

NEW HAMPSHIRE BAR ASSOCIATION
BOARD OF GOVERNORS MEETING
Thursday, April 18, 2013
Bar Center – Concord
3:00 P.M.

MINUTES

Present for all or part of the meeting were:

Jaye Rancourt	Scott H. Harris
Lisa Wellman-Ally	Derek D. Lick
Peter E. Hutchins (by phone)	Philip L. Pettis (by phone)
Jennifer L. Parent	Lanea A. Witkus
Eric D. Cook	Russell F. Hilliard
Quentin J. Blaine	R. Blaine (Randy) Hawkes
Jonathan M. Eck	James A. Shepard
Christopher T. Regan	Jeannine L. McCoy
Jacki A. Smith	Denice M. DeStefano
Judith L. Homan	Paula D. Lewis
Dennis L. Morgan	Virginia A. Martin
Leon I. Goodwin, III	Joanne M. Hinnendael
Scott H. Harris	Valenda Morrissette
Jason R. Crance	Connie Athanasiou

A preliminary agenda and materials were emailed April 12th. Additional materials were distributed April 18th. 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 18, 2013 Board of Governors meeting was called to order at 3:05 p.m. by President-elect Jaye Rancourt. .

B. Membership Status Changes for April 2013 Denice DeStefano

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

C. Report on Dues Waiver as Approved by the Officers Denice DeStefano

The Board **approved the following waiver request:**

[REDACTED] – waiver of deadline date to change status to Inactive and pay Inactive dues and Court fees.

D. Minutes of March 7, 2013 Board Meetings Jeannine McCoy

Minutes of the March 7, 2013 Board of Governors meeting **were approved as presented.**

E. Financial Statements through January 2013 Paula Lewis

The **Board received** financial statements through January 2013, as approved by the BOG Committee on Administration.

DISCUSSION / ACTION ITEMS

F. Public Defender Contract Renewal Randy Hawkes

Public Defender Executive Director Randy Hawkes explained to the Board that RSA 604-B:4 calls for NHBA approval of any Public Defender Program with which the state intends to contract. Attorney Hawkes is present today asking the Board to approve a Resolution giving the Board's formal approval of the NH Public Defender as an organization to operate a Public Defender Program and provide Public Defender representation for the State of New Hampshire for the period of July 1, 2013 through June 30, 2015.

ACTION

On Motion to approve the Resolution of the NH Public Defender as an organization to operate a Public Defender Program and provide Public Defender representation for the State of New Hampshire for the period of July 1, 2013 through June 30, 2015.
PASSED (J. Smith abstained)

G. Legislation Report Jeannine McCoy

- Resolution Re: Marilla Ricker Portrait – Executive Director Jeannine McCoy reported on House Joint Resolution 1, a bill that directs the joint legislative historical committee to acquire and display a portrait of suffragist Marilla Marks Ricker. Marilla Ricker was from Dover, NH and won the right of women to apply for admission to the bar in NH. She, at the time, was an attorney admitted in DC.

It appears that the resolution may be inaccurate in stating that Marilla Ricker became the first woman admitted to the NH Bar. NHBA Lobbyist John MacIntosh will be asked to provide that information to the legislature so that the resolution can be revised, if needed.

ACTION

On Motion to support HJR1 and provide information on possible inaccuracy. PASSED.

H. Board Member Reports

- Governor-at-Large Jonathan Eck reported that the Manchester Bar dinner was a nice event, with over 100 in attendance, including four of the Supreme Court Justices. Attorney John Safford was recognized.

Jonathan also reported that the New Lawyers Committee is very excited about the Art Show and Networking event they are coordinating for the Annual Meeting in June.

- Merrimack County Governor Derek Lick noted that Merrimack County Superior Court still has long delays in reaching civil cases.
- Belknap County Governor Judy Homan reported on the Belknap County Bar meeting held in March. There was a good turnout and elections held that evening have resulted in new, energetic and enthusiastic leadership. Bar staff Denice DeStefano and Joanne Hinnendael also attended and spoke briefly about assistance the NHBA can offer to county bars.
- Governor-at-Large Jacki Smith mentioned a policy on continuances in Superior Court in Hillsborough South. Jacki also reported that the Nashua Bar held a meeting last week where an award was presented to Nashua attorney Jack White.
- Vice President Lisa Wellman-Ally reported that Sullivan County held a meeting in March with 20 members in attendance, even though it was the night of the big snowstorm. Sullivan County elected new officers as well.

Lisa reported on the new expedited security screening process in Cheshire County and showed members her Cheshire County “pass”.

Assistant Executive Director Denice DeStefano explained how NHBA is assisting the Cheshire County Sheriff’s Dept. to help ensure that the process is a successful one.

Lisa also reported that Sullivan County has an expedited security screening process in place for about two years.

