

NEW HAMPSHIRE BAR ASSOCIATION
BOARD OF GOVERNORS MEETING
Thursday, January 15, 2015
Bar Center – Concord, NH
3:00 P.M.

MINUTES

Present for all or part of the meeting were:

Lisa Wellman-Ally
Mary. E. Tenn
David W. Ruoff
Scott H. Harris
Jaye L. Rancourt
Robert R. Howard, III
Edward D. Philpot, Jr.
Christopher T. Regan
Jacki S. Smith
John Curran (by phone)
Danielle Y. Vanderzanden
Suzanne McKenna
Dennis L. Morgan
Richard C. Guerriero. Jr.
Sandra L. Cabrera
Ora Schwartzberg

Catherine E. Shanelaris
James A. Shepard
Edward T. Clancy
Lanea A. Witkus
Russell F. Hilliard
John D. MacIntosh
Jennifer L. Parent
Richard Y. Uchida
Abigail S. Karoutas
Jack B. Middleton
Jeannine L. McCoy
Denice M. DeStefano
Joanne M. Hinnendael
Dan R. Wise
Paula D. Lewis
Valenda Morrisette

A meeting notice reminder, Preliminary Agenda and related materials were emailed January 9th. A Final Agenda and additional materials were emailed January 13th, January 15th and distributed January 15th. The Agenda is duplicated below in 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.

REGULAR SESSION

A. CALL TO ORDER

Lisa Wellman-Ally

The Regular Session of the January 15, 2015 Board of Governors meeting was called to order at 3:10 p.m. by President Lisa Wellman-Ally.

B. Membership Status Changes for January 2015

Denice DeStefano

The Board received Membership Status changes, which are attached as a permanent part of these minutes.

C. Report on Dues Waiver Requests

Board Subcommittee
Denice DeStefano

The Board **approved** the request of [REDACTED] for a 100% waiver of her pro-rated Active 2014-2015 dues and Court fees.

The **Board approved** the request of [REDACTED] for a 100% waiver of his pro-rated Active 2014-2015 dues and Court fees.

The **Board approved** the request of [REDACTED] for a 100% waiver of his pro-rated Active 2014-2015 dues and Court fees.

D. Minutes of December 18, 2014 Meeting Denice DeStefano

Minutes of the December 18, 2014 Board of Governors meeting **were approved as amended.**

PRESENTATION / DISCUSSION / ACTION ITEMS

E. Leadership Academy Update and Report Jennifer Parent
Richard Uchida
Abby Karoutas

Past President and co-chair of the first Leadership Academy program Jennifer Parent talked about the program since its inception in 2010. Jennifer was recruited by executive director Jeannine McCoy and past president Richard Uchida in 2009 to help bring this concept to fruition. Leadership Academy is intended to build leadership for the Association *and* within the profession. Jennifer was pleased to report that with this year's class, 53 participants have gone through the Leadership Academy. It continues to bring people into the organization, creating connections they will build on throughout their legal careers.

The cost for a participant is currently \$750, with (partial) financial assistance available.

Richard Uchida recapped the Report with Recommendations of the NHBA Task Force for the Development of a Leadership Academy, provided to the Board.

Richard also highlighted the modules, speakers and participants since 2010 and explained the expense to the Association is \$15,000-\$16,000, with tuition and donations to help offset costs.

Jennifer talked briefly about the 2-year commitment following graduation, that continues the momentum once participants are through the academy.

Richard noted that the current Leadership Academy class will be attending the February 26th Board meeting to present their topics for the Leadership Academy Symposium scheduled on May 11th. The focus areas are: the Future of the Profession; the Future of the Bar Association; and the Future of the Delivery of Legal Services.

The intent for the February meeting is for each group to provide the Board with a thumbnail idea of what their symposium presentation will be about. The presentation groups are looking to the Board for input regarding what direction, information, resources, and people they should be talking to/about as they shape their presentations. They are looking for Board feedback, and hope Board members will attend the May 11 symposium.

Jennifer Parent noted that NH is the leader among New England States with a leadership academy. Maine and Rhode Island are moving forward with their plans to establish an academy, based on what NH has done.

Richard summed up by asking the Board for two (2) things: (1) to make the vice president a member of the Leadership Academy Steering Committee and, (2) to encourage graduates from the leadership academy to stand for election and build the Board roster going forward.

Jennifer Parent summed up by stating that the Leadership Academy is a success that needs to continue. The Board spent time on questions and answers.

Current co-chair and past Leadership Academy graduate Abby Karoutas thanked the Board for their generous support for the program. Abby went on to note that the symposium in May is a change from past years in which students completed a project as part of their leadership academy experience. In order to provide a reception for the invited guests at the end of the Symposium on May 11th, Abby is asking, on behalf of the Leadership Academy Steering Committee, for up to \$1,000 to cover the costs of a reception. After a brief discussion the Board voted.

ACTION

On motion to approve the request of the Leadership Academy Steering Committee for up to \$1,000 for a reception at the May 11th Symposium. PASSED.

