



Young Adult Court graduates Trenton Liggins and Nyah Velasquez, holding flowers, pose with Judge N. William Delker and members of the YAC team following their February 19 graduation ceremony in Manchester. From left are Linda Gromko, Scott Marquis, Nancy Wickwire, Allison Joseph, Terrence O'Neill, Trenton Liggins, Hon. N. William Delker, Nyah Velasquez, Nellie Chancey, Jordan Strand, Patrick Ives, Michael Hamman, and Zachary Charland. Photo by Av Harris

Young Adult Court Graduates Show Program's Early Promise

By Tom Jarvis

When Nyah Velasquez and Trenton Liggins completed Young Adult Court (YAC) during a February 19 graduation ceremony at Hillsborough County Superior Court North in Manchester, they became the fourth and fifth graduates of a program launched less than three years ago as a pilot.

Judge N. William Delker, who presides over YAC, says both graduates are now pursuing paths that once may have

seemed unlikely.

"Both of those participants are really on a career track that I don't think anyone would have imagined when they entered the program," Judge Delker says.

YAC began in 2023 as a pilot program for defendants aged 18 to 25 who have been charged with serious criminal offenses and are assessed as needing the level of structure and support the

COURT *continued on page 18*

CFI Disability Rights Class Action to Proceed Toward Trial

By Tom Jarvis

A federal class action alleging that New Hampshire has failed to provide necessary home- and community-based services to older adults and people with disabilities enrolled in its Choices for Independence (CFI) program will proceed toward trial after US District Court Judge Paul J. Barbadoro denied summary judgment to both sides.

In an April 17 memorandum opinion in *Fitzmorris v. Weaver*, Judge Barbadoro found that material factual disputes remain in the case, which was brought by participants in the CFI Waiver program against the New Hampshire Department of Health and Human Services (DHHS) and its commissioner, Lori Weaver.

The ruling does not decide whether the defendants violated federal disability rights laws. Rather, it permits the plaintiffs to continue pursuing claims that DHHS's administration of the CFI program places participants at serious risk of unnecessary institutionalization in violation of Title II of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act.

The CFI program provides Medicaid-funded home- and community-based services to eligible adults who meet the

level of care required for nursing facility placement but choose to receive services in their homes and communities. According to the opinion, the program served 4,401 unique participants during the reporting period from July 1, 2022, through June 30, 2023.

The named plaintiffs, Emily Fitzmorris and Kathleen Bates, represent a class of CFI participants who, they allege, have been placed at serious risk of unjustified institutionalization because DHHS has failed to ensure they receive the community-based long-term care services and supports for which they have been found eligible and assessed to need.

Disability Rights Center-New Hampshire (DRC-NH) Litigation Director Jennifer Eber says the April ruling means the case will move toward trial, likely this fall.

"The New Hampshire Department of Health and Human Services' ongoing failure to properly administer the CFI program has had devastating, real-world consequences for participants who rely on authorized CFI services to live safely at home," Eber says. "Without timely delivery of services, CFI participants often cannot get out of bed in the morn-

CFI *continued on page 17*

Judges Examine Complexities of Domestic Violence, Sexual Assault Cases

By Tom Jarvis

New Hampshire's trial court judges gathered in Concord on March 20 for a full-day examination of domestic violence and sexual assault cases, focusing on the legal, procedural, and human complexities that can arise when related matters move through different courts at the same time.

The judicial education program, held at Merrimack Superior Court, included sessions on protective orders, criminal bail conditions, prior abuse evidence, expert testimony on delayed disclosure, court data, firearm surrender requirements, barriers to accessing protection, and trauma-informed jury selection. The program also featured a keynote address by Aaron Stone, a retired US Army combat medic, sexual

assault survivor, and founder of 18 Winters: Shattering the Silence Around Male-on-Male Sexual Assault.

Circuit Court Chief Judge Ellen Christo says the daylong program reflected the complexity of domestic violence and sexual assault cases and the need for continued judicial education.

