

NEW HAMPSHIRE BAR ASSOCIATION
BOARD OF GOVERNORS MEETING
REMOTE
February 18, 2021
MINUTES

Present for all or part of the meeting were:

Daniel E. Will
Richard Guerriero
Sandra L. Cabrera
Peter E. Hutchins
Chrissy Hanisco
Cathy Shanellaris
Kathleen M. Mahan
James Shepard
Lisa M. English
Jason B. Dennis
Jesse W. Friedman
Leslie Leonard
Joseph D. Steinfield

Scott J. Whitaker
Marcie A. Hornick
Donald H. Sienkiewicz
Jonathan M. Eck
Christopher T. Regan
Hon. James Bassett
George R. Moore
Ginny Martin
Joanne Hinnendael
Paula Lewis
Lynne Sabean
Deborah Hawkins
Allison Borowy

A Go to Meeting notice reminder, a link to the agenda and related materials were emailed to all governors on February 12th . Additional materials were posted February 18th . The agenda is duplicated below in the order of consideration of agenda items. Unless otherwise noted, all motions reported are deemed to have been appropriately proposed, seconded, and voted upon by those present.

A. Call to Order

Dan Will

President Dan Will called the meeting to order at 4:05 p.m.

REGULAR BUSINESS – CONSENT ITEMS

B. Membership Status Changes for January 2021

Paula Lewis

ACTION

On motion to approve the status changes as presented. Passed. Unanimously.

The membership status changes are attached as a permanent part of these minutes.

C. Minutes of January 21, 2021 Meeting

Robert Howard

ACTION

On motion to approve the minutes as presented. Passed. Unanimously.

PRESENTATION / DISCUSSION / ACTION ITEMS

D. Wellness Pledge and Coordination with NHSC

George Moore

Executive Director George Moore stated this item was carried over from the January meeting. The ABA has adopted a wellness pledge, which is included in the board materials. It has been well received across the country. The McLane firm has adopted it as a legal employer.

This item is on the agenda for two reasons.

1. The NHBA is an employer – George recommends that we adopt this pledge for the operations of the NH Bar Center and the Association. He feels there is no downside, and there would not be any additional cost to the organization. It would be an attestation of concern by the board that we value the health and wellbeing of the staff that work for the Association.

2. The NH Supreme Court has previously indicated that they were considering adopting the pledge. Ultimately, they delayed moving forward until there was a full complement of judges, including a Chief Justice. He thinks the court will now move forward. If the court adopts the pledge they will look to the Association for a coordinated roll out and for the NHBA to get on board and lead this initiative and promote it to lawyers within the Association.

The only thing for the board to consider is whether they agree with the proposition that the Bar Center be guided by the ideals set out in the wellness pledge. It is close to how the organization currently operates but we must keep it in our mindset that the wellness of our membership as well as staff should be a consideration.

The board discussed this and think it's a good idea in general. They expressed the opinion for the Bar to adopt it will send a message to other legal employers. There was discussion about how this would be implemented with the Bar staff. It will be communicated by the managers to their staff.

Associate Executive Director for Operations, Paula Lewis added that the Employee Assistance Program (EAP) we currently have in place at the NHBA addresses most of the wellness concerns. We do promote the use of it to our staff, and they have found it to be very helpful.

Board members asked about how this pledge came into being. George said that the ABA commissioned a task force about 5 years ago, in response to anecdotal evidence that lawyers suffer from substance abuse and mental health problems at a higher rate than other professionals. A survey and resulting report were done, and as a result the ABA came up with some guidelines for addressing some of these issues. He added that the NHBA did a survey a few months into the COVID pandemic and found that over 30% of the respondents were struggling with some of the same issues.

ACTION

On motion: The NHBA approve and adopt the ABA wellbeing pledge for legal employers as outlined in the materials given to the board. Passed. Unanimously.

E. Treasurer's Report

Peter Hutchins/Paula Lewis

Associate Executive Director for Operations, Paula Lewis apologized for the late posting of the materials. She noted there is not too much of a change from the last meeting. She invited the board to email her if they have any questions.

As of December 31, 2020, NHBA has a positive contribution of \$281,681; \$180,934 ahead of the budgeted contribution. Though expected revenue is \$95,859 below budget, significant savings have been recognized in personnel, program development and event costs which has helped to offset the revenue loss. Paula noted that during this fiscal year to date, the organization has saved \$276,000 in expenses.