- Association ABA Delegate Russ Hilliard reported on the concerns he’s hearing about the PAD Rules. It appears there are still some kinks that need to be addressed.

Russ noted that he just got back from ABA Day in DC, where he spent time, along with Jon Ross and John MacIntosh, with the NH Delegation discussing ABA issues on increased funding for the Legal Services Corp.; due process issues in immigration cases; affects of the sequester on federal courts.

- Rockingham County Governor Phil Pettis reported that the Rockingham County Bar meeting is May 16 and will be a lobster bake. Elections will be held at this event.
- Secretary Peter Hutchins reported that he also is hearing some concerns about the PAD Rules.
- President-elect Jaye Rancourt welcomed newly elected Merrimack County Governor James Shepard, who will take office at the Annual Meeting in June. James was thanked for coming to the meeting.

Jaye reported that she and President Larry Vogelmann will be meeting with the New Lawyers Committee April 19 to brainstorm ways and ideas to get newer lawyers involved in the association.

- Merrimack County Governor Derek Lick reported that the new Insurance Law Section recently held a kickoff event that was well attended.

I. Rules Committee Report

Jennifer Parent

NHBA representative on the Court Rules Committee Jennifer Parent reviewed the status of some of the items still pending before the Committee, as discussed at the March 15, 2013 Committee meeting, including:

- There will be no change to the period of limitations in Judicial Conduct Committee complaints;
- Effective October 1, 2013 all Superior Court Pilot Rules will be permanent, statewide, except the PAD Pilot Rules;
- Trial Court Rules re: Personal Jurisdiction are awaiting report from the subcommittee;
- Jeanne Herrick (NHBA Cmte. on Coop. w/the Courts representative on the Rules Committee) and Jennifer Parent are working on a subcommittee addressing attorney discipline rule recommendations from the ABA.

There is a Public Hearing on June 7. You may comment on any of the changes being considered either in person at the Hearing or in writing to the Advisory Committee.

Jennifer also noted it appears that “temporary rules” are coming from the Court with more frequency, instead of going through the rules committee process.

J. BOG Committee on Admin. of the Bar Update &
Trends in CLE

Eric Cook
Jo Hinnendael

Eric Cook, Co-chair of the Board Committee on Administration of the Bar updated the Board on what the Committee has been working on for the last few months:

- Proposals to revise various sections of the Constitution and Bylaws, that will be coming to the BOG in another month or two;

- The BOG Cmte. has been reviewing all of the Governance Policies (contained in the BOG Orientation manuals) and proposed revisions to some of those policies will also be coming to the BOG at a future meeting.

Eric thanked the members of the BOG Committee for their hard work in reviewing these documents and offering revisions where needed.

Eric further explained that the BOG Committee is also in the process of reviewing advertising policies, for Bar publications (print and electronic) as they relate to other CLE program providers. As part of that discussion, the issue of trends in CLE programming (past, present and future) raised awareness that relying on increased CLE programming may not be a viable option for additional revenue going forward. The BOG Committee believes the Finance Committee and the Board should be aware of these trends as they work on the budget process.

CLE Director Joanne Hinnendael distributed a chart that shows since 2003, the Bar's live program revenue is decreasing, while on-line revenue is increasing, suggesting that those two lines will meet before too long.

Eric Cook noted that trends in CLE are changing and we need to be prepared to change our model as well in order to stay competitive.

President-elect Jaye Rancourt asked Board members with thoughts or comments on NHBA advertising policies to please let the BOG Committee know.

Executive Director Jeannine McCoy noted that this advertising issue is a real challenge for us and thanked the BOG Committee for examining the issue. Jo Hinnendael is always bringing good information and ideas back from her national meetings, meaning NH stays on top of national trends and is usually leading the way and ahead of the curve.

K. Directors' and Other Reports

Governor-at-Large Chris Regan reported on **Civics in Action II**, which you will also find in the "You Should Know" update this month. Jennifer Parent presented to the Kiwanis Club of Concord on March 4th; the program was well received from those in attendance, including Lt. Governor of the New England Region, Debbie Landwehr. They are on track to complete presentations to all 18 of the NH Kiwanis Clubs by mid-September.

Immediate Past President Jennifer Parent reported that the **NH Bar Foundation Annual Dinner** invitations have been sent. The Dinner is May 14 and this year has a baseball theme. It will be a fun event with presentations of the Kirby and Kenison Awards along with special recognition this year to Nina Gardner and recognition of IOLTA banks. Baseball theme food and fun for all so please plan to attend.

Sponsorships are still available and range in price from \$250. to \$2,500 so please consider sponsoring this great event to support the Bar Foundation. There are also some “wicked good” raffle items – Boston Red Sox tickets!

Jeannine McCoy provided **election results** and noted that we had a low participation rate this year so we may send more frequent email reminders next year, as folks tend to vote the same day they get the reminder email, or not at all. This is the first time NHBA has three women in line for leadership.

