

NEW HAMPSHIRE BAR ASSOCIATION

Equal Justice Under Law



Committee Chair Manual

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...Supporting Members of the Legal Profession & Their Service to the Public and Justice System

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INTRODUCTION

Welcome

New Hampshire Bar Association Committees are one important way that the Association works on behalf of members, the public, and the justice system. Our profession accomplishes a great deal in the areas of member service, public service, and service to the justice system through the volunteer work of our members in coordination with the Association. The Association thanks you for your leadership of an Association committee.

Classes of Committees

The classes of Committees of the Association shall be:

- (a) Standing Committees, created by the Bylaws for the investigation and study of matters relating to the accomplishment of the general purposes, business, and objects of the Association of a continuous and recurring character, within the limitations of the power conferred.
- (b) Task forces or other work groups will be created by the President, by resolution of the Association or by the Board of Governors. Any groups so created will investigate and study matters relating to specific purposes, business, and objects of the Association of an immediate and non-recurring character. The scope and duration of the group's effort will be specifically described in the proposal for new action authorizing the group.

Committee Appointments:

Unless otherwise stated in the provision creating a committee, appointment of members to serve on committees of the Association shall be made by the President. The Chair of every committee shall be designated annually by the President, and the President shall have the power to fill vacancies in any committees. Voting membership of all committees is open to active and inactive members of the Association.

Appointed committee members who find themselves unable to participate in the work of any committee may request to be removed so another appointment may be made.

Composition of Committees:

The number and tenure of members of the committees of the Association shall be:

- (a) Standing Committees. Unless otherwise stated in the provisions creating a committee, the size of the Standing Committees shall be determined by the President, and each member shall serve until the adjournment of the Annual Meeting or until a new committee is appointed.
- (b) Special Committees, Task Forces, or Other Work Groups. The size of each Special Committee, Task Force, or Other Work Group shall be set forth in the resolution creating such Special Committee, and each member shall serve until the adjournment of the Annual Meeting following his or her appointment or until a new committee is appointed.

Special Committees, task forces, or other work groups, created or extended by the President, or created by resolution of the Association or the Board of Governors, defining the powers and duties of such committees, to investigate and study matters relating to specific purposes, business, and objects of the Association of an immediate and non-recurring character. Chairs of these groups should provide regular updates on their work to the Board of Governors.

Refer to NHBA Bylaws, Section IX for specific information about committee composition.

Committee Responsibilities

No report, recommendation, project, event, or other action/endeavor of any committee shall be considered as that of the Association or its committees or publicized as such, unless and until it has been approved or authorized by the Board of Governors. Please see the NHBA Proposal for New Action Form and the Committee and Section Process for Working with Outside Groups in the Appendices of this document.

Committees are responsible for establishing a meeting schedule for the Bar year in conjunction with the Staff Liaison who will make the appropriate meeting arrangements. Meetings of each committee shall be held, at a minimum, upon the call of its Chair or upon written request signed by three or more members of the committee, unless otherwise specified in the NHBA Bylaws. Meetings may be held live, virtually, or hybrid.

Committee chairs should work with their Staff Liaison in developing a “to do” list for events/projects that details specific tasks to be accomplished, who is responsible for completing each task, and the deadline date for completion. The NHBA Marketing and Communications Department (Marcom) is always included in the creation and design of publicity for all publications, events, and projects to ensure appropriate NHBA branding. This includes everything published in print and/or by any electronic means (email, web, social media). The Staff Liaison will assist in coordinating with Marcom.

Committee Member Positions and Duties

Chair.

- Responsible for leading and directing committee work, submitting any proposals for new action to the Board of Governors, delegating any project tasks to committee members and overseeing all details of their work, and maintaining written and verbal communications with the Staff Liaison.
- In conjunction with the Staff Liaison, ensuring that minutes are recorded at each meeting. The Staff Liaison will be responsible for ensuring that minutes are compliant with the NHBA format for Committee minutes.
- Providing a year-end report each spring when requested.

As a New Hampshire Bar Association Committee Chair, you have a unique opportunity to make a valuable contribution to your profession. Committees provide an important service to the membership and the public and are a line of communication between the Board of Governors and its members. Your dedication and leadership are, in large part, the key to your committee's success.

The NHBA Board of Governors is interested in your committee's activities and would welcome periodic updates. By also keeping the Staff Liaison informed and completely familiar

with your activities and progress, you will be able to obtain advice on procedures, problems, possible pitfalls, and overlapping activities of other Association committees, sections, and working groups.

