

NEW HAMPSHIRE BAR ASSOCIATION
BOARD OF GOVERNORS MEETING
Thursday, October 17, 2013
Bar Center – Concord, NH
2:30 P.M.

MINUTES

Present for all or part of the meeting were:

Jaye Rancourt	Ora Schwartzberg
Lisa Wellman-Ally	Scott H. Harris
Mary E. Tenn	James A. Shepard
Peter E. Hutchins	Lanea A. Witkus
Robert R. Howard, III	Richard C. Guerriero
Lawrence A. Vogelman	Thomas S. Quarles
Quentin J. Blaine	Jeannine L. McCoy
Jonathan M. Eck (via phone)	Denice M. DeStefano
Christopher T. Regan	Virginia A. Martin
John A. Curran	Paula D. Lewis
Charles S. Temple	Joanne M. Hinnendael
Judith L. Homan	Daniel R. Wise
Dennis L. Morgan	Valenda Morrissette
Sandra L. Cabrera (via video)	Deanna L. Bennett

A meeting notice reminder, preliminary agenda and materials were emailed October 15th. Additional materials were distributed October 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


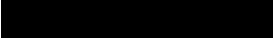
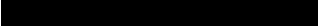
The Regular Session of the October 17, 2013 Board of Governors meeting was called to order at 2:35 p.m. by President Jaye Rancourt.

B. Membership Status Changes for October 2013 Denice DeStefano

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

C. Report on Dues Waiver Requests Denice DeStefano

The Officers & Board approved the following requests for waivers of the July 1 deadline date in order to change status:

 – waiver of the deadline date to change to Inactive Retired
 – waiver of the deadline date to change to Inactive Retired
 – waiver of the deadline date in order to Resign

The Officers & Board approved the following request for dues waivers:

[REDACTED] - a 100% waiver of 2013-2014 Inactive dues & Court fees

The Officers & Board denied the following requests for dues waivers:

[REDACTED] - a 100% waiver of 2013-2014 Inactive dues & Court
[REDACTED] - a 100% waiver of 2013-2014 Active dues & Court
[REDACTED] - a 100% waiver of 2013-2014 Active dues & Court

D. Minutes of September 19, 2013 Board Meeting Peter Hutchins

Minutes of the September 19, 2013 Board of Governors meeting **were approved as presented.**

APPOINTMENTS

F. Appointment of Marilyn McNamara to New England Bar Association Board Jaye Rancourt
For a 3-year term (Fall 2013-2016)

ACTION

On motion to approve the nomination of Marilyn McNamara to the New England Bar Association Board of Directors for a 3-year term running Fall 2013 – 2016.

APPROVED.

PRESENTATION / DISCUSSION / ACTION ITEMS

G. Report of the Independent Auditor for FY 2012-13 Rob Howard
Paula Lewis

Treasurer Rob Howard noted that the presentation done by the independent auditing firm to the Board Committee on Administration of the Bar (which acts as the Audit committee) confirmed that the monthly financial statements the Board receives are a true reflection of what is going on financially within the organization. The Board Committee met in Executive Session with the auditors and were pleased to hear that there are no issues and that the auditors reported that they are impressed with the accuracy and sophistication of our financial management and reporting given the complexities of the organization.

Director of Finance & IT Paula Lewis reported that the organization received a “good bill of health” from the auditors.

ACTION

On motion to approve the 2012-2013 Audited Financials. PASSED
(unanimously).

I. Recommended Policy Revisions from BOG Committee on Admin. Jaye Rancourt

President Jaye Rancourt, filling in for BOG Committee on Administration of the Bar Co-chair Eric Cook, explained the work of the Board Committee over several meetings to review and revise the following Association policies.

- NHBA CLE Cancellation Policy - **approved as presented** and attached as a permanent part of these minutes.
- NHBA Model Section Bylaws - **approved as presented** and attached as a permanent part of these minutes.
- NHBA Mailing Label Policy / Rates - **approved as presented** and attached as a permanent part of these minutes.
- NHBA Whistleblower Policy - **approved as presented** and attached as a permanent part of these minutes.
- NHBA Investment Policy - **approved as presented** and attached as a permanent part of these minutes.

H. Public Protection Fund Annual Report Tom Quarles
Paula Lewis

NHBA Public Protection Fund Committee Chair Tom Quarles reviewed the Annual Report provided to the Board. The fund currently has a healthy balance of over two million dollars.

Director of Finance & IT, and Public Protection Fund Staff Liaison, Paula Lewis reported there were six (6) claims in the past year and currently one (1) claim this year.

J. Out-of-State Board Seat Discussion Jaye Rancourt

Immediate Past President Larry Vogelmann explained his rationale for proposing an out-of-state seat on the Board of Governors.

A motion was made and seconded to approve the amendment. After discussion, the following amendment was made by Treasurer Rob Howard, to add a sentence to the new Section 4 of Article VI in the Bylaws, "If no valid petition is submitted, the position may remain vacant or be filled by the Board, at their option". Further discussion was held.