F Bar Foundation Update

Jack Middleton

Bar Foundation Chair Jack Middleton provide the Board with the history of why the Bar Foundation was created (initially to raise funds to purchase a "home" for the bar center and to carry out other work as the "philanthropic arm" of the Association) and the composition of the Foundation Board, which he explained was intentional to keep the organizations working together (21 directors; 11 are Bar Association Board members). The work of the Foundation now includes the principle roles of administering IOLTA Program and funds (over 30 million received and disbursed over 30 years) and administering Justice Funds money generated by endowments the Foundation has established over the years. The Foundation also recognizes professional excellence and support for the administration of justice with the Kirby and Kenison Awards.

Jack explained that there are 8 IOLTA Leadership Level banks; all community banks, that pay top interest (2%) on IOLTA funds. The Foundation has encouraged other banks (Partner Level) to pay higher than market rates. The Foundation encourages bar members to maintain IOLTA accounts in these financial institutions, as these increased rates over the low, "market" interest rates significantly increase IOLTA funds available to support civil legal services for the poor.

The Bar Foundation also would act as the fiscal agent should a grant be awarded by the NH Charitable Foundation's Tillotson Fund to the Associations' Rural Access Project. The Foundation was the sole source of funding for a NH survey of the civil justice gap, and has recently been asked to provide support for the Access to Justice Commission. The Foundation

funds educational and community outreach programs such as "Civics In Action" (a joint effort of the Bar Association and Bar Foundation).

Jack went on to explain that he has been encouraging the Campaign for Legal Services (CLS) originally launched by the Foundation, to reunite with the Foundation in order to consolidate fundraising efforts.

G. Legislation Committee Update John MacIntosh

NHBA Lobbyist, John MacIntosh reported recommendations for positions on 13 bills, reviewed by the Legislation Committee on 1/12/15. Guided by standards set by the *Chapman* and *Keller* decisions, the Board viewed the recommendations for positions on these bills using the Legislation Watch website, which provides access to the official General Court website with an informational overlay containing information on the Bar's legislative review process.

John reviewed the bills with the Board, and after discussion, the Board approved the Legislation Committee's positions on the following bills:

OPPOSE: HB 168

INFORMATION NEGATIVE: SB 19

INFORMATION: HB 120

SUPPORT: HB 118; SB 14

NO POSITION: HB 106; HB 147; HB 151; HB 154; HB 172; HB 180; SB 11; SB 12

H. 6-Month Financials Statement through November 30, 2014

The Board received Budget Performance Statements through 11/30/2014.

I. 3rd Floor Space - Lease Agreement Denice DeStefano

Assistant Executive Director reported to the Board that in the course of examining the possibility of leasing additional space that has become available near the space owned by the Bar Association on the 3rd floor of 2 Pillsbury Street, the market and the Association's plans indicate it may not make sense for the Association to move forward with leasing additional space at this time.

After questions and discussions the Board voted.

ACTION

On motion to not pursue a lease agreement for the available additional third floor space at 2 Pillsbury Street at this time. PASSED (unanimously).

J. Ethics Committee – Amending Comment to Rule 1.18 Denice DeStefano

The Board received a Memo from the Ethics Committee outlining their amendment to the Ethics Committee published comment to Rule 1.18.

ACTION

On motion to accept the amendment to the Ethics Committee published comment to Rule 1.18. PASSED (unanimously)

- K. Status of Economic Survey Dan Wise

Director of Communications Dan Wise reported that the NHBA Economics of Law Survey is complete and the survey results and analysis have been received. There has been some coverage in the Bar News in December and January. There are plans for an 8-page insert in the March issue that will provide more depth and analysis.

- L. Website Project Manager Proposal Dan Wise

Director of Communications Dan Wise reminded the Board that funds for a website upgrade were discussed in the Capital Budget process last year. \$20,000 for this website project are in the Capital Budget.

Dan is working with Bob Cote of Brattle Consulting Group, Manchester & Boston on website rebranding/redesign. Brattle Consulting Group will be providing an outline of the process for moving forward with this project, including action items, timelines, estimated costs and recommendations of vendors to partner with to complete the project.

Mr. Cote actually worked for Silvertech when they created the original NHBA website; his familiarity with the current website is a huge benefit.

- M. Rudman Center Update Mary Tenn

President-elect Mary Tenn reported that the Rudman Center is exploring funding and collaboration to establish a program to identify and serve veterans' legal needs. The Board of Governors will be kept informed if this develops, including what the implications may be for Pro Bono, and any proposal will come to the Board when appropriate.

- N. Justice Challenge – Report on Contacts Jaye Rancourt

Immediate Past President Jaye Rancourt reminded Board members to report to her on the results of phone calls being made to firms and individuals about joining the Justice for All Challenge.

- O. State Update All Board Members

Governor-at-Large Ed Philpot reported that he had the absolute pleasure of being a judge at the NHBA Law Related Education *We the People* State Hearing last Friday at the LOB. Ed is always amazed by the number of volunteers involved in this program. Ed urged Board members that have the opportunity to participate in this worthwhile program, to do so.

Governor-at-Large Chris Regan reported that Strafford County Probate Court is extremely short on judge time, resulting in significant delays.

