Victory Thru Justice!

FORT SILL POST CLAIMS

Tort Claims

Center of Excellence

The Federal Tort Claims Act (FTCA) along with the Military Claims Act (MCA) both provide avenues of redress for civilians and soldiers who suffer property damage, personal injury or wrongful death as a result of the negligence of a Government employee.

1. The Government employee must be working within the scope of his or her employment. The employee's actions must show a benefit to the Army at the time the incident occurred.

2. The claim must be filed within two years of the incident.

3. The claim must be for a "sum certain" (or a total of everything you are asking).

4. The claimant has the burden of proof and must provide substantiation of the claim.

5. Many tort claims involve a motor vehicle with a Government vehicle. The basic items needed to consider a claim are (but are not limited to) the following:

   a) Completed Standard Form 95 or Claim for Damage, Injury or Death.

   b) A copy of the Police Report, if applicable.

   c) Two Estimates of Repair from a vehicle repair agency/shop.

   d) A copy of the title or vehicle registration that was current at the time of the accident (to provide proof of ownership).

   e) Contact and policy information for your vehicle insurance company, and whether or not you filed a claim with them. You are not required to file with their private insurance carrier, however, if a claim is filed with the private insurer, your claim against the United States would then be limited to the amount of the lost not covered by the insurer.

You may file your claim at any military installation. If necessary, your claim will be transferred to a claims office having jurisdiction. Claims involving Government contractors are transferred to the applicable contractor for action and are monitored for progress by the appropriate claims office.

The Fort Sill Claims Office is located at 4700 Mow-Way Rd., Suite 400. Our office operates on a walk-in basis from the hours of 8:00am - 4:00 pm, Monday, Tuesday, Wednesday, and Friday. On Thursdays, hours are from 12:00pm - 4:00 pm. Our telephone number is (580) 442-2317.

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