

John T. Broderick, Jr.
Administrator

Resolution Proceeding Scheduling Notice
Live Hearing Scheduling
Claim [CLAIM & RESOLUTION PROCEEDING NUMBER]
Issued: [DATE]

Live Testimony Hearing (if applicable): _____ at _____ am/pm

Location of Hearing: [LAW FIRM, ADDRESS, NH or other RP Host Location]

- The RP Host for this live testimony hearing is [claimant's counsel or other]
 - Law Firms new to the Resolution Proceeding process generally require an advance on-site visit by YDC Claims Administration staff.
- All participants and attendees to arrive at least fifteen (15) minutes prior to the start of the hearing
- Remote/Technology logistics to be set up in advance.
- The live hearing is scheduled for ninety (90) minutes. More time may be requested or needed.
- Remote participation by Claimant or other witnesses requires prior approval of the Administrator.
- The date, time, and location of Resolution Proceeding hearings are **confidential**.

Pre-Hearing Submissions

Pre-hearing submissions are the best opportunity to provide information to the Administrator, in advance, for his preparation for the live hearing and independent evaluation of the claim. The claimant and the AG Designee may agree to propose to limit the issues for evaluation by the Administrator, such as certain abuse events, abuse categories, or focus points under the Guidelines. The claimant should provide available supporting documents (shared with the AG Designee) that are integral for evaluating contested issues, or identify reasonable efforts taken to locate supporting documents.

No later than 00/00/0000

Claimant:

- Shall identify special circumstances that may impact structuring and logistics for the Resolution Proceeding hearing, such as whether claimant is residing at a Department of Corrections facility and if so, where (if not already identified).
- Shall complete the *Claimant's Position RP Questionnaire* and provide to the AG Designee and to the Administrator.
- May provide a Pre-Hearing memo or statement to assist the Administrator's independent evaluation of the Claim under the *Guidelines*, particularly for issues that impact the difference in the Claimant's and AG Designee's respective positions and issues that help prepare the Administrator in conducting a live testimony hearing.
- May provide information or documents to supplement the Claim Record, with confirmation that materials have been provided to the AG Designee (including date sent).
- Shall provide a copy of the claimant's Resident File or similar records, if available.
- May identify topics or questions for a live testimony hearing.

AG Designee:

- Shall complete the *AG Designee RP Questionnaire* and provide to the Claimant and to the Administrator.
 - In the event that AG Designee Position Letter for this Claim provides data/information identified in the *AG Designee Position Checklist* supplied by the Administrator, then the AG Designee may so identify and request a waiver for the *AG-Designee Questionnaire*.
- AG Designee is encouraged to affirmatively confirm or contest in writing **Eligibility** as a threshold item for compensability from the Fund (such as Former YDC Resident or YDC facility) to protect the YDC Settlement

Fund from ineligible or fraudulent claims. If AG Designee contests Eligibility, the Administrator may request a brief written explanation and a list of documents/materials the AG Designee utilized to arrive at an Eligibility assessment.

- May provide submissions to assist the Administrator's independent evaluation of the claim, and/or propose Additional Information for the Administrator to request from the Claimant.
- May provide topics or questions for Administrator's consideration in preparing for live hearing testimony.

No later than 3 weeks prior to scheduled hearing

Claimant:

- Shall identify those attending the live hearing including identifying who is in person and who wishes to attend remotely, if any.
- Shall, if able, identify any support person or victim advocate to be present with the Claimant during live hearing.
- RP host shall provide remote-attendance logistics and written attestation of (i) No Audio/Visual Recording, (ii) Secure and Confidential technology, and (iii) Safety, Security and Impairment instructions at live testimony hearing.
- Shall provide updates for any special circumstances the Administrator should be aware of to prepare for the live hearing.

AG Designee:

- Shall identify those attending the live hearing in person or remotely.
- Shall identify any special circumstances the Administrator should be aware of to prepare for the live hearing.

Post-Hearing Submissions

Some post-hearing submissions by the claimant are required. Post hearing memoranda are optional and are not necessary where the claimant or the AG Designee's position remains the same as a pre-hearing position.

No later than 00/00/0000

Claimant

- May submit a Post-Hearing Memo to assist the Administrator's independent evaluation of the claim.
- Shall submit an Affidavit or Declaration outlining the testimony offered at the live hearing as a supplement to Claim Packet, to the extent the Claimant revises or updates the claim position in a post-hearing memo.
- Shall provide an updated fee affidavit for counsel (if represented).

No later than 00/00/0000

AG Designee

- May submit Updated Position and Post-Hearing Memorandum to assist the Administrator's independent evaluation of the claim, particularly where the AG Designee's position has changed.

Following Post-Hearing submissions, the Administrator will issue a Notice of Record Closure with date certain.