



INFORMATION FOR SURROGATES AND PROBATE COURTS: VCF Treatment of Letters of Administration or Other Court Orders Providing Limitations on the Authority of a Personal Representative – Effect on Group A Payments

On December 18, 2015, President Obama signed into law a bill reauthorizing the James Zadroga 9/11 Health and Compensation Act of 2010 (including the reauthorization of the September 11th Victim Compensation Fund (“VCF”). As part of that new statute, the VCF is obligated to issue full payments to “Group A” claimants as soon as practicable. The VCF has posted a timeline for authorization of payments and expects to complete the payment authorization process by mid-June 2016.

However, the VCF cannot issue payments to Group A claimants who have filed claims on behalf of deceased claimants where the Letters of Administration place monetary limits on the amount of money the personal representative can collect without further court authorization. Such claimants have received a notification stating the amount of the VCF award and have been advised that the VCF cannot issue the payment because of limitations in the Letters of Administration.

Given the short deadline to complete Group A payments, the VCF will accept revised Letters of Administration that are submitted on or before April 30, 2016. If the personal representative is unable to obtain revised letters by that date, then the VCF cannot issue payment by mid-June.

Because claimants have a short deadline to submit the revised Letters of Administration, they may seek a waiver of notice requirements. Whether notice is required or a waiver of notice is appropriate is a determination to be made by the court and not the VCF.

The VCF is providing this update to help inform courts that may receive requests from personal representatives. The VCF can be contacted at: 1-855-885-1555.