

# South Dakota Crime Victims' Compensation

**READ THESE INSTRUCTIONS AND REVIEW THE APPLICATION BEFORE FILLING IT OUT**

## Secondary Application Instructions

Be sure to use blue or black ink, double-check the spelling of all names and addresses, and answer all required questions

**Section I and II are required** and need to be filled out completely

### **Secondary Victim**

A secondary victim is an immediate family member (i.e., the victim's spouse, children, mother, father, brother, sister, grandparent, grandchildren, stepchildren, or stepparent) of the primary victim, who has experienced hardship as a result of the crime.

- If the claimant does not have a social security number, please provide a brief explanation in the space provided.
- Section II is required by the Department of Justice in order to collect demographic data.
- The more ways provided to contact the claimant ensures better likelihood CVC will not lose touch with the claimant should addresses or contact numbers change, increasing the difficulty of approving the claim.

**Section III is required only when** a family member is filing on behalf the secondary victim who is a parent/guardian is filing on behalf of a juvenile victim.

**Section IV** assists the Office of Crime Victims' Compensation to be sure we are reaching all potential victims who may be eligible for compensation. This also assists in informing CVC of what resources the victim has received and what resources they may need.

**Section V is required** in order to be considered for eligibility.

**Section VI is required** if the answer to the first two questions is "YES", then complete the section completely. (Otherwise indicate "NO" for the first two questions and move on to Section VII.)

## Sections VII & VIII

- The CVC Program is a payer of last resort, which means that any other sources of payment (also known as a collateral source) would make payments before the CVC Program can issue an award for that expense.
- Please fill out this section to the best of your ability, as this provides a way to make sure all claimed expenses have been addressed. Any bills not mentioned by the claimant will not be considered for compensation.

Section VII shows which sources may be making payments on the claimed expenses.

Section VIII is an overview on what bills the CVC Program can expect to collect from providers. Please fill out this section to the best of your ability, as this provides a way to make sure all claimed expenses have been addressed. Any bills not mentioned by the claimant will not be considered for compensation.

Section IX details non-medical expenses that may be incurred as a result of the crime.

- When requesting transportation or lodging compensation, if the victim is not present during the trip or stay, those expenses must be claimed on a secondary application. Only immediate family members may file a secondary application, unless they are a direct witness to the crime, in which case they would need to file a primary application.
- Only clothing and bedding that was collected as evidence, and will not be returned to the claimant, is compensable through the CVC Program. Property damaged in the incident is not eligible for compensation.
- Only door locks, security lights, and the installation costs of a security system are compensable through the CVC Program. Monthly service expenses would be the claimant's responsibility.
- Unexpected child care expenses are compensable through the CVC Program. Unexpected means this expense only occurred as a result of the crime, such as child care during treatment or court proceedings.
- Other expenses can be listed, but please note that daily living expenses, pain and suffering, and legal fees are not compensable through CVC.

Section X & XI only need to be completed if the victim is deceased as a result of the crime.

### **Important Information**

The “Declaration and Authorization” and “Authorization for the Use or Disclosure of Protected Health Information” forms are required. If not fully complete or filled out incorrectly, the application will be returned to the claimant. All providers must be listed in order to obtain confidential records and billing information. If providers are not listed, the bills cannot be obtained, and CVC cannot award compensation for those expenses.

The blank space in “Section 6: Disclosures” terminates the agreement, which voids the release and would result in the application being returned to the claimant.

*The W-9 is not required but must be filled out if the final award totals over \$5,000; therefore, it is best practice to fill out the W-9 when applying to avoid any unnecessary delays in receiving the final award.*