

NEW HAMPSHIRE BAR ASSOCIATION  
BOARD OF GOVERNORS' ORIENTATION MEETING  
Murphy's Taproom and Carriage House  
Bedford, NH  
Friday, September 26, 2025  
8:30 a.m. to 2:00 p.m.

**Minutes**  
**In Person**

Present for all or part of the meeting:

**Board Members:**

President Derek Lick, President-Elect Robert Lucic, Vice President Sarah Mattson Dustin, Oliver Bloom, Gar Chiang, Jake Crabbs, Steven Dutton, Caroline Epperson, Kristin Fields, Nikolas Frye, Geoffrey Gallagher, Chrissy Hanisco, Len Harden, Petar Leonard, Kathleen Mahan, Tony Naro, Kyle Robidas, Barry Schuster, Cathy Shanelaris, Jim Shepard, Matthew G. Stachowske, Charla Stevens, William Woodbury

**NHBA Staff:** Sarah Blodgett, Caitlin Dow, Vince O'Brien, Jennifer McManus, Misty Griffith, Debbie Hawkins, Holly Chandler

**NHSC Liaison:** Justice Patrick Donovan

**ABA Delegates:** Michael Iacopino, Lyndsay Robinson, Jennifer Parent

**Guests:** Attorney David McGrath, New Hampshire Supreme Court Chief Justice Gordon MacDonald

**8:30 a.m.**

- A. Welcome and Individual Introductions Derek Lick/Sarah Blodgett

President Lick called the meeting to order at 8:35 a.m. and welcomed the group. Executive Director Sarah Blodgett also welcomed the group and thanked them for their time. She spoke about how we can collaborate to better serve our members and help to continue to be a bar that prides itself on its collegiality.

Board members introduced themselves and spoke about their involvement with the Board of Governors.

**9:15 a.m.**

**REGULAR BOARD MEETING BUSINESS- CONSENT AGENDA**

- B. Minutes of May 15, 2025, meeting and  
Minutes of August 6, 2025 Special Meeting Catherine Shanelaris

Jim Shepard stated that his name was spelled incorrectly in the May 15, 2025 minutes.

**ACTION**

On Motion to approve the May 15, 2025 draft meeting minutes with the correction of Jim's name. Passed unanimously.

Governor-at-Large Chrissy Hanisco brought up an issue about voting to approve draft minutes. On other boards that she's been a member of, Directors/Members routinely vote on meeting minutes even when they were not present at the meeting.

“When you vote to approve the minutes, you are expressing your confidence in the veracity of the secretary, the actions of your colleagues, and the correctness of the minute’s preparation process. You are not making a personal eyewitness statement that ‘you were there’ ”.

*Robert’s Rules of Order Newly Revised, 12<sup>th</sup> edition* says this:

*“It should be noted that a member’s absence from the meeting for which minutes are being approved does not prevent the member from participating in their correction or approval. 41:11.*

In the same vein, a newly elected member may vote to approve minutes, and a member who was not present at a meeting has the right to move approval of the minutes of that meeting.”

No Board action resulted from these comments.

### **ACTION**

On motion to approve the August 6, 2025 minutes. Passed unanimously.

Report on 8/28 email vote to approve membership of Public Protection Fund Committee

Sarah Blodgett

Executive Director Blodgett read the following regarding the email vote. The purpose of this was to capture this email vote and approval in these minutes.

An email was sent to the Board of Governors on Thursday, August 28, 2025 requesting the approval of the following appointments for three-year terms to the Public Protection Fund Committee.

<u>Member</u>	<u>Term</u>
Jeffrey Odland	7/2025 - 6/2028
Eileen Fox	7/2025 - 6/2028
David Rothstein	7/2025 - 6/2028
Tom Quarles	7/2025 - 6/2028

<u>Chair</u>	<u>Term</u>
Thomas Quarles	7/2025 - 6/2026

All voting members responded in the positive and the slate was approved unanimously on September 2, with Hills South Governor Tony Naro abstaining on Jeffrey Odland (due to a personal relationship).

### **REGULAR BOARD MEETING BUSINESS - ACTION ITEMS**

#### **C. Discussion of CLE Revenue Issue**

Sarah Blodgett

Executive Director Blodgett spoke about a past mistake in the reporting of CLE revenue for fiscal years 2023 and 2024. This information was originally provided to the Board at its August 6, 2025 Special Board meeting. Executive Director Blodgett explained that CLE revenue for May of 2023 (\$237,000) should have been included in FY23 revenue but was instead included in FY24 revenue. Our auditors have been consulted, and advised us that we do not need to redo our financial statements. Director Blodgett stated that it is again being brought to the Board’s attention for action on whether to make an accounting adjustment for internal purposes. Executive Director Blodgett explained that this adjustment would improve the accuracy of budget forecasting for the future. She noted that Controller Jen McManus joined NHBA after this mistake was made.

