

Joe McCue Brings Lean Thinking – and Real Results – to the NHBA

By Tom Jarvis

For Lean consultant Joe McCue, the winding road from mechanical engineer to wellness coach to process improvement expert has always been guided by a single principle: “helping people in a meaningful way.”

That guiding thread now connects McCue’s latest work with the New Hampshire Bar Association (NHBA), where a Lean initiative launched this past January is already showing signs of early success in streamlining the annual attorney license renewal process.

“Lean is an overarching philosophy of improving organizations to deliver more value to their customers using fewer resources,” McCue says.

Since January, McCue has worked closely with NHBA staff to examine and refine the complex renewal workflow. As of early July, 82 percent of members had completed all three required steps – up from under 72 percent at the same time last year. By late July, 87 percent were in full compliance compared to 81 percent the previous year. Incremental gains also appeared in key components: dues payments rose from 86 to 91 percent, trust account compliance form submissions improved from 89 to 93 percent, and NHMCLE compliance edged up from 86 to 88 percent.

This uptick reflects the early payoff of a Lean approach built on continuous, incremental improvement. This is especially significant to members who will be assessed delinquency fees if they do not fulfill the renewal requirements.

In 2023, more than 1,000 members were assessed delinquency fees. During the following year, in the week leading up to the renewal deadline, Bar staff called individual attorneys who had not yet completed the renewal process, and that number dropped to 400. This year, the Lean work made a marked impact with fees assessed against only 227 members.

“Once we got the process mapped out, that’s when we could start identifying where the bottlenecks were and make some changes,” McCue explains. “And that’s where the big dividends come from – when people start thinking differently about the work they do.”

But McCue didn’t begin his career



helping organizations think differently. He started as a mechanical engineer after graduating from the University of Massachusetts Lowell in 1992. That life – and identity – were upended when, at age 30, he was diagnosed with cancer.

What began as a personal health crisis soon became a complete redirection of his professional path.

“I started to realize that diet played a very big role in health and wellness, and my diet was not good at all in any rational objective measurement,” McCue recalls.

His research led him to a massage therapy and nutrition program in the mountains of Northern California. At first, he only wanted to take a class in whole-food nutrition taught by author Paul Pitchford. But when the school told him he had to enroll in the entire residential program – shiatsu massage and all – he figured he’d sit through the bodywork classes and focus on the food.

“Two or three weeks in, I was hooked,” McCue says. “I was blown away by how effective the treatments were and how much more I could help people along those lines.”

He earned multiple certifications in bodywork and began practicing massage therapy for cancer patients, including through training at Memorial Sloan Kettering in New York. But that wasn’t the

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Alumni Reflect on Benefits of Leadership Academy as 2025 Applications Open

By Tom Jarvis

The New Hampshire Bar Association’s Leadership Academy is accepting applications for its upcoming Class of 2026. Now in its ninth class, the nine-month program is designed to foster leadership skills and support the professional growth of New Hampshire attorneys who have practiced for up to ten years. The program includes modules on leadership in the legal profession, interactive workshops, and mentorship opportunities with judges and legal professionals across sectors.

Founded in 2010 through the efforts of past NHBA presidents Richard Uchida and Jennifer Parent, the Leadership Academy was established to identify emerging leaders within the Bar, provide structured opportunities for skill development, and encourage long-term engagement with the Association.

Each year, the Academy offers participants a wide range of experiences, in-

cluding direct access to leaders from the judiciary, private practice, government, and public interest organizations. For many graduates, the exposure has been transformative.

“The most valuable takeaway I got was that there are a number of different ways to be a leader,” says Jesse O’Neill, a recent graduate. “Leadership isn’t just a position or a role – it’s more of a mindset. The Leadership Academy opened my eyes to leadership possibilities.”

O’Neill, who came into the program from a criminal law background, describes how the connections he made helped him feel more integrated into the broader Bar.

“I was surprised at how quickly I started seeing names of people I met – not just from the modules but also my actual Leadership Academy classmates – pop up in my practice,” he says. “That’s really valuable.”

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New Hampshire Adopts New Parental Medical Leave Law

By Margaret O’Brien

Effective January 1, 2026, a new law in New Hampshire expands unpaid leave rights for employees to attend medical appointments related to childbirth, postpartum care, and infant pediatric needs. Enacted as part of a broader budget bill, HB 2 (an Act relative to state fees, funds, revenues, and expenditures), was signed into law by Governor Kelly Ayotte on June 27. This new law applies to covered employers with 20 or more employees and establishes compliance obligations that businesses must integrate into existing leave policies.



tion administered by the New Hampshire Department of Labor. It entitles eligible employees to take up to 25 hours of unpaid leave during the first year after the birth or adoption of a child to attend:

- The employee’s own childbirth-related medical appointments;
- Postpartum care appointments; or
- The child’s pediatric medical appointments.

When both parents work for the same employer, the parents are entitled to a combined total of 25 hours in their child’s first year – not 25 hours per parent.

Covered Employees and Employers

The new law is codified at RSA 275:37-f and applies to employers with 20 or more employees, but it does not define the term “employee.” It is presumed to offer leave rights to all employees,

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Free Legal Answers: An Easy Way to Give Back by Simply Opening Your Laptop

Do you want an easy way to provide quick pro bono legal assistance to those in need in New Hampshire without the commitment of taking on full representation? Try Free Legal Answers.

Free Legal Answers is an online forum operated by the NHBA in partnership with the American Bar Association, where vetted individuals can pose discrete legal questions to a community of licensed attorneys in the state in which they reside, and the attorneys then provide responses based on that state's law.

Vetted Users and Attorneys

Before users are allowed to request legal advice, they and their questions are vetted. Users must be adults who meet financial eligibility requirements. They must not be incarcerated, and their questions must not involve criminal matters. Questions remain pending for 30 days to give attorneys enough time to respond.

Attorneys are vetted during registration to ensure that they are licensed and in good standing with the New Hampshire Bar.

Once verified, attorneys are authorized to use the forum and respond to a user's request. Attorneys respond only to the questions they choose to answer.

President's Perspective



By Derek D. Lick

Orr & Reno,
Concord, NH

Agreed-Upon Limited Representation

Both the users and the attorneys of Free Legal Answers understand and agree that the attorneys are not obligated to provide legal help beyond written answers in the forum. To that end, written responses are deemed limited legal representation. The scope of the representation is limited to answering the written questions in the forum and will not involve continuing representation.

Protections for Attorneys

To avoid conflicts of interest, attorneys are provided with the names of the user and any opposing parties.

Additionally, to encourage attor-

neys to participate in the forum, the American Bar Association provides malpractice insurance for the legal guidance that attorneys provide through Free Legal Answers. The malpractice insurance coverage is limited to liability only for claims made against attorneys in relation to the legal guidance they provide in the forum.

An Easy Option for Discrete Assistance

In short, the Free Legal Answers forum offers each of us with a convenient way to provide needed assistance to our fellow Granite Staters in a manageable and clearly defined way. We can provide responses on our own time and in areas of law with which we are comfortable. It is a terrific way to give back to our communities.

I encourage you to give it a try. Register for Free Legal Answers at nh.freelegalanswers.org/Attorneys/Account/Agreement.

If you have any questions, you can also contact NHBA Member Services Supervisor Misty Griffith at mgriffith@nhbar.org. ♦

NHBA Welcomes Barbara McCann to Professional Development Team

The New Hampshire Bar Association is pleased to welcome Barbara McCann as its new professional development administrative assistant.

McCann holds an associate degree in business administration from Southern New Hampshire University. She brings 13 years of experience with the State of New Hampshire, where she provided core human resources functions at the Department of Health and Human Services and the New Hampshire Veterans



Home. Prior to her public service, she spent more than a decade supporting law practices and legal departments in both the public and the private sectors.

"After building a career in the human resources and legal fields, I am excited to bring my experience and skills to the New Hampshire Bar Association," McCann says. "I look forward to supporting the Professional Development Department and serving the attorneys of New Hampshire." ♦

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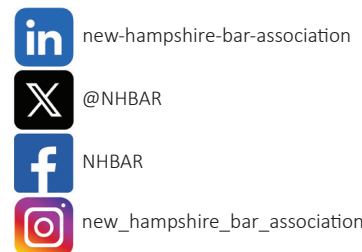
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Access to Justice Commission Begins New Chapter with Leadership Transition, Ambitious Initiatives

By Tom Jarvis

As New Hampshire Supreme Court (NHSC) Justice James Bassett prepares to retire this August, the state's Access to Justice Commission is not slowing down. In fact, it appears to be gaining momentum.

The Commission, formed in 2007 to reduce barriers for those navigating the civil legal system without an attorney, is entering a pivotal new phase under the leadership of newly appointed co-chair NHSC Justice Melissa Countway and returning co-chair Attorney Mark Rouvalis.

Justice Countway, however, is no stranger to the Commission.

"She's been working for the past six to nine months as a commission member to facilitate her transition into this role," Rouvalis says. "We are thrilled to have her join the commission officially as co-chair."

Justice Countway says one of her priorities is continuing the implementation of the Commission's six federally funded initiatives launched with support from the American Rescue Plan Act (ARPA).

"The biggest goal is to stay on top of that work and make sure that we get it completed and are in a position to report back to the community about our success," she says.

The projects are being spearheaded by the New Hampshire Judicial Branch's Office of Access and Community Engagement (OACE), led by Irena Goddard. According to Goddard, the six initiatives translate into nine fast-moving projects with defined goals and timelines – ranging from overhauling court forms to launching AI-powered chatbots.

Where Technology Meets Justice

Among the most ambitious undertakings is a form simplification initiative aimed at revamping 14 of the state's most commonly used legal forms.

"The court has over a thousand forms," Goddard says. "We are taking a batch of 14 and transforming them – using a vendor with strong experience in this – with simplified language, ADA compliance, a style guide, and train-the-trainer support. We're about 75 to 80 percent done."

She says language access is another top priority.

"We have a pilot going on in the Nashua Circuit Court using Interpretet, which allows interpreters to appear via WebEx," Goddard explains. This virtual model is cost-effective and expands access to a larger pool of certified interpreters.

Two other language-related projects include a review of the state's language access plan and the deployment of a device

called TranslateLive, which helps court staff communicate with limited-English speakers in real time.

The Commission is also refining the courts' online presence. A major website evaluation is underway to identify and correct information gaps, reorganize content, and ensure legal materials are presented at appropriate reading levels.

"A chatbot prototype is in development, as well, beginning with small claims cases – of course, it will only provide legal information, not advice," says Goddard.

Justice Countway notes that New Hampshire has a statute governing the use of AI in government services, including chatbots.

"One of the things we're working on is ensuring that we're complying with that statute," she says.

Community-Based Solutions

Two new community outreach programs aim to meet people where they are – literally. One, called Legal Spotters, trains staff from social service agencies to recognize legal issues and refer people to the right resources.

"They've made the curriculum here for New Hampshire, interviewing subject matter experts and tailoring it specifically," says Goddard, noting that the first trainings are expected to begin in late summer or early fall.

Another program focuses on recruiting retired attorneys to volunteer in public libraries or virtually, offering in-person legal information – not advice – on topics like court forms and basic legal procedures.

"As of this morning, 31 people have answered the call for volunteers," Goddard says.

Both efforts align with the Commission's broader goal: closing the justice gap for self-represented litigants, who make up an estimated 80 percent of civil cases in the state.

"Getting information out there – how people can engage – is mostly through our website, which is great," Goddard says. "So, we are asking ourselves: how do we deliver that in more manageable bites to the people who need it?"

Building on Momentum

Rouvalis says that beyond ARPA projects, the Commission is also staying focused on long-term sustainability.

"We've had great support from the Court to allow us to get this ARPA money and use it," he says, "but it's going to run out. We'll need to continue to build and look for funding sources for programs that are not just one-time things."



OACE Manager Irena Goddard (left) and Access to Justice Commission co-chairs NHSC Justice Melissa Countway (middle) and Attorney Mark Rouvalis in a conference room at the New Hampshire Supreme Court. Photo by Av Harris

One area of interest is the Court Navigator program, which received positive feedback from a Dartmouth Rockefeller Center public policy evaluation.

"We'd like to continue to look to expand that," Rouvalis says. "It didn't make the budget cut this year in the way that we would've liked."

Meanwhile, a statewide legal needs assessment is underway, expected to be completed in 2025. It's a collaborative effort led by 603 Legal Aid, New Hampshire Legal Assistance, and the Disability Rights Center, with support from the courts and the New Hampshire Bar Foundation.

"We had a legal needs assessment done in 2020," Justice Countway says. "The Commission is broken down into several different task forces that align with the recommendations from that report, and each task force is working on those projects. Of course, that will be updated when this assessment is done at the end of this year."

Rouvalis points to one such task force: the Fees and Fines subcommittee, which examines how financial penalties affect access to justice and identifies reforms that might require court rules or legislative changes.

"We're trying to gather information that will be necessary for decision-makers," he says. "Not everything is going to happen on a short-term basis."

How Lawyers Can Help

Justice Countway emphasizes that volunteerism from members of the Bar remains the backbone of the Commission's work.

"We need lawyers to help implement all of these projects," she says. "We are creating ways that people can volunteer in small bites. A lot of people think of pro bono work as taking a complicated case that could go on for years, and that's a hard commitment to make. We recognize that's a big ask. So, we are finding ways that people can volunteer in small increments."

She adds that the Commission and the courts have begun to recognize individuals and firms for their pro bono work at the NHBA's Annual Meetings – an effort that will continue.

Both Rouvalis and Countway invite lawyers to consider joining the Commission itself.

"We are assessing membership and welcoming people who are interested in getting involved," Countway says.

Making It Happen in New Hampshire

Justice Countway, Rouvalis, and Goddard spoke passionately about why this work matters to them.

"My biggest motivation is just making the system better for everyone," says Justice Countway. "Every time there's a headline about ways in which the justice system has failed, it motivates me to want to make it better."

Rouvalis points to the unique culture of the New Hampshire Bar.

"One of the advantages of living and working in this state is you can make things happen," he says. "The people on the Commission are not satisfied with just going to meetings and listening to the same old talk. We discuss what we are going to do and how we are going to push the ball forward."

For Goddard, it's deeply personal.

"I was born in what used to be communist Czechoslovakia," she says. "We emigrated here when I was nine. The US is the beacon – the pursuit of life, liberty, and happiness. The buck stops with the court system. Having folks from whatever walks of life have the ability to get legal information – it's really important to me."

As the Access to Justice Commission moves forward under new leadership, the message is clear: the work is far from finished, but the commitment to justice, equity, and service is as strong as ever. ♦



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Mark Sisti: From Ironworker to Advocate

By Kathie Ragsdale

Mark L. Sisti is perhaps best known as the longtime lawyer for Pamela Smart, but neither her case nor his other high-profile cases are the ones that bring him the most pride.

“Probably the cases I’m proudest of are the ones nobody has ever heard of or will hear of because we took care of them before they even got to trial,” says the Chichester-based criminal defense lawyer, who has represented clients in every county in New Hampshire, including more than 100 charged with homicide.

“Some of the most important cases you’re going to do are the everyday cases in the trenches,” Sisti adds. “You do wonderful work for people, so they’re not dragged down with criminal convictions that follow them all their lives. The real stories and the real heroes are in the lower courts.”

The Smart case, of course, was anything but “everyday.” The then-22-year-old was a high school media coordinator who was convicted of conspiracy to commit murder and other crimes after her husband was killed at the hands of an underage student with whom she was having an affair. It was the first trial to be televised nationally from start to finish, and was, in Sisti’s view, “a media joke.”

Sisti is no longer her attorney of record, though he remains in touch with her new legal team.

It’s not the career one might have predicted for a kid who grew up in a working-class, Italian American section of Buffalo, New York, where becoming an ironworker was a high aspiration.

Sisti’s uncles were ironworkers, and soon after high school, so was he.

Sisti was awarded a merit-based Regents Scholarship “that allowed me to go to college,” he says, and enrolled at Canisius College, working as an apprentice mechanic his first year. Between freshman and sophomore years, he was able to get a job as an ironworker.

“The money was great, I got to travel a bit, and I loved the work,” he says. “It sounds weird, but there’s a certain comfort in that job. Working with the same people every day, you get a familiarity and comfort zone with them that’s quite nice. You’re also separate from the other trades. Not everybody likes to get up really high on buildings. If you do that, it’s almost like you’re working alone. You



Mark Sisti hosts a reunion of 1970s and 1980s public defenders at his Gilmanton farm last year. Courtesy Photo

see something very solid you’ve accomplished.”

But another profession called to him.

Sisti often thought about a gentleman in his neighborhood whom he regarded as “the most powerful guy in the area, more than the police or mayor.” The man was a lawyer, the equivalent of a public defender, who charged people on a sliding scale. Sisti remembers he was adored because “he took care of people.”

That man inspired him to seek a legal career, as did Sisti’s grandmother, who – unlike many of her friends – could speak English. She would translate for neighbors and help them with their legal documents like contracts and leases and “would have been a magnificent lawyer,” he says.

After college, Sisti went straight to the Franklin Pierce Law Center and, upon graduation, went to work for the New Hampshire Public Defender, eventually serving as deputy director of the office for three years.

With fellow Public Defender Paul Twomey, he formed a Homicide Defense Project to help defend indigent people charged with murder.

In 1988, the two formed a private practice, Twomey & Sisti Law Offices, which has since evolved into Sisti Law Offices.

Twomey, the godfather to one of Sisti’s children, calls his former partner “very good” at his work.

“We had a formula for doing most of our things,” he says. “He would handle the cops, and I would handle the traumatized people. One day I said, ‘I’m sick of this; your turn,’ and he did great at it. He can do a lot of things.”

David A. Garfunkel, former direc-

tor of the New Hampshire Public Defender and later a Superior Court judge, hired Sisti as a public defender more than 40 years ago and calls him “a good friend, an outstanding lawyer, and a wonderful father to his children... He has had a wonderful career in both public and private practice.”

But Sisti’s chosen field of law isn’t always an easy one.

“Being a criminal defense attorney is like being in a trauma room in a hospital every day,” he says. “People don’t come to your office to say they’re having a good day.”

He has devoted his career to turning trauma into recovery, setting some precedents along the way.

In 1981, he challenged the jury selection process in a case, *State v. Elbert*, involving a Black man who was charged in a criminal matter.

“They used to pick juries in a very weird way,” Sisti explains. “In some towns, they could volunteer to be jurors, so it wasn’t really random. We were able to address that. Now, they pick from DMV and voter checklists. It made a great change.”

Having represented clients in places ranging from California to Wisconsin, Maine, Florida, Quebec, and Ontario, Sisti says he especially enjoys practicing in New Hampshire because “the collegiality is at a whole different level here, but the dignity of the courtroom is still there... It’s a joy to operate within this



Mark Sisti finishes a Reach the Beach relay a few years ago. Courtesy Photo

system.”

Besides his legal work, Sisti serves on the board of the Strong Foundations Charter School, as Gilmanton Town Moderator and School District Moderator, works with the Gilmanton Long Term Planning Commission, and supports the food pantry in town.

He enjoys spending time with his seven grandchildren and attending their sporting events, and has completed more than 20 marathons. He also restores motorcycles as “my therapy” and raises animals and produce on his Gilmanton farm, Pigs Fly.

Now 71, Sisti says, “hell, no” to the idea of retirement.

“You think about it,” he says, “but I’m having fun.” ♦



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Navigating AI in Legal Practice: From Hidden Integrations to Multi-Tool Strategies

By Chris Toppin

Recently, I worked with an accounting firm seeking help communicating with its software vendor about a new AI integration that had been automatically enabled for all users. The vendor had activated AI functionality and instructed customers not to upload sensitive information – or to re-act it before doing so.



It turned out the platform was making direct calls to commercially available large language models (LLMs), which raised a major red flag. Depending on the platform and the vendor's configuration, this could lead not only to the disclosure of sensitive data but also to its use in training the model.

This problematic approach contrasts sharply with how business-grade AI platforms handle sensitive data. Platforms such as ChatGPT Business, Claude's commercial offerings, and Microsoft Copilot typically provide data isolation, assurances that user data will not be used for training, and the ability to execute Business Associate Agreements (BAAs) – critical protections for legal professionals.

Vendors are rushing to catch the AI wave before it becomes a tsunami. Some have moved so quickly that they've introduced serious risks. What if their customers haven't even begun creating policies to guide safe AI use by staff?

If AI is embedded in an application a business has trusted for years, it's easy to imagine a situation where sensitive data is unknowingly shared with third-party platforms. In most cases, your trusted software is merely the intermediary – passing information to a leading LLM vendor.

Here are key considerations when your vendor introduces new AI features – particularly those relevant to legal practices:

1. What AI model are they using?
2. Where is it hosted?
3. Do they offer BAAs for HIPAA compliance or similar confidentiality protections?
4. Is client data used for training or fine-

tuning the model?

5. If self-hosted and trained/fine-tuned, how do they prevent model poisoning, and how often is data-quality testing performed?

These questions go beyond technical curiosity – they're essential for maintaining ethical obligations. The Model Rules of Professional Conduct require lawyers to maintain client confidentiality and make reasonable efforts to prevent inadvertent or unauthorized disclosure of client information. When AI tools process client data, we must ensure these tools meet our professional responsibility standards.

Of course, there are many more pertinent questions, but these are some of the key ones that can uncover areas of concern quickly. For example, from the vendor:

"We are using OpenAI GPT-4o-mini hosted in Microsoft Azure. We do not train or fine-tune our model with your organization's data. We provide BAAs for professional services clients and maintain SOC 2 Type II compliance."

This type of answer would give me a ton of confidence in the design. Hosting a model on a secure platform like Azure means your data is not going to one of the commercial platforms. OpenAI GPT models are best-in-class, and getting reassurance from the vendor that your data isn't being used to train or fine-tune the underlying model is key.

Great – your vendor's AI integrations

pass the security and privacy test. But is that enough? Your business might be AI-enabled, but that doesn't mean you're fully covered. Not so fast. Having secure integration in your main business application is a great start, but does everyone in your business use it? What about your marketing, people, and leadership teams? Is this one tool even enough for the staff who use your vendor's software?

The reality for legal practices is that different AI tools excel at different tasks. Your case management software might have AI-powered document organization, but you may need a separate tool for legal research or for drafting briefs and client communications. The key is to ensure every tool in your AI toolkit meets the same security and confidentiality standards.

