



NHBA President Derek Lick addressing more than 400 attendees at the 2026 Midyear Meeting. Photo by Tom Jarvis

## 2026 Midyear Meeting Highlights Constitutional History and Civic Engagement

By Tom Jarvis

The New Hampshire Bar Association's 2026 Midyear Meeting (MYM), held Friday, February 20, at the Double-Tree by Hilton in Manchester, drew more than 400 attorneys, judges, and legal professionals from across the state.

The meeting's theme, "250 Years of Independence: Honoring Our Past, Engaging Our Future," reflected the nation's upcoming semiquincentennial and invited attendees to consider how constitutional principles continue to shape government and the rule of law. The program featured a full day of CLE sessions, guest speakers, awards, and networking opportunities.

"It was fabulous to see so many attorneys and judges at the sold-out Midyear Meeting as we carried on our unique tradition of fellowship, collegiality, and shared purpose," says NHBA President Derek Lick. "It is precisely this type of engagement that makes our Bar special."

Four of the eight CLE sessions examined the history, significance, and modern-day application of the New Hampshire Constitution, while the remaining four addressed emerging issues such as artificial intelligence and attorney engagement.

"This year's Midyear Meeting was a tremendous success and a reflection of the dedication and collaboration that define the New Hampshire Bar Association," says NHBA Executive Director Sarah Blodgett. "I want to thank the speakers, panelists, organizers, and staff whose efforts made the program

possible. Our largest annual gathering, the Midyear Meeting brings the Bar together to connect, share ideas, recognize achievements, and advance the work we do for our members and the public."

The day began with the 2026 Gender Equality Breakfast, a longstanding MYM tradition hosted by the NHBA's Gender Equality Committee (GEC), which welcomed more than 70 attendees.

GEC Chair Meredith Lasna opened the breakfast by highlighting the progress women have made in the legal profession while emphasizing that barriers to gender equality remain. She outlined several ongoing committee initiatives, including efforts to support LGBTQ attorneys, reimagining a negotiations workshop, and addressing lactation policies in court settings.

Afterward, GEC member Heather Burns presented the 2026 Philip S. Hollman Award for Gender Equality to Nancy Richards-Stower.

"Nancy has spent her career fighting to eradicate gender and other forms of discrimination in the workplace – one lawsuit at a time," Burns said.

A longtime plaintiff's employment attorney whose five-decade career has focused on combating workplace discrimination and advancing equal pay, Richards-Stower reflected on early mentors who encouraged her to pursue litigation in service of racial and gender equality. She cited mentor Robert Fitzpatrick as instrumental, explaining that "fearing litigation defeat had to take a back seat to

MYM *continued on page 22*

## DOJ Proposal Raises Concerns About State Attorney Discipline Systems



By Scott Merrill

The US Department of Justice (DOJ) is attempting to intervene in how state bar associations handle cases brought against current or former DOJ attorneys.

The proposed move, legal experts say, undermines the authority of state bar associations and disciplinary systems like New Hampshire's Attorney Discipline Office (ADO) to discipline federal prosecutors and other DOJ lawyers.

The rule, published in the Federal Register on March 5, would allow the US attorney general to review ethics complaints against current or former DOJ at-

torneys before state disciplinary authorities proceed with investigations when the alleged conduct occurred as part of the attorney's federal duties.

Under the rule, if a bar complaint is filed alleging misconduct by a DOJ attorney, the attorney general or a designee could request that state bar authorities pause any investigation while the department conducts its own review through its Office of Professional Responsibility.

The proposed regulation states: "Whenever a third party files a bar complaint alleging that a current or former

DOJ *continued on page 10*

## Grand Jury Declines to Indict Maggie Goodlander in Federal Investigation

By Scott Merrill

When Maggie Goodlander was sworn in last January as the US Representative for New Hampshire's Second Congressional District, her first term quickly drew national attention.

Last November, Goodlander was one of six congressional leaders with military and intelligence backgrounds who released a video reminding US troops that they are duty-bound to refuse illegal orders.

The lawmakers – including Elissa Slotkin (D-Mich.), Senator Mark Kelly



Maggie Goodlander in July 2025. Photo used with permission.

(D-Ariz.), Representative Jason Crow (D-Colo.), Representative Chris Deluzio

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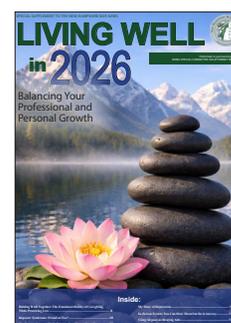
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## NHBA Modest Means Representation – It’s A Win-Win

Even for many hard-working New Hampshire residents, legal fees can be out of reach. However, the New Hampshire Bar Association’s Lawyer Referral Service Modest Means Program (LRS-MM) provides an innovative and practical way to narrow the justice gap while offering meaningful opportunities for attorneys to grow their practices.

On page 12 of this issue, you’ll find a detailed description of LRS-MM and an honor roll of about 30 attorneys who are dedicated to providing legal assistance at a reduced rate to at least some Modest Means clients.

These attorneys should be commended for their work, and I encourage each of you to consider joining them by signing up to accept a case or two from the program.

There is no obligation to take other cases – either in a pro bono capacity or through the Lawyer Referral Service’s full-fee program. Rather, you can choose to handle only select cases, including in certain practice areas and geographic regions. Some attorneys handle only one case a year; others handle dozens.

### Rising Legal Costs and Limited Resources

Traditional attorney fees in New Hampshire reflect broader national trends of increasing legal service costs. One study reported Granite State attorneys’ fees average approximately \$300 per hour. While these may reflect market rates, they can seem out of reach for most

### President’s Perspective



By Derek D. Lick

Orr & Reno,  
Concord, NH

working-class individuals.

For a resident seeking even basic legal advice or representation, those hourly rates quickly multiply.

A moderately complex family law case or landlord-tenant dispute can easily result in bills well into the thousands of dollars, especially when hours spent on filings, negotiations, and court appearances are counted.

These costs place professional legal help out of reach for moderate-income families – those who earn too much to qualify for free legal aid but not enough to comfortably pay full private-practice rates.

### How the Program Works

LRS-MM is specifically designed for this middle ground. It connects income-eligible individuals with attorneys who agree to provide legal services at a reduced hourly rate of \$80 to \$125, determined by household income relative

to federal poverty levels.

Clients first undergo a simple prequalification based on income. If eligible and matched with an attorney, they can access experienced legal counsel without bearing the full impact of market rates.

This support is crucial in critical matters such as divorce and custody, housing and eviction defense, bankruptcy, and other civil issues where self-representation can undermine fair outcomes.

### A Win-Win

For residents, the advantages are immediate and tangible:

- **Greater Access to Legal Representation:** Individuals who fall outside traditional free-assistance thresholds can still secure counsel, reducing the number of people forced into self-representation.
- **Reduced Financial Stress:** Sliding-scale rates and manageable retainers allow people to pursue legal remedies without catastrophic expense.

Attorneys also gain from participation in the program:

- **Expanded Client Base:** Joining LRS-MM draws clients who might otherwise never seek professional help, expanding an attorney’s reach into community service and potential future full-fee work.
- **Flexible Commitment:** Lawyers choose the type of matters and volume of referrals they accept, allowing them to balance reduced-fee work with other practice needs.
- **Professional Satisfaction:** Many attorneys find intrinsic value in serving clients who genuinely need help, fostering goodwill and strengthening their reputation in the community.

By addressing both sides of the access dilemma – helping residents afford legal help and giving attorneys a structured way to serve a broader client base – LRS-MM embodies a win-win approach.

In a justice system where the escalator of legal costs can leave many behind, programs like this help ensure that representation is not reserved for the wealthy alone, but remains within reach of ordinary Granite Staters seeking fairness under the law. ♦



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## NHBA Welcomes Michelle Magee as LRS Intake and Referral Assistant

The New Hampshire Bar Association is pleased to welcome Michelle Magee as its new Lawyer Referral Service Intake and Referral Assistant.

Magee earned her associate degree in paralegal studies from NHTI in 2008. She most recently served as the administrative and finance assistant at the Concord Housing Authority.



In that role, she assisted individuals with housing needs, processed rent and other tenant payments, and provided accounts receivable support to the finance department.

An avid reader, Magee says she is “extremely excited to start this new book of working at the Bar, and I hope to enjoy every

chapter of my time here.” ♦

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# Vehicle Safety and Emissions Inspection Repeal Shifts into Neutral

By Megan Koerber

After months of legislative jockeying and a federal court ruling, New Hampshire's attempt to eliminate mandatory annual safety and emissions inspections for private passenger vehicles has stalled. In a policy path that has been less predictable than rush-hour traffic, the requirement remains – at least theoretically – in effect as of February 26.

Last year, the New Hampshire Legislature voted to end the state's annual vehicle inspection requirement, ending a mandate in place in the Granite State since 1931. The repeal was included in the budget signed into law last summer by Governor Kelly Ayotte, and was scheduled to take effect on January 31, positioning New Hampshire to join 13 other states that do not require annual vehicle inspections.

Gordon-Darby Holdings, Inc., a Kentucky-based company that has operated New Hampshire's emissions testing program for 26 years, provided the first real speed bump in the process when it filed suit in federal court in January. The company's suit argued that termination of the program violated the federal Clean Air Act (CAA) and the State Implementation Plan (SIP). The lawsuit sought an injunction to prevent the state from ending inspections until the legal issues could be resolved.

The CAA establishes a shared system in which the Environmental Protection Agency sets national air quality standards and states are responsible for meeting them through an SIP. SIPs must include enforceable emissions limits, compliance and enforcement mechanisms, and assurances that the state is able to administer



the program. Areas that fail to meet federal standards must adopt vehicle inspection and maintenance (I/M) programs, and serious nonattainment areas must implement enhanced I/M programs with more rigorous testing and enforcement features.

Because New Hampshire is part of the Northeast Ozone Transport Region, it must operate an enhanced I/M program in any metropolitan area with more than 100,000 residents. Because the I/M program is part of New Hampshire's approved SIP, the state cannot abolish it without approval from the EPA. The state submitted a request to remove the program on December 24, 2025, but the EPA has not granted that approval. The request is estimated to take 12 to 18 months to process.

In response to Gordon-Darby's suit, on January 27, US District Court Judge Landya McCafferty granted a preliminary

injunction ordering the state to continue its I/M program until further notice. The last paragraph of the order states: "All parties in this case agree that federal law continues to require New Hampshire to maintain an inspection program. The parties also agree that, unless the federal Environmental Protection Agency approves the State's decision to abolish the inspection program before January 31, the State will be in violation of the Clean Air Act as of that date."

The New Hampshire Executive Council, meeting in an emergency session on February 4, voted 3–2 against granting a 60-day extension of the state's contract with Gordon-Darby. The extension would have allowed the I/M program to continue during the injunction, and its rejection instead effectively ended the program.

In response to the council's vote, the New Hampshire Department of Justice is-

sued a press release on February 13, stating that "the vehicle inspection program is suspended until further notice ... [as there is] no approved vendor to operate the state's vehicle inspection program."

Also noted in the press release was how the state would proceed:

"In addition, the state is continuing to seek relief from the Court's order and has filed a Notice of Appeal to the First Circuit Court of Appeals as well as a motion requesting that the court stay its preliminary injunction order."

But before the state could hit the gas, on February 26, Judge McCafferty denied the request to stay her preliminary injunction. In the last paragraph of the order, Judge McCafferty wrote that the state has "legal authority to comply with the preliminary injunction and must 'take all steps necessary to resume and ensure the continued implementation and enforcement of' New Hampshire's I/M program as contained in its SIP."

Though the state has stepped back from overseeing the I/M program, the February 13 press release reminds Granite Staters that the responsibility for keeping their vehicles safe still rests with them.

"At this time, the public is reminded that they are responsible under current law to ensure that any vehicle driven in New Hampshire is safe to operate, regardless of the status of the inspection program," the press release reads. "Vehicle safety requirements are set forth in New Hampshire Revised Statutes Annotated (RSA) Chapter 266."

As of this writing, the DOJ has not issued any further guidance or clarification on the inspection program. ♦

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## Molly Lovell: Prosecutor by Day, Painter by Passion

By Tom Jarvis

By day, Molly Lovell is in court, methodically preparing cases, weighing evidence, and navigating the serious responsibilities that comes with being a prosecutor. Outside the courtroom, she can often be found with a paintbrush in hand – creating original artwork, painting pet portraits, or teaching informal art classes. For Lovell, the two worlds are not opposites. They are simply different expressions of the same values: care, focus, and a commitment to community.

Lovell is an assistant county attorney in Sullivan County, where she has worked for nearly two years. She grew up in Amesbury, Massachusetts, the only child of a lawyer and a therapist – a background she says naturally shaped her path.

“I kind of went into something that’s a blending of both of what they do,” she says. “I love being a lawyer.”

Lovell earned her undergraduate degree from the Catholic University of America and her law degree from William & Mary Law School. After graduating in 2018, she returned to Massachusetts and spent two years at Northeast Legal Aid doing housing work.

“I really loved it,” Lovell says. “I felt like I was making a difference, but it really took a piece out of me.”

She recalls one moment in particular, after a client was evicted despite her efforts.

“I’m sitting there tearing up, and



Molly Lovell with her dog, Bingo. Courtesy Photo

my client was comforting me,” she says. “That was when I thought, maybe I’m taking this too personally.”

From there, Lovell transitioned into prosecution, joining the Merrimack County Attorney’s Office (MCAO), where she worked from 2020 to 2024 before moving to Sullivan County. The shift, she says, allowed her to maintain stronger emotional boundaries while still serving the public.

“With prosecution, there’s a lot of responsibility – for victims, defendants, and society in general,” she says. “But for me, it’s easier to have more boundaries. The stresses are different.”



Molly Lovell donated some of her paintings to the Child Advocacy Center so families have something nice to look at in the waiting room. Courtesy Photo

At the MCAO, Lovell quickly earned a reputation as a thoughtful, hardworking young prosecutor. MCAO Assistant County Attorney Marianne Ouellette, who has worked in that office since 2006, describes Lovell as exceptional from the start.

“She was just a phenomenal young attorney,” Ouellette says. “She wanted to do the best job possible, and she put in the time and the effort. She was incredibly successful, whether she was handling district court cases or carrying a full felony caseload.”

Ouellette also saw firsthand how Lovell’s creativity became part of the of-



Molly Lovell at Dos Amigos in Concord, where her paintings were on display for a charity art show. Courtesy Photo

fice culture.

“For her, painting was like breathing – it was just so natural and so easy,” she says. “Even now, you can still walk around this building and see her paintings. She made sure that everyone she worked with had a painting that reflected their personality. Molly is just a wonderful, wonderful person with a lot to offer as both an attorney and a human being.”

That combination of diligence and humanity has followed Lovell to Sullivan County. James Eager, also an assistant

LOVELL *continued on page 16*

# The Value of a Second Opinion

Cancer case turned away by another firm, resolved by Lubin & Meyer for a record 7-figure settlement



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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A Sample of Our Success on Cases Evaluated and Rejected by Other Firms	
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\$7,000,000	Injury sustained during childbirth
\$4,800,000	Failure to diagnose infection results in brain damage
\$3,000,000	Failure to perform c-section results in newborn’s brain damage
\$2,000,000	Failure to timely diagnose heart attack results in death
\$2,000,000	Birth injury resulting in severe and permanent neurological damage
\$2,000,000	Failure to diagnose and treat bowel blockage results in death
\$1,900,000	Failure to accurately interpret MRI results in brain bleed and death
\$1,500,000	Colon puncture during liver biopsy results in death
\$1,000,000	Improperly performed gallbladder surgery leads to post-op infection and reconstructive surgery



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## Lisa Wolford: A Career Shaped by Purpose, Perspective, and Advocacy

By Tom Jarvis

For Children’s Law Center Founder and Executive Director Lisa Wolford, the law has never been just a profession – it is a vehicle for reducing suffering, expanding justice, and giving voice to those too often unheard. Across a career spanning criminal defense, prosecution, and child advocacy, Wolford has pursued a consistent goal: to use the law in service of those who need it most.

Wolford’s path to the legal profession was anything but conventional. Born in Hawaii, she spent parts of her childhood in Honduras and the Philippines before returning to the United States as a teenager. She attended Wellesley College, graduating in 1986 with a degree in political science, but did not immediately pursue law school. Instead, she spent more than a decade in New York City working in advertising and later in the fashion industry.

That experience, she says, ultimately pushed her toward a different calling. After witnessing “the amount of misogyny and racism” in the fashion industry, Wolford felt she was “not only not really helping anyone but potentially harming young women indirectly.”

“I decided that what I wanted to do was something that provided a benefit to marginalized people,” she says. The decision led her to enroll at Cornell Law School at age 35 and pursue a career in public interest law.

Wolford joined the New Hampshire Public Defender (NHPD) immediately after law school, moving to the state despite having no prior connection to it. She was drawn by the organization’s reputation for training and mentorship, as well as a desire to practice outside an urban setting. Over the next decade, she built a foundation in criminal defense and developed a strong interest in appellate advocacy.

“It was a phenomenally wonderful and challenging experience,” Wolford recalls.

During this period, she argued and won an appeal before the New Hampshire Supreme Court (NHSC) and later spent more than two years focused primarily on appellate work, which she credits with sharpening her legal analysis and advocacy skills.

In 2012, Wolford made a significant professional transition, moving from defense to prosecution when James Boffetti – her former managing attorney at the

NHPD who had already joined the New Hampshire Attorney General’s Office (AGO) – encouraged her to consider an appellate position there. The move aligned with her growing interest in appellate litigation and offered new opportunities for public service.

Wolford says the move initially strained some of her relationships within the defense community, reflecting how deeply lawyers on both sides can identify with their roles. Today, she remains close with many former public defender colleagues.

“I went to the AG’s Office because I wanted to do appellate work and stayed because Jane Young gave me the opportunity to investigate and prosecute government officials for criminal misconduct,” Wolford says.

The transition from defending individuals to representing the State was not without complexity. Drawing on her background in indigent defense, Wolford approached prosecution with a broader perspective shaped by her earlier work.

“The inhumanity of the criminal legal system’s punitive bent serves no long-term societal purpose – at least not one backed by data,” she says. “But my career at the AG’s office focused primarily on crimes committed by government employees, and it’s hard to take the position that those folks should get a break from system norms when marginalized defendants don’t.”

Reflecting on her experience working on both sides of the criminal legal system, Wolford observes that each perspective carries its own blind spots.

“Defense attorneys can sometimes lack perspective on the real impact of crime on victims, and prosecutors can sometimes fail to acknowledge how poverty, trauma, and bad government policy cause the crime that impacts victims,” she says.

During her tenure at the AGO, Wolford served in the Criminal Bureau’s appellate unit, later conducted public integrity investigations into alleged criminal misconduct by government officials, and eventually became chief of the Criminal Bureau. She also helped lead the inves-



tigation into child abuse-related crimes at the state’s youth detention facility in Manchester.

Former Deputy Attorney General Jane Young, now in private practice at McDowell & Morrissette, describes Wolford as “brilliant, diligent, engaging, and laser-focused on the task at hand, whether it be in presenting the strongest appellate argument before the Supreme Court or undertaking the most strategic approach in proving her case before a trier of fact.”

“Lisa’s compassion for and dedication to the often-overlooked and under-represented is second to none,” Young says. “She is a fierce advocate for her clients all while adhering to the highest ethical standards.”

Shortly after he arrived at the AGO, Superior Court Judge Daniel Will recalls that he came to rely on Wolford to help manage “the most complicated and thorny appellate issues in the office.”

“Lisa seemed to have an endless capacity to analyze and think creatively about all kinds of issues, and no matter how busy, she always made time to help,” says Judge Will, who has been confirmed to the NHSC but has not yet been sworn in. “She’s among the smartest lawyers I’ve met, and she’s also warm and funny – qualities that really help in pressure situations.”

That work, combined with earlier experiences representing children in delinquency cases, helped shape the next phase of her career. Wolford describes those roles as “career bookends” that reinforced her belief that the child welfare system of-



Lisa Wolford (left) and partner Marta Hurgin at a Beyoncé concert in July 2025. Courtesy Photo

ten fails the very children it is intended to protect.

Determined to focus her efforts on systemic reform and direct advocacy for children, she left the AGO in 2020 to join the Disability Rights Center-NH, where she began to develop expertise in special education law.

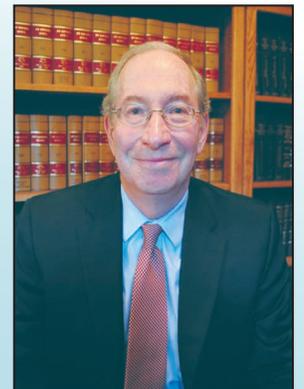
Two years later, she founded the Children’s Law Center of New Hampshire, a nonprofit dedicated to providing

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# NHBA Board of Governors Election Starts April 1

Online balloting for the NHBA Board of Governors election will begin April 1 and conclude April 15. An email containing your personalized ballot link will be sent from Intelliscan on April 1. Members who have not voted by April 7 will receive an email reminder.

Because the ballot is sent as a bulk email message from Intelliscan, it may end up in your email application's or firm's spam filter. To ensure that you receive your ballot, please add **NHBA@intelliscan-votes.com** to your "safe senders" list. Large firms should have their IT department add the election vendor to their safelist to ensure ballots are received.

If you did not receive a ballot or need assistance, please contact Keith Wier with Intelliscan at **kwier@intelliscaninc.com** or (484) 920-8106.

## NHBA 2026 Board Candidates

### Officers

**Sarah Mattson Dustin**  
*President-Elect*

Sarah Mattson Dustin is the executive director of New Hampshire Legal Assistance (NHLA), a statewide nonprofit law firm providing civil legal aid to people with low income and older adults. A career public-interest lawyer, Sarah has



been with NHLA for more than 18 years. She began as a staff attorney and Skadden Fellow handling a wide variety of cases for individual clients and later oversaw the organization's policy advocacy before becoming executive director in 2018.

She received the New Hampshire Bar Foundation's 2010 Robert E. Kirby Award, participated in the inaugural class of the NHBA's Leadership Academy, and currently serves on the New Hampshire Supreme Court's Access to Justice Commission. Sarah earned her undergraduate and law degrees from Harvard and began her legal career clerking for United States District Judge Paul Barbadoro. She has served as a board member for numerous organizations, including the Hopkinton Public Schools Foundation, the New Hampshire Charitable Foundation, the New Hampshire Women's Foundation, Merrimack County Savings Bank, and New Hampshire Mutual Bancorp. A lifelong Granite Stater from Center Harbor, she now lives in Contoocook with her husband and two daughters.

She currently serves as NHBA vice president.

"I've been a member of our Bar Association for more than 20 years, and I'm still learning about the many ways it supports our members and our profession," she says. "We're lucky to have thoughtful, committed officers and governors as well as an excellent staff team. Law practice continues to evolve, as do the diverse needs of New Hampshire attorneys. I'm eager to help preserve the Bar Association's strengths while ensuring it remains relevant, vibrant, and cost-effective for the next generation of practitioners."

**Kyle Robidas**

*Governor-at-Large  
Nomination by Petition for a  
Three-Year Term*

Kyle Robidas is a litigation attorney at Devine Millimet. He works out of the Manchester office but takes cases throughout the state. He works on a variety of litigation matters, focusing primarily on criminal defense. Prior to entering private practice in 2025, he spent more than a decade as a public defender, representing indigent community members and ensuring the protection of their constitutional rights. He was an active team member in various treatment courts in Hillsborough County, including Veterans' Court and Drug Court (now Recovery Court).



Kyle also focused on training and staff development while at the New Hampshire Public Defender, serving as a trial skills trainer for six years and as the statewide director of professional development during his last two years there. He is about to finish his second two-year term as the Hillsborough County North representative to the Board of Governors.

Kyle is a member of the Hearings Committee for the Attorney Discipline Office and the NHBA's Special Committee on Attorney Wellness.

Kyle says he enjoys being active in the Bar Association and is excited about the

prospect of being an at-large governor.

He is a graduate of Norwich University and the University of New Hampshire Franklin Pierce School of Law. He is a native of New Hampshire, originally from Colebrook. He now lives with his wife Cindy and son Keagan in Epsom.

**Stephani Roundy Knights**

*Governor-at-Large  
Nomination by Petition for a  
Three-Year Term*

Stephani Roundy Knights graduated from The George Washington University Law School in 2008. Following graduation, she served as a term law clerk for the New Hampshire Superior Court from 2008 to 2010. She then joined her family's law practice in Dover, where she represented workers' compensation claimants and personal injury plaintiffs. In 2016, Stephani returned to the New Hampshire Superior Court as law clerk supervisor, a role she continues to value deeply.



In her law clerk capacity, Stephani assists in resolving the wide range of cases within the Superior Court's broad jurisdiction. This work has given her a front-row view of the challenges and triumphs faced by New Hampshire litigants and attorneys. Her unique vantage point has allowed her to develop a strong understanding of both the nuanced areas of New Hampshire law



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and the procedural and logistical issues confronting practitioners across the state.

While Stephani is grateful for the substantive legal work she performs, she finds the supervisory aspects of her role especially rewarding. Now in her tenth year as law clerk supervisor, she has had the privilege of working with dozens of new attorneys as they launch their legal careers. She is passionate about mentoring young lawyers as they navigate the intellectual demands of clerking and pursue meaningful and successful post-clerkship opportunities.

Stephani's commitment to supporting emerging attorneys led her to join the NHBA's New Lawyers Committee in 2022. She currently serves as its co-chair. She is also a member of the New Hampshire Women's Bar Association and the Daniel Webster-Batchelder American Inn of Court. Her prior Bar service includes membership on the NHBA's Gender Equality Committee.

Stephani is now seeking a position on the NHBA Board of Governors to provide more direct support for the programs and initiatives the Bar advances on behalf of its members. She believes that Bar membership strengthens the bonds of the legal profession and fosters unity during challenging times. At a moment when the rule of law faces increasing pressures and divisions are often amplified, Stephani is committed to helping the Bar rise to meet those challenges. She would be honored to contribute her experience, ideas, and strong work ethic to the role of Governor-at-Large.

### County Governors

**William W. Woodbury**  
*Belknap County Governor*  
*Nomination by Petition for a*  
*Two-Year Term*

Bill is a co-managing member of Normandin, Cheney & O'Neil, PLLC, in Laconia. He graduated from the University of New Hampshire with a BS in microbiology in 1995 and received his JD from Syracuse University College of Law in 2003. Prior to attending law school, he spent 11 years as an emergency medical technician for a major pre-hospital care provider in southern New Hampshire and Maine.

Bill represents clients in a variety of legal matters. He maintains an active family law practice and routinely represents clients in matters ranging from divorce to complex child support and relocation ac-



tions. As these matters are highly emotionally charged and often involve the ongoing welfare of children, he works hard to find practical and creative solutions that will be sustainable, not only in the short term, but well into the future.

**Alexander J. Smeaton**  
*Belknap County Governor*  
*Nomination by Petition for a*  
*Two-Year Term*

Alexander Smeaton began his legal career in 2012 in Downeast Maine, representing a diverse range of clients from court-appointed criminal defendants in state courts as well as the Passamaquoddy Tribal Courts to writing waivers of liability for the Eastport Port Authority's rebuild of its breakwater.