ACTION

On motion to approve the language, as amended, to the new Section 4 of Article VI in the Bylaws. PASSED (13-yes; 4-no)

(NEW Section 4. Out-of-State Governor. Nominations for Out-of-State Governor shall be made by Petition signed by any twenty-five (25) or more active members of the Association whose primary offices are located outside of New Hampshire, and who certify as such. Petitions shall be filed with the Association no later than March 1. If no valid petition is submitted, the position may remain vacant or be filled by the Board of Governors, at their option.)

The question of **who votes** for Out-of-State Board seat (all voting members, as with other at-Large and the Public Sector seat, or out-of-state voting members only) must be determined.

Discussion was held on who should be allowed to vote for this Board seat.

ACTION

On motion that all Active members of the Association will be eligible to vote for the Out-of-State seat on the Board of Governors. PASSED (14-yea; 3-no)

K. Update of Veterans Services Initiatives Larry Vogelman

Immediate Past President Larry Vogelman provided an update for the Board on the initiatives underway for Veterans services, including: a CLE on Veterans issues for members and judges; foreclosure, social security and child support clinics. Civil legal needs for veterans are high; 60% of the chronically homeless are veterans of Afghanistan and Iraq.

Larry would like to see a CASA-type program established that would serve veterans in NH. In recent court meetings, court leaders have indicated willingness to consider special scheduling of these veterans matters so an advocate familiar with “diversionary” services available might be present. Veterans Count has offered funding to hire up to three (3) attorneys and space necessary to provide representation for veterans. NHLA is interested in taking this initiative on and implementing jointly with Pro Bono.

L. New England Bar Association Annual Meeting -10/24-26/13 Jeannine McCoy

Executive Director Jeannine McCoy reported on the New England Bar Association Annual Meeting next week in Portsmouth. The NHBA is concluding its 6-year turn as “host” and producing the Annual Meeting, which includes discussions regarding the future of legal education and what it means for bar associations, leadership development for bar associations, and advocacy for adequate court funding.

M. 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

Governor-at-Large Jonathan Eck noted the probate court judge shortage is an issue.

Belknap County Governor Judy Homan reported there was a PAD Rules CLE held Sept. 11th and a service for Judge Perkins on October 1st that was very well attended. Belknap County Bar President Robert Bonsignore has been busy coordinating a food drive and introducing a program on Ending Distracted Driving in the County.

Public Sector Governor Chuck Temple reported on Pro Bono week at the law school. Tuesday night Steve Scudder will be recognized as this year’s recipient of the Bruce Friedman Pro Bono Award.

Vice President Mary Tenn, who as VP sits on the PCC, suggested that the Bar needs to do more CLE's on financial management to help keep members out of trouble with the Professional Conduct Committee.

Hillsborough North Governor Scott Harris reported that the Manchester Bar has a meeting next Tuesday, October 22nd.

Governor-at-Large John Curran reported a good turnout at the Red Mass and dinner recently held.

Sullivan County Governor Lanea Witkus reported that Judge Feeney, who was quite seriously injured in a biking accident, is back at work.

Grafton County Governor Ora Schwartzberg reported that NHBA Sections Coordinator Patty Frechette is doing outreach to members about the Section membership. Grafton County hosted a recent Lawline and their Annual Meeting in November is in Hanover, with several judges planning to attend.

Strafford County Governor Chris Regan noted that Superior Court in Strafford County is suffering from reduced resources. Rockingham County held a meeting this past Tuesday that was well attended.

Secretary Peter Hutchins reported the Hillsborough North Clerk's Office is very responsive re: upcoming jury trials and keeping counsel informed about the status of a case.

N. President's Report Jaye Rancourt

- Court Continuance/Felony Case Flow Message from Judge Nadeau
A outline of the Superior Court Criminal Docket Continuance Guidelines, provided by Superior Court Chief Judge Tina Nadeau, was distributed to the Board. Please review and provide any comments to Jaye who will forward them to Judge Nadeau.
- 10/7/13 UNH School of Law Presentation re "Law Student Advantage" Program
Jaye spoke to 20+ law students on October 7 about the Bar Association and in particular about the "Law Student Advantage" program offered to students. The law school is paying 50% of the cost for students to join.
- Upcoming Bench/Bar Meetings – Supreme Court 11/5; Superior 11/8
Officers will be meeting with the Supreme and Superior Courts in November. More at the November Board meeting.
- Dues Waivers – Process for Approval
Jaye reported that there were 3-4 members that appealed their denied due waiver requests following the September Board meeting; we have no process for appealing dues waiver denials.

Jaye would like 3 Board members to volunteer as a Subcommittee to review the current process and suggest changes, including form revisions to request more financial

information initially. This group of 3 will then meet with the Assistant Executive Director monthly to review the waiver requests and member files, make a determination on each request and provide their recommendation to the full Board for action.