In our own organization, we've adopted a multi-tool approach. We developed an internal support ticketing assistant that speeds up triage and provides technicians with contextual information about clients. In cases requiring deeper analysis, teams may turn to tools like ChatGPT Team. Business units handling sensitive data rely more heavily on secure platforms such as M365 Copilot for research and analysis.

This underscores the need for a clear AI policy – one that not only promotes secure use but also builds trust among team members. Many employees still feel hesitant, worrying that using AI tools might be seen as "cheating" or devaluing their work. Of course, blindly accepting AI output and passing it off as one's own is problemat-

ic – and usually obvious. But when used thoughtfully, AI can foster collaborative, creative, and efficient workflows. Organizations should reward and encourage appropriate use to help normalize it.

For legal professionals, proper AI use also means understanding the duty of competence – we must understand the capabilities and limitations of the tools we use. This includes knowing when AI output requires verification, understanding potential biases in AI responses, and maintaining our professional judgment in all client matters.

To successfully leverage AI, your organization must approach adoption thoughtfully. Ask your software vendors pointed questions about how they've integrated AI into their platforms. Train your team on safe usage practices, and foster a workplace culture where using AI is both secure and encouraged. Celebrate your team's successes, and most importantly, ensure your AI adoption strategy aligns with your professional obligations – enhancing, not compromising, your duty to clients. ♦

Chris Toppin is the Chief Services Officer at Mainstay Technologies, where he leads technical support services for businesses across New Hampshire and beyond. With over 25 years' experience in Information Technology and nearly a decade in IT leadership, Chris has become a recognized expert in artificial intelligence implementation for business environments.

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Lawyer Wellness Isn't a Spa Day – It's Honesty

By Kirk Simoneau

Yep, you guessed it, another article about lawyer wellness. You'd think there was something collectively wrong with us. I mean, with the speed and volume at which these articles appear, something must be up.

I won't repeat the statistics. You already know we lawyers are more depressed, more alcoholic, more drug abusive, and more unconcerned with self-care than almost any other profession. This article is not going to solve that problem. No article will.

You see, that problem, while widespread, is personal. Each case is fact-specific. Culturally, lawyers have adopted an injurious persona of overwork, and we often get paid to say things we don't mean, causing all manner of internal conflict. But our wellness is individual. It's about how each of us responds to the absurdities not only of the profession, but of life. And that is your problem. I've got my own.

While I can't solve your problems, I can tell you how I live with mine. Wellness, after all, is figuring out how to live and thrive, despite – or because of – life's absurdity. It isn't taking Fridays off in summer. It isn't a spa day. Those are just temporary and socially acceptable ways of kicking the can of worms



that is life down the road. Real wellness is accepting that reality can be awful, then dealing with it. I call that being brilliantly absurd.

My Reality and a Trigger Warning

Consider this both a trigger warning and permission to be human. I'm about to discuss adult problems in an unlawyerly way: directly and honestly. Being candid, we can normalize not being "fine" or "busy," but "struggling" and yet still, somehow, "managing." Being candid, we normalize needing help. I've had plenty. I'm about to get real candid because candor is the key to being brilliantly absurd.

Those of you who know me, or of me, likely expect some discussion of my neurologic issues, the red sneakers, the cane, and how I live life and practice law, successfully, in near-constant pain. As it turns out, being sick is the least of my problems. How I deal with it, though, is built upon the foundation of how I've dealt with the other problems life has handed me.

I have Deaf parents. That means, when I was a kid, no one read me stories or sang nursery rhymes. I was in the most special of special classes. Eventually, after reading the dictionary and an entire set of World Book Encyclopedias, I got out of that class. What got me out wasn't anything in the special class itself – it was being honest with myself. I couldn't read or write. I was behind. Then, at that time, wellness meant acknowledging my situation and acting to improve it. So, at 11 years of age, I read the dictionary. Pretending I was fine or a regular kid wouldn't

have done much for me.

As my story progressed, I suffered childhood sexual abuse. Talk about normalizing not being fine. Too often, lawyers hide our true identities, our true selves, behind legalese and a carefully curated LinkedIn image. Believe me, I spent a lot of years trying to pretend I was fine, but I wasn't – until I got real help for what really happened. Then I got closer to wellness. Yes, I mean therapy. Yes, I mean support groups. If I can, you can. Let's normalize it.

I could go on. We all could, if we're being honest. Life can suck. There's the moment I watched a hit-and-run drunk driver kill my pedestrian father, my wife's two cancers while I was in law school, or my centralized Stage III CRPS and those familiar red sneakers.

My point isn't to seek your sympathy. My point is to explain that the only way I deal with my current bad things is by having acknowledged and dealt with my previous bad things. Not pretending I was fine, not working 80-hour weeks, not hoping a spa day would solve my problems – but addressing them. Ignoring is no more blissful than ignoring.

At base, to have wellness, you've got to tell the whole truth, at least to yourself. If you don't acknowledge your life and situation for what is truly real, you will never know what you need to do to improve things. Keep ignoring that feeling inside, keep believing an 80-hour week is sustainable, keep believing a cocktail – or six – after work every day is just what lawyers do, and you'll never even

approach wellness.

Yes, I'm sick. If I don't recognize my limitations, I will fail myself, my clients, and my family. You will, too, if you don't recognize your limits. If I acknowledge I'm capable of less quantity, I can adjust to create more quality. I can't manage 90 cases, but I can crush five. If I pretend that "I'm okay," I can't get better. Are you pretending you're okay?

What's Your Reality?

What reality are you purposefully ignoring? Lawyers usually find a way to ignore things. Many of us know we need to eat better and exercise more. We ignore the doctor's advice or our growing waistline. We aren't honest with ourselves. Nope, we lie. Just one more email won't hurt family time. What are you ignoring? What thing in your life is negatively affecting your wellness? You know – that thing you are pretending doesn't exist or isn't so bad. Just be honest with yourself.

The first step toward wellness is accepting the absurdity of your reality. I hope you weren't abused as a kid. I hope you don't have some painful malady. But whatever it is you've got, acknowledge it so you can start to address it. I did. It isn't so bad. And when you're done, go ahead – take that spa day. ♦

If you or a client, need a keynote speaker and want to learn more about being brilliantly absurd or Kirk's red sneakers, email him at kirk@redsneakerlaw.com. And yes, he's expensive.

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Maintaining Appropriate Communication Boundaries: The Vacation Edition

By Jim Armillay

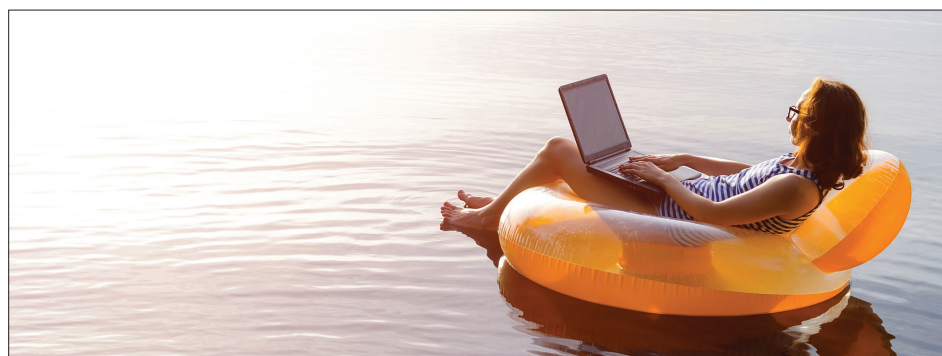
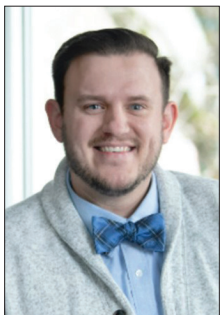
Picture this: You've just ordered a drink from the resort's pool bar. Your kids are safely pre-occupied at the kids' club. You're lying near the beach, a gentle ocean breeze keeping you at the perfect temperature while still allowing you to get that much-needed dose of vitamin D. You're just about to open that book you bought six months ago but haven't had the time to read when you hear the unmistakable "ding" of a new email from your phone. The sound heralds both a return to reality and that unique twinge of anxiety only Microsoft Outlook notifications can provoke. Unable to think of anything else, you take a peek and, before you know it, you're answering work emails despite your out-of-office message.

If this scenario hits a little too close to home, you're not alone. Many lawyers struggle to maintain appropriate communication boundaries when they're away. Rather than guard that hard-earned time off, we often find our vacations reduced to simply working from a different (though sunnier) place. This article shares tips on establishing and maintaining boundaries to protect the out-of-office time you deserve.

Establish Boundaries Early

Effective communication in our profession often comes down to managing expectations. It's important to let clients, colleagues, and external parties know (1) when you'll be unavailable and (2) who they should contact until you return. A helpful practice is adding a note to your email signature in the weeks leading up to your vacation to inform people of your absence and share your point person's contact information. This not only manages expectations but also gives clients a chance to raise any questions before you leave, reducing the risk of last-minute surprises.

For the more cynical among us who worry that giving opposing counsel advance notice of your vacation invites strategic filings to interfere with your plans, I refer you to the NHBA's Litigation Guidelines, Part 3(A). That kind of conduct isn't



just unprofessional – it's harmful to the Bar as a whole.

Lastly, respect the boundary from your end. If someone receives your out-of-office reply but also hears back from you directly, your availability becomes unclear. Before you leave, set up internal processes for handling communications. If you must respond during vacation, keep it brief and restate your unavailability at the end of the communication to re-establish that boundary.

Plan Ahead as Much as Possible

I would hazard a guess that for many, the days of whimsically spontaneous jet-setting for an extended vacation are probably (read: tragically) behind us. If that is true for you, then spending a little extra time in the weeks leading up to your vacation planning for and managing the anticipated workflow is the best way to ensure a peaceful vacation of limited interruptions.

About two weeks before your vacation, spend a little time looking over upcoming tasks and deadlines that will occur during the time you are out and a week or so after your return. Nothing tempts us more to jump back onto that work computer while away than the sudden realization that something is due as soon as we get back. Where possible, try to take care of the work product necessary to accomplish each task in advance, or delegate tasks to someone in your office to ensure that the work is being managed without interrupting your time. Set clear expectations with collaborators as to when you need drafts for review and allow yourself enough time to sort through any revisions before you leave. The goals here are twofold: (1) identify what needs to be done while you're gone or immediately upon your return, and (2) accomplish as much of it as possible before you even activate that out-of-office message.

Designate someone in your office to

manage communications and workflow during your absence. For routine communications, it is a good practice to have a legal assistant or paralegal acknowledge the communication and remind the individual that you are out of the office and will respond to them upon your return. For substantive workflow management that needs to be addressed while you're out, identify a colleague or associate who can assist on the case and be the point person during this time. It is best practice to loop this person in early enough so that they can become familiar with the matter and the expectations.

Anticipate the Inevitable Unexpected

The operative word in the preceding section is *anticipated*. It is highly likely that something will pop up while you're gone that will pull at your attention. When this occurs, bear a few things in mind:

1. Can it be delegated? If so, trust your colleague to handle it with the expecta-

tion that you will return the same courtesy next time they're on vacation.

2. Can it wait? Clients may label something as "urgent" when it isn't. At minimum, acknowledge the communication. If the matter can wait, explain that this task is on your radar and that you will turn to it upon your return.

3. Limit engagement. In the rare circumstance where something comes up that truly cannot be effectively delegated or wait until your return, make every effort to limit the communications and tasks to those necessary to resolve the issue. Emergencies happen, but once handled, re-establish the boundary and remind people that other matters can wait until you're back at your desk.

Perhaps the most important takeaway from this article is the reminder that vacation time is essential to maintaining positive mental wellness and overall health. Spending time outside the office, building memories with family and friends, taking time to indulge in hobbies and experiences, and focusing on the other components of our identity allow us to guard against burnout, reduce stress, and be our best selves.

Safe travels! ♦

Jim Armillay is an attorney with Bernstein Shur, practicing in labor and employment and litigation out of the firm's Manchester office. He is a regular contributor to the Bar News and a member of the NHBA's Special Committee on Attorney Wellness.

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From Barn to Bar: Andrea Amodeo-Vickery Reflects on 50 Years in Law

By Bethany Hartt

Fifty years ago, Andrea Amodeo-Vickery began law school in a barn in East Concord. Searching for a place to settle down after traveling and protesting the Vietnam War, she followed a friend's advice and applied to the newly founded and unaccredited Franklin Pierce Law Center, which was based in a former bull-breeding barn.

"I almost had a heart attack," she says of seeing the place where she would get her legal training.

Women like Amodeo-Vickery were acutely aware of systems hostile to them and nonetheless excelled within those systems. Although female students in law schools surged to 20 percent in 1975, there weren't even 100 women barred in the Granite State. That didn't faze Amodeo-Vickery, who was determined to become a lawyer. Her father, a first-generation Italian, "was an early feminist."

"[My parents] just told me I could do whatever I wanted," she says when asked what made her think she could thrive in law school with so few female examples. She internalized that confidence and enrolled in a law school that eschewed tradition.

Amodeo-Vickery describes the Franklin Pierce Law Center as egalitarian and an attractive option for self-proclaimed hippies and scrappy students from "all backgrounds." She credits this culture to the school's eccentric founder and Loch Ness Monster aficionado, Robert Rines.

"He wanted to start a law school that was different, and he did," she says.

There were 19 other women in the Class of 1978.

"They were very accomplished, and there was no female rivalry or competition," she says. "Though some did not make it to graduation."

Amodeo-Vickery took typical doctrinal courses. Her professor, future New Hampshire Supreme Court Justice James E. Duggan, gave her an A+ in criminal law. Allegedly, the existing legal community perceived this group of inquisitive new

lawyers as a significant threat, prompting a deliberate increase in the difficulty of the



Andrea Amodeo-Vickery at her graduation from Franklin Pierce Law Center with her parents in 1975. She became a member of the Bar in 1978. Courtesy Photo

state bar examination.

Unfortunately, the warmth and cohesion within the law school did not always extend to Amodeo-Vickery's practice as a new attorney. Simply put, she faced significant pushback and bias. Colleagues were not always professional, judges refused to learn how to correctly pronounce her name, and women were plagued by expectations rooted in sexism.

"God forbid you wore pants," she says.

If she could offer her younger self advice in 1975, Amodeo-Vickery would say: "You chose the right profession. You're going to get hurt . . . it was still a man's world

and a man's profession. [You'll need] thick skin and a good sense of humor. Just like women everywhere, you have to find a way to make it work – for you and for other women."

And her advice to the women in the Class of 2028, who will begin their law school journey in just a few short weeks? "Find out what you love. You have to figure out what you love doing and then it's not a job at all – it's a vocation." ♦

Bethany Hartt is a 2L and Daniel Webster Scholar at the UNH Franklin Pierce School of Law. After law school, she plans to practice in New Hampshire.

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*Where you see wrong or inequality or injustice,
speak out, because this is your country.*

This is your democracy.

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Pass it on.

~ Justice Thurgood Marshall

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end of his transformation. A second cancer diagnosis – and a grueling course of chemotherapy – further reshaped his perspective.

“It really made me appreciate potentially overlooked moments of gratitude,” he says. “Like, I woke up today relatively pain-free. I have a roof over my head. I have food in the fridge. I have a great job. Before cancer, I never gave those things a second thought.”

That gratitude and clarity informed everything that followed. After moving to Chicago and earning a master’s degree in organizational wellness from DePaul University in 2013, McCue began teaching wellness and bodywork courses at multiple colleges, including Great Bay Community College and Pacific College of Oriental Medicine. He found the same sense of purpose in teaching that he’d felt in engineering and bodywork.

“I kept having that same moment: this is it. This is what I want to do for the rest of my life,” he says.

When he returned to New Hampshire, McCue joined the New Hampshire Department of Transportation, where he now serves as both wellness coordinator and lean coordinator. He began Lean training in 2018, earned his Black Belt in 2020, and was appointed chair of the statewide Lean Executive Committee in 2022.

“Lean really brought everything together,” he says. “All the wellness stuff, the organizational development, the engineering – it all clicked.”

Through his role on the Lean Executive Committee, McCue was invited to assist the New Hampshire Judicial Branch with

several improvement projects – starting with a complex case-transfer issue between Circuit and Superior Courts. His first project, “Felony First Rewind,” involved helping court staff identify and streamline pain points in the felony case transfer process.

One of the most impactful efforts followed shortly after: a collaboration with the Electronic Estates Filing Center (EEFC), which had recently centralized probate case processing from across the state. The EEFC was grappling with a growing backlog and operational bottlenecks when McCue came in to facilitate a Lean process review.

“At first, some of the people on the improvement team were kind of ‘voluntold’ to be there,” McCue recalls. “But what was amazing was those early skeptics turned into the biggest proponents by the end.”

The project proved to be a turning point – not only in reducing delays, but in building a culture of ownership among team members. That collaboration also laid the groundwork for McCue’s later project with the NHBA. When Sarah Blodgett, who had overseen the EEFC Lean project, joined the Bar Association as executive director, she reached out again.

In 2023, McCue launched NH OpEx, LLC – OpEx is short for operational excellence – to offer Lean consulting services to organizations across New Hampshire. Today, in addition to his state work, he continues to operate NH OpEx, providing training and process improvement guidance to service sector organizations – and offering pro bono support to non-profits on a limited basis.

At the NHBA, his role has been less about giving answers and more about



Joe McCue speaking to the NHBA Lean team: Barbara Valenti, Jennifer Hartshorn, Jakob Cadorette, Nancy Kerrins, Dawn Trask, Jordyn Morgan, Misty Griffith, and Milo Van De Water. Photo by Tom Jarvis

helping staff ask the right questions – and work together to find solutions. He describes Lean as a cultural shift as much as a set of tools, one that emphasizes respect for people and continuous improvement.

“Part of the efficiency problem that many organizations encounter is that people only see the process from their perspective. So they try to improve just their section without really understanding the effects down the line – a mistake that might create some short-term benefits but ultimately drags on the overall system. But when everyone is in the same room, looking at the same map together, that’s when the lightbulbs go off.”

While it’s still in its early days, McCue sees promise in the NHBA’s embrace of Lean – and in the team’s willingness to think differently.

“My job isn’t to fix the process,” he says. “My job is to help the people who do the work think about it in new ways, so they can fix it themselves.”

It’s a philosophy he’s earned the hard way – through data, through teaching, and

through adversity. And it’s one that continues to guide his ever-evolving journey.

“I could help one person at a time as a massage therapist,” McCue reflects. “But if I can help an organization improve how it works? That’s helping hundreds. Maybe thousands. And that’s a life well spent.”

As the NHBA continues into its first renewal cycle under the Lean model, the focus will remain on small, sustainable improvements – and the culture shift that underpins them.

“If we can get more members in compliance, this will have been a success,” Blodgett says.

For McCue, success is measured in more than numbers.

“My job is to educate employees to do their processes better,” he says. “If I can help them think differently about their work – and do it in a way that helps more people – then I’m doing what I was meant to do.”

For more information about McCue’s consulting work, visit NHOpEx.com. ♦

New England’s Perennial Powerhouse



Left to right: Robert M. Higgins, Krysia J. Syska, Andrew C. Meyer, Jr., Adam R. Satin, Nicholas D. Cappiello and William J. Thompson.

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2017	38	5
2016	38	8
2015	50	12
2014	31	6
2013	29	3
2012	26	6
2011	36	5
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NHAJ Celebrates Exemplary Achievements

By Tom Jarvis

The New Hampshire Association for Justice (NHAJ) honored exceptional members of the legal community at its annual dinner, continuing a longstanding tradition of recognizing individuals who contribute meaningfully to the civil justice system.

The NHAJ, a statewide professional association of trial attorneys, is dedicated to protecting individual rights and ensuring equal access to justice. At this year’s event, the NHAJ Board of Governors presented several prestigious awards:

Civil Justice Award
Senate President Sharon Carson
(R-Londonderry)

Established in 1996, the Civil Justice Award recognizes individuals who have demonstrated a sustained commitment to the principles for which the New Hampshire Trial Lawyers Association was founded. These include promoting justice for the public good, preserving the right to a jury trial, and ensuring full, fair, and timely remedies through the courts. This honor is not limited to attorneys or members of NHAJ, underscoring its broader recognition of civil justice advocacy.



President’s Award
Bonnie Sisak – Connolly Law

Presented at the discretion of the NHAJ President, this annual award honors an individual who has provided outstanding service to the Association and valuable support to its leadership. The award may be given to anyone who furthers NHAJ’s mission, regardless of membership status.



Thomas R. Watson
Board of Governors Award
Michaila Oliveira – Law Office of
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This award is presented to a member of the NHAJ Board of Governors who has shown exemplary support of the Association through volunteer service, professional expertise, and financial contributions.



Lifetime Achievement Award
Kimberly Kirkland and Randy Reis
Reis & Kirkland

Awarded to NHAJ members who have made a lasting impact on the legal profession, this honor recognizes a body of work that has positively influenced other lawyers and contributed to legal progress in New Hampshire through leadership, service, and dedication.



Granite State Advocate Award
John Wolkowski
Backus, Meyer & Branch

This award is periodically given to attorneys who achieve substantive changes in state law while representing their clients. Wolkowski was recognized for his work on *Pelissier v. GEICO Gen. Ins. Co.*, 2024 N.H. 60, which advanced civil justice and strengthened access to the courts.



These awards were presented at the NHAJ Annual Dinner and Awards Banquet held on June 12 at Bedford Village Inn. ♦

LEAVE from page 1

including both full-time and part-time employees. The new law also does not address whether out-of-state employees count toward the 20-employee threshold. Generally, Protective Legislation applies to employees physically working within the state. However, the phrasing at the start of the new statute – “No employer with 20 employees or more...” – suggests that the 20-employee headcount may include all employees, regardless of where they are located.

Reasonable Notice and Documentation May Be Required

To request this leave, employees must provide reasonable advance notice and make a reasonable effort to schedule appointments in a way that minimizes workplace disruption. Employers may request documentation to verify that the leave is used appropriately, although the law does not specify what type of documentation may be required. A brief note from a healthcare provider’s office would likely be reasonable and suffice.