In 2016, Alexander joined the Washington County District Attorney's Office where he prosecuted crimes ranging from aggravated attempted murder to fishing for sea urchins during a closed period. In 2019, he accepted a position in the Belknap County Attorney's Office as an assistant county attorney, where he currently works prosecuting felony level criminal cases. In his personal time, he is active in Mt. Lebanon Lodge No. 32 Free and Accepted Masons, enjoys fishing, mushroom foraging, football, and spending time with his gray parrot Cecil. Attorney Smeaton looks forward to helping bring a public service view to the Board of Governors.



**John "Jake" Crabbs**  
*Carroll County Governor*  
*Nomination by Petition for a*  
*Two-Year Term*

Jake is a senior associate at Cooper Cargill Chant, PA. He received his JD from the John Marshall Law School, *summa cum laude*, in 2016 and earned his BA from St. John's College. He was admitted to the Illinois Bar in 2016, the New Hampshire Bar in 2022, and the Maine Bar in 2025. Jake is a member of the NHBA's New Lawyers Committee, the Pope Memorial Library Board of Directors, and a school board moderator in Eaton.

"One summer day in my youth, my



parents – both lawyers – dragged me and my sisters to a picnic hosted by their county bar association," he says. "The only thing that I really remember was that an attorney performed a magic routine for the children. It is my earliest memory of sleight of hand, but the picnic left an impression for another reason. Even at that age, I understood that the work of lawyers was adversarial. Still, the members of the bar could come together and genuinely enjoy each other's company. That realization stuck with me."

He continues: "For the last two years, I have had the honor and pleasure to serve as the Carroll County Governor on the NHBA Board of Governors. I see my service to the NHBA as a continuation of Cooper Cargill Chant's dedication to the mission and objectives of this important institution. It is no mere coincidence that both Randy Cooper and Paul Chant served terms as NHBA president, nor is it coincidental that my immediate predecessor in the role of Carroll County Governor was Leslie Leonard – now, the Honorable Leslie Leonard. Indeed, more attorneys at my firm have been elected to the Board of Governors than have not. I seek reelection to continue that work, and I thank you for your vote."

**Ryan Correia**  
*Hillsborough County South County Governor*  
*Nomination by Petition for a*  
*Two-Year Term*

Ryan Correia is a family law attorney and founding attorney of Correia Law PLLC in Nashua. Ryan earned his BA in Spanish and government from Suffolk University in 2011 and obtained his law degree from Suffolk University Law School in 2015. He has focused on family law since 2021 and his practice areas include divorce, collaborative divorce, parenting, child support,

restraining orders, and guardianship of minors.

Ryan is a frequent lecturer of the family law section of the NHBA Practical Skills course. In his free time, Ryan serves as president of the Board of Trustees for Symphony NH, is on the board for the Nashua Bar Association, is an avid traveler, and is passionate about soccer.



**James H. Eager**  
*Sullivan County Governor*  
*Nomination by Petition for a*  
*Two-Year Term*

Jimmy Eager is an assistant county attorney at the Sullivan County Attorney's Office in Newport. He works exclusively in criminal law, prosecuting a variety of cases that range from district court misdemeanors to superior court felonies.

Born and raised in Boston, Massachusetts, Jimmy began his professional life working in the nonprofit industry in Cambridge. He spent four years working with men in drug and alcohol rehabilitation and then transitioned to working with families seeking emergency assistance. In 2013, he enlisted in the US Navy and served for



BOG continued on page 8

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## ■ BOG from page 7

eight years in communications and cryptography aboard nuclear submarines. After completing three years of shore duty in Naples, Italy – during which he earned his BA in history from the University of Maryland – Jimmy traded his neckerchief and jumper for a shirt and tie before starting law school.

A participant in the Daniel Webster Scholar Honors Program, he graduated from UNH Franklin Pierce School of Law in 2024 and was admitted to the New Hampshire Bar that same year. In 2025, he was elected president of the Sullivan County Bar Association. He is also an adjunct professor at Manchester Community College, where he teaches state and local government.

In his free time, Jimmy enjoys tinkering with his Jeep and is an avid Red Sox/Celtics/Patriots/Bruins fan. He is also an accomplished pianist and sketch artist. He is honored to represent the people of Sullivan County as a member of the NHBA Board of Governors and looks forward to working with all the other members to effect good work.

### Michael Iacopino

*ABA Association Delegate  
Nomination by Petition for a  
Two-Year Term*

Mike Iacopino is a criminal defense lawyer. He began his career in the Manchester office of New Hampshire Public Defender (NHPD) from 1984 through 1987. He is a senior shareholder at Bren-

nan Lenehan Iacopino & Hickey in Manchester, where he has practiced for 38 years. His practice includes representation of accused people and businesses in state and federal courts.

Mike is the current NHBA Association Delegate to the American Bar Association House of Delegates. He is the former chair of the NHBA Legislative Committee. He also served for many years on the Committee on Cooperation with the Courts. At the ABA, he is a member of the Criminal Justice Section, the Administrative Law Section, and the Environment,



Energy, and Resources Law Section.

Mike is a former CJA Panel Representative for the District of New Hampshire and a former member of the CJA Panel Selection Committee. He currently serves on the board of directors of NHPD and is the immediate past president. He is a former member of the board of directors of the National Association of Criminal Defense Lawyers (NACDL) and continues to serve as co-chair of the NACDL State Legislative Committee and as co-chair of the NACDL Sex Offender Policy Committee.

He is the 2024 recipient of the Robert C. Heeney Memorial Award from NACDL. He received his undergraduate degree in economics from the University of New Hampshire in 1980 and his law degree from Suffolk University Law School in 1984. ♦

## ■ WOLFORD from page 5

comprehensive legal representation and advocacy for children, particularly those involved in the child welfare system. Wolford describes the organization's mission as addressing the wide range of legal challenges faced by vulnerable children that often remain unaddressed.

"What I wanted to do was to start a nonprofit legal services organization that provided wraparound legal representation and social services advocacy for marginalized kids," she says.

Building the organization from the ground up has not been easy.

"There has not been a single way in which building a nonprofit hasn't been a challenge," Wolford says.

Yet the rewards, she says, have been profound – from collaborating with advocacy partners and advancing child welfare legislation to hearing directly from clients. One child told her, "I probably would have lost myself without you." A judge once remarked, "I didn't always agree with you, but you are the best advocate your client could have had."

Colleagues across the legal community have consistently praised Wolford's dedication and impact.

Anna Elbroch, interim associate dean for faculty at the University of New Hampshire Franklin Pierce School of Law and a former NHPD colleague, says Wolford "combines intelligence, creativity, and meticulous preparation in a way that makes her one of the finest lawyers I know," adding that her work reflects both

"excellence in individual representation and a broader vision for systemic change."

"The children who Lisa represents through her work at the Children's Law Center could have no finer nor more talented advocate," says Young. "Lisa's work gives real hope and the promise of a better tomorrow to the children who are most in need of a dedicated public sector attorney."

For Wolford, the throughline of her career has always been justice – even when systems resist change.

"Justice requires systemic change, but bureaucracies resist change – sometimes through inertia, but often intentionally," she says.

When asked what continues to motivate her, her answer was direct: "Injustice and suffering. The one-two punch of counterproductive child welfare policies

that traumatize vulnerable children while being absurdly expensive."

Outside the law, Wolford finds balance in cross-country skiing, cycling, and yoga, and in an unusual pastime she credits with helping her sleep: memorizing everything from poetry and constitutional amendments to song lyrics in multiple languages.

Looking back on a career that has moved from defense to prosecution to child advocacy, Wolford sees not a series of disconnected roles, but a steady progression guided by purpose.

"When I interviewed with the NHPD in 2001, I told then-Executive Director Chris Keating that in five years, I saw myself living in a farmhouse in the woods, focusing my career on either homicides or children. I've done all three and am sticking with kids," she says. ♦

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## AWARD NOMINATIONS SOUGHT FOR 2026 ANNUAL MEETING

NOMINATIONS DUE BY MAY 1

The NHBA's Annual Meeting provides an opportunity to recognize the outstanding accomplishments of members of the legal community and their contributions to the justice system. Your inspiration for making the nomination is of great value to the Bar President during the selection process. Please be sure to include background information about the nominees, as well as the reasons you feel they deserve the award. Nominations are sought for the following awards:

### JUSTICE WILLIAM A. GRIMES AWARD FOR JUDICIAL PROFESSIONALISM

To honor the memory of Justice William A. Grimes, this award is presented to a judge who best reflects the highest standards of integrity, legal knowledge and ability, judicial temperament, diligence, and compassion.

### DISTINGUISHED SERVICE TO THE LEGAL PROFESSION AWARD

This award is presented to the nominee who best exhibits service to the legal profession.

### E. DONALD DUFRESNE AWARD FOR OUTSTANDING PROFESSIONALISM

To honor the memory of E. Donald Dufresne, this award is presented to an attorney that best fits the following ideals: "A professional lawyer is an expert in law, pursuing a learned art in service to clients and in the spirit of public service, and engaging in these pursuits as part of a common calling to promote justice and public good."

Scan here to submit a nomination  
or to see a list of past recipients



# The Power of the Clause: Why Arbitration Outcomes Start with Drafting

By Lisa Romeo

Arbitration is widely used to resolve commercial, employment, construction, and international disputes. Organizations often choose arbitration to achieve efficiency, procedural flexibility, privacy, and finality. Those benefits, however, are not automatic. They depend mainly on the arbitration provision itself.



The arbitration clause determines how disputes enter the process, who controls it, and how smoothly it unfolds. When drafted with care, it supports efficient case management and enforceable outcomes. When drafted poorly, it can invite delay, court involvement, and disputes over threshold issues that should never arise. This article explores how thoughtful drafting can help ensure that arbitration functions as intended.

## What Parties Want from Arbitration

Most parties enter arbitration with similar goals.

- They want a process that is fair and efficient, without unnecessary procedural hurdles.
- They expect disputes to remain largely outside of court.
- They want decision-makers with clear authority to resolve the issues presented.
- They expect an award that is final, binding, and enforceable.

These expectations are achievable, but only if the arbitration clause clearly establishes the process. Ambiguity or over-engineering often leads to frustration and increased costs.

## Drafting Pitfalls

Many arbitration-related disputes stem not from the process itself, but from the contract language that created it. Common drafting problems include uncertainty about the scope of the clause caused by vague language, unclear preconditions (e.g., negotiation or mediation requirements), and procedures that do not align with the nature of anticipated disputes.

Other frequent issues include poorly defined hearing locations, unworkable mechanisms for appointing arbitrators, and conflicting instructions regarding the form of the award. When these problems surface, the parties may find themselves litigating proce-

dural questions before the arbitration even begins.

## Prioritize Clarity Over Detail

Clear and direct language is the most effective way to reduce future disputes. The clause should plainly state that disputes are subject to arbitration and identify any exclusions with precision. Narrow, well-defined carve-outs are far preferable to broad or vague exceptions. Simplicity increases predictability and reduces the likelihood of court challenges.

## Use Tiered Clauses Carefully

Multi-step clauses requiring negotiation or mediation before arbitration can promote early resolution, but only if they are drafted realistically. Each stage should have defined time limits and a clear endpoint. Referring to established mediation procedures or providing a structured framework helps avoid confusion. To prevent stalemates, the clause should also allow the arbitrator to determine whether preconditions have been satisfied.

## Allow Procedural Flexibility

Although arbitration is valued for its adaptability, parties must still establish a basic procedural framework. Some disputes may benefit from expedited or document-only proceedings, while others require full hearings. Referencing institutional rules often provides a balanced approach, offering structure while preserving flexibility. Overly rigid, customized procedures can become obstacles when circumstances change.

In deciding whether to use an administering organization, parties should look beyond cost assumptions. While ad hoc arbitration may appear less expensive, administrative responsibilities often shift to the arbitrator, increasing time and expense. Administering organizations also provide mechanisms for handling disclosures, challenges, and nonpayment issues, which can be critical to keeping the process on track.

## Designate the Hearing Location

The arbitration locale affects convenience, neutrality, and legal oversight. Leaving the location unresolved until a dispute arises often leads to unnecessary conflict. Identifying a specific city or country, or allowing the initiating party to choose from a short list reduces uncertainty. Even when virtual hearings are contemplated, it is essential to specify the arbitration seat for jurisdictional purposes.

## Specify the Number of Arbitrators

Institutional rules typically link the number of arbitrators to the amount in con-

troversy, but parties may prefer a different approach. Clearly stating whether disputes will be decided by a sole arbitrator or a panel avoids delays and disagreements later. Adjusting thresholds for multi-arbitrator panels can also help manage costs in higher-value disputes.

## Streamline Arbitrator Selection

Arbitrator selection is one of the most consequential aspects of arbitration and a frequent source of drafting missteps. Naming specific individuals or imposing narrow eligibility or qualification requirements may create significant problems if circumstances change or qualified candidates are unavailable. While subject-matter expertise can be valuable, overly detailed professional or industry criteria often narrow the pool of arbitrators and delay proceedings. A more practical approach is to rely on institutional appointment processes or mutual selection, with a fallback mechanism, to address expertise preferences at the time of appointment rather than embedding them in the clause.

## Avoid Impractical Timelines

Some clauses impose aggressive deadlines that conflict with the complexity of likely disputes or with other procedural requirements. Unrealistic timelines can force parties into repeated extensions or procedural disputes. Once included in the contract, these provisions can be challenging to modify. Drafting should reflect a realistic assessment of how disputes are likely to unfold.

## Define the Form of the Award

Arbitration awards can range from brief determinations to detailed, reasoned

decisions. More detailed awards generally increase time and cost, particularly if transcripts are required. Parties should consider their enforcement needs and cost tolerance, and specify the desired format in advance.

## Address Confidentiality

Although arbitration proceedings are private, confidentiality is not automatic. Without express language, parties may be free to disclose information related to the arbitration. If confidentiality is essential, the clause should clearly define its scope, identify who is bound, and include appropriate exceptions for legal or enforcement purposes. In sensitive matters, additional measures, such as redacted confirmation awards, may be appropriate.

The arbitration clause is the blueprint for the entire dispute resolution process. When drafted carefully, it promotes efficiency, fairness, and enforceability. When drafted poorly, it can undermine arbitration's advantages and generate disputes that overshadow the merits.

Effective clauses share common traits. They are straightforward, realistic, and focused on function rather than form. By anticipating potential disputes and resisting unnecessary complexity, parties can create arbitration provisions that support, rather than frustrate, their objectives. ♦

*Lisa Romeo is vice president of the American Arbitration Association's Boston office, leading arbitrator recruitment, education, and business development in New England. She co-leads national technology initiatives and holds degrees from Bates College and Lesley University.*

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department attorney violated an ethics rule while engaging in that attorney's duties for the department or whenever bar disciplinary authorities open an investigation into such allegations, [the attorney general] will have the right to review the complaint and the allegations in the first instance."

Critics say the rule could allow the DOJ to block state oversight of federal lawyers.

Former New Hampshire Bar Association President Richard Guerriero says the proposed rule change sends a message of "distrust and accusation, and that state disciplinary systems have been weaponized unfairly."

"I certainly do not believe that has happened in New Hampshire," he adds.

Michael Iacopino, who serves on the hearings committee of the ADO, says the proposal raises a lot of questions.

"Essentially, the DOJ is going back on very well-developed policy and it's rife with conflicts of interest," he says, adding the rule would amount to federal officials policing themselves. "What the DOJ is essentially saying is, 'Don't worry, we'll take care of our own.' That's a conflict of interest right out of the gate."

### History of Federal Lawyer Regulation

The controversy touches on a long-running debate over whether federal prosecutors must follow state ethics rules.

The dispute dates to a 1989 directive issued by then-Attorney General Dick Thornburgh. Known as the "Thornburgh memo," the policy asserted that federal prosecutors could bypass certain state ethical rules if those rules interfered with fed-



eral law-enforcement responsibilities.

In particular, the memo addressed professional conduct rules that prohibit lawyers from communicating directly with represented defendants without permission from their attorney.

Thornburgh argued such rules should not be allowed to "cripple federal investigative techniques," asserting that state authority to regulate lawyers applied only when it did not conflict with federal responsibilities.

Defense attorneys and bar associations reacted strongly, arguing the policy encouraged prosecutors to ignore the rules that govern every other lawyer in the country.

In 1993, the DOJ backed away from the Thornburgh position and adopted what became known as the "Reno Rules," formalizing that federal prosecutors were expected to comply with state ethics rules. Congress later codified that principle in federal law.

"It was really an ugly situation under Thornburgh," Iacopino says. "DOJ lawyers were contacting defendants and not telling their counsel about it. That's exactly the type of conduct the ethics rules are meant to prevent."

Guerriero says the DOJ has the power to supervise and discipline its own attor-

neys, but he adds that the power to supersede state authority is another matter, and that a future legal fight could be a costly distraction.

"Every legal fight costs money," he says. "If the attorneys at the ADO have to fight this battle, they can't be working on other more productive matters."

### Law Governing DOJ Attorneys

In 1998, Congress enacted 28 U.S.C. § 530B, often called the "McDade Amendment," which states: "An attorney for the government shall be subject to state laws and rules, and local federal court rules, governing attorneys in each state where such attorney engages in that attorney's duties, to the same extent and in the same manner as other attorneys in that state."

Iacopino says the proposed regulation appears to conflict directly with that statute.

"That's the language of the law," he says. "This rule obviously violates that."

He also raises constitutional concerns.

"Under the proposed regulation, the state bar authority wouldn't be able to do anything without the permission of the US attorney general," Iacopino says. "That's a violation of the Tenth Amendment."

The Tenth Amendment reserves powers not delegated to the federal government to the states or the people, including professional licensing systems such as state bar associations.

"I believe the current attorney general has political reasons for doing this," Iacopino adds. "But this isn't a political issue. It's about who regulates lawyers and disciplinary systems. It's a fundamental government issue that goes to the administration of justice."

If the rule were enacted, Guerriero says, the ADO should "assert its independent authority to regulate and discipline attorneys licensed in New Hampshire."

While federal attorneys in good standing do not need to be barred in New Hampshire to try cases there, Guerriero cites US District Court District of New Hampshire local rules stating that attorneys are subject to New Hampshire Rules of Professional Conduct.

Section 83.2 states: "The court may at any time revoke such permission for good cause without a hearing and any attorney appearing pursuant to this rule is subject to the disciplinary rules and jurisdiction of this court."

"We could be heading for a standoff," Guerriero says. "You'd expect [the DOJ] to get this through if they want to get it through, but I haven't seen this kind of conflict in New Hampshire. That's not to say it couldn't happen."

### New Hampshire's Discipline System

The attorney discipline system is governed by the New Hampshire Supreme Court (NHSC) through rules establishing the ADO, a complaint screening committee, hearings panels, and the Professional Conduct Committee (PCC).

The 12-member PCC – made up of eight lawyers and four non-lawyers – reviews disciplinary cases, can impose

sanctions including suspensions, and refers more serious cases to the NHSC.

Iacopino says cases involving criminal prosecutors rarely reach formal disciplinary hearings in New Hampshire.

"In my experience, very few disciplinary complaints that get to a hearing involve criminal law," he says. "Most of them involve civil representation. But that's New Hampshire. In larger jurisdictions like the Southern District of New York or Los Angeles, you might see more."

### Recent Controversies

The debate over federal oversight comes as disciplinary complaints against DOJ attorneys have become more visible.

In Washington, the District of Columbia Bar has filed ethics charges against DOJ attorney Ed Martin over a letter he sent to Georgetown University Law Center questioning its diversity and inclusion curriculum and directing prosecutors not to hire students from the school.

Separately, a federal judge in North Carolina recently ordered senior officials in a US attorney's office to appear in court to explain why sanctions should not be imposed after prosecutors submitted filings containing fabricated quotations and misleading statements about legal precedents.

"Those are exactly the types of things that could be worthy of disciplinary action," Iacopino says. "But under the proposed regulation, the North Carolina bar authority wouldn't be able to do anything without the permission of the US attorney general."

### DOJ Defends Proposal

The DOJ argues the rule would not eliminate state authority but instead clarify the process when federal attorneys are accused of misconduct tied to official duties.

According to the proposal, DOJ attorneys would still be subject to state disciplinary authority, but federal review would occur first to determine whether alleged conduct falls within federal responsibilities.

The department said the rule would "better reflect the existing balance of responsibilities" between state bars and the federal government.

The proposal also notes that some recent ethics complaints against DOJ officials have been filed by political activists.

Still, critics say allowing the attorney general to halt or delay state investigations could undermine accountability.

### Public Comment Period

The DOJ's proposed rule is currently open for public comment through April 6 via the federal government's online rule-making portal.

As of March 13, more than 30,000 comments were submitted.

Some commenters warned the change would weaken oversight of government lawyers. Others expressed broader concerns about accountability and transparency.

Despite the volume of feedback, federal agencies are not required to adopt public recommendations when finalizing regulations, Iacopino says, adding that the proposal raises fundamental questions about the structure of legal accountability in the United States.

"We have a system in this country where the states license and regulate attorneys," he says, noting he has recommended to the NHBA's Board of Governors to oppose the rule. "When the federal government steps in and tries to control that process, it creates serious legal and constitutional problems." ♦

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LawLine volunteers from left to right: Michael Hatem, Kristin Fields, Michelle Thomas, Alexandra Brewer, and Mark Waldner. Courtesy Photo

The New Hampshire Bar Association thanks Cleveland, Waters, and Bass for the successful LawLine event held on February 11. Thanks to its efforts, 38 calls from residents across the state were answered on a wide range of topics, including insurance claims, landlord-tenant disputes, consumer rights, and Social Security.

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 LawLine Coordinator Amanda Adams at [aadams@nhbar.org](mailto:aadams@nhbar.org). ♦

## Nicole Fontaine Dooley Appointed to NHLAP Commission

By Tom Jarvis

The New Hampshire Supreme Court has appointed Nicole Fontaine Dooley to the New Hampshire Lawyers Assistance Program (NHLAP) Commission for a three-year term beginning March 1 and ending February 28, 2029. She fills the seat previously held by Sean List, whose term concluded on February 28.

"As I move into the middle of my career, it has become clear that personal well-being is the foundation on which professionalism stands," says Fontaine Dooley. "I am so proud to join the New Hampshire Lawyers Assistance Program Commission to be part of its critical mission of ensuring that lawyers throughout our state have access to the resources they need to achieve that well-being."

Fontaine Dooley is a shareholder at Welts, White & Fontaine, where she handles commercial litigation and family law matters. Before joining the firm in 2022, she served as litigation counsel at WilmerHale in Boston, focusing on intellectual property and complex commercial litigation.

The NHLAP supports members of the legal community who are experiencing stress, substance use disorders, mental health challenges, or other personal or professional difficulties. The NHLAP Commission oversees the program's op-



erations and helps guide its efforts to promote the health and well-being of New Hampshire's legal professionals.

"As both a family law attorney and a mother of two young children, Nicole understands the stress inherent in

legal practice and the challenges of being a working parent," NHLAP Executive Director Jill O'Neill wrote in her nomination letter. "During her interview, she shared her observations on the impact of stress on legal practitioners and emphasized the importance of the NHLAP in providing support."

Fontaine Dooley earned her law degree, *summa cum laude*, from Boston College Law School, where she served as executive articles editor of the *Boston College Law Review*. She holds a bachelor's degree in community health and French from Tufts University.

"As a former Big Law associate, a shareholder in a small firm, and a mom of young kids, I have a variety of experiences that I hope will be useful in exploring the many different ways access to these crucial services can be expanded," says Fontaine Dooley. ♦

## Six New Hampshire Lawyers Honored at the *Union Leader's* 2026 40 Under Forty Awards

By Tom Jarvis

Each year, the *New Hampshire Union Leader* recognizes 40 professionals in the state under the age of 40 through its *40 Under Forty* awards. Since its inception in 2002, the program has honored 1,000 Granite Staters who make a difference in their communities and professions. Nominations are gathered from across the state and represent all industries.

The recipients were honored at a ceremony on March 4 at the Nashua Center for the Arts. Out of the 30 women and 10 men recognized this year, six are New Hampshire lawyers:



Forbes



Garod



Laflamme



Leino



Ollis



Tetrault

**Nicole A. Forbes**, Orr & Reno, PA; **Emily C. Garod**, Strafford County Attorney's Office; **Natalie Laflamme**, CASA of New Hampshire; **A. Eli Leino**,

Bernstein, Shur, Sawyer & Nelson, PA; **Ryan Ollis**, New Hampshire National Guard; and **Laura T. Tetrault**, Shaheen & Gordon, PA.

To read the full 2026 *Union Leader* 40 Under Forty profiles, visit [union-leader.com/union\\_leader\\_events/40\\_under\\_forty](http://union-leader.com/union_leader_events/40_under_forty). ♦

### Jest Is For All

by Arnie Glick



### The Bar News Crossword by James P. Mulhern

Here are the answers to the *Bar News* Crossword from the February 2026 issue (Vol. 36, No. 10), along with a new puzzle. Did you fully solve the January crossword? Tell us how you did or give feedback at [news@nhbar.org](mailto:news@nhbar.org).

		1	F	2	E	3	Z
	4	F	I	N	E		
5	F	A	N	T	A		
6	S	N	A	R	L		
7	U	G	L	Y			

#### ACROSS

- Walk in protest
- Boise's state
- Tennis great Djokovic
- French pancake
- Teeny-weeny

1	2	3	4	5
6				
7				
8				
9				

#### DOWN

- Cut into tiny bits
- Idolize
- "Nevermore" quothor, in verse
- Cowboy's legwear
- Corny and folksy

# Bridging the Justice Gap for Individuals of Modest Means

By Misty Griffith

The New Hampshire Bar Association's Lawyer Referral Service Modest Means Program (LRS-MM) helps bridge the justice gap for many individuals who would otherwise be unable to afford legal services.

"Helping clients through the Modest Means Program allows us to give back to our community and have an impact on the growing access to justice problem," says NHBA Committee on Lawyer Referral Services Chair Katherine Morneau. "There is a significant number of people who fall into the gap between earning too much to qualify for pro bono and not earning enough to afford a full-fee attorney."

Attorneys who participate in LRS-MM have a meaningful impact on the lives of the clients they assist. One grateful client shared, "I was in a really difficult situation, and the Modest Means program was a complete lifesaver at a time when I could barely afford legal expenses. Thank you so much for having this program available."

Another client said of the program, "It has made affording an appropriate lawyer much more doable and less stressful for my situation, including a domestic violence case and divorce."

LRS-MM refers people who do not qualify for free legal services but cannot afford to pay full attorney fees to lawyers willing to consider these cases at a greatly reduced rate of \$80 to \$125 per hour. The sliding-fee scale is based on household size and income. Individuals and families statewide whose income falls between 125 and 325 percent of the federal poverty level (FPL) may qualify for the program. The

## LRS Modest Means Program Honor Roll

Thank you to the following attorneys who assisted one or more Modest Means clients in 2025. By providing your time and legal talent at a greatly reduced rate, more than 1,100 low-income individuals were provided with access to justice.

