

New Hampshire Youth Development Center Claims Administration and Settlement Fund

John T. Broderick, Jr.
Administrator

October 24, 2023

Chris T. Sununu, Governor
State of New Hampshire
State House
107 North Main Street
Concord, NH 03301

Sherman Packard, Speaker
New Hampshire House of Representatives
State House, Room 311
107 North Main Street
Concord, NH 03301

Jeb Bradley, President
New Hampshire Senate
State House, Room 302
107 North Main Street
Concord, NH 03301

Kenneth Weyler, Chairman
And Members of the New Hampshire Joint
Legislative Fiscal Committee
State House, Room 102
107 North Main Street
Concord, NH 03301

Re: 2023 Quarter Three Report for the YDC Claims Administration and Settlement Fund

At the end of Quarter 2 on June 30 we had received a total of 92 claims. Because of the legislative amendment to the administrative claims process effective July 1, 2023, claimants are now allowed to seek an alternative to settle by selecting a resolution proceeding, without first waiving their rights against the state. I believe that change played a major role in our receiving 88 new claims in Quarter 3. Most of the new claims filed in Quarter 3 involved claimants represented by counsel and a substantial majority of those involved claims previously filed in the Superior Court. Our goal in Quarter 4 and beyond is to increase the migration of cases from the Superior Court to the administrative claims process.

Thanks to the legislature's July 2023 amendment, claimants may be further encouraged to enter the administrative claims process. I believe there is much potential benefit. Claimants waive no rights unless they accept a settlement with the Attorney General's Office or a decision by me following a resolution proceeding. I remain confident that if those who utilize the administrative claims process are treated fairly, respectfully, and promptly, many will accept the results. While they are free to return to the Superior Court if they don't, they will likely wait in a very long line to have their cases heard. Given the volume of abuse claims currently filed in the Superior Court, that situation is unfortunate but understandable. From public accounts, there are approximately 1,000 abuse claims that have been filed in the Superior Court and the first trials are not slated to begin until the spring of 2024.

We held our first resolution hearings in Quarter 3 and have more scheduled in Quarter 4. At the close of Quarter 3, 22 claimants have opted for a resolution proceeding. The scheduled times, dates, and locations of

P.O. Box 1930, Concord, NH 03302-1930

Phone: 603-415-2136

Fax: 603-798-3420

email: claims@ydcclaims.nh.gov

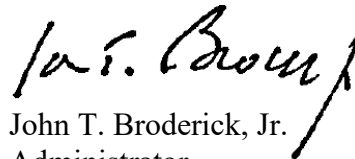
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resolution proceedings will be held in *strict confidence* in order to protect the privacy of claimants. We will hold hearings two days a week (and more if necessary) throughout Quarter 4 and expect that the frequency of hearings will ramp up. Our challenge is to have an adequate and capable staff and necessary technology in place to handle the expected increase in filings. Our current small staff has been exceptionally dedicated and hard working in getting our operations established from scratch just nine months ago and we continue to make refinements and adjustments to our process as filings grow. We expect to add two paralegals to our staff in Quarter 4 to ensure long-term success.

We are successfully integrating our trauma-informed professionals into our work. Their contributions are essential and have been valuable for claimants as well as our staff and their work is respected by the Attorney General's Office and claimants' counsel. We continue to streamline and simplify the resolution process to ensure that it is fair, timely, trauma-informed and confidential. We have reached out to the various stakeholders, including claimants' counsel and the Attorney General's Office, for input and reaction as we continue to improve. We are hosting our third all-counsel discussion session in November and will be rolling out additional process refinements and soliciting feedback at that meeting. We seek to refine our efforts to ensure promptness without sacrificing thoroughness, while maintaining the integrity of the security and confidentiality of our systems.

While our operations are separate and independent of the NH Judicial Branch operations, its assistance has been invaluable. We appreciate the cooperation we have received from the Administrative Office of the Courts through IT assistance of Matt Seaton and many of its IT professionals, its Finance and Accounting assistance of Donna Raymond and staff, and from Dan Labrie, Facilities Manager for the Judicial Branch.

Respectfully submitted,



John T. Broderick, Jr.
Administrator

New Hampshire Youth Development Center
Claims Administration and Settlement Fund

CC: Michael Kane, Legislative Budget Assistant
Office of Legislative Budget Assistant
State House, Room 102
107 North Main Street
Concord, NH 03301

Jennifer S. Ramsey, Senior Assistant Attorney General
Civil Bureau
New Hampshire Department of Justice
33 Capitol Street
Concord, NH 03301
jennifer.s.ramsey@doj.nh.gov

John M. Formella, Attorney General
New Hampshire Department of Justice
33 Capitol Street
Concord, NH 03301
attorneygeneral@doj.nh.gov