Hillsborough North Governor Scott Harris volunteered to serve on the Subcommittee with the understanding that his goal is to provide guidance to the staff for 3 months with a goal of establishing criteria for the staff to approve/deny requests and to only bring forth to the Board those requests that are outside the established criteria. Belknap County Governor Judy Homan and Governor-at-Large Quentin Blaine also volunteered to serve with Scott.

An initial meeting will be set up to get this group together, along with Jaye to begin the review and revision process.

- Teen DV Project

Jaye reported that she has 10 volunteers to serve on a Teen Domestic Violence Project Committee. The goal is to create a program for presenting to middle and high school classrooms as part of “A Lawyer and Judge In Every School” (ALIES) Day in May 2014. The first meeting of this committee is October 30th.

- Promoting Pro Bono

Jaye noted that an Access to Justice Commission subcommittee has discussed proposing a mandatory pro bono requirement.

Jaye outlined her concept to encourage voluntary reporting and recognition of lawyer public service activities, working title: “6.1 Challenge – Lawyers Who Care”. Under this program, law firms would commit to pro bono-type public service in an amount equal to 30 hours multiplied by the number of lawyers in the firm. A recognition “gala” would be held to celebrate those firms that took and met the challenge. The idea is that this would increase participation in pro bono opportunities and would put all firms, solo/small and large firms, on equal footing regarding recognition of their commitment and contributions. Jaye intends to bring this idea to the Supreme Court at the November 5th meeting. If the response is favorable, then work will begin on formalizing guidelines.

- Jaye polled the Board on the meeting start time for the remainder of the fiscal year; start at 2:30 pm or 3:00 pm. The consensus was to go back to 3:00 pm start time.

O. Executive Director’s Report

Jeannine McCoy

Strategic Planning Update – Full Day Board Session w/ Strategic Initiative Group **12/6/13**

Interviews and focus group meetings are happening around the state. All the gathered information will be provided to the consultant for analysis. We have a full-day Strategic Planning work session scheduled for the Board on December 6 in Concord at the Common Man Restaurant.

- Cooperation with the Courts –

- Getting Brown Bag Lunch Reports from Counties

County Governors are being asked to provide written summaries of the discussion and feedback from members attending Court Brown Bag lunch meetings to the

Chair of the Committee on Cooperation with the Courts, Jennifer Parent, or the Committee Staff Liaison Denice DeStefano.

- Red Jacket Conference Discussion – the Committee is exploring hosting a possible bench/bar conference in the next fiscal year.
- Casemaker/Fastcase Evaluation Process – comparisons are ongoing, please participate to help determine the best option for our membership.
- You Should Know Activity Update – please review to find out all that has gone on in the last month. The display board also “shows off” some of the work created in-house by staff for the various programs, events, services NHBA offers.

ADJOURNMENT

The October 17, 2013 Board of Governors Meeting adjourned at 5:00 p.m.

Respectfully submitted,

Denice DeStefano, for
Peter E. Hutchins, Secretary

NEW HAMPSHIRE BAR ASSOCIATION
Membership Status Changes
Presented to the Board of Governors October 17, 2013

Active to **INACTIVE**

Blanchard, Thomas G., Baltimore, MD (effective September 10, 2013)
Dewhurst, William, Nottingham, NH (effective August 20, 2013)
Rodger Yim, Jessica, Arlington, MA (effective August 20, 2013)
Sherifi, Alba, Jamaica Plain, MA (effective August 20, 2013)
Skoropowski, Brett N., Londonderry, NH (effective August 20, 2013)
Wolf, Erin, El Prado, NM (effective August 20, 2013)

Paid Active to **INACTIVE**

Lenzi, Matthew , Boston, MA (effective October 1, 2013)
McNuge, Amanda M., Medford, NH (effective September 26, 2013)
Murphy, Jill H., Newburyport, MA (effective September 23, 2013)
Sun, Lei R., Tamuning, Guam (effective September 29, 2013)

Active to **INACTIVE RETIRED**

Dunn, Mason J., Peabody, MA (effective October 1, 2013)

Active to **RESIGNED**

Stern, Andrew, Westford, MA (effective July 1, 2013)

Inactive Retired to **Inactive**

Reinbold, Jeana K., Springfield, IL (effective September 27, 2013)

Paid Inactive to **INACTIVE RETIRED**

Bliss, David C., Concord, NH (effective September 20, 2013)

Inactive to **RESIGNED**

Donovan, Constance A., Chevy Chase, MD (effective July 1, 2013)

Paid Inactive to **RESIGNED**

Cummings, Torey B., Washington, DC (effective August 23, 2013)

Honorary Active to **HONORARY INACTIVE**

Anderson, G. Wells, Concord, NH (effective September 16, 2013)

Honorary Inactive to **DECEASED**

Rawlings, Raymond W., Portland, ME (effective September 15, 2013)

Active to **Suspended**

Buswell, Lawrence A., Plaistow, NH (effective September 23, 2013)