### **ACTION**

On motion to approve making the accounting adjustment to correct this misreporting. Passed unanimously.

Executive Director Blodgett referenced her memo in the board materials. The last civil legal needs study was done in 2021. This study has received funding and support from both the New Hampshire Bar Foundation and the NH Judicial Branch. There was a question about data retention of member data provided. Board members wanted reassurance that this data would only be used for the stated purpose as articulated in the attachment.

The Board discussed the data points for the study. Vice President Sarah Mattson Dustin (who is also the Executive Director of New Hampshire Legal Assistance) spoke about the study and stated that some of the data points can be replaced if the Board wishes. We can remove personally identifying information as the purpose is to look at trends over time. Past studies have not included this data. The CLEAR (Commission on Legal Education and Admission Reform) report also addresses the importance of this type of data mapping. There was discussion about tabling this request until the October Board meeting, but the information from the assessment needs to be reported to the Access to Justice Commission in January 2026, so a decision should be made today.

President Lick asked if there was consensus about the data points people are concerned about. Governor-at-Large Jim Shepard pointed out that a lot of the information in question could be obtained from the bar's website. He is inclined to agree to release of the information with exception of date of birth. There was discussion about using the organization name to identify those that are government attorneys or those attorneys in private practice, since the attorneys are not required to report this information to the NHBA. Members are fine with releasing the year of birth, rather than full date of birth.

#### **ACTION**

On motion to approve providing the information with the exception of date of birth (provide year only), name and location of office shall be used instead to identify area of practice and potential legal deserts, with the additional caveat that the data be returned or destroyed once the report has been issued. In addition, the data provided must be deemed confidential under the Master Agreement. Passed unanimously with one abstention - Sarah Mattson Dustin.

**9:30** - The meeting was paused for a 15-minute break. It then continued with item H on the published agenda.

#### E. Association Overview

##### 1. Overview of the NHBA Operations within the Bar Center

Sarah Blodgett

Executive Director Blodgett gave a brief overview of the association. A pictorial directory with staff duties and the NHBA Organizational chart was distributed in the board materials. The association employs 28 staff including the Executive Director. We have eliminated 2 positions in the last year. One is the Deputy Director, which Berry Dunn, advised that we do not need. Our size and revenue indicate that the current Controller position is adequate for these tasks. We also will be eliminating a CLE support position when a current staff person retires. Director Blodgett plans to continue to right size our staff for our work. New ideas are great, but one concern is the amount of staff time that it takes to complete this work. It may necessitate sunseting some functions in order to increase capacity for new projects. We are looking at this and will ask the Board to help us prioritize our work. The association is organized into four departments Executive, Professional Development, Marketing, Communications and Member Services, and Operations. The Executive Department focuses on governance of the association – Debbie Hawkins, Holly Chandler and the Executive Director support the Board and association members. They also serve as liaisons to several committees. Also on the Executive department staff are Deb Murphy, the HR Generalist, Rebecca Bunyard, who is the Meeting and Events Coordinator and works with three committees, and Martha Madsen, the Civics and Outreach Coordinator, and supports the Ethics Committee. Director Blodgett added that we value the work of the bar's committees. Currently there are 10 standing committees, and 7 Special or Ad Hoc Committees. We are here to help in any way we can.

Director Blodgett also spoke about member license renewal. In 2023, a significant number of members (1,355) did not complete renewal by the deadline. This was a signal to her that we weren't doing our job in assisting members with this process. To avoid a similar number of delinquencies in 2024, Director Blodgett had all staff make phone calls to members with outstanding renewal obligations. The number of delinquent members dropped to 391. In 2025, NHBA's renewal team completed a lean process improvement project to streamline and clarify the renewal steps. Several changes were implemented and the number of delinquencies fell to 228. Director Blodgett advised the Board that the association had generated quite a bit of revenue from delinquency fees prior to 2024. The drop in delinquencies will mean decreased revenue, but that is more appropriate for a member services organization. The member renewal team will continue to focus on education and messaging.

President Lick highlighted the fact that the bar realized there was a problem and picked up the phone to call members to improve it.

