



The State of New Hampshire
Superior Court

Robert J. Lynn
Chief Justice

Superior Court Center
17 Chenell Drive, Suite 1
Concord, N.H. 03301
Tel. (603) 271-2030

September 12, 2008

Senator David Gottesman
16 Indian Rock Road
Nashua, NH 03063-1308

Dear Senator Gottesman:

Pursuant to RSA 519-B:12 (2007), enclosed please find the report for the year ending June 30, 2008 regarding medical screening panel hearings held pursuant to RSA Chapter 519-B.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Robert J. Lynn".

Robert J. Lynn

Enclosure

Copy to: Donald Goodnow, Esq.
Howard Zibel, Esq.

**September 30, 2008 Report
Screening Panels for Medical Injury Claims
RSA 519-B**

(Note: Total cases below are as of 8/31/2008)

Total cases filed:	190
Total cases pending:	101
• 69 cases awaiting panel hearing	
• 15 cases heard by panel awaiting jury trial	
• 17 cases that panel was waived and not yet resolved.	
Total cases heard by panel:	33 in 50.5 days
• 28 cases heard during fiscal year 2008 in 43.5 days	
• Mean time filing to panel hearing	560 days
Total cases resolved:	89
• 66 cases prior to panel, including: settled, voluntary non-suit, dismissed and no service.	
• 14 cases resolved after panel hearing and prior to jury trial.	
• 5 cases resolved after panel hearing waived (Note: All 5 cases settled prior to jury trial.)	
• 4 cases resolved by jury	

Fiscal years

	2006	2007	2008
Number of cases filed:	54	82	54
Mean time filing to disposition:	----	324 days	494 days
Median time filing to disposition:	----	410 days	518 days
Number of cases resolved prior to panel hearing:	5	25	27
Average amount of settlement:	unknown	unknown	unknown
Number of cases resolved by jury trial	0	0	4
Average amount of settlement	unknown	unknown	unknown

Panel results since time of implementation of RSA 519:B:1

Unanimous for plaintiff	12
Majority for plaintiff	6
Unanimous for defendant	51
Majority for defendant	3

Split Decisions: Unanimous for plaintiff on Negligence, but unanimous for defendant on Causation: 2

Unanimous for plaintiff on Negligence, but majority for plaintiff on Causation: 2

September 12, 2008

Pursuant to RSA 519-B:12, a copy of this report has been forwarded to:

Roger A. Sevigny, Insurance Commissioner
Senator Robert A. Letourneau
Senator Deborah Reynolds
Senator Joseph Foster
Senator David Gottesman
Representative Joan Schulze
Representative Martha McLeod
Representative John Hunt
Representative Peter Espieffs