

The Laws Governing the Victims of Crime Compensation Office (VCCO) have changed, here's how

The below changes apply to applications made on or after 8/1/20

This document provides useful information for victims but is a summary of the most important changes. For more information consult the full statute at www.nj.gov/oag/njvictims/law.html

Definitions

Legal assistance – means assistance provided to a crime victim in the enforcement of the victims' rights in all courts; family law matters, obtaining protective and restraining orders, employment matters, accessing public benefits, life planning and any other situation for which an eligible crime victim needs legal services related to the victimization.

Relevant evidence – means evidence having a tendency in reason to prove or disprove any fact of consequence to the determination of the action and that is deemed to be admissible under the rules of evidence and does not include rumor, supposition, speculation, hearsay or opinion, except as otherwise deemed admissible under the rules of evidence.

Victim – In homicide cases only; the definition of a victim has been expanded to include spouse, parent, legal guardian, grandparent, child, sibling, domestic or civil union partner of the decedent, or parent of the decedent's child.

Claim Approval

Once a completed application and all the necessary information is received by the VCCO it will make a claim approval or denial determination within 90 days. VCCO will notify the applicant when the application is complete. The 90 day determination may be extended for good cause if an administrative closure would otherwise result.

- Certain rules apply if it is determined that a victim's action may have contributed to the crime. It does not always prevent a victim from receiving assistance.
 - The VCCO may consider any facts that provide relevant evidence (see definition) as to whether the victim contributed to their injury or death and as to whether the victim's conduct was the proximate cause of their injury or death
 - When contributory conduct is established in cases of homicide only the office is authorized to make limited award for funeral, mental health, loss of support for dependent children and attorney fees
- Victims of these offenses may now apply for assistance
 - Simple Assault
 - Disorderly conduct
 - Motor vehicle incident resulting in injury or death where the driver of the vehicle left the scene of the accident (commonly referred to as a "hit and run")
- Time requirements to request assistance by filing an application have now increased to 5 years from the crime date, or 5 years after the victim's 18th birthday
- In cases where a victim has an outstanding Victims of Crime Penalty Assessment (VCP) it may now be deducted from an award instead of preventing a claim to be approved.



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- Victims who are incarcerated may not be denied assistance due to the incarceration. This includes instances where:
 - The victim is incarcerated after the incident for an incident unrelated to their VCCO claim.
 - The victimization occurred during a period of incarceration.

Increases in Compensable Benefits

Attorney fees

- Applicants are eligible to receive reimbursement for attorney fees in certain cases:
 - For fees associated with their application to VCCO have increased to \$500 minimum
 - For fees associated with legal matters arising out of the victimization reimbursement is made at \$275/hour with a maximum of \$10,000 total reimbursement.

Emergency awards

- The VCCO can make an emergency award of up to \$7,500 to assist with an eligible benefit. The amount of the emergency award will be deducted from the total reimbursement benefit allowed

- In cases where cash is stolen, the stolen cash reimbursable amount has increased to \$1,000 (certain conditions apply and does not include the crime of burglary)

Expiration of Approved Claims

There is no time limit for submitting expenses. Approved claims have no expiration date.