Director of Professional Development Vince O'Brien spoke about the bar's CLE programming. Board Secretary Cathy Shanlelari is now the new chair of the CLE committee. He spoke about the CLE staff. Director O'Brien shared that in addition to their well-known programs such as Midyear Meeting, Developments in the Law and Practical Skills, the CLE department produces 36 live programs as well as webcast and archive programs, with video and audio options available. He noted that 5% of members choose in person, 17% webcast, 78% use the archive option, with 1/2 of this number split between audio and online seminar options. There are 2700+ providers of CLE for NH lawyers. 29% of NHBA members take classes from us. Our goal is to raise this number.

President Lick shared that his goal in naming a new chair and new committee members is to bring some fresh eyes to Continuing Legal Education. He is thankful to Cathy Shanlelari for agreeing to chair the CLE Committee. Former long-time chair Jack Crisp will remain involved. CLE revenue has dropped significantly in recent years and we want to make sure that we are staying relevant. President Lick thanked Director O'Brien for his role in reinvigorating the CLE programming. He asked that members help spread the word about CLE and to please advise Cathy and the Board of any feedback that they are hearing from members. President Lick also shared his thoughts that in the past there was a social component to these programs that does not seem to be valued in the same way today. President Lick hopes we can increase participation at in-person events. We continue to monitor the data.

Executive Director Blodgett echoed President Lick's comments regarding Director O'Brien. We are working on a survey for members about what CLE programs would be helpful and useful for members. She also shared that the Special Committee on Public Sector is working on suggesting classes aimed at public sector attorneys that would be offered at a discount. We are also working on a scholarship for members for CLE. This is in addition to a recently created group discount for multiple attorneys from the same firm or organizations.

Director of Marketing, Communications and Member Services Caitlin Dow spoke about the mission of her department, which is to provide members and the public with the information that they need. This is done through the Bar News, weekly E-Bulletin, as well as direct email, social media posts and the website. The main aspect of the department is promoting events and activities. They also create booklets, event programs, and help get the word out to our members. This includes information about the work of every committee and section, as well as all the other programs the bar has. This department is also responsible for setting up and sending surveys. Director Dow also spoke about staff and their roles— one team member's job is to get sponsors for events and the Bar News. There is also the Bar News Editor, and a graphic designer. Member Services Manager Misty Griffith is also in this department, as are two LRS member intake specialists. We are currently recruiting for a third intake specialist.

There was a question about the website update that is in the capital budget. Director Blodgett shared that this work has not been started as of yet. Part of this project is connected to the Associate, our current member database. We are currently recruiting for an IT manager, and once hired, a top priority will be looking at other options for our member database, as the current one is 12 years old and needs updating. These changes must wait until we have a new database vendor. We are going to be working on updating the public side of the web site in the next year, which is separate from the member portal.

Director Blodgett noted that the Board can expect to hear monthly updates regarding CLE revenue. She reminded the Board that most of the revenue is earned in April and May, at the end of the fiscal year.

## 2. Board Duties and Responsibilities

### a. Location of Reference Information and Materials

Director Blodgett spoke about Board responsibility and duties, the first of which is to review the board meeting materials to prepare for the meeting. The materials are posted on the Board web page. Executive Department staff (Debbie or Holly) email the Board letting them know the information is posted. Director Blodgett stated that we are working on an updated Board Orientation Manual which will be available soon.

The Board's role is to work in establishing the strategic direction for the association. It is the staff's role to implement programs and policies. The Board also oversees the Executive Director, and she oversees the staff. Please let her know if there are any concerns. Director Blodgett also reminded the Board that the only person that is authorized to speak for the association is the President or their designee. Individual members may be contacted by members of the Legislature for expertise or to weigh in on a particular bill. Individual members of the Board may testify or give their opinion as a New Hampshire attorney but may not speak on behalf of the association or Board of Governors. The NHBA Legislation Committee reviews proposed bills using our guidelines established by the Chapman decision and makes recommendations to the Board on each bill that is reviewed. There has recently been some push for comment from legislators. The Board also approves the NHBA budgets (operating and capital). She spoke about how much we rely on the collective wisdom of the Board. Very frequently, issues are raised that would not have come to our attention any other way. Please reach out to her if you are hearing concerns from members or the public.

### b. Board Fiduciary Duties

Director Blodgett discussed the Board's fiduciary duties. She referenced a PowerPoint that is posted on the Board page from last October's presentation by Mary Ann Dempsey, Director of the Charitable Trust Unit of the Attorney General's office.