Erin M. Alarcon  
Kyle W. T. Amell  
Elizabeth J. Barrett  
Vincenzo M. Biella  
Sandra F. Bloomenthal  
Sheridan T. Brown  
Justin Caramagno  
Lisa M. Cirulli  
Daniel C. Clark  
Samuel J. Donlon  
Mercy K. Frank  
Joseph D. Garrison  
William R. Granfield  
Patrick T. Hayes  
Juli D. Hincks  
Dennis C. Hogan  
Beverly M. Ketel  
Patrick N. Long

Vincent J. Marconi, Jr.  
Brenda M. McIntosh  
Penina R. McMahon  
Kimberly J. H. Memmesheimer  
Sean M. Michalski  
Lily A. Mischo  
Robert M. Moore  
Katherine J. Morneau  
Aiden P. Neigh  
Hannah K. Neumiller  
Gregory D. Palkon  
Joseph J. Prieto  
Michael T. Racine  
Alice C. Ranson  
Lynne A. Rocheleau  
Thomas M. Rogers  
Sarah N. Rubury  
Allison E. Schwartz  
Jonathan B. Sistare  
Elise K. St. Louis  
Michael R. St. Louis  
Brian J. Stone  
Adam H. Weintraub  
Sheila O. Zakre

LRS-MM eligibility floor of 125 percent FPL is the ceiling for most other legal aid services. Panelists provide much-needed legal assistance to moderate- to lower-income individuals.

The scope of LRS-MM is statewide,

but there is a disproportionate need for attorneys who are willing to serve clients in Belknap, Carroll, Cheshire, Coos, and Sullivan counties. Family law is by far the biggest area of demand, comprising 60 percent of Modest Means cases, followed

by housing issues, which account for 12 percent of cases. Other case types consist of a wide variety of practice areas, including domestic violence, bankruptcy, consumer protection, employment, probate, criminal misdemeanors, immigration, and many others.

In addition to the 50 attorneys willing to consider Modest Means cases, clients may now take advantage of the newly added Modest Means Mediation Panel, which includes 18 mediators, all of whom are NHBA members. This panel is designed to expand access to affordable dispute resolution services for income-eligible litigants.

LRS-MM has experienced a sharp increase in demand for legal services over the last several years. In 2025, the program assisted more than 1,100 clients. To meet the growing need for reduced-fee services, additional panelists are needed.

If you are looking to give back while still earning a small fee, consider joining LRS-MM. Participating attorneys select the type of cases they are willing to accept and may choose to limit the number of referrals. There is no obligation to accept any case. Joining is free, and no percentage fees are paid to LRS-MM on Modest Means cases. Attorneys do not have to participate in the LRS Full-Fee Program to be a part of the Modest Means panel.

LRS-MM is funded in part by a generous IOLTA grant from the New Hampshire Bar Foundation.

For more information about LRS-MM or to join the panel, visit [nhbar.org/join-lawyer-referral-service](http://nhbar.org/join-lawyer-referral-service) or contact NHBA Member Services Manager Misty Griffith at [mgriffith@nhbar.org](mailto:mgriffith@nhbar.org) or (603) 715-3227. ♦



*Congratulations  
Hon. Daniel E. Will*



Congratulations to our former partner, the Honorable Daniel E. Will, on his appointment as an associate justice of the New Hampshire Supreme Court.

After making history as New Hampshire's first Solicitor General in 2018 and serving the state with distinction as a superior court judge, this next chapter is a well-deserved honor.

We wish Dan continued success in his new role.

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**Welts, White & Fontaine, P.C.**

Welts, White & Fontaine, P.C. is pleased to announce that Attorneys **J. Bradford Westgate** and **Barbara Westgate Halevi**, currently of Winer & Bennett, will be joining Welts, White & Fontaine, P.C. on April 1, 2026.



Brad and Barbara are well respected members of the New Hampshire Bar with many years of experience and expertise in Business, Real Estate and Zoning law. Brad has over 40 years of experience in business real estate and land use law representing builders, developers, individuals, corporations, non-profits, landlords, tenants and lenders, appearing before land use boards, and is involved from project beginning to end, negotiating purchase and sale agreements through permitting, approvals and completion. Barbara has a background in corporate law, mergers and acquisitions, and for the past ten years has been a skilled negotiator of commercial real estate transactions, land use matters, business formations, transactions, contracts and various corporate matters.



We welcome the Westgates who will join us in continuing our long-standing commitment in providing legal excellence to our Southern N.H. community.

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## The Nerd Connection

By Tony Sculimbrene

A young couple fights. They break up. He moves on. She doesn't. They run into each other at the mall and he seems happy. The bad breakup becomes a criminal case, and he is accused of rape. It's a bad case because there is so little to go on. There are no witnesses, no statements, no physical evidence, but the complainant seems credible and that's all you need in New Hampshire. That's all I had to work with when the case started, but both the client and I had one advantage – we were both gaming nerds.

If you have met me in person, you probably noticed two things: (1) that I am prematurely gray; and (2) that I am a nerd. Part of my nerd identity is a deep love of video games. Since I got the original Game Boy for my 12<sup>th</sup> birthday, I have owned 21 game systems (not all at once). I still play weekly, and probably daily on slower weeks. My favorite game is made by Blizzard Entertainment, a surprisingly small company staffed by hardcore gamers that is essentially the Pixar of video games – everything they make is gold. And it was that connection to Blizzard that solved this case.

As lawyers do, one of the first things I looked into was the timeline. My client was a waiter at a restaurant that had a timecard punch. When he arrived, he clocked in and when he got off shift, he clocked out. He happened to have worked the evening this crime was supposed to have happened, so we had at least one anchor for the timeline.

In looking through things, the com-

plainant claimed that the assault occurred after the client got off work. The client claimed, instead, that after work he went home and played three video games, in an order he couldn't remember – Halo (a Microsoft game), Call of Duty (an Activision game), and World of Warcraft, set in the fictional world of Azeroth (a Blizzard game). All three games are online, and when you go online, you must sign in with a strongly encrypted, unique identifier.

This meant we could use his sign-in time to help anchor the other end of the timeline. Once we had that time pinned down, all we had to do was figure out the gap between the two and see if it was enough time for him to drive to the site of the alleged assault or not.

With this in mind, I reached out to Microsoft, Activision, and Blizzard (coincidentally, after this case Activision acquired Blizzard, and Microsoft later acquired Activision). Microsoft gave me the standard legal corporate jargon about out-of-state subpoenas, denials of liability, and refusals to help. Activision was the same. Blizzard was not.

First, it started with an automated phone system like I have never heard before. Instead of a calm, female robot voice, I was greeted with a very grumbly, very baritone-voiced actor saying: "Well met! How can I help you, adventurer?" I didn't press one for customer service but instead pressed one to encounter a mage (that did customer service). After wandering through the menus with a smile on my

face, I got an actual human.

I laid out the legal issue, emailed him a release, and explained the possibility of an alibi defense. He listened and wasn't particularly moved. Then I told him this: "Look, I am a hardcore gamer. I know you are, too. I have been playing Hearthstone for years. As one gamer to another, we have to see if we can save this guy. It's the rest of his life."

The person on the other end, a server engineer, asked me what my screen name was on Hearthstone (the Blizzard game I play) and I told him. He put me on hold and then came back on. With a tone of surprise in his voice, he said: "You are one of the oldest accounts in the entire game, man. You *are* a hardcore gamer." I explained what I needed again, told him my client, like us, was also a hardcore gamer, and he said that the servers were wiped periodically to free up space, but he would see what he could do.

A few weeks went by with nothing. Microsoft and Activision did what they could to blow off the out-of-state subpoena process for as long as possible and Blizzard was radio silent. Then, one day, when I got back from court, I had an email with a huge attachment from a Blizzard email account. The body of the message said: "Call me" and listed a number. I called and what I heard was the most compelling story explaining the power of nerds I have ever encountered.

The engineer explained to me that they had the exact time the client logged in, down to the second, and they could prove it

beyond a shadow of a doubt. He told me that while the servers were wiped once a month to save space, the log-in times and other behaviors that you engage in at the start of the game (such as going to the in-game store and looking at in-game items to purchase) were recorded and saved on separate hard drives. They used this information for business purposes, but it also gave exact times, in UTC format, and IP addresses that could tie a log-in to a specific device.

He said that he explained the case to his fellow gamers in the server department, told them that I had passed the secret handshake of true nerd-dom, and they all got to work on their personal time. They tore through week after week after week of log-in data and found my client's log-in on the exact day of the alleged offense. They then created a spreadsheet to show all of this and even included a conversion from UTC to EST.

Then, in a hilarious moment, he asked if that was enough. I told him it was more than enough, and we were off to the races.

The investigator on the case, Michelle Kondry, then plotted the course from the restaurant to the location of the computer. She even drove the route after midnight on the same day of the week as the alleged crime. Given the Blizzard data and the timecard punch-out, we knew – beyond a shadow of a doubt – it was impossible for him to have been at the scene of the alleged crime that night. I forget the exact speed, but it would have required him to drive from the restaurant to the scene and then to his house at roughly four or five times the speed limit. He would have been closer to the sound barrier than the speed limit.

After diligently organizing all the information, we presented it to the county attorney. She verified it with computer experts and officers familiar with the area around the route, and once confirmed, she dropped the charges. Without the nerd connection, without the help of Blizzard employees, a young man's life could have been ruined, and he could have spent decades in prison. Nerds are good people, and my client's alibi was in Azeroth. ♦

*Editor's Note: The opinions expressed in this article are solely those of the author(s). They do not represent the views of the New Hampshire Bar Association, its officers, staff, or members. The Bar News provides this forum to encourage the free exchange of ideas on matters of interest to the legal community, but publication should not be interpreted as an endorsement of any particular viewpoint.*

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Welcome!



Announcing the appointment of the newest member to the NHLAP Commission: **Attorney Nicole Fontaine-Dooley**. As a family law attorney and mother, she understands the stress inherent in legal practice and the importance of the NHLAP in providing support.



Announcing the appointment of **Melissa St. Cyr** to membership on the NHLAP Commission. As Chief Legal Officer of the NH Department of Health and Human Services, she brings knowledge of federal and statewide funding initiatives that may benefit the NHLAP.

Thank you!



Thank you to **Attorney Sean List** for his dedicated service to our mission, his humor, and his willingness to challenge ways of thinking in order to make weighted and well-balanced decisions during the successful completion of two 3-year terms on the NHLAP Commission.



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To the Editor of the *New Hampshire Bar News*:

Several months ago, Todd Bookman of NHPR reported on the \$50,000 layoff pay given to a judicial branch employee by the New Hampshire Supreme Court. Some have criticized his reporting as “a narrative in search of a scandal,” but he has raised very real questions, none of which have been satisfactorily answered.

The Code of Judicial Conduct requires that a judge “avoid both impropriety and the appearance of impropriety in their professional and personal lives.” Has this standard been breached?

The facts as reported appear simple. Dianne Martin had been employed for several years as director of the Administrative Office of the Courts (AOC). Prior to that she had worked for Chief Justice [Gordon] McDonald before he became a judge, including as his chief of staff at the Attorney General’s Office.

The Court tells us that it was decided, as a cost-saving measure, to eliminate the position of director of the AOC. We are told that Ms. Martin was laid off effective April 1, 2025. On April 4, just three days later, she began work as General Counsel to the Office of Bar Admissions, another highly paid position also within the judicial branch.

The three-day layoff turned out to be very lucrative. It was due only to this that Ms. Martin was able to cash in on her accrued vacation time, her accrued sick leave, and to receive termination pay. (Termination pay, one assumes, requires

termination.)

This totaled nearly \$50,000. If she simply moved from one position to another in the judicial branch, she would not have been able to receive this payout.

So why was there a three-day layoff? Why didn’t Ms. Martin simply move from one position to another? Employees constantly move seamlessly to new positions and cannot take advantage of this payout. From the outside, it looks as if this layoff was manufactured so that Ms. Martin could receive this \$50,000 that she would not have been otherwise entitled to.

The Court has insisted that there is nothing to see here. It has justified its actions by stating that under the personnel rules, the elimination of a position results in a layoff of the employee. That is absolutely true – unless, of course, the employee is simply transitioning to a different position.

This only came to light after a whistleblower came forward. According to what has been reported, the whistleblower said that moving Ms. Martin to a new position was the “Chief’s idea” and that Ms. Martin would “not accept the transfer because she wants the layoff payout money.”

If this layoff was a charade to provide Ms. Martin with her “layoff payout,” real questions of impropriety are raised. If this was a pretend layoff, then Ms. Martin received money to which she was not legally entitled and the Supreme Court facilitated it. The Court tells us

that all the justices signed off on this. That doesn’t make it better. It makes it worse.

Yet there is more. The Attorney General reports that the position of director of the AOC was not actually abolished until October, six months after Ms. Martin was “laid off.”

It is also reported that the same day that Ms. Martin was laid off, Judge Chris Keating was appointed interim director of the AOC. How could Ms. Martin be laid off due to the elimination of a position when the position was apparently not eliminated?

And more. While the effective date of Ms. Martin’s layoff was April 1, the Attorney General tells us that Ms. Martin had a meeting with several justices on February 28, where she was told her position was eliminated effective immediately.

She was placed on administrative leave with pay until the April 1 date. She never returned to work at the AOC. She continued to be paid for a month while not working (and accruing more vacation and sick leave). And then she received the \$50,000 layoff payout.

One must wonder why it was necessary to terminate Ms. Martin on February 28 *effective immediately*, never to return to the AOC. We are told that this reorganization had been planned for a long time. One must assume that Ms. Martin, as director of the AOC, would have been aware of and deeply involved in the planning.

Why not make the layoff effective

on April 1 and have her continue to work until that day? After all, she was not terminated for performance or disciplinary problems, and she immediately began another high-paying judicial branch job.

I personally have no idea how much of this is accurate. This is all based on what was reported by the press, the Attorney General, and the Court itself. While the Attorney General concluded that these events did not amount to actionable criminal conduct, that fails to address the issue of impropriety.

I hope that this is not being swept under the rug. There needs to be a thorough investigation into this episode not limited solely to whether a crime was committed. We deserve more, as the New Hampshire Supreme Court should be the paradigm for ethical behavior.

I have been a member of the New Hampshire Bar for 41 years. My practice has been in the field of criminal defense. ♦

James H. Moir  
Bar ID #1783

*Editor’s Note: The opinions expressed in this article are solely those of the author(s). They do not represent the views of the New Hampshire Bar Association, its officers, staff, or members. The Bar News provides this forum to encourage the free exchange of ideas on matters of interest to the legal community, but publication should not be interpreted as an endorsement of any particular viewpoint.*



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# The Evolution of Professional Identity Formation Throughout Law School

By Heather Ward and Anna Elbroch



Ward



Elbroch

[Editor's Note: This article is the second installment in a series exploring professional identity formation in legal education. The first article appeared in the April 2025 issue of the Bar News.]

**Heather, we are halfway into this academic year. What does professional identity work look like beyond orientation? How do you keep students engaged with their professional identity as they progress through law school?**

We try to make it natural. Orientation introduces students to the idea that professional identity formation is part of legal education. As we move into the 1L semesters, that work is integrated throughout courses and programs. The ABA expects professional identity development to occur across the curriculum, which aligns with what we are doing. Students encounter different types of clients and career paths, giving them opportunities to consider what fits with who they are. This happens in the classroom through skills-based exercises using authentic scenarios, and outside the classroom through advising, programs, and community engagement.

In skills classrooms, students work with clients facing real-world problems. As lawyers, we inevitably have human reactions to our clients' experiences. We ask students to reflect on those reactions – whether to the client's situation or the legal work itself. Through reflection, students begin to identify what kinds of practice align with their interests and values.

Outside of the classroom, individual conferences and faculty advising help us

get to know our students. Advisors ask questions, help students explore interests, and encourage them to test assumptions about career paths. Student organizations and well-being initiatives also create space for students to reflect on who they are becoming as professionals.

**Anna, when you are putting together the Legal Writing curriculum with reflections, how do you assess what makes a professional identity exercise meaningful?**

The most meaningful exercises often make students a little uncomfortable. We use authentic, challenging client scenarios that require students to research a problem and offer real advice. They must predict outcomes and take a position – they cannot remain indecisive. That discomfort helps students experience both the weight and purpose of legal work. Through those experiences, they build confidence and begin to understand what type of legal work they value.

**Heather, have you witnessed when a student shifted how they saw themselves as a future lawyer? What helped that happen?**

Some students enter law school with a clear vision; many do not. Law school often comes with external pressures, and I regularly see students pursue internships or employment they believe they *should* want. Building relationships allows students to unpack those experiences honestly. I have met with students after internships where they felt discouraged because the work did not align with their values. Those conversations can be powerful turning points. When students find an area that resonates personally and professionally, their confidence grows.

**Anna, how have you experienced this?**

I see that shift during 1L oral arguments. Some students insist they will never step into a courtroom and feel frustrated about arguing before a judge. Yet many discover they are strong advocates, and the experience excites them. Representing clients – even through simulation – can give the work meaning and open new possibilities.

**Heather, can professional identity work happen in courses that do not traditionally teach skills?**

opposed Lovell in numerous cases over the years, says her approach stands out.

"In my opinion, Molly is professional beyond her years," Moses says. "She has been professional in my dealings with her from day one. She's one of the few prosecutors I deal with where we will literally sit down well before we get to the courtroom. That helps the State, it helps my clients, and it helps reach a resolution that serves justice."

He notes that when cases do go to trial, Lovell's preparation is evident.

"She tries a clean case," he says. "She knows exactly what she's doing."

Outside of work, Lovell's creative life traces back to childhood afternoons spent painting with her grandmother, whom she describes as a "third parent."

"She was never judgmental," Lovell says. "If I wanted to put snow on a palm tree, she would always encourage it."

After her grandmother passed away, Lovell stopped painting for a time before eventually returning to it. Today, art remains both a creative outlet and a way to

Absolutely! Because the law deals with the problems people face, professional identity formation can occur in any course. Even reading case law invites students to react to the people behind the disputes. Those reactions help students consider whether they find meaning in certain types of problems or clients.

Our faculty also share their own career journeys: litigation, transactional practice, in-house roles, clerkships, academia, and more. Hearing those stories reminds students that legal careers can vary. There are many forks in the road, and professional identity evolves over time.

**Anna, how do these habits and conversations translate into the legal workplace?**

Exposure is key. In practice, students and new lawyers benefit from experiencing different kinds of work and reflecting on what feels meaningful. Supervisors can prompt reflection by asking interns what they enjoyed and what felt less engaging. When lawyers gravitate toward work that aligns with their values, they are more likely to find satisfaction in their roles.

**That makes sense, Anna. Do you think professional identity can support retention and well-being in legal practice?**

The profession has been paying increased attention to lawyers' well-being in recent years. While the research<sup>1</sup> is still developing, many educators and practitioners believe that helping students connect their values, purpose, and daily work supports long-term satisfaction in the profession. The emphasis is on meaning, mentorship, and reflective practice as protective factors against burnout. When students begin asking early what type of lawyer they want to be and why, they may be better equipped to make career decisions that feel sustainable over time.

**Heather, what if a student or new lawyer is still figuring out who they are or feels conflicted about the profession?**

Professional identity is a process. We encourage students to recognize that they have values and that those values can align with their professional choices. Some decisions will feel wrong, and that is part of growth. Finding mentors who understand a lawyer's values can help new attorneys

navigate those moments and reconnect with their place in the profession.

**What's next in this work? What are you still trying to figure out?**

Heather: We are exploring how the rule of law intersects with professional identity formation. Lawyers face difficult decisions when applying the law, and those decisions may challenge personal values. We see strong connections between ethics and identity formation. By introducing students to complex ethical scenarios, we hope to prepare them for the realities of practice while encouraging thoughtful reflection.

Anna: Law school is both challenging and deeply communal. Growth comes from taking on difficult work, reflecting honestly on one's experiences, and leaning on a supportive professional community that continues long after graduation. Professional identity formation does not end in the classroom. It develops through practice, mentorship, and ongoing assessment. Both of us began our careers in practice before moving into academia, and along the way, we have reflected on what type of lawyers we want to be, how we hope to give back, and how our work aligns with our values. Our goal is to give students the tools to do the same: to approach challenges thoughtfully, remain grounded in the community, and continue assessing their place in the legal profession throughout their careers. ♦

## Endnotes

1. E.g., National Task Force on Lawyer Well-Being, *The Path to Well-Being: Practical Recommendations for Positive Change* (August 14, 2017), <https://lawyerwellbeing.net/wp-content/uploads/2017/11/Lawyer-Well-being-Report.pdf>.

*Anna Elbroch is the director of legal writing and associate dean of academic administration at UNH Law. In addition, she is an associate clinical professor of law and teaches legal writing. Her prior practice included indigent defense and representing children. Heather Ward is the assistant professor of legal skills at UNH Law. Prior to joining the school, she was in civil and criminal litigation. She started her career as a law clerk.*

## ■ LOVELL from page 4

county attorney there, says Lovell has had an immediate impact on the office.

"Molly is the type of person that makes everything more fun," Eager says. "She brings color to the office – literally with her paintings and metaphorically. She's got a lot of energy, she's enthusiastic about the work, and her mind is razor sharp, with an encyclopedic knowledge of the law – but she's also personable and always polite."

Eager, a newer attorney, has worked with Lovell on multiple trials and credits her with being both a collaborator and a mentor.

"Her feedback is always helpful and constructive – very easy to hear, receive, and implement," he says. "She puts the same amount of work in no matter the degree of the case."

That professionalism extends to opposing counsel as well. Robert Moses, a solo criminal defense attorney who has

give back.

In January, she held a local exhibition at Dos Amigos in Concord, offering select paintings in exchange for a minimum donation made directly to a Concord nonprofit of the donor's choice.

"I didn't want to make my art a political thing," Lovell says. "And I wanted people to know exactly where their resources were going – right back into the community."

In addition to her creative volunteer work, Lovell has been involved for several years with Big Brothers Big Sisters of America, serving as a Big Sister and maintaining a long-term mentoring relationship. The experience, she says, reflects the same belief that meaningful impact often comes from consistency, presence, and showing up for people over time.

In her limited free time, Lovell also boxes – a hobby she's pursued for about three years. She is quick to downplay her skill level, describing herself as "terrible at it," but says the appeal lies elsewhere.

"There's something really liberating about doing something that you enjoy that you're bad at," she says. "You only do it because you enjoy it."

Lovell also volunteers her time teaching simple art classes at a nursing home, often bringing her dog, Bingo, along for the sessions. Even when she is not feeling particularly inspired to paint, she says, the act itself is grounding.

"On days when I just want to sit and calm down, I'll feel guilty if I'm just watching TV," she says. "Painting is a way of feeling like I'm still doing something."

For Lovell, the common thread across law, art, and service is people.

"What makes me tick as a person is the people around me – my family, my friends, my community," she says. "You can be happy and be a lawyer. Those two aren't opposites."

It's a philosophy that resonates with those who work with her – and even those who face her across the courtroom.

"Sullivan County is lucky to have her," Moses says. ♦

## Far From Home, Firm in Purpose

By Bethany Hartt

Mariana Marquez and Gabriel “Gab” Carrasquillo Vilaró are quickly met with incredulity when classmates find out where they’re from. Mariana, from California, and Gab, from Puerto Rico, intentionally sought out law schools in the frigid Northeast. Why, we wonder, would anyone raised on a steady diet of sunshine and warmth trade it for snowdrifts and rock salt?



Mariana’s answer is both poignant and unexpected. She says that her beloved mother, Kia, born in Sinaloa, Mexico, is reticent to go anywhere there isn’t a familiar face.

She says she chose the University of New Hampshire Franklin Pierce School of Law (UNH Law) in part because she “wanted to show [her] mom how beautiful this country is” and remove any “self-imposed boundary” to exploring her adopted home.

Gab’s motivation to attend UNH Law was born of an overwhelming curiosity about idea ownership. He hails from Dorado, a coastal city west of San Juan.

“I’m so proud of where I’m from,” he says, “but I need to better my situation.”

The opportunities Gab sought in intellectual property law weren’t in Puerto Rico – they were all the way in New Hampshire.

Gab and Mariana are pillars of UNH

Law’s Hispanic & Latinx Law Student Association (HLLSA). On campus, they frequently navigate the push and pull between their advocacy on behalf of other students and the rigors of their own legal education.

That advocacy takes many forms and includes carefully – but firmly – extricating themselves from the stereotypical expectations that others have for their careers. For example, both Gab and Mariana are repeatedly pressed to make immigration law their sole professional focus. The only problem is – neither of them wants to practice immigration.

“If I wanted to do immigration, I would [have gone] to Florida, Texas, California, or even New York,” says Gab.

Unsurprisingly, Mariana’s and Gab’s respective backgrounds reveal accomplishments far beyond their impressive ability to seamlessly switch between English and Spanish.

Mariana attended culinary school at the renowned Le Cordon Bleu and completed her undergraduate studies in international political science at the University of California, San Diego. Consequently, she is passionate about Mexico’s cuisine and its government. After college, she worked in legal aid in Colorado Springs. She now serves as the symposium editor for *The University of New Hampshire Law Review*.

Gab’s educational pursuits also took him abroad. After receiving degrees in Russian studies, history, and politics from Brandeis University, he pursued a master’s in international studies in Brussels, Belgium. In addition to speaking perfect Spanish, he speaks both Russian and French. When he isn’t busy being



Mariana Marquez (left) and Gabriel “Gab” Carrasquillo Vilaró (right) are two Latinx law students at UNH Law. Courtesy Photos

a polyglot, you will find Gab poring over his coursework in trademark and copyright.

My conversation with Gab and Mariana inevitably turned to a discussion about New Hampshire’s tumultuous plans for a US Immigration and Customs Enforcement detention center in Merrimack.

Gab described the rumored facility as “deeply upsetting,” especially as unraveling details were met with confusion and outright denial by local officials. *[Editor’s Note: On February 24, Governor Kelly Ayotte announced that the Department of Homeland Security would no longer move forward with the proposed ICE facility in Merrimack.]*

As a Puerto Rican, Gab is well aware that his very existence is political. But taking political action in response to ICE feels distinctly risky in his current phase of life. As his admission to the Bar remains pending, he worries about whether even peaceful protest might jeopardize his efforts to become a lawyer due to “character and fitness concerns.”

Mariana soberly detailed the changes she would have to endure if ICE were to assert a stronger presence in the Granite State. She worries about speaking Spanish publicly, walking home at night, and “just existing” within her community. Most of all, she fears being detained because she requires regular doses of insulin as a type 1 diabetic.

Members of the UNH Law community embody the politics of New Hampshire. Gab and Mariana agreed that the law school is decidedly not a monolith when it comes to ideology about immigration.

“I am acutely aware there are students who do not share my views,” Mariana says.

However, both Gab and Mariana listed a group of professors, librarians, attorneys, and mentors who have extended themselves in ways that Mariana described as “slivers of light” when the future feels dark and uncertain.

These glimmers of support remind Gab of a common refrain that echoed throughout Puerto Rico in the wake of Hurricane Maria: *el pueblo salva el pueblo*. It translates loosely, but meaningfully, to *community saves community*.

If you would like information about upcoming HLLSA events or want to get in touch with Mariana and Gab, please email [Mariana.MarquezFarmer@law.unh.edu](mailto:Mariana.MarquezFarmer@law.unh.edu) and/or [Gabriel.CarrasquilloVilaro@law.unh.edu](mailto:Gabriel.CarrasquilloVilaro@law.unh.edu). ♦

*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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# AI Hallucinations, Attorney Responsibility, and the Rise of ‘Verification-First’ Workflows

By Chris Toppin

The legal profession is no stranger to change. Over the decades, we’ve seen shifts in discovery tools, research platforms, and collaborative practice models. Today’s transformation, led by generative artificial intelligence (AI), offers meaningful potential for improving legal research, drafting, and client service. Alongside that opportunity, however, comes a distinct class of risk. One of the most pressing is the phenomenon known as AI hallucinations.



