

NEW HAMPSHIRE BAR ASSOCIATION
BOARD OF GOVERNORS' ORIENTATION MEETING
Thursday, November 20, 2025
4:00 pm
Live with Remote Option
Meeting Minutes

Present for all or part of the meeting:

Board Members:

President Derek Lick, President-Elect Robert Lucic, Vice President Sarah Mattson Dustin, Oliver Bloom, Gar Chiang, Jake Crabbs, Steven Dutton, Caroline Epperson, Geoffrey Gallagher, Chrissy Hanisco, Len Harden, Petar Leonard, Kyle Robidas, Barry Schuster, Cathy Shanelaris, Jim Shepard, Charla Stevens, William Woodbury.

NHBA Staff: Vince O'Brien, Jennifer McManus, Debbie Hawkins, Holly Chandler, Caitlin Dow

NHSC Liaison: Justice Patrick Donovan

ABA Delegates: Michael Iacopino, Jennifer Parent

Guests: Heidi Barrett Kitchen

A. Call to Order Derek Lick

The meeting was called to order at 4:02 p.m. by President Lick.

The Board then went into Executive Session for the purpose of determining the future of the NHBA Judicial Screening Process.

EXECUTIVE SESSION

B. Judicial Screening Process – Executive Session

The Board came out of Executive Session at 5:02 p.m.

REGULAR BOARD MEETING RESUMES

REGULAR BUSINESS – CONSENT ITEMS

C. Membership Status Changes Jennifer McManus

D. October 16, 2025 Meeting Minutes Catherine Shanelaris

ACTION

On Motion to accept the Consent Agenda. Passed. Unanimously.

PRESENTATION / DISCUSSION / ACTION ITEMS

- E. Nomination of Sarah Mattson Dustin as 2025-2026 President-Elect – **ACTION ITEM** Derek Lick
(As called for by NHBA Bylaws Article 6, Section 3: On or before December 31st in each year, the members of the Board of Governors shall nominate a candidate for President-Elect.)

ACTION

On Motion to nominate Sarah Mattson Dustin as 2025-2026 President-Elect. Passed. Unanimously with one abstention, Sarah Mattson Dustin.

- F. Model Criminal Jury Instructions Posting Sarah Blodgett

Executive Director Blodgett explained that the bar has a history of posting these instructions on the bar's website. Currently there are instructions from 1985, and a draft version from 2010. There is a caveat posted that lets users know that the instructions are always changing due to changes in laws and court opinions, and there is no assurance they are correct, and they have not been adopted by any New Hampshire court. The notice urges members to do their own research.

A committee headed by Superior Court Chief Justice Mark Howard and Melissa Fales are currently working on updating these instructions, and asked the bar to post the finished product on the website.

ACTION

On Motion to post the new criminal jury instructions, once completed and approved, on the bar's website. Passed. Unanimously.

REPORT ON EXECUTIVE SESSION

At the executive session held early this afternoon, the following motion was made, voted on and approved.

ACTION

On Motion - The New Hampshire Supreme Court directed the New Hampshire Bar Association to terminate its judicial review process. Based on that direction, the Board of Governors voted to suspend that process. Passed. 13- 3 in favor of the motion. There were no abstentions.

- G. Reappointment of Kate Mahan to the New England Bar Association Board of Directors for a 3-year term (2025-2028)

ACTION

On Motion to reappoint Kate Mahan to the New England Bar Association Board of Directors. Passed. Unanimously with one abstention, Kate Mahan.

- H. Revision of 2019 Title Standards – **ACTION ITEM** Heidi Barrett-Kitchen, Real Property
Section
Chair – NH Standard Title Review
Committee

Attorney Heidi Barrett Kitchen, Chair of the NH Standard Title Review Committee, gave the Board a quick overview of the update process. Every year the committee meets and reviews the current case law as well as title standards from other states. She added that this year they are revising 15 different standards, but there are no new standards. The red line of the proposed changes was given to the bar's Real Property Section and they came back with some comments that were incorporated into the final version. The committee is asking

the Board to approve the revised version. They will be published in January of 2026 if approved by the Board. President Lick thanked Attorney Heidi Barrett Kitchen and the Committee for their work.

