

Administrator's Notice on Safety, Security & Impairment at Resolution Proceedings

The Administrator considers safety and security at hearings of the utmost importance to this claims resolution process. The physical and mental wellbeing of the claimants involved in this process and that of all the professionals involved needs to be considered first and foremost and is the foundation of this trauma-informed and victim-centered resolution proceeding. For YDC Claims Administration to achieve its mission in doing our part in resolving claims in alignment with the statute and guidelines, all claimants and all others involved in hearings must feel safe and secure while participating in resolution proceedings. The Administrator and his staff and Claimant Counsel must work together to assure adequate security at each site for all hearings.

- The Claimant must be made aware by Counsel in advance of the hearing date that no weapons of any kind are permitted in a hearing. No guns, pepper spray, pocketknives, or any other object that could be used as a weapon are permitted. Evidence of any weapon may lead to prompt suspension of the hearing.
- All claimants and any others attending hearings are subject to a weapon check upon entering the law firm where the hearing is taking place. Claimants should understand that this security measure is the practice for all claimants and is to ensure safety and peace of mind for all involved.
- The hearings process is one of high emotion and can trigger many different reactions. To assure safety and wellbeing of the claimant and all others at hearings, there should be an individual assigned to safety and security present during all resolution proceedings. This individual will welcome the claimant to the firms, conduct the weapons check and safety assessment prior to the hearing. Secondly, this individual shall be available and in proximity throughout the hearing in case a higher level of security and safety support is needed.
- Claimant's Counsel shall ensure that the room where the hearing will be held is free of items which could be used as weapons. These items include scissors, staplers, heavy pitchers, glasses, or other such items. Excess furniture and other unnecessary items should be removed from the room in advance.
- All parties should arrive for hearings on time. This allows the Claimant to get comfortable in their surroundings and will allow for any unforeseen events or delays they may encounter.
- Should Claimant's Counsel have advance knowledge to believe a Claimant may be highly agitated, have a propensity toward violence, or be actively suffering any physical or mental illness that may impact his/her behavior, or ability to meaningfully participate in the hearing or if participation in the hearing at that time could negatively impact the claimant's wellbeing, the Claimants Counsel should notify the Administrator before the hearing so that Counsel and the Administrator can make a plan that supports the safety and wellbeing of the claimant and is in alignment with the resolution proceeding statute and guidelines.
- Claimant should be advised by Counsel to avoid alcohol, cannabis, or any drug or substance that could cause impairment of mental or physical functioning at a hearing. If either the Administrator or Claimant's Counsel suspects that the Claimant is under the influence of alcohol or drugs, the Administrator will continue the hearing to another date.

January, 2024