AI hallucinations occur when generative systems produce information that appears authoritative but is factually incorrect or entirely fabricated. In legal contexts, this often takes the form of invented case citations, misquoted holdings, or confidently stated legal principles that *do not exist*.

Courts have taken increasing notice. In the past year, judges across the country have flagged filings containing AI-generated hallucinations, and several attorneys have faced sanctions or court-ordered remediation after submitting briefs with fabricated citations.

A growing body of reporting sug-

gests these incidents are becoming common enough to track systematically, with more than 150 documented cases of hallucinated authority being cited in court filings.

These outcomes are rarely the result of bad intent. They reflect a misunderstanding of how generative AI systems work. These tools do not retrieve or verify legal authority. They *predict language* based on patterns in their training data, producing responses that can sound precise while remaining ungrounded in fact.

From an ethical standpoint, the implications are clear. The duty of competence requires attorneys to understand both the capabilities and limitations of the tools they use. Comment 8 to Model Rule 1.1 of the American Bar Association’s Rules of Professional Conduct emphasizes keeping abreast of technological changes and their associated risks. When AI is used in research or drafting, attorneys remain fully responsible for verifying every citation and legal assertion before it reaches a client or tribunal.

In practice, responsible AI use in law begins with a verification-first mindset.

First, treat AI as an *analyst* rather than a source. These tools can be valuable for brainstorming research paths, identifying potentially relevant authorities, or summarizing large bodies of text. They should never be treated as authoritative repositories of law. Every case, statute, and rule must still be located, read, and assessed independently by the attorney relying on it.

Second, ground your prompts in source data that you want to reference. Whether they’re specific internal files, websites, or articles, specify those sources in your prompts. This is a solid way to reduce the risk of hallucinations and bias.

Third, invest in education rather than restriction. In our work with legal and professional services firms, we consistently see that teams who receive practical training on how and why hallucinations occur use AI more confidently and responsibly than those operating under vague or overly prohibitive policies. Clear guidance enables good judgment and confidence.

Fourth, embed verification steps directly into drafting workflows. Whether in litigation or transactional practice, AI-assisted outputs should pass through explicit human review checkpoints. This “human-in-the-loop” approach reflects the reality that legal reasoning is not a mechanical exercise but a contextual and judgment-driven one.

Finally, consider transparency as part of trust-building. While disclosure requirements continue to evolve, many clients already expect AI to play a role in modern legal work. What they value most is assurance that the attorney remains firmly in control of the analysis and outcome.

AI will continue to mature, and its role in legal practice will expand alongside it. Firms that embrace verification-first workflows are well positioned to realize the benefits of innovation while reinforcing the standards that have always defined the profession. When used thoughtfully, AI enhances human judgment, accelerates insight, and supports more effective advocacy.

Technology can assist, inform, and augment the work. The responsibility for accuracy, reasoning, and trust, however, remains where it belongs: with the attorney. In that balance lies the future of modern legal practice. ♦

*Chris Toppin is chief innovation and AI officer at Mainstay Technologies, where he leads technical support services for businesses across New Hampshire and beyond.*



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# 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](mailto:vobrien@nhbar.org).

### MARCH 2026

**WED, MAR 18 – 9:00 a.m. – 12:30 p.m.**  
**Best Practices for Civil Discovery in New Hampshire**  
 • 195 NHCLE min., incl. 60 ethics min.  
 • Concord – NHBA Seminar Room/Webcast

**WED, MAR 25 – 9:00 a.m. – 4:30 p.m.**  
**New Hampshire Nonprofit Law 2026**  
 • 375 NHCLE min., incl. 60 ethics min.  
 • Concord – NHBA Seminar Room/Webcast

### APRIL 2026

**THU, APR 9 – 9:00 a.m. – 4:30 p.m.**  
**New Hampshire Advanced Insurance Law**  
 • 360 NHCLE min., incl. 30 ethics min.  
 • Concord – NHBA Seminar Room/Webcast

**FRI, APR 10 – 9:00 a.m. – 4:00 p.m.**  
**Adoption Law**  
 • 335 NHCLE min.  
 • Concord – NHBA Seminar Room/Webcast

**THU, APR 16 – 9:00 a.m. – 4:15 p.m.**  
**Trusts & Estates 2.0**  
 • 360 NHCLE min., incl. 60 ethics min.  
 • Concord – NHBA Seminar Room/Webcast

**FRI, APR 17 – 9:00 a.m. – 4:30 p.m.**  
**Circuit Court Practice: Jurisdiction, Ethics & Guidance**  
 • 360 NHCLE min., incl. 60 ethics min.  
 • Concord – NHBA Seminar Room/Webcast

**WED, APR 22 – 9:00 a.m. – 4:30 p.m.**  
**Statutory Interpretation**  
 • 360 NHCLE min.  
 • Concord – NHBA Seminar Room/Webcast

**WED, APR 29 – 9:00 a.m. – 1:20 p.m.**  
**Navigating Sexual Harassment Law: Key Updates & Compliance Tips**  
 • 240 NHCLE min.  
 • Concord – NHBA Seminar Room/Webcast

### MAY 2026

**FRI, MAY 8 – 9:00 a.m. – 12:45 p.m.**  
**Federal Practice in New Hampshire**  
 • 215 NHCLE min.  
 • Concord – NHBA Seminar Room/Webcast

**TUE, MAY 12 – Time TBD**  
**Advocacy Before NH Agencies & Licensing Boards**  
 • Credits TBD  
 • Concord – NHBA Seminar Room/Webcast

**WED, MAY 13 – 9:00 a.m. – 4:30 p.m.**  
**Hot Topics in New Hampshire Bankruptcy Practice**  
 • 375 NHCLE min., incl. 45 ethics min.  
 • Live Webcast

**FRI, MAY 15 – 9:00 a.m. – 1:00 p.m.**  
**Mechanics Liens**  
 • 210 NHCLE min.  
 • Concord – NHBA Seminar Room/Webcast

**WED, MAY 27 – Time TBD**  
**Landlord Tenant Law**  
 • Credits TBD  
 • Concord – NHBA Seminar Room/Webcast

**THU, MAY 28 – 8:30 a.m. – 10:30 a.m.**  
**20th Annual Ethics CLE**  
 • 120 NHCLE ethics min.  
 • Concord – NHBA Seminar Room/Webcast

### Have You Heard About CLE Scholarships?

The NH Bar Association has adopted a policy offering CLE Scholarships to attorneys with financial need whose employers do not pay for or reimburse for CLE costs. Applications for in-person CLEs will need to be submitted two weeks (10 business days) before the program date to allow staff sufficient time to process the application. Scholarships will not be available for certain CLE programs, including but not limited to Practical Skills. While requests for full waivers will be considered for in-person CLEs, we cannot offer complete waivers for webinars or on-demand programs. NHBA uses a third-party vendor to host these programs and pays a fee for each attendee.

Applications are confidential and open to all eligible New Hampshire lawyers. Further information and scholarship applications are now available on our website at <https://www.nhbar.org/nhbacle>.

### JUNE 2026

**THU, JUN 11 – 12:00 p.m. – 2:00 p.m.**  
**Cybersecurity Update for New Hampshire Attorneys**  
 • 120 NHCLE min.  
 • Live Webcast

**FRI-SUN, JUN 12-14**  
**Annual Meeting 2026**  
 • Whitefield – Mountain View Grand

**TUE, JUN 16 – 8:30 a.m. – 4:45 p.m.**  
**Practical Skills for New Admittees – Day 1**  
 • Concord – Grappone Conference Center

**WED, JUN 17 – 8:30 a.m. – 12:00 p.m.**  
**Practical Skills for New Admittees – Day 2**  
 • Concord – Grappone Conference Center

## Statutory Interpretation

**Wednesday, April 22, 2026**

9:00 a.m. - 4:30 p.m.  
 360 NHCLE min.

NHBA Seminar Room/Webcast

Statutory interpretation lies at the heart of effective advocacy and sound judicial decision-making. This in-depth program brings New Hampshire attorneys directly inside the interpretive process used by our courts, from foundational theories and core canons of construction to the nuanced and often decisive role of legislative history. The seminar offers a rare opportunity to learn how judges analyze statutes in real time—what arguments resonate, what pitfalls to avoid, and how recent New Hampshire Supreme Court decisions are shaping the interpretive landscape.

### Faculty

**Jack P. Crisp, Jr.**, Program Chair, The Crisp Law Firm, PLLC, Concord

**Anthony J. Galdieri**, Solicitor General, State of New Hampshire

**Hon. Joseph N. Laplante**, US District Court for the District of NH

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## New Hampshire Nonprofit Law 2026

Wednesday, March 25, 2026

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

Nonprofit organizations play an increasingly vital role in New Hampshire's civic, social, and economic landscape—and the legal environment surrounding them continues to evolve rapidly. This full-day program provides New Hampshire attorneys with a comprehensive, practical overview of nonprofit law in 2026, from formation and compliance to governance, ethics, employment, political activity, and dissolution. Drawing on insights from experienced practitioners and regulators, including the New Hampshire Charitable Trust Unit, the program equips attorneys with the tools they need to advise nonprofits proactively, manage risk, and navigate heightened scrutiny in a changing regulatory and political climate.

### Faculty

**Margaret A. O'Brien**, Program Co-Chair/CLE Committee Member, McLane Middleton Professional Association, Manchester

**Thomas J. Donovan**, Program Co-Chair, Donovan PLLC, Manchester

**Jared W. Davis**, NH Attorney General's Charitable Trusts Unit, Concord

**Michael A. Delaney**, McLane Middleton Professional Association, Manchester

**Mary Ann Dempsey**, NH Attorney General's Charitable Trusts Unit, Concord

**Brooke L. Lovett Shilo**, Upton & Hatfield, LLP, Concord

**Mark S. McCue**, Hinckley Allen Snyder, LLP, Manchester

**Katherine B. Miller**, Donahue, Tucker & Ciandella, PLLC, Exeter

**Kathleen Reardon**, NH Center for Nonprofits, Concord

## Adoption Law

Co-sponsored with the NHBA's Family Law Section

Friday, April 10, 2026

9:00 a.m. – 4:00 p.m.  
335 NHCLE min.  
NHBA Seminar Room/Webcast

This program will give participants an understanding of the complexities of adoption law and equip attorneys with the knowledge and resources needed to guide clients through each stage of the adoption process. Participants will gain an understanding of the legal, ethical and procedural issues involved in private, agency, interstate, and relative adoption. Topics include: understanding the different types of adoption; analyzing the roles of different parties; ethical considerations and avoiding conflicts of interest; ensuring compliance with applicable federal laws.

### Faculty

**Christine M. Hanisco**, Program Co-Chair, Life Stages Law, PLLC, Concord

**Lisa Ura Bollinger**, Program Co-Chair/CLE Committee Member, Black, LaFrance & Bollinger, LLC, Nashua

**Lisa M. Bianco**, Bianco Professional Association, Concord

**Caitlyn Bickford**, NH DHHS-DCYF, Concord

**Randi L. Bouchard**, NH DHHS-DCYF, Concord

**Kristine Pries**, Adoptive Families for Children, Concord

**Kimberly A. Shaughnessy**, Shaughnessy Allard, Attorneys at Law, Bedford

**Karen M. Shea**, Manchester

## New Hampshire Advanced Insurance Law

Co-sponsored with the NHBA's Insurance Law Section

Thursday, April 9, 2026

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

Join leading New Hampshire practitioners and judges for a comprehensive, practice-focused exploration of today's most significant and challenging issues in Insurance law. Peter Hutchins' New Hampshire Advanced Insurance Law brings together top counsel and members of the Superior Court to walk you through cutting-edge developments in automobile coverage, homeowners and umbrella policies, municipal and governmental liability, professional liability, commercial coverage, bad faith, and litigating coverage disputes. Whether you represent insurers, policyholders, municipalities, or businesses, this program delivers the insights, updates, and practical tools you need to navigate complex coverage questions with confidence and skill.

### Faculty

**Peter E. Hutchins**, Program Chair/CLE Committee Member, Law Offices of Peter E. Hutchins, Manchester

**Matthew V. Burrows**, Gallagher, Callahan & Gartrell, PC, Concord

**Doreen F. Connor**, Primmer, Piper, Eggleston & Cramer, PC, Manchester

**Hon. John A. Curran**, NH Circuit Court

**Nicholas J. Deleault**, Primmer, Piper, Eggleston & Cramer, PC, Manchester

**Elizabeth E. Ewing**, Wadleigh, Starr & Peters, PLLC, Manchester

**Todd J. Hathaway**, Wadleigh, Starr & Peters, PLLC, Manchester

**Adam R. Mordecai**, Morrison Mahoney, LLP, Manchester

## Trusts & Estates 2.0

Co-sponsored with the NHBA's Trusts & Estates Section

Thursday, April 16, 2026

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

This advanced program brings together experienced New Hampshire trusts and estates practitioners to examine cutting-edge planning techniques, recent statutory and tax developments, and the increasingly complex ethical issues facing estate planners today. Designed for attorneys who regularly advise individuals and families, the program moves beyond foundational concepts to explore sophisticated trust structures, post-mortem planning, administration and litigation challenges, and planning for blended families, disabilities, and charitable giving. Faculty will analyze the impact of recent federal tax law changes, and offer practical guidance on identifying the client, protecting beneficiaries, and avoiding common malpractice pitfalls.

### Faculty

**Michael D. Hatem**, Program Chair/CLE Committee Member, Cleveland, Waters & Bass, PA, Concord

**Alyssa Graham Garrigan**, Ansell & Anderson, PA, Bedford

**Kaitlin M. O'Neil**, Normandin, Cheney & O'Neil, PLLC, Laconia

**Nelson A. Raust**, Bernstein Shur, Manchester

**Benjamin T. Siracusa Hillman**, Shaheen & Gordon, PA, Concord

**Michael L. Wood**, Cleveland, Waters & Bass, PA, Concord

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

## Circuit Court Practice: Jurisdiction, Ethics & Guidance

**Friday, April 17, 2026**

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

This seminar offers New Hampshire attorneys a rare, comprehensive opportunity to hear directly from Circuit Court judges and court leadership about what truly matters in day-to-day practice. Designed to strengthen courtroom effectiveness, this program moves beyond theory to focus on judicial expectations, evidentiary essentials, time management, professionalism, and persuasive advocacy across the Family, District, and Probate Divisions. Through candid discussion, practical examples, and an open judicial forum, participants will gain clarity on how cases are evaluated, how court resources can be used effectively, and how attorneys can better serve clients while supporting the efficient administration of justice. Whether you are building your practice or refining it, this program delivers practical insight you can use immediately in the Circuit Court.

### Faculty

**Rebeka M. Fortess**, Program Co-chair/CLE Committee Member, NH Circuit Court Administrative Office, Concord

**Hon. Charles L. Greenhalgh**, Program Co-chair, 10th Circuit Family Division, Brentwood

**Hon. Xiorlivette C. Bernazzani**, NH Circuit Court

**Rhonda M. Bryant**, ADR Coordinator, NH Judicial Branch, Concord

**Hon. David J. Burns**, 9th Circuit Family Division, Manchester

**Hon. Sarah D. Christie**, NH Circuit Court

**Hon. Ellen V. Christo**, Chief Judge, NH Circuit Court

**Hon. James D. Gleason**, NH Circuit Court (ret.)

**Hon. Ryan C. Guptill**, 6th Circuit District Division, Concord

**Hon. Beth K. Kissinger**, 9th Circuit Court, Nashua

**Elaine J. Lowe**, Clerk of Court, 3rd Circuit Court, Ossipee

**Hon. Jason R.L. Major**, NH Circuit Court

**Hon. Dorothy E. Walch**, NH Circuit Court

## Federal Practice in New Hampshire

*Co-sponsored with the NHBA's Federal Practice Section*

**Friday, May 8, 2026**

9:00 a.m. – 12:45 p.m.  
215 NHCLE min.  
NHBA Seminar Room/Webcast

This program brings together experienced federal practitioners to walk attendees through the real-world mechanics of litigating in federal court, from Rule 26(f) conferences and ESI disputes to effective motion practice and advocacy challenges unique to the federal forum.

### Faculty

**Pierre A. Chabot**, Program Chair/CLE Committee Member, Devine, Millimet & Branch, PA, Manchester

**Robert S. Carey**, Orr & Reno, PA, Concord

**Samuel R.V. Garland**, NH Attorney General's Office, Concord

**Elan S. Hersh**, Akerman LLP, Ft. Lauderdale, FL

**Kathleen M. Mahan**, Hinckley, Allen & Snyder, LLP, Manchester

## Hot Topics in New Hampshire Bankruptcy Practice

*Co-sponsored with the NHBA's Federal Practice and Corporation, Banking & Business Law Sections*

**Wednesday, May 13, 2026**

9:00 a.m. – 4:30 p.m.  
375 NHCLE min., incl. 45 ethics min.  
Live Webcast

This program is a full-day program for New Hampshire bankruptcy practitioners, offering timely updates and practical guidance on key developments in consumer and business practice. Experienced judges and practitioners will examine recent local rule changes, homestead exemption issues, and current challenges in Chapters 11 and 13. The program also addresses the intersection of bankruptcy and family law, along with ethics issues specific to bankruptcy practice.

### Faculty

**Edmund J. Ford**, Program Chair/CLE Committee Member, Ford, McDonald & Borden, PA, Manchester

**Hon. Kimberly A. Bacher**, US Bankruptcy Court, Concord

**Malcolm P. Blackwood**, Blackwood Law, PLLC, Manchester

**Ryan M. Borden**, Ford, McDonald & Borden, PA, Manchester

**Eleanor Wm. Dahar**, Dahar Law Firm, Manchester

**Michael B. Fisher**, Fisher Law Offices, PLLC, Hanover

**William M. Gillen**, Law Offices of William M. Gillen, Manchester

**Sandra A. Kuhn**, Family Legal Services, PC, Concord

**James S. LaMontagne**, Sheehan, Phinney, Bass & Green, PA, Portsmouth

**Kathleen E. McKenzie**, Raymond J. DiLucci, PA, Concord

**Gregory A. Moffett**, Preti, Flaherty, Beliveau & Pachios, LLP, Concord

**Steven M. Notinger**, Ford, McDonald & Borden, PA, Manchester

**Kristie Trimarco**, US Bankruptcy Court, Concord

## Navigating Sexual Harassment Law: Key Updates & Compliance Tips

*Co-sponsored with the NHBA's Labor & Employment Law Section*

**Wednesday, April 29, 2026**

9:00 a.m. – 1:20 p.m.  
240 NHCLE min.  
NHBA Seminar Room/Webcast

This practical CLE is designed for attorneys advising employers, representing employees, and litigating harassment claims, and will deliver actionable guidance on prevention, investigations, litigation strategy, and risk management

### Faculty

**Julie A. Moore**, Program Chair/CLE Committee Member, Employment Practices Group, Wellesley, MA

**Beth A. Deragon**, ClarkDeragon, PLLC, Concord

**Brooke L. Lovett Shilo**, Upton & Hatfield, LLP, Concord

**Terry L. Pastori**, Pastori | Krans, Concord

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the mission of advancing causes of racial and gender equality.”

Richards-Stower also urged attorneys to build professional communities, challenge structural barriers within the profession, and remain steadfast in protecting civil rights under the rule of law.

Looking ahead to the future of women in the profession and the growing role of artificial intelligence, she noted, “As so many women choose solo or small firms to meld their family lives with their professional lives, this AI business creates a giant hurdle for us, but it also creates opportunity. The yin and the yang for our profession may, after all, be gender neutral.”

The breakfast concluded with remarks from keynote speaker and former congresswoman Annie Kuster, who represented New Hampshire’s Second District from 2013 to 2025.

Kuster, an attorney and public policy advocate, reflected on her decades-long career in law and public service, sharing personal experiences with pay inequity, workplace bias, and harassment, as well as the challenges of balancing litigation practice with family responsibilities. She recalled being paid significantly less than a male colleague performing the same work and described moments early in her career when she was mistaken for support staff rather than an attorney.

While noting that opportunities for women have expanded significantly during her lifetime – including her service in the first all-female congressional delegation in the nation – she emphasized that persistent bias and inequity remain. She urged attorneys to support one another, pursue leadership roles, and remain engaged in protecting constitutional principles and the rule of law, underscoring the importance of representation in decision-making spaces.

“If you’re not at the table,” she said, “you might be on the menu.”

Following the breakfast, Lick offered an overview of the day’s programming and invited New Hampshire Supreme Court (NHSC) Chief Justice Gordon MacDonald to address attendees. Chief Justice MacDonald thanked Bar leadership and staff for their collaboration with the Court, noting the strength of the relationship between the judiciary and the NHBA.

Reflecting on the meeting’s theme and the nation’s approaching 250<sup>th</sup> anniversary, he emphasized the importance of

judicial independence as a cornerstone of both the federal and state constitutions. Citing historical grievances outlined in the Declaration of Independence and recent remarks by US Supreme Court Chief Justice John Roberts, he warned of rising threats to the judiciary, including violence, intimidation, disinformation, and refusal to comply with lawful court orders. He encouraged attorneys to view themselves as stewards of the judicial system and to remain committed to upholding the rule of law and public confidence in the courts.

The first CLE of the event, “Self-Evident Truths: Principles from the Revolutionary Era Embodied in the State Constitutions,” featured retired Rutgers Law School Professor Robert Williams, a scholar of state constitutional law and former director of the Center for State Constitutional Studies. Williams examined the founding decade from 1776 to 1787, arguing that the most significant period of American constitution making occurred not in 1787 alone, but in the earlier wave of state constitutional drafting that began during the Revolution.

Williams emphasized New Hampshire’s historical distinction as the first state to adopt a constitution in January 1776, months before the Declaration of Independence. He contrasted early “people’s government” models with later Massachusetts and New Hampshire constitutions that incorporated separation of powers and an independent judiciary. He encouraged attorneys to revisit the New Hampshire Constitution as a living document, noting that state constitutions are more frequently amended and can provide protections beyond those recognized under federal law.

Building on Williams’ exploration of the founding era, the next CLE, “The Important Work of Building and Structuring the New Hampshire Constitution,” focused on the practical work of interpreting the Granite State’s constitutional text.

Superior Court Judge N. William Delker introduced the New Hampshire Constitution Project, an initiative designed to create a centralized, publicly accessible collection of historical materials related to the drafting and amendment of the Constitution. He emphasized that meaningful state constitutional advocacy requires historically grounded, fully developed arguments rather than mere citation.

University of New Hampshire Franklin Pierce School of Law 2L Bryan Rome then demonstrated the project’s developing online platform, which compares prior and current constitutional language and compiles legislative and archival materials to

help lawyers and judges better understand how provisions have evolved over time.

Following Judge Delker’s presentation, Yale Law School Visiting Associate Professor Lorianne Updike Schulzke explored the historical development and enduring significance of the state’s founding document in her presentation, “The Vitality of the New Hampshire Constitution.”

Drawing on primary source research, Updike Schulzke traced the drafting of New Hampshire’s 1776 temporary constitution and the contentious efforts that ultimately produced the 1784 Constitution.

She examined the political disputes – particularly over representation and regional interests – that shaped the process and noted the Constitution’s durability reflected collaboration across competing factions. She encouraged attendees to consider how that history informs modern constitutional interpretation and civic engagement.

Continuing the focus on state constitutional interpretation, the next CLE featured a panel discussion titled “Why History Matters to the 21st Century Lawyer.” Moderated by Judge Delker, the panel brought together professors Williams and Updike Schulzke and New Hampshire Public Defender Pamela Phelan to examine the practical implications of constitutional history for modern advocacy.

Panelists discussed the NHSC’s practice of analyzing the state Constitution before federal claims and examined how lawyers can develop historically grounded state constitutional arguments by consulting founding-era materials and distinguishing state provisions from federal counterparts. The presenters emphasized that historical context is not merely academic, but can play a central role in shaping effective advocacy before New Hampshire courts.

After lunch, Lick presented the MYM Awards, followed by 603 Legal Aid Vice Chair Rory Parnell, who presented the organization’s Pro Bono Awards (see facing page for the recipients).

The program then shifted from constitutional history to emerging technology with a CLE addressing the growing role of AI in legal practice. Titled “Evaluating Artificial Intelligence Platforms,” a panel featuring members of the NHBA’s Special Committee on Artificial Intelligence was moderated by committee chair and NHBA President-Elect Bob Lucic. Panelists included Aaron Archambault, Amy Jeffrey, Willow Murphy, and Cassandra Rodgers.

The panel discussed practical considerations for attorneys assessing AI tools,

including how to evaluate different platforms and incorporate them responsibly into day-to-day practice. Panelists examined the efficiencies and professional responsibilities associated with AI, offering guidance for navigating a rapidly evolving technological landscape.

Lick then took to the podium to deliver brief remarks highlighting the profession’s longstanding commitment to civic engagement. Sharing results from a recent member survey, Lick noted that 92 percent of respondents reported volunteering in some capacity during the prior year, with many serving on nonprofit boards, municipal committees, and community organizations, and nearly one in five participating in Bar-sponsored civic programs.

He emphasized the breadth of service undertaken by attorneys across the state and then introduced the subsequent panel, “The Importance of Community Engagement,” moderated by former NHSC Justice James Bassett, which featured Coda Campbell, Christopher Hawkins, Katherine Hedges, Katie Mosher, and Rory Parnell discussing their own experiences in community service.

The final panel of the day, “Supporting Access to Justice: Court Initiatives and Opportunities for Attorney Engagement,” was moderated by NHSC Justice Melissa Countway and featured Cordell Johnston, New Hampshire Center for Nonprofits CEO Kathleen Reardon, NHBA Civics and Law Outreach Coordinator Martha Madsen, and NHBA Civics and Law Outreach Committee Co-Chairs US Magistrate Judge Talesha Saint-Marc and Jennifer Eber.

Panelists highlighted current court initiatives aimed at improving access to justice, including the Court Navigator Pilot Program, and outlined practical ways attorneys can assist litigants and support court operations. The discussion also explored opportunities for lawyers to engage with local government and nonprofit organizations, as well as efforts to strengthen civics education through lawyer-teacher partnerships and community outreach programs.

The after-hours social, sponsored by the NHBA’s New Lawyers Committee and typically held following the Midyear Meeting, was postponed due to the snowstorm. A new date will be announced soon.

