

CHAPTER 5.1: FINANCIAL ASSISTANCE FOR VICTIMS OF CRIME, CIVIL REMEDIES

INSTRUCTOR GUIDELINES

Key Concepts/Objectives to Emphasize in Instruction and Learning Activities:

1. Key distinctions between the criminal and civil justice systems. (5.1-3 to 5.1-11)
2. Benefits and limitations of civil litigation and proving damages. (entire chapter)
3. Victim service providers' roles in assisting victims throughout the civil justice system. (5.1-12 to 5.1-5)

Objectives:

1. Identify the differences between remedies available to victims in the *criminal* and *civil* justice systems.
2. Describe why civil remedies are a viable option for victims.
3. Identify two key roles of victim service providers in civil litigation processes.

Description of Activity and Faculty Guidelines:

The instructor leads a full group discussion that encourages NVAA students to work together to analyze hypothetical crime victim cases and determine: (1) eligibility or possibility for civil remedies, restitution, or compensation; (2) appropriate documentation of losses; and (3) the obstacles to recovery and potential solutions.

The instructor should divide students into groups of ten and provide the attached case scenario and worksheet (*stapled together*), with 10 minutes to complete the worksheet table. Then, facilitate a brief full group discussion that emphasizes the unique aspects of civil remedies for victims of crime.

Can Be Utilized As:

 X Individual Activity X Small Group Activity X Large Group Activity

Anticipated Amount of Time Required: 18 Minutes

- 03 minutes for group divisions and instructor divisions.
- 10 minutes for small group activity.
- 05 minutes for instructor summation.

RESOURCES NEEDED *(Please check all that apply:)*

- Tear sheets and felt pens
 - VCR/monitor
 - Overhead projector and screen/LCD and laptop
 - Blank overhead transparencies and overhead pens
 - Masking tape
 - Index cards
 - Individual or group worksheets
 - Timer
 - Other *(please describe):*
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STUDENT WORKSHEET

COMPARING JUSTICE SYSTEMS: KEY ELEMENTS OF A CIVIL CASE

The following case scenario and questions are designed to address the differences between criminal and civil cases as well as the critical aspects of a civil case.

After reading the case scenario, please complete the table on the following page. A full class discussion will follow.

Hypothetical Case

Two boys, aged 16 and 19 years old, live with their mother. Their father is deceased and their mother is divorced from their stepfather, who lived with them for three years. The stepfather left home for the last time when the boys were 9 and 12 years old. While he was in the home, his father (the boys' step-grandfather) visited frequently and took the boys on numerous outings to baseball games and the circus, and on hikes. The boys have both had trouble in school and with problem behavior. In the course of family counseling, they revealed that the step-grandfather had regularly engaged in sex acts with them and had photographed them performing oral sex acts. The acts took place at a number of places, including in his home and camper. The step-grandfather is retired after building a successful manufacturing business. He lives in the state, but in a different town. The mother decides to take action.

APPLIED HYPOTHETICAL: IDENTIFY THE DIFFERENCES BETWEEN SYSTEMS

	CRIMINAL JUSTICE SYSTEM	CIVIL JUSTICE SYSTEM
Criminal Charge/s or Causes of Action	1) 2)	1) 2)
Burden of Proof		
Who Controls Case?		
Time Limitations		
Discovery Issues		
Pretrial Resolutions		
Case Disposition		
Reparations		
Who pays?		