

NEW HAMPSHIRE BAR ASSOCIATION
BOARD OF GOVERNORS MEETING
Thursday, April 17, 2014
Bar Center – Concord, NH
3:00 P.M.

MINUTES

Present for all or part of the meeting were:

| | |
|------------------------------|----------------------|
| Jaye Rancourt | David C. Tencza |
| Lisa Wellman-Ally (by phone) | James A. Shepard |
| Robert R. Howard, III | Patrick T. O'Day |
| Lawrence A. Vogelmann | Lanea A. Witkus |
| Quentin J. Blaine | Russell F. Hilliard |
| Christopher T. Regan | Jeannine L. McCoy |
| John A. Curran | Denice M. Destefano |
| Suzanne S. McKenna | Paula D. Lewis |
| Dennis L. Morgan | Joanne M. Hinnendael |
| Richard C. Guerriero, Jr. | Daniel R. Wise |
| Sandra L. Cabrera | Virginia A. Martin |
| Ora Schwartzberg | Valenda Morrissette |
| | Deborah Hawkins |

A meeting notice reminder and materials were emailed April 11th. Additional materials were emailed and distributed April 17th. 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 Jaye Rancourt

The Regular Session of the April 17, 2014 Board of Governors meeting was called to order at 3:10 p.m. by President Jaye Rancourt.

B. Membership Status Changes for April 2014 Denice DeStefano

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

C. Minutes of February 20 and March 6, 2014 Board Meetings Jaye Rancourt
Minutes of the February 20 and March 6, 2014 Board of Governors meeting **were approved as presented.**

D. Finance Update – Budget Performance through 2/28/2014 Paula Lewis

The Board received Budget Performance Statements through 2/28/2014

PRESENTATION / DISCUSSION / ACTION ITEMS

- E. Recommendation of member to fill Public Sector Governor Seat John Curran

Governor-at-Large John Curran reported that the subcommittee had a difficult choice between the two interested candidates. Ultimately the recommendation to fill the currently vacant Public Sector Governor seat is Mary Ann Dempsey, of the Attorney General's office.

ACTION

On motion to approve the appointment of Mary Ann Dempsey to fill the Public Sector Governor seat on the Board for the remaining term that runs through June 2015. PASSED (unanimously).

- F. Leadership Academy – Call to Action Suzanne McKenna

Belknap County Governor Suzanne McKenna, who also served on the Leadership Academy Steering Committee, reported that applications for the next Leadership Academy class are due in June. The Leadership Academy Steering Committee is asking the Board of Governors to give some purposeful thought to qualified candidates (3-10 years in practice) and to reach out and encouraged them to apply. Please also let Steering Committee members know of possible candidates so they can follow-up.

Suzanne also noted that marketing efforts have expanded this year in an effort to garner greater interest in the Leadership Academy.

- G. Uniform Laws Commission – NH State Dues Russ Hilliard

At the March 6th Board meeting, NHBA's ABA Delegate Russ Hilliard reported that he had been contacted by Richard Cassidy (a Vermont representative in the ABA House of Delegates) about New Hampshire's lack of funding and participation in the Uniform Laws Commission for a number of years.

Russ now reports that this matter seems to be getting resolved by others and there is nothing for NHBA to do at this time.

- H. Legal Research Study Group Recommendation Dan Wise

NHBA Director of Communications Dan Wise reported that during a yearlong process with an ad hoc group of Bar members, the state law librarian and staff, they compared Casemaker and its rival, Fastcase (offering a comparable service but with a different methodology), and sought member input through surveys, demonstrations and members testing inquiries using the two services.

Familiarity of members and support for Casemaker was a major factor. Also significant – we will be renewing at a lower price than we now pay and Casemaker will be providing a better product.

The recommendation is to Authorize NHBA Executive Director Jeannine McCoy to revise and sign a renewal of the contract for a legal research member benefit with Casemaker for a two-year period, starting June 1, 2014, with a third year at the option of the Bar Association.