RSA 275:37-f Is Unpaid Leave

The statute explicitly states that the leave is unpaid, and that employers are not required to provide paid leave under this law. However, it also provides that “an employee shall be permitted to substitute any accrued vacation time or other appropriate paid leave for any leave taken pursuant to this section” (emphasis added). Therefore, it allows employees to substitute accrued vacation or other paid leave at their discretion. The law is silent as to whether employers can require employees to use their available paid leave during any leave pursuant to this new law. The statutory language suggests that this substitution is the employees’ right, and not the employer’s right.

If the employee is salaried rather than hourly, employers must keep in mind the separate statutory obligations pursuant to RSA 275:43-b. This law requires that salaried employees be paid their full salary for any period in which they perform any work, with few exceptions not likely to apply in connection with this particular leave provision. As such, employers generally may not deduct pay from salaried employees for missed time under this

leave unless allowed by statute.

Reinstatement Rights

When an employee returns from taking this leave, employers must reinstate the employee to their original job. These employee rights to reinstatement are similar to those found in the federal Family and Medical Leave Act (FMLA).

Landscape of Rights for Working Parents in New Hampshire

RSA 275:37-f is the second law enacted in the past year to support working parents. As of July 1, New Hampshire now guarantees the right of nursing mothers to an unpaid break of 30 minutes to pump for every three hours of work. This new lactation break law is codified in RSA 275:78 through 83.

In addition to these new laws, New Hampshire has for many years required employers with six or more employees to permit employees to take a leave of absence for the period of temporary physical disability resulting from pregnancy, childbirth, or related medical conditions. Unlike the FMLA, which caps most leaves at 12 weeks during a given 12-month period, there is no set time limit to New Hampshire’s maternity leave law found at RSA 354-A:7, VI.

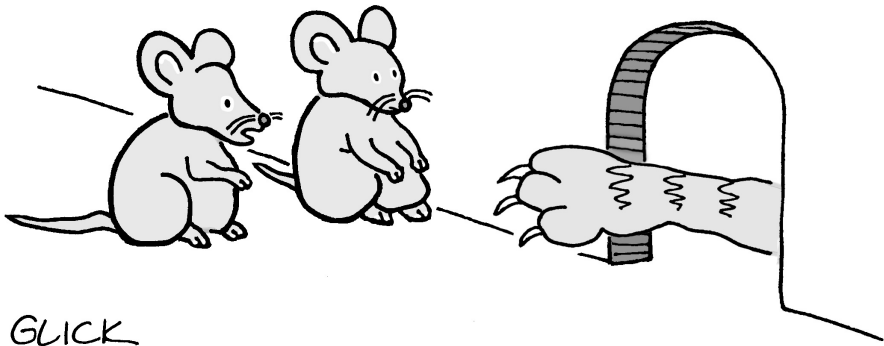
Employees may take unpaid leave pursuant to this law for as long as their healthcare provider determines that the employee is physically disabled for a covered reason. When the employee is ready to return to work, the employee is entitled to be returned to their original job or a comparable position unless business necessity makes this impossible or unreasonable.

In 2023, New Hampshire adopted a Paid Family and Medical Leave (PFML) law. New Hampshire’s PFML program allows, but does not require, employers to offer employees paid family and medical leave. New Hampshire’s PFML is a voluntary program that employers and workers can access if they so choose. This contrasts with mandatory PFML programs in states like Massachusetts and Connecticut. ♦

Margaret “Peg” O’Brien is chair of McLane Middleton’s Employment Law Practice Group. She can be reached at (603) 628-1490 or margaret.obrien@mclane.com.

Jest Is For All

by Arnie Glick



“Doesn’t that cat know that in eviction matters it is unlawful to engage in self-help remedies?”

The Bar News Crossword by James P. Mulhern

Here are the answers to the *Bar News* Crossword from the July 2025 issue (Vol. 36, No. 2), along with a new puzzle. Did you fully solve the July crossword? Tell us how you did or give feedback at news@nhbar.org.

1	F	L	U	F	F
6	L	A	B	O	R
7	A	D	O	R	E
8	P	L	A	T	E
9	S	E	T	H	

ACROSS

- 1. With 8-Across, hot part of the summer
- 4. Building material from the Spanish for “mudbrick”
- 6. Actress Gal of “Wonder Woman”
- 7. Rough around the ____
- 8. See 1-Across

		1	2	3
4	5			
6				
7				
8				

DOWN

- 1. Shady and deceitful
- 2. Certain woodwinds
- 3. Groks
- 4. Like sharp cheddar
- 5. Early 1900s avant-garde art movement

In Memoriam

Paul Richard Cox

Paul Richard Cox, 87, of Dover, a longtime attorney and active member of the community, passed away peacefully at Wentworth-Douglass Hospital on June 24, 2025, surrounded by his loving family.

Born in Framingham, Massachusetts, Paul was the son of Charles and Katherine Cox. He was predeceased by his beloved wife, Martha (Richard) Cox, and his brothers, Charles and Robert.

He is survived by his four children and their spouses: Chris Cox and wife Andrea Thompson (Halifax, NS); Matt Cox and wife Finola (Dover); Katy Cox and husband Jason Lucey (Dover); and Sarah Lavoie and husband Mike (Dover). Paul was the fun-loving "Papa" to ten grandchildren: Liam, Josh, Brendan, Aidan, Finn, Tynan, Shane, Ava, Kate, and Maddie. He also leaves behind many beloved in-laws, nieces, nephews, cousins, and dear friends.

Paul grew up in Medfield and was passionate about basketball. He attended the College of the Holy Cross, where his freshman team was rumored to have beaten the varsity squad. Early in college, Paul was diagnosed with severe rheumatoid arthritis, ending his basketball aspirations. He met this challenge with grace, redirecting his focus toward academics and earning his law degree from Suffolk University.

Paul joined the Burns Bryant law firm



in Dover in 1965 and practiced for 50 years, eventually becoming senior partner. He was a tireless advocate for injured plaintiffs, driven by the belief that individuals face an uphill battle against insurance companies. His work earned local and national recognition.

After moving to Dover, Paul met Martha, the love of his life. They were married for 49 years, raising a family and becoming deeply involved in their community through coaching, volunteering, and supporting local charities. Paul also championed girls' athletics before it was common, and he stayed active himself – skiing into his late 60s and running the Falmouth Road Race multiple times.

He loved the arts and often took his family to concerts and the theater, thrilled to see many of them pursue music and performance.

After Martha's passing in 2014, Paul remained active, moving to Silver Square in 2022, where he found new friendships and community. He will be remembered for his warmth, generosity, sharp wit, and the ease with which he connected with people of all ages.

In lieu of flowers, please consider donating to the Paul and Martha Cox Memorial Fund, c/o NH Charitable Foundation, 37 Pleasant Street, Concord, NH 03301, or [give.nhcf.org/PaulMarthaCoxFund](#).

Hamilton R. Krans, Jr.

Hamilton R. Krans, Jr., 81, passed away on June 8, 2025, surrounded by his loving family. Hamilton, who was known as "Dick," was born on February 21, 1944, in Middletown, New York. He was the son of Hamilton R. Krans and Eulalia Padgett Eastman.

Dick was raised in Newport, New

Hampshire, and graduated from Towle High School in 1962. While in high school, he attended the St. Paul's School Advanced Studies Program. He graduated from Dartmouth College in 1966, where he was a member of the senior society, Dragon, and earned his JD from the University of Miami School of Law in 1969. Dick served in the United States Army from 1969 to 1970 and later in the New Hampshire Army National Guard.

He practiced law in Dover for over 50 years. He served multiple terms as Strafford County Attorney and held leadership positions in the Strafford County Bar Association and the Charles C. Doe American Inn of Court. Dick served on the New Hampshire



Department of Labor's Workers' Compensation Appeals Board for over 20 years and spent two years in the New Hampshire House of Representatives (2016-2018).

On September 27, he will be posthumously inducted into the Newport Athletic Hall of Fame in recognition of his outstanding high school basketball career. He was also a longstanding member of Cochecho Country Club, where he once made a hole-in-one on the third hole.

He is survived by his wife of 53 years, Pamela Lilly Krans; his daughter, Heather E. Krans; his son, Hamilton R. Krans III, and his wife, Angela; his sister, Sharon K. Hay of Palm Coast, FL, and her husband, Robert; his brother, Allan B. Krans and his wife, Mary; and several nieces and nephews and their families.

The family asks that in lieu of flowers, friends consider supporting one of his favorite charities: New Hampshire Food Bank or St. Jude Children's Research Hospital.

LawLine

The New Hampshire Bar Association would like to thank McLane Middleton for the very successful LawLine event held on July 9. Thanks to its efforts, 32 calls from residents across the state were answered on a wide range of topics, including labor law, wills, civil procedure, administrative matters, and contractor disputes.

Our callers consistently express deep appreciation for the legal advice they receive, and the NHBA is immensely grateful for the continued support and participation of our volunteer attorneys each month.

LawLine is a free public hotline staffed by volunteer attorneys and offered on the second Wednesday of each month from 6 to 8 pm. Calls are forwarded through NHBA staff to maintain firm anonymity.

We are currently seeking volunteers for future LawLine events. If you're ready to make a difference this year, we would love to have you join us. To learn more or to volunteer, please contact NHBA Law-Line Coordinator Amanda Adams at aadams@nhbar.org. ♦

Cullen Collimore Shirley COUNSELORS AT LAW



Our dear friend and irreplaceable partner Kevin G. Collimore is leaving the private practice of law to focus his efforts full-time as a mediator and arbitrator.

Although we are sad to see Kevin go, we wish him great success as the newest member of the PRISM/Hess Gehris Solutions team!

cullencollimore.com

DEVINE MILLIMET

ATTORNEYS AT LAW

Devine Millimet is pleased to welcome Aidan P. Neigh to the firm. Located in our Downtown Manchester office, Attorney Neigh has a Juris Doctor from University of NH Franklin Pierce School of Law.

Aidan will be joining the litigation department, assisting clients with domestic relations and family law matters.

603.695.8535
aneigh@devinemillimet.com
www.DevineMillimet.com

Welcome!



AIDAN P. NEIGH
ASSOCIATE

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PROFESSIONAL ANNOUNCEMENTS

	Size Ad	Price	Width	Height
#1	1/8 page horizontal	\$300	4.92"	3.25"
#2	1/4 page vertical	\$490	4.92"	6.75"
#3	1/2 page horizontal	\$700	10"	6.75"
#4	Full page	\$1325	10"	13.63"

Rates & Sizes JANUARY - DECEMBER 2025



If you would like to place an announcement, email advertise@nhbar.org

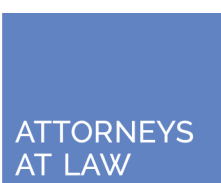
WELCOME NEW ATTORNEY: JOSEPH D. BECHER



Joseph D. Becher has joined the firm's insurance defense and litigation practice groups in our Manchester, NH office.

Shareholder Nick Deleault commented, "Joe is not only an accomplished insurance legal professional; he is also a skilled litigator, having tried numerous cases on behalf of clients and large companies. Joe brings a solid background that is consistent with the quality for which Primmer is known and consistently recognized, and he will help us to continue to serve the needs of all our clients."

Joe Becher can be reached at jbecher@primmer.com. For more information, visit his profile at www.primmer.com.



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WELCOMING ATTORNEY SETH DOBIESKI

Attorney Seth Dobieski is an associate attorney at Naro Law PLLC where he focuses his practice on criminal defense and family law. Drawing on years of prosecutorial experience and a strong academic background, Attorney Dobieski is a dedicated advocate for clients facing challenging legal issues in the New Hampshire State Court system.



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Kevin Collimore Joins PRISM/Hess Gehris Solutions

Kevin Collimore is pleased to announce that he has joined the alternative dispute resolution team at PRISM/Hess Gehris Solutions as a mediator, arbitrator, and conflict resolution consultant. After 30 years as a civil trial attorney and over 20 years as a mediator and arbitrator in New Hampshire, Kevin is now committed to using his skills as a mediator to help people resolve construction, civil and probate disputes. Since 1999, Kevin has facilitated more than 500 court-ordered and private mediations and arbitrations. For more information, or to schedule a mediation please contact Kevin at Kevin@prismconflictsolutions.com.

The team at PRISM/Hess Gehris Solutions is thrilled to welcome Kevin. Our mediators are ready to assist you and your clients with civil, employment, construction, family and probate mediations in New Hampshire, Vermont, Maine and throughout New England.



New England's Trusted Mediation and Workplace Conflict Resolution Firm

New Hampshire Bar Association Budget for Fiscal Year 2026

NHBA Board Approves 2025-2026 Budget

The 2025-2026 fiscal year budget for the New Hampshire Bar Association (NHBA) was presented to and approved by the NHBA Board of Governors at its May 2025 meeting.

The NHBA budget is reporting an expected one percent decrease in both revenue and expenses compared to the prior year's budget.

A conservative, creative approach, along with a dedicated and motivated staff, has enabled the NHBA to retain the capacity for member and public service. This is reflected in continued support for committee initiatives, professional development programs, and the Lawyer Referral Service, to name but a few.

The NHBA supports affiliates that share the Bar Center offices including the New Hampshire Bar Foundation – the charitable arm of the NHBA – and New Hampshire Minimum Continuing Legal Education (NH Supreme Court Rule 53). In addition, NHBA staff support the Public Protection Fund Committee through administration of New Hampshire Supreme Court Rule 55. Staff also assist with the administration of New Hampshire Supreme Court Rule

50-A through the filing process for annual Trust Account Compliance Forms.

In addition, the NHBA assists the Attorney Discipline Office and New Hampshire Lawyer Assistance Program with collection and disbursement of annual assessment fees.

Budget Highlights

The NHBA budget totals \$3.927 million in revenues and \$3.903 million in expenses with an estimated surplus of \$23,684.

Revenue Breakdown

- 52 percent - Membership Dues and Fees (\$2,043,390) decreased from Fiscal Year 25 due to an expected decrease in delinquency fees assessed to members. This is the result of a concerted effort by NHBA staff to connect with members who have outstanding obligations as the renewal deadline approaches. *(See related article on page 1 for more on the NHBA's Lean process improvement initiatives.)*
- 33 percent - Registration and Fees, of which the majority is Continuing Legal Education revenue (\$952,139),

Annual Meeting and Leadership Academy revenue (\$103,750), and Lawyer Referral Service Panel and Percentage Fees Revenue (\$220,125)

- 8 percent – Publications and Merchandise Sales, which includes *New Hampshire Bar News* advertising and subscriptions (\$310,920)
- 3 percent – Substantive Law Section Membership Revenue (\$101,880)
- 3 percent – Other, which includes investment income, and other miscellaneous revenue (\$133,407)
- 1 percent – Grant (\$39,000) and other funding (\$22,800) for NHBA programs

Expense Breakdown

- Program Expenses constitute 24 percent of the total expenditure budget and relate to member and public programming and services (\$919,528)
- Overhead costs constitute 17 percent of the total expenditure budget, with the largest portion of this expense being occupancy costs for the owned office condominium

New Hampshire Bar Association

	APPROVED BUDGET	APPROVED BUDGET	
	May 31, 2026	May 31, 2025	Change
REVENUE			
Membership Dues & Fees	2,043,390	2,077,320	(33,930)
Substantive Law Sections	101,880	101,880	-
Registrations & Fees	1,276,014	1,315,341	(39,328)
Publications & Merchandise Sales	310,920	291,321	19,599
Grant & Funding Revenue	61,800	53,500	8,300
Other Revenue	133,407	120,340	13,068
General Support to Affiliates	-	-	-
TOTAL REVENUE	3,927,411	3,959,702	(32,291)
EXPENDITURES			
Personnel Expenses	2,320,130	2,325,530	(5,400)
Overhead Expenses	664,069	611,149	52,920
Program Expenses	919,528	1,023,023	(110,695)
TOTAL EXPENDITURES	3,903,727	3,959,702	(55,975)
Net Asset Contribution	-	-	-
EXCESS OF REVENUE OVER EXPENSES	23,684	(0)	23,684

New Hampshire Bar Association Explanation of Largest Expenditure - Personnel Costs

Department	Budget Year Ended, May 31, 2026				Budget Year Ended, May 31, 2025			
	Personnel Costs	Full Time Staff Equivalent (FTE)	Positions All or Partially Funded	% Expense of Total Budget	Personnel Costs	Full Time Staff Equivalent (FTE)	Positions All or Partially Funded	% Expense of Total Budget
Executive	497,593	4.900		12.75%	492,479	4.950		12.44%
Business Operations	632,898	8.583		16.21%	717,852	8.583		18.13%
Professional Development	474,566	5.700		12.16%	453,627	5.800		11.46%
Marketing & Strategic Communications	406,311	4.500		10.41%	389,126	4.500		9.83%
Lawyer Referral Service - Full Fee	119,806	1.800	1.800	3.07%	107,225	1.800	1.800	2.71%
Modest Means Referral Service	119,806	1.800	1.800	3.07%	107,225	1.800	1.800	2.71%
Law Related Education	69,150	0.800	0.800	1.77%	57,995	0.800	0.800	1.46%
Total Personnel Costs	2,320,130	28.083		59.43%	2,325,530	28.233		58.73%

New Hampshire Bar Association Budget for Fiscal Year 2026

at 2 Pillsbury Street (\$664,069)

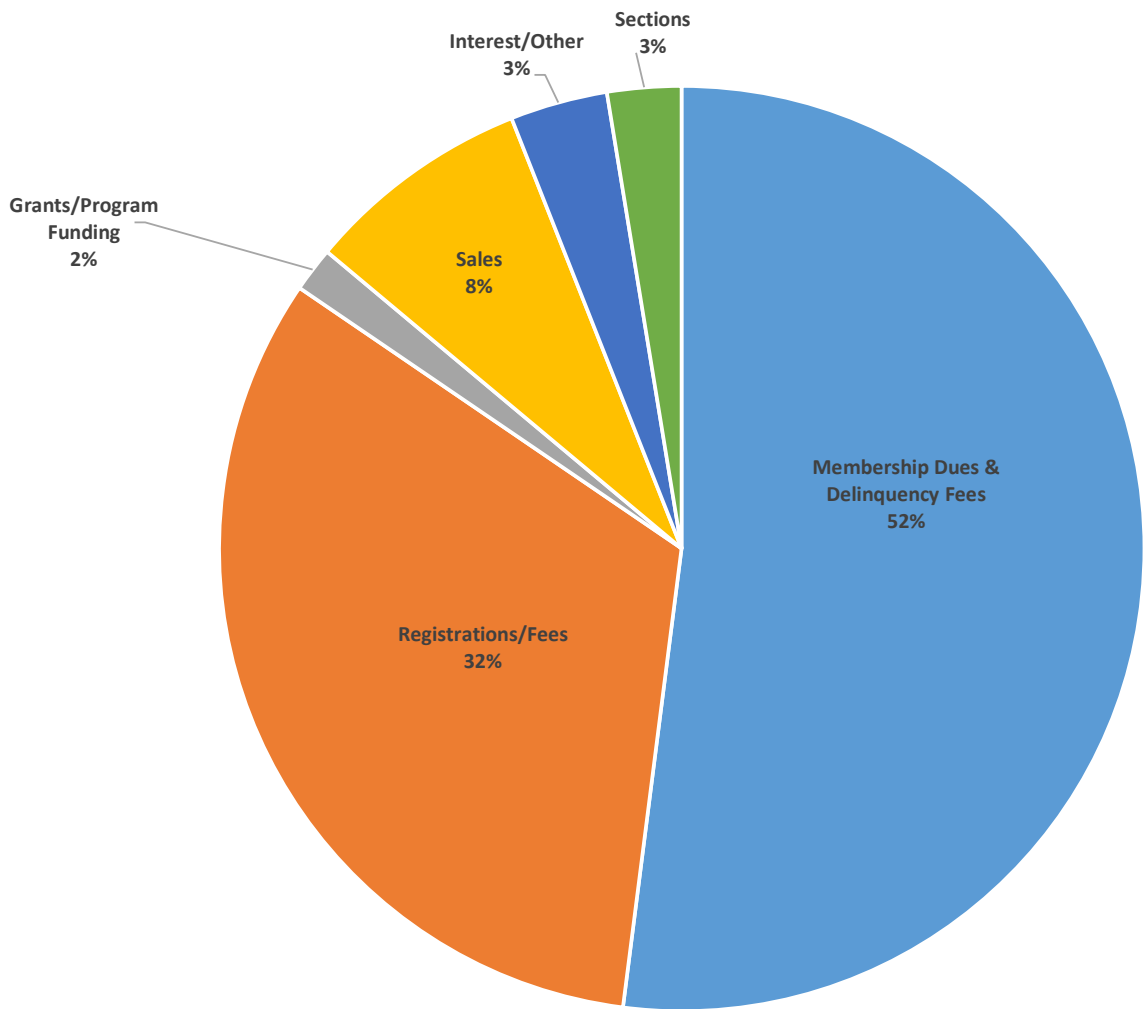
- Personnel costs are the largest expense for most service-intensive organizations (salary, wages, and benefits). Virtually all activities at the Bar Center are service-related; hence the single largest expense in the budget is staffing to provide programs and services. These costs account for 59 percent of the total expenditure budget (\$2,320,130)

Please attend the Budget Information Session on Wednesday, September 10, 2025, at 3:00 pm, located at the New Hampshire Bar Association, 2 Pillsbury Street, Suite 3, Concord, NH 03301, or virtually, for questions and discussion regarding this fiscal year's budget. Please RSVP to info@nhbar.org if you plan to attend. You can submit questions or comments in advance of the meeting by emailing NHBA Controller Jennifer McManus at jmcmanus@nhbar.org.

Notice of Budget Information Session – All Members Welcome

Please attend the Budget Information Session on Wednesday, September 10, at 3 pm, located at the New Hampshire Bar Center, 2 Pillsbury Street, Suite 3, in Concord (or virtually), for questions and discussion regarding this fiscal year's budget. Please RSVP to info@nhbar.org. Questions or comments in advance of the meeting may be emailed to NHBA Controller Jennifer McManus at jmcmanus@nhbar.org.

