

NEW HAMPSHIRE BAR ASSOCIATION
BOARD OF GOVERNORS MEETING
Thursday, April 21, 2011
Bar Center – Concord, NH
3:00 P.M.

MINUTES

Present for all or part of the meeting were:

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| Marilyn B. McNamara | Kenneth J. Barnes |
| Jennifer L. Parent | Christopher T. Regan |
| Lawrence A. Vogelmann | Tanner Z. Nolin |
| Peter E. Hutchins | John D. MacIntosh |
| Robert R. Howard, III | Jon N. Strasburger |
| Jaye Rancourt | Kelleigh D. Murphy |
| Eric D. Cook | Jeanne P. Herrick |
| Jacki A. Smith | Derek D. Lick |
| Catherine Broderick | Beth Deragon |
| Christopher T. Meier | Jeannine L. McCoy |
| Sheila J. Burnham | Denice M. DeStefano |
| Quentin J. Blaine | Paula Ludlam |
| Robert M. Shepard | Daniel R. Wise |
| | Joanne M. Hinnendael |

A meeting notice reminder, preliminary agenda and materials were emailed April 15th. The final agenda and additional information was emailed April 20th and distributed at the meeting. 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 Marilyn McNamara

The Regular Session of the April 21, 2011 Board of Governors meeting was called to order at 3:10 p.m. by Bar Association President Marilyn B. McNamara.

B. Membership Status Changes for April 2011 Denice DeStefano

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

C. Minutes of March 17th and April 8th Board Meetings Peter Hutchins

Minutes of the March 1 and April 8, 2011 Board of Governors meetings **were approved** as presented.

- D. Financial Statements for February 28th Rob Howard

The **Board received** financial statements through February 28, 2011.

- E. Ratify Public Defender Contract Renewal Marilyn McNamara

The **Board ratified** the Public Defender Contract Renewal, as approved at the 4/8/11 Special Board of Governors Meeting.

PRESENTATION / DISCUSSION / ACTION ITEMS

- F. Gender Equality Committee Proposal Beth Deragon

Beth Deragon, chair of the Gender Equality Committee, made an initial presentation of plans the committee is exploring to create a voluntary certification process for legal employers of non-discriminatory, family-friendly employment policies. Beth noted there were a number of findings from the last Gender Equality Survey that indicate that, while much progress has been made toward the integration of women into the profession, a number of barriers still exist. The certification process could encourage law firms to adopt more progressive policies with the incentive of being recognized for their efforts. Board members were asked to consider the idea and be prepared to discuss and take action on this proposal at the May 19th meeting.

- G. Committee on Cooperation with the Courts
Report on Enhancing Committee Outreach and Communication Derek Lick
Jeanne Herrick

Jeanne Herrick, Co-chair of the Committee on Cooperation with the Courts, which has a membership of judges, administrators and court clerks as well as lawyers, reported the Committee is envisioning more work in the coming months and years as the Judicial Branch forges ahead with its Circuit Court reorganization, the implementation of the “eCourt” and videoconferencing. Jeanne Herrick and Vice Chair Derek Lick discussed with the Board the outcome of the committee’s deliberations over the past few months; looking at what its mission should be and reaffirming that the mission remains the role of the committee as a conduit for two-way communication between practicing lawyers and the courts.

The Committee looked at how to be more effective at fulfilling its mission, and decided to form an executive committee that will meet two weeks before the full committee meeting to flesh out the agenda and gather necessary additional information or reach out to other concerned entities. On a number of occasions, court officials have brought information about upcoming changes to the committee for discussion and feedback and the existing structure did not allow for timely consideration or action. The new process should enable the executive committee to make the meetings more effective.

H. New Lawyers Committee – Battle of the Bands Proposal Kelleigh Murphy
Jon Strasburger

Kelleigh Murphy and Jon Strasburger, Co-chairs of the New Lawyers Committee provided information about plans to conduct another “Battle of the Bands” social event on Sept. 18, similar to the first event held last fall at a Manchester bar. The event would feature bands that include at least one Bar member. While there would be no admission charged, there would be raffles aimed at raising money for a Bar-related cause, such as Pro Bono.

