

New Hampshire Youth Development Center Claims Administration and Settlement Fund

John T. Broderick, Jr.
Administrator

Diane Nicolosi
Assistant Administrator

January 17, 2025

Kelly Ayotte, 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

Sharon Carson, 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: 2024 Quarter Four Report for the YDC Claims Administration and Settlement Fund

Dear Governor Ayotte, President Carson, Speaker Packard, Chairman Weyler and Members of the New Hampshire Joint Legislative Fiscal Committee:

The last quarter of 2024 has been both busy and consequential. We launched our Case Management System (CMS) in mid-September after months of intense work. We now require new claimants to complete their claim packet entirely online. It is working well and has been well-received. Online filing has eased the burden on claimants and our staff and expedited and simplified filing, communication, and transmittal. While we still accept paper filings from pro se claimants where necessary, the overwhelming number of our filings are now paperless.

During the fourth quarter we received 198 new filings. This is more than 50 percent higher than the number of filings received in the previous quarter. The majority of the new filings have migrated to the Administrative Claims Process from the Superior Court and virtually all involve claimants represented by counsel, although some are from pro se claimants. At the end of the fourth quarter, we had received a total of 874 claim filings since the Fund became operational in January 2023.

Under the amended claims statute, the deadline for filing a claim with the Fund is June 30, 2025. Because of that upcoming deadline, I expect an influx of new claims, especially in the first quarter of this year.

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In September, with legislative approval, we added former Superior Court Judge Diane Nicolosi as an Assistant Administrator of the Claims Fund which has allowed us to create a second hearings team under her leadership to address the rising number of filed claims. That team is now fully in place and helping to resolve filed claims in a reasonable time.

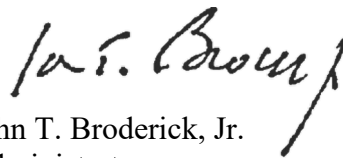
We have already scheduled more than 100 resolution hearings for Quarter One and into Quarter Two of 2025. We anticipate setting hearing dates in the near term through July 2025. We continue to pay full attention to the legislative mandate that our administrative process be “trauma-informed” and “victim centered.” I am proud of the work my staff and I are doing as difficult as it is. I remain convinced that for the overwhelming number of claimants, the informal administrative process is better suited to resolve their claims than the more formal, structured, stressful and adversarial Superior Court process. On a positive note, almost all of the claimants who have received awards following an administrative resolution hearing have accepted them.

During this quarter we have held in-person hearings at the Northern New Hampshire Correctional Facility in Berlin and will conduct further hearings at the Concord and Berlin prison sites again this year. The full cooperation of the Department of Corrections has allowed things to go smoothly. We will also be conducting hearings involving residents of various county correctional facilities. We have received several claims filed by former YDC residents who are currently incarcerated out of state. While we will need the cooperation of those facilities for our remote hearings, we are hopeful we will receive it.

As you can see from our Quarter Four Report filed with this letter, claimants have been awarded over \$20 million during this quarter as the result of direct settlements with the Attorney General’s Office and/or decisions after resolution hearings. Because of the amended claim statute, I am now authorized in my discretion to make payouts to claimants on their awards over a period of years and have done this in the vast majority of cases. It has the dual benefit of ensuring an income stream tailored to the specific circumstances of claimants while easing the financial burden on the state in any given fiscal year.

If you have any questions about our 2024 Quarter Four Report, please feel free to reach out to us. We would be more than happy to respond to your questions.

Respectfully submitted,



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Administrator
New Hampshire Youth Development Center
Claims Administration and Settlement Fund

CC: Michael Kane, Legislative Budget Assistant
John M. Formella, Attorney General
Laura J. Raymond, Esquire, Attorney General’s Office
Thomas Kaempfer, Deputy Director of Administration, Attorney General’s Office