Board members were directed to the **You Should Know activity update** in their packet and encouraged to take a few minutes to read some of what is going on in the organization.

The **new database software** is up and running and working out well for our needs.

Director of Finance and IT Paula Lewis reported that this June a packet of Court forms (that require an original signature) will still be mailed, but the **dues invoices will be emailed**. We’re looking to cut down on paper and postage while increasing efficiencies. Next year this system will provide convenience for members who will be able to pay online with a credit card.

Assistant Executive Director Denice DeStefano provided highlights and an overview of the **upcoming Annual Meeting**. Russ Hilliard, who is chairing the Friday morning CLE on “Gray Matters”, reported that it is developing into a great program that should appeal to all bar members, regardless of age. We’re anticipating good attendance by the Court.

President-elect and Finance Committee Chair Jaye Rancourt reported that the Finance Committee is working with a draft budget with a **final budget proposal** coming to the Board in May. Increasing dues is not something that is in the budget plan at this time.

ADJOURNMENT

The April 18, 2013 Board of Governors Meeting adjourned at 4:10 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 18, 2013

Active to **INACTIVE**

Hamel, Jennifer S., Dover, NH (effective March 21, 2013)
Merrill, Courtney J., Charlestown, MA (effective April 4, 2013)
Millett, Tanya P., Middleton, MA (effective April 1, 2013)
Schermerhorn, Jill M., Needham, MA (effective March 29, 2013)
Sheffer, Mary B., Concord, NH (effective March 29, 2013)
Sylvester, Ramey D., Niles, MI (effective March 13, 2013)
Trethaway, Angela C., Oswego, IL (effective April 4, 2013)

Active to **INACTIVE RETIRED**

Boucher, Erin M., Shrewsbury, MA (effective March 26, 2013)
Dasbach, Joseph F., Lyme, NH (effective March 15, 2013)
Harris, Christie L., Goffstown, NH (effective April 10, 2013)
Herrod, David J., Exeter, NH (effective March 7, 2013)
Ruddock, Steven B., Amherst, NH (effective April 1, 2013)
Serell, Andrew W., Warner, NH (March 29, 2013)

Active to **RESIGNED**

Gordon, Robert B., Wayland, MA (effective March 29, 2013)

Active to **FULL TIME JUDICIAL**

Harwood, Bruce A., Manchester, NH (effective March 21, 2013)

Active to **MILITARY ACTIVE**

Fuentes, John V., Tinker Air Force Base, OK (effective April 4, 2013)

Inactive to **ACTIVE**

Daniszewski, Robert M., Framingham, MA (effective March 28, 2013)
Heaton, Michelle C., Campton, NH (effective March 13, 2013)
Kane, Jason S., Cranston, RI (effective March 4, 2013)

Inactive Retired to **ACTIVE**

Berube, Catherine A., Dover, NH (effective March 12, 2013)

Inactive to **INACTIVE RETIRED**

Lemieux, B. Jennifer, Merrimack, NH (effective April 1, 2013)
McCullough, Larry Andrew, Aberdeen, MD (effective March 15, 2013)
Sanders, Branch S., Hill, NH (effective March 26, 2013)
Von Kittlitz, Nancy M., West Newbury, MA (effective March 11, 2013)

Inactive to **MILITARY INACTIVE**

Tebbetts, Christine A., Gilford, NH (effective March 1, 2013)

Suspended to **ACTIVE**

Shanley, Patrick, Salem, NH (effective March 29, 2013)
Tamzarian, Vaughn, Orlando, FL (effective March 11, 2013)

Suspended to **INACTIVE Retired**

Gould, Michael E., Estero, FL (effective March 1, 2013)

Active to **HONORARY ACTIVE** (effective March 15, 2013)

Brown, Peter W., Concord, NH
Cloutier, Raymond A., Goffstown, NH
Cox, Paul R., Dover, NH
Cunningham, Arthur B., Hopkinton, NH
Findell, George Jr., Rochester, NH
Geiger, Maurice D., Conway, NH
Leahy, Charles F., Portsmouth, NH
Manias, George L., Concord, NH
McManus, Anthony A., Dover, NH
Smith, Peter S., Durham, NH

Inactive to **HONORARY INACTIVE** (effective March 15, 2013)

Brock, David A., Hopkinton, NH

Inactive Retired to **HONORARY INACTIVE** (effective March 15, 2013)

Kenison, Robert S., Arlington, VA
Lachiatto, Alexander M., Kennebunkport, ME
McDermott, Edward J., Hampton, NH
McMahon, Lewis A., Walpole, NH
Perkins, Harold W., Contoocook, NH
Provost, Jean J., Rockville, MD
Roby, David M., Lyme Center, NH
Scribner, Alan, Contoocook, NH
Stone, Ira M., Seabrook, NH
Swope, John F., Concord, NH