Vice-Chair or Co-Chair.

- Conduct meetings when the Chair is unavailable and perform all tasks/projects assigned by the Chair.

MEETINGS AND STAFF SERVICES

Meetings: Scheduling, Making Them Work, Minutes, Reports, and Elections

Scheduling – It is most effective to set a meeting schedule for the entire year in September. Meetings may be scheduled monthly, bi-monthly, quarterly, or as needed. The Staff Liaison will email meeting invitations to Committee members. Remote committee meetings should be conducted over an Association Zoom account.

Make Meetings Work – by:

- providing sufficient advance notice of the meeting and providing the agenda and other materials in advance of the meeting
- starting and ending on time
- having the needed resources lined up (people, funding, materials, information)

Minutes – The Staff Liaison will record attendance and take minutes. This can be done in conjunction with the Chair or another Committee member. The draft minutes should be reviewed by the Committee Chair before they are submitted to the full committee for approval at the next meeting.

Staff Services

Committees are each assigned a Staff Liaison, whose function is to provide administrative and technical support, and, if necessary, to consult committee history or archives. Staff Liaisons also provide guidance as to the policies, procedures, and standards that have been established.

This support includes:

- producing the committee meeting minutes in compliance with the NHBA's minutes format
- working with the Committee Chair to determine the date, time, and place of meetings, and making necessary meeting arrangements (including arranging for members to participate remotely when necessary)
- distribution of agenda, minutes, and other materials
- coordination with Marcom
- regular review and updating of all committee webpages
- assisting with Board of Governors' approval of proposed projects/reports

The NHBA maintains a master electronic file on each committee as a record of past and current activities. The Staff Liaison is responsible for maintenance and organization of this file for the Bar Association.

Conference rooms at the Bar Center are available for meetings. The Bar Center has video conferencing and audio-visual equipment for committee use based on availability. The Staff Liaison shall reserve meeting room space whether the meeting is to be held at the Bar Center or elsewhere. Offsite meetings should be pre-approved by the Staff Liaison's supervisor or the Executive Director (cost and staff resource assessment). Committee meetings are listed in the calendar on the NHBA web site.

It is ultimately the Staff Liaison's responsibility to monitor the event/project planning, to make sure it is occurring as and when it needs to. When it appears planning has "stalled" for whatever reason, the Staff Liaison will consult with their supervisor so whatever steps are necessary to ensure a successful outcome are taken.

If you are unfamiliar with the Bar's resources, the Staff Liaison should be your first call.

Vetting and Proposal for New Action

When a Bar Committee puts on an event, or undertakes a project, it is done so under the auspices of the NHBA and as such is subject to policies, procedures, and standards that have been set by the Board of Governors so that it meets the standards of quality and professionalism expected of NHBA initiatives. To ensure compliance with these requirements, the Proposal for New Action form must be submitted in advance. The Staff Liaison must consult with the NHBA Meetings and Events Coordinator before finalizing the date for an event to ensure the availability of staff support resources, and to ensure, where possible, there are no scheduling conflicts with NHBA or external events in the legal community. Before making arrangements to co-sponsor an event with an outside group, please consult the NHBA Committee and Section Process for Working with Outside Groups in the Appendices of this document.

Should a committee wish to propose a Continuing Legal Education (CLE) program this must be done through the Staff Liaison and the CLE Committee. Please see the NHBA Continuing Legal Education Policy on Cooperation with other Committees and Sections, found at the end of this manual, for guidance.

Recognizing that resources are limited, the Board of Governors and NHBA management are responsible for focusing the Association's efforts and resources so as to best further the Association's mission.

Expenditures

Projects involving expenditures must be reviewed in advance with the Staff Liaison, who will then seek approval on behalf of the committee. Please note some endeavors may need to be submitted to the Board of Governors for approval. The Staff Liaison can advise you when this action is necessary.

Contracts for any committee endeavor are entered into on behalf of the Association and may only be made by the Executive Director or their authorized staff designee.

COMMUNICATIONS – RESOURCES AND POLICIES

Correspondence, Notices, Etc.

The Committee Staff Liaison is responsible for disseminating all meeting notices and other official Committee correspondence to members via e-mail using the NHBA's master database. The Committee Chair will provide the Staff Liaison with the information required to produce the notice as well as any other related materials.

It is important that all official committee correspondence be coordinated by the Staff Liaison. Separate databases introduce the potential for errors and messages not originating from the Bar can create confusion about whether communications are official. The NHBA maintains a current database of member contact records and preferences so that members receive communications only at the addresses specified.