New Hampshire Bar Association 2025-2026 Budgeted Revenue Sources



New Hampshire Bar Association Largest Expenditures, Excluding Personnel Costs

Largest Expenditures are budget line items \$30,000 and above

	Budget Year Ended, May 31, 2026			Budget Year Ended, May 31, 2025		
	Budgeted Cost	Expense Funded by Grant or Award	% Expense of Budget	Budgeted Cost	Expense Funded by Grant or Award	% Expense of Budget
Overhead Expenses						
Occupancy (mortgage interest, CAM, maintenance)	266,239		6.81%	248,521		6.28%
Information Services/Data Processing	147,439		3.77%	135,337		3.42%
Professional Fees (includes annual financial audit)	119,923		3.07%	121,887		3.08%
Depreciation	77,000		1.97%	-		0.00%
Equipment Rental & Maintenance	37,672		0.96%	30,078		0.76%
Insurance	35,975		0.92%	28,690		0.72%
Program Expenses						
Midyear Meeting Expenses	98,100		2.51%	70,870		1.79%
Miscellaneous (includes credit card processing fees)	92,139		2.36%	167,170		4.22%
Postage	61,440		1.57%	57,980		1.46%
Member Services Affinity Partners	54,300		1.39%	62,908		1.59%
Printing & Materials (includes CLE materials for members)	54,227		1.39%	61,063		1.54%
Facilities & Meals	54,000		1.38%	49,407		1.25%
Practical Skills Member Workshops	47,000		1.20%	42,600		1.08%
Law Related Education Programs	37,809		0.97%	33,946		0.86%
Legislation Program	36,600		0.94%	29,975		0.76%
Program Development & Training	34,478		0.88%	46,166		1.17%
Annual Meeting	32,697		0.84%	70,247		1.77%
Officer & ABA Delegate Allowance	31,970		0.82%	36,405		0.92%
Total Percentage of Budget			34%			33%



CONTINUING LEGAL EDUCATION GUIDE

High Quality, Cost-Effective CLE for the New Hampshire Legal Community

Have an idea for a CLE? Reach out to Director of Professional Development Vincent O'Brien at vobrien@nhbar.org.

AUGUST 2025

WED, AUG 27 – 9:00 a.m. – 4:30 p.m.
Advanced Employment Law
• 360 NHCLE min.
• Concord – NHBA Seminar Room/Webcast

SEPTEMBER 2025

WED, SEP 17 – 9:00 a.m. – 4:30 p.m.
Real Estate Law 101
• 385 NHCLE min.
• Concord – NHBA Seminar Room/Webcast

OCTOBER 2025

WED, OCT 1 – 9:00 a.m. – 4:15 p.m.
Solo & Small Firm Conference
• 360 NHCLE min., incl. 60 ethics min.
• Concord – NHBA Seminar Room/Webcast

WED, OCT 8 – Time TBD
Landlord Tenant Law
• Credits TBD
• Concord – NHBA Seminar Room/Webcast

FRI, OCT 17 – Time TBD
Advanced Family Law
• Credits TBD
• Concord – NHBA Seminar Room/Webcast

FRI, OCT 24 – 9:00 a.m. – 4:30 p.m.
Developments in the Law
• 360 NHCLE min., incl. 60 ethics min.
• Manchester – DoubleTree by Hilton

WED, OCT 29 – Time TBD
US Supreme Court Update
• Credits TBD
• Concord – NHBA Seminar Room/Webcast

NOVEMBER 2025

WED, NOV 4 – Time TBD.
Best Practices in Trusts & Estates
• Credits TBD
• Concord – NHBA Seminar Room/Webcast

WED, NOV 5 – 9:00 a.m. – 4:30 p.m.
24th Annual Labor & Employment Law Update
• 360 NHCLE min., incl. 60 ethics min.
• Concord – NHBA Seminar Room/Webcast

FRI, NOV 7 – Time TBD
School Law
• Credits TBD
• Concord – NHBA Seminar Room/Webcast

WED, NOV 19 – 9:00 a.m. – 4:30 p.m.
Business Organizations & Choice of Entity in New Hampshire
• 365 NHCLE min., incl. 60 ethics min.
• Concord – NHBA Seminar Room/Webcast

DECEMBER 2025

WED, DEC 10 – 8:30 a.m. – 4:45 p.m.
Practical Skills for New Admittees – Day 1
• Concord – Grappone Conference Center

THU, DEC 11 – 8:30 a.m. – 12:00 p.m.
Practical Skills for New Admittees – Day 2
• Concord – Grappone Conference Center

FEBRUARY 2026

FRI, FEB 13 – Time TBD
Adoption Law
• Credits TBD
• Concord – NHBA Seminar Room/Webcast

FRI, FEB 20
Midyear Meeting 2026
• Manchester – DoubleTree by Hilton

MARCH 2026

TUE, MAR 3 – Time TBD
Sexual Harassment
• Credits TBD
• Concord – NHBA Seminar Room/Webcast

Real Estate Law 101

Co-sponsored w/the NHBA's
Real Property Section

Wednesday, September 17

9:00 – 4:30 p.m.
385 NHCLE min.

NHBA Seminar Room/Webcast

Whether you're just getting started or want a solid refresher, Real Estate 101 offers New Hampshire attorneys a comprehensive overview of the essential elements of real estate practice. This full-day seminar walks you through contracts, deeds, title searches, and both residential and commercial closings—giving you practical tools you can use immediately.

Faculty

Roy W. Tilsley, Jr., Program Chair, Bernstein, Shur, Sawyer & Nelson, PA, Manchester

Amanda S. Dupuis, Bernstein, Shur, Sawyer & Nelson, PA, Manchester

James D. Kerouac, Bernstein, Shur, Sawyer & Nelson, PA, Manchester

Gregory E. Michael, Bernstein, Shur, Sawyer & Nelson, PA, Manchester

Leigh S. Willey, CATIC, Concord

We have a NEW Group Discount Policy at NHBA CLE

Whenever four or more NHBA members who work together for a firm, state agency, or other entity register for an **in-person** NHBA CLE seminar, each attorney will receive a 50% discount off the registration fee. *Midyear Meeting, Annual Meeting, Developments in the Law, and Practical Skills programs are excluded*; NHBA CLE reserves the right to exclude other programs on a case-by-case basis.

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Advanced Employment Law

Co-sponsored w/the NHBA's Labor & Employment Law Section

Wednesday, August 27, 2025

9:00 a.m. – 4:30 p.m.
360 NCMLE min.
Live Webcast Only

This comprehensive course explores complex topics such as employee accommodations, wage and hour compliance, collective bargaining, and workplace investigations, among many others. Through interactive discussions and expert analysis, participants will gain the practical tools needed to navigate high-stakes employment issues with confidence. Ideal for attorneys seeking to sharpen their litigation strategies or enhance their advisory capabilities, this program offers both depth and actionable insight.

Faculty

Beth A. Deragon, Program Chair, ClarkDeragon Law, PLLC, Concord
Marc G. Beaudoin, Krupski & Beaudoin, PLLC, Concord
Olivia F. Bensinger, Shaheen & Gordon, PA, Concord
Brian J. Bouchard, Sheehan, Phinney, Bass & Green, PA, Portsmouth
Amy M. Cann, Cann Law, PC, Portsmouth
Andrea G. Chatfield, Sheehan, Phinney, Bass & Green, PA, Manchester
Anna B. Cole, Drummond Woodsum, Attorney at Law, Manchester
Meredith M. Lasna, Pastori Krans, PLLC, Concord
J. Daniel Marr, Hamblett & Kerrigan, PA, Nashua
Margaret A. O'Brien, McLane Middleton Professional Association, Manchester
Deirdre M. Salsich, Devine, Millimet & Branch, PA, Manchester
Charla B. Stevens, Charla Stevens Consulting, Concord
Abby Tucker, Wadleigh, Starr & Peters, PLLC, Manchester

Developments in the Law

Friday, October 24, 2025

9:00 – 4:30 p.m.
360 NCMLE min., incl. 60 ethics min.
DoubleTree by Hilton, Manchester

Join us for Developments in the Law 2025, the New Hampshire Bar Association's signature annual update on critical changes in state and federal law. This comprehensive program brings together leading legal minds to deliver fast-paced, practical updates across a wide spectrum of practice areas—including ethics, criminal, civil, family, estate planning, real estate, and more.

Faculty

Sara B. Crisp, Program Chair, The Crisp Law Firm, PLLC, Concord
Simon R. Brown, Preti Flaherty Beliveau & Pachios, LLP, Concord
Thomas M. Closson, Thomas M. Closson Attorney at Law, PLLC, Nashua
Tracey G. Cote, Shaheen & Gordon, PA, Concord
Edmond J. Ford, Ford, McDonald & Borden, PA, Portsmouth
Alyssa Graham Garrigan, Ansell & Anderson, PA, Bedford
Timothy A. Gudas, NH Supreme Court, Concord
Stephanie C. Hausman, NH Appellate Defender Program, Concord
Thomas J. Pappas, Primmer, Piper, Eggelston & Cramer, PC, Manchester
Laura Spector-Morgan, Mitchell Municipal Group, PA, Laconia
Roy W. Tilsley, Jr., Bernstein Shur Sawyer & Nelson, PA, Manchester

Solo & Small Firm Conference

Wednesday, October 1, 2025

9:00 a.m. – 4:15 p.m.
360 NCMLE min., incl. 60 ethics min.
NHBA Seminar Room/Webcast

Solo and small firm practitioners face unique challenges—and opportunities—in today's evolving legal landscape. This dynamic, one-day program is built specifically for you, offering hands-on guidance for scaling your practice, adopting smart technology, and planning for smooth transitions.

Faculty

Jack P. Crisp, Jr., Program Co-chair/CLE Committee Chair, the Crisp Law Firm, PLLC, Concord
Amy Manzelli, Program Co-chair/CLE Committee Vice-Chair, BCM Environmental & Land Law PLLC, Concord
Alycia M. Gelin, Morneau Law, Nashua
Barron K. Henley, Affinity Consulting Group, LLC, Columbus, OH
Kerry Lekas, Lekas, Edgar & Co., Londonderry
Robert R. Lucic, Sheehan, Phinney, Bass & Green, PA, Manchester
Kristin A. Mendoza, Abridge Law, PLLC, Nashua
Hollis McGuire, NH Small Business Development Center
Katherine J. Morneau, Morneau Law, Nashua
John Phelan, Bankprov, Bedford
Catherine E. Shanelaris, Shanelaris, Schirch & Warburton, PLLC, Nashua

24th Annual Labor & Employment Law Update

Co-sponsored w/the NHBA's Labor & Employment Law Section

Wednesday, November 5, 2025

9:00 a.m. – 4:30 p.m.
360 NCMLE min., incl. 60 ethics min.
NHBA Seminar Room/Webcast

Join your colleagues for the 24th Annual Labor & Employment Law Update, the premier CLE event for New Hampshire employment practitioners, taking place live and via webcast on November 5, 2025. This dynamic program will deliver critical updates on state and federal employment law, including the implications of new legislation, court rulings, and agency guidance.

Faculty

Debra Dyleski-Najjar, Program Chair/CLE Committee Member, Najjar Employment Law Group, PC, Boston & N. Andover, MA
Ronald L. Abramson, Shaheen & Gordon, PA, Manchester
Heather M. Burns, Upton & Hatfield, LLP, Concord
John B. Koss, Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, Boston, MA
James F. Laboe, Orr & Reno, PA, Concord
Brooke L. Lovett Shilo, Upton & Hatfield, LLP, Concord
Alexander E. Najjar, Najjar Employment Law Group, PC, N. Andover, MA
Jennifer L. Parent, McLane Middleton Professional Association, Manchester
Terri L. Pastori, Pastori Krans, PLLC, Concord
James P. Reidy, Sheehan, Phinney, Bass & Green, PA, Manchester
Jennifer Shea Moeckel, Sheehan, Phinney, Bass & Green, PA, Manchester
Kevin M. Sibbernsen, Jackson Lewis, PC, Portsmouth
Kevin W. Stuart, Bernard & Merrill, Manchester

For more information or to register, visit <https://nhbar.inreachce.com>

NHBA•CLE Volunteer Faculty Honor Roll



Over 175 members of our Bar and over 20 non- New Hampshire Bar Association members volunteered (some multiple times) during the 2024-25 CLE year as faculty panelists, program chairs, and moderators in more than 40 high-quality live and remote NHBA•CLE seminars. Together, faculty donated thousands of hours to share their knowledge and expertise with colleagues statewide and beyond. Without the professional commitment of these volunteers, the New Hampshire Bar’s CLE programs would not have been available to the many Bar members who attended. NHBA•CLE programs consistently receive very positive participant evaluations. Please – when you see these individuals, let them know you appreciate their important contributions to the competency and professionalism of the NHBA. On behalf of the entire CLE Committee and staff, we wish to thank all members for their continued support of NHBA•CLE efforts.

***Please let us know if we have left you off our list in error. We apologize for any oversights.**

2024-25 CLE COMMITTEE

- Lisa Ura Bollinger**
Black, LaFrance & Bollinger, LLC
- Jack P. Crisp, Jr.**
The Crisp Law Firm, PLLC
- Sara B. Crisp**
The Crisp Law Firm, PLLC
- Nicole Fontaine Dooley**
Welts, White & Fontaine, PC
- Debra Dyleski-Najjar**
Najjar Employment Law Group, PC
- Andrew B. Eills**
Sheehan, Phinney, Bass & Green, PA
- Edmond J. Ford**
Ford, McDonald & Borden, PA
- Rebeka M. Fortess**
NH Circuit Court Administrative Office
- Hon. James D. Gleason**
NH Circuit Court (ret.)
- Scott H. Harris**
McLane Middleton Professional Association
- Peter E. Hutchins**
Law Offices of Peter E. Hutchins, PLLC
- Eric A. Ivanov**
United Natural Foods, Inc.
- Meaghan A. Jepsen**
NH Attorney General's Office - DOJ
- C. Christine Johnston**
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- Michael S. Lewis**
Rath, Young & Pignatelli, PC
- Amy Manzelli**
BCM Environmental & Land Law, PLLC
- Julie A. Moore**
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- Margaret A. O'Brien**
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- Jesse J. O'Neill**
McLane Middleton Professional Association
- Arnold Rosenblatt**
Hinckley Allen Snyder, LLP
- Edward J. Sackman**
Bernstein, Shur, Sawyer & Nelson, PA
- Justin S. St. James**
Justin St. James Attorney at Law
- David J. Thibodeau**
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LEADERSHIP *from page 1*

Several participants point to the opportunity to shadow members of the judiciary as a highlight of the experience.

“Just watching Judge [Paul] Barbadoro interact with his clerk – he was listening to her, engaging with her, considering and accepting what she said – was eye-opening,” O’Neill says. “It brought clarity that being a leader doesn’t mean you know everything – it doesn’t mean you stop listening to others.”

Nicole Forbes, who has been a co-chair of the Leadership Academy Steering Committee since she graduated from the program, echoes that.

“I really enjoyed shadowing the judge,” she says. “It was impactful to see how members of the bench serve as leaders not only in the courtroom but also behind the scenes with court staff and officers.”

Forbes also points to the Academy’s retreat as a standout moment.

“It was workshop-style and gave us a chance to learn leadership skills, practice them, and observe how others lead,” she says.

Devon Ayer, another recent graduate, says the program gave her insight into legal sectors she hadn’t previously considered.

“I’ve been in public interest for years, and I hadn’t really thought I’d be qualified to do other types of work,” she says. “But hearing from people in different fields made it feel more accessible, like if I wanted to shift one day, I could.”

Ayer also notes how the program helped her feel more comfortable in statewide Bar settings.



Ayer



Chiang



Forbes



Mahan



O’Neill



Saint-Marc

“I wasn’t necessarily looking to grow professionally, but I wanted to see what else the Bar had to offer,” she says. “I left the program feeling more familiar with the broader legal community. It was less intimidating.”

That sentiment is shared by Gar Chiang, who now serves on the NHBA Board of Governors as the out-of-state governor.

“Leadership Academy opened my eyes,” he says. “You learn what law school doesn’t teach you. I got so much out of it, and I encourage anybody to apply – even if you think you’re too old, like I thought I was.”

Chiang emphasizes that the program is more than just networking.

“The networking is only a small part

of it,” he says. “It will launch you into so many spaces, positions, and opportunities. The benefits it brings are real. It’s an unbelievable opportunity.”

Those who are unsure whether they have time for the program may find Ayer’s experience reassuring.

“It was very manageable,” she says. “It was low stress and high reward. I feel like I got so much more out of it than I had to put in.”

O’Neill agrees: “It wasn’t even on my radar to apply. It was recommended to me within the firm, and I’m glad I took that recommendation. The time

commitment wasn’t huge, but it had a big impact.”

Other past participants who are now leaders in the legal community have also

praised the program for its long-term value.

“Any single module was worth the effort,” said NHBA Immediate Past President Kathleen Mahan in a previous interview. “Meeting the people alone was worth it. It was definitely something I not only learned a lot from, but that I really enjoyed.”

Judge Talesha Saint-Marc, who participated early in her career and now serves on the federal bench, describes the program as an important step for future leaders.

“The Leadership Academy helps you refine your leadership skills and really sharpen them,” she said in an earlier article. “It’s a great program for anyone who hasn’t yet had the opportunity to lead – it helps you learn how to present, negotiate, and collaborate.”

Forbes offers simple advice to anyone considering applying: “Do it. It’s a really valuable experience. The programming is strong, and it’s a great way to get more involved, meet new people, and build a foundation for future career growth.”

To apply for the Class of 2026 Leadership Academy, visit nhbar.org/nhba-leadership-academy. ♦

“[Leadership Academy is] a great program for anyone who hasn’t yet had the opportunity to lead – it helps you learn how to present, negotiate, and collaborate.”
– Judge Talesha Saint-Marc



New Hampshire
Judicial Council

Martin Irwin, MD: THE IMPACTS ON CHILDREN OF PLACEMENT IN RESIDENTIAL FACILITIES

Friday, September 26

12:00 – 1:30 p.m.

Live Webcast—Eligible for 90 NHCLE Credits

This live webcast will examine the consequences of congregate placement on children who have experienced childhood adversity.

This program was developed to complement newly enacted RSA 169-F:8, which establishes requirements and procedures judges must follow in CHINS, delinquency, and abuse and neglect cases before placing a child in a residential facility.

Martin Irwin, MD, is a clinical professor of child and adolescent psychiatry at the NYU Grossman School of Medicine. Dr. Irwin has designed community-based programs at the interface of child welfare, child mental health, and education systems, including award-winning programs for mental health services for foster children, for improving the consent process for treatment with psychiatric medications, and reducing the over usage of medication for children. He lectures widely to medical, mental health, social work, legal, advocacy, and child welfare audiences.

Note: The Judicial Council’s obligations include ensuring that attorneys possess the necessary legal skills and experience to independently and reliably provide high-quality representation in court-appointed cases. The 2024 Judicial Council standards for the representation of children in RSA 169-B and C cases include new training requirements: attorneys must have engaged within the prior year in at least 3 hours of CLE training in child-related topics and must engage in B of CLE training per year thereafter.

The views of presenters are not necessarily those of the Judicial Council.

This webinar was originally scheduled for June 27. Registrants for that date will get an email with a Zoom link for the new date.

Not registered? Please contact Sharon Hebert/NH Judicial Council, sharon.p.hebert@jc.nh.gov.

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Separation of Powers and Fiscal Responsibility in the Granite State

In Honor of Constitution Week

Tuesday September 23, 2025

90 minute CLE (5:00-6:30 PM)

University of New Hampshire Franklin Pierce School of Law,
Intellectual Property Center, Room 282

Panelists Henry Klementowicz, Esq. and Representative Bob Lynn, former Chief Justice of the New Hampshire Supreme Court, will discuss the respective roles of the Courts and the Legislature and how they intersect in areas related to budgeting for mental health, prisons, and school funding, in view of New Hampshire Supreme Court precedents.

Moderated by NHPR Reporter Annmarie Timmins

Registration is required. Registration deadline is Sept. 22.
Register <https://www.nhsupremecourtsociety.org/cleregform>.

If questions, contact Michael O’Neil, Esq.
603-226-2600 mko@rathlaw.com.

Workers' Compensation & Personal Injury Law

Stuck in Limbo: How the Workers' Compensation Pre-Authorization Fails Injured Workers

By Rory Parnell

Everyone wants to be paid. As a lawyer, I do understand that. However, at the intersection of wanting to be paid and receiving necessary medical care lies a process in workers' compensation cases called the pre-approval, or pre-authorization, process. This is when a medical provider asks the workers' compensation insurer to pre-approve or authorize a specific type of medical treatment such as surgery, therapy, injections, or other treatment. The provider does this so they can guarantee they receive payment. Conversely, the injured worker just wants to get the necessary medical care that puts them on the path to recovery and to returning to work.

New Hampshire manages this conflict under RSA 281-A:23 (governing payment of medical bills and services) and New Hampshire Administrative Rule Chapter 507.05. The administrative rule identifies the requirements to trigger the pre-approval process. This requires the medical provider to state, in writing, (1) the nature of the proposed care, (2) how the proposed care is required to address the problems that are the result of the work-related injury, (3) the anticipated benefit of the care, and (4) the estimated cost of the treatment.

If the medical provider answers these questions in writing, then under 507.05(b) the insurance carrier has 20 days to approve or deny the care. If the insurance carrier denies the care, then the injured worker has a right under RSA 281-A:23 to request a hearing on whether the denial was lawful. If the insurance carrier ignores the request, then the injured worker has a right to request a hearing on the twenty-first day after the pre-approval request is sent to the insurance carrier.

So, if this is laid out by statute, the question becomes: why is this a problem?

First, it is common for medical providers to call the insurance carrier directly to request pre-approval. Often, the insurance



carrier states, over the phone, that they are "denying" the care. The insurer then does not provide a written denial. So, in this instance, a medical provider believes the pre-approval was denied and refuses to perform the service.

Unfortunately, the injured worker cannot request a hearing with the Department of Labor on those facts. The injured worker must obtain a written pre-approval letter in compliance with 507.05 and then send it to the insurer. If this is not done, then the injured worker cannot get a hearing as there was no compliance with the required underlying rule. One has to wonder whether insurers understand the pre-approval requirements – and whether they knowingly provide a verbal denial, understanding that it is not actionable. Thus, in this situation, the injured worker is denied necessary medical care all because the medical provider didn't write a letter.

to follow 507.05, and hope they do so. At least at that point, we can request a hearing. However, providers often will say no, and that leaves the injured worker with no real relief. If they have health insurance, then they can try to use that as a backup and send the bill to the insurance carrier after treatment is provided. Sometimes, this can be another way to try to get the necessary treatment and then appeal the denial once that bill is sent post-treatment to the insurance carrier.