Paula then discussed the balance sheet, which is also looking favorable. There is \$1,950,171 in restricted cash, which consists of money held for the Court. The unrestricted cash held by the bar puts the organization in a good place for the rest of the fiscal year.

ACTION

On motion to approve the Treasurer's report as present. Passed unanimously.

F. Mid-year Meeting re-cap

Dan Will/ George Moore

Dan shared that he was pleased with how the Association presented this first-time all virtual meeting. He has gotten a lot of positive feedback and expressed his thanks to the Bar staff for their hard work to make this a successful meeting. He also noted that the cost was very reasonable, at \$75.

We had just shy of 600 attendees. Dan received a lot of personal comments regarding the meeting. People especially loved the break box that was sent to each attendee.

He also spoke about the last-minute change from Maggie Goodlander moderating the Chemerinsky program, and the great job that John Greabe did stepping in for her.

A few attendees had difficulty getting on, but there overall weren't that many issues. The bar staff will look into this and try to prevent technology problems from happening in the future. He thinks the format helped us book the high-quality speakers. This was a big draw, and these sessions had the most attendance. There are some members that liked the remote meeting better than the usual live format.

There was discussion about future meetings, whether to offer a live only, remote only, or hybrid option. Executive Director George Moore noted that a hybrid option could be quite costly, so we would have to do a cost analysis before making a final decision. He added that what people really want on the remote side is the CLE availability – so a hybrid should involve at least one serious CLE program, maybe for the annual summer meeting as well.

Incoming President Richard Guerriero advocated for surveying our membership to determine their preference. He received positive comments from people that would not normally attend but were able to due to the remote format. He would like to explore a hybrid meeting for future meetings, if not cost prohibitive.

G. Attorney Renewal Mentoring suggestion

Richard Guerriero

Dan Will, George Moore, and Richard Guerriero had a meeting with Justice Hantz Marconi to discuss the concerns expressed by the board at their last meeting. The main concerns were that board members don't want to feel like the NHSC bill collector, and a member that was just cold called might feel like their privacy was being violated.

Richard reported the Court is not looking for board members to be heavy handed, it is more about finding a way to assist the person who is having difficulty. The board member could communicate that their conversation is confidential. Justice Hantz Marconi doesn't want us enforcing, but merely offering a helping hand.

The plan is to solicit volunteers from the board. There would be an effort to match the board member with the member needing assistance. He sees it more as a mentoring program and doesn't think it will take a lot of time or there will be high numbers of members involved.

George added that there would an express conversation between the NHSC Justice and the member to be sure that they are open to assistance from a board member. Only if they expressed a willingness and openness for contact would the name come to the Bar Association.

George will report back to Hantz Marconi that the board has agreed to assist. Today, we are looking for board members to agree to help out during the next member renewal season. He shared that Ed Philpot has done this function in the past, and said it was a great experience. Board members should email George or Paula if willing to volunteer.

H. Appointment to the Compensation Appeals Advisory Board for a 3-year term

Dan Will

Note: Strafford County Governor Chris Regan recused himself from this discussion, as he sits on the Compensation Appeals Advisory Board.

The purpose of the board is to advise the Commissioner about candidates whose case would be forwarded to the appeals board. This is the second level in the administrative appeal process. Our current appointee is going to join the appeals board itself, so has resigned from the appeals advisory board. We need to designate someone to replace him.

Today Dan is presenting this to the board and asking board members to think about it and send potential appointee names to him. Next month, he will propose someone to be appointed by the board of governors.

Please email Dan if you have suggested appointees. Staff will locate the listing of current appeals advisory board members, as well as members of the Bar's Workers Compensation Section, and distribute to the board.

I. Ethics Committee Opinion #2019-20/02 – Municipal Representation and Potential Conflicts of Interest

George Moore

George noted this was sent out to the board and is on the agenda for action. Board members had not reviewed, so we will carry this item over to the March meeting for action and a vote.

J. Executive Director's Report
1. BOG Election update

George Moore

The full slate of nominees will be in the March Bar News. We have candidates for most open seats.

