

NEW HAMPSHIRE BAR ASSOCIATION
BOARD OF GOVERNORS MEETING AND ORIENTATION
Monday, January 6, 2020
Bar Center, Concord, NH

MINUTES

Present for all or part of the meeting were:

Daniel E. Will	Donald H. Sienkiewicz
Richard Guerriero	John A. Curran
Peter E. Hutchins	Susan Aileen Lowry
Robert R. Howard III	Christopher T. Regan
Sandra Cabrera	Geoffrey M. Gallagher
Jonathan M. Eck	Jennifer Parent (phone)
Christine M. Hanisco	Heather Cherniske
Catherine E. Shanelaris	Hon. James P. Bassett
Kathleen M. Mahan	George R. Moore
Lisa M. English	Ginny Martin
Jason B. Dennis (phone)	Jennifer Pinckney
Kristin G. Fields	Joanne Hinnendael
James P. Cowles	Paula Lewis
Joseph D. Steinfield	Deborah Hawkins
Scott Whitaker (phone)	Allison Borowy
Leslie C. Nixon	

A meeting notice reminder, a link to the preliminary agenda and related materials were emailed to all Governors on January 2nd. Additional materials were provided on January 6th. 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 Daniel E. Will

President-Elect Daniel E. Will called the meeting to order at 4:10 p.m. President Edward Philpot is away and unable to attend the meeting.

REGULAR BUSINESS – CONSENT ITEMS

B. Membership Status Changes for December 2019 Paula Lewis

The membership changes were accepted as presented and are attached as a permanent part of these minutes.

C. Minutes of December 2, 2019 Meeting Robert Howard

The minutes were approve as presented.

ACTION

On Motion to approve the consent agenda. Passed. Unanimously.

PRESENTATION / DISCUSSION / ACTION ITEMS

D. Treasurer's Report

Peter Hutchins

1. Approval of NHBA and NH Pro Bono Referral System Audited Financials

Peter shared that the NHBA Finance Committee met with the auditors and reviewed the audited financials for both the NHBA and the NH Pro Bono Referral System. The auditors were complementary.

ACTION

On motion to approve the NHBA Audited Financials. Passed. Unanimously.

The board discussed the NH Pro Bono Referral System Audited Financials. There was an update to the GAAP (Generally Accepted Accounting Principles) in 2019 that required a statement about the organization's liquidity. The auditors requested an amendment of the language in Note 9 on the bottom of page 17 which was amended to read: *We believe that to the extent the Organization has liquidity issues, it believes that any liquidity issues experienced by the Organization are temporary in nature, based upon the Organization's relationship with the New Hampshire Bar Association.*

ACTION

On motion to approve the NH Pro Bono Referral System Audited Financials as amended to include the above language. Passed. Unanimously.

2. Transfer of NHBA Operating Account and Line of Credit to Bank of New Hampshire from Citizens Bank.

Per discussion several months ago, this is being proposed for several reasons; increased interest rates, lower cost line of credit, and Bank of New Hampshire is better suited to serve smaller organizations. They are also a leadership bank, paying out the highest IOLTA interest rate (2%).

ACTION

On motion to move the designated NH Bar Association Operating Account to Bank of New Hampshire from Citizens Bank and to move the NH Bar Association Line of Credit to Bank of New Hampshire from Citizens Bank in the amount up to \$350,000. Signers on the Operating Account will be the Executive Director, Director of Operations, Associate Executive Director for Legal Services and Director of Professional Development. Signers for the Line of Credit will be the Executive Director and the Director of Business Operations. Passed. Unanimously.

E. Lobbying contract for 2020

George Moore

The board received the copy of the lobbying contract from John MacIntosh in their meeting materials. There was discussion last year that John might be retiring, but there is no indication of that. The board discussed the function of this position, and staff shared knowledge of John's work.

ACTION

On motion to approve John MacIntosh's lobbying contract as presented for the 2020 legislative session. Passed. Unanimously.

F. Election Procedure and Openings

Daniel E. Will

President-Elect Dan Will reviewed the open seats for the upcoming 2020 board election. There are three seats where the current governor is not eligible to run; one Governor at Large seat, the Belknap and Carroll County seats. Dan asks board members to give thought to recruiting for potential candidates for these seats. He also asks members that are eligible to run for reelection to give thought to their plans. Lastly, if anyone is interested in running for Vice President they can reach out to Ed, Dan or Richard to discuss. Debbie will send out information about the election timeline and petition submission process.

G. Bar Policy for publishing non NHBA competing events

George Moore

George brought this to the board for discussion. There has been an unofficial policy for the last twenty years or so which hasn't always been consistent. President Ed Philpot wanted to get the board's opinion. There was discussion about the past history. Sometimes the charitable organizations have been given free advertising in the Bar News and sometimes not. If it was a not for profit group presenting something of interest to our members, and it was a free event there was often no charge. The majority agreed that the policy should be clarified. Jen Pinckney, Director of Marketing and Strategic Communications will draft a policy and bring it to the board at the February board meeting.

H. President's Report

Edward Philpot Jr.

1. Final Mid-Winter Meeting Programming

Joanne Hinnendael, Director of Professional Development gave a brief summary of planned programming for the upcoming Mid-Winter Meeting.

2. Report on Bench/Bar meeting

Executive Director George Moore spoke about the recent meeting. Both the Court and the Bar appreciate the time spent together and the improved communication.