Injured workers with no health insurance have no such options for relief if their provider refuses to comply with Rule 507.05 or won't perform the treatment without guaranteed payment. This creates a situation where they are stuck in limbo, without a path to care.

So, what are our options to address this shortfall?

First, the education of medical providers is paramount. I often explain that this rule helps ensure payment while protecting the rights of the injured worker. Educating providers that this process is simple and can allow for an order directing payment for the service can help narrow the gap for injured workers.

Second, the legislature and rules com-

Second, there is often an issue from the medical provider's perspective in providing a letter that addresses all four points under the rule. They may view this as a "narrative report" request and send you a bill. Unfortunately, it is not a narrative report request and is simply compliance with the law. Medical providers, however, are not required to answer those four questions. Thus, you can have a situation where the medical provider believes the treatment to be reasonable, causal, and necessary; the injured worker needs the treatment; and yet no treatment occurs because there is no guarantee of payment.

In these situations, injured workers end up in a limbo state. Limbo is defined as "an uncertain period of awaiting a decision or resolution; an intermediate state or condition."

As attorneys, our options are generally to write to the provider, implore them

WORKERS continued on page 25

Workers' Comp Personal Injury

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Timing and Apportionment of Claims for Death Benefits

By Jared O'Connor

The New Hampshire Supreme Court has recently turned its attention to the (thankfully) rare set of questions that arise when a work injury or occupational disease results in death. While the benefits themselves are straightforward, questions about who can claim them, when, and how they are measured and divided have gone largely unanswered.

Only two benefits are granted by RSA 281-A:26 when "death results from an injury": payment of up to \$10,000 in burial expenses, and weekly compensation payable to the dependents of the deceased employee. The latter is divided into two categories.

First, the employee's spouse and children are "statutory" dependents, so once their relational status is established, they are conclusively presumed to have been dependent on the employee's earnings. They collectively receive a weekly death benefit equivalent to the weekly total disability rate that was or would have been payable to the injured worker.

If that figure is payable to a spouse alone, the full weekly benefit is payable for life or until remarriage. If children are



involved, that same amount is equally divided among them until the children "age out" at age 18, though this may be extended to age 25 if the child is a full-time student, at which time the apportionment ends, and the spouse receives the full weekly benefit.

Second, individuals other than the spouse or minor children who were in fact dependent on the employee's wages – perhaps an aging parent living with the family – are also entitled to an apportioned share of the fixed weekly benefit. But such dependents bear the burden of proving both the fact and extent of dependency, with the Labor Department granted discretion to determine the amount such dependents may receive, and ongoing jurisdiction to terminate those benefits upon a showing that the dependent has married or become self-sufficient.

As ever, the obvious cases require little to no litigation. Where a married employee is unquestionably killed in the course of employment, the widow/er simply files with the carrier a prompt claim for death benefits accompanied by a marriage certificate, and benefits are paid without controversy.

But what if a worker with dependent children has been living unmarried for years at the time of death? A carrier may begin paying weekly death benefits to those children, but the surviving widow must establish the existence of a common-law marriage to be deemed a statutory spouse; how might the inevitable delay of

that process affect her claim?

This is the question the Court addressed in *Appeal of Estate of Menke*, decided in February (2025 N.H. 10). The employee died in July 2016. Within a year, the carrier was presented with a claim for death benefits for his dependent, which was paid without dispute. The widow later established her common-law spouse status by probate court order in December 2017, but (for reasons unexplained in the opinion) her own claim for death benefits was not presented until October 2020 – more than three years after the death.

The Compensation Appeals Board had construed her request to be added to the list of paid dependents as a "separate and additional" claim for death benefits. And because RSA 281-A:21-a requires that a claim for workers' compensation benefits (death or otherwise) be filed within three years of the date of injury, the Board ruled her claim untimely.

The Court reversed, holding that the minor dependent's timely claim for benefits, paid on an ongoing basis at the time of the widow's request, satisfied the statute. The widow's request was properly construed not as a new claim subject to the limitation of RSA 281-A:21-a, but simply a request to add a dependent to an open, existing death benefit claim and re-apportion the amount already being paid.

Argued in March but still pending decision is *Appeal of NH Adjutant General's Department*, presenting a thornier timing dispute. Here, the employee was a state

firefighter diagnosed with cancer. His own claim was filed in February 2019 and denied in April 2019. To challenge that denial, he was required by RSA 281-A:42-d to request a hearing within 18 months (by October 2020). He did not; his cancer progressed aggressively, and he died in late January 2020.

His widow might then have opened an estate to proceed on his behalf to challenge the existing denial of his claim. She did not. Rather, she pursued other non-workers' compensation benefits, and it was not until early January 2023 that she formally filed her own claim for death benefits, barely within (but within nonetheless!) three years of the date of her husband's death. Her claim was immediately denied by the State's third-party administrator, and a hearing was requested well within the 18 months set by RSA 281-A:42-d.

And therein lies the dispute – does the widow actually enjoy the independent right to make a claim for death benefits, or is she bound to respond to the denial her husband received? If the former, what limitations apply? If the latter, what if he had lived 24 months without challenging the denial? Would she simply be without a remedy?

At the Compensation Appeals Board, she presented arguments on both the statutory presumption that her husband's cancer was occupationally related and

CLAIMS continued on page 25



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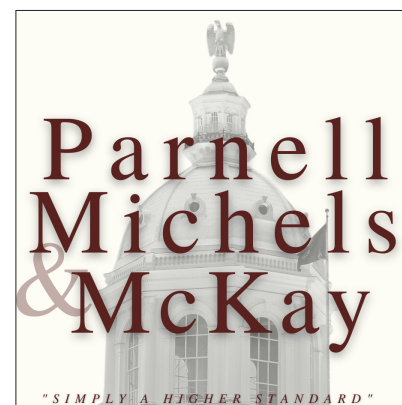
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Landlord-Limited Tort Immunity Now Ancient History

By John Ward and William Noonan



Ward



Noonan



liability, but there were still open questions. One such question was whether, and to what extent, landlords could delegate their duty of reasonable care to third parties.

In 1998, the New Hampshire Supreme Court definitively restricted the ability of landowners to delegate their duties to others. In *Valenti v. NET Props. Mgmt.*, the court established that landowners can delegate their duty to maintain the premises to independent contractors.⁴ However, the landowner cannot “avoid or delegate the risk of non-performance of the duty.”⁵ This decision brought New Hampshire in line with Section 425 of the Restatement (Second) of Torts, which states that a landowner cannot avoid liability for negligence actions when the landowner delegates the duty to maintain their premises to an independent contractor.⁶

Valenti adopted the reasoning first elaborated in a 1905 case, *Stevens v. United Gas & Electric Co.* That decision was the progenitor for the notion, in New Hampshire, that a landowner could have a “non-delegable duty” of reasonable care to people on its premises.⁷ *Stevens* was decided under the old law of the control test, raising uncertainty about whether its reasoning remained valid. *Valenti* confirmed that non-delegation in premises liability cases was not dead.

However, the holding was limited to independent contractors. How would delegation work when the delegee was a tenant?

In 2024, the New Hampshire Supreme Court decided *Robinson v. 1 Bouchard St. Realty, LLC*. In this case, a landlord assigned the duty to maintain the premises free from dirt, snow, and ice to their tenant in a lease.⁸ The commercial tenant’s employee (a third party) slipped and fell on ice on the property.⁸ The third party sued the landowner, arguing that the landowner owed the plaintiff a duty of care.⁸ The Court held that “the lease’s requirement that NHP [tenant] keep the premises free from ice has no effect on the defendant’s duty to the plaintiff to maintain its property in a reasonably safe condition.”⁸

Robinson stands for the position that landowners have a non-delegable duty to third parties to maintain their premises in a reasonably safe condition. This is the case even when they attempt to assign their maintenance duties to a tenant via a lease agreement. Exculpatory clauses are binding on the parties to the lease, but third parties are not similarly bound.⁸ This case continues the trend set by *Sargent* in premises liability cases. The *Robinson* court stated, “In *Sargent*, we ‘relegated to the history

books’ landlords’ limited tort immunity in favor of the modern rule that ‘landlords, as other persons, must exercise reasonable care not to subject others to an unreasonable risk of harm.’”⁸ There was a time in New Hampshire when landlords had limited tort immunity. However, thanks to the line of cases established by *Sargent* and reaffirmed in *Robinson*, that time is now ancient history. ♦

Endnotes

1. See *Tanguay v. Marston*, 127 N.H. 572, 578 (1986).
2. See generally *Sargent v. Ross*, 113 N.H. 388, 392-93 (1973).
3. *Id.* at 393.
4. *Valenti v. NET Props. Mgmt.*, 142 N.H. 633, 636 (1998).
5. *Id.*
6. Restatement (Second) of Torts, § 425.
7. See *Stevens v. United Gas & Electric Co.*, 73 N.H. 159, 169 (1905).
8. *Robinson v. 1 Bouchard St. Realty, LLC*, 2024 N.H. 59 (Oct. 22, 2024) (cited multiple times)

John Ward is the founder and managing partner of Ward Law Group, PLLC. His areas of concentration are personal injury, workers’ compensation, and Social Security disability claims.

William Noonan is a law clerk for Ward Law Group, PLLC. He is a 2025 graduate of UNH Franklin Pierce School of Law and plans to sit for the bar in July and then join Ward Law in the fall as an associate attorney.

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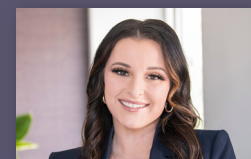
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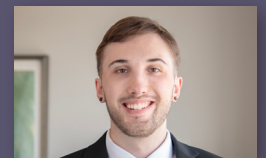
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When, Where, and How Do We Go About Meeting Our New Personal Injury Clients?

By David Gottesman

The phone rings and you answer the call. The person on the other end wants to speak to a lawyer about a serious motor vehicle crash. She's in the hospital and has never called a lawyer before. She was watching television and saw an ad for a firm that claims to have settled cases worth billions of dollars. She called them – but they never called back.



She wants to know if you can explain what she must do to make a claim so she doesn't have to pay the substantial medical bills coming her way. The doctors just put a rod in her leg and aren't sure if she'll fully recover. She wants a consultation.

What do you do? Speak to her on the phone? Offer a Zoom call? Tell her you'll talk to her after she gets out of the hospital?

How about stopping everything you're doing and offering to visit her in the hospital so you can answer all her questions in person? That's a softball. You get in your car and get over there as quickly as you can – to offer your advice and, hopefully, sign her up so you can take the case.

What do you do when a potential personal injury client calls and tells you that they work from 7 am until 6 pm and can't



meet during the day? They're not computer savvy, don't have a cell phone, and never learned to drive. They haven't paid their phone bill, and the only way you can reach them is by mail or by calling their friend, who will pass along the message.

The liability sounds favorable to the potential client, but they're an hour away and the situation sounds inconvenient. Zoom won't really work unless they enlist a friend. You can't easily reach them by phone. The only real way to handle this is the old-fashioned way: get out of your chair and go see them. Talk to them directly. Learn what they're dealing with. See their injuries firsthand. Understand how someone else's negligence has altered their life.

What about the call from the man who says he was working at a construction site when the scaffolding collapsed, causing spinal injuries and paralysis? You ask when it happened, and he tells you it's coming up on the three-year anniversary – in just a few days. Workers' compensa-

tion covers his medical care and 60 percent of his average weekly wage, but he asks if anything else can be done. He says the insurance adjuster for the company that put up the scaffolding told him, "Don't worry about anything." Now he wants to know: *Should* he be worried?

Only direct, face-to-face contact can begin to address this man's challenges. You explain that he must file suit in the next couple of days, or he'll lose any chance to hold the scaffolding contractor's liability carrier accountable. He's hesitant, but he finally gets the message. He invites you to visit him at the rehabilitation facility. Your next 48 hours will be consumed with gathering facts and filing the lawsuit to preserve his rights.

Since the COVID-19 pandemic reinforced remote communication with clients, some things have changed. Clients can call us, as they always have. But now they can email us, text us, hop on a Zoom call, or schedule a Google Meet. All these tools have their place – especially when time

is tight, travel is difficult, or work obligations get in the way. Sometimes, clients face intense anxiety about meeting a lawyer in person, and these alternatives can help them feel safe enough to talk. I've used all these methods, depending on the situation. And under the right circumstances, they work.

I've met with clients at my office, at their homes, at their workplaces, in hospitals, at Dunkin' Donuts, in parks, in parking lots – anywhere I need to be to help them feel comfortable. Most cases are screened over the phone or on Zoom if it's inconvenient for the client to come to us. Our goal is to make people feel comfortable enough to tell us the whole story – good and bad. This early meeting is crucial. It's not just about evaluating the case – it's about evaluating the client, because you're going to be working together until the case concludes.

I've even had cases where I first met the client by phone or email, interviewed them by Zoom, and resolved the case through negotiation or mediation – never meeting them in person until I handed over the settlement check. That doesn't mean the work isn't happening behind the scenes.

Just don't forget to get out of your chair when you need to. ♦

David Gottesman has been practicing law since 1973. He was a founder of the Nashua-based firm Gottesman & Hollis, PA, in 1978, and currently focuses on motor vehicle, wrongful death, and catastrophic injury cases.

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WORKERS *from page 21*

mittee should look at modifying Rule 507.05 to allow a hearing request from an injured worker when the provider certifies that they called the insurer to obtain pre-approval and were advised that it was denied. Insurers should not be able to hide the consequences of their decisions behind the veil of a phone call.

Ultimately, it's important to be proactive and encourage providers to comply with the rule. I often analogize the pre-approval letter to a letter of medical necessity that health insurers want. My hope in doing so is to normalize this process

and outline ways to comply without writing lengthy letters.

All my injured worker clients just want to get back to their normal lives pre-injury. The pre-approval process is inefficient, denies injured workers critical care, and must be amended to better serve those it was designed to protect. ♦

Rory Parnell has been a partner at Parnell, Michels & McKay since 2017. He works primarily in the areas of injury (including motor vehicle collisions, motorcycle collisions, slip-and-falls, dog bites, trip-and-falls, and other injuries), workers' compensation, catastrophic injuries, wrongful deaths, and other civil litigation areas.

CLAIMS *from page 22*

evidence making the affirmative case for causation. And as to timing, she claimed that she had no standing to challenge her husband's denial while alive, and upon his death, could have (but did not) opened an estate to seek the indemnity and medical benefits he would have enjoyed while alive, with death benefits to follow.

Instead, she claimed that the event of her husband's death was the legally cognizable injury to her as a statutory dependent under RSA 281-A:26, and thus the three-year statute of limitations to present her own claim for death benefits, and death

benefits alone, did not begin to run until the moment of death, and was met. The Board awarded benefits, and the State's third-party administrator for workers' compensation took an appeal. One way or another, the Court will clarify the state of the law on this unusual and important issue in the year to come. ♦

Jared P. O'Connor is a partner at Shaheen & Gordon, PA, and has been litigating workers' compensation cases on behalf of injured workers since 2003. He sits on the NH Compensation Appeals Advisory Board and is the NHAJ attorney member of the Governor's Commission to Study PTSD in First Responders.

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July 2025

Criminal

***The State of New Hampshire v. Robert F. Allore*, No. 2024-0396**

July 30, 2025

Answered and remanded

- The trial court certified the following questions on interlocutory appeal: (1) as a matter of statutory interpretation, is consent a defense under RSA 632-A:2, I(g) (1); (2) is RSA 632-A:2, I(g)(1) unconstitutionally vague and overbroad, both on its face and as applied, and (3) is consent an available defense under RSA 632-A:2, I(i).

The Defendant, a visiting nurse licensed in New Hampshire, was charged with two counts of AFSA under RSA 632-A:2, I(g), and four counts of misdemeanor sexual assault (MSA) under RSA 632-A:4, (a). The MSA charges at issue in the appeal incorporated the circumstances identified in the AFSA charges.

The Defendant sought to assert a consent defense to the AFSA charges under RSA 626:6, I, and the State moved to preclude the defense. The trial court directed the parties to prepare an interlocutory appeal statement, which was approved and transferred to the Court.

The first question dealt with AFSA in the context of treatment by a medical provider who either (1) engaged in activity that was not professionally recognized as ethical or acceptable, or (2) used their position to coerce the victim to submit. The Defendant argued that consent of an adult victim negates or precludes both elements of that charge, and because the statute does not define what is professionally recognized conduct, such an element is a question of fact for the factfinder to decide and he should be permitted to elicit evidence at trial that “consent, in whole or in part, defines the boundary between acceptable and unacceptable sexual relationships with patients.” Agreeing with the State, the Court found that RSA 326-B provides the relevant professional standard for acceptable conduct of nurses, and it categorically prohibits even consensual sexual conduct between nurses and patients. The Defendant, a licensed nurse, was governed by that statute, and therefore consent is not a defense to the AFSA charge.

The Defendant challenged the applicability of RSA 326-B because it contains no express exclusion for consensual sexual relationships and does not require the board of nursing to discipline a licensee for such conduct. The Court disagreed, finding that the board’s discretion in disciplining licensees did not change the fact that the conduct is categorically professional misconduct.

The Defendant challenged the application of RSA 326-B because (1) it was articulated by the government rather than the nursing profession and (2) it was enacted two years after RSA

632-A:2, I(g)(1). The Court gave no credence to the Defendant’s arguments; it found that RSA 326-B clearly related to the nursing profession in New Hampshire and can provide the requisite standard of professionally acceptable behavior, and the timing of its enactment was not dispositive, and it is worded broadly enough to apply to multiple medical professions and to allow standards to evolve over time.

Turning to the Defendant’s argument that, if consent is irrelevant, then the coercion prong is superfluous, the Court disagreed and stated that this provision can apply to treatment relationships that may not have an established ethical or professional standard, or to treatment relationships that do not prohibit consensual sexual conduct.

Having already ruled that RSA 326-B provided the relevant professional standard, the Court declined to address the Defendant’s argument that consent precludes the harms the legislature sought to prevent by enacting RSA 632-A:2, I(g)(1), as well as the Defendant’s argument that the statute is unconstitutionally vague.

Turning last to whether consent is a defense to the MSA charges, the Court stated that if the Defendant presented a consent defense, he would be admitting the elements of the MSA charges, including that the victim did not consent. Citing *State v. Guaraldi*, the Court stated that “credibility of evidence” is not a defense to a criminal charge, and therefore consent cannot be a legal defense to the MSA charges. Rather, the Defendant was free to elicit evidence of the alleged victim’s consent to support his theory of the case.

John M. Formella, attorney general, and Anthony J. Galdieri, solicitor general (Sam M. Gonyea, assistant attorney general, on the brief, and Anthony J. Galdieri, orally), for the State. Christopher M. Johnson (chief appellate defender, on the brief and orally), for the defendant.

***The State of New Hampshire v. Tyrese Harris*, No. 2023-0550**

July 22, 2025

Reversed in part, affirmed in part

- Whether the trial court erred in (1) admitting certain evidence of a recorded phone call between the defendant and his mother, (2) instructing the jury on the reasonable necessity of the Defendant’s use of deadly force, and (3) denying Defendant’s motion to dismiss his falsifying physical evidence charge for insufficient evidence.

The Defendant was involved in a road rage incident, during which he shot and killed the victim. The Defendant fled the scene at a high rate of speed, traveling to a friend’s apartment. The police obtained a warrant and searched the Defendant’s apartment within an hour of the shooting and found evidence relating to a firearm; however, the police never recovered the firearm. The Defendant’s girlfriend told police

At a Glance Contributor



Ryan M. Borden

Practicing at Ford, McDonald & Borden, P.A. in Portsmouth, NH for eight years, with a focus on representing trustees, creditors and debtors, and corporate law, landlord/tenant law, collections, and commercial litigation.

that the Defendant had stated he shot the victim in self-defense because the victim had spit in his face.

The police subsequently searched the friend’s apartment, seizing clothing they believed the Defendant wore during the shooting. The police later obtained a recording of a telephone call between the Defendant and his mother, made during his pre-trial incarceration, during which he made statements relating to the victim spitting in his face, how that was disrespectful, and how disrespect “gets your life taken.”

The Defendant moved to exclude the recording as prejudicial under Rule 403, arguing the jury could infer that he was incarcerated and perceive him as a dangerous criminal rather than innocent until proven guilty, and that his statements lacked probative value because they were not relevant to his mental state at the time of the alleged crime. The State argued the recording was not prejudicial, it would not admit any evidence referencing his pre-trial detention, and the recording was probative given the Defendant’s self-defense claim. The trial court overruled the objection, finding that the prejudicial effect did not substantially outweigh its probative value.

The parties submitted proposed jury instructions on self-defense. The State sought to include language that excessive force was not permitted and the Defendant must have used a reasonable amount of force. The Defendant objected to the State’s proposed addition to the instruction as to reasonable force and sought an instruction that the State had the burden of proving a lesser amount of alternative force was available. The trial court included the reasonable force language as well as a qualifier that the Defendant could use the amount of force he believed necessary but declined to include language about the State’s burden on lesser available force. The Defendant was convicted on all counts, including the charge that the Defendant had falsified evidence by concealing or destroying the firearm when he fled the scene at a high speed.

On appeal, the Court upheld the admission of the phone call recording, finding the call relevant and pointing to the trial court’s finding that jailhouse calls are routinely admitted, any reference to the Defendant’s incarceration was redacted, and that the call was highly probative of the Defendant’s state of mind.

Turning to the jury instruction, the Court commented that in the 13 years since *State v. Etienne*, the legislature had not amended the statute to remove the common-law requirement that a defendant’s use of deadly force requires the force to be reasonably necessary, despite amending the statute to remove the duty to retreat if the Defendant is lawfully present. The Court therefore found the trial court sustainably exercised its discretion when including the reasonable force language in the jury instructions.

The Court agreed with the Defendant that the State only established that they could not find the firearm, and not that the Defendant falsified evidence. The Court held that at least one rational conclusion consistent with the Defendant’s innocence was not excluded by the State’s circumstantial evidence, including that he could have returned to his apartment after the police searched it, but before his arrest, and left the firearm there. The Court reversed the

falsifying evidence conviction but otherwise affirmed.

