

## **Chief Special Master's Statement on Special Processing Unit Claims**

As the Vaccine Guidelines (published herein on this website) explain, certain kinds of cases that appear at the outset to be likely to settle (like Table claims) are assigned to the Chief Special Master, who manages the cases within the Office of Special Masters' "Special Processing Unit" (SPU). The Chief Special Master decides case outcome in the same manner that all Vaccine Act claims assigned to the other special masters are resolved. The SPU is intended to assist the Chief Special Master in providing a faster process for resolving these claims (and in expediting the process by which obviously entitlement-worthy claims reach a damages award).

It is important that petitioners understand the role the Staff Attorneys play in SPU cases. Staff Attorneys arrange conference calls with SPU-assigned litigants – sometimes to ascertain scheduling matters, determine settlement progress, or to ask questions of the parties about their respective positions on factual matters. They also review the filed materials, record the parties' positions, and help the Chief Special Master understand the disputed issues in a given case.

In so doing, Staff Attorneys are not acting as surrogates for the Chief Special Master. **OSM Staff Attorneys have no decisional authority in the cases they procedurally manage, and cannot as a matter of law be delegated any such authority.** In any circumstance in which a judicial decision or determination of any kind is to be made in an SPU case, only the Chief Special Master has the authority to make that decision/determination. Although litigants are directed to coordinate all questions in SPU cases through Staff Attorneys, and can expect to be asked questions by Staff Attorneys about their claims and the evidentiary support they possess, Staff Attorneys may not require the submission of evidence, testimony, documents, or any other information. Litigants should not otherwise ask the Staff Attorneys to make a decision or determination in an SPU case.