"These cases often move between both superior and circuit courts, and the laws, procedures, and best practices are constantly evolving," she says. "After talking with colleagues throughout the Judicial Branch, we felt it was important to dedicate a full training day to this work."

Judge Christo says the program was intended to provide a comprehensive examination of how the cases proceed

TRAINING *continued on page 18*



Keynote speaker Aaron Stone speaks candidly about his experience as a male survivor of sexual assault and the barriers survivors face in coming forward during the March 20 judicial training on domestic violence and sexual assault. Photo by Av Harris

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A Legal Legacy – Bradley Bequest Supports NH Constitution Fellowship

The New Hampshire Bar Association received an unexpected and generous bequest from the estate of longtime Hanover attorney David H. Bradley, and the Board of Governors is putting it to good use. The Board has agreed to donate the bequeathed funds to the New Hampshire Constitution Fellowship (the Fellowship), an initiative of the Warren B. Rudman Center for Justice, Leadership & Public Service (Rudman Center) at the University of New Hampshire Franklin Pierce School of Law (UNH Law), in support of its New Hampshire Constitution Project (the Project).

The donated funds will help provide stipends for two law students, one this summer and one next summer, to gather and preserve additional historic documents related to New Hampshire's constitutional history.

The NH Constitution Project

As those who attended the Midyear Meeting may recall, New Hampshire holds the distinction of adopting one of the oldest constitutional documents in American history, with its first constitution predating the Declaration of Independence by six months. Despite that historical depth, the documentary record surrounding that constitution has long been scattered, fragile, and largely inaccessible to the legal professionals who need it most. The Project aims to remedy that.

Superior Court Judge N. William Delker, working with the Rudman Center and its fellowship program, began a con-

President's Perspective



By Derek D. Lick

Orr & Reno,
Concord, NH

certed effort to gather, study, and preserve the historical materials – convention records, newspaper accounts, legislative debates, and court documents – that trace the evolution of the state's founding charter across nearly 250 years.

Since 1784, New Hampshire has convened 17 constitutional conventions, each leaving behind pieces of a fragmented record. Some of those records survive in volumes dating to the 1770s, bound in dried-out leather and sitting untouched on courthouse shelves. The Project's goal is to reconstruct that record systematically – and to make it available to attorneys, judges, and the public in a usable, organized form.

The Fellowship in Practice

At the heart of this effort is the Fellowship, which places law students alongside judges and legal scholars to do the painstaking work of document collection and

analysis. The Fellowship's pilot model was demonstrated in the summer of 2025, when second-year UNH Law student Bryan Rome worked directly with Judge Delker on historical research into the state constitution's provisions and debates.

Rome's work involved handling primary source materials of remarkable age – books and documents going back to the 1770s – and organizing their contents to provide context for constitutional interpretation. The Fellowship draws on the Rudman Center's established summer fellowship program, which places dozens of law students in government agencies and public interest organizations across the state each year. The Fellowship adapts that model specifically for constitutional history work, pairing students with judicial and academic mentors who guide the research.

Why This Matters

The practical value of this project for New Hampshire's legal community is substantial and growing. The US Supreme Court has been shifting more decisions back to state courts, meaning that attorneys across the state will increasingly need to build arguments grounded in state constitutional law rather than federal doctrine. Providing a detailed, accessible historical record of the New Hampshire Constitution's development gives practitioners far better tools to construct those arguments.

For judges, the benefit is equally direct. Constitutional interpretation often turns on original intent and historical context – and when that context is buried in deteriorating documents or simply unavailable, courts are forced to decide without the full picture. The Fellowship addresses that deficit by bringing trained legal researchers to the task of recovering and organizing the underlying record.

A Worthy Legacy

Attorney Bradley's donation to the Bar Association will provide generations of attorneys with insight into our state's founding document and its underlying legal principles. His bequest was a continuation of his well-known support of New Hampshire's legal community. Attorney Bradley was a devoted leader and supporter of the Bar and the Bar Foundation. When he retired in 2017, he was the longest-practicing attorney in Grafton County. Attorney Bradley's legacy will live on, and we thank him and his family for all he has done to further the law in New Hampshire. ♦

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Free Legal Answers is a 24/7/365 virtual legal clinic that helps those in need access free basic legal advice and information. It is a partnership between the NHBA and the ABA.