The Board has three fiduciary duties – Loyalty, Care and Obedience. The duty of loyalty is described as follows. Loyalty gets tested when a director has a conflict of interest or confronts a corporate opportunity. Board members must act with undivided loyalty and in the best interests of the organization and not seek to derive personal gain from its programs or transactions. The organization must come before any private interests of the directors. The duty of care means that Board members come to meetings and have reviewed the materials in advance. They must know the association's bylaws and constitution and ensure compliance with these documents, and act in the best interest of the bar as a whole. The duty of obedience states that the Board must follow governing documents and federal and state law. Director Blodgett shared that we will be making a CLE available to the Board at no cost about understanding our monthly financial documents. It is their duty to ask questions regarding these.

## 3. Brief Overview of the Association Financials and Budget

The Finance Committee works with the staff to create the budget. It is brought to the Board of Governors for final approval in May, after the Finance Committee has finalized it. It is then published in the August issue of the Bar News, and a meeting is held each September for members to discuss the budget and ask any questions they may have.

President Lick commented that the budget process was the most eye-opening part of becoming an officer of the Board. Digging into the budget details led the Board to review the Law Related Education programs to determine how they could be improved and strengthened, as budgeted moneys were consistently underspent. He also urged members to review the CLE budget. President Lick is pleased with the current budget process. The Directors of each department work with the Executive Director to complete the first draft of the budget, and then the Finance Committee works on the budget, led by the President Elect. President Lick urged the board to dig into the budget. Fiscal oversight is one of the most important duties of the Board.

Controller Jennifer McManus spoke about the FY 2025-2026 approved operating and capital budgets. She stated the association plans their budgeting for the most likely financial scenarios in the coming year. Under the approved operating budget there will be a profit of \$23,684. She urged the Board to reach out to her if they have questions.

President Lick asked Controller McManus for two to three things that the Board should focus on. One of the biggest changes in this budget is the newly implemented credit card fee of 2%. Executive Director Blodgett added that a general trend has been decreased revenue in CLE program. In addition, in 2024 the association collected over \$200,000 in delinquency fees, which is more than we currently anticipate collecting. This number has decreased due to the improvements the association has made in the member renewal process. She also noted that we are seeing more revenue from the Lawyer Referral Service (LRS). Director Blodgett reminded the Board that there will be a fee implemented for callers seeking a referral in the full fee program at the start of October.

President Lick also spoke about the credit card fee, which was implemented to help offset the processing fees that the association pays. A Board member asked if we are receiving complaints. We have received some complaints and are working on setting up ACH (electronic) payments so our members can pay online without paying the credit card processing fee. Controller McManus added that members can pay by check to avoid the fee. We are hoping to set up the ACH payment mechanism in the next few months so it can be tested before the next renewal season. There was also discussion about whether the association shops for credit card processors. Another question was whether there was a trend of more checks than credit cards during this renewal season due to the new fee. We haven't analyzed this, but it seemed to be about the same amount of check and credit card payments as past years.

There was discussion about the CLE budget. President Lick thinks we will have a hard time making the budget for the upcoming year, as the current year's revenue prediction was based on the inflated revenue for FY24. We did not discover the error until we completed the 2025-2026 budgeting process. CLE fees were also discussed. They hadn't increased since 2015, so the online and web cast fees were increased for the current fiscal. Attendance at a live program now costs less. President Lick commented on the cost of providing online access. The company that hosts our online catalogue, InReach, charges us a significant amount in fees. We are looking into moving away from them, but we are currently under contract with them. President Lick states this will be a good topic for the CLE Committee to consider. Last year Kate Mahan's initiative was to offer a free CLE to 3L students at the UNH Law School to help connect with them.

The discussion then moved on to the approved capital budget. We have appropriated funds from the Board Reserve to help fund these projects in addition to funds from the operating budget. The website redesign is for the front end, not the member portal which is tied to our current member database. Controller McManus reviewed the other items in this budget.

F. Unified Bar Discussion

Attorney Dave McGrath, Sheehan Phinney

Director Blodgett introduced Attorney Dave McGrath. Attorney McGrath is not here in his board counsel role, but as a former bar president to discuss what it means to be a mandatory bar and what it means to wrestle with related issues. She added that we won't discuss the judicial process today although Chief Justice MacDonald and Justice Donovan may share their thoughts on the process with the Board.