Public Relations

To avoid confusion or duplication of effort regarding communications from the Bar with the public and with the news media, news releases and announcements must be made in coordination with the Director of Marcom. This department can assist in disseminating news releases and announcements. Requests to Marcom should be made through your Staff Liaison. Final decisions on communications will be at the discretion of the Executive Director and Marcom Director. Please note that a minimum of 2 weeks' notice is required for these requests (please provide additional notice if you are requesting coverage in the *New Hampshire Bar News*).

Communications Resources

In addition to traditional communication vehicles such as *Bar News*, the website, and the weekly email newsletter (NHBA E-Bulletin), other tools are available to Bar committees such as targeted emails, social media postings, and online surveys. These tools, used selectively and in collaboration with the Marcom Department, can provide committees with valuable information either from the committee members or from the Bar as a whole.

Committees seeking to send communication to groups of Bar members must coordinate this outreach through the Staff Liaison, who will work with the Marcom. The Executive Director and Marcom Director reserve the right to limit each committee's volume and frequency of group emails to ensure best communications practices are followed.

Web Pages

Each committee of the New Hampshire Bar Association has a Committee Member web page maintained on the Association's web site, www.nhbar.org, on the members-only, password-controlled area.

A current list of committee members can be found within these pages. This is a place where meeting minutes and materials or other information of interest to committee members may be posted. Requests for edits should be submitted to the Staff Liaison. Some Committees, depending on their tasks and mission, may also have pages on the Bar's public-facing portion of the web site. Committee web pages hosted elsewhere are not allowed.

Committees are, by terminology and definition, part of the Bar Association. Committees **are not authorized to represent positions or conduct programs separately from the Bar Association, without specific authorization.** This also applies to information posted for members on the committee pages, or to information that may be made available to the public.

No information or other material protected by copyright will be posted without the permission of the copyright owner. By posting material, the posting party warrants and represents that he or she owns the copyright with respect to such material or has received permission from the copyright owner. In addition, the posting party grants the NHBA the nonexclusive right and license to display, copy, publish, distribute, transmit, print, and use such information.

Web Pages Disclaimer

Committee web pages are provided to members as a service of the New Hampshire Bar Association. The NHBA disclaims all warranties with regard to information posted on this site; this disclaimer includes all implied warranties of merchantability and fitness. In no event shall the NHBA be liable for any special, indirect, or consequential damages or any damages whatsoever resulting from loss of use, data, or profits, arising out of or in connection with the use or performance of any information posted on its web site.

Social Media and Other Vehicles

Social media posting requests should be directed to the Director of Marcom through the Staff Liaison.

E-Bulletins

The NHBA e-Bulletin is a regular weekly newsletter sent electronically to all Bar members. Committees may request, through their Staff Liaison, that items be publicized to the Bar membership to promote, for example, resources or to solicit information for the committee from the Bar as a whole; or for other purposes that both advance the interests of the committee and are relevant and of potential assistance to the Bar as a whole.

Requests for posting items to the e-Bulletin should be made to the Staff Liaison. These messages will then be passed on to the Marcom Department for dissemination at its Director's discretion, either in a regular e-Bulletin, or promptly via direct email if the message is urgent.

NH Bar News

The *Bar News* welcomes submissions from NHBA committees, including special meeting and event announcements, reports on projects, and articles of interest to the legal community. *Bar News* is published once a month, usually on the third Friday of each month. See www.nhbar.org, under Publications and click on Editorial Submission Guidelines for the editorial calendar and list of deadlines.

Committee Chairs are encouraged to write articles or suggest topics for the *Bar News*. Any requests related to the work of the Committee should be made through your Staff Liaison. The *Bar News* reserves the right to edit or reject submissions.

LEGISLATIVE GUIDANCE AND PUBLIC POSITIONS

Legislative Guidance

If your committee has input, questions, or concerns regarding pending legislation, the chair of the Legislation Committee should be notified through the Executive Director. In the event a legislator contacts you in your role as a Committee member, please inform the Executive Director.

The NHBA, as a unified bar association, is guided by the *Chapman* decision in making determinations regarding what, if any, position the NHBA should take on pending legislation. The decision-making process includes review of pending legislation by the Legislation Committee and Board of Governors. From time to time, the Board, Legislation Committee, Legislative Representative, or Bar staff may request committee guidance on a pending issue. As the session moves rapidly and time for feedback is short, your prompt response to these requests is greatly appreciated.

