

NEW HAMPSHIRE BAR ASSOCIATION  
BOARD OF GOVERNORS MEETING  
Monday April 1, 2019  
Bar Center, Concord, NH

**MINUTES**

Present for all or part of the meeting were:

David W. McGrath	Donald H. Sienkiewicz
Edward D. Philpot, Jr.	Adam B Pignatelli
Daniel E. Will	Susan Aileen Lowry
Peter E. Hutchins	Christopher T. Regan
Scott H. Harris (phone)	Andrew R. Hamilton (phone)
John A. Curran	George R. Moore
Richard C. Guerriero, Jr.	Jennifer Pinckney
Cathy E. Shanellaris	Joanne Hinnendael
Lisa M. English	Paula Lewis
Kristin G. Fields	Deborah Hawkins
James P. Cowles	Allison Borowy
Leslie C. Nixon	

A meeting notice reminder, a link to the preliminary agenda and related materials were emailed to all Governors on March 25<sup>th</sup>. Additional materials were posted March 26<sup>th</sup>. 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 David McGrath

President David McGrath called the meeting to order at 4:11 p.m.

**PRESENTATION / DISCUSSION / ACTION ITEMS**

B. Adoption of Revised Title Examination Standards Heidi Barrett-Kitchen,  
Real Property Section

President McGrath introduced Attorney Barrett-Kitchen, chair of the title standards subsection of the Real Property Section, which is charged with reviewing and updating these standards periodically. A proposed revision of the 2016 standards was posted for comment on September 8, 2018. These standards are required to be voted on and approved by the Real Property Section prior to coming to the board for approval. They were voted on at February 21, 2019 meeting of the Section. Documents with the proposed changes were distributed to the board with the meeting materials. Attorney Barrett-Kitchen briefly reviewed the changes.

**ACTION**

On motion to adopt the 2018 Title Standards as presented. They will have an effective date of May 1, 2019. Passed. Unanimously.

C. Report and proposal from the Sections Review Committee Edward D. Philpot, Jr.

President-Elect Philpot reported that the committee met and reviewed the procedure to modify and eliminate sections, contained in the Sections Manual, as well as recent membership numbers

and activity. He reviewed their findings, and the committee's recommendations. The committee is asking the board for permission to notify the affected section members and give them a deadline for comment before any action is taken. The board discussed the section committee's recommendations, including the move from list serves to forums.

**ACTION**

On motion to allow the Sections Review Committee to notify the affected sections and ask for feedback with a short timeline and return to the Board of Governors with a proposal for final action. Passed. Unanimously.

D. Treasurer's Report

Peter Hutchins

Treasurer Hutchins reported on the Bar's financial status at the end of the first eight months of the fiscal year. An assets and liabilities sheet, balance sheet, and fiscal narrative was given to the board. In summary, expenses were lower by \$60,000 and revenue was up by \$130,000. Increases in attorney compliance penalties and fines, Lawyer Referral Service income, CLE registration and fees, Bar News subscriptions and advertising income as well as interest income all contributed to the gain in revenue. It was noted that most of the penalty and fine money goes to the Supreme Court. Please see the narrative report for more detailed information.

E. Public Defender Resolution

George Moore

RSA 604-B:4 calls for NHBA approval of any Public Defender Program with which the state intends to contract. Statute Excerpt: 604-B:4 Contract. – The state of New Hampshire, by the judicial council and with the approval of governor and council, shall contract with an organization or group of attorneys approved by the board of governors of the New Hampshire Bar Association to operate the public defender program and provide public defender representation as provided in RSA 604-B:2 and 3. The contract shall fix the number of defender attorneys providing representation in each county and shall permit the public defender program to subcontract for attorney services, including appellate services, as may be necessary to provide such representation. No such contract shall be effective for longer than 2 years. The compensation for operation of the public defender program shall be such sums as may be fixed by the contract, subject to the appropriations made therefore.

**ACTION**

On motion to approve the Public Defender Program per the above. Passed with three abstentions: Edward D. Philpot, Jr, Richard C. Guerriero, Jr. and Daniel E. Will.

F. Proposal to change membership in Finance Committee

George Moore

Executive Director Moore discussed the proposed change in the membership of the Finance Committee. The committee is chaired by the President-Elect as it is the budget for their leadership year that is being drafted. The Vice President also sits on the committee as he will chair it the next year and gains relevant background and experience for that role. The Treasurer will continue to sit on the committee. The President and Immediate Past President will no long be members. Once the board approves this change, which requires a bylaws change, it will be voted on at the annual membership meeting in June.