Attorney McGrath discussed some of the important points about being part of a unified or mandatory bar. There is a substantial difference between this and a voluntary bar. There are currently 31 mandatory bars in the United States. In New Hampshire, the Supreme Court has ultimate authority over the legal profession and its regulation. The NHBA works together and serves at the pleasure and in conjunction with the NH Supreme Court. There are other limits on the activity of a mandatory bar that come from our own bar constitution and the US constitution. There have been challenges to the mandatory status of bars going back decades. In NH in 1968 there was a challenge of the unified status of the bar. Attorney McGrath also referenced the Lathrop and Keller cases, in addition to the New Hampshire Chapman case. In the early cases they have held that mandatory bars are constitutional if properly created and run. Most of the challenges to mandatory bars arise from first amendment challenges.

Attorney McGrath discussed the Chapman case, the 1986 challenge to the bar association's position on tort legislation. The plaintiff questioned whether legislative advocacy was within the purview of NHBA, and whether it was constitutional. The decision, written by Justice Brock, notes there are certain gray areas in determining whether an issue falls with the Bar's purview. It should be looked at as a continuum. He counsels in his opinion that great care must be taken about these things, and that the first amendment claim is a serious one. Attorney McGrath stated that when you review our charter and the constitutional restrictions, you will conclude that we cannot weigh in on tort reform. The decision stated that the association shall confine its activities before the General Court to those matters which are "related directly to the administration of justice; the composition and operation of the courts; the practice of law and the legal profession." The NHBA exists at the pleasure of the NH Supreme Court. The questions the bar leadership should consider are as follows: is this activity directly related to the practice of law or the administration of justice, is it within NHBA's charter, and lastly is it constitutional. There also needs to be a determination that there is substantial unanimity among membership supporting the activity. Attorney McGrath suggested an additional analysis:— is NHBA any good at the proposed initiative, are we equipped, and do we have the resources to carry it out. If the answer to any of these queries is no NHBA probably shouldn't be doing it.

Circumspection should be our watchword in guiding the discussion about undertaking activities. If it is arguably outside of our scope, or there is no likelihood of substantial unanimity across our membership, NHBA should not get involved. There was a subsequent case that found it was permissible to advocate for the Public Protection Fund as a means of advocating for the profession. Attorney McGrath also thinks discussion about experiential requirements for lawyers would be permitted.

These activities must be assessed on a case-by-case basis. Attorney McGrath suggests the Board analyze these with the guidelines set forth by the Chapman decision in mind. He believes that even if the proposed activity falls within the guidelines, we still need to determine whether we are any good at it, and whether we are undertaking it in such a way that is consistent with the Chapman decision.

Attorney McGrath also spoke about the Janus case. It dealt with whether a non-union member can be compelled to pay dues. This 2018 US Supreme Court decision determined that a non-union member cannot be forced to pay dues to support an activity they are not in agreement with. This led to questions about whether this rationale could also be applied to unified bar associations. Since 2018 there have been challenges to mandatory bar based on Janus and so far the US Supreme Court has not taken up these cases. Attorney McGrath also noted that in 2010 the US Supreme Court heard a case challenging Keller. The Court upheld the Keller decision.

There was a brief discussion about how non-unified or voluntary bars developed. Those present were unsure whether any bars that started as unified became voluntary.

Executive Director Blodgett stated the general counsel of the Oregon Bar Association will be present at the October Board meeting. They are in the midst of litigation challenging their mandatory status.

**11:00 a.m.**

**G. CLEAR Report Presentation**

Chief Justice Gordon MacDonald

Executive Director Blodgett introduced Chief Justice Gordon MacDonald. The Conference of Chief Justices (CCJ) and the Conference of State Court Administrators (COSCA) established a working Committee on Legal Education and Admission reform in 2023 to examine state court regulatory authority to administer bar admissions. These two groups are overseen by the National Center for State Courts. The working committee had a charge to report back in 2025. The Chief Justice chaired the Executive Committee. The committee focused on admission and education requirements.

Chief Justice MacDonald spoke about current challenges facing the legal profession. There are many. The first one he named is the increase in self-represented litigants. In NH up to 90% of court-involved individuals are self-represented. The second challenge that he spoke of is inadequate resources for civil legal aid, criminal defense, and prosecution. Attorney retention is a huge challenge in these areas. Another challenge is the spread of legal deserts. There are vast geographical areas with few or no attorneys. This is not limited to rural areas but includes urban areas as well. The profession is changing. The committee heard a lot about what clients are willing to pay for, particularly for the services of newer attorneys. The pandemic also had an effect and has led to a decline in mentorship of newer attorneys. There is a misalignment between legal education, licensure and practice. Chief Justice MacDonald described the lack of alignment among the various aspects of the legal system and the stakeholders in the legal system - bar examiners and bar admissions offices, accreditors, the practicing bar, state Supreme Courts, law schools, and national state and local associations. The hope for the future is that these can be aligned. The final challenge noted is the absence of court leadership in legal education admission in some of these areas. State courts need to be at the table.

