

#2017-009

Carolyn A. Koegler

From: Gill, Sean P. <Sean.Gill@doj.nh.gov>
Sent: Tuesday, December 05, 2017 11:10 AM
To: Carolyn A. Koegler
Subject: DRAFT RULE TO PROTECT CRIME VICTIMS' IDENTITY
Attachments: Proposed Rule.docx

Good morning, Carolyn:

Clerk Eileen Fox wrote the committee on June 8, 2017, suggesting consideration of a rule protecting crime victims' identity from disclosure in Supreme Court pleadings (Docket #2017-009). Her memo prompted a brief discussion at the last meeting. I offered to pen the first draft of a proposed rule, which is attached. I sought to keep it simple, straightforward, and true to the objectives expressed in the crime victims' "bill of rights," RSA 21-M:8-k. Please let me know if you have any questions or need additional information.

V/r,
Sean

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Rule ____ . PROTECTING CRIME VICTIMS' IDENTITY.

A. No party shall disclose a crime victim's name, address, place of employment, or other personal information in any petition, motion, brief, memorandum, or other pleading unless filed under seal or authorized by the Court for good cause. An alias, pseudonym, appropriate designation, or initials may be used in lieu of a crime victim's name.

B. For purposes of this Rule:

(1) "Victim" means a person who suffers direct or threatened physical, emotional, psychological, or financial harm as a result of the commission or attempted commission of a crime.

(2) "Crime" means a violation of penal law of this State for which the offender, upon conviction, may be punished by imprisonment for more than one year or an offense expressly designated by law to be a felony.