



FORT SILL LEGAL ASSISTANCE

TRANSITIONAL COMPENSATION



What is Transitional Compensation?

Transitional compensation was established by Congress as an entitlement for abused dependents of military personnel in Fiscal 1994 Department of Defense Authorization Act. The legislation authorizes temporary payments for families in which the Active Duty Soldier has been court-martialed with a qualifying sentence (forfeiture of all pay and allowances, or bad-conduct discharge, or dishonorable discharge, or in the instance of officers and commissioned warrant officers, dismissal from Military Service). The program helps to ease the unexpected transition from military to civilian life for eligible family members who have experienced a dependent-abuse offense.

PLEASE SEE VICTIM/WITNESS ASSISTANCE PROGRAM INFORMATION SHEET FOR FURTHER INFORMATION ABOUT CRIME VICTIM RIGHTS.

What benefits are provided for those who are approved for the Transitional Compensation?

The benefits and entitlements for up to 36 months to eligible family members during the given entitlement period contains commissary and exchange privileges and it also includes medical care, behavioral health services, through TRICARE benefits. Dental care may be provided in dental facilities of the Uniformed Services on a space available basis. The eligible family members receive monthly payments based on the current monthly Dependency and Indemnity Compensation rate (DIC).

****An applicant must have either a SSN or FIN in order to be paid. ****

Is there a statute of limitations for the Transitional Compensation?

No, as long as the abuse offense resulted in separation after 29 November 1993. However, the program is designed to assist victims of dependent abuse in the wake of losing income they relied upon for helping them avoid the incentives to stay in an abusive relationship.

Payment Issues:

Monthly payments are disbursed by DFAS on the first business day of each month. It can take up to six weeks from the time a case was approved for receipt of first check. Each year it is a DFAS requirement that each case gets recertified, meaning, the dependent has not remarried or is not residing with the Soldier who was separated from the Army resulting from the dependent abuse. The recipient has a responsibility to provide DFAS with a current mailing address while under the program. The Transitional Compensation money is tax-free; however, speak to a tax attorney for further questions.

Can I lose or forfeit Transitional Compensation benefits?

Yes. If a spouse receiving payments remarries, then the payments cease as of the date of the remarriage.

If the Soldier who was separated due to the dependent abuse cohabitates with the eligible spouse or child who is the recipient of the compensation, then the payments will cease.

How can I apply for the program?

Contact your local Victim Advocate, Family Advocacy Program Manager, Victim Witness Liaison for assistance in completing an application for Transitional Compensation.

Transitional/State Crime Compensation Programs

State crime compensation programs exist in every state in the country, plus the District of Columbia, Puerto Rico, and the Virgin Islands. Crime victim compensation programs administered by state governments promote the recovery of more than 100,000 victims every year, paying out close of \$250 million annually.

Victims of most violent or personal crimes, including assault, rape, child abuse, and domestic violence, as well as family members of murder victims, are eligible. Property crime, such as theft and burglary, are generally not compensable by state compensation programs. Crime victim compensation programs pay for medical care, mental health counseling, lost wages and support, and funerals.

The Fort Sill Victim Witness Liaison is Mrs. Sheila Olsen. She is located in Building 4700 Mow-Way Rd., Suite 400, room 129 (Clients Services/Legal Assistance). She can be contacted at (580) 442-3526/6699.

Updated July 2014

If you have questions concerning the information in this fact sheet, please call the Legal Assistance Office at (580) 442-5058 or (580) 442-5059. Our hours of operation are Monday, Tuesday, Wednesday and Friday, 0900 – 1600, and Thursdays 1300-1600. The Fort Sill Legal Assistance Office is located on the 4th floor of Building 4700, Hartell Hall on Mow-Way Road.