ACTION

On Motion to approve the standards as presented. Passed. Unanimously.

- I. Ethics Opinion – False Testimony by a Non-Client Witness – **ACTION ITEM** Geoff Gallagher,
Ethics
Committee Member

Ethics Committee Member Gallagher stated this is a piece about what the attorney should do if they discover a witness will not be truthful. The working group that drafted the opinion was made up of both civil and criminal practitioners. The opinion discusses the standard that an attorney should use, and the ‘knowing’ standard.

Executive Director Blodgett asked Attorney Gallagher, and Executive Assistant Debbie Hawkins to explain the difference between an Ethics Opinion, and an Ethics Corner Article. Ethics Opinions are often a more formal and scholarly piece about a specific ethics issue. These are formally considered by the Board of Governors and approved by motion before publication by the Ethics Committee. The Ethics Corner articles are less formal and limited to a simple question. These are presented to the Board prior to publication, but no formal vote is required.

ACTION

On Motion to accept this opinion as presented. Passed unanimously with one abstention by Oliver Bloom.

- J. Treasurer’s Report – **ACTION ITEM** Geoff Gallagher/Jennifer
McManus

Treasurer Gallagher shared that the NHBA received some unexpected revenue in the form of an Employee Retention Credit, which were funds allocated during Covid for businesses that didn’t lay people off during the pandemic. Our auditors recommended that the roughly \$300,000 be classified as non-dues revenue. He also pointed out that delinquency fees are slightly lower than budgeted. This was due to bar staff’s efforts during member renewal as well as the improvement in the member renewal process.

Treasurer Gallagher noted that the bar is a little below budget in personnel costs, but it is expected this will level out as we continue to work toward filling staff vacancies. CLE revenue continues to be below budget; Registrations & Fees of online CLEs (negative variance of \$78,546) and Registrations & Fees of audio CLEs (negative variance of \$32,783). This is indicative of an ongoing decrease in CLE attendance. The Board was reminded that FY26 projected revenue was based in part on artificially inflated revenue in FY24 (May 2023 revenue mistakenly attributed to FY24). Budgets for Registrations & Fees - Live CLE, Registrations & Fees - Audio Program Sales, Registrations & Fees – Online CLEs, are now being recorded to reflect when NHBA has traditionally received revenue throughout the year.

ACTION

On Motion to accept the Treasurer’s report as presented. Passed. Unanimously.

- K. President Report Derek Lick

Midyear meeting is coming along well. Director Vince O’Brien has an agenda for the day with speakers confirmed. The 250th anniversary of Declaration of Independence is the theme for the morning. This section of the meeting will have sessions on the NH constitution, with historical perspective. Then we will shift gears in the afternoon and have one panel planned on AI and then end the day talking about civic engagement with

presenters from the NH Center for Nonprofits, the NH Municipal Association, and a panel of attorneys discussing their civic engagement. Lastly, there will be a call to action for the NHBA Civics program A Lawyer and Judge in Every School during which members will be encouraged to sign up to volunteer.

President Lick is pleased with Martha Madsen's work with the NHBA Civics and Law Outreach Committee. He is hoping there will be a large group that volunteers for A Lawyer and Judge in Every School, which is planned for late spring/early summer.

L. Executive Director's Report
Blodgett

Sarah

Director Blodgett announced there is a vacancy for the Sullivan County Governor's seat due to Vanessa Wilson's retirement and resignation from the Board. Please email President Lick and Director Blodgett if you know of a good candidate. The Board would appoint someone to serve until next election in April of 2026. The appointee would be eligible to run for their first term at that time, should they so choose.

Director Blodgett also gave an update on the implementation of the \$25 fee for LRS full fee program. It was decided to move forward on implementing this fee as it was thought it would bring in \$75,000 in revenue. We attempted to implement the fee on October 1 and discovered that we cannot do it with our current member database, so we have paused this effort. She stated we plan to put out a Request for Proposal for a new member database in early 2026. There are other limitations to our database, and we are looking to improve the functionality across all functions. There have been a few meetings with vendors, and we have found there are many more efficient and modern options for these types of programs. It will be in the capital budget for next year. We recently hired a new IT Manager, Stan Larsen, and he will be spearheading this effort.