Roadmap for Legislative Advocacy

Excerpt from Article I (purposes) – New Hampshire Bar Association Constitution:

“The Association shall confine its activities before the General Court to those matters which are related directly to the administration of justice; the composition and operation of the courts; the practice of law and the legal profession.”

New Hampshire Bar Association legislative decision-making is a multi-step process. Those steps include:

STEP 1 – Review by the Legislation Committee, or in exceptional circumstances, by the Board of Governors itself, of proposed legislation; to proceed beyond Step 1, each of the following must be answered in the affirmative:

- Is the bill of significant interest to lawyers?
- Does the bill pertain to the administration of justice OR
- The composition and operation of the courts OR
- The practice of law and the legal profession?
- Should the Bar Association take a position on the bill?

STEP 2 – The Legislation Committee and the Board of Governors will take into account the specific wording of the *Chapman* decision when undertaking this review. A specific legislative position is recommended to the Board of Governors by the Legislation Committee and a vote is taken.

STEP 3 – Once a position is approved by the Board, the presidentially-designated Bar spokesperson (ONLY) provides testimony and/or other information to the General Court (or the position is transmitted in writing to the State’s congressional delegation).

Public Positions

Only the Board President, the Executive Director, the Director of Marketing and Communications, or the President's designees, can speak on behalf of the Association. No member of a committee, in his or her capacity as such, shall express a position to the public or engage in any activity in the name of or on behalf of the committee without advance authorization by the Board of Governors. In addition, no committee or member (acting in his or her capacity as such) may submit an *amicus curiae* brief in any matter without Board approval. No report, recommendation, or other action of any committee shall be considered as the action of the Association or publicized as such unless or until approved or authorized by the Board of Governors.

Committees are encouraged to contact the Association's Legislation Committee Chair regarding pending legislation that may fall within the Association's legislative parameters. Committee members, *as individuals*, are encouraged to participate fully in the New Hampshire Legislative process whenever they have interest and knowledge in an area under consideration.

THANK YOU!

Chairing a committee, while requiring the donation of valuable time and hard work, is also a rewarding experience. Thank you, in advance, for your help and your willingness to move the profession in a positive direction. Your work will benefit all New Hampshire lawyers and the public we serve.

New Hampshire Bar Association

Proposal for New Action

Please answer the following questions in a proposal no longer than 3 pages. A separate resource budget may be attached. This proposal will be reviewed by the appropriate committee (or committees) of the NHBA Board and staff members, with a resulting recommendation to the NHBA Board of Governors. Please be sure to consult with the appropriate Association staff member(s) and/or the Executive Director as you prepare the proposal. Their advice and assistance will be crucial in order to adequately assess the proposal and to help facilitate good communication between all who may be involved and/or impacted by the proposed action plan.

1. **WHAT ARE YOU PROPOSING?** Please write a summary of the new or changed Action you are proposing to the Board of Governors.
2. **WHO WILL DO IT?** Who is the main contact person for the action? What committees, sections, task forces, etc. are responsible for implementing the Action? Who are the other key volunteers? Are there other organizations that could effectively perform the Action? Could the Action be outsourced?
3. **WHAT NEED DOES IT ADDRESS?** Please describe the value of the Action to NHBA members, the administration of justice, and/or the public. Please describe the role of the Action in furthering the NHBA strategic or long-range plan and/or operating mission.
4. **HOW WILL YOU MEASURE YOUR RESULTS?** Please tell us how you will know if the Action is successful. What specifically will be the outcomes of the action? How will you know that the need has been met?
5. **WHEN WILL THE ACTION BE ACCOMPLISHED?** Please estimate a timeline to implement the Action. If applicable, determine the termination date for the Action. If the Action is to be ongoing, please indicate regular evaluation periods.
6. **WHAT RESOURCES WILL BE NEEDED?** Please describe, as thoroughly and specifically as possible, what resources this action will need. Please include a detailed budget of income and expenses associated with the Action (including potential outside sources of support); staff and volunteer time; and physical space and equipment use. Be sure to identify other NHBA actions you know of that may be adversely affected if the Action is implemented - that is, whether NHBA resources must be diverted from other Actions, and if so, which ones.

Submitted by: _____

Date: _____

NEW HAMPSHIRE BAR ASSOCIATION
CONTINUING LEGAL EDUCATION

POLICY ON COOPERATION
WITH OTHER COMMITTEES AND SECTIONS

The Continuing Legal Education Committee of the New Hampshire Bar Association is committed to the preparation and presentation of quality continuing legal education programs on topics of interest and concern to the members of the Bar. The committee's success results from adherence to high standards of quality regarding the content and faculty of its programs.