ACTION

On motion to Authorize NHBA Executive Director Jeannine McCoy to revise and sign a renewal of the contract for a legal research member benefit with Casemaker for a two-year period, starting June 1, 2014, with a third year at the option of the Bar Association. PASSED (unanimously).

I. President's Report

Jaye Rancourt

President Jaye Rancourt reported on the following:

- 2014 Board Election Results – it was reported that David Ruoff won the contested race for vice president; all other seats were uncontested. Congratulations to all.

Executive Director Jeannine McCoy noted that this election had the highest participation since we started voting electronically in 2010.

- Teen Domestic Violence ALIES Curriculum – the program is ready and will be rolled out on May 2. We need more schools to sign-up, so if Board members have a connection with a school, please let us know so that we can be in touch with them.

An open house for volunteers doing the school presentations will be held at the Bar Center on April 24. Volunteers will pick-up their presentation materials and have the opportunity to do a “dry run” if they wish.

- Justice Initiative Challenge- is moving right along; 25 firms and 100 individuals have signed up so far. Please sign-up if you haven't yet done so. Jaye is also going to as many local & county bar meetings as she can to get the word out.
- Update on 2 Pillsbury St. Condo Association purchase of 46 Pillsbury St. for additional parking

Assistant Executive Director Denice DeStefano reported that the 2 Pillsbury Street Condo Association is considering purchasing 46 Pillsbury Street in order to convert it into an additional 32 space parking lot for the benefit of 2 Pillsbury Street businesses.

The specifics are:

| | |
|--|---------------------|
| Purchase price for 46 Pillsbury Street | \$313,544.56 |
| Demolition & construction costs (highest estimate) | <u>\$180,000.00</u> |
| Amount to be financed | \$493,544.56 |

| | |
|---|--------------|
| 2 Pillsbury Street Condo Association to pay 50% down From Reserve Fund | \$246,772.00 |
|---|--------------|

Remaining balance to be financed as a loan against Condo Association dues (not as a lien against 46 Pillsbury St.); amortized over 15 years, on a 10 year term note.

Impact to the Condo Association annual budget, of which NHBA pays 14% of total condo association fees, will be minimal (1% or less). This will be accomplished by eliminating a current lease agreement for 20 parking spaces at 1 Pillsbury St. (\$13,200) and reducing the amount of the annual contingency fund contribution (\$15,000 down to \$7,500), to cover the added costs of loan payment, insurance and additional maintenance on another parking lot.

Impact to the Condo Association Reserve Fund will be significant and will leave the Condo Association with a Reserve Fund balance of about \$20,000 - \$30,000, going into the Fall.

There was a great deal of discussion, questions and answers.

ACTION

On motion to counter with an offer; amount to be determined by a small group of Board members. With 6 yes votes and 10 no votes, the motion FAILED.

ACTION

On motion to approve a “yes” vote at the 2 Pillsbury Street Owners Meeting on the purchase of 46 Pillsbury Street, for an additional parking lot, under the assumption that the owners original purchase price and subsequent carrying costs provided are accurate. With 10 yes votes; 5 no votes, and 1 abstention (R Guerriero) the motion PASSED.

- Nomination Support of DRC for an ABA Award – Jaye noted that she has signed on to a letter with the NH Association of Criminal Defense Lawyers nominating the Disability Rights Center for the ABA’s Hodson Award, honoring an Outstanding Public Sector Law Firm/Organization. The nomination is in recognition of the outstanding work they have done for the mentally ill residents of NH in recent

litigation.

- Prison Dress Code Issue – still remains an issue. The Bar’s Gender Equality Committee is working with the AG’s office to resolve the matter.
- Update on Campaign for Legal Services Agreement – a redraft of the agreement is being worked on. The new proposal is for Pro Bono to receive a higher percentage than the current 15% in exchange for increased assistance in raising funds for the Campaign. A meeting for further discussion is the next step. Jaye anticipates having a draft for the Board at the June meeting.

