

YOUR APPEAL RIGHTS

MINNESOTA CRIME VICTIMS
REPARATIONS BOARD



OFFICE OF JUSTICE PROGRAMS
MINNESOTA DEPARTMENT OF PUBLIC SAFETY

The Board

The Minnesota Crime Victims Reparations Board is made up of five members including a doctor and a crime victim. The Board meets once a month to review claims with eligibility concerns.

Eligibility Determination

The Board reviews information received from the victim, police, prosecutor, and medical records to determine if eligibility requirements have been met. The Board then votes to pay, reduce, or deny the claim.

Appeal Rights

You have the right to appeal the decision made on your claim if you feel the decision was wrong. The following three steps explain the appeal process.

1st Step: Reconsideration

You have 30 days after receiving the Board's reduction or denial letter to request the Board reconsider its initial decision. You must submit a letter that clearly states you are requesting a reconsideration. Your letter should also explain why you think the Board's

decision was wrong and include any additional or new information that you would like the Board to consider. Your advocate or attorney may assist you in writing the letter, but it must be signed by you.

The Board will discuss your reconsideration request at their next meeting. All information obtained on your claim will be reexamined and the Board will vote to affirm, modify, or reverse its previous decision. If you would like to attend the meeting to discuss your claim, contact the Reparations office to schedule an appointment.

2nd Step: Pre-hearing Conference and Contested Case Hearing

If you do not agree with the Board's reconsideration decision, you may request a hearing before an Administrative Law Judge. You must send a signed letter stating you are requesting a hearing. The letter should explain why you believe the Board's decision was wrong and any new information you would like to have included at the hearing. There is no time limit requirement to request a hearing.

You will be notified once a pre-hearing conference has been scheduled. The

facts and legal issues of the case will be discussed at the conference and a hearing date will be set.

At the hearing, the Reparations Director will testify to the background of the claim and the basis for the denial or reduction. The Board's attorney will call witnesses to testify on the Board's behalf. You will also have the opportunity to testify and to call witnesses to testify on your behalf.

You must attend the pre-hearing conference and hearing. Failure to attend may result in a default judgment for the Board. You may bring an attorney, advocate, or support person if you wish.

After the hearing, the Administrative Law Judge will make a recommendation to the Board. You will be notified of the recommendation and given a chance to present any final statements to the Board. The Board then makes a final decision to either accept or reject the judge's recommendation.

3rd Step: *Minnesota Court of Appeals*

If you disagree with the Board's final decision, you can seek a review by the Minnesota Court of Appeals. You must file a petition for a writ of certiorari with the court within 30 days of receiving the Board's final decision.

Attorney Help

You may wish to speak to an attorney before making the decision to request a hearing or seek a review by the Minnesota Court of Appeals. For help finding an attorney, you may call the lawyer referral service of the Minnesota Bar Association:

Ramsey County	651-224-1775
Hennepin County	612-752-6666
Dakota County	952-431-3200
Other Counties	1-800-292-4152

The Board will not pay for the cost of your attorney. If you cannot afford an attorney, you should contact a Legal Aid Office:

Ramsey County	651-222-5863
Hennepin County	612-332-1441
Scott, Carver, and Dakota Counties	952-440-1040
Rural Counties	1-888-575-2954

CONTACT US

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