The Committee recognizes that it is one of many committees of the NHBA, and it encourages communication from and participation by members of the Bar, and especially other committees and sections of the Bar, in the process of the preparation and implementation of continuing legal education programs. To this end, the Committee has adopted the following policies to define the Committee's charge vis a vis other Bar committees and sections and to aid anyone who wishes to assist the Committee in developing a particular continuing legal education program.

1. The Committee is the appropriate NHBA committee to administer and coordinate continuing legal education programs to the NHBA membership at large and should be responsive to the needs and interests of the members of the NHBA who desire further legal education.
2. All members of the NHBA and all committees and sections of the NHBA, through their Chairs, are encouraged to submit proposals to the committee for continuing legal education seminars which they feel would be of interest and benefit to NHBA members.
3. Proposals for new seminars should be submitted to the Chair of the Committee and to the Director of Professional Development, in writing, substantially in the form of the attached Program Proposal Form.
4. When planning all seminars, the Committee will draw upon the expertise and shared knowledge of the members of the other committees and sections of the NHBA but will retain control over the determination of the content and faculty of any seminars.
5. The Committee's advertisements and literature for seminars which have resulted from significant cooperation of and participation by other committees or sections of NHBA will so state.
6. The Committee recognizes that other committees and sections of the NHBA may wish to present continuing legal education programs to their members which qualify for NHCLE credit. Education programs which are developed by, and primarily for, a particular committee or section rather than for the Bar membership at large, and do not exceed 90 minutes in length, do not normally require the active involvement of the CLE Committee; however, Bar Section and Committee Chairs are asked to inform the Director of Professional Development of the program topics, either directly, or through their assigned NHBA Staff Liaison.

NEW HAMPSHIRE BAR ASSOCIATION
CONTINUING LEGAL EDUCATION PROGRAM

PROGRAM PROPOSAL FORM

Date _____

Your Name _____

Address _____

Phone # _____

Primary Contact(s) for Committee or Section Endorsed Proposal (names and phone numbers)

I. Suggested Title of Program

(title should be brief and descriptive)

II. Program Description/Overview. Please attach a description (limit 50 words) of the program.

III. Program Objectives. Upon completion of the program, each participant will:

IV. Target audience for this program (areas of practice, level of experience, non-lawyer personnel?):

V. Program Topical Outline. Please attach an outline of the topics to be covered by the Program.

VI. (Optional) Suggested Instructor(s). Please attach a list of suggested instructors and promotable qualifications.

Proposal Considered on _____
(date)

Recommended Action _____

NHBA Committee and Section Process for Working with Outside Groups

The New Hampshire Bar Association recognizes there are potential benefits of Sections or Committees co-sponsoring or partnering with outside groups or entities. On the other hand, improper use of the co-sponsorship mechanism can raise legal, ethical, and public relations problems.

If a joint venture with an outside entity is contemplated, the NHBA asks Sections and Committees to comply with this process to ensure communication, ensure the proper handling of money, and avoid potential challenges before the collaboration becomes formal.

It is particularly important to avoid the appearance that co-sponsorship of an event with an outside entity constitutes a NHBA endorsement of that entity's general policies, activities, or products. Likewise, there must be no appearance that the co-sponsors support of an event will improperly influence the NHBA or NHBA employee in other Association matters in which that entity may have an interest. It is also crucial that the NHBA abide by all legal restrictions on the use of funds and all applicable legal requirements.

To foster the best possible outcomes in these contemplated arrangements:

Before entering into a co-sponsorship or joint venture with an outside entity, the Section or Committee should communicate in writing the name and contact information of the entity it seeks to partner with, the nature of the involvement, any contemplated financial activity that could be involved, the contemplated duration of the collaboration, and the nature of the event or collaboration and whether any NHBA marketing support will be needed. This communication should be submitted in writing to Bar Staff or directly to the Executive Director, or the Deputy Executive Director. A member of the Executive Team should also communicate the contemplated venture with the President and President-Elect of the Board of Governors.

After communication with the President and President-Elect, the Executive Director or the Deputy Executive Director should communicate in writing with the Section or Committee any problems or limitations on the contemplated activity.

If there are any changes to the collaboration or joint activities, those changes should be communicated to the Executive Director or the Deputy Executive Director.

If at any point, the Executives, President, or President-Elect want to revisit the collaboration or activity, they may intervene in the collaborative activities as necessary for the good of the New Hampshire Bar Association.

Adopted by the Board of Governors, April 18, 2024