

**INSTRUCTIONS FOR SUBMITTING AN ADMINISTRATIVE TORT CLAIM
WITH THE UNITED STATES MARSHALS SERVICE
(Motor Vehicle Accident Claims)**

In order to complete your claim, you must complete **all** blocks of the attached Standard Form (SF) 95, [Claim For Damage, Injury, or Death](#). You are also required to submit the following information pursuant to 28 C.F.R. § 14.4:

1. If a claim is being made for injuries:
 - a. Physician(s) reports setting forth the nature and extent of your injury; the nature and extent of your treatment; the degree of any temporary or permanent disability; your prognosis; period of any hospitalization; and any diminished earning capacity.
 - b. Itemized bills or paid receipts for medical and hospital expenses incurred.
 - c. If you are claiming for lost wages, a written statement from your employer reflecting actual time lost from employment, whether you are a full or part-time employee, and the amount of wages or salary actually lost.
2. If a claim is being made for property damage:
 - a. Proof of vehicle ownership (e.g., copy of vehicle registration/title, etc.).
 - b. Either two itemized estimates of the cost to repair the vehicle, or if already repaired, a copy of the itemized paid receipt.
 - c. Substantiation of the cost of your out-pocket-expenses arising from the Motor Vehicle Accident.
3. If you are being represented by an attorney, evidence of his or her authority to represent you (e.g., a copy of the signed retainer agreement, etc.). **NOTE:** There is no provision for attorney fees to be separately awarded under the FTCA. See, e.g., 28 U.S.C. § 2412(a)(1). Attorney fees deducted from the amount awarded to you are limited to no more than 20% of the amount of an administrative settlement or no more than 25% of a judgment or a settlement of suit in litigation. See 28 U.S.C. § 2678.

Under the provision of the Federal Tort Claims Act, the Government is afforded six months from the date a completed tort claim is received by this agency to administratively adjudicate the claim before a claimant can institute a civil action [28 U.S.C. § 2675(a)].

Please complete, sign and date the enclosed SF-95. Mail it, along with all required information and available documentation (to include your e-mail address), to:

**Office of General Counsel
Attn.: OGC Torts Team
Building CG-3, 15th floor
U.S. Marshals Service
Washington, D.C. 20530-0001**

In the alternative, you may scan and e-mail your claim form and all documentation to:
USMSTORTClaims@usdoj.gov

You are responsible for notifying the USMS Office of General Counsel of any changes of address after submitting your claim.

**INSTRUCTIONS FOR SUBMITTING AN ADMINISTRATIVE TORT CLAIM
WITH THE UNITED STATES MARSHALS SERVICE
(Prisoner Claims)**

In order to complete your claim, you must complete **all** blocks of the attached Standard Form (SF) 95, [Claim For Damage, Injury, or Death](#). You are also required to submit the following information pursuant to 28 C.F.R. § 14.4:

1. If a claim is being made for loss of a prisoner's personal property:
 - a. Copies of prisoner personal property receipts from each agency in whose custody you were in (i.e., USMS, BOP, local jail, etc.), up to the time of your alleged loss.
 - b. Include in your narration of the circumstances in Block 8 the names of individuals who were involved in, or who had knowledge of, the loss of your personal property.
 - c. Include your inmate registration number in Block 2.

2. If a claim is being made for injury while a prisoner:
 - a. All available medical documentation to substantiate your claimed injury.
 - b. Include in your narration of the circumstances in Block 8 the names of individuals who were involved in, or who had knowledge of, the circumstances surrounding your injury.
 - c. Include your inmate registration number in Block 2.

3. If you are being represented by an attorney, evidence of his or her authority to represent you (e.g., a copy of the signed retainer agreement, etc.). **NOTE:** There is no provision for attorney fees to be separately awarded under the FTCA. See, e.g., 28 U.S.C. § 2412(a)(1). Attorney fees deducted from the amount awarded to you are limited to no more than 20% of the amount of an administrative settlement or no more than 25% of a judgment or a settlement of suit in litigation. See 28 U.S.C. § 2678.

Under the provision of the Federal Tort Claims Act, the Government is afforded six months from the date a completed tort claim is received by this agency to administratively adjudicate the claim before a claimant can institute a civil action [28 U.S.C. § 2675(a)].

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**INSTRUCTIONS FOR SUBMITTING AN ADMINISTRATIVE TORT CLAIM
WITH THE UNITED STATES MARSHALS SERVICE
(Other Claims)**

In order to complete your claim, you must complete **all** blocks of the attached Standard Form (SF) 95, [Claim For Damage, Injury, or Death](#). You are also required to submit the following information pursuant to 28 C.F.R. § 14.4:

1. If a claim is being made for injuries:
 - a. Physician(s) reports setting forth the nature and extent of your injury; the nature and extent of your treatment; the degree of any temporary or permanent disability; your prognosis; period of any hospitalization; and any diminished earning capacity.
 - b. Itemized bills or paid receipts for medical and hospital expenses incurred.
 - c. If you are claiming for lost wages, a written statement from your employer reflecting actual time lost from employment, whether you are a full or part-time employee, and the amount of wages or salary actually lost.
2. If a claim is being made for personal or real property loss or damage:
 - a. Proof of property ownership (e.g., copy of vehicle registration/title, deed, mortgage documents, property receipts, landlord/tenant agreement, etc.).
 - b. Either two itemized estimates of the cost to repair/replace the property, or a copy of the itemized paid receipt.
 - c. Proof of current market value of missing or damaged-beyond-repair property.
3. If you are being represented by an attorney, evidence of his or her authority to represent you (e.g., a copy of the signed retainer agreement, etc.). **NOTE:** There is no provision for attorney fees to be separately awarded under the FTCA. See, e.g., 28 U.S.C. § 2412(a)(1). Attorney fees deducted from the amount awarded to you are limited to no more than 20% of the amount of an administrative settlement or no more than 25% of a judgment or a settlement of suit in litigation. See 28 U.S.C. § 2678.

Under the provision of the Federal Tort Claims Act, the Government is afforded six months from the date a completed tort claim is received by this agency to administratively adjudicate the claim before a claimant can institute a civil action [28 U.S.C. § 2675(a)].

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