The CLE sessions from the 2026 Midyear Meeting will be available online in the CLE catalog later this spring. Be sure to mark your calendars for the NHBA’s Annual Meeting, scheduled for June 12–14 at the Mountain View Grand in Whitefield. ♦



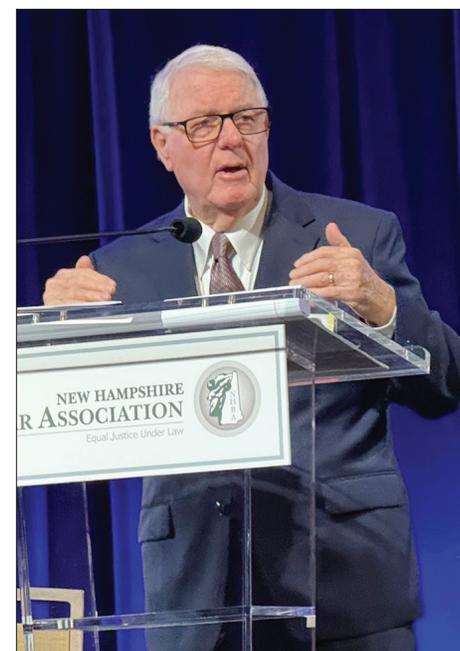
Nancy Richards-Stower receiving the 2026 Philip S. Hollman Award from GEC Chair Meredith Lasna. Photo by Richard Stower



Former Congresswoman Annie Kuster speaking about gender equality and public service at the Gender Equality Breakfast. Photo by Tom Jarvis



Hon. Gordon MacDonald speaking about judicial independence. Photo by Tom Jarvis



Professor Robert Williams presenting on founding-era state constitutions. Photo by Tom Jarvis



Professor Lorianne Updike Schulzke speaking on the vitality of the New Hampshire Constitution. Photo by Tom Jarvis



Hon. N. William Delker discussing the New Hampshire Constitution Project. Photo by Tom Jarvis



NHBA President Derek Lick (left), NHBA President-Elect Bob Lucic (center), and NHBA Vice President Sarah Mattson Dustin (right). Photo by Tom Jarvis



NHBA President Derek Lick (center) with 2026 Vickie M. Bunnell Award for Community Service recipient James Cowles (left) and 2026 Distinguished Service to the Public Award recipient Andru Volinsky (right). Photo by Tom Jarvis



From left: Pamela Phelan, Professor Robert Williams, Professor Lorianne Updike Schulzke, and Hon. N. William Delker discussing state constitutional advocacy. Photo by Tom Jarvis



NHBA President Derek Lick (left) with Heather Cherniske, recipient of the 2026 Award for Outstanding Service in Public Interest/Public Sector Law. Photo by Tom Jarvis



From left: Amy Jeffrey, Willow Murphy, Aaron Archambault, and NHBA President-Elect Bob Lucic participating in the panel on evaluating AI platforms. Photo by Tom Jarvis



From left: Rory Parnell, Katie Mosher, Katherine Hedges, Christopher Hawkins, Coda Campbell, and Hon. James Bassett during the panel discussion on the importance of community engagement. Photo by Tom Jarvis



603 Legal Aid Subcommittee Chair Rory Parnell (center) with 2026 Pro Bono Rising Star Award recipient Katie Mosher (left) and 2026 Distinguished Pro Bono Service Award recipient Tony Naro (right). Not pictured: 2026 L. Jonathan Ross Award for Outstanding Legal Services recipient Robert Shepard and 2026 Distinguished Pro Bono Service Award recipient Paul Maggiotto. Photo by Tom Jarvis



From left: Kathleen Reardon, Cordell Johnston, Jennifer Eber, Hon. Talesha Saint-Marc, Martha Madsen, and Hon. Melissa Countway discussing access to justice and civics education initiatives. Photo by Tom Jarvis

(D-Pa.), Representative Chrissy Houlahan (D-Pa.), and Goodlander – cited concerns about potential unlawful maritime strikes. Following the release of the video, President Donald Trump criticized the lawmakers and called for charges to be brought against them.

Federal prosecutors subsequently presented the matter to a grand jury. In February, the grand jury declined to return indictments against any of the lawmakers.

“It was extraordinary that 23 ordinary American citizens in a grand jury – an institution that returns indictments more than 95 percent of the time – rejected the abuse of power,” says Goodlander. “We’re a country in which we generally trust our government. We trust that law enforcement is acting in good faith and enforcing the law.”

The investigation centered on 18 U.S.C. § 2387, a federal statute that criminalizes efforts to interfere with the loyalty, discipline, or morale of the US armed forces. The law prohibits advising or encouraging members of the military to engage in insubordination, disloyalty, mutiny, or refusal of duty, and also bars distributing materials urging such actions. Violations can carry penalties of up to 10 years in prison and temporary disqualification from federal employment.

The statute has rarely been used in modern federal prosecutions. Historical cases include *United States v. Pelley* in 1947 and *United States v. Spock* in 1969, both arising from anti-war activism during the Vietnam era. In more recent decades, prosecutors confronting similar allegations have more commonly relied on



other federal statutes, including conspiracy laws or provisions of the Espionage Act.

The failed indictment also underscores the historical dynamics of the federal grand jury system. Grand juries, composed of panels of 16 to 23 citizens drawn from the community, decide whether prosecutors have established probable cause that a crime occurred. Unlike trial juries, which determine guilt beyond a reasonable doubt, grand jury proceedings occur in secret and require only 12 votes to issue an indictment.

For decades, the process has been widely viewed as heavily tilted toward prosecutors. In 1985, former New York Chief Judge Sol Wachtler famously remarked that a determined prosecutor could persuade a grand jury to “indict a ham sandwich.” Federal statistics reinforced that perception. In 2010, prosecutors presented more than 162,000 cases to grand juries nationwide, and only 11 failed to result in indictments.

The United States Department of Justice did not issue a formal explanation after the grand jury declined to indict the lawmakers. The Office of the US Attor-

ney for the District of Columbia, led by Jeanine Pirro, later indicated that the case would not be pursued further.

Goodlander characterized the episode as politically motivated and an attempt to chill congressional speech, while some critics argued the rhetoric crossed a line.

“This has been such an outrageous and unprincipled case from the very beginning, and it’s hard to predict where it will go,” says Goodlander. “We’ve never seen anything quite like this. The president directed the Justice Department to investigate us, to prosecute us. He said we should be hanged. And the Justice Department followed through on pursuing criminal charges for a restatement of the bedrock principle of American law ... for doing our jobs.”

Although she arrived in Congress as a freshman, Goodlander is no newcomer to Washington. The Nashua native is a graduate of Yale University and Yale Law School, and previously clerked for then-Chief Judge Merrick Garland on the US Court of Appeals for the DC Circuit and for US Supreme Court Justice Stephen Breyer.

She later served as deputy assistant

attorney general in the US Department of Justice’s Antitrust Division and advised US senators on foreign policy and national security matters. Goodlander also served for more than a decade as an intelligence officer in the US Navy Reserve, reaching the rank of lieutenant.

Before running for Congress, she held a senior role in the Biden White House helping lead the administration’s “Unity Agenda.” Goodlander now represents New Hampshire’s Second Congressional District and serves on the House Armed Services Committee and the Small Business Committee.

Reflecting on the investigation, Goodlander says the episode highlights the power federal prosecutors possess in the grand jury process.

“Federal prosecutors are the most powerful peacetime force in our country because they have the power to investigate and, almost all the time, to issue indictments,” she says. “It’s an uneven playing field by design, where the government presents its case without the participation of anyone else involved. So, they really run the show, and this was even more extraordinary. This was a publicly available 92-second video in which we repeated a basic principle of law that Attorney General Pam Bondi repeated in a brief to the United States Supreme Court just a few months ago.”

Despite the outcome, Goodlander says she believes the underlying message of the video remains important.

“We decided after the Second World War that we want to be a country in which our military follows the law and does not just blindly follow orders,” she says. “That’s what makes us who we are as Americans.” ♦

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# Trust & Estate Law

## From Common Law to Codification: The Slayer Rule in New Hampshire

By Joseph Dolciotto

On July 15, 2025, Governor Kelly Ayotte signed SB 148: a bill prohibiting individuals convicted of murder from financially profiting from the death of the victim. This type of legislation is colloquially referred to as a



“slayer statute.” Prior to that, New Hampshire was one of the few states that had not yet codified the slayer rule. Instead, it deployed equitable principles “to prevent the murderer from making a profit by his crime[.]” *Kelley v. State*, 105 N.H. 240, 243 (1963). This article examines New Hampshire’s common law slayer rule and analyzes the changes wrought by the slayer statute established under RSA 562-A.

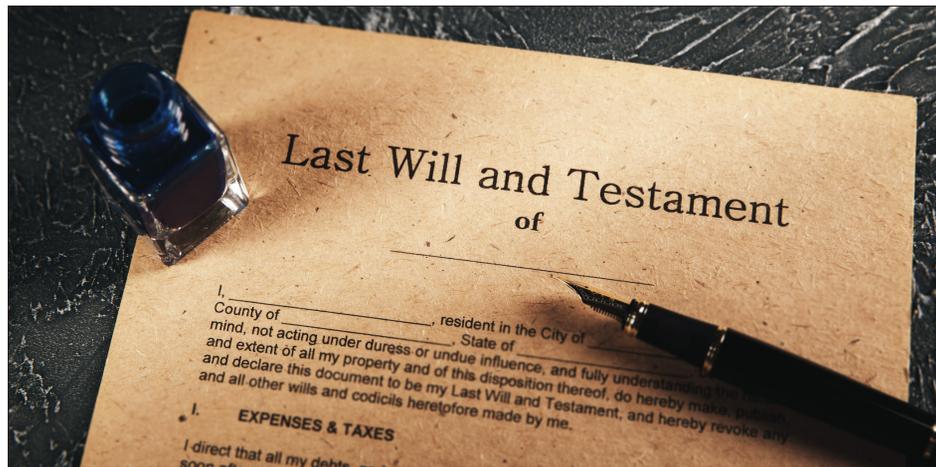
### Common Law Slayer Rule

The common law has long adhered to the legal maxim *nullus commodum capere potest de injuria sua propria*, or no one should be allowed to profit from his own wrong. See *Riggs v. Palmer*, 115 N.Y. 506, 511 (1889). In 1889, New York became the first state to articulate the slayer rule.

By early 2025, all but three states had codified the slayer rule: New Hampshire, Missouri, and New York. New Hampshire instead relied on equitable remedies. Unfortunately, only two New Hampshire Supreme Court cases expound on this rule.

In *Kelley v. State*, the Court first addressed the slayer rule by stating “[i]f the killing is intentional and unlawful, a constructive trust may be imposed upon the slayer . . . in those cases where it can be found that the slayer has been unjustly enriched[.]” *Kelley*, 105 N.H. at 242. Nearly 40 years later, the Court held in *Hopwood v. Pickett* that the preponderance of the evidence standard applies under these circumstances. 145 N.H. 207, 209 (2000).

The sparse case law left unanswered questions, including what policy the Court advances by imposing a constructive trust. The *Hopwood* Court asserted



that the “nature of the claim is that the slayer should be disqualified for wrongfully causing the event that accelerated the inheritance.” *Id.* Yet the *Kelley* Court seemingly took a narrower view by stating “the constructive trust is employed to prevent the murderer from making a profit by his crime[.]” *Kelley*, 105 N.H. at 243. Pursuant to this narrower view, the *Kelley* Court held that the slayer rule did not apply – despite a husband murdering his wife – because “the property [the wife] held at the time of her death . . . is considerably less than what [the husband] has expended during their marriage[.]” *Id.*

Other questions include who has standing, what property is implicated, and what conduct satisfies the “killing” requirement.

These questions nearly came to a head in 2017 when two sisters filed a slayer action against their nephew Nathan Carman, claiming he should not inherit from his grandfather’s estate because of alleged involvement in the grandfather’s death. However, Judge David King dismissed the case for lack of jurisdiction over the grandfather’s estate.

Against this backdrop – and spurred by the high-profile murder of Harmony Montgomery by her father – New Hampshire enacted SB 148 last July.

### Forfeiture Provisions

Much of RSA 562-A mirrors the Uniform Probate Code’s slayer rule. RSA 562-A:2 and A:3 are the forfeiture provisions. Pursuant to RSA 562-A:2, “[a]

n individual who murders the decedent forfeits all benefits under this title with respect to the decedent’s estate.” If the decedent died intestate, the estate passes as if the killer predeceased the decedent. *Id.*

RSA 562-A:3 likewise provides that murder revokes any revocable benefit conferred by the victim to the murderer, including (i) any disposition of property made for the murderer’s benefit; (ii) any general/nongeneral power of appointment; and (iii) any nomination/appointment to serve in a fiduciary/representative capacity. Moreover, jointly held property is severed – transforming the interest into tenancies in common. RSA 562-A:3, II.

### Pertinent Definitions

RSA 562-A:1 defines key terms. “Disposition or appointment of property” and “governing instrument” are broadly defined to ensure that both probate and nonprobate beneficiary designations – such as insurance policies and bank accounts – are subject to forfeiture.

Most importantly, RSA 562-A:1, III defines the “murder” necessary to successfully bring a slayer action. It relies on the New Hampshire criminal code, stating murder includes those actions defined under RSA 630:1-a (first-degree murder), RSA 630:1-b, I(a) (second-degree murder), or a reasonably equivalent federal offense, law of another state, or foreign law. “Murder” does not include those actions under RSA 630:2 (manslaughter) or RSA 630:3 (negligent homicide).

### Procedural Mechanisms

RSA 562-A:5 establishes three procedures for proving murder. The first is a criminal conviction after all appeals have been exhausted. RSA 562-A:5, I. A civil judgment against the individual for the commission of the murder also suffices. RSA 562-A:5, II.

Finally, RSA 562-A:5, III may be invoked where the individual’s status as the killer is not established under paragraphs I or II. Here, the executor/administrator of the decedent’s estate, or any person who would have received anything of value upon the decedent’s death, may bring a civil action to have a court determine “by a preponderance of the evidence whether the individual was responsible for the murder of the decedent[.]”

Under paragraph III, the plaintiff must inform the New Hampshire Department of Justice at the time the plaintiff initiates the action. The Department may then ask the Court to stay proceedings for a “reasonable time . . . to protect the integrity of any criminal investigation or prosecution[.]”

### Remaining Sections

Two additional sections focus on protecting individuals who transfer property before the payor/transferor is informed about a possible forfeiture under the chapter. See RSA 562-A:4, A:6. In the same vein, a person who purchases property for value without notice of possible forfeiture is not obligated to return the property. See RSA 562-A:7. The legislation also plainly states that slayer actions must be initiated before the closure of the decedent’s estate. See RSA 562-A:8.

### Conclusion

The scarcity of New Hampshire case law on the slayer rule created legal uncertainty. RSA 562-A addresses many of these issues by defining what constitutes murder, establishing the procedures for proving it, and clarifying the statute’s purpose. ♦

*Joseph Dolciotto is an associate attorney and member of Devine Millimet’s Probate Litigation Department. He can be reached at [jdolciotto@devinemillimet.com](mailto:jdolciotto@devinemillimet.com).*

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**Hannah Meidahl**

## When Estate Planning Meets Compliance: AML and KYC Considerations for Trusts

By Mark B. Bartram and Madeline C. Hutchings



Bartram



Hutchings



The practice of trusts and estates law has traditionally emphasized tax-efficient wealth transfer, asset preservation, and the implementation of a client's dispositive intent. Historically, planners could structure sophisticated transactions with limited attention to the regulatory environment governing trustees and financial institutions. That environment, however, has changed.

Trust planning now regularly intersects with anti-money laundering (AML) obligations, counter-terrorist financing safeguards, economic sanctions programs, and know-your-client (KYC) standards. For New Hampshire practitioners, particularly those working with regulated fiduciaries, understanding these regimes is essential to ensuring that well-designed plans can be administered in practice.

The federal AML framework is grounded in the Bank Secrecy Act, ad-

ministered and enforced by the Financial Crimes Enforcement Network (FinCEN), a bureau of the United States Department of the Treasury. Through regulations and guidance, FinCEN establishes expectations for customer identification, customer due diligence (CDD), beneficial ownership analysis, suspicious activity monitoring, and ongoing risk assessment.

Customer due diligence is risk-based rather than mechanical. Institutions evaluate the risk profile presented by the client, the structure, and anticipated transactions, and tailor review accordingly. Enhanced scrutiny is required where risk indicators are present; lower-risk relationships may permit streamlined processes. Foundational requirements apply in all cases, including understanding the nature and purpose of the relationship and identifying beneficial owners of certain legal entities.

Regulated fiduciaries operate within this framework, as well as under Office of Foreign Assets Control (OFAC) sanctions

programs and internal risk management policies. A trust is not inherently high risk, but certain features may elevate a trustee's risk assessment. Multi-tiered ownership structures, foreign settlors or beneficiaries, broadly defined beneficiary classes, and the involvement of trust protectors or other directional fiduciaries often prompt additional review. If not anticipated at the drafting stage, these features may result in onboarding delays, expanded documentation requests, or even a decision to decline appointment.

Although revocable and irrevocable trusts are generally not categorized as legal entity customers in the same manner as corporations or limited liability companies, trustees frequently apply comparable beneficial ownership concepts. Identifying information may be requested for current and remainder beneficiaries and for individuals holding powers of appointment or other significant authority. Where a trust owns an underlying entity, full beneficial

ownership information for that entity is typically required.

Compliance obligations extend beyond corporate trustees. All United States persons, whether individuals or entities, are subject to OFAC sanctions restrictions. An individual trustee who participates in a prohibited transaction involving a sanctioned person or jurisdiction may face significant civil penalties. Even where a family member serves as trustee, trust assets are typically maintained with a custodian, brokerage firm, or investment manager, each of which conducts its own customer identification, sanctions screening, and risk analysis. In practical terms, CDD and KYC considerations arise in nearly every modern trust arrangement.

Planners who do not account for this environment may create structures that are technically sound yet operationally difficult. A trust defining beneficiaries as a broad class of remote descendants may be unobjectionable for transfer tax purposes, but problematic when a fiduciary must determine which individuals fall within that class for compliance or reporting. Similarly, opaque or multi-tiered entities, foreign subsidiaries, or assets in jurisdictions with limited transparency may trigger internal compliance escalation.

Source-of-funds and source-of-wealth documentation remain a frequent area of friction. Financial institutions must understand the origin of assets contributed

COMPLIANCE *continued on page 31*

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## SLATs: Separating a Grantor's Income Ownership Upon Divorce

By Joshua R. Weijer

A Spousal Lifetime Access Trust (SLAT) is an advanced estate planning vehicle designed to shift wealth out of a high-net-worth individual's taxable estate while still providing indirect access to trust assets through a beneficiary spouse. Typically irrevocable, a SLAT allows the grantor (the trust creator) to make a completed gift to the trust for the benefit of the spouse (and often other family members) while removing future appreciation from the grantor's estate for federal gift and estate tax purposes.

Importantly, although the gift into a SLAT counts against a grantor's lifetime gift tax exemption, the assets and future growth generally remain outside the grantor's taxable estate. This can remove significant wealth from estate tax exposure at death, helping preserve more value for heirs.

For income tax purposes, most SLATs are intentionally structured to qualify as grantor trusts. Under Internal Revenue Code (IRC) Sections 671-679, a trust is treated as a grantor trust if the grantor retains certain powers or interests – even if irrevocable.

Specifically, IRC 677 will treat the grantor as the owner of the trust's income for tax purposes if the grantor's spouse is



a discretionary income beneficiary. That means all its taxable income, deductions, and credits are reported on the grantor's personal tax return; the trust itself files only a grantor trust statement and is disregarded as a separate taxpayer.

This unusual combination – trust assets being outside the grantor's estate for estate tax, yet inside for income tax – is often described as an Intentionally Defective Grantor Trust (IDGT). It can provide two linked benefits. First, assets removed from the estate can grow free of estate tax; second, the grantor's payment of trust income taxes effectively accelerates wealth transfer to beneficiaries without consuming additional gift tax exemption. In effect, by paying the trust's income tax liability personally, the grantor allows the trust assets to grow faster, since the tax owed on trust income isn't paid by the trust itself or its beneficiaries.

### Divorce Does Not End Grantor Status

A key concern for wealthy individuals using a SLAT is: what happens upon divorce?

Some clients (and drafters) mistakenly assume that a divorce from the beneficiary spouse will cause the trust to lose grantor trust status. That does not happen where the individual who was married to the grantor at the time the trust was established retains the right to receive income at the trustee's sole discretion. This is because Code Section 672(e)(1)(A)'s "spousal unity rule" provides that a grantor is treated as holding

any interest held by "any individual who was the spouse of the grantor at the time of the creation of such power or interest."

In simpler terms: because a SLAT was legitimately structured when created to benefit the then-spouse, the IRS views the income attribution condition as locked in. Therefore, even after divorce, grantor trust status typically persists unless trust terms or structure are deliberately modified or the former spouse's beneficial interest is extinguished.

Because a SLAT is a grantor trust, the grantor often pays the income taxes on trust income that they never receive. While this payment is economically beneficial to trust beneficiaries, it can create cash-flow challenges for the grantor. Therefore, a trust may provide a tax reimbursement clause. Revenue Ruling 2004-64 provides that a trustee's discretionary power to reimburse the grantor for income taxes attributable to the trust does not itself cause estate inclusion. RSA § 564-B:8-816(c) expressly gives a trustee the same discretionary reimbursement power, meaning that even if the trust instrument is silent, a New Hampshire trustee has this power inherently.

### Removing the Former Spouse Is Risky

In response to divorce, some grantors and their advisors consider simply eliminating the former spouse's beneficiary status in the trust to prevent future access. While intuitive, direct removal of the divorced spouse's interest through trust amendment or court or-

der can be problematic for several reasons.

First, amending a grantor trust to remove a spouse's interest may inadvertently trigger estate inclusion of trust assets. This is especially true if the amendment materially alters the original transfer or is seen as giving the grantor new rights or economic benefit.

Second, irrevocable trusts are not freely amendable, and trustees who consider modification must also consider their fiduciary duties. Therefore, such modification would likely require the spouse's consent, given the direct disadvantage to the former spouse. The spouse's affirmative consent to relinquishing any beneficial interest in income is akin to a disclaimer, which, if unqualified, is a deemed gift with its own adverse tax consequences. Therefore, direct elimination is often impractical or contentious.

Third, seeking a court order to remove a spouse's interest opens the door to adversarial litigation, which can encumber trust administration and invite scrutiny of estate planning motives.

For these reasons, direct removal is generally not advisable without careful planning and alternative strategies.

### From SLAT to SLANT

If grantor trust status is no longer desirable, one structural option is to convert the existing SLAT into a Spousal Lifetime Access Non-Grantor Trust (SLANT).

A SLANT is a SLAT that has been structured to avoid grantor trust status. The

SLATs *continued on page 31*

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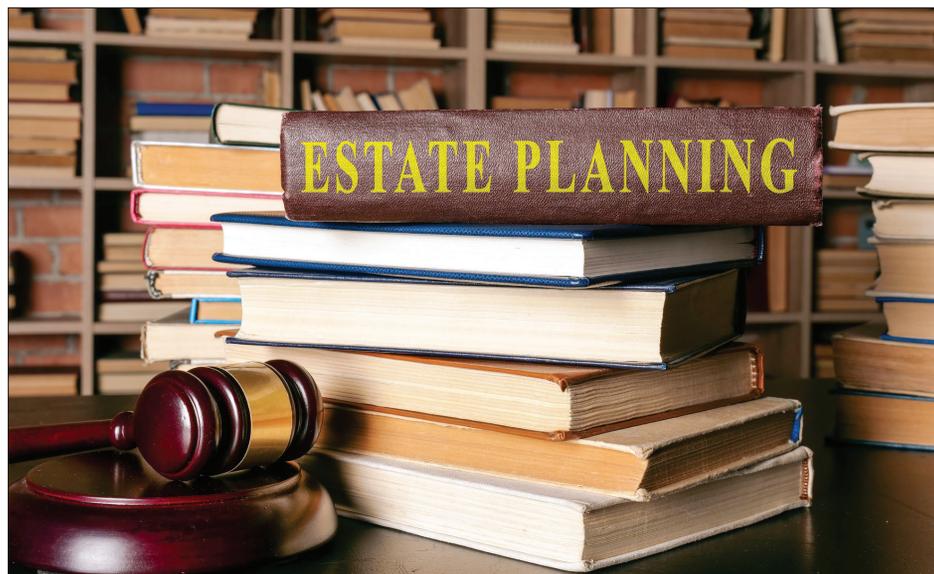
## Potential Ethical Issues for Estate Planning Attorneys

By Michael Hatem

As a trial attorney, one of the things that scared me about estate planning was the fear of making a mistake that may not be discovered for decades. In litigation, your errors are known immediately; a blown deadline, a discovery issue, or a stupid question are all quickly discovered and correctable. In estate planning, the will or trust may not be needed for decades, and a mistake may not be discovered until it is too late. With that in mind, there are ways to keep that from happening: proper proofreading, detailed notes, and clear client communication go a long way toward protecting yourself. That said, there are several areas estate planning attorneys should address and document.



First, who is the client? Sounds like a simple question, but the average trust client is a married couple with children. A joint trust is often the most common arrangement. To satisfy Rule 1.7, a lawyer must ensure that the clients' "interests are not divergent." Potential divorce, stepchildren, and prenuptial agreements are all items that need to be explored. Additionally, if you are representing a couple, Rule 1.4 requires that the clients consent to



the free exchange of information between them. Counsel should advise clients that there will be no secrets and document in writing the acknowledgment that information will be shared.

A second area of concern is whether your client has the mental capacity to execute the estate planning documents. Mental capacity and undue influence are closely related factors. See *In re Estate of Barbara Colanton*, 204 N.H. 43 (2024). The drafting attorney does not need to show medical proof that the client was competent, only that the testator understood the extent of her estate, who her heirs were, and how she wanted to bestow her estate. The draft-

ing attorney should also document that the testator came to these decisions by her own free will and not because of undue influence.

A final evolving area of concern is AI. The area I find most concerning is the conflict that the rules are creating for lawyers. New Hampshire Rules of Professional Conduct Rule 1.1 provides in part, "A lawyer shall provide competent representation to a client." Under Comment 8 to ABA Model Rule 1.1, competence in the legal profession also means that "a lawyer should keep abreast of changes in the law and its practice, including the benefits and risks associated with relevant technology."

According to this rule, lawyers have a duty to keep abreast of technology and use it when doing so benefits the client. However, a recent federal district court decision from the Southern District of New York suggests that the use of generative artificial intelligence may constitute a waiver of attorney-client privilege. See *United States v. Heppner*, 25 Cr. 503 (S.D.N.Y. February 17, 2026).

The court held that because AI platforms explicitly state that use of the program may result in queries being shared and used for training purposes, no attorney-client privilege exists for such searches. The court also stated that this was a case of first impression, so we will need to see how this area of law develops.

At this point in time, using AI can be a minefield for lawyers. This is true not only because AI hallucinates, see *Mata v. Avianca*, No. 22-CV-1461 (PKC), 2023 WL 4114965 (S.D.N.Y. June 22, 2023), but also because of the novelty of the technology and the lack of clear legal guidance.

This article is limited in scope and only offers insight into potential issues; the Bar will be presenting a more in-depth analysis next month in an NHBA CLE titled Trust and Estates 2.0. Anyone interested in these issues is encouraged to attend. ♦

*Michael Hatem is an attorney and director at Cleveland, Waters and Bass, PA, in Concord. With over 35 years of legal experience, he advises and assists clients in a variety of trust and estate matters.*

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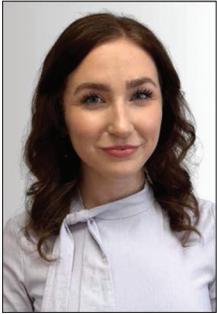
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## Funding the Revocable Trust: Common Pitfalls and Practice Considerations for New Hampshire Attorneys

By Kayla Ryan

One of the primary benefits of a revocable trust is the ability to avoid probate at death. In New Hampshire, probate can be time-consuming, costly, and part of the public record. For many clients, privacy and administrative efficiency are primary reasons for establishing a revocable trust.



For practitioners, it is essential to emphasize to clients that execution is only the first step. Funding is the mechanism that allows the trust to operate as intended. Without it, the trust may function more as a repository for probate assets rather than a tool to avoid probate.