He went on to discuss challenges in defining practice readiness. The committee also felt that the public doesn't understand public interest law and that this needs to be better publicized.

Chief Justice MacDonald spoke about current bar exams and admissions procedures and changes that are planned. 41 states currently accept the Uniform Bar Exam (UBE) produced by the National Conference of Bar Examiners. The applicant must still go through character and fitness requirements. This is changing, as of July 2026, the UBE will administer the Next Gen Bar exam. There is a shift towards testing more practical skills.

He also spoke about innovative licensure pathways that state jurisdictions have established to assess competence without the bar exam. The UNH Daniel Webster Scholar (DWS) program is a prime example of an alternative licensure pathway. Last year's class was the 21<sup>st</sup>. Former Chief Justice Dalianis led this effort, and was able to get the law school, bar association and bar examiners to the table to create this program. The DWS remains the premier example of this pathway. Many states are interested in this model. His opinion and experience is that these graduates are superior.

There are also supervised practice pathways. The best example is in Oregon, and they are having great success. These states can tailor their program to address the needs of their states, in particular for public interest attorneys. Nevada has a hybrid pathway.



Chief Justice MacDonald went on to share how the committee completed their work. There were three working groups – practice readiness, bar admissions and public interest. The groups held listening sessions and stakeholder interviews. They also did two surveys which were developed with Thompson Reuters; one for judges, and one for attorneys and law students.

The key findings from the survey of judges were that new attorneys need further training and under-prepared attorneys primarily negatively affect clients. New attorneys understand "big picture" legal concepts and act ethically but are not as proficient in practical skills.,

The key findings from the survey of attorney and law students were that newly admitted attorneys are less prepared in client communications, negotiation, and applied legal writing, attorneys and law students overwhelmingly support innovative licensure pathways as compared to the bar exam, and attorneys do not view the bar exam as a test of the skills needed in practice. While there wasn't support for alternative admission pathways at the start, but attitudes are shifting.

There was discussion about law school graduation for those that don't practice law and how the needs of those students are addressed. We have essential skills and uphold the rule of law. Lawyers lack skills needed in this profession.

This committee did something that has never been done before – convened a day and a half session with the following groups - CCJ/COSCA, ABA Council of the Section of Legal Education and Admissions, Association of American Law Schools, Law School Admission Council, Law School Survey of Student Engagement, National Association for Law Placement; the regulating bodies recognized by state Supreme Courts. The hope is this will be an ongoing effort to for alignment so that it will result in positive changes.

The committee's report was presented at the CCJ, COSCA annual meeting this July. CLEAR is now a permanent committee. The key themes of the report are as follows; A Unified Whole: The whole profession bears responsibility and has a role, Collaboration: Long-term collaboration among stakeholders is critical, Dynamic Approach: The practice of law is changing, and the way we educate, train, and license must be adaptable, Structural Change: Structural impediments limit progress.

The CLEAR recommendations are as follows:

1. Lead collaborative efforts to realign legal education, bar admissions, and new lawyers' readiness to practice with public needs. Should the ABA remain the accrediting body? The ABA is not held in high regard in the current federal administration. The committee encountered concerns from law schools in this regard.
2. Implement state-level strategies to improve practice readiness - Encourage innovation and rather than erecting impediments.
3. Encourage law school accreditation that serves the public.
4. Reduce reliance on external law school rankings. The committee heard a lot about this – these rankings skew decision making by legal educators. They are chasing the ratings. The ratings don't address what the profession thinks is important and generally are not helpful.
5. Encourage experiential learning that involves client responsibility.
6. Reform bar admissions processes to better meet public needs. State supreme courts should convene stakeholders to encourage alternative pathways. There is a need to reduce economic hardship on the part of students, both cost and time taken to study for the bar exam. Explore how innovative pathways can be exportable

to other states. Critical examination of character and fitness requirements to streamline issues relevant to practicing law.

