

WAC 296-30-180 What protection is available to crime victims to prevent unjust enrichment to others from their benefits? (1) The Crime Victims Act prohibits the department from paying benefits or compensation to a person:

(a) Who caused the crime victim's injuries; or

(b) Any person who would be unjustly enriched by the victim's benefits (e.g., there is a danger the person may divert benefits intended for the victim to his or her own use).

(2) To prevent unjust enrichment, the department, victim, or the victim's guardian may file a motion to:

(a) Request that the victim or other responsible adult establish:

(i) A trust account with a neutral third party as trustee; or

(ii) A savings or checking account with a neutral third party to cosign all withdrawals or checks.

(b) Crime victim compensation benefits will then be deposited in the established account.

(3) The department will continue to pay providers directly.

[Statutory Authority: RCW 7.68.030, 7.68.070(15), 7.68.120. WSR 00-03-056, § 296-30-180, filed 1/14/00, effective 2/14/00. Statutory Authority: RCW 51.36.010, 7.68.030, 51.04.020 (1) and (4), 51.04.030, 7.68.080 and 7.68.120. WSR 97-02-090, § 296-30-180, filed 12/31/96, effective 1/31/97. Statutory Authority: Chapter 7.68 RCW. WSR 86-01-028 (Order 85-37), § 296-30-180, filed 12/11/85.]