUTION ORDERED AND PAID?

A judge normally orders restitution at the disposition hearing when the offender is sentenced. After reviewing the loss report recommendations from the Probation Office, the judge decides the amount of restitution the offender should pay.

If the losses are unknown, the judge may order a restitution amount to be determined at a later date.

It is important that you contact the Probation Department as soon as you have your losses determined so an order can be obtained.

Keep in mind that there may be statute of limitations and therefore it is important to provide loss documentation as soon as possible.

Restitution is paid to the Clerk of the Juvenile Court in the county of the crime. The Department of Juvenile Justice staff monitors the offender to ensure that the payments have been made as ordered by the Court. Restitution is distributed to the victim by the Clerk of the Juvenile Court.

In order to enforce the restitution order, Juvenile Courts are authorized and may retain jurisdiction over a juvenile subject to a restitution order until the juvenile reaches 21 years of age. If the restitution remains unpaid once the juvenile reaches age 21, the Juvenile Court shall transfer the matter to Superior Court.

Under certain circumstances where the restitution remains unpaid, the juvenile's restitution may be transferred to Superior Court at the time the juvenile reaches 18 years of age.

CIVIL ACTIONS MAY HELP WHERE RESTITUTION CANNOT

Restitution and compensation do not cover a victim's full economic loss. Neither pays anything for hard to quantify damages such as pain and suffering. A civil lawsuit may provide additional compensation for the victim.

The civil justice system does not attempt to determine the innocence or guilt of an offender. Rather, civil courts attempt to determine whether an offender is liable for the injuries sustained as a result of the crime.

In some cases, you can obtain a civil judgment against the juvenile offender's parents or legal guardians. However, specific questions regarding filing civil judgments should be addressed by your attorney.