

# Notification Requirements Under the William Van Regenmorter Crime Victim’s Rights Act (CVRA), Article III<sup>1</sup>

Throughout the legal process, certain persons are required to provide certain agencies and crime victims with notification of an offender’s status. The following table summarizes notification requirements specifically required under the CVRA, Article III.

Victim Notification Requirements	Persons Responsible for Notification	Timing and Method of Notification	Source/Authority
Notification of available emergency/ medical services, victim compensation, contact information for prosecuting attorney, and option to be informed of arrest or release and for status of case.	Law enforcement agency having responsibility for investigating the crime.	<b>Timing.</b> Within 24 hours after initial contact with the victim. <b>Method.</b> In writing.	William Van Regenmorter Crime Victim’s Rights Act (CVRA), <a href="#">MCL 780.813(1)-(2)</a> .
Notification of available pretrial release for defendant, contact information for sheriff, and notification that victim may contact the sheriff to ascertain defendant’s status.	Law enforcement agency having responsibility for investigating the crime.	<b>Timing.</b> Within 72 hours of defendant’s arrest. <b>Method.</b> None specified.	CVRA, <a href="#">MCL 780.815</a> .
Notification of defendant’s arrest and/or pretrial release (at victim’s request).	Law enforcement agency having responsibility for investigating the crime.	<b>Timing.</b> Promptly. <b>Method.</b> None specified.	CVRA, <a href="#">MCL 780.815</a> .
Notification of court procedures, crime victim’s rights, and contact information.	Prosecuting attorney.	<b>Timing.</b> Within 48 hours of court notification to prosecuting attorney regarding defendant’s plea. <b>Method.</b> In writing, in plain English.	CVRA, <a href="#">MCL 780.816</a> .

<sup>1</sup> Except as otherwise provided in [MCL 780.861](#), an entity that provides notice by mail under Article III of the CVRA or under [Const 1963, art 1 § 24](#), must mail the notice to the address provided by the victim. [MCL 780.811b\(2\)](#). If the victim is a program participant under the Address Confidentiality Program Act, [MCL 780.851 et seq.](#), he or she “may provide the address designated by the department of the attorney general.” [MCL 780.811b\(2\)](#); see also [MCL 780.853\(n\)](#). See the Michigan Judicial Institute’s *Crime Victim Rights Benchbook*, Chapter 5, for more information on notification requirements under the CVRA.

Victim Notification Requirements	Persons Responsible for Notification	Timing and Method of Notification	Source/Authority
Notification of scheduled court proceedings and changes to schedule (at victim’s request).	Prosecuting attorney.	<b>Timing.</b> None specified. <b>Method.</b> None specified.	CVRA, MCL 780.816.
Notification of dismissal.	Prosecuting attorney.	<b>Timing.</b> Within 48 hours of dismissal. <b>Method.</b> None specified.	CVRA, MCL 780.816(4).
Notification of resolution by assignment to trainee status, delayed sentence, or deferred judgment of guilt.	<b>Court.</b> Department of Corrections (DOC), Department of Health and Human Services (DHHS), county sheriff, or prosecuting attorney—whichever person had duty to provide notice otherwise.	<b>Timing.</b> None specified. <b>Method.</b> None specified.	CVRA, MCL 780.811b.
Notification of conviction and of victim’s rights related to sentencing and impact statements (at victim’s request).	Prosecuting attorney.	<b>Timing.</b> Promptly. <b>Method.</b> “[B]y any means reasonably calculated to give prompt actual notice.”	CVRA, MCL 780.823.
Final disposition of criminal case (at victim’s request).	Prosecuting attorney.	<b>Timing.</b> Within 30 days of the final disposition. <b>Method.</b> In writing.	CVRA, MCL 780.827.
Notification of appeal, time/place of oral arguments, and any changes to that schedule.	Prosecuting attorney.	<b>Timing.</b> Within 24 hours of receiving notification (or as soon as possible). <b>Method.</b> In writing, in plain English.	CVRA, MCL 780.828.
Notification of appeal process, including possible dispositions.	Prosecuting attorney.	<b>Timing.</b> Within 24 hours of receiving notification (or as soon as possible). <b>Method.</b> In writing, in plain English.	CVRA, MCL 780.828.
Notification of defendant’s release on bail/ other recognizance pending disposition of appeal.	Prosecuting attorney.	<b>Timing.</b> Within 24 hours of receiving notification (or as soon as possible). <b>Method.</b> In writing, in plain English.	CVRA, MCL 780.828.

Victim Notification Requirements	Persons Responsible for Notification	Timing and Method of Notification	Source/Authority
Notification of result of appeal.	Prosecuting attorney.	<p><b>Timing.</b> Within 24 hours of receiving notification (or as soon as possible).</p> <p><b>Method.</b> In writing, in plain English.</p>	CVRA, MCL 780.828.
Notification of prisoner’s calculated earliest release date (at victim’s request).	Sheriff.	<p><b>Timing.</b> Within 30 days of victim’s written request.</p> <p><b>Method.</b> By mail.</p>	CVRA, MCL 780.828a(1)(a).
Notification of prisoner’s placement on day parole or work release (at victim’s request).	Sheriff.	<p><b>Timing.</b> None specified.</p> <p><b>Method.</b> By mail.</p>	CVRA, MCL 780.828a(1)(c).
Notification of defendant’s escape from custody (at victim’s request).	<p>Prosecuting attorney (if the defendant escapes <i>before</i> sentenced or delivered to the sheriff).</p> <p>Chief administrator of the place where the defendant is confined (if the defendant escapes <i>after</i> being sentenced and was delivered to the sheriff).</p>	<p><b>Timing.</b> Immediately.</p> <p><b>Method.</b> “[B]y any means reasonably calculated to give prompt actual notice.”</p>	CVRA, MCL 780.828b.
Notification of early termination of defendant’s probation (at victim’s request and if probation conditions include protection for victim).	Court.	<p><b>Timing.</b> None specified.</p> <p><b>Method.</b> By mail.</p>	CVRA, MCL 780.827b.
Notification of defendant’s name change “while imprisoned in the county jail or within 2 years of release from the county jail[]” (at victim’s request).	The sheriff must notify the victim. However, to effectuate notice, the court must forward name change order to the sheriff.	<p><b>Timing.</b> None specified.</p> <p><b>Method.</b> By mail.</p>	CVRA, MCL 780.828a(1)(b); Probate Code, MCL 711.1.
Notification of application to have conviction or adjudication set aside, if name of victim is known to prosecutor (notice must also include a copy of the application).	Prosecuting attorney.	<p><b>Timing.</b> None specified.</p> <p><b>Method.</b> By first-class mail to victim’s last known address.</p>	CVRA, MCL 780.827a.