John M. Formella, attorney general, and Anthony J. Galdieri, solicitor general (Audriana Mekula, assistant attorney general, on the brief and orally), for the State. Christopher M. Johnson (chief appellate defender, on the brief and orally), for the defendant.

***The State of New Hampshire v. Matthew Raymond*, No. 2023-0740**

July 15, 2025

Affirmed

- Whether the trial court erred in admitting testimony of an expert in the field of intimate partner violence because his testimony was not reliable under RSA 516:29-a (2021).

The Defendant and victim were in a relationship and lived together. The Defendant repeatedly assaulted the victim during the relationship. The victim did not report the assaults to the police until a month after the last assault occurred. The Defendant was charged with five counts of second-degree assault, seven counts of simple assault-domestic violence, one count of false imprisonment, and one count of misdemeanor criminal mischief.

Before trial, the State informed the Defendant that it intended to call an expert witness in the field of intimate partner violence, and the Defendant moved to exclude the expert testimony as unreliable under RSA 516:29-a. The State objected, arguing that the expert would not testify as to the specific facts of the case, but rather generally explain domestic violence victims’ behavior. The trial court held a hearing and permitted the expert to testify. The jury found the Defendant not guilty on two charges, but guilty on the remaining charges. The Defendant appealed.

On appeal, the Defendant argued that (1) the trial court erred in permitting the expert to testify and (2) that *State v. Keller* required reversal of his convictions.

As to the first argument, the Court stated that admission of expert testimony is within the trial court’s discretion, which would only be reversed upon a showing that the admission was untenable or unreasonable to the prejudice of the Defendant’s case. A trial court is guided by both Rule of Evidence 702 and RSA 516:29-a, both of which draw guidance from federal law regarding admission of expert testimony. The Court stated that the purpose of the rule and statute was to ensure a methodology’s reliability before permitting the methodology’s admission and presentation to the factfinder.

The expert testified to the progression of abusive relationships and the counterintuitive behavior of victims, based upon his twenty-year career and experience in the field of domestic violence. The Court found that his direct experience with thousands of victims provided him with sufficient facts or data and reliable principles and methods, and because he was not testifying as to specific facts of this case, the trial court was not required to determine whether the expert reliably applied the principles and methods to the facts of the case. Reviewing the Defendant’s statutory arguments, the Court held that the *Daubert* factors codified in RSA 516:29-a, II were not definitive, and need not be considered in this case. The Court found that the trial court did not abuse its discretion in admitting the expert testimony.

Turning next to the Defendant’s argument that *Keller v. State* required reversal, the Court distinguished the expert’s general education testimony in this case from the testimony proffered in *Keller*. Specifically, in *Keller*, the expert was a forensic toxicology expert who opined on whether the defendant exhibited signs and symptoms of impairment; the Court found in *Keller* that the expert had used her methodology to opine on the facts of that case,

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derlying issue has been resolved, and the Portal has returned to normal operation. You should now be able to access the Portal for your case-related needs without issue.

We are grateful for the feedback and patience we received from members of the Bar during this time. Your input was valuable in helping us resolve the issue promptly and effectively. Please contact our Information Center at 1-855-212-1234 with any further issues relating to the NH Case Access Portal. ♦

gathered from discovery materials, blood test results, and blood sample collection information. The Court found that the *Daubert* factors elucidated in RSA 516:29-a, II were particularly helpful in determining whether *Keller's* expert reliably applied her methodology to the facts of that case. Here, the Court found that the expert testified generally, not as to specific facts, and because not all expert testimony will rely on anything like a scientific method, *Keller* did not control and did not mandate reversal.

John M. Formella, attorney general, and Anthony J. Galdieri, solicitor general (Sam M. Gonyea, assistant attorney general, on the brief and orally), for the State. New Hampshire Public Defender (Paul Borchardt, staff attorney, on the brief and orally), for the defendant.

Manufactured Housing

**Kelly Dobens et al v. Scott Fagnat, et al, No. 2024-0111
July 17, 2025
Reversed and remanded**

- Whether the trial court erred in ruling that the Defendant did not violate RSA 205-A or engage in an unfair or deceptive trade practice when he failed to give Plaintiffs 18 months' notice that he was terminating their lease due to a change in the use of the manufactured housing park.

The Defendant controlled a trust that owned the Hills Lakeview Trailer Park & RV Park, which operated seasonally from May 15 through October 15. The Plaintiffs rented a site at Hills Park where they kept their manufactured housing unit. The Defendant's practice with all tenants was to enter into seasonal rental lot agreements that he renewed by sending new agreements to tenants in late winter.

Between the 2021 and 2022 rental seasons, the Defendant changed the use of Hills Park and restricted it to RVs. When the Plaintiffs did not receive a new rental contract, they paid their rent for 2022, which was returned with a note stating that Hills Park would not renew the Plaintiffs' lease; however, the Plaintiffs were allowed to occupy their unit for the 2022 season without payment.

In July 2022, the Defendant notified all tenants in writing that the park would be closing down on October 31, 2022, and required all RVs and manufactured housing units to be removed by that date.

The Plaintiffs sued in September 2022, seeking a declaratory judgment that the Defendant failed to provide the 18-month termination notice required by RSA 205-A, for damages for unfair and deceptive trade practices, and attorney's fees. The trial court ruled that the Defendant (1) did not violate RSA 205-A because it did not apply and (2) did not engage in unfair or deceptive conduct. The trial court denied the Plaintiffs' motion for reconsideration, and the Plaintiffs appealed.

On appeal, the Court held that RSA 205-A applied to the facts of this case. RSA 205-A permits a park owner to terminate a manufactured housing lease only for the reasons enumerated therein, which includes, among others, a change in use of the housing park. If terminated for that reason, a park owner must give at least 18 months' advance, written notice of the termination. The trial court held that because the rental agreement was seasonal, the Plaintiffs became holdover tenants when they occupied the unit for the 2022 season and were required to vacate on or before October 15, 2022; thus, the 18-month notice was not required. The Court disagreed. Even assuming that the Plaintiffs had become holdover tenants by virtue of the seasonal occupancy provision of the lease agreement, the Court opined that reading such an exclusion into the statute was inappropriate where the legislature itself did not include it. Reviewing RSA 540:1-A, IV(b), the Court pointed out that the legislature knew how to include exceptions for seasonal tenancies, and if it intended to exclude the application of RSA 205-A to seasonal occupancy agreements, it

could have.

The Court also found that despite the seasonal occupancy provision, the Plaintiffs' manufactured housing unit remained on-site year-round, and the Plaintiffs were tenants year-round. The Court found that the trial court erred in holding that the Plaintiffs' holdover tenancy expired in October 2022; they remained, at a minimum, holdover tenants during all relevant times. The Plaintiffs were entitled to the 18-month notice.

The Court summarily addressed the Plaintiffs' challenge to the trial court's findings on unfair and deceptive trade practices and attorney's fees: because the trial court based its ruling on those issues on the finding that the Defendant had not violated RSA 205-A and made no additional findings, it remanded the case to the trial court for further proceedings consistent with the Court's opinion.

Devine, Millimet & Branch, Manchester (Richard P. Driscoll, on the brief and orally), for the Plaintiffs. Smith-Weiss Shepard & Kanakis, Nashua (Brittney M. White, on the brief, and Robert M. Shepard, orally), for the defendants.

School Funding

**Contoocook Valley School District, et al v. State of New Hampshire, et al, No. 2024-0121
July 1, 2025
Affirmed in part, reversed in part, and remanded**

- Whether the trial court erred in (1) ruling that the amount of funding provided by the State under RSA 198:40-a, II(a) is clearly and substantially insufficient to cover the cost of providing the opportunity for a constitutionally adequate public education, (2) determining a conservative minimum threshold amount and in requiring the State to immediately provide funding in that amount, and (3) awarding plaintiffs attorney's fees.

Thirty years ago, the Court held in *Claremont I* that Part II, Article 83 of the State Constitution "imposes a duty on the State to provide a constitutionally adequate education to every educable child in this public school in New Hampshire and to guarantee adequate funding," which ruling has been reaffirmed numerous times. Reacting to the Court's decision in *Londonderry I*, the State enacted RSA 193-E:2-a to define a constitutionally adequate education; RSA 198:40-a (Supp. 2024) established the annual per pupil cost of providing the opportunity for an adequate education defined in RSA 193-E:2-a. In 2019, the plaintiffs challenged the then-existing version of RSA 198:40-a, II(a) as unconstitutional on its face and as-applied; the Court overruled the trial court's grant of summary judgment to the Plaintiffs, upheld the denial of summary judgment for the State, and remanded.

The funding statute provided a base funding of \$4,100 per pupil, with certain upward adjustments for eligible students. On remand, the trial court identified cost categories necessary to provide an adequate education and then calculated the cost a subset of those costs – teachers, non-teacher staff, instructional materials, and technology – and reached a figure of \$4,752.34 per pupil and found the base funding inadequate. The State failed to submit any affirmative evidence justifying the sufficiency of the base funding and the trial court held that RSA 198:40-a, II(a) was facially unconstitutional, declared a conservative minimum threshold of funding of \$7,356.01 per pupil, and awarded plaintiffs' attorney's fees. On reconsideration, the trial court clarified that it was ordering the State to make the minimum payments immediately.

On appeal, the State argued that the trial court relied on a flawed analytical approach and unreliable expert testimony, but even under such a flawed approach, the Plaintiffs did not meet their burden in establishing a constitutional violation.

The State first challenged the trial court's ruling that the Plaintiffs could challenge the

base aid set forth in Section II(a) in isolation because the statute as a whole includes three differential aid categories that could adjust base aid upwards (Sections II(b) – (d)). The Court held that the Plaintiffs could, because Section II(a)'s base aid applies to students who did not meet any of the differential aid criteria. The Court rejected the State's argument that other statutes providing funded should be considered as well, because the plain language of RSA 198-40-a states it governs the annual cost of providing an adequate education.

The State challenged the trial court's failure to interpret RSA 193-E:2-a and associated regulations to determine, as a matter of law, which components fell within the scope of the statute, instead undertaking a factual determination of the necessary components for an adequate education. The Court held that it had already directed the trial court, in *ConVal I*, to make such a factual inquiry.

The State challenged the admission of certain expert testimony proffered by the Plaintiffs, but the Court declined to address it with respect to fourteen experts due to the State's failure to develop its arguments. With respect to two other specific experts, the Court found that the State based their argument on an already-rejected premise – that the necessary components for an adequate education is a question of law – and that this argument went to the weight of the testimony, not its admissibility. The State finally challenged the reliability of the experts' methodology under RSA 516:29-a, II(a). The Court held the trial court properly admitted the first expert's testimony because his methods were sound, and properly admitted the second expert's testimony because it was based on her education and experience, there was no error with the trial court's ruling that the factors in RSA 516:29-a, II(a) had little applicability, and that her methodology tracked closely to the legislative committee that crafted the necessary components and costs of the challenged statute.

The Court addressed the merits of the facial constitutional challenge to the funding statute. The State conceded some of the necessary components, but argued others were not properly included as a matter of law, an argument already rejected by the Court. The Court concluded there was evidentiary support for the trial court's inclusion of the disputed components. The State also challenged the minimum conservative calculation as not being the lowest number it could have been; the Court rejected that argument as it could result in a cost that fails to provide each component statewide. The Court also reiterated that the cost to provide an adequate education in one school may not be the same as in another; while the legislature is

free to calculate a base funding that exceeds the requirements for an adequate education, it may not calculate it at a rate where a school falls below it. The Court also stated that the trial court's order was conservative, supported by the record, and eminently reasonable.

The Court found that the State failed to meet its burden to justify the funding scheme established by RSA 198:40-a, II(a) under a strict scrutiny review; the State did not identify a compelling governmental interest justifying the current funding level because the State offered no affirmative evidence justifying the funding level.

The Court summarily rejected the State's separation of powers challenge on the grounds that it is the judiciary's constitutional duty to review whether laws passed by the legislature are constitutional, as well as its justifiability argument on the grounds that thirty years of precedent clearly states the issue is justiciable.

With respect to the injunctive relief, the Court found that the State advanced no new arguments beyond those raised in the declaratory judgment context, and upheld the injunctive relief with respect to the amount of aid, but found in this case, the trial court did not accord sufficient weight to the separation of powers consideration when ordering immediate payment, and exceeded its discretion in doing so.

The Court overruled the State's objection to the award of attorney's fees, which was premised on the grounds that the trial court erred on the merits, and attorney's fees were not warranted. However, the Court remanded the issue to the trial court to determine what reasonable attorney's fees were.

Wadleigh, Starr & Peters, Manchester (Michael J. Tierney and Elizabeth E. Ewing, on the brief, and Michael J. Tierney, orally), for the Plaintiffs, and Steven A. Bolton, Nashua, on the brief, for Plaintiff Nashua School District. John M. Formella, attorney general, and Anthony J. Galdieri, solicitor general (Anthony J. Galdieri and Samuel R.V. Garland, senior assistant attorney general, on the brief, and Anthony J. Galdieri, orally) for the Defendants.

Lehmann Major List, Concord (Richard J. Lehmann, on the brief), Rath, Young and Pignatelli, Concord, (William F.J. Ardinger, on the brief), McLane Middleton, Manchester (Michael A. Delaney and Amanda E. Quinlan, on the brief), ACLU of New Hampshire, Concord (Gilles R. Bissonnette and Henry R. Klementowicz, on the brief) and National Education Association-New Hampshire, Concord (Callan Sullivan and Lauren Snow Chadwick, on the brief), et al, on behalf of various amici curiae.

New Hampshire Transitioning to NextGen Bar Exam in July 2028

The New Hampshire Supreme Court has approved implementation of the NextGen Uniform Bar Examination as the written exam for attorney licensure beginning July 2028. This new exam, developed by the National Conference of Bar Examiners (NCBE), will replace the current Uniform Bar Examination (UBE), which New Hampshire has used since 2014.

The NextGen Exam is the product of a multiyear national study launched in 2018. The NCBE-led process included listening sessions, a survey completed by nearly 15,000 attorneys, and subsequent data analysis. In 2021, the NCBE Board of Trustees approved the Testing Task Force's recommendations and began developing the new exam.

NextGen is a nine-hour test, split into three three-hour sessions. It will be taken on applicants' own laptops via a secure browser, administered in person with live proctoring at jurisdiction-managed sites. Some states will begin

using it in July 2026, with full rollout expected by July 2028.

New Hampshire's Board of Bar Examiners conducted multiple briefing sessions with NCBE officials and invited public comment before recommending adoption to the Supreme Court. The current UBE will continue to be administered in New Hampshire until July 2028.

"The bar admissions process is a means to ensure that we are both protecting the public as well as meeting their legal needs," said New Hampshire Supreme Court Chief Justice Gordon MacDonald. "We look forward to [the NextGen Exam's] successful implementation and we thank the Board of Bar Examiners for its careful consideration."

The new exam will require updates to existing Supreme Court rules. Like the current UBE, scores from the NextGen Exam are expected to be portable across jurisdictions that adopt it. ♦

NH Supreme Court Orders

Pursuant to RSA 674:23-a, I(c), the Chief Justice of the Supreme Court appoints Superior Court Justice Michael A. Klass as the designee from the judicial branch to serve on the commission to study the historical evolution of New Hampshire's zoning enabling act.

Issued: July 17, 2025

ATTEST: Timothy A. Gudas, Clerk of Court
Supreme Court of New Hampshire



Pursuant to Supreme Court Rule 54(2), and its constitutional and supervisory authority, the Supreme Court amends the August 1, 2024 order concerning the term of Circuit Court Judge Beth Kissinger as Deputy Administrative Judge for the Circuit Court. At Judge Kissinger's request, her term shall expire July 24, 2025.

Issued: July 17, 2025

ATTEST: Timothy A. Gudas, Clerk of Court
Supreme Court of New Hampshire



Pursuant to Part II, Article 73-a of the New Hampshire Constitution and Supreme Court Rule 51, the Supreme Court of New Hampshire adopts the following amendment to the New Hampshire Rules of Criminal Procedure.

I. Rule 5(j) of the New Hampshire Rules of Criminal Procedure

(This amendment facilitates the "Lawyer for the Day" project by providing for automatic withdrawal of a lawyer appointed just for arraignment.)

1. Amend Rule 5(j) as set forth in Appendix A.

Effective Date

The amendment shall take effect on August 1, 2025.

Date: July 17, 2025

ATTEST: Timothy A. Gudas, Clerk
Supreme Court of New Hampshire

APPENDIX A

Amend Rule 5(j) of the New Hampshire Rules of Criminal Procedure as follows (additions are in **[bold and brackets]**):

Rule 5. Appearance and Appointment of Counsel in Circuit Court-District Division and Superior Court

...
(j) Automatic Withdrawal of Court-Appointed Counsel. **[In all criminal cases where the court has appointed counsel for the limited purpose of arraignment, appearance of arraignment counsel for the defendant shall be deemed to be withdrawn immediately following arraignment.]** In all

criminal cases, the appearance of counsel for the defendant shall be deemed to be withdrawn thirty days after sentence is imposed unless the sentence imposed was a deferred sentence or unless a post-sentencing motion is filed within said thirty-day period. Where a deferred sentence is imposed, the appearance of counsel for the defendant shall be deemed to be withdrawn thirty days after the deferred sentence is brought forward or suspended. Where a post-sentencing motion is filed within thirty days after imposition of sentence, the appearance of counsel for the defendant shall be deemed to be withdrawn thirty days after the court rules on said motion. Provided, however, that in any criminal case in which an appeal to the supreme court is filed, trial counsel shall remain responsible for representing the defendant in the supreme court pursuant to Supreme Court Rule 32.



LD-2024-0009, *In the Matter of Rhonda Simpson, Esquire*

On June 5, 2024, the Attorney Discipline Office (ADO) notified the court that the respondent, Attorney Rhonda Simpson, had been indicted by a grand jury in the United States District Court for the District of New Hampshire on two felony counts (conspiracy to submit false claims to the federal government and conspiracy to make false statements to the federal government) and had agreed to plead guilty to Count 2, conspiracy to make false statements to the federal government. The ADO, which further notified this court that the federal court had not yet accepted the plea agreement, recommended that this court "institute formal proceedings, pursuant to Rule 37(9)(i), that result in Ms. Simpson's immediate suspension from the practice of law."

On June 18, 2024, pursuant to Supreme Court Rule 37(9)(i) and (16)(f), the court suspended the respondent from the practice of law in New Hampshire. The respondent did not contest her suspension.

On July 8, 2025, the ADO notified the court that the respondent had been convicted and sentenced in federal court on June 17, 2025, on count 2 of the indictment, a felony, for conspiracy to make false statements in violation of 18 U.S.C. §§ 371 and 1001(a)(2). With that notification, the ADO recommended that the respondent "be disbarred from the practice of law in New Hampshire" and represented that the respondent's counsel had "confirmed to [the ADO] that Ms. Simpson will not contest her disbarment." In light of that representation, it is unnecessary to serve the respondent with the ADO's recommendation or to provide an opportunity to be heard on the ADO's recommendation prior to court action.

After reviewing the ADO's July 8, 2025 filing, the court agrees with the ADO that the respondent's conviction constitutes a "serious crime," which is defined by Supreme Court Rule 37(9)(b) to include "any felony and any lesser crime a necessary element of which, as determined by the statutory or common law definition of such crime, involves interference with the administration of justice, false swearing, misrepresentation, fraud, deceit, bribery, extortion, misappropriation, theft, or an attempt or a conspiracy or solicitation of another to commit a 'serious crime.'" The court further concludes that disbarment is the appropriate sanction.

THEREFORE, the court orders that Attorney Rhonda Simpson be disbarred from the practice of law in New Hampshire. She is hereby assessed all costs and expenses incurred by the attorney discipline system in the investigation and prosecution of the matter.

MacDonald, C.J., and Donovan and Countway, JJ., concurred.

DATE: July 17, 2025

ATTEST: Timothy A. Gudas, Clerk

Classifieds

POSITIONS AVAILABLE

ASSOCIATE ATTORNEY – Boxer Blake & Moore PLLC, a regional law firm located in Springfield, Vermont, seeks an Associate Attorney to join its civil litigation practice. The position requires prior relevant experience and/or exemplary academic credentials, demonstrated research and writing ability, and strong recommendations. Hybrid remote potential. Current license to practice law in Vermont or genuine intention and ability to become licensed in Vermont at earliest opportunity are required. Interested candidates should send their resume and cover letter to Denise M. Smith, dmsmith@boxerblake.com – please use Attorney Search in the subject line.

FAMILY LAW ASSOCIATE ATTORNEY – Cohen & Winters is a growing law firm servicing central and southern New Hampshire, and the seacoast. We currently have offices in Concord, Manchester and Exeter. We are seeking an experienced family law attorney. The ideal candidate will have 2+ years of experience. We offer a competitive salary package and benefits that include health insurance, disability, life insurance and 401k. We offer a very congenial work environment with lots of great colleagues and support. All inquiries will be confidential. Salary commensurate with experience. Please send replies to: dorothy.darby@cohenwinters.com.

ASSOCIATE ATTORNEY – Busy Manchester law firm seeking Associate Attorney with opportunity for growth and training within practice areas of civil litigation, landlord & tenant, and other select practice areas. Admission to the New Hampshire Bar required, and experience a plus. Compensation commensurate with experience. Please submit resume, cover letter and writing sample to nwright@bkwlawyers.com.

CORPORATE ATTORNEY – Robinson, Boesch, Sennott & Daly, PA, a boutique law firm in Portsmouth, New Hampshire, is seeking a full-time, experienced, corporate attorney specializing in small businesses formation and maintenance, exit strategies, buy-sell agreements, and generational transfers to add to the firm. The ideal candidate would work independently while providing support to the firm's estate planning practice. This is a unique opportunity for an associate with the potential for future partnership. Interested applicant should provide a resume and cover letter to klindbom@nhprobatelaw.com. The candidate must be licensed in New Hampshire.

