



YOUR RIGHT TO APPEAL

If Your Claim Has Been Denied

California Victim Compensation Board



This brochure provides general answers to the most frequently asked questions from applicants and their representatives regarding administrative hearings before the California Victim Compensation Board (CalVCB). It is not intended as legal advice.

It is very important for you to carefully read all documents provided to you by CalVCB. The documents provide information about the issues involved, what deadlines you must meet and what rights you have to request a hearing.

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WHAT IS AN APPEAL?

After you apply for compensation, the California Victim Compensation Board (CalVCB) reviews your application and makes a written recommendation to the three-person Board (the Board) about whether you qualify for compensation. CalVCB also reviews each request for reimbursement that is submitted and makes a recommendation about whether it qualifies for payment. When CalVCB makes a recommendation regarding your claim, you will be advised in writing.

If CalVCB staff recommends denial of your application or request for reimbursement, you have the right to appeal the recommendation. Filing an appeal means you are asking the Board to reevaluate the recommendation made on your application or request for reimbursement.

HOW DO I APPEAL?

Appeals must be submitted in writing within 45 days of the notice of staff recommendation. You may file an appeal if:

- Staff recommends denial of your application or request for reimbursement in whole.
- Staff recommends denial of your application or request for reimbursement in part.

You may use the appeal form CalVCB sends you or write CalVCB a letter explaining why you believe your application or request for reimbursement should be approved. Sign, date and return the appeal form or letter, along with any supporting documentation, to:

California Victim Compensation Board

Appeals Unit

P.O. Box 350

Sacramento, CA 95812

WHAT HAPPENS AFTER I APPEAL?

The Appeals Unit will review all the information in your application, as well as any new information you submit, to determine whether you will receive a hearing on the written record or an oral hearing. You will be advised in writing which type of hearing you will receive.

HOW IS MY HEARING SCHEDULED?

If it is determined that you are receiving a hearing on the written record, you will be given 30 days to submit written materials that explain why your application or request for reimbursement should be approved. A hearing officer will review any written materials you submit within that time period.

If it is determined that you are receiving an oral hearing, you will be advised in writing of the date and time of the hearing. Most hearings are conducted over the phone. Your written notification will also include the phone number we will use to call you for the hearing; however, if this phone number is not current, let us know immediately. Alternately, you may request a videoconference or in-person hearing.



HOW DO I PREPARE FOR THE HEARING?

It is important that you appear at and are prepared for the hearing (whether by phone, videoconference, or in person). To prepare for the hearing you may want to:

- Review the information provided in the letter sent to you by the CalVCB Appeals Unit.
- Gather any additional information for the hearing officer that will help support your appeal.
- Be ready to discuss why you think the original recommendation on your application or request for reimbursement should be changed.
- Have documents, witnesses or supporting information available during the hearing.
- Allow at least 60 minutes of uninterrupted time.

Be sure to be available at the time of your hearing. If you are not available, we will take action on the appeal without the benefit of your testimony.

WHAT HAPPENS AT MY HEARING?

A hearing officer will conduct the hearing on behalf of the Board. The hearing is informal; however, you and your witnesses will be asked to swear or affirm that the statements given are true. The hearings are recorded in order to save your testimony as part of the record.

Additionally:

- The hearing officer may ask you questions.
- You will get a chance to explain why you believe your application or request for reimbursement should be approved.
- You may present witnesses who can give information to support your application.
- A representative may attend the hearing with you, or on your behalf.

WHAT HAPPENS AFTER MY HEARING?

After your hearing, the hearing officer will write a proposed decision.

The hearing officer's proposed decision will be presented to the Board who may adopt the proposed decision, change it, reject it or send the matter back to the hearing officer for further review. After the Board makes a decision, a copy of the decision will be sent to you.

WHAT IF I NEED AN INTERPRETER?

If you require an interpreter, contact us at **888-883-3593** as soon as possible so that arrangements may be made.

WHO DO I CONTACT IF I HAVE QUESTIONS REGARDING MY APPEAL?

Our goal is to provide responsive service to help you better understand the hearing process and prepare you for your hearing. Further information regarding the hearing procedures may be found on the CalVCB website at victims.ca.gov.

Additionally, you may contact CalVCB at **800-777-9229** or the Appeals Unit at **888-883-3593**.





California Victim Compensation Board

**P.O. Box 3036
Sacramento, California 95812-3036
800-777-9229 Customer Service
916-324-1933 Restitution
victims.ca.gov**

**Deaf and hard of hearing:
Call the California Relay Service at 711.**

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