**ACTION**

On motion to accept the proposed bylaws changes as presented. Passed. Unanimously.

G. President's Report

Dave McGrath

1. Elections

President McGrath spoke about the board elections that open today (April 1). The board will need to make several appointments to the board at their May meeting.

2. Annual Meeting Planning

Plans for activities at this year's meeting were shared with the board. Efforts have been made to include more activities at no cost to the attendee. Sponsorship revenues will help underwrite the cost.

H. Executive Director's Report

George Moore

1. Pension Fund – Change in Authorized Representative

The board needs to approve this change from former Acting Executive Director Denice DeStefano to Current Executive Director George Moore.

**ACTION**

On motion to change authorized representative as noted above. Passed. Unanimously.

2. Length of BOG Elections

Executive Director Moore shared an email received from a member asking for a longer window for voting in the annual board of governor's election. After reviewing best practices and pattern of member voting participation over the last 5 years, it was decided the process would not be improved by extending the length of the election. It will remain 15 days, from April 1 through April 15<sup>th</sup>.

3. Initiation of strategic review of operations

Executive Director George Moore stated that the organization is beginning a review of operations and design of the strategic plan. A consultant will be utilized to guide the organization in this process and he has begun receiving request for proposals. Members of the board will be asked to volunteer time on a subcommittee to assist in this process. This is following through on the recommendations made in the report of the Supreme Court Commission.

4. Free Legal Answers

Ginny Martin

Associate Director for Legal Services Ginny Martin announced that the NH Free Legal Answers launched the last week in March. There are about 50 attorneys registered to participate as of this date. It is easy to sign up; go to <https://nh.freelegalanswers.org/>. This platform is for civil legal questions only. Attorneys can sign up to receive alerts when questions are submitted in their area of practice. It was pointed out that unlike the Lawline service, attorney volunteers have time to research and respond to a question. Another plus is that the online discussion can be discontinued at any time by the attorney. The questioner can be referred to an attorney if needed at any point in this process.

**REGULAR BUSINESS – CONSENT ITEMS**

I. Membership Status Changes Paula Lewis

The board received the membership status changes, which are attached as a permanent part of these minutes.

J. Report on Dues Waiver Requests Paula Lewis

The board accepted the recommendation of the Dues Waiver Subcommittee as presented.

K. Minutes of February 14, 2019 Meeting Rob Howard

The board approved the minutes as presented.

**ACTION**

On motion to accept the consent agenda. Passed. Unanimously.

L. Adjournment

The February 14, 2019 Board of Governors Meeting adjourned at 5:17 p.m.

Respectfully submitted,



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

Membership Status Changes  
Presented to the Board of Governors April 1, 2019

**Active to INACTIVE:**

311 Burdin, William T., Windham, NH (Effective February 15, 2019)  
267553 Conklin, Clara E., Agawam, MA (Effective March 8, 2019)

**Active to INACTIVE RETIRED:**

861 Friedman, Ellen S., Manchester, NH (Effective February 21, 2019)

**Active to FULL-TIME JUDICIAL:**

940 Gleason, James D., Henniker, NH (Effective February 4, 2019)  
9391 Steckowych, Kerry Peter, Goffstown, NH (Effective February 4, 2019)

**Active to SUSPENDED:**

16406 Nary, Donald R., Dover, NH (Effective March 15, 2019)

**Active to DECEASED:**

15892 Sheppard, Duane L., Henniker, NH (Effective December 15, 2018)  
1551 Wensley, Danford J., Rochester, NH (Effective February 4, 2019)

Inactive to ACTIVE:

265320 Rosen, Sara-Ann, Streamwood, IL (Effective February 6, 2019)  
268070 McNamara, Shana Marie, Rochester, NY (Effective February 26, 2019)  
21199 Beckwith, Shannon L., Keene, NH (Effective March 11, 2019)

Inactive to SUSPENDED:

265175 Lebeck, Julian, Haverhill, MA (Effective February 4, 2019)

Inactive Retired to ACTIVE:

18476 Brick, Margaret M., Dunbarton, NH (Effective February 11, 2019)

Suspended to INACTIVE:

20577 Harris, Gwendolyn W., Brooksville, FL (Effective February 22, 2019)

Suspended to ACTIVE:

18939 Harrington, Michael M., Pelham, NH (Effective March 4, 2019)

Honorary Inactive to DECEASED:

1094 Harkaway, William I., Silver Spring, Maryland (Effective June 8, 2016)

Military Active to INACTIVE:

10309 Bunn, Linda Y., Fairfax Station, VA (Effective March 5, 2019)