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Changes to the 2026–2027 NHBA Board of Governors

We are pleased to announce the members who will serve on the NHBA Board of Governors for the upcoming year.

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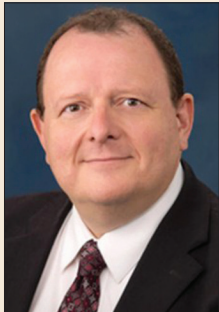
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Nominations Sought for Paralegal Professionalism Award

Do you know a paralegal who goes above and beyond? Please consider nominating them for the 2026 Paralegal Professionalism Award.

This annual award is presented to the nominee who best exhibits a high degree of professionalism, possesses an outstanding level of knowledge about their job, has motivation that exceeds expectations, is considered a role model for other paralegals, and pro-

motes paralegal work as a profession.

The Paralegal Professionalism Award will be presented during the Paralegal Association of New Hampshire's Annual Meeting on September 18. To submit a nomination, please visit nhbar.org/about-the-bar/bar-awards.

If you have any questions, please contact Holly Chandler at hchandler@nhbar.org or (603) 715-3267. ♦

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Geoffrey Gallagher Draws on Psychology, Strategy in Service to the Bar

By Kathie Ragsdale

When Geoffrey Gallagher steps into a courtroom, he brings not only his legal experience but a background as a poker player, gamer, group home manager, and holder of a master's degree in social psychology/affective neuroscience.

That polymathic skill set has served him in positions ranging from assistant county attorney to his present post as a partner at Poulin, Hurley, Makris & Lyons, PA, in Concord.

It also informs his multiple efforts on behalf of the New Hampshire Bar, where he serves as treasurer of the NHBA Board of Governors and vice chair of the NHBA's Ethics Committee. He is also treasurer of the Daniel Webster-Batchelder Inn of Court and sits on the New Hampshire Board of Bar Examiners.

"I think if you have the ability to serve and help people, you should," he says.

Born in Hartford, Connecticut, Gallagher lived in several states as a boy, as his father's human resources work demanded. His father had gone to law school but never sat for the bar, and his mother's father and grandfather were both lawyers and judges.

Gallagher was initially drawn in a different direction and majored in psychology at Boston College, where he earned his bachelor's degree. He went on to get a master's degree in social psychology and affective neuroscience, the study of the

biological foundation of emotions.

While in graduate school, he managed a bowling alley in Somerville's Davis Square, where he learned how to play pool and poker (as well as how to hand-score candlepin bowling) – skills he would later use in unexpected ways.

He considered getting a Ph.D. in the field of psychology but grew disillusioned with academia and accepted a job managing group homes for developmentally delayed individuals – a job he calls emotionally rewarding but difficult, as the work was done entirely in locked units.

Some of the legal questions that arose during his five years on that job – like what to do with an individual who refused to take his medication – piqued his familial interest in the law, and he decided to go to law school.

He chose the University of New Hampshire Franklin Pierce School of Law (UNH Law) because of its prestigious Daniel Webster Scholar Honors Program, a first-of-its-kind program that allows participants to graduate without the need to take the traditional two-day bar exam.

Gallagher graduated in 2013 and

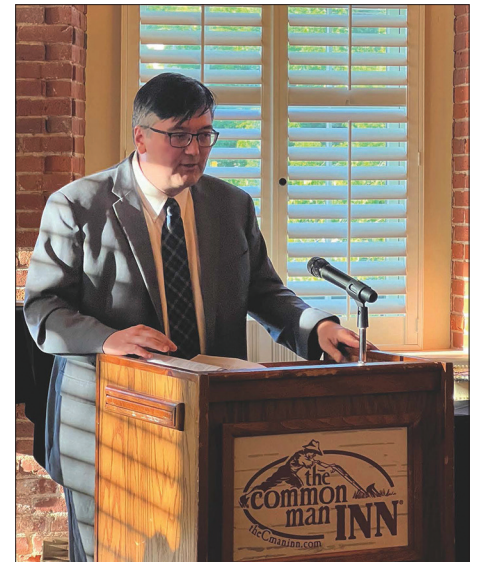


Geoff Gallagher and his wife Anna celebrating her birthday at the Rage Cage in Nashua. Courtesy photo

has since dedicated most of his career to litigation and has more than 50 trials to his name, sometimes drawing on both his psychology and his poker-playing skills in the process.