### Real Estate Transfers

Real estate is frequently the most significant asset in a client's estate and one of the most common sources of funding errors. Clients often assume that referencing their property in the agreement is sufficient to transfer ownership. Instead, a new deed must be properly prepared, executed, and recorded at the appropriate registry of deeds to effectuate the transfer. Failure to record a deed leaves title in the individual's name, thereby subjecting the property to probate despite the existence of a trust. Many practitioners incorporate deed transfers into the

trust signing process, preparing and executing deeds at the same time that the trust is signed. This approach helps ensure that property is properly titled in the name of the trust and reduces the risk that it will remain subject to probate.

Practitioners should consider home-estate implications and any existing mortgages when advising clients on transfers. Although transfers to a revocable trust are generally permissible where the settlor remains a beneficiary and occupant, lender policies and title requirements should be reviewed to ensure the transfer is properly documented and does not create unintended complications.

### Retitling Challenges

Financial accounts present a different but equally common set of funding challenges. Even where clients are provided with clear instructions, retitling assets with

financial institutions can be more complex than anticipated. Bank representatives may be unfamiliar with trust retitling procedures, or institutions may require internal review by specialized departments before processing requests.

These administrative hurdles can result in delays or incomplete transfers, particularly when clients believe the process has been completed after an initial visit to the bank. Institutions may request full copies of the trust rather than a certification of trust, or provide inconsistent guidance regarding required documentation. As such, accounts may remain individually titled despite the client's intent to fund the trust.

Providing a certification of trust and a clear instruction letter can help streamline the retitling process for clients. Practitioners should still encourage clients to obtain written confirmation that retitling has occurred.

### Life Insurance and Retirement Assets

Life insurance policies and retirement accounts introduce additional complexity because they pass by beneficiary designation rather than under the terms of a will or trust. As a result, they are sometimes treated as separate from the core estate planning process and reviewed less carefully during implementation.

A lack of coordination can under-

TRUST *continued on page 32*



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## ■ COMPLIANCE *from page 26*

to a trust and confirm consistency with the client's profile and stated purpose. Significant transfers, privately held business interests, foreign accounts, digital assets, or proceeds from cash-intensive enterprises often warrant deeper inquiry. Trustees may request tax returns, financial statements, purchase agreements, capitalization tables, or similar documentation to substantiate asset source.

New Hampshire's favorable trust statutes attract clients with domestic and international connections. Cross-border elements introduce additional considerations. A foreign settlor or beneficiary, foreign-held assets, or individuals residing in higher-risk jurisdictions may require enhanced due diligence, including expanded background review or certifications addressing political exposure or sanctions status.

AML and KYC considerations also intersect with charitable gifting. Charities operating globally or in higher-risk nations are particularly exposed to financial crime risks, including money laundering and terrorist activity. Robust, tailored compliance and risk management processes are essential to mitigate exposure, avoid penalties, and safeguard reputation and donor confidence. An informed charitable board should actively participate in these processes, often in collaboration with financial institutions, independent reviewers, and auditors, and should maintain careful due diligence and record-keeping procedures when accepting donations.

New Hampshire's directed trust regime presents related issues. Trust protectors, investment advisors, and distribution advisors may be viewed as exercising control over trust assets. Trustees commonly require identification and due diligence documentation for these individuals. Broad powers to add or remove beneficiaries, modify dispositive provisions, or replace trustees may influence an institution's assessment of who constitutes a controlling party. Clear drafting that delineates authority and fiduciary standards assists compliance personnel in defining the appropriate scope of review.

Even routine drafting decisions carry compliance implications. Trusts intended to hold closely held operating businesses should ensure that trustees have access to financial and operational information sufficient to support meaningful oversight. Beneficiaries should understand that identifying documentation and tax reporting forms will be required before distributions are made.

Clear client communication remains central. Compliance inquiries are often perceived as intrusive. Explaining that these requirements arise from statutory and regulatory mandates helps align expectations and reduce friction. Clients should also understand that compliance is ongoing. Changes in ownership, control, beneficiary status, or transaction patterns may necessitate updated documentation and further review.

Balancing compliance with client care is critical. Advisors should take deliberate steps to foster collaboration and understanding from the outset. Clients may ex-

perience compliance measures as investigative or burdensome, so careful language and education are essential. Effective education requires thoughtful pacing, verification of understanding, and recognition that client concerns may relate more to interpersonal dynamics than to legal technicalities. This is particularly important when clients first encounter trust administration during periods of grief or family conflict. Establishing trust early is far easier than repairing a strained relationship.

In today's regulatory environment, AML, KYC, and sanctions considerations are integral to competent estate planning. Trustees face regulatory and reputational risk if they accept assets without adequate diligence. Planners risk structural revisions if a trust cannot be implemented as drafted. Early coordination with fiduciaries, candid assessment of risk factors, thorough documentation, and drafting that reflects operational realities help ensure that estate planning objectives can be achieved within a compliance-driven fiduciary landscape. ♦

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*Madeline Hutchings is an associate at Sheehan Phinney, focusing her practice on estate planning, probate and trust administration, psychological issues in law, and advising nonprofit organizations.*

## ■ SLATs *from page 27*

hallmark of a SLANT is that income distributions to the spouse require the approval of an "adverse party" whose interest would be harmed by such distributions (i.e., the other trust beneficiaries). This avoids automatic income attribution under Section 677 and lets the trust itself be treated as a separate taxpayer for income tax purposes.

Restructuring a SLAT to incorporate this type of income distribution structure might prove to be the safest modification method. RSA 564-B:4-418 confers a statutory decanting power to New Hampshire trustees, granting them the authority to transfer trust assets from one trust to a successor trust with improved terms. The trustee might exercise this discretion by drafting new trust terms that avoid grantor trust triggers (e.g., adverse party consent requirements) and removing any other retained powers that cause grantor trust status. Decanting thus provides a flexible mechanism to reinvent the trust's tax characterization without forcing a complete termination of income rights.

As with all advanced planning strategies, careful drafting, coordination with experienced estate planning counsel, and full understanding of trust, tax, and state law are essential for achieving desired outcomes. ♦

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■ TRUST *from page 30*

mine an otherwise well-structured estate plan. Beneficiary designations should be reviewed in conjunction with the trust to ensure that they align with the client's dispositive intent. In some situations, naming the trust as a beneficiary may support coordinated administration, while in others, direct beneficiary designations may better serve the client's wishes. These decisions should be intentional and informed, rather than incidental.

**Divorce and Outdated Beneficiary Designations**

Divorce further highlights the importance of regularly reviewing non-probate assets. New Hampshire law provides that certain testamentary provisions in favor of a former spouse may be revoked upon divorce, but clients often assume that this principle automatically extends to all assets. In practice, life insurance policies and retirement accounts typically require affirmative action to update beneficiary designations.

Absent such updates, outdated designations may remain in effect and control the distribution of significant assets regardless of the provisions contained in a will or trust. Because these assets pass outside of probate, they can unintentionally circumvent a client's current estate plan if not periodically reviewed and updated.

**The Value of a Funding Memorandum**

Many clients believe that the mere existence of a trust ensures probate avoidance, that financial institutions will auto-

matically retitle their accounts, or that their will governs all assets, including insurance and retirement accounts. Others assume that major life events automatically update all beneficiary designations.

As a best practice, practitioners are encouraged to provide clients with a written funding memorandum at the time the trust is executed. The memorandum can include step-by-step instructions for retitling real estate, bank, and investment accounts; guidance on updating beneficiary designations for life insurance and retirement assets; reminders to review homestead and mortgage requirements; and suggested timing for transferring newly acquired assets. A written roadmap reinforces funding as an essential part of implementation, outlines the client's responsibilities after execution, and encourages review following major life events.

**Funding as the Functional Core of the Estate Plan**

A revocable trust is only as effective as its funding. While careful drafting is essential, implementation ultimately determines whether the estate plan achieves its intended purpose. Trust funding should not be viewed as a ministerial or concluding step, but rather as the functional core of the estate plan. By emphasizing funding during client counseling, providing a written memorandum, and maintaining active oversight of implementation, practitioners can better ensure that revocable trusts operate as intended and truly fulfill their probate avoidance objectives. ♦

*Kayla Ryan is an attorney at Devine Millimet, focusing on estate planning, trust and estate administration, guardianships, and municipal bonds and public finance.*

February 2026

Contract Law

**Collision Commc'ns v. Nokia Solutions and Networks OY, No. 2025-0140**

February 5, 2026

Remanded

- Whether a perpetual intellectual property license agreement can be performed within one year such that it does not violate the statute of frauds.

Collision Communications, Inc. (Collision) sued Nokia Solutions and Networks OY (Nokia), alleging Nokia breached the terms of an oral agreement pursuant to which Collision granted Nokia a perpetual license for proprietary software. Collision owned software that reduced interference in electronic telecommunications. Collision and Nokia discussed integrating Collision's software into Nokia's base stations. The parties negotiated the terms of a potential contract pursuant to which Nokia, among other things, would pay Collision a lump-sum license fee. Collision claimed that the parties orally agreed to a \$20 million license fee, which Nokia disputed before ultimately cancelling the project.

Nokia argued the oral agreement was subject to the statute of frauds, which renders unenforceable contracts that cannot be performed according to their terms within one year from the time of their inception. Prior to trial, the parties agreed that the district court would determine whether the terms of the oral agreement, as found by the jury, could have been performed within one year. Following trial, the jury returned a verdict in favor of Collision that Nokia breached the oral agreement. The only provision of the oral contract relevant toward whether the statute of frauds applied was the perpetual license Collision granted to Nokia and whether it contained obligations that could not have been performed within one year of when the parties formed the agreement. Thereafter, the district court transferred certified questions to the New Hampshire Supreme Court, the first of which was whether it was possible to perform within one year the obligations imposed by a perpetual intellectual property license.

The New Hampshire Supreme Court decided only the first certified question in the affirmative. First, the Court defined an "intellectual property license" to generally be when a licensor grants "permission to use an intellectual property right within a defined time, context, market line, or territory." Next, the Court determined that, absent express language to the contrary, a perpetual intellectual property license does not impose ongoing obligations upon a licensor. The Court explained that an intellectual property license is akin to a covenant not to sue, in which a party has a right of action but agrees not to assert that right in litigation, thereby undertaking a continuing obligation to forbear bringing suit. However, in the context of applying the statute of frauds where a "perpetual license agreement is merely analogous to a covenant not to sue, and the licensor did not expressly promise not to sue," the agreement is treated as "a discharge just as does a release." Under such circumstances, a perpetual license agreement does not impose ongoing obligations. As a result, upon the effective date of a perpetual license agreement, it is con-

At a Glance Contributor



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sidered performed such that the licensor does not have any ongoing obligations to the licensee and the agreement therefore satisfies the statute of frauds.

*Upton & Hatfield, LLP, of Concord (Russell F. Hilliard and Brooke Lovett Shilo on the brief, and Russell F. Hilliard orally), and Ropes & Gray LLP, of New York, New York (Steven Pepe, Kevin J. Post, Cassandra B. Roth, Jolene Wang, and Brian Lebow on the brief) for Collision Communications, Inc.; McCarter & English, LLP, of Boston, Massachusetts (John M. Allen, Thomas J. Finn, Paula Cruz Cedillo, and Dean A. Elwell on the brief), and Primmer Piper Eggleston & Cramer PC, of Manchester (Doreen F. Connor on the brief and orally) for Nokia Solutions and Networks OY.*

Criminal Law

**The State of New Hampshire v. Randy Owen, No. 2023-0498**

February 10, 2026

Reversed and remanded

- Whether the trial court erred when it: (1) denied the defendant's motion to dismiss based upon the insufficiency of the evidence; (2) admitted certain testimony over the defendant's objection that it was irrelevant; and (3) instructed the jury that a conditional statement is a "threat" if it "has a reasonable tendency to create apprehension" in the recipient.

The defendant owned a house on Fire Island in Tuftonboro, New Hampshire, located on Lake Winnepesaukee. YMCA Camp Belknap (Camp) also owned property on the island. One night, after a group of campers from the Camp trespassed on the defendant's land, the defendant called the Camp and left a threatening voice message for which he was subsequently charged with harassment. At trial, the jury heard the defendant's voicemail, as well as testimony from a Camp director concerning his reaction to the voicemail and security measures the Camp took. The defendant objected to the Camp director's testimony as irrelevant, but the trial court admitted it. After the State rested, the defendant moved to dismiss the charge arguing the State failed to introduce sufficient evidence that the defendant left the voicemail message "with the purpose to annoy or alarm another," which the trial court denied. The defendant was subsequently convicted of harassment contrary to RSA 644:4, I(e).

On appeal, the defendant argued the trial court erred when it: (1) denied the motion to dismiss; (2) admitted the Camp director's testimony; and (3) instructed the jury that a conditional statement is a "threat" if it "has a reasonable tendency to create apprehension" in the recipient.

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First, the Supreme Court reasoned there was sufficient evidence, viewed in the light most favorable to the State, to support the conviction because the jury heard evidence from which it could infer that the defendant acted with the purpose of annoying or alarming the Camp consisting of: (1) the defendant's prior bitter relationship with the Camp; (2) the tone of the voicemail message in which the defendant yelled that the Camp "better get [the kids] the f\*\*k out of here or I will shoot them"; and (3) the defendant's testimony at trial where he stated the Camp "should've been alarmed" by the voicemail message. This evidence served to exclude all reasonable conclusions other than that the defendant left the voicemail message with the purpose to annoy or alarm.

Next, the Court reasoned that the trial court erred when it admitted the Camp director's testimony about increased security measures the Camp took in response to the defendant's voicemail message. Specifically, the slight probative value of the evidence was substantially outweighed by its unfair prejudice caused by its appeal to the jury's sense of resentment and outrage toward the defendant; particularly, the jury's disapproval toward the defendant arising from the disruption he caused to children's summer camp activities. The Supreme Court further concluded that admitting this evidence was not harmless error because evidence of the defendant's guilt was not overwhelming, given the conflicting testimony about the defendant's intent for leaving the voicemail message. As a result, the Court remanded the case for a new trial.

Finally, because it was likely to arise on remand, the Court addressed the trial court's definition of a conditional statement qualifying as a "threat" under the statute. The Court held the trial court's definition was correct where it stated, "[t]he term 'threat' can include a conditional threat, if it has a reasonable tendency to create apprehension that the speaker will act in accordance with its terms." The Court explained that the speaker need not intend for the statement to be understood as a real and imminent threat; rather, the State need only prove that the speaker is aware others could regard his statements as threatening and deliver them anyway. Finally, a conditional statement constitutes a threat because most threats are conditional and designed to accomplish something.

*John M. Formella, attorney general, and Anthony J. Galdieri, solicitor general (Robert L. Baldrige, assistant attorney general, on the brief and orally), for the State; Samdperil & Welsh, PLLC, of Exeter (Richard E. Samdperil on the brief and orally), for the defendant.*

**The State of New Hampshire v. Daniel A. Hodgdon, No. 2024-0294**  
February 10, 2026  
**Affirmed**

- Whether the trial court erred when it: (1) prohibited the defendant from cross-examining the victim about a prior false allegation; (2) failed to sufficiently answer a jury question; and (3) admitted evidence of the defendant's alcohol consumption.

In October 2021, the victim (Victim) alleged the defendant touched her inappropriately. The defendant was eventually charged with one count of attempted aggravated felonious sexual assault, five counts of sexual assault, and one count of simple assault. Two months after the

incident involving the defendant, Victim accused her father (Father) of abusing her half-sister (Half-Sister) by breaking her leg. Victim based the accusation against Father on her interpretation of a social media post made by Father's girlfriend (Girlfriend). Victim then told her mother (Mother) that Father broke Half-Sister's leg and that she had spoken with Girlfriend who also told her Father had broken Half-Sister's leg. Girlfriend eventually learned about Victim's accusation against Father and told the parties that Father was not abusing Half-Sister.

At the defendant's trial, he sought to cross-examine Victim about the false accusation she made against Father pursuant to N.H. R. Ev. 608(b), which allows inquiry on cross-examination into a witness's past conduct if it is probative of the witness's truthfulness or untruthfulness. The State objected. The trial court denied the defendant's request. At trial, the defendant and his grandmother (Grandmother) testified. On direct examination, Grandmother testified that on the date of the alleged assaults, the defendant had a "couple of beers." On cross-examination, the State asked Grandmother about the defendant's alcohol consumption, and she testified that she did not know how many beers the defendant drank but that he did not become intoxicated. The defendant testified on cross-examination that he consumed "[p]robably about four or five" beers. During the State's closing, it noted the defendant had been drinking and that people who consume alcohol "often are not thinking clearly" about their actions. During jury deliberations, the jury asked the trial court for the location for each charged offense. Defense counsel requested the trial court to provide the jury with the indictments, which it declined to do and instead reminded the jury, as the factfinder, to recall the evidence. The defendant was then convicted of two counts of sexual assault and one count of simple assault.

On appeal, the defendant argued the trial court erred by: (1) precluding him from cross-examining Victim about the accusation she made concerning Father; (2) not providing copies of the indictments to the jury; and (3) allowing the State to introduce evidence of his alcohol consumption.

The Supreme Court held that the trial court properly exercised its discretion and precluded the defendant from cross-examining Victim about the false allegation pursuant to N.H. R. Ev. 608(b) because the incident was not probative of untruthfulness where the parties agreed Victim had honestly believed Father broke Half-Sister's leg at the time she made the accusation. The Court explained that a false allegation based upon an honest mistake will rarely be admissible because such evidence generally has limited probative value for proving a person's credibility or veracity as a witness. The Court also concluded Victim's inconsistent account of how she formed her mistaken belief about Father had little, if any, probative value for showing untruthfulness. The Court further affirmed that the minimal probative value of the evidence was substantially outweighed by the danger of confusing the jury and creating a trial within a trial.

Next, the Court held that the trial court properly exercised its discretion when it declined to provide the jury with copies of the indictments because the trial court answered the jury by accurately conveying the law. The location of the conduct charged was not an element of the crimes for which the defendant was convicted. Rather, the trial court correctly

explained the jury's role as the factfinder and in determining whether the State had proven each element of the charged offense beyond a reasonable doubt.

Lastly, the Court held that even assuming the trial court erred by admitting evidence of the defendant's alcohol consumption, it was harmless error because the State demonstrated beyond a reasonable doubt that the testimony did not affect the verdict. The Court explained that the testimony concerning the defendant's alcohol consumption was first elicited through Grandmother on direct examination, it was not "inflammatory in nature," and was "inconsequential in relation to the strength of the State's case," which depended on Victim's credibility.

*John M. Formella, attorney general, and Anthony J. Galdieri, solicitor general (Audriana Mekula, assistant attorney general, on the brief and orally), for the State; Wescott Law, P.A., of Laconia (Allison M. Ambrose on the brief and orally), for the defendant.*

## Civil Commitment

**The State of New Hampshire v. Donald Levier, Jr., Nos. 2023-0690; 2024-0183**  
February 13, 2026  
**Affirmed in part, vacated in part, and remanded**

- Whether the trial court erred when it held the State did not bear the burden of proving that the respondent's incompetence did not affect the outcome of two separate civil commitment hearings under RSA 135-E.

The respondent was deemed incompetent to stand trial for two charged acts of attempted aggravated felonious sexual assault (AFSA) involving two different victims. The State then filed two petitions, one for each attempted AFSA, for the respondent's civil commitment as a sexually violent predator under RSA 135-E. The trial court scheduled two evidentiary hearings, one for each charge, and ruled that the statute does not impose a burden of proof on either party with respect to the effect of the respondent's incompetence on the evidentiary hearings. Following the hearings, the trial court found beyond a reasonable doubt that the respondent committed the charged acts underlying both AFSA charges and that his incompetence did not substantially interfere with his ability to assist his counsel. Concerning the second hearing and AFSA charge, the trial court also found that even if the respondent's incompetence substantially interfered with his ability to assist his counsel, the State's evidence was strong enough to overcome the impact of his incompetence. The respondent appealed.

On appeal, the Supreme Court interpreted RSA 135-E, the civil commitment statute, to determine whether the statute

assigned a burden of proof to either party. In doing so, the Court concluded that the State bears the burden of proof as to the effect of a person's incompetence at a civil commitment hearing. The Court reasoned that the statute places on the State the ultimate burden of proof beyond a reasonable doubt that a person committed the acts charged. The Court then reasoned that, for the State to satisfy its ultimate burden under the statute, it also has to demonstrate that a person's incompetence did not substantially interfere with the person's ability to assist counsel at the hearing because it is an element of the State's case toward proving the person committed the charged acts.

The Court next determined the applicable burden of proof by which the State must demonstrate that a person's incompetence did not substantially impact the outcome of a hearing. The Court explained that the statute allows the State to prove this element of its case by: (1) showing that the person's incompetence did not substantially interfere with the person's ability to assist counsel; or (2) showing that its case is so strong that the person's limitations could not have had a substantial impact on the proceedings. Because RSA 135-E is a civil statute, and it is silent with respect to the applicable standard of proof for the first method, the Court held the State must prove the first method by a preponderance of the evidence. The Court then reasoned the statute expressly required the State to prove the second method beyond a reasonable doubt.

In light of the Court's statutory interpretation, the Court held that the trial court erred with respect to the first civil commitment hearing by failing to place the burden concerning the respondent's incompetence on the State, which altered the evidence submitted and possibly the trial court's ruling. Specifically, the respondent submitted evidence of the effect of his incompetence during the first civil commitment hearing and the State did not. As a result, the respondent was prejudiced because had the burden been placed on the State then the respondent would have had no obligation to offer such evidence. The Court vacated the trial court's ruling and remanded for further proceedings. Concerning the second civil commitment hearing, the Court ruled the respondent failed to demonstrate reversible error because the trial court's alternative analysis found the State proved beyond a reasonable doubt that its case was so strong that the respondent's limitations could not have had a substantial impact on the proceedings.

*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; Christopher M. Johnson, chief appellate defender, of Concord, on the brief and orally, for the respondent.*

## NH Supreme Court Orders

In accordance with Supreme Court Rule 42(I)(a), the Supreme Court appoints Attorney Laura D. Devine to the Board of Bar Examiners for a three-year term commencing immediately and expiring on February 23, 2029.

Issued: February 24, 2026  
ATTEST: Timothy A. Gudas, Clerk of Court  
Supreme Court of New Hampshire

In accordance with Supreme Court Rule 42(I)(a), the Supreme Court, without the participation of Chief Justice Gordon J. MacDonald, appoints Attorney Lindsay E. Nadeau to the Board of Bar Examiners for a three-year term commencing immediately and expiring on February 23, 2029.

Issued: February 24, 2026  
ATTEST: Timothy A. Gudas, Clerk of Court  
Supreme Court of New Hampshire



THE GENERAL COURT OF  
**New Hampshire**

**LEGISLATIVE DRAFTING ATTORNEY**

The General Court's Office of Legislative Services (OLS) is seeking a motivated, full-time attorney in the Legal Division. The nonpartisan position is located at the State House in Concord. The position responsibilities include drafting legislation and amendments for members of the Senate and the House of Representatives and advising members of the legislature in resolving practical, technical, and potential legal issues in their drafting requests. The ideal candidate is a member of (or eligible to waive into) the New Hampshire Bar, who possesses excellent writing and analytical skills. Competitive compensation and excellent benefits. More information may be found at [www.gc.nh.gov](http://www.gc.nh.gov). The position is open until filled.

Interested candidates should send a cover letter and CV to Courtney Eschbach, Interim Director, Office of Legislative Services, 107 N. State Street, Concord, NH 03301 or email [courtney.eschbach@gc.nh.gov](mailto:courtney.eschbach@gc.nh.gov).

**Police Attorney**

The City of Nashua is looking for a highly motivated individual to join our Police Department as a Police Attorney. Take your career to the next level with us as opportunities for growth and development await!

**JOB SUMMARY AND RESPONSIBILITIES**

The Nashua Police Department Legal Bureau prosecutes violation- and misdemeanor-level offenses in the District Division and juvenile delinquency matters in the Family Division of the 9th Circuit Court. The Legal Bureau is also responsible for felony cases until they are bound over to Superior Court. This prosecutor position works with a team of five attorneys and two victim witness advocates within the police department and is supported by two paralegals and several court officers.

This is a full-time position, Monday through Friday, 8 am to 4 pm, is part of the UFPO Collective Bargaining Unit, and provides an excellent work life balance. The position is grade 16, with a salary ranging from \$85,000 - \$110,500 (salary dependent upon experience).

**SKILLS/QUALIFICATIONS**

- Juris Doctorate degree
- Must be a member of the NH Bar Association (or able to upon hire)
- Prosecution experience is preferred

**BENEFITS**

- Our comprehensive benefits package includes:
- Health/Dental/Vision Insurance
  - Short Term Disability
  - Life Insurance
  - Mandatory Participation in New Hampshire Retirement System (Pension)
  - 457 Retirement
  - Vacation/Sick/Personal Time
  - Weekly Pay

**HOW TO APPLY**

To apply please visit <http://applitrack.com/nashua/onlineapp>.

**EQUAL OPPORTUNITY EMPLOYER** – Recruiting practices shall be consistent with State and Federal Law (3/6/2026)



**Children's Law Center**  
OF NEW HAMPSHIRE

**WE'RE HIRING A CHILDREN'S RIGHTS ATTORNEY!**

The Children's Law Center of New Hampshire is the first legal services nonprofit in the state dedicated exclusively to the rights of children. We're looking for a lawyer who will be a zealous advocate for at-risk children, is passionate about social justice, enthusiastic about our interdisciplinary model of representation, and committed to professional excellence.

Our attorneys focus on wraparound direct representation of vulnerable children who typically are growing up in intergenerational poverty, experiencing intergenerational trauma. Attorneys also handle policy projects and participate in the development and presentation of child welfare law trainings.

Must be an active member of the New Hampshire Bar; have excellent legal research and writing, analytical, and communications skills; and possess the ability to digest and synthesize multiple areas of law. Litigation and direct-representation experience preferred but not required.

Salary range \$65-75,000, based on experience. We have an office in Portsmouth, but our work is primarily remote and our schedules are flexible. We offer medical insurance, generous vacation time, paid CLEs and bar dues, and more!

Send resume, cover letter, and writing sample to [Lisa.Wolford@clc-nh.org](mailto:Lisa.Wolford@clc-nh.org). Questions? Visit our website at [www.clc-nh.org](http://www.clc-nh.org), or give us a call at 603-828-1830.

**Classifieds**

**POSITIONS AVAILABLE**

**LITIGATION ATTORNEY** – The Wright Law Firm in Cheyenne, Wyoming seeks a full-time Litigation Attorney (3+ years criminal and/or civil experience). Involves managing a full caseload from intake through resolution, commercial litigation, courtroom proceedings, and drafting pleadings while maintaining client communication. Must hold J.D. from ABA-accredited school and eligible for Wyoming State Bar license. Salary \$85,000 – \$125,000 with up to a \$10,000 signing bonus, plus benefits. To apply, submit resume, cover letter, transcript, and writing sample to [Kim@wrightslawfirm.com](mailto:Kim@wrightslawfirm.com).

**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 currently have an opening for an entry level associate attorney for our family law practice and are willing to train the right candidate. 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](mailto:dorothy.darby@cohenwinters.com).

**EXPERIENCED ATTORNEY:** Wolfeboro's oldest and most experienced law firm seeks an energetic attorney as an associate or equity partner. An excellent opportunity for a motivated attorney who desires to work in a busy general practice law firm and reside in the community. Salary based upon experience with future adjustments based upon performance. This is a long term position with growth and partnership potential or start as a partner. Please send resume to Randy Walker at Walker & Varney P.C., P.O. Box 509, Wolfeboro, NH 03894 (603-569-2000).