7. Support public service attorneys. Online recruitment at law schools by law firms has accelerated. It now starts during the first semester of the first year. Most attorneys are interested in public sector work, but aggressive recruiting has changed this. It was also noted that some law schools aren't public-interest friendly.
8. Encourage rural practice. This addresses part of the legal desert issue. It is very challenging. Support mechanisms are needed to support attorney practice and personal life. One alternative may be to facilitate remote learning for rural students.
9. Continue the work of CLEAR. Creation of a CCJ/COCSA Joint Standing Committee to continue this work. The next steps include; organize convenings among key stakeholders, support jurisdictions considering innovative pathways, monitor implementation of NextGen bar exam, and recommend portability standards.

Chief Justice MacDonald will continue to chair this committee. It may make sense for similar states to get together to work on these tasks. The charge is to take on score portability for innovative pathways.

The Board discussed the report and its recommendations. President Lick asked what Chief Justice MacDonald's recommendations to the Board are in this area. New Hampshire already has the Daniel Webster Scholar program, and the Practical Skills course. It was shared that Arizona faces a critical shortage of attorneys in the public defense sphere which has led to adoption of a rule that if the student scores between 261 and 269 (short of pass score of 270) on the UBE and goes on to perform criminal defense work under the supervision of an attorney, they can be admitted to the bar. The Chief Justice likes the Oregon and South Dakota supervised pathway, which both focus on public sector shortcomings. He suggests that we might examine and update the Practical Skills course curriculum. In addition, he suggests the bar explore looking at offering CLEs for practice skills, as well as exploring broadening our mentorship program.

President-Elect Bob Lucic spoke about his planned focus for his upcoming leadership year in 2026-2027 on the training of lawyers. He wants to talk about what it will look like to be a lawyer in 2035. Economics will be dramatically different, and he believes the changes will be dramatic. His sense is that clients are driving most of the AI conversation. AI brings opportunities – think about the review of video evidence in criminal law.

Governor at Large Chrissy Hanisco mentioned there may be an opportunity to collaborate with those trying to address deserts of other professions such as medicine. She also spoke about how some schools are 'dumbing down' curriculum of undergraduate work. Chief Justice MacDonald noted they have heard a lot about this in their work that undergrads are unprepared for law school.

Executive Director Blodgett asked about what we could do to formalize the mentor program to allow for CLE credit to be gained by mentoring. It would require a rule change.

ABA Delegate Jennifer Parent suggested that we should communicate the definition of professionalism as lawyers.

Chief Justice MacDonald added that the Board of Governors are important leaders of one of the stakeholders in these effort.

**The meeting paused for lunch at 12:00 p.m.**

## **1:00 – 2:00 pm**

- H. Draft Charge for Special Committee on Legal Career Pathways

Director Blodgett discussed this charge. She worked on this over the summer with Immediate Past President Kate Mahan. They thought that based on the CLEAR report this is a good fit to move forward with.

Justice Donovan believes the Court will support the creation of this committee. Vice President Sarah Mattson Dustin thought that 6 months is too aggressive a timeline for completion of the interim report. President Lick asked for the Board's consensus. He is curious what others think and whether they want additional time to review the charge or want to move forward. There was discussion about what role the Board of Governors will play and who will be members of this committee. The President will appoint the membership, which will include several Board members.

### **ACTION**

On motion to create this committee with the change in the reporting section that the Committee will submit the interim report within 12 months of creation. Passed 18 – 1.

## **I. Brief overview of the Association's financials & Board fiduciary responsibilities and budgeting process (continued from the morning session)**

Sarah Blodgett/Jennifer McManus

### **a. Update on 2025-2026 Membership Renewal**

- License Renewal Compliance

Controller Jennifer McManus noted license renewal went smoothy this year. Efforts by the renewal team and the bar staff led to the successful renewal process. There were only 90 members sent over to the Supreme Court for non-compliance. Controller McManus referenced the license renewal handout given to the Board. As of September 16, 98.94% of members had completed all their licensure obligations.

- Annual Dues Schedule

Controller McManus referenced the dues handouts in the Board packet. Director Blodgett added that the Special Committee on Public Interest Attorneys will be taking a close look at this data.

- Membership Statistics

Controller McManus reviewed general member statistics. Employment type is self-reported, so this is not a comprehensive number. President Lick was surprised that ½ of our active attorneys are out of state. He asked how this compares to other states. Controller McManus will see whether she can get information from other states.

