

NEW HAMPSHIRE BAR ASSOCIATION  
BOARD OF GOVERNORS MEETING  
Thursday, February 3, 2011  
Radisson Hotel – Manchester, NH  
4:30 P.M.

**MINUTES**

Present for all or part of the meeting were:

Marilyn B. McNamara	Adam B. Hescoek
Jennifer L. Parent	Sarah E. Mattson
Lawrence A. Vogelmann	Matthew R. Serge
Peter E. Hutchins	Christine M. Smith
Robert R. Howard, III	Patrick H. Taylor
James J. Tenn, Jr.	Cathryn E. Vaughn
Jaye Rancourt	Anthony S. Augeri
Eric D. Cook	Rachel L.A. Goldwasser
Sheila J. Burnham	Celia K. Leonard
Quentin J. Blaine	Patrick T. O'Day
Philip L. Pettis	Donald H. Sienkiewicz
Christopher T. Regan	Abigail J. Sykas
Tanner Z. Nolin	David C. Tencza
Russell F. Hilliard	Lisa L. Wolford
John D. MacIntosh	Jeannine L. McCoy
Richard Y. Uchida	Denice M. DeStefano
Mark Curriden	Paula D. Ludlam
Sean Carter	Daniel R. Wise
Christopher G. Aslin	Joanne M. Hinnendael
Deanne Chrystal	Valenda Morrissette

A meeting notice reminder, agenda and materials were emailed February 1<sup>st</sup>. Additional information was 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 February 3, 2011 Board of Governors meeting was called to order at 4:45 p.m. by Bar Association President Marilyn B. McNamara.

B. Membership Status Changes for February 2011 Denice DeStefano

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

- C. Minutes of January 20, 2011 Meeting Peter Hutchins

Minutes of the January 20, 2011 Board of Governors meetings **were approved** as presented.

**PRESENTATION / DISCUSSION / ACTION ITEMS**

- F. Legislation Committee Recommendations John MacIntosh

John MacIntosh reported that over 760 House Bills have been reviewed to date.

The Board reviewed recommendations on pending bills as forwarded from the Legislation Committee's Jan. 24 & 31 meetings. The Board voted positions as follows (refer to Legislative Chart for bill description and Legislation Committee recommendation):

OPPOSE: HB346

John MacIntosh reviewed the Committee's suggestions for "information" on a number of other bills: HB128, HB145, HB147, HB158, HB161 (Info, generally unfavorable), HB 162, HB 173, HB233, HB297, HB315, Sb44 (info, generally unfavorable), SB50

- G. Leadership Academy Project Presentations Jennifer Parent  
Richard Uchida

President-elect and Leadership Academy Co-Chair Jennifer Parent welcomed the sixteen (16) members of the inaugural Leadership Academy class to the Board of Governors Meeting. As Jennifer reminded the Academy participants, there are only four months left until graduation at the Bar's Annual Meeting in June.

Academy participants introduced themselves at this point in the meeting.

Leadership Academy Co-Chair Richard Uchida recapped the process for selection of the Leadership Academy participants and the various sessions and homework required of them from November through June.

Lastly, each Leadership Academy Group presented their projects to the Board. The project title and goal/objectives of each are:

Submitted by the Leadership Academy team made up of Chris Aslin, Sarah Mattson, Christine Smith, Dave Tencza, and Kate Vaughn:

- We propose an evening event called "The Battle of the Lawyers" that will raise money for the Campaign for Legal Services. We have tentatively scheduled the event for Wednesday, May 11, 2011, at the Capitol Center for the Arts (Governor's Hall) in Concord. The evening will begin with a short social reception (light appetizers and cash bar). The program, which

Dean Broderick of UNH School of Law has agreed to emcee, will consist of four mock closing arguments from significant cases presented by New Hampshire attorneys. We plan to have plaintiff- and defendant-side arguments from civil cases and prosecutor- and defense-side arguments from criminal cases. (The attorneys will not necessarily be arguing about the same case – we expect to feature winning arguments from four different cases.) Dean Broderick will introduce each presenter and his or her case, and "celebrity" judges will offer their thoughts after each argument. At the end of the evening the audience will select a winner. We will seek sponsors to, at a minimum, cover the costs of the event and have developed a sponsorship pricing scheme so that sponsors will receive appropriate benefits, such as marketing opportunities and free tickets. We will sell tickets to attorneys, law students, and the general public, and all proceeds will go to the Campaign.

Submitted by the Leadership Academy team made up of Anthony Augeri, Abigail Sykas, Adam Hescok, Celia Leonard, Deanne Chrystal and Matthew Serge;

- Project title: “ALIES 2.0 – Making learning about the law fun”. An enhancement of A Lawyer In Every School (“ALIES”) with a twist—to switch the focus to “A School for Every Lawyer”
- Project goal/objectives: This project will provide new modules for attorneys to use in classrooms when they participate in the ALIES program, and seek to recruit new schools to participate in the program. We will prepare or update 6 modules, 2 each for elementary, middle, and high school ages, and look to increase school participation in the program by signing up a measurable number of schools which do not currently participate. Our efforts will help support two goals of the NHBA in running this program: (1) good public relations for lawyers and the Bar Association; and (2) teaching kids about the law and government.

Submitted by the Leadership Academy team made up of Rachel Goldwasser, Patrick O’Day, Donald Sienkiewicz, Patrick Taylor and Lisa Wolford:

- The NHBA Lawcast Podcast: a New Hampshire Bar Association legal podcast. Using new media currently not utilized to its potential by the legal community in New Hampshire, our group will develop an easily accessed way of delivering essential information about the legal profession to the public.