J. ABA Day

Russ Hilliard

Association ABA Delegate Russ Hilliard, President Jaye Rancourt and State ABA Delegate Jon Ross visited representatives during April’s ABA Day in Washington D.C. Key points of their visits were the discussions to increase the Legal Services Budget and Bar members concerns on the tax reform bill requiring firms of a certain size to use accrual accounting methods not appropriate for the handling of client fees.

K. President Elect Report

Lisa Wellman-Ally

President-elect Lisa Wellman-Ally reported that she recently attended a Seminar in South Dakota, where they have funding to place sixteen (16) attorneys in rural areas where there currently are none.

Rural Practice

Lisa’s goal for next year is to establish a “rural practice project” that would match an attorney needing work, with an area needing attorneys. Lisa is looking for interested volunteers to help develop this project. Please contact Lisa if interested. Grafton County Governor Ora Schwartzberg has several idea and volunteered to assist in this endeavor. The Vermont Bar may be at the May or June BOG meeting to talk about their efforts in this area.

L. Executive Director’s Report

Jeannine McCoy

Executive Director Jeannine McCoy reported on the following:

- Possible Upcoming Judicial Nominations – anticipating two trial court nominations in the next month or two.
- You Should Know Activity Update – please take the time to read. Jeannine also wants the Board to know that the Bar staff responded quickly and professionally to a medical emergency during a seminar in the lower level at the end of last month.

- Budget Development and Strategic Planning – the Finance Committee has done it's work and the 2014-15 budget will be coming to the Board in May. There is talk that a PCC fee increase may be coming, but no sense yet as to how much.

Jeannine has received a draft of the Strategic Plan that will go to the Planning Group for review. The Plan will then go to the Board. Based on recommendations in the strategic plan, mid-course adjustments to the budget may be necessary.

- 2014 Annual Meeting – another really inclusive Annual Meeting is schedule again in Portsmouth on June 20 & 21. This year's focus is on working for tomorrow's clients and will include information on how to create a modest means practice as well as member service presentations and demonstrations. Judicial recognition has been moved to the evening banquet to accommodate the judges who are meeting in Portsmouth earlier that day. Please note the earlier start times of the reception (4:30 pm) and the banquet (5:30 pm).

Annual Meeting discussion for another time should include going to an out-of-state location and whether it's time to do another resort based meeting.

M. State Update

Immediate Past President Larry Vogelmann reported on a Leadership Academy program at the Law School focused on building networking skills.

Sullivan County Governor Lanea Witkus noted her concerns about the Courts' e-filing plans. Executive Director Jeannine McCoy suggested this should be discussed at the next Supreme Court Bench/Bar Meeting.

President Jaye Rancourt reported that she attended the death penalty vote today, which was a tie vote (12-12); ultimately tabled.

ADJOURNMENT

The April 17, 2014 Board of Governors Meeting adjourned at 5:15 p.m.

Respectfully submitted,

Denice DeStefano, for
Peter E. Hutchins, Secretary

NEW HAMPSHIRE BAR ASSOCIATION
Membership Status Changes
Presented to the Board of Governors April 17, 2014

Active to **INACTIVE**

Bromberg, Jodi, Framingham, MA (effective April 1, 2014)
Casian, Patrice D., Lafayette, IN (effective March 21, 2014)
Chafe, Eric J., Hudson, NH (effective March 31, 2014)
Chorlian, Jonathan A., Concord, NH (effective April 1, 2014)
Clifford, Michael P., Westborough, MA (effective March 27, 2014)
Dolan, John F., Falmouth, MA (effective March 31, 2014)
Hamel, Dawn M., New Salem, MA (effective April 1, 2014)
Hoover, Emilee A., Merrimack, NH (effective April 1, 2014)
Kobuszewski, William J., Beverly, MA (effective April 4, 2014)
Lowry, Evan M., Somerville, MA (effective March 20, 2014) New Admit November 2013
Morris, Christopher P., Estero, FL (effective March 11, 2014)
Mullins, Rosemarie, Newton Heights, MA (effective March 27, 2014)
Murphy, Daniel P., Lowell, MA (effective March 31, 2014)
Pantesco, Joshua M., Philadelphia, PA (effective March 27, 2014)
Shadallah, Laura B., Medford, MA (effective March 3, 2014) New Admit in November