SEEKING SOLO ATTORNEY OR RETIRING ATTORNEY – We are a well-established law firm located in Amherst, NH focusing on estate planning, probate, and elder law. Our team is dedicated to providing exceptional legal services to our clients. We believe in work-life balance and understand that some attorneys prefer practicing law without the administrative responsibilities of running a business. We are searching for a solo attorney with a portable book of business that would like to focus on practicing law instead of running a business and is willing to join our team. This opportunity would also be great for an attorney looking to slow down their workload and eventually retire, while establishing a smooth transition for their current clients. Compensation is negotiable and benefits such as health insurance and a retirement account are available for full time employees. If you are interested please reach out to info@SowerbyAndMoustakisLaw.com.

LEGAL ASSISTANT – Busy Manchester law firm seeks experienced legal assistant to support multiple attorneys in case file management, e-filing, and other case-related requirements. Must be detail-oriented, self-motivated, and proficient in Microsoft Office 365. Compensation commensurate with experience. Please forward resume to jgibson@bkwlawyers.com.

PlaneSense Corporate Paralegal Opportunity

Join Our Legal Team!

PlaneSense, Inc. seeks a full-time Corporate & Transactional Paralegal to support our Legal team. Responsibilities include drafting contracts, assisting with aircraft transactions, corporate governance, and legal operations. Paralegal certificate, associate degree, or 5+ years' corporate/transactional paralegal experience required. No billable hours. Training provided. Competitive pay, benefits, inclusive culture.

Apply: www.planesense.com/careers

Staff Attorney

New Hampshire Legal Assistance (NHLA) seeks a Staff Attorney to work in our immigration law practice. The Staff Attorney will have a comprehensive immigration law practice including screening, in-depth consultations, pro se assistance, and full representation; collaboration with other legal services providers and community support organizations; and outreach and community education.

The Staff Attorney will handle work statewide in NH, plus make appearances in person, as needed, in EOIR and USCIS adjudications and appeals and in the U.S. District Courts and Circuit Courts of Appeal. Extensive local travel is anticipated, including to ICE detention facilities in Dover, NH and Berlin, NH, and occasionally at other facilities in New England. Office space for the Staff Attorney is available in NHLA's Concord, Manchester, Berlin, or Claremont offices. NHLA has a remote work policy under which two days per week of remote work is typically approved. For full position details, please send inquiries to officemanager@nhla.org.



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North Conway NEW HAMPSHIRE Now Hiring: Litigation Attorney

To Apply: Submit resume and cover letter to Bridgid Anderson, Office Manager at: banderson@coopercargillchant.com

Love Where you Live. Practice Law Where it Matters. Cooper Cargill Chant, P.A., North Conway's largest law firm, is seeking a **Litigation Attorney** to join our team. This is an excellent opportunity for a litigator who values meaningful cases that make a real impact – from complex civil litigation to business disputes and beyond. All while living in one of New England's most beautiful and most vibrant mountain communities - the heart of New Hampshire's scenic Mount Washington Valley.

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- A supportive, collaborative team
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- Competitive compensation and benefits
- Opportunity for professional growth and advancement

What We're Looking For:

- Admitted to practice in New Hampshire (Maine admission a plus)
- Excellent research, writing, people and courtroom skills
- Commitment to client service and ethical practice

Whether you're looking for a better work-life balance, a meaningful legal career, or a mountain view from your office – this could be the move you've been waiting for.



CIVIL LITIGATOR

Alfano Law, PLLC seeks a civil litigator with a minimum of 5 years of trial experience in New Hampshire. Familiarity with real estate a plus. Our practice areas includes roads and easements, boundary disputes, real estate transactions, zoning and planning, property tax, estate planning and probate.

Our main office is in Concord with additional locations in Bedford, Keene and Portsmouth.

You may work from an office or remotely as much as you like.

We offer full benefits (health, dental, 401K) for full-time candidates.

Please contact Anne-Marie Guertin at amguertin@alfanolaw.com, 4 Park Street, Concord, NH 03301 or 603.333.2210.

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Litigation Paralegal

Sulloway & Hollis, PLLC, seeks an experienced litigation paralegal to join our team.

The ideal candidate will have strong technical and organizational skills, the ability to perform legal and factual research, obtain records, analyze, cross-check and validate information and prepare written reports. They must have experience initiating the discovery process through to summarizing discovery responses, locating and working with experts and organizing and tracking client files, as well as assisting with trial preparation, including witness lists, exhibits and trial binders, and providing assistance to the attorney in the courtroom. This is an onsite position at our Concord, NH office.

Sulloway & Hollis, PLLC, is an Equal Opportunity Employer.

We offer competitive pay, excellent benefits and a great team atmosphere. Qualified candidates should submit resume, cover letter and salary requirement through the application process on our website: www.sulloway.com/careers/employment-application

ASSOCIATE ATTORNEYS Medical Malpractice and/or General Liability Defense

Associate positions for the medical malpractice litigation defense and general liability litigation defense groups at mid-sized law firm. Offices in Portsmouth, NH, Woburn, Boston, and Hingham, MA. Opportunity to work with highly experienced attorneys on either the healthcare team serving prestigious healthcare institutions and providers on medical malpractice and employment-related litigation matters, and/or on the general liability team handling a high volume of cases involving real estate, construction, and general liability litigation. Competitive salary, great benefits, and reasonable billing requirement. Excellent verbal communication and writing skills required. Ability to work collaboratively with team members on cases. Candidates with, or willing and able to get, admission to MA bar will be considered. Candidates for the medical malpractice position with 3+ years experience and prior medical malpractice and/or employment law experience will get priority in hiring decision.

Send resume and cover letter, in confidence, to tbright@hmdrslaw.com.



Trusts & Estates Administrative Assistant

Hamblett & Kerrigan is seeking an experienced full-time administrative assistant for the Trusts & Estates department of its Nashua, NH office.

This assistant will work in-person at the firm's office and will have administrative responsibilities for multiple attorneys and paralegals who prepare and update estate plans, process probate and trust administrations, and prepare fiduciary tax returns. Responsibilities include coordination and scheduling of client meetings, communicating with clients and court personnel, sending and responding to emails, screening and intake of potential clients, formatting estate planning documents for client execution, processing and scanning incoming mail, managing the document vault library, generating correspondence and other documents, and organizing paper and electronic (Clio) files.

Prior law office administrative experience will be considered, but prior experience in the areas of trusts and estates is preferred. The candidate must have excellent verbal and written communication skills, ability to organize and manage a large volume of files and work collaboratively with others. Significant experience with Word, Outlook and Excel is required.

Hamblett & Kerrigan offers competitive compensation, medical, dental and 401(k).

Please submit a cover letter and resume to Sarah Walsh at swalsh@hamker.com. All inquiries will be confidential.



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Legal Assistant

Primmer Piper Eggleston & Cramer PC, a full-service law firm with offices in Vermont, New Hampshire, and Washington, DC, has an immediate opening for an experienced legal assistant in our Manchester, NH office. This assistant will support our litigation practice area. In addition to strong technical and document production skills, essential requirements are the ability to prioritize, multitask, and apply independent judgment as needed. This position requires at least two years' experience in a law firm setting and proficiency with MS Office products. The ideal candidate will also have well-developed interpersonal skills and litigation law experience. Insurance defense experience a plus.

Paralegal

PRIMMER PIPER EGGLESTON & CRAMER PC, a full service law firm with offices in Vermont, New Hampshire, and D.C., seeks an experienced paralegal with at least three years' experience to assist with the litigation team in our Manchester, NH, office. The ideal candidate will be a highly motivated, detail-oriented, tech savvy candidate, with excellent document production, organizational and multi-tasking skills, who can work independently and who thrives in a high volume practice. Insurance defense experience a plus. Proficiency in Microsoft Office products is required.

We offer a competitive salary and comprehensive benefits. Qualified candidates may submit a letter of interest and resume by e-mail to careers@primmer.com.

Associate Attorney

Adler, Cohen, Harvey, Wakeman & Guekguezian, LLP seeks to hire an associate attorney for its Bedford, New Hampshire office. The ideal candidate will be an accomplished and motivated individual with a demonstrated interest in civil trial work and superior writing ability. Candidates with 1-3 years of malpractice defense experience are preferred. Adler, Cohen, Harvey, Wakeman & Guekguezian, LLP is a mid-sized, civil litigation firm with offices in Boston, Providence, and New Hampshire. The firm specializes in professional liability defense work and handles complex medical malpractice, general liability, and toxic exposure cases.

Please send resumes to:
Megan Pimentel mpimentel@adlercohen.com

TRIAL ATTORNEYS

Boyle | Shaughnessy Law is a premier trial focused law firm with offices throughout the Northeast. We are currently hiring talented attorneys who aspire to become successful trial attorneys.

This is an opportunity for an attorney who wants to develop skills and experience litigating cases. Associate attorneys at BSL work directly with experienced trial attorneys on high exposure, complicated civil matters. For those interested in the details of trial strategy and tactics, there are significant opportunities for professional and financial growth. Our firm's compensation, benefits, and professional offices offer a good work life balance.

The ideal candidate will:

- Want to become a skilled trial attorney
- Want to work in a team focused environment
- ME or NH licensing

Please send replies to: employment@boyleshaughnessy.com.



Business Attorney

Craig, Deachman & Associates, PLLC is seeking an attorney with experience in business and real estate law. The ideal candidate will have at least four years of experience and be licensed to practice in New Hampshire. Candidates must possess excellent research, writing, and verbal communication skills. Candidates must be technologically proficient and willing to embrace AI and other burgeoning technologies. While the firm's practice is largely transactional, our attorneys do attend court hearings and handle incidental litigation matters. Some prior courtroom exposure is preferred. Compensation is commensurate with experience. Please send inquiries to HSoucy@CDA-Law.com.

ASSISTANT COUNTY ATTORNEY

The Cheshire County Attorney's Office has openings for two full-time Assistant County Attorneys:

Felony Prosecutor – this position involves prosecuting felony criminal cases in the Cheshire County Superior Court.

Circuit Court Prosecutor - this position is stationed at the Keene Police Department, and involves prosecuting criminal cases for the Keene Police Department in the 8th Circuit Court – Keene District Division.

Cheshire County offers a comprehensive benefits package, with paid travel, CLE trainings, Court Fees and Bar Dues in addition to paid leave, medical and dental insurance options, NH Retirement, 11 paid holidays per year. Experience preferred, and salary is commensurate with experience, starting at \$81,161. NH Bar membership required.

Please submit a cover letter and resume to Chris McLaughlin, Cheshire County Attorney, attention Kim May, 12 Court Street, Keene, NH 03431.

ASSOCIATE ATTORNEY

CIVIL LITIGATION/BUSINESS/REAL ESTATE/CONDOMINIUM LAW

Lyons Law Offices, P.A., a well-established law firm in Portsmouth, New Hampshire, is seeking an associate attorney to join our small, busy and dynamic firm. This candidate will have the opportunity to work with an attorney with more than 42 years of experience in the fields of civil litigation, personal injury, commercial real estate, land use, business and condominium law. Candidate will be expected to be confident appearing before the court, zoning and planning boards. Candidate must be self-sufficient with regard to managing all aspects of a file, including the ability to draft one's own work, regularly handle court appearances and depositions, and communicate with business and individual clients, claims adjusters, and opposing counsel. Candidates must also be willing/able to present themselves to the community with an eye toward generating client relationships. Comprehensive training by the principal as well as seasoned paralegal will be provided.

Candidates must have 2-5 years of experience in civil litigation and transactional law, and must have strong research, writing, and communication skills. Candidates must have a robust work ethic and be able to work well as a part of a team. Admission to the New Hampshire Bar is required.

This is an excellent opportunity to gain experience and grow a practice toward the possibility of a buyout upon the full retirement of the principal. Personal and professional growth are encouraged and fostered through mentorship and a respect for work/life balance. A competitive salary will be offered commensurate with experience. The law firm provides an excellent benefits package.

Interested applicants should submit their CV, writing sample, and salary requests to Antje Bourdages at abourdages@lyonslaw.net.

Our policy is to ensure an equal employment opportunity, without discrimination or harassment on the basis of age, citizenship, color, disability, gender, marital status, national origin, race, religion, sexual orientation, veteran status, or any other classification as protected by federal, state, or local law. Equal employment opportunity extends to all personnel practices.

ATTORNEYS AT LAW

Labor and Employment Attorney Manchester, New Hampshire

Drummond Woodsum's Manchester, NH office is seeking an attorney to join our labor and employment law practice group. We are a tight-knit team that provides labor and employment counseling to public, private, and Tribal Nation employers. We provide advice on all aspects of the employer/employee relationship, including workplace discrimination, ADA compliance, state and federal wage and hour laws, workplace misconduct, collective bargaining, and grievance administration. We also represent clients in state and federal courts, before federal and state agencies, and in labor arbitration. Our team is frequently called upon to provide training on employment law topics to supervisors and employees.

This position is open to qualified applicants who have excellent academic credentials, research, writing, interpersonal, and analytical skills, and who are able to balance client advocacy with compassion and understanding. Applicants with 0-2 years of experience and a strong interest in labor and employment law are encouraged to apply. We are invested in the success of all our associates and will provide training, mentoring, and resources to support your development as a labor and employment practitioner. New Hampshire bar admission is not required, but strongly preferred.

Drummond Woodsum has a firm culture that emphasizes client service, collaboration and collegiality, and a respect for work-life balance. In addition to being a great place to work, we are also fortunate to be based in northern New England, one of the most beautiful areas of the country.

Drummond Woodsum offers a competitive compensation and benefits package, which includes medical, dental, and disability insurance, a retirement plan and paid parental leave. We are committed to diversity and inclusion in our hiring practice and encourage qualified candidates of all backgrounds to apply. Please send your cover letter and resume to hr@dwmlaw.com. All inquiries are held in the strictest confidence. No phone calls, please.

Drummond Woodsum is an equal opportunity employer that does not discriminate on the basis of race, religion, color, national origin, sex, veteran's status, age, disability, sexual orientation, gender identity, genetic information, creed, citizenship status, marital status, or any other characteristic protected by federal, state or local laws. Our Firm's policy applies to all terms and conditions of employment. To achieve our goal of equal opportunity, Drummond Woodsum makes good faith efforts to recruit, hire and advance in employment qualified minorities, females, disabled individuals and covered veterans. EOE M/F/V/D



Nixon Peabody's Corporate and Affordable Housing and Real Estate Practice Groups are seeking to hire two associates to join the Manchester, NH office.

Ideal candidates for the Corporate Practice Group will have 2-5 years' experience on a variety of corporate and commercial matters including complex M&A and technology transactions. Candidates for the Real Estate team should have at least two years' experience working on sophisticated commercial real estate transactions, including leasing. Qualified candidates will also have strong academic credentials, and a commitment to excellent client service. A career at Nixon Peabody is an opportunity to do work that matters. It's a chance to use your knowledge to shape what's ahead, to innovate, to learn at a firm that taps into the power of collaboration and collective thinking.

For more information, please visit www.nixonpeabody.com/careers. To learn more about opportunities with the corporate practice group email Heather Sussman at hsussman@nixonpeabody.com, and for real estate openings, email Emily Cook at ecook@nixonpeabody.com



FAMILY LAW ATTORNEY

Well-established, mid-sized, Nashua multi-practice law firm is seeking a family law attorney to work with our family law team in its growing practice.

At least two years of experience in family law is preferred. Opportunity to work in other practice areas if desired. Some remote work capability available. Candidates should be admitted to practice in New Hampshire or be admitted in a reciprocal state – and a Massachusetts legal license is a plus.

Excellent benefits package and competitive salary. No billable hours requirement.

Email resume and salary requirements to Veronica Hamilton at: vhamilton@lawyersnh.com.

The Division for Children, Youth and Families is seeking Child Protection Attorneys Positions available in Laconia and Conway

The DCYF Legal Team is a dynamic group of experienced child protection attorneys and their legal assistants, stationed around the state, who work in partnership with the New Hampshire Attorney General's Office to seek judicial protection for children subjected to abuse or neglect. The focus of our work is on the immediate protection of the child and strengthening, whenever possible, families to eliminate abuse and neglect in the home.

We offer paid training, competitive salaries (\$72,930.00 - \$101,490.00), and a comprehensive benefits package.

Requirements: J.D. from an accredited law school, N.H. Bar membership, a driver's license and/or access to transportation for statewide travel, and four years' experience in the practice of law. Recent graduates are encouraged to contact Attorney Deanna Baker, Legal Director to discuss if an exception may be requested for years of experience.

How to APPLY: Please submit your letter of interest, resume and application by visiting: www.nh.gov Careers (tab on upper right), Finding a Job - NH State Government Job Opportunities, Search for Job Opportunities and enter "DCYF Staff Attorney" in the Job Title field.

For questions about this position, please contact Attorney Deanna Baker, Legal Director at (603) 419-0491, deanna.baker@dhhs.nh.gov.

NH Title Examiner Opportunity

JCW Title, a Massachusetts based title examination company, seeks title examiners with experience in New Hampshire.

This full-time, in-house position combines the benefits of remote work with opportunities to connect with team members at various events and educational classes.

We value team-oriented professionals skilled in PC use and are offering a comprehensive benefits package, including 401K, healthcare, and PTO.

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NHBA MEMBER BENEFITS



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Save Money with NHBA Member Benefits

By Misty Griffith

New Hampshire Bar Association member benefits have significantly expanded in recent years from just six offerings in 2020 to 17 benefits and discounts available to members today. We are constantly evolving to meet the needs of today's firms. Take a look at the current NHBA member benefits to see which might enhance your practice:

Free Legal Research

The NHBA now offers members free access to **Decisis**, a user-friendly legal research platform backed by a large, robust database of local and federal case law. It was created to help ease the research process by providing users with an easy-to-use interface, a dependable citator, and seven-day-a-week live customer support. While the typical annual fee for Decisis is \$1,740, the NHBA offers complimentary access as an exclusive benefit.

NHBA members also have free access to the **vLex/Fastcase** online legal research platform, which offers access to case law, statutes, regulations, and law review articles. Members will continue to have access to vLex/Fastcase through 2026.

Law Practice Management Software

Firms of all sizes are using law practice management (LPM) software for increased efficiency. Good LPM software helps organize client information, documents, and case files, streamlines calendaring and time tracking, and facilitates more efficient billing. Cloud-based LPM software makes it easy to access, update, manage, and maintain firm information securely from any location.

The NHBA offers members a discount on three of the most highly rated practice management software providers: **Clio**, **MyCase**, and **Smokeball**. Each of these providers offers a 10 percent discount to NHBA members who sign up through our website. Many firms around the state, including solo and small practices, use Clio, MyCase, or Smokeball, and we have had extremely positive feedback about all three providers.

Credit Card Payments

Taking credit card payments securely makes it easier to collect fees from clients. Dozens of New Hampshire firms take advantage of **LawPay**, which provides attorneys with a simple, secure way to accept credit cards and eCheck payments from clients. Designed specifically for the legal industry, LawPay guarantees that payments are in compliance with IOLTA guidelines. For added efficiency, LawPay integrates with Clio, MyCase, Smokeball, and many other LPM providers. NHBA members receive a free three-month trial with LawPay.

Website Design and Hosting

A properly maintained and designed website can help a firm grow and convert site visitors into viable client leads. However, our 2022 Economics of Law Practice Survey found that fewer than 50 percent of solo practitioners have a website, a significant disadvantage compared to the more than 90 percent of firms with two or more attorneys that have a website.

Recognizing the need for affordable, quality website design services, especially among solo practitioners, the NHBA partnered with **Windhill Design, LLC**, a locally owned business based in Loudon. Windhill Design provides custom websites, website hosting, and tailored digital marketing solutions, ensuring that each client receives a personalized strategy designed to maximize their online presence. This unique benefit offers NHBA members discounted packages with the added value of working with a New



Hampshire business that understands the local market.

NHBA members also receive a discount on website design packages from **ESQ Sites**, which specializes in web design, domain registration, and hosting services for solo practitioners and small firms. ESQ Sites has created web designs for numerous law firms in New Hampshire and many other states.

Remote Receptionist Service

Smaller firms often do not have a dedicated receptionist, resulting in numerous missed calls. **Smith.ai** offers a practical solution to provide phone coverage. Smith.ai provides friendly, human receptionists who are available 24 hours a day to answer calls, provide intake, and schedule appointments. The round-the-clock availability of its receptionists is a cost-effective way to capture leads from potential new clients no matter when they call. Smith.ai charges only for calls received, with no charge for spam, telemarketers, or wrong numbers. NHBA members get exclusive call, bundle, and annual plan discounts.

Secure Electronic Communication

RPost is a well-established global leader in providing secure electronic communications and is a benefit provider for several bar associations. RPost offers convenient cybersecurity products. RMail provides easy-to-use email encryption at the click of a button and requires no special software for recipients. RSign is a web-based process that provides a quick and intuitive way to prepare and send documents for electronic signature. NHBA members receive a 20 percent discount on RMail, RSign, and other RPost software services when signing up via our website.

Research and Writing

To build content in your firm library, take advantage of the **ABA Books for Bars** program to receive discounted ABA publications. NHBA members receive a 15 percent discount on the general public price on all books and electronic publications available in the American Bar Association web store.

Tracers, a cloud-based investigative research software, helps locate information in public and private records. A TechnoLawyer "Top Product of 2020," Tracers provides access to an online database of over 43 billion records for asset searches, social media searches, improved due diligence, and more. NHBA members receive a 10 percent discount.

WordRake editing software is designed specifically for professionals. With one-click editing available in Microsoft Word and Outlook, WordRake makes documents and emails clearer and more concise. NHBA members receive a 10 percent discount.