"I'm a big believer in game theory," Gallagher says, referring to the decision-making model in which success depends on the choices of others, requiring one to anticipate and react to opponents' moves. "There are all sorts of strategies in game theory that help people think through negotiations."

His psychology background "abso-



Geoff Gallagher speaking at the retirement celebration for Sullivan County Attorney Marc Hathaway. Courtesy photo

lutely" helps with that, he says, and is also helpful in criminal cases by providing "insights into people, why they might be doing something."

The poker background also figures in, he adds. "Most poker players learn to read people's faces and unconscious and conscious cues people have when they say something," he says. "That can be helpful during depositions, negotiations, or trial."

Gallagher began his legal career

GALLAGHER *continued on page 22*

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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\$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
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‘Getting It Right’ – Matthew Vicinanzo’s Path to Federal Prosecution

By Scott Merrill

People who have worked with Assistant US Attorney Matthew Vicinanzo tend to reach similar conclusions about him: He is thoughtful, talented, and built for public service.

In 2024, Vicinanzo returned home to New Hampshire, where he was appointed an assistant US attorney under then-US Attorney Jane Young and began taking on some of the most difficult work in federal prosecution: cases involving child exploitation. He approaches the work with a pragmatic sense of compassion as well as a habit of deflecting credit – but the people who have worked alongside him at every stage of his career are far less reserved about his character and skills as an attorney.

“I truly think Matt is one of the department’s future leaders,” says Erin Creggan, US attorney for the District of New Hampshire. “There’s an entire generation coming up right now, and these are the people who are going to become US attorneys, chiefs of their divisions, judges, high-level department officials. Matt is part of that generation. He’s a phenomenal attorney, a passionate advocate. He’s kind and compassionate. He’s reasonable with opposing counsel. He’s everything you want in a federal prosecutor.”

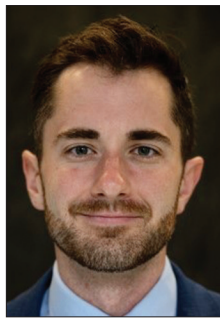
The Roots of a Legal Career

Vicinanzo grew up in Concord and never lost his sense of the state as home. He went south for college, to Ave Maria University in Florida, then to Georgetown for law school, graduating in 2017. The path into the law, though, started much earlier and much closer to home.

“A part of what drove me to want to become a lawyer is that my dad is an attorney – in fact, he was a federal prosecutor here in New Hampshire when I was growing up,” Vicinanzo says. His father, David Vicinanzo, now practices at Nixon Peabody in Manchester.

“I saw how passionate he was about the work, and the good that was done coordinating with law enforcement to keep New Hampshire the safest state in the country,” he says. “Everyone seemed really engaged, always encountering new challenges. That’s what drew me to going to law school – the constant challenges. As an attorney, you’re always learning.”

Vicinanzo’s first job out of Georgetown was at Crowell & Moring in Wash-



ington, DC, where he handled health-care litigation and False Claims Act defense work. It was there he met friend Jason Crawford, a fellow New Hampshire native who remembers a connection forming almost immediately.

“You only meet so many New Hampshire natives in DC, so I felt a kinship with him right away,” Crawford says. “I saw he was a fantastic lawyer almost immediately.”

Clerkship Pointed the Way

A formative chapter in Vicinanzo’s career came about a year after starting at Crowell & Moring. When the opportunity arose, Vicinanzo headed north, clerking for Jeffrey Howard, then-chief judge of the US Court of Appeals for the First Circuit, who kept chambers in New Hampshire.



