

SB 558 - AS INTRODUCED

2026 SESSION

26-2145

05/09

SENATE BILL           **558**

AN ACT               relative to the appointment of the youth development center claims administrator.

SPONSORS:       Sen. Altschiller, Dist 24; Sen. Rosenwald, Dist 13; Sen. Watters, Dist 4; Sen. Long, Dist 20; Sen. Perkins Kwoka, Dist 21; Rep. Ebel, Merr. 7

COMMITTEE:       Judiciary

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ANALYSIS

This bill transfers the position of YDC claims administrator from the executive branch to the judicial branch. The bill also removes changes to the claims process made in 2025, 141 (HB 2) relative to payment of attorney's fees in settlements involving periodic payments, the time period for acceptance of the administrator's decision, and reporting requirements.

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Explanation:       Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~[in brackets and struck through.]~~  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty-Six*

AN ACT relative to the appointment of the youth development center claims administrator.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

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1 Youth Development Center Claims Administrator. Amend RSA 21-M:11-a, III to read as follows:

III. There is further established in the ~~[executive]~~ **judicial** branch a temporary full-time or part-time position known as the youth development center claims administrator, to be appointed by the ~~[governor with the consent of the executive council]~~ **supreme court**. A part-time administrator may maintain a private, unrelated mediation or legal practice apart from the duties as administrator notwithstanding any other provision of rule or law to the contrary. The ~~[governor, with the consent of the executive council]~~ **supreme court** shall appoint an administrator agreed to by the attorney general and counsel for claimants. If the attorney general and counsel for claimants are unable to agree upon an administrator, the ~~[governor, with the consent of the executive council]~~ **supreme court** shall select the administrator from the candidates submitted to the court by the attorney general and counsel for claimants, not later than 30 days following the court's receipt of the candidates. The attorney general and counsel for claimants shall each submit two candidates, not later than 30 days following the joint fiscal committee's approval of the claim process and guidelines as provided in paragraph IV. The administrator shall receive compensation at no more than the rate of salary of an active superior court justice and shall, if working full-time, receive the same benefits as other ~~[executive branch employees]~~ **nonjudicial employees of the judicial branch**. If working part-time, the administrator shall receive compensation at no more than the equivalent per diem rate of an active superior court justice, provided that in any calendar year, the administrator shall not receive more in total compensation than that received by an active superior court justice. The ~~[executive]~~ **judicial** branch shall provide the administrator and any necessary support staff with office space. The salary, benefits, and expenses of the administrator, and any necessary support staff, shall be paid from the fund. The administrator shall report to ~~[the governor or the governor's designee for employment-related purposes, but the governor]~~ **the chief justice of the supreme court or the chief justice's designee for employment-related purposes, but the supreme court** shall have no authority to review the administrator's decisions. At such time as the administrator's duties are concluded, or at such time as full-time service by the administrator is no longer needed to carry out the administrator's duties, the ~~[governor]~~ **supreme court** shall either eliminate the administrator's position or reduce it from a full-time to a part-time position as may be appropriate. The ~~[governor]~~ **supreme court** may remove the administrator ~~[at any time, as the administrator serves at the pleasure of the governor]~~ **if, after a request for removal received from the attorney**

1 *general or claimants' counsel, or upon the court's own motion, the court determines that*  
2 *good cause for removal exists.* Once appointed, the administrator shall process claims as  
3 provided herein and may settle claims at such amounts as may be agreed upon between the AG  
4 designee and each claimant, or at amounts which are determined by the administrator, giving due  
5 consideration to the guidelines adopted by the joint fiscal committee as provided in paragraph IV.

6 2 Youth Development Center Claims Administration and Settlement Fund; Attorney's Fees;  
7 Periodic Payment. Amend RSA 21-M:11-a, XV to read as follows:

8 XV. The administrator may approve all fees and costs of attorneys who represent claimants  
9 in proceedings before the administrator. The administrator shall not approve any request of an  
10 attorney for fees or costs which are not reasonable. The administrator shall not approve an  
11 attorney's fee in excess of 33.33 percent of the amount of the award. All costs and attorney's fees  
12 paid to a claimant's attorney shall be paid from the amount awarded to the claimant. ~~[Whenever the~~  
13 ~~administrator determines that a claim shall be paid in periodic payments pursuant to subparagraph~~  
14 ~~XII(a), the administrator shall require that any attorney's fee approved under this paragraph be paid~~  
15 ~~in equal installments and over the same number of years as the periodic payment schedule that is~~  
16 ~~applicable to the amount awarded to the claimant. The administrator shall add an interest~~  
17 ~~assessment of 5 percent of the remaining unpaid amount of the fee per annum for each year of~~  
18 ~~repayment, which shall be compounded annually.]~~

19 3 Youth Development Center Claims Administration and Settlement Fund; Time Period for  
20 Acceptance of Administrator's Decision. Amend RSA 21-M:11-a, IX(e) to read as follows:

21 (e) Except in extraordinary cases, the administrator shall declare the resolution process  
22 closed within 30 days of the resolution proceeding, during which the AG designee may file any  
23 written submission related to the claim. The administrator shall issue a written decision to the  
24 parties within 14 days of the conclusion of the resolution process. The administrator's decision  
25 regarding the claim shall be final and non-appealable, and the provisions of RSA 542:8, RSA 542:9,  
26 and RSA 542:10 shall not apply, provided, however, that either the claimant or the AG designee may  
27 request the administrator to reconsider a decision on grounds that it contains mathematical  
28 mistakes, miscalculations, or a scrivener's error. Such a request to reconsider a decision must be  
29 made within 10 days of the issuance of the administrator's decision. ~~[Upon the expiration of the~~  
30 ~~reconsideration period, the AG designee and the claimant shall have 30 days to accept or decline the~~  
31 ~~administrator's decision regarding the claim. If the AG designee and claimant do not both~~  
32 ~~affirmatively accept the administrator's decision within 30 days after the expiration of the~~  
33 ~~reconsideration period, then the claim shall be deemed withdrawn, and the claimant shall retain the~~  
34 ~~right to pursue their claim in a judicial or other forum.]~~

35 4 Youth Development Center Claims Administration and Settlement Fund; Reporting  
36 Requirements. Amend RSA 21-M:11-a, XVI to read as follows:

1           XVI. The administrator, in consultation with the attorney general, shall submit [~~an~~  
2 ~~itemized~~] **a quarterly** report [~~each month~~] to the speaker of the house of representatives, the  
3 president of the senate, the joint fiscal committee and the governor providing information as to the  
4 number and nature of claims made and settled, the amounts requested and paid in settlement to  
5 date, the claim amounts pending, an estimate of the likely amounts which will be approved and paid,  
6 the administrative costs which have been paid, and an estimate of future administrative costs to be  
7 paid. The report shall be structured to protect the privacy and anonymity of the claimants. The  
8 attorney general shall also post the report on the department of justice's public website. [~~The joint~~  
9 ~~fiscal committee may require the administrator to submit additional reports, with such additional~~  
10 ~~information that the committee may determine to be necessary, at the committee's discretion,~~  
11 ~~provided that such additional reports shall be structured to protect the privacy and anonymity of the~~  
12 ~~claimants.]~~

13           5 Effective Date. This act shall take effect July 1, 2026.