Following some questions and answers, Board members were asked to consider the idea and be prepared to discuss and take action on this proposal at the May 19th meeting.

I. PCC Updates Larry Vogelman

Vice President Larry Vogelman reported that James DeHart is retiring from the PCC, that Jennifer Sargent has resigned and Julie Introcaso will be the new disciplinary counsel.

Larry also reported that the Court is centralizing the Bar admissions process and that Sherry Hieber has been hired in this capacity.

Executive Director Jeannine McCoy reported that she has been talking with the Court and PCC for years about how they can utilize the Association’s database, and she will continue to offer this assistance as the Court looks to increase efficiencies.

J. Legislation Committee Report John MacIntosh

The **Board ratified** positions, as approved at the 4/8/11 Special Board of Governors Meeting, on bills as forwarded from the Legislation Committee. John clarified that information positions were voted approved by the Board on SB28 & SB189.

The Board received a brief report from John MacIntosh, Legislative Representative for the Bar Association. He reported that the NH House Redress & Grievance Committee is expected to meet in mid May and will be discussing three “grievances” or bills of address against members of the judiciary, but it has not been disclosed who the judges or masters are. The bill of address against Master Philip Cross has been referred to the House Judiciary Committee for investigation.

K. President’s Report, Including: Marilyn McNamara

- NHBA Annual Meeting – the Omni Mt. Washington Resort Reservation form was provided to the Board for the upcoming Annual Meeting. The package pricing was explained so there would be no confusion on what is or is not included in the rates.
- Legal Services Corporation Funding Letter – Board members were provided a copy of the letter sent to NH’s US Congressional Delegation on behalf of LSC funding.

- Report on ABA Day in DC – Marilyn, Jon Ross and Russ Hilliard met in DC with NH’s Congressional Delegation and spoke with all four of them about legal services funding among other issues. Marilyn encouraged Board members to consider attending ABA Day in DC next year if possible. It is a very worthwhile experience.

K. President-Elect Report

Jennifer Parent

Court Rules Committee - Jennifer, who serves as liaison to the NH Supreme Court Committee on Rules, reported that Associate Justice Robert Lynn has been named the new chair of the committee, replacing Justice Dalianis. Judge Lynn is continuing a fast pace of activity for the committee on pending proposals and has opened all of its deliberations to the public. NH House Speaker William O’Brien, who is a lawyer in Concord, has named himself as the NH House’s appointment to the Rules Committee. Lastly, the Committee is still working on the proposed revision of the Rules of Civil Procedure because a number of comments had been received during the public hearing process.

- Leadership Academy – one more session will be held before the graduation of the Inaugural Class at the Annual Meeting in June. Each of the leadership groups will be presenting their service projects at the Bar Foundation Annual Dinner on May 5.
- NH Judicial Council – Nina Gardner, Executive Director of the NH Judicial Council, is struggling to figure out how to best use the severely limited funding her organization will have available to meet the demands.

L. Executive Director’s Report, Including:

Jeannine McCoy

- Budget Process – is moving along well with new Finance Director Paula Ludlam doing an admirable job. LRE funding from the Center for Civic Education is being eliminated for the 2011 fiscal year. The 2011-2012 Budget will be presented to the BOG at the May 19th meeting. No dues or Court fee increases will occur for this next fiscal year and the MCLE filing fee will once again be suspended.
- Board Election - the 2011-12 election process, the second held online, was conducted successfully, with over 700 votes cast. There were no unopposed candidates. Lawrence Vogelmann was elected President-elect, and Jaye Rancourt, was elected Vice President, Quentin Blaine was elected for a three-year term as governor-at-large, and elected (or re-elected) for two-year terms as county governors were: Sheila Burnham (Cheshire), John McCormick, (Coos), Jason Crance (Grafton), Derek Lick (Merrimack) and Phil Pettis (Rockingham).
- Foreign Legal Consultant Rule – the Court has created a new category of membership in the Association through Supreme Court Rule 42.D Licensing of Foreign Legal Consultants. Jeannine briefly outlined the new rule and the implications for the Association.