**LEGAL ASSISTANT/PARALEGAL:** Seeking a full-time Legal Assistant/Paralegal for our busy Concord-based practice to assist with insurance defense cases in New Hampshire state and federal courts. We seek a candidate with 2+ years of experience in the litigation field. Remote work access available for the right candidate. We offer competitive compensation and benefits. Please submit your resume to [NGetman@friedmanfeeney.com](mailto:NGetman@friedmanfeeney.com). All inquiries will be kept confidential.

**REAL ESTATE PARALEGAL/SECRETARY:** Busy Wolfeboro law firm seeks real estate secretary/paralegal. Excellent word processing, computer, and people skills a must. Abstracting and E-Closing experience helpful. Medical and retirement benefits are available. Please call and send resume to Randy Walker at Walker & Varney P.C., P.O. Box 509, Wolfeboro, New Hampshire, 03894 (569-2000).

**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. Remote work from home negotiable. Must be detail-oriented, self-motivated, and proficient in Microsoft Office 365. Law office experience required. Compensation commensurate with experience. Please forward resume to [jgibson@bkwlawyers.com](mailto:jgibson@bkwlawyers.com).

**PASTORI KRANS**  
ATTORNEYS AT LAW

**CLIENT SUPPORT ASSISTANT**

Are you detail-oriented, engaging, client-focused and ready to face new challenges as a client ambassador at an award-winning Downtown Concord law firm? Pastori Krans, PLLC is seeking a "Client Support Assistant," a key role at our firm, where you will provide exceptional client service and keep our office running smoothly. You'll greet clients, manage calls, support daily operations, and help keep our office looking its best. If you take pride in creating a polished, welcoming environment, and serving the firm's exceptional clients, we'd love to meet you. We offer competitive compensation, comprehensive benefits, including health, dental, vision, disability and life, a generous 401(k) match, and a collegial and fun work environment.

Please forward resumes to [blandry@pastorikrans.com](mailto:blandry@pastorikrans.com).

Adler | Cohen | Harvey | Wakeman | Guekguezian LLP

**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](mailto:mpimentel@adlercohen.com)

**Associate Attorney - Litigation PretiFlaherty**

Preti Flaherty, one of New England's largest law firms with offices in ME, NH, MA, and Washington, D.C. is seeking an experienced attorney to join the firm's dynamic and growing Litigation Practice Group (LPG). This position is based in our downtown Concord, NH offices and offers an engaging roster of work in litigation on behalf of Preti's regional and national clients. We place a high value in cultivating talent and giving Associates early and frequent exposure to robust and challenging legal matters. We pride ourselves on taking a solutions-based approach to client representation.

Preti Flaherty offers a competitive salary and generous benefits package which includes health, dental, vision, life and disability insurance, paid time off, paid holidays, and retirement benefits.

Apply directly:  
[www.preti.com/careers/attorney-openings](http://www.preti.com/careers/attorney-openings)

**Education and Experience Required**

- Juris Doctor (J.D.) Degree from an accredited law school
- Active bar membership (or anticipated) in New Hampshire
- 2-4+ years of litigation experience preferred
- A judicial clerkship is preferred but not required
- Strong legal research, writing, and analytical skills
- Experience drafting pleadings, motions, discovery, and legal memoranda
- Excellent communication and interpersonal skills for client interaction and teamwork
- Ability to manage multiple cases and deadlines in a fast-paced environment

## Answering the Call: A Life of Law and Leadership in the Marine Corps

For attorneys who feel drawn to serve something greater than themselves, the Marine Corps Judge Advocate program offers a path where law meets leadership, and justice is pursued with honor.

Marine Judge Advocates don't just practice law—they lead Marines, advise commanders in critical operations, and uphold the values of courage, integrity, and commitment. From courtroom advocacy to operational legal counsel, their work shapes lives and missions.

Why choose this path?

- Purposeful service: You'll be part of a revered institution, trusted with legal responsibilities that impact national defense and individual lives.
- Professional growth: Trial experience, federal policy exposure, and leadership training at Officer Candidates School and The Basic School build unmatched legal and personal skills.

- Support and stability: Competitive pay, up to \$110,000 in bonuses through Judge Advocate Continuation Pay (JACP), and eligibility for Public Service Loan Forgiveness (PSLF).
- Community and care: TRICARE health coverage, subsidized living, and access to on-base resources for you and your family.
- A legacy of excellence: Marine Judge Advocates are unrestricted officers, often selected for command billets and operational assignments—roles that reflect trust, capability, and character.

If you're seeking a legal career that challenges you, shapes you, and serves a higher purpose, the Marine Corps may be your calling.

For questions regarding this opportunity, please contact Captain Corbin Tyler at (603) 978-5967 or email at [corbin.tyler@marines.usmc.mil](mailto:corbin.tyler@marines.usmc.mil)

## Criminal Assistant United States Attorney

This role is responsible for the investigation and prosecution of drug crimes, violent crimes, firearms offenses, child exploitation crimes, human trafficking, organized crime, terrorism, white-collar crime, and criminal immigration matters. A qualified applicant would be expected to lead federal law enforcement agents in complex investigative and interdiction strategies and litigate complicated cases from start to finish with limited supervision.

**Salary range: \$83,742 - \$195,100**

Please apply at:

[www.usajobs.gov/job/860278400](http://www.usajobs.gov/job/860278400)



**United States  
Attorney's Office**  
District of New Hampshire

**Contact: Patricia Tessier at  
Patricia.Tessier@usdoj.gov  
(603) 225-1552**

## LITIGATION ASSOCIATE

AMANN BURNETT, PLLC is a small, boutique Commercial Litigation and Bankruptcy Firm. Real Estate interest and/or experience is also a plus. We are looking for the future of our Firm, not just an Associate; someone with an impeccable work ethic, intellect sense of humor willing to learn, have fun and become a partner.

This position is based in our Manchester office. We also have a robust North Andover, Massachusetts office. We're open to remote work and you will find that we are a no-nonsense, result-oriented group which respects and values individuals. Work hard, play harder, we say.

We offer a competitive salary and generous benefits package which includes health, dental, vision, paid time off, paid holidays and retirement benefits.

**Education and Experience Required:** Juris Doctor (J.D.) Degree, Active bar membership in New Hampshire, Massachusetts or other Jurisdictions a Plus, Two (2) to Five (5) years of litigation experience preferred but newbies will be considered, Strong legal research, writing, analytical and public speaking skills. Ability to handle what we throw at you—but don't worry, if you join us, we'll always have your back and provide excellent mentoring and support.

Email: [wamann@amburlaw.com](mailto:wamann@amburlaw.com) with resume and cover letter.



## A Flexible Glidepath for "Seasoned Attorney"

Are you thinking about winding down, still enjoying the work, but cannot quite see the next step? Alfano Law is seeking seasoned litigation and real estate attorneys who want to continue practicing without the burden of running a firm.

Alfano Law is a well-established New Hampshire firm representing businesses and individuals in real estate matters, with a primary focus on roads, easements, title issues, planning and zoning, transactions, and property tax. You will retain meaningful control over your practice while we handle infrastructure and operations.

**Feeling overwhelmed by technology and AI?** We take that burden off your plate. Our firm actively selects, manages, and maintains tools that improve efficiency and move matters along smoothly from initial client contact through file closure. You can focus on practicing law while we handle the systems. You also will work with experienced paralegals as part of a coordinated team structure.

Candidates must have spent most of their careers practicing in New Hampshire. The position may be hybrid or fully remote and may be full or part-time. Full-time attorneys are eligible for health, dental, and 401(k) benefits.

If you would like to have a confidential conversation, please contact Paul Alfano at [palfano@alfanolaw.com](mailto:palfano@alfanolaw.com).



**CONNOLLY LAW**  
— PLLC —  
PROTECTING YOUR CHILDREN • YOUR ASSETS • YOUR FUTURE

## Connolly Law is Hiring

**Boutique Women-led Firm  
Seeking Experienced Counsel**

We are a women-led boutique law firm in Bedford, NH seeking an experienced lateral attorney to join our practice. This position is intended for an experienced attorney who values autonomy and is able to work independently. We trust that as an attorney, you are able to handle your caseload without being micromanaged. We provide a collaborative and supportive environment for you to build your practice within our practice.

The position offers the ability to work remotely, competitive compensation as well as health and dental benefits.

The ideal candidate will have over 3 years of legal experience preferably in Family Law, Criminal Law or Estate Planning. A transferable caseload is preferred but not required.

We are selective in hiring and thoughtful about firm culture. This opportunity is best suited for an attorney seeking a long-term professional home in a boutique setting that values quality, independence, and mutual respect.

All inquiries are confidential. Please send a cover letter and resume to [Nicole@familynhlaw.com](mailto:Nicole@familynhlaw.com).

## NOW HIRING TRIAL ATTORNEY

*Determined to be the best?*

*Come work, learn,  
and collaborate with  
the best-in-class team*

**APPLY TODAY**  
[GIDEONASEN.COM/OUR-FIRM/CAREERS](http://GIDEONASEN.COM/OUR-FIRM/CAREERS)



## Staff Attorney – Senior Level

New Hampshire Legal Assistance (NHLA) seeks an attorney with significant litigation experience to join our nonprofit law firm as a Staff Attorney.



The Staff Attorney will play a leadership role in developing and executing complex federal and state impact litigation, including class actions and appeals. In addition to supervising and participating in impact work, Staff Attorney may also handle individual cases. At least 10 years of prior litigation, or substantial institutional reform/civil rights litigation experience strongly preferred.

Full position details and how to apply: <https://www.nhla.org/support/jobs>

### ASSISTANT COUNTY ATTORNEY Strafford County Attorney's Office, Dover, NH 03820

#### QUALIFICATIONS:

- Applicant must be member in good standing of the New Hampshire Bar Association and have a J.D. from an accredited law school
- Applicant must be able to handle multiple tasks, meet deadlines, be organized, have communication skills, and be an effective team member
- Mandatory criminal record check is required for all new employees

#### RESPONSIBILITIES:

- This position is for a trial attorney with a focus on felony-level criminal prosecution
- ACA will be responsible for reviewing case files, assisting police with building criminal investigations, making charging decisions, and presenting cases to the Grand Jury.

- ACA will prepare and conduct required pre-trial litigation related to the assigned caseload in the Strafford Superior Court. ACA will work closely with victim assistance to ensure that victim's rights are protected throughout prosecution
- ACA will prepare assigned cases for jury trial and handle all non-appellate post-conviction related matters

**BENEFITS:** Medical, Dental, Life Insurance, Holiday & Sick time, Longevity Pay, Short Term Disability, NH Retirement System, mileage reimbursement, CLE and Bar dues paid by county. Salary commensurate with experience.

Please send cover letter, resume, and references to County Attorney Emily Garod at [egarod@straffordcounty.gov](mailto:egarod@straffordcounty.gov)

## MCLANE MIDDLETON

### JUNIOR-MID-LEVEL TRUSTS AND ESTATES ATTORNEY

McLane Middleton, Professional Association, a leading New England-based law firm, is seeking a Trusts and Estates Attorney to join our active and expanding Trusts and Estates Department. McLane Middleton has one of the largest Trusts and Estates departments in New England.

The ideal candidate will have 3 to 5 years of experience in estate planning, tax planning, and trust and estate administration, including estate planning for individuals and family-owned businesses. Prior experience working directly with high net-worth individuals and families and their advisors on designing and implementing personalized estate plans, and tax-efficient and estate and wealth transfer strategies, including transfer of closely-held business interests to irrevocable trusts is a plus.

The successful candidate will have prior experience in a private law firm setting and will demonstrate the ability to manage billable hour requirements and maintain accurate timekeeping records. We are looking for a self-starter who is motivated to advance their career and take an active role in business development. An interest in networking, marketing, and client development is essential. Candidates who are eager to contribute to a collaborative T&E practice are encouraged to apply.

This position will be based in either our Portsmouth or Manchester, New Hampshire office. Options for a hybrid work schedule combining in-office and remote work are available. The candidate must possess excellent academic credentials from an accredited law school with strong analytical abilities, excellent client service skills, as well as strong communication and writing skills.

We offer a collegial team-focused environment, support for professional development and professional satisfaction in a fast-paced work environment. Qualified candidates must be admitted to the New Hampshire and Massachusetts Bar, or have the ability to waive in. Other bar memberships are a plus. Competitive compensation and benefits package offered.

Built on over 106-years of experience, McLane Middleton helps create a long-term career path to assist professionals in their pursuit of professional and personal achievement. We encourage you to consider joining our team! All submissions kept confidential.

Qualified candidates should send a cover letter, resume and law school transcript to Jessica Boisvert, Manager of Professional Recruiting and Retention, [jessica.boisvert@mclane.com](mailto:jessica.boisvert@mclane.com).

### Exciting Opportunity: Join Sabbeth Law!

#### Hiring Experienced Personal Injury Attorney

Are you an attorney passionate about **making an impact** while growing **personally and professionally**? Sabbeth Law, a growth-oriented personal injury firm serving Vermont and New Hampshire, is looking for a **dedicated, innovative attorney** to join our dynamic team.

We are interviewing candidates with **relevant legal experience** who demonstrate the drive, a growth mindset, and capability to excel in this role.

#### Why Sabbeth Law?

- 🎯 **A Culture of Growth** – Personal and professional development is at the core of what we do.
- 💡 **Innovative Practices** – We embrace cutting-edge technology, work systems, and invest heavily in training with the best lawyers nationwide.
- 🤝 **Collaborative Environment** – We believe in the power of teamwork and positive challenges.
- ⚖️ **Commitment to Justice** – We deliver above-average outcomes by uncovering the true value of every case.

#### Who We're Looking For

- ✓ **Experience** in personal injury or a similar practice area.
- ✓ A **growth mindset** and eagerness to learn.
- ✓ Adaptability and openness to **innovative technologies**.
- ✓ A **team player** who thrives in dynamic environments.
- ✓ **Detail-oriented** and organized.

#### Ready to Make a Difference?

Join a firm where **your contributions matter**, and your **growth is prioritized** alongside the success of our clients, and **where you are not alone but part of a team**.

📧 Submit your resume, cover letter, and accomplishments to [mjs@sabbethlaw.com](mailto:mjs@sabbethlaw.com) and [crystal@sabbethlaw.com](mailto:crystal@sabbethlaw.com).

🔗 Let's explore how your talents can help us deliver **justice with excellence and innovation**.

## MCLANE MIDDLETON

### LITIGATION ATTORNEY

McLane Middleton, Professional Association is seeking a talented and driven Litigation Associate to join our team. We are a leading trial practice group in New England, handling a broad range of business and complex litigation.

The ideal candidate should possess 2 to 4 years of general litigation experience. The successful candidate will be adept at collaborating with partners and clients to develop litigation strategies including conducting discovery, document review, witness preparations, and drafting motions, etc.

Self-starters looking for career advancement and business development opportunities are encouraged to apply. The qualified candidate will have prior private firm experience or will be transitioning from a government position to private practice.

Options for a hybrid work schedule combining in-office and remote work are available. The candidate must possess excellent academic credentials from an accredited law school with strong analytical abilities, excellent client service, as well as strong communication and writing skills.

We offer a collegial team environment, professional development and personal satisfaction in a fast-paced work environment. Qualified candidates must be admitted to the New Hampshire or Massachusetts Bar, or have the ability to waive in. Other bar memberships are a plus. Competitive compensation and benefits package offered.

Built on over 106 years of experience, McLane Middleton helps create a long-term career path to assist professionals in their pursuit of personal and professional achievement. We encourage you to consider joining our team!

Qualified candidates should send a cover letter, resume and law school transcript to: Jessica Boisvert, Manager of Professional Recruiting and Retention, Email: [jessica.boisvert@mclane.com](mailto:jessica.boisvert@mclane.com)

# MCLANE MIDDLETON

## JUNIOR-MID-LEVEL ENVIRONMENTAL AND ENERGY ATTORNEY

McLane Middleton, a leading New England-based law firm, is seeking an Environmental and Energy Attorney to join our team. Our Environmental and Energy groups include attorneys with over 150 years of collective experience.

We are seeking an Associate with 3 to 5 years of experience and a strong interest in Environmental and Energy law. This individual will thrive in a collaborative environment, working closely with partners and clients on matters involving environmental permitting and compliance, environmental litigation, and the development and siting of energy projects.

The ideal candidate will also have had significant exposure to one or more of the following environmental and energy statutes: Clean Water Act, Clean Air Act, Comprehensive Environmental Response, Liability, and Compensation Act (CERCLA), Resource Conservation and Recovery Act (RCRA), Safe Drinking Water Act (SDWA) Toxic Substances Control Act (TSCA), Emergency Planning and the Community Right to Know Act (EPCRA), Federal Power Act (FPA), and/or National Environmental Policy Act (NEPA).

We welcome dedicated self-starters who are eager to grow their careers and explore business development opportunities. Candidates may come from private practice or may be transitioning from a government or public interest role.

A hybrid work schedule combining in-office and remote work is available. Applicants must have strong academic credentials from an accredited law school, excellent analytical capabilities, experience reviewing and interpreting complicated statutory and regulatory provisions, outstanding communication and writing skills, and a commitment to exceptional client service.

We offer a collegial team culture, robust professional development, and meaningful opportunities for personal and professional satisfaction in a fast-paced environment. Candidates must be admitted to the New Hampshire and the Massachusetts Bar, or have the ability to waive in. Additional bar memberships in Maine, Vermont, or New York are a plus. We provide a competitive compensation and benefits package.

For more than 106 years, McLane Middleton has supported the long-term growth of its professionals, helping them build rewarding and successful careers. We encourage you to consider joining our team.

Qualified candidates should send a cover letter, resume, law school transcript and writing sample to: Jessica Boisvert, Manager of Professional Recruiting and Retention, Email: [jessica.boisvert@mclane.com](mailto:jessica.boisvert@mclane.com)

# MCLANE MIDDLETON

## TRUSTS & ESTATES ATTORNEY

McLane Middleton, Professional Association, is seeking a Trusts and Estates Attorney to join our active and expanding Trusts and Estates Department. McLane Middleton has one of the largest Trusts and Estates departments in New England. This is a unique opportunity to work alongside some of New England's most highly-skilled Trusts and Estates attorneys.

The ideal candidate should possess a strong academic record and excellent written and oral communication skills, with 7+ years of experience in estate planning, tax planning, and trust and estate administration. Experience in New Hampshire trust law and asset protection planning is a plus. Ideally, the candidate would have prior experience working directly with high net-worth individuals and families and their advisors on designing and implementing personalized estate plans, and tax-efficient and estate and wealth transfer strategies, including transfer of closely-held business interests to irrevocable trusts. Equally important is the ability to manage a preexisting volume practice while working alongside a team of skilled professionals.

McLane Middleton has a strong tradition over its 106-year history of deep involvement by its employees in the communities where they work and live. The firm itself is an active participant in the community as well, supporting numerous charitable, business and professional associations. The firm helps create a long-term career path to assist professionals in their pursuit of personal and professional achievement. We offer a collegial team environment, professional development, and personal satisfaction in a fast-paced and motivating work environment. Competitive compensation and benefits package offered.

Qualified candidates should send cover letter and resume to: Jessica Boisvert, Manager of Professional Recruiting and Retention, [jessica.boisvert@mclane.com](mailto:jessica.boisvert@mclane.com).

# MCLANE MIDDLETON

## CORPORATE LAW ATTORNEY

McLane Middleton, Professional Association a leading New England-based law firm, is seeking a Corporate Law Attorney to join our growing corporate practice. This position will afford you the opportunity to take on new responsibilities, work with and learn from some of the region's leading corporate lawyers, work directly with clients, and be provided with the resources to develop your professional skills.

The ideal candidate should possess 5+ years of general corporate experience and a strong interest in corporate law. The candidate will be adept at collaborating with partners and clients in representing and advising closely held businesses, including entity formation and structuring, corporate governance, contract drafting and negotiating, mergers, acquisitions and other strategic transactions.

Individuals looking for career advancement and business development opportunities are encouraged to apply. The qualified candidate will have prior private firm experience and will demonstrate the ability to manage billable hour requirements and maintain accurate timekeeping records.

Options for a hybrid work schedule combining in-office and remote work are available. The candidate must possess excellent academic credentials from an accredited law school with strong analytical abilities, excellent client service, as well as strong communication and writing skills.

We offer a collegial team environment, professional development and personal satisfaction in a fast-paced work environment. Qualified candidates must be admitted to the New Hampshire or Massachusetts Bar, or have the ability to waive in. Other bar memberships are a plus. Competitive compensation and benefits package offered.

Built on over 106 years of experience, McLane Middleton helps create a long-term career path to assist professionals in their pursuit of personal and professional achievement.

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Qualified candidates should send a cover letter, resume and transcript to: Jessica Boisvert, Manager of Professional Recruiting and Retention, Email: [jessica.boisvert@mclane.com](mailto:jessica.boisvert@mclane.com)

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- Certification from NALA or NFPA is a plus.
- Attention to detail, dependable, organized.
- Excellent computer skills including MS Office, iManage, and Adobe Acrobat
- Excellent problem solving and analytical skills
- Excellent proofreading skills and clear and concise communication skills.

Direct resume with cover letter to: Jessica Boisvert, Manager of Professional Recruiting and Retention, Email: [jessica.boisvert@mclane.com](mailto:jessica.boisvert@mclane.com)

## Operations (Legal) Administrator Dover, NH

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**How to APPLY:** Please submit your letter of interest, resume and application by visiting: [www.nh.gov](http://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](mailto:deanna.baker@dhhs.nh.gov).

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

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 is required.

Please submit cover letter and resume to Chris McLaughlin, Cheshire County Attorney. Attention Kim May, Human Resources Director, 12 Court Street, Keene, NH 03431 or via email at [kmay@co.cheshire.nh.us](mailto:kmay@co.cheshire.nh.us)



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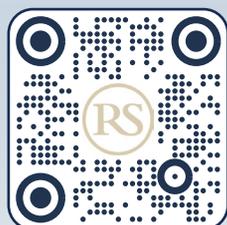
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# Holding It All Together: The Emotional Reality of Caregiving While Practicing Law



By Jill O'Neill and Mark Durso

Caregiving is a journey that can take many forms. For some, it is a lifelong commitment to a chronically ill or disabled loved one. For others, it is raising children until they become independent. Many step into caregiving temporarily, supporting aging parents through vulnerable stages or in their final days. Regardless of its duration, caregiving requires profound emotional and physical energy, often falling on one or two primary individuals. Caregiver burnout is real, and its impact can be far-reaching.



O'Neill



Durso

For legal professionals, caregiving often exists alongside one of the most demanding careers. The practice of law is defined by tight deadlines, ever-changing client needs, high expectations, and long hours devoted to advocacy. In many ways, caregiving mirrors these same pressures. Parenting and caregiving involve meeting constant deadlines – medical appointments, school obligations, and daily responsibilities – while advocating for a loved one's well-being in educational, medical, and social systems. Both roles require vigilance, emotional investment, and an unwavering sense of responsibility. It can feel nearly impossible to be both a high-functioning legal professional and a present, attentive caregiver, yet many attorneys live at this intersection every day.

Caregiving can also surface complex family dynamics. Old wounds may reopen, resentments may emerge, and unresolved trauma can resurface during moments of vulnerability. Burnout affects not only the caregiver but also relationships, contributing to family conflict, marital strain, and heightened stress. For attorneys already navigating high-stress environments, the cumulative emotional burden can be significant.

Research confirms that caregiving responsibilities are not distributed equally. A 2023 national study by the American Bar Association found that mothers in the legal profession continue to carry a disproportionate share of caregiving duties. Forty-one percent of mothers reported being primarily responsible for helping their children with homework, compared to just 12 percent of fathers. Seventy-one percent of mothers manage children's medical appointments, and 65 percent are responsible for arranging childcare. These findings are not a reflection of fathers' lack of involvement, nor of an underappreciation of the disparities faced by same-sex parents, but rather illustrate persistent structural and societal expectations that place greater caregiving responsibility on women.

These caregiving demands also intersect with career outcomes. Sixty percent of mothers working in law firms reported disparaging or belittling comments about their roles as parents. Similarly, 60 percent reported being viewed as less committed to their careers, and 43 percent indicated they were denied equal access to professional development opportunities. These experiences compound stress, contribute to burnout, and can undermine professional confidence and career advancement.

In addition to parenting responsibilities, many attorneys now find themselves part of what is known as the "sandwich generation" – individuals simultaneously caring for children and aging parents. According to research highlighted by *Best Lawyers*, approximately 23 percent of Americans are balancing both roles. This dual responsibility creates a layered emotional experience, as caregivers manage both the

growth of one generation and the decline of another. The emotional toll of witnessing aging, illness, and dependency – while continuing to meet professional obligations – can lead to compassion fatigue, traumatic stress, and emotional exhaustion.

Caregiving often involves grief – grieving the life you imagined, mourning the loss of personal freedom, and witnessing the gradual decline of someone you love. This grief is often invisible yet deeply felt. Legal professionals, who are trained to rely on logic, analysis, and problem-solving, may find themselves unprepared for the emotional complexity of personal caregiving. Professional detachment, which serves attorneys well in their work, cannot fully protect them from the emotional vulnerability of caring for loved ones.

While caregiving is an act of selfless love, caregivers must recognize the importance of caring for themselves. Even small moments of rest and connection can restore emotional balance. Feeling seen, appreciated, and supported is essential, particularly because caregiving can be profoundly isolating. Emotional suppression may allow caregivers to continue functioning in the short term, but over time it can contribute to anxiety, depression, physical health issues, and burnout.

Caregiving is one of the most honorable gifts we can offer. Yet the gift is not defined solely by the tasks we perform. It is found in presence – in shared stories, quiet conversations, and meaningful connection. Too often, caregivers focus entirely on responsibilities and unintentionally miss opportunities for emotional closeness. Perspective matters. It is not only about what we do, but how we do it.

Caregiving is humbling, and it is not meant to be undertaken alone. Support does not simply mean additional help with tasks; it also means allowing yourself to receive emotional support. Many caregivers struggle with guilt, resentment, or self-criticism. These feelings do not reflect failure. They reflect the profound emotional complexity of loving and caring for another person while managing your own life and identity.

Despite the challenges and disparities highlighted by research, there are meaningful opportunities for change. Law firms and legal organizations can foster healthier environments by normalizing caregiving responsibilities, promoting flexible work arrangements, ensuring equal access to advancement opportunities, and cultivating cultures of empathy and support. Equally important, caregivers themselves can prioritize emotional wellness, seek connection, and recognize that needing support is not weakness – it is part of sustaining resilience.

Caregivers are not failing. They are navigating the simultaneous realities of love and grief, responsibility and vulnerability, strength and exhaustion.

The New Hampshire Lawyers Assistance Program is here to support members of the legal community who are navigating caregiving challenges. We provide a confidential listening ear, connect you with caregiver and mental health resources, and offer a space where your experiences are understood without judgment. Caregiving may be one of the most difficult journeys you undertake, but you do not have to walk it alone. ☺

## References

- Dellacona, C. (2025). *A Survival Guide for the Sandwich Generation*. Best Lawyers.
- Scharf, S. A., Liebenberg, R. D., & Brown, P. (2023). *Legal Careers of Parents and Child Caregivers: Results and Best Practices from a National Study of the Legal Profession*. American Bar Association.