Matthew Vicinanzo hiking in the White Mountains with his daughter. Courtesy photo



Matthew Vicinanzo is sworn in as a US attorney by then-US Attorney Jane Young. Courtesy photo

Howard, now a senior judge on the court, had known Vicinanzo’s family for decades. “I first met Matt when he was a little over a year old,” he says, recalling his professional relationship with Vicinanzo’s father, who served as an assistant US attorney with him in the early 1990s. Two decades later, a blind application for an internship landed on his desk.

“I was very impressed with Matt’s work. He was a serious, highly principled law student,” Howard says.

When Vicinanzo later applied to clerk, Howard already knew the caliber of person he was getting.

“Frankly, he was one of those people

the other clerks gravitated to,” he says. “I detected a strong moral compass, a willingness to help out – an absolutely decent guy and a very strong lawyer.”

For Vicinanzo, the clerkship reframed what the law could be.

“As an advocate, you’re looking at things from one perspective. As a judicial clerk, the one job was to always get it right,” he says. “It was kind of liberating. You never could do the wrong thing, because the only objective was to reach the right outcome in every case.”

The mix of civil and criminal appeals

VICINANZO continued on page 22



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Bipartisan Bill Creates Civic Recognition Program for High School Students

By Megan Koerber

New Hampshire lawmakers have passed House Bill 1467, which establishes a Seal of Civic Excellence and Engagement to recognize high school students who demonstrate strong achievement in civics education and participation.

The measure allows local schools to award the distinction to graduating seniors who go beyond standard civics requirements, demonstrate proficiency through assessments or portfolios, and participate in civic activities such as community projects or student government.

The bipartisan bill was sponsored by Representatives David Paige (D), Michael Moffett (R), Patricia Cornell (D), and Senate President Sharon Carson (R), and was signed into law by Governor Kelly Ayotte on April 22.

The main goal of the program is to motivate and celebrate civics achievement during high school; however, Representative Paige thinks it will have important long-term benefits for students.

“In increasingly competitive college admissions and job markets, a demonstrated commitment to civic engagement can absolutely help distinguish a student’s resume or application,” Paige says. “The seal sends a signal that a student has gone beyond minimum requirements and shown initiative, engagement, and applied learning. These are exactly the kinds of transferable skills and dispositions – communication, leadership, teamwork, problem-solving – that organizations consistently say they value.”

He says the legislation was shaped



by both timing and practicality. In the nation’s 250th anniversary year, he saw an opportunity to keep advancing civic education in New Hampshire, but a difficult budget cycle limited what lawmakers could realistically pursue.

Civic diploma seals emerged as a strong fit – a budget-neutral program with a successful track record in other states that promotes and recognizes student civic engagement without creating new mandates.

Jennifer Eber, co-chair of the NHBA Civics and Law Outreach (CLO) Committee, is excited about the opportunities for recognition HB 1467 creates for students.

“Civic achievement is just as important as other areas in which students are recognized,” Eber says. “By recognizing students for such achievement in civics, we will hopefully have more students participate in civics activities.”

HB 1467 follows New Hampshire’s More Time on Civics Law, enacted through SB 216 in 2023, which expanded

civics requirements in middle and high school and ensured dedicated civics instruction each year of elementary school.

“HB 1467 builds on SB 216’s progress,” says Paige, “by increasing the visibility and prominence of civic learning in our schools and by publicly recognizing students who demonstrate civic excellence and engagement. Civics doesn’t just need more classroom time – it also needs greater cultural emphasis.”

The State Board of Education will develop guidelines to ensure consistent standards statewide while still preserving local flexibility, which Paige says was absolutely critical to the success of the legislation. He wanted the program to be a “positive, flexible, opt-in opportunity – not another top-down mandate.”

