

John T. Broderick, Jr.
Administrator

General Timetables for Resolution Proceedings

The Administrator has developed general timetables for the resolution proceeding stage to facilitate timely and efficient processing to reach a final resolution.

Deadlines for submissions and hearings for specific claims in a resolution proceeding will be identified in a Scheduling Notice issued after a claimant selects a resolution proceeding.

The Administrator has discretion to implement and reasonably adjust process and timetables of a resolution proceeding as appropriate to fit unique needs of a claim.

(1) Selection of Option form – In the event that after receiving the AG Designee Position letter a Claimant selects a resolution proceeding by the Administrator (Option 2), then a claimant should promptly identify with the completed Selection of Option form:

- Whether selecting a live hearing (in-person) with the Administrator, or selecting evaluation by the Administrator based on written submissions only.
- Logistics for a scheduling a live hearing, such as
 - Whether claimant is a resident at a department of corrections facility (state or county), and if so where and whether a change in status is anticipated.

(2) After a claimant's Selection of Option form is received, claims administration staff will send a Scheduling Notice to the Claimant and the AG Designee with time deadlines for pre- and post-hearing submissions.

(3) A Claimant and the AG Designee will have 30 days after the Scheduling Notice to provide pre-hearing submissions, to include:

- Completed Questionnaires
- Optional pre-hearing memo
- Claimant's supplemental materials or documents for the claim record
- AG Designee submissions to assist evaluation of the claim, and/or proposal for Administrator to request Additional Information from Claimant
- Claimant's special circumstances to inform preparation of a live testimony hearing (ex: support person attendance, medication conditions affecting speech/behavior, difficulty speaking about abuse, etc.)
- Identify questions or topics for live testimony hearing.

(4) Three (3) weeks in advance of a scheduled live testimony hearing, a Claimant and AG Designee to provide:

- Updates to Special Circumstances, if any
- Attendees for live testimony hearing
- Link for remote attendance by Claimant's counsel or AG Designee representatives
- Confirmation by RP Host of No Audio/Visual Recording, Secure and Confidential technology, and Safety, Security and Impairment protocol at live testimony hearing.

(5) No later than 3 weeks in advance, a Claimant may request remote participation for live hearing, with reasons provided. In-person testimony is preferred by the Administrator for evaluation of a claim when a live hearing is selected by a claimant.

(6) A Claimant will have 1 week after a resolution proceeding hearing to provide post-hearing submissions – such as optional post-hearing memo and required updated fee affidavit from counsel.

(7) The AG Designee will have 2 weeks after a resolution proceeding hearing to provide post-hearing submissions, if any.

(8) The Administrator may request that a Claimant and/or AG Designee provide additional information, pre- or post- hearing.

(9) Requests for extension of time for providing submissions to the Administrator must be sent to claims administration staff as soon as practicable, with reasons supporting good cause and a requested extension date. It is helpful to know if the parties mutually agree to the request.

(10) Upon request for extension with good cause, the Administrator may provide additional time for *supplements to the claim record* but not later than 30 days in advance of a scheduled resolution proceeding hearing date. There needs to be a written explanation showing why a requesting party was unable to provide such information or documentation to supplement the claim record at an earlier time in the claims process.