We plan to roll out two podcasts targeted at lay persons who are considering retaining a lawyer. The first will address hiring a lawyer and will answer questions such as: When do I need an attorney? What kind of attorney do I need? How do I find an attorney? What questions should I - or can I - ask when I meet with an attorney? The second will address questions about fees and payment, unbundling of services, and the basic ethical obligations due a client. Both podcasts will educate potential consumers of legal services, preparing them to engage lawyers in a way that will minimize confusion and conflict. This will result, we hope, in better lawyer-client relationships and improved satisfaction with the legal profession.

H. Executive Director's Report

Jeannine McCoy

- Status of Election Nomination Petitions – Executive Director Jeannine McCoy reviewed the Board positions open for election and noted which seats have candidates interested in running and which seats still need candidates.
- Midyear Membership Meeting – More than 500 Bar members are registered for the 2011 Midyear Meeting and Professionalism Day events at the Radisson Hotel/Center of NH in Manchester.
- Military Pro Bono Project - Nearly 50 NH lawyers and paralegals volunteered their time Jan. 21-23 to assist 147 Marine reservists preparing for imminent deployment to Afghanistan.

The attorneys brought their own computers, forms and printers to the training facility of Bravo Company, 1st Battalion of the 25th Marines, a US Marines Corps Reserve unit based in Londonderry. The legal clinic, quickly put together by the NH Bar Association Pro Bono Referral Program, enabled the service-members to expeditiously prepare wills and powers of attorney to arrange their affairs before they begin combat duty. The volunteer recruitment of the attorneys took place over a few short weeks when it was determined that the military's lawyers would not be able to provide sufficient personnel to individually assist the Marines.

Many of the younger Marines had no such documents prepared and hadn't even thought about these issues. The advice, provided in one-on-one counseling, also included asking the Marines to decide whom they should entrust with their powers of attorney.

The clinic began with an orientation session about the importance of estate-planning documents conducted by Bedford probate attorney Ruth Ansell. On Saturday afternoon and all day Sunday, Marine reservists met individually with volunteer attorneys to draw up the necessary documents.

I. President's Report

Marilyn McNamara

President Marilyn McNamara reported that she will be attending the following events:

- National Conference of Bar Presidents – Feb. 11-12, 2011
- ABA Day in Washington – April 12-14, 2011

President McNamara noted that the Legislature has begun the process of attempting to impeach Marital Master Phil Cross, apparently based solely on a decision and an unhappy litigant. Marilyn stressed the chilling affect this will have on members of the judiciary making strong decisions when needed. The leadership will be watching this closely and will keep the Board posted on developments.

I. Reporting on Issues, Interests, Concerns from Association Member-Constituents around the State All Board Members

Governor-at-Large Jaye Rancourt – also serves as the ABA Coordinator for NH. Jaye noted that there is an event scheduled the afternoon of Feb. 17 at the UNH School of Law on resume writing and review (3:30 – 5:00) followed by a panel discussion (5:00 – 6:00) and ending with a networking reception (6:00 – 7:00). If interested please get in touch with Jaye.

Rockingham County Governor Phil Pettis – reported that he has been appointed to take charge of suspended attorney Brian McCaffrey’s client files. Phil noted that there are over 400 clients; many were bankruptcy cases. The bankruptcy bar has really stepped in to help many of these clients. The situation will result in a number of claims made for reimbursement from the Public Protection Fund

Strafford County Governor Chris Regan – reported that the Strafford County bar is working to reinvigorate itself. It currently is discussing a joint meeting with Rockingham County bar in May.

**ADJOURNMENT**

The February 3, 2011 Board of Governors Meeting adjourned at 6:35 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 February 3, 2011

Paid Inactive to **ACTIVE**

Dervan, Peter D., Boston, MA (effective January 20, 2011)

Active to **PRO BONO ACTIVE**

Garneau, Timothy J., Portsmouth, NH (effective January 1, 2011)

Active to **INACTIVE**

Kraushaar, Kristine E., Cambridge, MA (effective June 1, 2010)

Inactive to **RESIGNED**

Michel, David P., Winter Park, CO (effective June 1, 2010)

Active to **Suspended for non-payment of 2010-2011 dues** (effective January 13, 2011)

Aquila, Thomas T., Center Harbor, NH  
Boucher, Kenneth C., Bow, NH  
Greene, William M., Center Sandwich, NH  
Hatem, Michael D., Windham, NH  
Hundertmark, Robert J., Woburn, MA  
Hurley, William J., Portsmouth, NH  
Marcus, Joshua B., Belmont, MA  
Robertson, Rebecca A. Green, Andover, MA  
Schwellenbach, James C., Portland, ME  
Taylor, Evelyn C., Quechee, VT

Inactive to **Suspended for non-payment of 2010-2011 dues** (effective January 13, 2011)

Browne, Brendon S., Durham, NH  
Chandler, Steven J., Waterville, ME  
Fegan, Carol A., New York, NY  
Gottschalk, Marc E., Palo Alto, CA  
Kennedy, Jocelyn B., Ann Arbor, MI  
Kline, Katherine F., Bluffton, SC  
Knorr, William J., Dublin, NH  
Lusthaus, Russell B., New York, NY  
McManus, Kimberly T., South Burlington, VT  
Michael, David P., Winter Park, CO  
Mills, Timothy F., Hartford CT  
Minnich, Edward L. Jr., Plaistow, NH  
Piazza, Therese C., Atlanta, GA  
Sipos, Joseph L., Newton, MA

Suspended for non-payment 2010-2011 dues to **ACTIVE**

Hundertmark, Robert J., Woburn, MA (effective January 27, 2011)