Jill O'Neill is the executive director of the New Hampshire Lawyers Assistance Program (NHLAP) and serves on the New Hampshire Bar Association's Special Committee on Attorney Wellness. Mark Durso is the NHLAP director of wellness.

# Imposter Syndrome: Friend or Foe?



By Coda Campbell

The definition of “imposter syndrome” varies from person to person. It is generally a paradox involving intelligence, success, and competence mixed with feelings of self-doubt, fraudulence, and anxiety. “Do I know enough?” “Am I good enough?” “Why was I chosen for this opportunity over others?” “Am I going to drop the ball and ruin someone’s life?”

I opened my solo practice six days after graduating from law school. I had an abundance of imposter syndrome. For me, my biggest fear was the unknown. There are so many things I learned from mentors that I otherwise would have learned the hard way. To quell my insecurities, I read the New Hampshire Rules of Professional Conduct and Court Rules daily. I read the text of the law for every case, and for military matters I read the applicable military regulations cover to cover. I still do.

My imposter syndrome was overwhelming at first, so I asked my mentors when I could expect it to go away. To my consternation, I learned that it never goes away for the best attorneys. You learn to embrace it. They were right. Over these past three years, my confidence has increased, but the imposter syndrome persists. I called on my mentors and friends for input for this article. I hope the words of these attorneys bring readers of all levels the same reassurance they have brought me. If you have imposter syndrome, you are in good company.

**Courtney Brooks**

**UNH Franklin Pierce School of Law**

“The more I started sharing that I had imposter syndrome, the more I learned others feel that way. I think just naming it out loud is important.”

**Melissa Davis**

**UNH Franklin Pierce School of Law**

“I think it really comes from wanting our clients to have the best representation possible. I’m always wondering, how would someone more experienced than me do this? Would they do it better than me? Is my client suffering because they don’t have the most experienced attorney alive? What will the client, the judge, or my opponent think about my performance? What if I miss something (a case, an argument, a line of cross-examination) and my client suffers? Will this ever get easier?”

Twenty years later, this is still what goes through my head. I know the answer is yes – it does get easier – but it doesn’t completely go away. I try to remind myself that I know my client and their case better than anyone. No one is in a better position than I am to do what needs to be done. I am still inspired by others (more and less experienced) and I ask questions, but after that, I just have to trust myself or at least fake it ‘til I make it.”



**Ted Lothstein**  
**Lothstein Guerriero, PLLC**

“One thing that others might overlook is the impact of how quickly the profession is changing due to technology. You are postulating that older, more experienced lawyers are less likely to have imposter syndrome. But when it comes to rapid changes in technology and how law is practiced, I have to think that the inverse is true – the more experienced the lawyer, the more they will feel a stranger in a strange world if told that they have to adapt to new technologies, particularly AI tools, or perish. I certainly feel it.

We have to remember that there is a spectrum here. At one end is imposter syndrome. At the other end is arrogance. Imposter syndrome leads to feelings of anxiety and vulnerability. Arrogance leads to career-destroying mistakes and many, many smaller errors that harm clients. It’s very hard to find a comfortable position in the middle of these extremes, if one even exists. But it’s easier to lean toward imposter syndrome, which is much less likely to harm clients or the firm or organization you are working for compared to arrogance.”

**Robin D. Melone**  
**Pastori | Krans, PLLC**

“The difference between earnest self-reflection and imposter syndrome is trusting yourself and being humble enough to know when someone else is right. I think it is essential that we honestly consider all feedback (both positive and negative) and that we never stop learning or growing. But I think it is equally important that we not ignore our own experiences, knowledge, and instincts in deference to someone else. The latter is where imposter syndrome shows up for me.

I’ve been a lawyer for over 20 years, and I still second-guess myself (which is good). I want to know that I’ve considered all angles of an issue. Find the colleagues you trust and bounce things off them. Hubris is the currency of avoidable and life-changing errors.”

**Tony Naro**  
**Naro Law, PLLC**

“Imposter syndrome never really goes away in this profession, and that may not be a flaw. The moment you stop questioning yourself entirely is often the moment you stop being careful, curious, or ethical. I don’t know if I think of it as ‘imposter syndrome’ so much as the natural anxiety of legal practice. It doesn’t go away.” ☺

*Coda Campbell is a solo practitioner at Campbell Law, PLLC. She practices military law and veterans’ benefits law globally (VA accredited). She also handles criminal defense and administrative law cases in New Hampshire and Florida. Coda is serving her third term on the NHBA’s Special Committee on Attorney Wellness. She can be reached at [codacampbelllaw.com](http://codacampbelllaw.com) or (603) 456-9709.*

# The Power of Awe: A Walk Outside Can Change Your Day

By Deirdre Salsich

Many articles have recently extolled the benefits of spending time in nature, particularly moments that inspire awe. Awe is that unique experience of realizing that you are just one small part of a much larger universe.

If that sounds like hokey, you might be forgetting the last time you took a walk at sunset, when the afternoon light becomes a gradient of oranges, pinks, and blues as the sun descends in the sky. Or the last time you walked on a beach, one little speck among trillions of grains of sand, small against the whoosh of the waves of the Atlantic Ocean. Or the last time you summited a mountain, marveling at the literal and figurative heights you have reached from your own efforts, looking out at a gorgeous vista of greens, blues, and grays in those granite-flecked mountains.

That experience of awe is something that can happen on any ordinary day if you make a bit of time for it. Studies show that when we leave the confines of a desk, fluorescent lighting, and paneled ceilings for a walk in nature, our bodies become calmer and more regulated. Blood pressure levels out. The unmistakable tug of work is distant as we take time for ourselves to breathe fresh air, feel the actual earth beneath our feet, and bathe in the natural sunlight as we were meant to.

Dog owners know the benefits, of course, of their dog's companionship, but your daily walk with your pup also gives you the opportunity to drink in your surroundings. The nice thing about the benefits of nature and awe is that there is no set time commitment needed to experience awe. It can happen on a short 15-minute walk to the corner store or on the aforementioned dog walk.

As the days slowly but surely get longer and we edge toward spring and summer, finding even 15 minutes per day for a walk outside will give you more opportunities for awe, for vitamin D from sunlight, and for rest. Yes, being in nature is rest for your mind and your nervous system, and it can also help regulate sleep. The brain needs cues from sunlight to know when to wind down for the night, and taking your daily walk outdoors can go a long way toward helping you reach your sleep goals.

Even taking a walk during lunch can help reset feelings of stress, panic, or overwork. Before the Industrial Revolution, most people worked outdoors, and our bodies and brains developed and benefited from those hours spent in natural light. While I am grateful for a warm indoor office during the winter months, nothing beats a bit of time in nature to recharge. Longer jaunts are easier to attain here in New Hampshire than in urban areas. One only needs to jump in the car, drive to a trail or any of the numerous state parks, and choose a short hike to lose yourself in the beauty of nature. The work will always be there, but there's nothing quite like capturing a bit of nature to recharge. ☼

*Deirdre Salsich is an experienced labor and employment lawyer with additional industry experience in higher education, healthcare, government, and nonprofit organizations. She is a member of the NHBA's Special Committee on Attorney Wellness.*



Winant Park in Concord on January 1, 2026. Photo by Deirdre Salsich

## Adventure Before Dementia

By Paul Chant

I had the pleasure of traveling for five weeks over the past couple of months to Tasmania, the Melbourne area of Australia, and the South Island of New Zealand.

A lovely gentleman we met on an all-day wine tour in the Marlborough sauvignon blanc district of New Zealand coined the phrase "adventure before dementia."

He and his wife had retired at 58, sold their home, and set out on their new sailboat, which became their home for the next eight years – from winters in the Bahamas to cruising the coast of Maine in July and August. After eight years, they bought a house outside of Hilton Head. Now, at 75, they see the value of a nest and close friends.

I know too many lawyers who work past normal retirement ages. I have seen too many die shortly after they stopped practicing. They, like me, really enjoyed helping their clients through difficult situations. They liked their incomes, as well as their personal status in their communities.

While my wife and I enjoyed seeing, learning, and experiencing new things, the following happened at home: a good friend of my wife moved to hospice during her long-time fight with cancer, a second good friend experienced a recurrence of his colorectal cancer, a third friend was diagnosed with stage four ovarian



cancer, and one of my sisters was diagnosed with early-stage breast cancer. I have a good friend, the same age as me, now institutionalized and non-verbal with Alzheimer's.

I sit here today writing this column on the second anniversary of my brother's tragic kayaking death.

This trip naturally forced me to consider my position in life. I had already planned to go of counsel to my firm later this year. But now I ask: Do I want to be of counsel for the next three to four years or not, since I am 66? I have the means to retire.

My heart is pulling me to get out fully sooner rather than later. There is too much to be experienced on this planet. There are too many places I want to see. I want to spend more time in Denver with the three grandchildren I have there.

I hate to preach. That is not my intention. My intention is to encourage each of you to evaluate where you are in your lives and careers. As we were instructed as youths before crossing the road: Stop, look, and listen. Our futures in life and adventure are not guaranteed. Take time to reflect on where you are. Make a plan. Utilize a financial advisor. Make your path the best one it can be for yourself and your family. Don't wait too long to take the time to fill your life with adventure.

Be well. ☼

*Paul Chant is a former NHBA president and serves on the NHBA's Special Committee on Attorney Wellness.*

# My Story of Depression



By Jonathan M. Dunitz

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So here we are. After 28 years, it is time to dispel a myth related to my law career. According to this self-perpetuated myth, in the summer of 1996 I quit the full-time practice of law and started my own practice as an independent contract legal researcher and writer so that I could follow my passion as a musician. I joined a local funk band, Petting Zoo, and began touring Maine and New England playing my trumpet. It is true that I left practicing law full-time. I did, in fact, start my own business as an independent contractor doing research and writing. The band is no lie. To be honest, it was a lot of fun. But the reality is far more complex.

In truth, joining a band was a well-timed accident, not the reason for leaving full-time practice. At that time, I was suffering from debilitating depression. I was at times literally immobilized, often anxiety-ridden, and, on rare occasions, a potential danger to myself. In my depressed brain, my legal career was over. I started my research and writing practice solely to have an income to pay rent, student loans, and other monthly bills while I figured out a new career. Some folks wait tables while trying to make it in the arts; I was practicing law in two areas where I had the skills – research and writing – while trying to find a new career. Don't get me wrong. I love the law, and love being a lawyer, but was positive that a clinical depression diagnosis was the death knell for a law career.

For the next seven years, I thought I was working through my depression. There were definitely ups and downs, but by 2003, things seemed good and I thought I was ready to get back to law firm life. At that point, my old firm needed someone to do contract research and writing, so I took on that role, and in 2004 rejoined the firm as an associate. As time progressed, I was feeling good, more like my old self. I was practicing law at a high level, feeling well, showing everyone that I was healthy. The problem was that I thought I was “cured.” I weaned off antidepressants in 2005 and then ignored the warning signs. That is, until December 2005 when I could not ignore them anymore.

At that point, I had no choice but to do something I had consciously avoided for nine years. It was a decision I had rejected for nearly a decade because I had convinced myself that it would end my legal career and possibly any chance of gainful employment. With a good friend talking me through it, I drove to Maine Medical Center and checked myself in. After a day in the Maine Medical Center ER, I was taken to Spring Harbor Hospital. During a week of inpatient counseling, learning how to use cognitive behavioral therapy, and other activities designed to teach one how to live and thrive with depression, I realized all was not lost. They reminded me of the things that I enjoy doing, what makes me tick, and encouraged me to find that balance. After that week, I realized that my brain still worked. I saw things more clearly than I had in years. Nobody took my birthday away. Most importantly, nobody reduced my law license to ashes. I learned that, like many other medical conditions, my depression and the medication that kept it at bay was a lifelong commitment, no matter how well I felt.

So why the myth about leaving law to be a musician? Why tell people I took a hiatus from law to be frivolous and play in a band? Because society – and, it seems, the legal profession in particular – attaches an irrational stigma to mental illness and substance use disorders. Lawyers cannot be depressed. They cannot have anxiety. They must thrive on stress, not be crushed by it. Indeed, the successful lawyers I knew were high performers with no apparent health issues. I now know that the



statistics say otherwise. Indeed, it is likely that I knew many people, even the high performers, who suffered from debilitating health issues, but they, too, hid them.

To the extent I knew of lawyers with mental health issues, the stigma suggested they were not cut out to practice law and many of them had left the practice. After all, lawyers are essentially selling our brainpower. We do not make widgets. We do not build houses. We do not make anything. We use our brains to solve problems for our clients. In my mind, my brain was broken, and my career was over. Even as I recovered, I continued to believe in that stigma – if people knew I suffered from mental illness they would not want me to be their lawyer. So, until recently, I continued to live in silence with my depression.

As I reflect on my experience, I realize that the stigma was as much in my head as it was a societal stigma. People care about the work I do, the analysis of legal issues, the arguments in court, the negotiations in mediation, the solutions to thorny legal issues. The fact that I take an antidepressant every morning is no more relevant than if I needed to take a statin or insulin. So, if you are reading this and suffering in silence, please understand that you are not alone. Know that your health is the most important thing, that you can get well, and you can successfully practice law. Reach out to others, call the [New Hampshire Lawyers Assistance Program], call a hotline, call me. We need you, your clients need you, and your community needs you.

If you are reading this and know a colleague who is suffering, support them and help them understand they remain an important part of the team. One of the keys to my recovery was that while I stigmatized myself, my firm did not, and they deserve much credit for me surviving and thriving. Martha Gaythwaite visited me in the hospital daily and encouraged me to get better and come back to the office when I was ready. She is the one who told me that taking my meds was like any other chronic illness that required medication. To not be embarrassed because I need to take the meds. Magistrate Judge Karen Wolf saw me at my worst – the first night in the hospital. She let me know that the firm valued me and was concerned for my well-being.

When I returned to the office, she kept me on her major cases so that I would understand that I could still be a valuable member of the team. Judge Wolf also got me involved in pro bono work because she knew that helping others in need would help my own wellbeing. The late Harold Friedman, who is sorely missed, always helped me get back up off the canvas. Larry Leavitt had me leading the damages defenses on some of the most complicated and significant commercial matters of my career. The example they set is an important one.

Please follow that example and support your attorneys and staff suffering from depression, anxiety, stress, and substance use issues. Show them that they can and will come back from what they surely believe are life-altering or career-ending events.

Finally, when I started publicly telling my story, people thanked me and told me it was brave to do so. The fact that people view it as brave tells you everything about the stigma. It should not be an act of bravery to get help when you need help or to tell others why you have not been yourself of late. Hopefully, this is the start of something new, a paradigm where discussing mental health and substance use will no longer be viewed as brave, but as just another illness.

While there is a growing awareness of these issues today and more understanding that treatment, support, and empathy can put attorneys back on a successful path, there are still roadblocks. To remove those roadblocks, we, as a Bar, need to eliminate the stigmas. It is the right thing to do, and it makes for better, healthier, more productive lawyers.

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# In-Person Events: You Can Hate Them but Do It Anyway

By Kathleen Davidson

New Hampshire used to be known for its friendly and welcoming Bar, but according to many reports, things are changing – and not for the better. This change started occurring after people returned to working in person following the worst of the COVID-19 pandemic. Many of the social aspects of the New Hampshire Bar died during the pandemic and have not been revived.

For example, the Manchester Bar Association used to be a vibrant and lively group that met monthly for dinners. As the former president, I was unable to bring it back to life after the pandemic – though rumor has it that a group is trying to give it another go.



I'm also the chair of the NHBA's Labor and Employment Law Section, and we have struggled to get in-person attendance at events, though numbers are trending upward! I was starting to think it was me, but speaking with my peers, most organizations are struggling with the same issue.

The annual New Hampshire Association for Justice Family Law Forum used to be like a reunion. This year, there were more in-person attendees than last year, but still far more online participants overall.

Our lives are busy and family and work commitments abound. It's easy to say that extracurricular or in-person events are unnecessary and not make time for them. However, as counterintuitive as it is, even if you hate going to in-person events, attending will likely benefit your wellness in the long run.

You may be surprised to know that I'm an introvert at heart. It's *work* for me to attend in-person events, particularly if there is a remote option. However, every time I go to an in-person event, I'm glad that I did.

The practice of law can at times feel very isolating, especially in smaller firms or solo practices where daily interaction with colleagues is limited. Many practice areas involve emotionally complex cases that can heighten pressure and responsibility. When an attorney walks into a courtroom and does not know opposing counsel or the judge on the bench, there is an added layer of uncertainty that can make even routine matters feel more stressful. Unfamiliarity creates unpredictability, and unpredictability often leads to unnecessary tension.

Professional familiarity changes that experience in many meaningful ways. When I have attended a CLE with someone, participated in a section meeting, or spoken briefly with another attorney at a county Bar event, even the next interaction feels different because there is already a level of recognition.

I may not know the person well, but I have some context for how they communicate and approach their work. That familiarity creates a more grounded and predictable environment. Court becomes less intimidating when I walk in, recognize the people in the room, and feel a sense of professional connection rather than complete unfamiliarity.

Clearer expectations reduce anxiety and allow me to focus more fully on the substance of the case rather than the uncertainty of what the interaction may be like.

This familiarity does not eliminate disagreement or conflict, especially in prac-

tice areas where emotions can run high. However, prior professional interaction often creates a more respectful tone and makes any communication more efficient. When attorneys recognize one another from outside the courtroom, discussions tend to be more focused on problem-solving rather than posturing. To be blunt, it's harder to be a jerk when you either just saw opposing counsel in person or know you will see them again soon.

In-person events also provide access to professional support systems that can significantly reduce stress. Every attorney encounters unfamiliar procedural issues or complex fact patterns at some point in their career. Navigating those challenges entirely alone increases pressure and uncertainty. Knowing other attorneys in your practice area lets you reach out to someone for guidance. A brief phone call or conversation with someone I have already met can provide reassurance, perspective, and practical solutions.

Isolation tends to raise stress levels, whereas connection typically helps reduce it. Virtual programs offer convenience and flexibility, but they do not fully replicate the benefits of face-to-face interaction. Informal conversations before or after live CLE programs often yield valuable insights not included in written materials. Section meetings provide opportunities to exchange ideas and discuss shared challenges in a practice area.

These interactions help build trust, strengthen relationships, and create a greater sense of community within the profession. Even if you have a busy practice and do not need more referral sources, you will still benefit from getting to know your peers. Attending even a small number of these events throughout the year can create meaningful relationships that improve day-to-day practice.

For someone who does not naturally gravitate toward large gatherings, attending in-person events may feel very uncomfortable at first. It may seem easier to stay home or participate virtually. However, the short-term discomfort of showing up often leads to long-term professional ease. Familiar faces reduce tension, predictable interactions help lower stress, and professional relationships create a more supportive work environment.

Wellness in the legal profession is often discussed in terms of time management, workload balance, and personal boundaries. While those factors are important, professional connections also play a significant role in reducing stress. When interactions are grounded in familiarity rather than uncertainty, everyday challenges feel more manageable and less overwhelming.

Sometimes the very thing I am most inclined to avoid turns out to be the thing that helps me the most. For that reason, when attending in-person events feels uncomfortable or inconvenient, I remind myself to do it anyway.

Taking time to connect outside the courtroom will strengthen our professional community and make the practice of law feel less isolating, more collaborative, and hopefully return us to the collegial Bar for which we were once known. You may hate it – but you should do it anyway. ☺

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## Using AirPods as Hearing Aids

By Kathleen Davidson

You may have noticed a colleague wearing AirPods (Apple's wireless headphones) at an unusual moment. You may have wondered if they are trying to take a call or listen to music in a meeting. If you attended the New Hampshire Association for Justice's Annual Family Law Forum in February, you may have noticed that I was wearing AirPods. I wasn't being rude or distracting myself from the speaker. I was trying to hear the speaker!

AirPods Pro 2 and 3 are equipped with software that, when paired with an up-to-date Apple device, functions as a clinical-grade hearing aid. The iPhone software even includes a hearing test to identify your hearing needs. Then, when your AirPods are in transparency mode, with the hearing-aid function turned on, it enhances your hearing. It also offers options such as reducing ambient noise so you can better hear a speaker or reducing noises farther away so you can hear the person next to you in a loud restaurant.

For people with low-to-moderate hearing loss that may not yet be severe enough for full hearing aids, or for someone who just forgot their hearing aids, AirPods can be a helpful tool for amplifying sound. Although AirPods are not a permanent substitute for traditional hearing aids, they offer a helpful temporary bridge between technology and accessibility. I will likely need real hearing aids soon, but in the meantime, if you see me in a meeting with AirPods in, I'm just trying to hear you better! ☺

# What Is Sustainable Lawyering?

By Kara Simard

We all have our own ideas about what well-being in legal practice means. Some see it narrowly, and some view it broadly. The 2017 *National Task Force on Lawyer Well-Being Report* defined lawyer well-being in broad terms as “a continuous process whereby lawyers seek to thrive in each of the following areas: emotional health, occupational pursuits, creative or intellectual endeavors, sense of spirituality or greater purpose in life, physical health, and social connections with others.”

The report went on to state that “[l]awyer well-being is part of a lawyer’s ethical duty of competence. It includes lawyers’ ability to make healthy, positive work/life choices to assure not only a quality of life within their families and communities, but also to help them make responsible decisions for their clients. It includes maintaining their own long-term well-being.”

Sustainable lawyering evolves from this definition by recognizing that well-being is all-encompassing (more than just self-care or work-life balance) as noted by the Task Force Report, and further requires not only an ongoing commitment but also connection to our values.

The way I define sustainable lawyering is maintaining the ability to remain in the legal profession for the long term, without compromising ethical standards, considering the long-term consequences of actions, recognizing the interconnectedness of values and satisfaction in the profession, managing stress, and nurturing well-being. Sustainable lawyering is more than just caring for ourselves; it is about flourishing and succeeding as lawyers.

We are rooted in our life experiences, backgrounds, and personal histories. We carry these identities with us through our work, and they help shape our values as people and as lawyers. Our values are our guiding principles. They guide our decisions and motivate us in the work we do.

We should consider our values when setting goals and benchmarks to achieve at various stages in our careers. We should strive for work we are passionate about – work that is meaningful and gives us purpose.

Among our values, goals, and meaningful work are the interconnected personal and work-related factors that must be nourished to maintain well-being and to sustain throughout our careers.

Sustainable lawyering demands intentional commitment along with planning and strategy. It is personal to each of us. It requires self-awareness, reflection, and follow-through. It is an ongoing process that never ends. And it continuously evolves as our own circumstances change or as our values shift.

Personal and work-related factors need to be considered, managed, and nurtured in the short term, while also keeping an eye on the big picture with future-oriented thinking. Managing work-related factors includes managing the basic parts of our jobs like our workplaces, practice areas, overall workload, deadlines, colleagues and workplace relationships, as well as organizational culture and leadership.

Also included are the parts of our work that require intention and planning, such as setting boundaries and understanding expectations, managing time, creating opportunities for professional development and growth, seeking mentors and sponsors,



developing client relationships, training staff, business development, pivoting career focus as needed, and attaining competence and expertise.

Relationships with colleagues and other professionals in the legal community are a significant aspect of sustainability. These relationships and social connections aid in our development as attorneys and provide companionship, emotional support, feedback, and informational or instrumental support. Strong professional relationships are a necessary foundation when navigating the never-ending challenges in a legal career.

We must also nurture social connections with family, friends, and our communities. These solid relationships outside of work provide similar benefits, carry us through non-work-related life challenges, and can improve our compassion, empathy, and understanding of the struggles our clients face.

Engaging in creative and intellectual endeavors such as personal hobbies or expanding our knowledge and skills outside of law fulfill us beyond work, but I wholeheartedly believe these pursuits also create better lawyers. They make us well-rounded, give us something to look forward to, and help take our minds off our stressful jobs. Anticipatory pleasure from thinking about a creative weekend project, an upcoming adventure, or the interesting book you are reading may improve your present mindset and get you through the tough days.

Physical and emotional health are most typically associated with well-being for good reasons; we cannot do our jobs without our health. A significant aspect of our health as lawyers is managing and coping with stress, emotionally recharging, and being aware of how we are feeling, what we need, and what we can control.

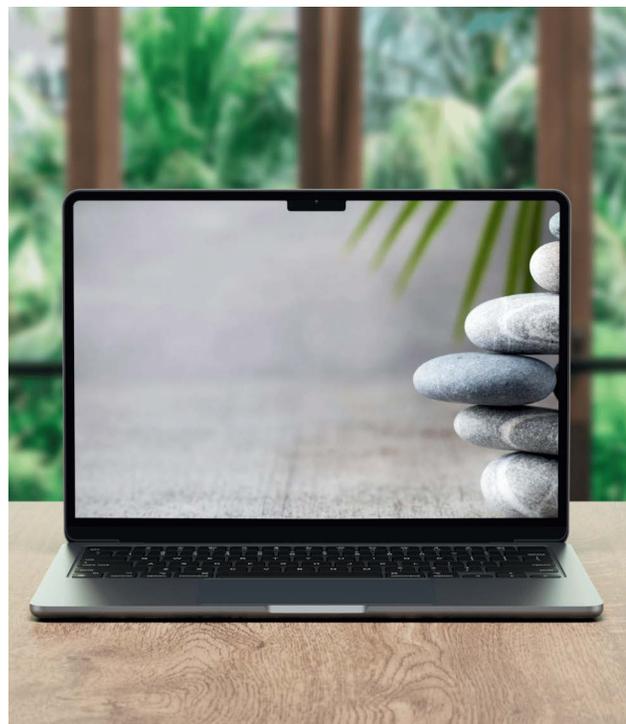
Cognitive performance is probably our greatest asset as lawyers. Without our health and ability to manage stress, our concentration, decision-making, memory, self-regulation, problem-solving, and judgment suffer. To flourish, we need to care for every aspect of our health.

Tending to work-related factors, relationships, creative pursuits, and our health will contribute to sustaining in the long term, but we cannot forget the importance of ensuring that our actions and decisions align with our values. Misalignment between our values and behaviors may diminish emotional health, cause disengagement, and potentially lead to burnout. The day-to-day work sometimes puts us in survival mode – functioning on autopilot.

When this happens, we may unknowingly disconnect from our values. Living and working in alignment with our values requires self-reflection and self-awareness to ensure we are setting meaningful, intrinsic goals that motivate us, give us purpose, provide satisfaction, and improve overall well-being. Sustainable lawyering mandates this broad, comprehensive view of what it means to be a healthy and happy lawyer.

Taking an expansive perspective, making an intentional commitment, and regularly reflecting and evaluating will hopefully lead to improved performance, ethical practice, and a long, healthy, satisfying career in law. ☺

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## Wellness Resources for Attorneys

**NH Lawyers Assistance Program**  
[lapnh.org](http://lapnh.org)

**Institute for Well-Being in Law**  
[lawyerwellbeing.net](http://lawyerwellbeing.net)

**Lawyers Depression Project**  
[lawyersdepressionproject.org](http://lawyersdepressionproject.org)

**National Alliance for Mental  
Illness New Hampshire**  
[naminh.org](http://naminh.org)

**ABA Well-Being in the Legal Profession**  
[americanbar.org/groups/lawyer\\_assistance/well-being-in-the-legal-profession/](http://americanbar.org/groups/lawyer_assistance/well-being-in-the-legal-profession/)

**The Happy Lawyer Project**  
[thehappylawyerproject.com](http://thehappylawyerproject.com)

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