I. Executive Director's Report

George Moore

1. Report on Affinity Partners testing of Identillect

The testing of this has not been completed due to a delay caused by the forced disablement of NHBA's antivirus software, Webroot, causing potentially significant security risk. The issue was addressed and Identillect has now been successfully installed and is operating as expected.

A final decision will be made by next month.

2. Legislation Watch tool reminder

Deborah Hawkins, staff liaison to the Legislation Committee reminded the board of the Legislation Watch software platform that the bar uses to track legislation of interest to the bar and attorneys. There is a link to it on the board page, as well as a copy of the user manual, under reference materials. As discussed at a recent board meeting, the platform has been re-designed to enable better communication with the NHBA members during the legislative session. She will send an email to the board with the updated user's manual and other pertinent information.

J. New Business, if any

Public Section Governor Lisa English spoke about the status of the Public Sector Law Section. She would like to find a way to revive it. The challenge, as has been discussed by the board at prior meetings, is that the potential members come from very diverse perspectives and have little in common. She asked the board to waive the section membership fees for the next two years in the hope of reviving membership and involving these members in the discussion about the future of the section.

It was decided to defer this discussion to the February board meeting.

K. State Update

All Board Members

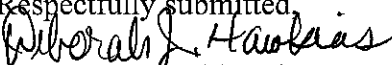
Board members are asked to report on issues of concern or interest for Association members that should be brought to the attention of the Board of Governors

- Rockingham County Governor Susan Aileen Lowry shared that the Rockingham County Bar is planning a meeting with the Rockingham County judges on March 24th at the Portsmouth County Club. More details to follow.
- Sullivan County Governor and Ethic Committee Member Geoff Gallagher let the board know that the Ethics Corner article they received today will not be published until the Rule 4.2 is finalized.
- Several board members commented on county bar association holiday parties (Strafford and Cheshire).
- Justice Bassett shared that the Justices will be visiting courts around the state for a series of brown bag lunches and will be asking county governors to help encourage attendance.
- Jonathan Eck shared that Chief Justice Nadeau, of the Superior Court has also scheduled a statewide brown bag tour. The first session is scheduled in Dover on February 14th at Burns Bryant Cox law firm. He will share the whole schedule with the board, as well as reach out to county governors when a session is scheduled in their county.

L. Adjournment

Adjournment

The January 6, 2020 Board of Governors Meeting adjourned at 5:31 p.m.

Respectfully submitted,

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

Membership Status Changes

Presented to the Board of Governors January 6, 2020

Active to Inactive:

270972	Amelang, Daniel, Cohasset, MA (Effective November 15, 2019)
270165	Mikolaities, Austin, Portland, OR (Effective November 6, 2019)
272331	Flagg, Bradley, Winchendon, MA (Effective November 18, 2019)
272507	Stefanelli, Regina, Dummerston, VT (Effective December 4, 2019)
264690	Smethurst, Heather, Dracut, MA (Effective November 27, 2019)
272327	Blessing, Jacqueline, Concord, NH (Effective December 9, 2019)
20637	Godlewski, Amanda, New Braunfels, TX (Effective December 10, 2019)
712	Durmer, Kris, Washington, DC (Effective December 16, 2019)

Active to Inactive Retired:

272296	Regan, Allison, Dover, NH (Effective November 20, 2019)
92	Clark, Thomas, Manchester, NH (Effective December 1, 2019)
9393	Strickland, Kate, St. Johnsbury, VT (Effective September 13, 2019)

Active to Resigned:

269265	Philbrook, Brian, Woodbury, MN (Effective November 18, 2019)
270189	Wilton, John, Boston, MA (Effective December 3, 2019)

Active to SUSPENDED:

21194	Munyon, Laura, Loudon, NH (Effective December 17, 2019)
19387	Nicolai, Paul, Springfield, MA (Effective December 17, 2019)
269618	Wolf, Lucy, Cambridge, MA (Effective December 25, 2019)

Inactive to Inactive Retired:

11323	Marchand, Claire, Fremont, NH (Effective December 19, 2019)
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Inactive to SUSPENDED:

266243	Caiazza, Christina, Wilmington, MA (Effective December 17, 2019)
14188	DeVeau, David, Houston, TX (Effective December 17, 2019)
14585	Mincu, Anthony, Overland Park, KS (Effective December 17, 2019)
265331	Schroeder, Eric, Weymouth, MA (Effective December 17, 2019)
14618	Villeneuve, Jennifer, Alna, ME (Effective December 17, 2019)

Inactive Retired to ACTIVE:

6917	Wholey, Jr., John, Bethel, ME (Effective December 10, 2019)
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<u>Inactive Retired to RESIGNED:</u>	
16262	Randall, Shelley, Concord, NH (Effective October 1, 2019)
11879	Scott, Catherine, Fernandina Beach, FL (Effective July 31, 2019)
<u>Inactive Retired to DECEASED:</u>	
135	Brouillard, Richard, Laconia, NH (Effective December 3, 2019)
<u>Honorary Inactive to DECEASED:</u>	
1343	Kelly, Laurence, Candia, NH (Effective November 22, 2019)
<u>ProBono Limited Active to ACTIVE:</u>	
10076	Walker, Lisa, Manchester, NH (Effective December 12, 2019)
<u>Suspended to ACTIVE:</u>	
15603	Morse, MaryEllen, Rye, NH (Effective December 12, 2019)
<u>Resigned to ACTIVE:</u>	
16642	Goodrum, Garfield, Silver Spring, MD (Effective November 26, 2019)