

NEW HAMPSHIRE BAR ASSOCIATION
BOARD OF GOVERNORS MEETING
Remote
Wednesday, April 26, 2023
4:00 PM

MINUTES

Present for all or part of the meeting were:

Anthony Naro
Cathy Shanelaris
Christopher T. Regan
Heather Cherniske
Jason B. Dennis
Jesse W. Friedman
Jonathan M. Eck
Kristin G. Fields
Kyle D. Robidas
Leslie M. Leonard
Lindsay B. Courtney
Monique M. Schmidt
Paul Chant
Paul B. Kleinman
Richard Guerriero

Robert Lucic
Scott J. Whitaker
Susan Aileen Lowry
Vanessa Wilson

Michael J. Iacopino, ABA Assoc. Delegate
Susanne Gilliam, ABA YLD
Jennifer Parent, ABA State Delegate

George R. Moore
Megg Acquilano
Paula Lewis
Caitlin Dow
Deborah Hawkins

A meeting notice reminder, a link to the agenda and related materials were emailed to all governors on April 19th. The agenda is duplicated below in the 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.

A. Call to Order

Jonathan Eck

President Jonathan Eck called the meeting to order at 4:03 p.m.

REGULAR BUSINESS – CONSENT ITEMS

B. Membership Status Changes for March

Paula Lewis

C. Minutes of March 23, 2023 Meeting

Susan Aileen Lowry

ACTION

On Motion to approve the consent agenda. Motion passed.

PRESENTATION / DISCUSSION / ACTION ITEMS

D. Bylaws Change re: Nomination procedure for the Board of Governors

George Moore

Executive Director George Moore spoke regarding the proposed bylaw change. The reason for the change is often there is difficulty getting enough signatures on a nomination petition in less populous counties such as Coos and Sullivan. The current requirement is 10 signatures. The proposal is to change the signatures that are needed for a county governor to get on the ballot to 20% of active members in the county, or 10, whichever is less.

ACTION

On Motion to approve as drafted. Motion passed.

- E. Board Election Results George Moore

President Jonathan Eck reviewed the election results that were supplied in the Board materials and thanked the outgoing Board members for their service.

- F. Appointment of Leonard Harden as Coos County Governor Jonathan Eck

Jonathan explained that a write-in campaign was attempted, but Len did not receive enough votes to be elected in this manner under the bylaws, which require any write-in to receive at least as many votes as the number of signatures required on the petition. Jonathan proposed that Len be appointed as the Coos County Governor for 1 year to serve until the next election in April of 2024.

ACTION

On Motion to approve. Passed. Unanimously.

- G. Treasurer's Report Chris Regan /Paula Lewis

Deputy Executive Director Paula Lewis noted that the financial situation is similar to the position last month. There has not been much change in our liabilities. Concerning the income statement – we are better to budget by \$45,775. Most of this is attributable to lower expenses, especially for Midyear Meeting. Officer travel expense also came in lower than budgeted. LRE program expenses were less than budget due to lower teacher attendance at summer 2022 training than budgeted for. On the revenue side, the CLE department has revved up their offerings in the hopes of increasing revenue. There are 14 live CLEs planned between now and the end of June. Paula expects to see increased revenue in this area in the next couple of months. She notes that sometimes with a change of personnel there will be lower revenue while the new personnel are getting up to speed.

The Board discussed the drop in CLE revenue and wanted to encourage and energize the CLE committee to increase the amount and variety of the programming. Jonathan Eck noted that members are taking advantage of some of the 'free' CLE programs out there and others from Westlaw and others that come as part of purchasing the search engine product Members of the larger firms have access to this as an alternative to attending NHBA programs.

George added that the NHBA is planning to do a deep dive on what our competition is doing in the CLE area. There are some big players and well-funded entities providing CLE programs. He

thinks we need to look at what sells and what doesn't sell post pandemic. We should look at new topics and think outside the box. Our product should be priced right and be innovative. We need to give members a reason to choose our product.

Board members asked if we could give 'bonus CLE points' for those who attend our live CLEs rather than online. Chris Regan cautioned that we need to be careful about giving too much preference to our own programs. Also, this is an MCLE issue.

Paul Chant pointed out the providing of CLE is most members biggest benefit, and if they are turning away from our product, there is definitely something wrong, and it is too important not to correct.

Lindsay Courtney noted that firms are urging people to do CLE that are included with Westlaw subscriptions. Another factor is that public sector lawyers are not reimbursed for the CLE courses they are required to take.

Another suggestion was that we should make sure we are making it as easy as possible for those that are volunteering to present CLEs, by bar staff supporting their work. Richard Guerriero said he just did a domestic violence CLE, and felt there was no support from staff – no prep, faculty meetings, etc. Everything was left to volunteers.

It was also suggested that we look at the committee membership and be sure it is diverse by age and practice area.

Board member Jesse Friedman said that it is hard post-COVID for attorneys to make a full day commitment for a live CLE. People have discovered how easy it is to do it remotely.

Richard Guerriero thinks it isn't hard to identify a live program that will be attractive to NH practitioners. For example, the programs involving panels of judges are very popular. Most judges are willing to participate with advance notice. Richard added that the more we can get rid of the 50-minute lecture format the better we will do. Programs should be more interactive. We are getting the equipment to make that happen.