Active to **INACTIVE RETIRED**

Ansell, Ruth T., Bedford, NH (effective April 1, 2014) Deceased as of April 8, 2014
Connell, Linda C., Manchester, NH (effective March 1, 2014)
Earnshaw, Kathleen Mary, Fort Myers, FL (effective March 28, 2014)
Henson, Erin M., Coppell, TX (effective April 1, 2014)
Hoffman, Mark P., Newport, NH (effective March 20, 2014)
Ickes, Cynthia A., Bedford, NH (effective March 17, 2014)
Maloney, Denis J., Portland, OR (effective April 1, 2014)
Roberge, Carolyn M., Clearwater, FL (effective March 18, 2014)

Inactive to **ACTIVE**

Bateman, Margaret M., Exeter, NH (effective March 6, 2014) New Admit December 3, 2013
Bradley, Kathryn M., Bow, NH (effective March 3, 2014)
Ciappa, Jonathan C., Shelburne, VT (effective March 10, 2014)
Dingley, James M., Manchester, NH (effective March 5, 2014)

Inactive Retired to **ACTIVE**

Rotman, Shari L., Bow, NH (effective March 25, 2014)

Full Time Judicial to **ACTIVE**

Cappiello, Daniel M., Barrington, NH (effective April 1, 2014)
Lewis, John M., Durham, NH (effective March 24, 2014)

Inactive to **INACTIVE RETIRED**

Brock, Matthew T., Kittery Point, ME (effective April 11, 2014)
Shapiro, Lawrence A., Falls church, VA (effective March 1, 2014)

Inactive to **RESIGNED**

Garrison, Suzanne L., Exeter, NH (effective March 24, 2014)
Paul, Daniel J., Winston-Salem, NC (effective April 10, 2014)
Sampson, Mark J., North Andover, MA (effective April 10, 2014)

Inactive Retired to **RESIGNED**

Cecilia, Carmelle, Bedford, NH (effective April 7, 2014)

Military Inactive to **INACTIVE**

Dargon, Drake D., Westfield, MA (effective April 1, 2014)

Suspended to **ACTIVE**

Chorlian, Jonathan A., Concord, NH (effective March 13, 2014)

Suspended to **INACTIVE**

Pierce, David M., Etna, NH (effective March 25, 2014)

Suspended to **INACTIVE RETIRED**

Mills, Richard E., Meredith, NH (effective March 31, 2014)

Active to **HONORARY ACTIVE** (effective March 7, 2014)

Backus, Robert A., Manchester, NH
Batchelder, Harry C., New York, NY
Cotton, Robert J., Hopkinton, MA
Dastin, Robert E., Manchester, NH
Ekstrom, Harold E., Concord, NH
Falby, J. Roderick, Peterborough, NH
Gross, Martin L., Concord, NH
Hartley, William A., Portsmouth, NH
Leslie, Robert, Salem, NH
Whittum, Donald F., Rochester, NH

Inactive to **HONORARY INACTIVE** (effective March 7, 2014)

Amirian, Ashod N., Haverhill, MA
Coury, Bradley R., McLean, VA
Steinfeld, Joseph D., Boston, MA

Inactive Retired to **HONORARY INACTIVE** (effective March 7, 2014)

Bernhard, Alexander A., Andover, NH
Danenbarger, William W., Manchester, NH
Fryer, Robert H., Williamsburg, VA

Inactive Retired to **HONORARY INACTIVE** (effective March 7, 2014)

Marsh, Norman J., Ipswich, MA

Orcutt, William S., Manchester, NH

Parrott, Charles R., Concord, MA

Solms, Charles, The Villages, FL

Taube, Gerald, Durham, NH