

New Hampshire Youth Development Center Claims Administration and Settlement Fund

Gerard J. Boyle
Administrator

October 1, 2026

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court
State House
Concord New Hampshire 03301

Her Excellency, Governor Kelly A. Ayotte
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 21-M:11-a, XII(a) and (c), Additional Funding, authorize the YDC Settlement Fund to receive an additional appropriation from funds not otherwise appropriated in the amount of \$35,000,000, effective upon Fiscal Committee and Governor and Council approval, through June 30, 2027. **100% General Funds.**

Funding is budgeted as follows:

02-20-20-200010-68260000
YDC Settlement Fund

Class	Class Title	Current Budget	Requested Action	Revised Budget
00S-000010	General Funds	\$30,724,183	\$35,000,000	\$65,724,183
	Total Revenue	\$30,724,183	\$35,000,000	\$65,724,183
018-500106	Overtime	\$33,718	\$0	\$33,718
020-500200	Current Expense	\$2,259	\$0	\$2,259
038-500175	Technology-Software	\$53,000	\$0	\$53,000
039-500189	Telecommunications	\$3,841	\$0	\$3,841
049-584910	Transfer to Other State Agencies	\$2,802,746	\$0	\$2,802,746
059-500117	Temp Full Time	\$420,735	\$0	\$420,735
060-500601	Benefits	\$55,240	\$0	\$55,240
068-500561	Remuneration	\$25,427,523	\$35,000,000	\$60,427,523
233-500769	Litigation Expense	\$1,925,121	\$0	\$1,925,121
	Total Expenses	\$30,724,183	\$35,000,000	\$65,724,183

EXPLANATION

Description of Expense Classes

Class 18 – Overtime – To fund the cost for overtime for Attorney General’s Office staff administering the YDC Settlement Fund.

Class 20 – Current Expenses – For Attorney General’s Office program office supplies.

Class 38 – Technology-Software – To cover Attorney General’s Office technology and software costs.

Class 39 – Telecommunications – To cover Attorney General’s Office telecommunication costs.

Class 49 – Transfer to Other State Agencies – To reimburse all administrative costs of the YDC Claims Administrator.

Class 59 – Temp Full Time – To cover cost of Attorney General’s Office staff salaries.

Class 60 – Benefits – To cover cost of Attorney General’s Office staff benefits.

Class 68 – Remuneration – Funds to be used for approved settlement payments.

Class 233 – Litigation Expense – To fund the cost of outside counsel for the Attorney General’s Office.

Statutory Context

The YDC Claims Administration and Settlement Fund statute provides funding to settle verified claims of abuse for eligible Former YDC Residents for abuse perpetrated by or at the behest of a member of YDC Staff. The statute was established with the following *Statement of Purpose*:

“The general court hereby finds that the attorney general's investigation into abuse at New Hampshire's youth development center in prior decades has identified a population of New Hampshire citizens with potential claims against the state. The state wishes to acknowledge those claims and the suffering which has been endured by the victims of abuse by establishing a trauma-informed, victim-centered alternative to litigation for the efficient and fair resolution of those claims.”

HB1677 (2022)

- The statute “established in the state treasury the YDC settlement fund which shall be kept distinct and separate from all other funds” for the payment of settlement amounts paid to claimants as determined by the process approved by the Joint Fiscal Committee. 21-M:11-a, II.
- “The fund shall be administered by the attorney general, who shall use the funds for the purpose of administering claims of former YDC residents as defined in this section.” 21-M:11-a, II.

- “The fund shall be nonlapsing and continually appropriated to the department of justice until June 30, 2032, after which date, the fund shall lapse to the revenue stabilization reserve account established in RSA 9:13-e, II, unless earlier discontinued by the attorney general, in consultation with the administrator, or as otherwise provided by law.” 21-M:11-a, II.
- The statute “constitutes the state's offer to resolve completely and finally all of the former YDC resident's claims through the claims process established.” 21-M:11-a, VII(d). “[T]he administrator may not authorize more than \$75,000,000 in claims to be paid out from the fund in any given fiscal year, provided that the joint fiscal committee and governor and council may, upon the administrator's request, authorize the administrator to exceed this cap by expenditure of any additional funds available in the fund or by expenditure of funds not otherwise appropriated.” 21-M:11-a, XII(a).
- “If the administrator determines that a shortfall in the YDC settlement fund is likely to occur, the administrator, in consultation with the attorney general, shall request an appropriation of additional funds from the legislature.” 21-M:11-a, XIII.

Status of Appropriations for the YDC Settlement Fund

According to the Attorney General’s Office, the remaining balance of appropriated funds in the YDC Settlement Fund is \$23,474,265 as of September 18, 2026.

Total projected expenses through the end of FY27 are \$22,853,277, including:

- \$16,142,827 remaining committed payouts for claims already resolved under the Fund.
- \$3,913,262 anticipated remaining administrative costs.
- \$2,797,188 anticipated additional FY27 payments for potential settlements for approximately 34 claims¹.

The total projected expenses listed above do not include potential FY27 payment for the approximately 60 claims with hearings scheduled through mid-December or claims which may be resolved through mediation or through agreement with the Attorney General’s Office.

Additional information on the status of pending claim resolutions can be found in Attachment A.

Funds for this item are to be budgeted as follows:

Class 068 – Remuneration – funds to be used for approved settlement payments

Please let me know if you have any questions.

Respectfully submitted,



Gerard J. Boyle
Administrator

YDC Claims Administration & Settlement Fund

¹ Includes Administrator’s final decisions and potential settlements between the parties.

Attachment A – Status of Pending Claim Resolutions

Administrator's Decisions as of 9/28/2026

Administrator Boyle has decided 37 claims as of 9/28/2026. Of these, 32 will be offered an award and 5 will result in no award.

The average award amount is approximately \$416,993, including claims where no award was offered. The total award amount for these claims is approximately \$15,428,750, not including interest. Final payout amounts will depend on the number of awards accepted by the parties and any interest accrued through payment plans.

Typically, awards exceeding \$500,000 are paid over a 10-year period. Awards under \$500,000 are generally paid on a shorter schedule, and awards less than \$100,000 are often paid in a lump sum.

Resolution Timeline for Remaining Claims

Administrator Boyle's goal is to resolve the remaining 1,684 claims within 3 to 4 years through a combination of hearings and a successful mediation program, contingent on adequate funding for settlements. If all claims were to proceed exclusively through hearings, the estimated timeline would extend to approximately 6 years.

Attorneys' Fees

Attorneys' fees are included in the \$15,428,750 total award amount for the 32 claims who will be offered an award by Administrator Boyle.

Administrator Boyle is strongly encouraging claimants' attorneys to reduce their fees to 25% of the award. At least one law firm has done so voluntarily.

The table below provides a general illustration of how base award amounts may be distributed between claimants and their attorneys for the 32 claimants who will receive award offers.

Please note that the figures are estimates and do not include interest that may accrue through payment plans. Totals will vary based on whether a 33.3% or 25% attorneys' fee is elected and on interest associated with selected payment plans

Decisions on these claims are either pending responses from the parties or are in the process of being issued, and final payout amounts will depend on the number of awards ultimately accepted.

The purpose of the table is solely to provide a high-level view of how distribution proportions may differ based on varying attorney fee percentages. Figures have been rounded to support a clear, general understanding of the distribution.

Attorneys' Fees Percentage	Claimant Award Portion	Attorney Award Portion	Total Award Amount (without interest)
33.3%	\$10,290,976	\$5,137,774	\$15,428,750
25%	\$11,571,562	\$3,857,188	\$15,428,750