Debbie let the Board know that the committee appointment process is beginning, and Board members should let George or Paul Chant know of members they think might be a good fit. Paul Chant will be reaching out to Jack about the CLE committee.

Jonathan asked about how the MYM finished financially. Paula answered that we basically lost a little but close to break even. The Board discussed improving revenue at MYM.

Treasurer Chris Regan reported that the Finance Committee has been working on the budget for the next year, which begins June 1, 2023. The committee will be meeting next Wednesday and hope to have a final budget after that meeting. The Board will be asked to act on this at the May 18th meeting.

- H. Construction schedule member area George Moore

George updated the Board on this project. It is expected that construction will be starting tomorrow (4/27). We are anticipating that the project will take about 60 days start to finish. The hope is that it will be done by September.

- I. President's Report Jonathan Eck
1. Judicial Peer Review

Jonathan spoke about the importance of being able to schedule these meetings quickly. It is important to have a quorum for these meetings and lately it has been difficult to ensure one. The timing and short notice on scheduling is completely out of our control. Jonathan asks that Board members prioritize responding to Doodle polls and other communications regarding these meetings.

- J. Executive Director's Report George Moore

1. Annual Meeting 2023

George stated he would like good attendance from the Board. There will be a great banquet and a good CLE planned that includes lunch.

2. Plans for the June Board meeting and Annual Business Meeting – June 22nd

The Board meeting is scheduled for Thursday June 22nd beginning at 4 p.m. in the usual hybrid format. The decision was made to move the meeting from the traditional lunch at during Annual Meeting as this year's meeting was shortened from 2 days to 1 day.

The Annual Business meeting will be hybrid, held at 3 p.m. on June 22nd just before the Board Meeting. The bylaws change, just adopted by the Board will be advertised and will be voted on at this meeting, which is open to all members of the NHBA.

3. June 1st 50-Year Member Luncheon

It was previously decided to separate out the celebration of the 50-year members due to rising numbers of 50-year members, and the difficulty of attracting them to a night banquet at a resort in the North Country. This year it will be a luncheon at the Bedford Village Inn. The members are given a framed certificate signed by the members of the New Hampshire Supreme Court. Justice Hicks will attend to hand out these certificates. Contact Cheryl Moore, registrar if you are interested in attending.

4. New MARCOM director, Caitlin Dow

George introduced her to the Board. He said we are looking forward to good things in future. He told the Board that we are beginning some podcasts.

5. NHBF Dinner May 11th

This is a fundraiser. George stated that strong support from the Board of Governors would be great. Justice Gary Hicks is getting the Kenison Award. A professor from Harvard Law School who is director of election program in regard to election law is the speaker. George expects him to be an interesting and dynamic speaker. The event is being held at the Manchester County Club. Lyndsay Robinson is the Kirby award winner.

K. **INFORMATIONAL ITEMS REQUIRING NO ACTION**

- Ethics Corner – Cooperation Clauses and Rule 3.4f

Executive Director George Moore spoke about this article.

L. Adjournment

The Board meeting was adjourned at 5:08 p.m. so the members could transition to the Judicial Peer review Executive Session scheduled for 5:15 p.m.

Respectfully Submitted,

Deborah J. Hawkins

Deborah J. Hawkins for Susan Aileen Lowry, Secretary

Membership Status Changes

Presented to the Board of Governors March 16, 2023

Active to INACTIVE:

- 273879 Fazi, Michael, Nashville, TN (Effective February 7, 2023)
- 16272 Weatherhead, Steven, Swampscott, MA (Effective February 9, 2023)
- 8174 DiCroce, Camille, Fremont, NH (Effective February 8, 2023)

Active to INACTIVE RETIRED:

- 16433 DeMato, Louis, Manchester, NH (Effective February 16, 2023)

Active to RESIGNED:

- 265904 Nofsinger, Jennifer, Portland, ME (Effective February 9, 2023)

Active to SUSPENDED:

4813 Fuller, Steven, West Palm Beach, FL (Effective February 10, 2023)
14368 Carroll, H. Paul, Newburyport, MA (Effective February 10, 2023)
15386 Wellman-Ally, Lisa, Claremont, NH (Effective February 21, 2023)

Active to DECEASED:

1459 LeBrun, John, Henniker, NH (Effective January 29, 2023)
11004 Koziell, Paul, Scarborough, ME (Effective October 5, 2022)

Inactive to ACTIVE:

268539 Pham, Katherine, Northborough, MA (Effective February 27, 2023)

Inactive to DECEASED:

2114 Reardon, Judy, Manchester, NH (Effective December 16, 2022)

Inactive Retired to DECEASED:

11357 Rotman, Shari, Bow, NH (Effective February 7, 2023)

Suspended to DECEASED:

9960 Brighton, Jo Ann, Huntersville, NC (Effective March 5, 2020)

Suspended to RESIGNED:

18036 Miller, Casey, Warner, NH (Effective February 9, 2023)

Military Active to ACTIVE:

19001 Webster, Luke, Lebanon, NH (Effective February 28, 2023)