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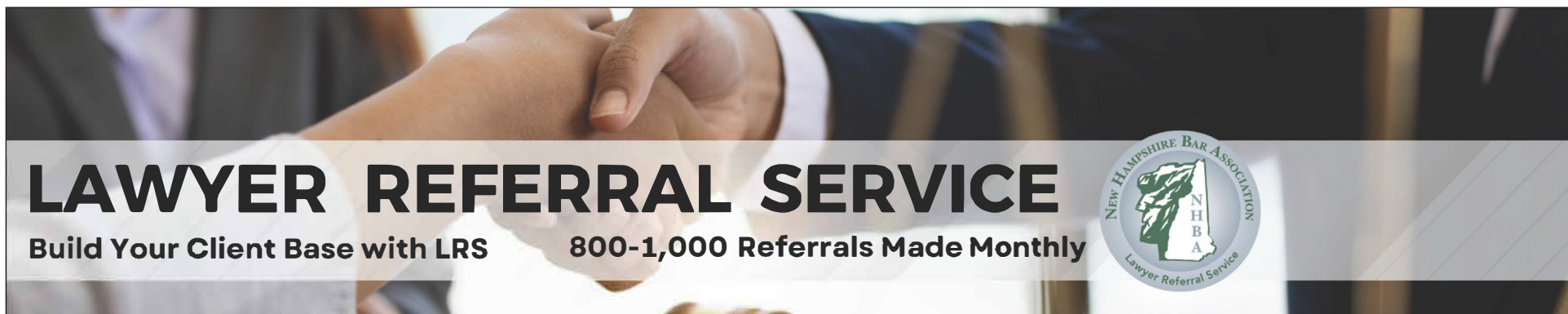
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Be on the lookout for future announcements as the NHBA continues to add new benefits and services to meet the growing needs of today's law practice. If you would like to learn more about any of our NHBA member benefits and services, please contact me at mgriffith@nhbar.org or call (603) 715-3227. I am always happy to assist members. ♦


Misty Griffith is the NHBA Member Services Manager.




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Enhancing Legal Research in New Hampshire: The Value of Decisis

By Taylor Fultz

In New Hampshire's fast-evolving legal landscape, where caseloads are heavy and time is limited, precision, efficiency, and confidence are essential. For attorneys navigating the nuances of New Hampshire and federal law, having access to a powerful, intuitive legal research platform is no longer a luxury – it's a necessity. That's where Decisis comes in.

Decisis is a comprehensive and reliable legal research database designed with speed and simplicity in mind. For members of the New Hampshire Bar Association (NHBA), Decisis provides an opportunity to streamline legal research and save valuable time.

As a sister company of LexisNexis, Decisis benefits from direct access to timely case law updates and statutory changes – ensuring NHBA members stay ahead.

While Decisis offers comprehensive coverage of federal law, it also provides specialized content tailored to New Hampshire law. This focus on local jurisprudence is particularly valuable for NHBA members who primarily practice within the state. The platform includes New Hampshire case law from all state courts, New Hampshire statutes, New Hampshire code, and New Hampshire court rules.

Cost-Effective and Member-Friendly

Legal research platforms can be prohibitively expensive, especially for solo practitioners and small firms. Decisis offers an accessible and cost-effective alternative without compromising on quality. Through the NHBA's collaboration with Decisis, members gain access to this robust platform as a valuable member benefit, allowing attorneys to reallocate resources to other areas of practice development. While the typical annual fee for the platform can reach \$1,740, the NHBA is offering its members access to Decisis at no additional cost.

Additionally, Decisis offers a streamlined and responsive interface that helps attorneys navigate case law efficiently, with tools designed to minimize time spent scrolling through irrelevant results. Its search functionality emphasizes relevance and clarity, helping NHBA members quickly locate key rulings and statutory lan-



guage. This efficiency is particularly valuable for busy legal professionals who need to access accurate information swiftly.



Responsive Support and Research Assistance

Decisis also offers robust research assistance and customer support designed to help attorneys get the most out of the platform. NHBA members have access to support staff who assist with locating case law, interpreting statutes, and navigating complex legal topics – saving valuable time and enhancing confidence in the results. In addition to research help, Decisis provides live customer support seven days a week.

Members are encouraged to utilize Decisis support through:

- Chat feature (accessible via the chat icon in the bottom-right corner of the homepage)
- Support hotline at 1-833-DECISIS (1-833-332-4747)
- Help Center, available via the question mark icon in the top-right corner, includes FAQs, tutorial videos, and detailed guides to assist with both technical and legal research questions

Together, these tools ensure NHBA members never have to navigate the platform alone, offering a seamless research experience backed by knowledgeable and accessible support.

We encourage all members of the New Hampshire Bar Association to take advantage of this member benefit and explore what Decisis has to offer. It's more than a research platform – it's a smarter way to practice law in New Hampshire. ♦

Taylor Fultz is the Director of Member Engagement for Decisis and a seasoned legal tech sales leader with over a decade of experience in the legal industry. She collaborates closely with bar Associations to turn industry challenges into innovative, member-first solutions.

Leading with Integrity: A Journey in the Law Firm Insurance Industry

By Robin Kendall

In the complex world of legal practice, every decision matters. Law firms need more than just insurance – they need a trusted partner who understands their risks and helps navigate them with confidence. As a leader in the legal malpractice insurance industry, I'm proud to not only provide coverage but also to guide law firms toward safer, more efficient ways of protecting what they've built.

A Personal Story of Impact

Recently, I worked with a mid-sized firm in Missouri that was exploring new malpractice coverage. Together, we pinpointed their unique needs and tailored a solution that gave them peace of mind. Joe K., my main contact, summed it up well:

"Working with Robin was smooth and efficient. The website process was seamless, not cumbersome like other insurers. Very pleased with ALPS so far." Seeing how our approach made a difference for Joe's firm reminds me why we do this work.

Understanding and Supporting Law Firms

Providing insurance is only part of what I do. I spend time truly understanding the realities law firms face – from changing client demands to ever-evolving risks. That means:

- Staying informed on legal industry trends
- Identifying risk management gaps early
- Leveraging technology to make the sales process faster and easier for everyone



- Using secure, user-friendly online tools to keep firms protected and their data safe

By embracing technology, we make it simpler for firms to get the coverage they need, saving valuable time and reducing the headaches that can come with insurance.



Building Trust Through Expertise

Law firms want a partner who knows their world inside and out. From professional liability to cyber coverage, my goal is to make sure firms have complete protection and clear guidance. That trust comes from staying current, asking the right questions, and helping clients make smart decisions that keep them safe in an increasingly complex world.

Conclusion

Leadership in this industry is about more than policies – it's about people. By combining personal service, industry knowledge, and the right technology, my team helps law firms gain peace of mind and focus on what they do best: practicing law. At ALPS, we're committed to leading with integrity and making insurance easier, safer, and more efficient for every firm we serve. ♦

Robin Kendall serves as Director of Business Development at ALPS. She was named a 2024 Emerging Leader by the American Property Casualty Insurance Association (APCIA). To connect with Robin, email rkendall@alpsinsurance.com.

Get Paid Faster and Keep More of What You Earn

By Hannah DeFreitas

Whether you run a solo practice or a midsize firm, a healthy bottom line starts with operational efficiency and consistent cash flow. Fortunately, improving financial performance doesn't require a full overhaul. The most successful firms focus on a few high-impact strategies, most of which are easy to implement.

Make Payments Easier

Clients today expect seamless, modern payment options – and law firms that lag behind risk slower collections and lost leads. A 2024 survey by LawPay and MyCase found that 78 percent of law firms now accept credit or debit card payments, reflecting growing consumer demand for the convenience of digital billing.

Industry data further shows that firms accepting electronic payments collect revenue days faster, with median payment times halved to around seven days, compared with 15 days for firms relying on checks or cash. And when it comes to recovery, online payment workflows deliver nearly 50 percent invoice recovery rates, versus just 17 percent via traditional paper payments.

This shift isn't just about speeding up receivables – it's about meeting client expectations. In practice, electronic payment systems offer immediate, secure links that clients can access anytime – no printing, no mailing, no delay. Firms that adopt these tools benefit from higher collection rates, improved cash flow, and stronger client satisfaction. In today's competitive legal marketplace, offering online payment options isn't a "nice-to-have" – it's non-negotiable.

Use Practice Management Software

Cloud-based practice management tools are designed to reduce friction across your day-to-day work. From time tracking to calendaring to document organization, everything you need is in one place – accessible from anywhere.

A few key benefits:

- **Accurate time tracking:** Built-in timers ensure you're not leaving billable hours on the table.
- **Centralized operations:** Keep your calendar, case files, contacts, and billing in sync without switching tools.
- **Integrated billing:** Many platforms integrate with legal payment tools like LawPay, allowing you to generate an invoice with a built-in payment link and complete the transaction faster.

Practice management software minimizes repetitive tasks, helps your team focus on higher-value work, and keeps your billing and payments systems connected.

Go Paperless

Firms that still rely heavily on paper often spend more than they realize. From storage costs to lost time searching for physical files, the inefficiencies add up.

Digital document management reduces overhead and improves accessibility. When

stored digitally, files are easier to organize, faster to locate, and more secure. Plus, cloud storage is significantly more cost-effective than off-site physical storage.

Client portals and eSignature tools take it a step further. Instead of printing and mailing contracts or invoices, you can securely send documents, collect signatures, and accept payments in a single workflow. On average, businesses save \$20 per document with eSignatures, without sacrificing professionalism or security.

Delegate Administrative Tasks

When your day is filled with interruptions, it's hard to focus on the work that drives revenue. Virtual assistants (VAs) are a cost-effective way to offload time-consuming tasks without hiring full-time staff.

VAs can manage everything from answering phones and qualifying leads to sending invoices. Many are trained to work specifically with legal professionals and can integrate with your billing and payments platform to handle the process end-to-end.

Rather than adding more hours to your day, delegate the work that doesn't require your expertise, so you can focus on the work that does.

Strengthen Client Communication

Timely, consistent communication improves trust and directly impacts your ability to get paid on time. Clients who feel informed are more confident in your services, more likely to pay promptly, and more likely to refer others.

Start with clear expectations. During intake, take time to align on goals and discuss likely outcomes. This helps you avoid mismatches that can lead to tension or billing issues down the line.

Then, keep clients informed as their cases progress. Regular check-ins – whether by email, phone, or portal – minimize surprises and reinforce transparency. Even during slower phases, letting clients know where things stand can go a long way toward strengthening the relationship.

Ready to Make the Next Smart Move?

Improving your bottom line isn't about cutting corners – it's about working smarter. Whether it's automating payments, streamlining daily tasks, or simply making it easier for clients to work with you, small operational upgrades can have an outsized impact on your firm's performance.

Read *5 Things You Can Do to Impact Your Firm's Bottom Line* for a deeper look at each strategy covered above. Or book a LawPay demo to see how modern payments can help you reduce delays, boost cash flow, and improve client experience – all without adding complexity to your workflow. ♦

Hannah DeFreitas is a Senior Content Strategist for leading legal software brands, including MyCase, Docketwise, CASEpeer, CPACHarge, and LawPay – the number one legal payment processor. She distills industry trends and data into strategic insights that empower legal professionals to streamline workflows, increase revenue, and gain a competitive edge.



Announcing the New NHBA Solo-Small Firm Section

Solo-Small Firm Section Meeting

Thursday, August 28

12:00 to 1:30 pm

New Hampshire Bar Center

Concord

Join us Thursday, August 28 for the first meeting of the new Solo-Small Firm Section! The meeting will be in person at the Bar Center with a Zoom option for those unable to attend in person. Refreshments will be provided.

This Section will provide opportunities for networking and professional development, as well as a forum for the exchange of ideas and practice resources. Visit the Sections page at nhbar.org/sections to purchase your Section membership. Sign up for the Solo-Small Firm Section today!



Bringing AI into Your Law Firm's Workflow – The Smart Way

By Megan Bennett

Artificial intelligence (AI) is transforming the legal industry – streamlining tasks, cutting costs, and improving client service. But it's not a quick fix. Think of it like putting a high-tech engine in a car with flat tires – it won't get you far. To see real results, your law firm needs solid systems in place before adding AI.

The good news? With the right foundation and strategic tools, AI can boost your firm's efficiency and growth. This guide will show you how to introduce AI into your workflow the smart way.

Evaluate Your Current Tech Setup

Before adding AI, make sure your tech stack is ready. Outdated or disconnected systems can limit AI's impact. Ask yourself whether key files and communications are easily accessible, whether your tools integrate well or rely heavily on manual data entry, and whether any security or compliance gaps exist.

Modern legal software that automates daily tasks like document management, time tracking, and client intake can help streamline workflows – setting the stage for AI success.

Fix Your Foundation Before Layering in AI

AI is only as effective as the systems behind it. Start by improving and automating your firm's key processes – then let AI take them further.

Start with three core areas.

First, improve client intake and communication. AI can help prioritize cases and personalize service – but only if your client data is structured. Legal CRM tools automate intake, scheduling, and follow-ups, creating the clean workflows AI needs.

Next, standardize your document creation process. AI works best with consistent templates and formats, and document automation tools can help by drafting documents within Microsoft Word.

Finally, optimize your time tracking and billing. With a reliable system in place, AI can flag missed billables and suggest improvements, ultimately increasing billing accuracy.



Choose AI That Fits Your Tech and Your Practice

Not all AI tools are built for law firms. To avoid inefficiencies and security risks, choose AI solutions that integrate well with your existing legal tech.

While general AI tools can help with things like marketing or drafting, they may lack the compliance and security features your firm needs. Legal-specific AI tools, on the other hand, are designed to support your legal workflows, boost accuracy, and meet industry standards – making implementation smoother and safer.

Key legal-specific AI features include AI-powered time tracking tools that can scan your notes, logs, and tasks to suggest time entries – helping you capture more billable hours with less manual work.

You'll also want document tools that can summarize complex files and extract key details using a document analyzer.

Lastly, look for AI features that can identify workflow bottlenecks, flag delays, and suggest task redistribution to improve efficiency.

Legal-specific AI tools like Clio Duo can handle all of the above while keeping your firm's data secure.

Ensure Your AI Tools Meet Legal Security Standards

Law firms deal with sensitive data, so AI tools must meet strict security standards. Firms should choose secure, compliant tools (such as those meeting SOC 2, HIPAA, GDPR, and ABA standards), maintain human oversight to prevent bias or errors, and establish clear ethical guidelines for AI use.

It's best to select a legal-specific AI platform like Clio Duo, which offers SOC 2 compliance, encryption, and secure portals – without training on your firm's data.



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CLIO continued on page VIII

How Smokeball Simplifies Casework for New Hampshire Attorneys

By Jordan Turk

Firms often juggle various areas of law, from estate planning to criminal defense and beyond. And each area has unique needs. For attorneys, staying on top of diverse deadlines, complex documents, and the like quickly becomes exhausting. That's where Smokeball's AI-powered case management software takes the grunt work off your plate.

In fact, Smokeball helps you tame law firm chaos, with clients seeing an average profit boost of 34 percent.

Automate the tedious stuff, hit every deadline, and keep clients feeling at ease with your services. Smokeball helps you do more lawyering and less scrambling.



Understanding What Pains Attorneys

Smokeball isn't just smart; it's tailored to your real, everyday challenges. Built by lawyers, Smokeball gets the chaos and has the practical solutions that actually work for your unique practice.

Managing diverse cases? It's a whirlwind. Each comes with its own protocols, timelines, and templates. Smokeball's AI-powered case management software is specifically designed to handle these nuances. Smokeball provides a single platform to manage all your cases, saving time and ensuring greater accuracy across different areas of law.

Administrative overload? What feels like infinite paperwork, disjointed systems, and overflowing inboxes eats the day away. Yep, we've been there. Smokeball automates the busy work so you can grab those billable hours and hit deadlines with ease.

Trying to meet client expectations? Client expectations are always rising. They want efficiency, accuracy, and consistent updates and communication. With everything in one place, Smokeball helps you deliver fast service without the scramble.

Scaling and growth concerns? You're growing, but now so is your caseload. Having more clients is a win, but what happens when your resources aren't measuring up to the complexity of the work? Smokeball scales with you, providing your firm with a set of

straightforward and efficient tools that keep your momentum growing without dropping the ball.



Smokeball Tools Bring Seamless Legal Work

So how exactly does Smokeball reduce your law firm's challenges? Smokeball offers legal professionals powerful, AI-driven tools tailored to save time, reduce errors, and improve overall efficiency.

AI-Powered Document Automation

Smokeball can auto-generate your legal documents – contracts, client letters, filings, you name it. By pulling information directly from case details, Smokeball delivers accuracy and consistency, while dramatically reducing the time spent on manual document creation.

Centralized Case Management

Find what you need in seconds. Smokeball centralizes all case files, client information, emails, and documents in one secure case management platform. This streamlined organization improves both document retrieval and communication across the firm.

Integrated Calendar and Deadline Management

The system takes care of tracking important dates such as court dates, filing dates, and client meetings, ensuring everything is completed on schedule. Deadlines met, stress lifted, clients satisfied.

Task Automation

Smokeball takes care of routine tasks like sending reminders, scheduling meetings, and generating reports. By automating these time-consuming activities, lawyers can shift

SMOKEBALL *continued on page VIII*

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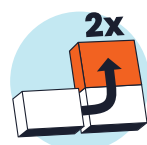
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Member Services Roundup

By Misty Griffith

Your New Hampshire Bar Association membership provides access to an expanding variety of services to support your practice and help you succeed professionally. NHBA member services are constantly evolving to better meet the needs of our members. Learn more about what the NHBA has to offer and take advantage of these resources to enhance your practice.

CLEs – Our online CLE catalog offers a wide array of relevant, timely, and interesting programs to further your professional development and help you meet NHMCLE requirements. Our CLE offerings include both New Hampshire programs and national programs.

Conference rooms and small meeting rooms – The New Hampshire Bar Center offers these rooms free for member use. Due to the high demand for this space, reservations are necessary. To make a reservation, contact the NHBA front desk at (603) 224-6942.

Dispute Resolution Service – For disputes which do not rise to the level of an ethics violation, the Dispute Resolution Committee provides free neutral assistance in the resolution of attorney-client disputes, as well as disputes between attorneys.

Ethics opinions and helpline – Ethics opinions and Ethics Corner articles are available on the NHBA website. Members may request guidance from NHBA Ethics Committee members by calling the Ethics helpline at (603) 715-3259.

Lawyer Referral Service (LRS) – Join LRS to receive pre-screened referrals in practice areas which you select. LRS made a record-breaking 10,000+ referrals to participating attorneys in 2024. LRS full-fee panelists choose which cases to accept and set their own fees.

Leadership Academy – Participants gain valuable skills as part of this nationally recognized, nine-month program to develop future bar leaders. Applications are due September 2 for the Leadership Academy Class of 2026.

Legal Research – Members have free access to Decisis and vLex/Fastcase for online legal research. These research platforms include all state and federal case law and statutes, as well as other legal content.

Member Center – This members-only space at the Bar Center includes private offices and an attorney lounge. Drop-ins are welcome; no reservation is necessary. If you wish to guarantee the availability of a private office, contact the front desk at (603) 224-6942.

Member Discounts – Popular law practice management

vendors including LawPay, Clio, Smokeball, MyCase, and many more offer valuable savings to NHBA members. Access these discounts via nhbar.org/resources.

Mentor Advice Program (MAP) – New or new-to-New Hampshire attorneys are connected with experienced mentors for ethical, professional, and practical guidance. Having a mentor provides unbiased feedback, expands your network, and builds professional confidence. Whatever your practice areas, firm size, or location, MAP will find a mentor who is a good fit for your needs.

Modest Means Program – Help bridge the justice gap. Modest Means attorneys provide reduced fee services for people who do not qualify for pro bono services but cannot afford an attorney's full fees. Panelists select the type of cases they are willing to consider and never have an obligation to accept a case.

Online member directory – This convenient directory, available exclusively to members, helps you find contact information for NHBA members. You may search by first and last name, organization, city, committee, or section membership.

Networking opportunities – The NHBA offers many opportunities to expand your professional network, including the Midyear Meeting and the Annual Meeting, as well as social events sponsored by Bar committees.

Publications – Stay in touch with the latest happenings in the Granite State legal community by reading the weekly *E-Bulletin* and monthly *New Hampshire Bar News*. The NHBA also offers specialty publications such as the *Succession Planning Guide*, *Traps for the Unwary*, and the *Member Guide*.

Sections – Join one or more of 20 unique sections to enhance your knowledge and connect with other attorneys in your practice area. Our new Solo-Small Firm section will have its first meeting on Thursday, August 28, at noon. Sign up today.

SOLACE – This program offers non-monetary personal hardship assistance for members of the legal community.

Volunteer service opportunities – Give back to the community by volunteering for NHBA civics and law outreach programs. Help bridge the justice gap by participating in Law-Line and Free Legal Answers-NH.

Be on the lookout for future announcements as the NHBA continues to add new benefits and services to meet the needs of our members.

If you have questions, suggestions, or feedback about NHBA member benefits and services, contact NHBA Member Services Manager Misty Griffith at mgriffith@nhbar.org or call (603) 715-3227. ♦

Begin Small, Measure Impact, and Scale

Don't rush into AI. A gradual, goal-oriented rollout helps you avoid disruption and maximize ROI.

Start with built-in AI tools that can integrate directly into your practice management system – no complex setup required.

Tips for Smart AI Adoption

To adopt AI smartly, start by setting clear goals – such as saving time, improving client intake, or boosting billing accuracy. Make sure your technology foundation is strong and test AI tools in limited areas like intake, email, or document drafting. Track metrics such as time saved and efficiency gains to refine your strategy over time.

Conclusion

AI isn't a quick fix. Take a strategic approach: assess your tech, automate key processes, and choose secure, legal-specific AI tools. Platforms like Clio provide the structure AI needs to improve efficiency and productivity.

Ready to see legal AI in action? Book a demo to explore Clio's AI-powered solution, Clio Duo, by visiting clio.com/nhbar. Members of the New Hampshire Bar Association save an exclusive 10 percent on eligible Clio products. ♦

Megan Bennett is the Blog Operations and SEO Strategist at Clio. She is a seasoned marketer with a proven track record of crafting impactful content strategies that drive traffic and leads. Her experience spans diverse industries, including fraud prevention, energy, real estate, and now legal technology.

focus from administrative work to higher-value legal tasks, boosting productivity and profitability.

Cloud-Based Collaboration

We know you're on the go. Whether in the office, at court, or working remotely, Smokeball's cloud integration enables teams to collaborate on cases from anywhere, keeping your team connected and aligned.

Data Security

Smokeball values data security, particularly when dealing with sensitive legal data. The platform adheres to industry standards and utilizes encrypted storage and secure cloud technology to ensure client information remains safe.

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Jordan Turk is a practicing attorney in Texas and the Director of Education and Attorney Development at Smokeball. Her family law expertise includes complex property division and contentious custody cases, as well as appeals and prenuptial agreements. In addition to her family law practice, she's passionate about legal technology and how it can revolutionize law firms.

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