There was a question about membership growth over last 10 years and what percentage of the active growth is out of state. Director Blodgett said that there is also a correlation between this and the change in the UBE. There was additional discussion about the increase in the age groups. It seems that people are going to law school later in life. She added that as we look at implementation of some of the CLEAR recommendations, we will look at this data. There was another question regarding mid-career waive-ins and whether this has increased. Anecdotally we have seen that some attorneys have dropped their NH license if they don't have an active practice here. Controller McManus will obtain this information for the Board. Hillsborough South Board Member Tony Naro asks if there is way to streamline the waive-in process. That process is through the bar admissions office and not the Bar Association. It was suggested that this might be looked at. President Elect Bob Lucic added that there is a substantial group of waive-ins of attorneys that retire to NH and waive-in to continuing practicing.

## **J. Member Services Overview**

Misty Griffith, Member Services Manager

Member Services Manager Misty Griffith shared the new member services brochure with the Board and gave a brief overview of some of the services the bar offers to members. Highlights follow.

Bar Center Conference rooms – These can be reserved free of charge. They are used frequently by attorneys for depositions.

Bar News – She encourages people to write for the Bar News. We are always looking for people to contribute. She also shared that Advertising and Sponsor Sales Coordinator Donna Parker can assist with publishing advertisements and announcements.

NHBA E-bulletin – This is sent out every Wednesday. It contains notice of coming events and deadline reminders. Manager Griffith encouraged the Board to read it; it is worth the 5 minutes of time to read.

Free legal research – There are two options – through 12/26 vLex Fastcase will be available. We added Decisis in June. The NHBA will be transitioning to full use of Decisis in 2026. They are letting us use their platform for free until our contract is up with vLex. It is more intuitive and not as cluttered with ads. Decisis' parent company is Lexis. Executive Director Blodgett shared that this change resulted from feedback from Board member Cathy Shanelaris that vLex wasn't user friendly. Member Services Manager Griffith was able to act quickly and find Decisis as an alternative. She had a focus group use Decisis and gathered feedback on their experiences. These members overwhelmingly selected Decisis as the better option.

NH Free legal answers – This service is in partnership with the ABA. Members of the public can use this site if they meet the income guidelines (250% of poverty). Civil legal questions can be posted, but not criminal. Attorneys can go online and answer these questions. For attorneys, it's anonymous – not a long-term client relationship. The most popular areas covered are landlord-tenant law and family law, but some other civil legal questions are addressed as well. Manager Griffith stated this is a wonderful way to do pro bono work on your own time. We currently have 131 attorneys signed up to participate. Many are not very active on the platform. Director Blodgett asked the Board to please let us know if they have thoughts about how to recruit more attorneys. Board member Jim Shepard shared that he promotes it when talking to government attorneys who say they can't do pro bono.

Civics programs- Our new coordinator, Martha Madsen, is working successfully on reimagining our civics programs.

Lawyer Referral Service – Manager Griffith oversees this program. It is a great resource for anyone trying to build a practice with individuals (non-corporate) clients. LRS made over 10,000 referrals last year. Our intake people get basic information from the clients, but do not give legal advice. Panel attorneys earned \$2.5 million in LRS generated fees in 2024. The NHBA receives 10% of the fees collected from the attorney.

Modest means – The bar does not receive fees from the attorney for this program. It serves people between 125 – 325% of poverty – those that fall in between pro bono and full fee. There is a sliding fee scale for clients based on income. The attorneys on this panel charge between \$80 – \$125 an hour for these cases. This panel is free to join. The attorney can limit the number of modest means cases they take. This program served 1,200 referrals last year.

Leadership Academy – This is a 9-month program designed to develop future bar leaders that takes place every two years. A new cohort just began.

Mentor Advice Program – It might take a while to match a mentee with the right person, but it has been a great program. We encourage new attorneys to sign up and many don't take advantage of this service. The ones that do are waive-ins. We have mentors in all aspects of law, including public sector.

Member Discounts – The NHBA has many programs, which are listed on our website and in the member services brochure. If members sign up for the programs through the NHBA site, we may receive a royalty.

Member Center- This space has private offices and an attorney lounge available free of charge – drop ins are welcome.

Sections – There is a brand new solo and small firm section that held their first meeting the end of August.

Director Blodgett added that we rely on the Board of Governors to help educate members on these services. Please take the time to review this pamphlet and educate yourselves. She added that if you can't find something on the website, call Member Services Manager Misty Griffith and she will send a link to you.

- K. Adjournment – The meeting was adjourned at 2:01 p.m. Executive Director Blodgett thanked everyone for their time.

Respectfully submitted,



Deborah J. Hawkins for Catherine E. Shanelaris, Secretary