- ABA Task Force on the Preservation of the Justice System – Co-chaired by attorneys Ted Olson and David Boies, is hosting a daylong hearing on Thursday May 26, at the UNH School of Law in Concord to receive testimony, comments, and recommendations that will assist the Task Force in identifying the key factors surrounding the court funding crisis nationwide.
- You Should Know Activity Update was distributed to the Board.

M. Reporting on Issues, Interests, Concerns from Association

Secretary Peter Hutchins – noted that the Hillsborough South/North issue will be the “hot” topic for some time.

Merrimack County Governor Ken Barnes – noted that Circuit Court issues are on everyone’s mind.

Belknap County Governor Catherine Broderick – noted that Belknap County Circuit Court issues re: probate court are what attorneys in Belknap County are talking about.

Strafford County Governor Chris Regan – reported that staff moral at family, district and probate courts is extremely low.

Carroll County Governor Chris Meier – noted the losses of clerks and judge time in the north country is a real issue.

Public Sector Jacki Smith – reported that public sector folks are worried about their jobs and Jacki wonders if there is anything the bar can do to help.

Jeannine McCoy mentioned that one of the unintended consequences of moving the Nashua Courthouse to Manchester is things like the public defender program leasing space in Nashua only to now have the courthouse moving to Manchester.

Secretary Peter Hutchins noted that these changes present an opportunity for the Bar. There are many ways we can help take the pressure off the courts, such as “*Assented to Motions*”... these may not be something that newer members know they can do. We should give some thought to possible programs, tips, etc. that the Association can provide that would be helpful.

Sullivan County Governor Tanner Nolin – reported that Sheriff department funding problems may impact security in Sullivan County.

ADJOURNMENT

The April 21, 2011 Board of Governors Meeting adjourned at 5:30 p.m.

Respectfully submitted,

Denice M. DeStefano, for
Peter E. Hutchins, Secretary

NEW HAMPSHIRE BAR ASSOCIATION

Membership Status Changes

Presented to the Board of Governors April 21, 2011

Paid Inactive to **ACTIVE**

Fitzgerald, Sean M., Charlestown, MA (effective March 24, 2011)

Paid Active to **INACTIVE**

Donohoe, Elizabeth C., Portsmouth, NH (effective April 1, 2011)

Evans, Risa, Contoocook, NH (effective March 23, 2011)

Guyer, Charlotte S., Keene, NH (effective March 9, 2011)

Johnson, Barclay T., Danville, VT (effective 3/31/2011)

Nelson, Kimberly A., Hudson, NH (effective March 15, 2011)

Rozenek, Aaron, Methuen, MA (effective March 25, 2011)

Ryan, Susan, Concord, NH (effective March 29, 2011)

Swaim, James A., Detroit, MI (effective March 30, 2011)

Paid Active to **MILITARY INACTIVE**

Tessier, Joseph D., Milford, NH (effective March 27, 2011)

Paid Active to **INACTIVE RETIRED**

Cereola, Ronald J., Harrisonburg, VA (effective March 30, 2011)

Paid Active to **RESIGNED**

Burzlaff, Laurie A., North Andover, MA (effective March 15, 2011)

Honorary Inactive to **RESIGNED**

Wriedt, Hans C. F., Bismarck, ND (effective March 15, 2011)

Suspended for non-payment of 2010-2011 dues to **INACTIVE**

Fegan, Carol Ann, New York, NY (effective April 1, 2011)

Active to **Suspended for non-payment of 2010-2011 dues**

Sakellar, Jason J., Manchester, NH (effective March 29, 2011)