Stafford County Governor Ted Clancy noted congratulations go to Board member MaryAnn Dempsey for being named as Governor's Counsel.

P. President's Report

Lisa Wellman-Ally

President Lisa Wellman-Ally reported on the following:

- Legislative Reception – a Legislative Reception is planned for Wednesday, January 28th from 4:40 – 6:30 pm at the Barley House in Concord. Board members are strongly encouraged to attend.
- Nominations Status for 2015 BOG Elections – as of this meeting there is no vice president nomination petition. There is also one opening for a governor-at-large seat. [Secretary's Note: Subsequent to the 1/15/15 meeting, petitions for both positions have been received.]
- Supreme Court Meeting with NHBA Officers on 1/6/15 – All of the Supreme Court judges participated in a meeting with the NHBA Officers on January 6th. The Court was updated on the Rural Access initiative and e-Court was discussed.
- Congratulations to Jaye Rancourt for being the recipient of the Hollman Equality Award that will be presented at the Gender Equality Breakfast at the Midyear Meeting.

Q. Executive Director's Report

Jeannine McCoy

Executive Director Jeannine reported on the following:

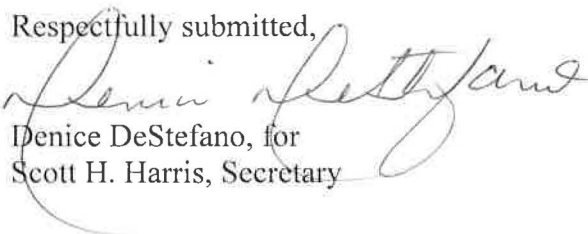
- You Should Know Activity Update – was distributed and is worth a read.
- *Bar News* Editor / Communications Initiatives - Kristen Senz has been named editor of the *New Hampshire Bar News* and will be editing content for all of the Bar Association's member publications, including the weekly e-Bulletin, the Bar Journal and website. Kristen is an experienced journalist, has been managing editor since October 2012.

Dan Wise, as communications director, will continue to oversee all aspects of member communications and hopes to direct more attention to other efforts, including the development of a new website and exploring ways to enhance and communicate the value of the association to members.

ADJOURNMENT

The January 15, 2015 Board of Governors Meeting adjourned at 5:15 p.m.

Respectfully submitted,


Denice DeStefano, for
Scott H. Harris, Secretary

NEW HAMPSHIRE BAR ASSOCIATION
Membership Status Changes
Presented to the Board of Governors January 15, 2015

Active to **INACTIVE**

20975 Anderson, James C., Rye, NH (effective December 22, 2014)
266203 Barry, Kate Lee, Keene, NH (effective November 17, 2014) New Admit
266165 French, Timothy Andrew, Pepperell, MA (effective November 17, 2014) New Admit
266280 Govoni, Lauren C., Dorchester, MA (effective November 17, 2014) New Admit
266284 Hagen, Erik Thomas, Winthrop, MA (effective November 17, 2014) New Admit
266204 Laflamme, Natalie J., Concord, NH (effective November 17, 2014) New Admit
266221 Mitrano, Casey Jean, Andover, MA (effective November 17, 2014) New Admit
17731 Murray, Stephen Anthony, Wolfeboro, NH (effective December 22, 2014)
266178 Whiting, Zachary S., Virginia Beach, VA (effective November 17, 2014) New Admit

Active to **FULL TIME JUDICIAL**

6572 Gorman, Suzanne Marie, Goffstown, NH (effective November 14, 2014)

Active to **MILITARY ACTIVE**

18591 Cascadden, Conrad W. P., Westerly, RI (effective December 23, 2014)

Active to **MILITARY INACTIVE**

18525 Latham, Joshua E., Reading, MA (effective January 1, 2015)

Inactive to **INACTIVE RETIRED**

1621 Marshall, Susan Elizabeth, Philadelphia, PA (effective December 22, 2014)
17472 Nowve, Donald, New York, NY (effective January 2, 2015)

Honorary Active to **HONORARY INACTIVE**

771 Falby, J. Roderick, Jr., Peterborough, NH (effective December 31, 2014)

Honorary Active to **DECEASED**

2702 Zachos, Kimmon S., Manchester, NH (effective December 31, 2014)

Resigned to **INACTIVE**

16933 Evans, Iona M., Greenland NH (effective December 15, 2014)

Suspended for non-payment of dues to **ACTIVE**

12245 Barry, Robert H., Chelmsford, MA (effective December 29, 2014)
265675 Mathews, Edward Christian, Portsmouth, NH (effective December 23, 2014)
12926 O'Leary, Sara E., Melrose, MA (effective December 11, 2014)
16681 Prisby, Edward A., Springfield, MA (effective December 11, 2014)
8582 Reid, Christopher P., Dover, NH (effective December 17, 2014)

Suspended for non-payment of dues to **INACTIVE**

12567 Antinori, Michael R., West Palm Beach, FL (effective December 30, 2014)
18638 Kraus, Cheryl A., Clifton Park, NY (effective December 31, 2014)