Director Blodgett shared that the NHBA hosted the New England Bar Association Annual Meeting, which was held in Portsmouth at the Sheraton. Each New England state takes a turn at hosting every 6 years. As part of the program, there was a panel of all 6 New England Chief Justices, one on recent developments in IOLTA, and one on AI. Both Director Blodgett and President-Elect Lucic presented. It was a great meeting.

She also let the Board know that the Special Committee on Public Sector Attorneys recently sent out a survey to our public sector members. We have received 160 responses out of our 1200 members in this category. The information will be collated and brought to the Board. There is a lot of dissatisfaction in this group about the NHBA. She shared that the number one complaint is the dues amount.

M. New Business

Executive Director Performance Review

Bar President Lick announced that as part of the Board's responsibilities they are required to complete a performance review on the Executive Director. The officers have been asked to reach out to staff for comments. He requests that every Board member send comments to him by December 5. President Lick plans to compile comments and meet with Director Blodgett in mid-December.

New Bar Association Award

Judge Ruoff reached out to Board member Tony Naro regarding a new bar association award focused on court staff. There will be further discussion on this.

N. Old Business

Ethics Work on Rule 1.17 – The Sale of a Firm or Practice by a Non-Retiring Attorney

There was continued brief discussion about this item. The Ethics Committee wants guidance as to whether the

Board would like the committee to include mergers in their recommendation.

President Lick thought that the Board had already given direction on this as they have been discussing in since January of 2024. Executive Director Blodgett and Ethics Committee Member Geoff Gallagher will review the past minutes and put it on the December agenda if there isn't a clear directive from the board expressed in the prior minutes.

O. State Update

All Board Members

Board members are asked to report on issues of concern or interest for Association members that should be brought to the attention of the Board of Governors

ABA Associate Delegate and Ex-officio board member Mike Iacopino asked about the judicial nomination process directive from the Supreme Court and whether it was in writing. It was not. This request was expressed at a meeting with the Executive Director Blodgett, President- Elect Lucic and Immediate Past President Kate Mahan (President Lick was unavailable to meet) at the Court's request.

This will be annotated in the policy. There was a discussion about whether the wider bar would be notified of this change. Executive Director Blodgett noted that we don't have a history of notifying members with policy changes. Attorney Iacopino would like the Board to notify the members, as this is a big change to our past practice.

Board Secretary Cathy Shanellaris announced that the Nashua Bar holiday party will be held on Thursday, December 11, beginning at 5:00 pm at the Morneau law firm.

P. **INFORMATIONAL ITEMS REQUIRING REVIEW BUT NO ACTION**

1. Ethics Corner Article - Ethical Considerations with Motions to Enforce Settlement Agreements

Q. Adjournment

The meeting adjourned at 5:30 p.m.

Respectfully submitted,

Deborah J. Hawkins for Catherine E. Shanellaris, Secretary

New Hampshire Bar Association				
Membership Status Changes				
Presented to the Board of Governors November 20, 2025				
Status Changes October 10, 2025 - November 13, 2025				
Bar ID	Name	Old Status	New Status	Effective Date
15870	Attorney James P. O'Rourke Jr.	Active	Deceased	10/04/2025
372	Attorney Thomas Williams Braun	Active	Inactive Retired	10/16/2025
569	Attorney Terrence Joseph Daley	Active	Inactive Retired	10/31/2025
2855	Attorney Garry R. Lane	Active	Inactive Retired	10/27/2025
1940	Attorney George Herbert Ostler	Active	Inactive	11/01/2025

8774	Attorney Valerie M. LePine	Active	Inactive	10/01/2025
10881	Attorney David S. Rotman	Active	Inactive	11/01/2025
19002	Attorney Matthew P. Zahn	Active	Inactive	10/15/2025
266194	Attorney Bruce Medoff	Active	Inactive	10/10/2025
278052	Attorney Potoula P. Tournas	Active	Inactive	10/21/2025
11283	Attorney Michael T. Eramo	Inactive	Active	10/16/2025
271589	Attorney Elizabeth Marcotte Bjorn	Inactive	Active	10/30/2025
20287	Attorney Keri E. Sicard	Suspended	Active	10/22/2025