K. Diversity, Equality, and Inclusion Committee

Chair Talesha Saint-Marc

President Dan Will introduced Chair Talesha Saint-Marc and spoke about the process of populating the committee. He invited her to speak to the board to give an overview on the current status of the committee's work.

Talesha states the committee is very excited. There are also a lot of people in the bar who are positive about this initiative. She has received a lot of phone calls from other groups outside the bar that are working on similar initiatives. The committee has met once and brainstormed how to best tackle the charge from the board. They are considering doing something similar to the gender equality survey that is done every 10 years. The committee is currently in data gathering mode.

The committee plan is in several phases – data gathering, putting together a survey, and making recommendations to the board. The committee will try not to duplicate ABA work or other efforts. They may also recommend CLEs and ways the bar can best support members in this area. The committee has another meeting planned in a couple of weeks.

George added that we have some limited ethnicity data from the new admittee forms from the last few years. All new members of the bar are asked a question about their ethnic group when they first become members. This question is voluntary. He recommends that Talesha talk to the GEC committee about what has been done in the past, as well as the expense. Funding will need to be planned. Talesha responded they plan to submit a more detailed plan for resources in the future. She hopes to get literature out in the Bar News before they deploy the survey.

L. New Business

Lisa English reported the first meeting of the revitalized public sector section was held over a month ago and leadership was elected. They have an upcoming meeting on Friday. She shares that there are a lot of energetic people in this group.

The board thanked Lisa for her efforts in this area.

M. Adjournment

The meeting was adjourned at 5:08 p.m.

Respectfully Submitted,



Deborah J. Hawkins for
Robert R. Howard, III, Secretary

Membership Status Changes	
Presented to the Board of Governors February 18, 2021	
<u>Active to INACTIVE:</u>	
273611	Lentini, Vincent, Manhasset, NY (Effective December 3, 2020)
267622	Spottswood, Eleanor, Burlington, VT (Effective December 30, 2020)
273593	Doherty, Mary, Brooklyn, NY (Effective January 20, 2021)
273701	Macomber, Samuel, Center Harbor, NH (Effective February 8, 2021)
273693	Koelling, Sarah, Raleigh, NC (Effective February 1, 2021)
<u>Active to INACTIVE RETIRED:</u>	
8545	Frazier, Timothy, Sullivan, NH (Effective January 11, 2021)
1521	Lucas, Tricia, Manchester, NH (Effective December 30, 2020)
2105	Raudonis, Valerie, Nashua, NH (Effective February 5, 2021)
<u>Inactive to ACTIVE:</u>	
10555	Harrington, Terri, Durham, NH (Effective January 20, 2021)
265823	Hoysradt, Fred, Newburyport, MA (Effective January 28, 2021)
10558	Larkin, Benjamin, Dover, NH (Effective February 1, 2021)
8235	Christo, Ellen, Hampton Falls, NH (Effective February 2, 2021)
19430	Wohl, Elizabeth, Brattleboro, VT (Effective February 8, 2021)
<u>Inactive to INACTIVE RETIRED:</u>	
8779	Frazier, Karen, Sullivan, NH (Effective January 11, 2021)
1947	Oyer, Eve, Concord, NH (Effective January 31, 2021)
<u>Inactive Retired to ACTIVE:</u>	
7899	Hawthorne, Stanley, Windham, ME (Effective January 21, 2021)
<u>Inactive Retired to DECEASED:</u>	
264684	Roberts, Cathy, Falmouth, ME (Effective January 22, 2021)

<u>Honorary Active to HONORARY INACTIVE:</u>	
2610	Van Loan III, Eugene, Bedford, NH (Effective January 1, 2021)
<u>Honorary Active to DECEASED:</u>	
1824	Mulhern, J Barry, Londonderry, NH (Effective December 4, 2020)
<u>Suspended to ACTIVE:</u>	
272078	Eyet, Alina, Bernardsville, NJ (Effective January 28, 2021)
264849	Martineau, Jesse, Manchester, NH (Effective February 3, 2021)
269607	McCarthy, Brendan, Manchester, NH (Effective February 10, 2021)
20346	Buonamano, Brian, Naples, FL (Effective February 10, 2021)
<u>Suspended to DISBARRED:</u>	
4784	Allen, John, Amherst, NH (Effective February 2, 2021)