“The legislation creates a great opportunity for school districts and teachers to utilize the programming that we administer,” Eber says, “like We the People: The Citizen and the Constitution, in which

high school students compete in legislative hearings before a panel of three judges on constitutional issues, or *Street Law*, which pairs a teacher with a lawyer or judge for a full year of civics activities, including field trips.”

Looking ahead, Paige says he hopes New Hampshire will invest more in professional development for educators focused on effective civic instruction, and that this program could possibly serve as a statutory framework for determining district eligibility for civic education grant opportunities.

“My dad was a history teacher ... and I spent about a decade developing civic education resources for middle and high school students and the educators who teach them,” Paige says. “Civic engagement helps create a stronger sense of connection and shared responsibility. Helping young people see that their voice matters – that they can contribute meaningfully to their communities and have agency to effect change – is maybe the most important gift we can pass on to the next generation.”

NHBA CLO Coordinator Martha Madsen says the new law aligns closely with the Bar’s existing civic education work.

“This new law is an encouraging bipartisan effort to recognize skills and knowledge critical to our constitutional democracy and our way of life,” she says. “I am hopeful that the Bar’s Civics and Law Outreach programs will help qualify many young adults for this honor.”

For more information about NHBA Civics and Law Outreach programs, contact Martha Madsen at (603) 715-3259 or mmadsen@nhbar.org. ♦



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Burnout: What Does It Mean, and Are You at Risk?

By Charla Stevens

According to Bloomberg Law's 2024 Attorney Well-Being Report entitled "The Divide Between Health & the Legal Industry," surveyed attorneys reported feeling burned out, on average, 48 percent of the time.



Younger attorneys and female attorneys tended to skew higher, while older attorneys reported less burnout. But what does burnout really mean, and is it a temporary or permanent state of disease?

Burnout is more than feeling tired, stressed, or emotionally drained – especially when those feelings are temporary and linked to a demanding period, such as a trial, a year-end push to meet billable-hour goals or close transactions, or performance reviews. Unlike ordinary stress, burnout is usually chronic and can appear in many forms. Its symptoms may be physical, emotional, behavioral, or a combination of all three.

Common emotional or mental symptoms include chronic fatigue not improved with rest, anxiety or depression, and feeling overwhelmed by simple tasks at home or at work. Those experiencing burnout may also show atypical signs of irritability or anger. Burnout may manifest itself in physical symptoms often associated with stress:

insomnia or poor sleep, headaches, gastrointestinal issues, frequent pain, or illness. These are usually signs individuals may not immediately attribute to burnout.

Another set of symptoms, which may be more difficult to identify in oneself, includes decreased empathy toward clients or coworkers, loss of patience or purpose, increased cynicism, and a feeling of disconnect. A common example is a feeling of dread associated with going into work or starting the workday.

Changes in behavior or declines in work performance are signs you might recognize in a coworker, subordinate, or mentee. Missing deadlines, making uncharacteristic mistakes, and taking longer than normal to complete tasks are common signals. Difficulty concentrating and procrastination also often occur. Behavioral changes noticed by coworkers may also include withdrawal from social or business engagements, loss of interest in work or hobbies, and self-medication with alcohol or drugs.

The following two scenarios illustrate the difference between common workplace stress and an attorney on the way to burnout:

Attorney A: Adam is an assistant county attorney with about 10 years of experience trying criminal cases. He has three trials in the next month for which to prepare, and his favorite paralegal resigned because her husband is experiencing serious health issues. Adam is working long hours interviewing witnesses and preparing pleadings and exhibits with little help because the office is short-handed.

He is terrified that he will miss something important in his preparations and knows that

his annual performance evaluation will be impacted by the results he achieves in these cases. He is having difficulty sleeping and is not eating well. He is short-tempered with his wife and children and refuses to discuss his concerns with anyone at work or home. He wonders whether he should consider changing careers, although he has always loved being a prosecutor.

Attorney B: Brenda is an income partner in a large law firm. For the past year, she has become increasingly disillusioned with her compensation and with her career path. She has been working almost 60 hours a week on a regular basis and feels a lack of support and appreciation from firm leadership. On Monday morning, she sat in her car for about 30 minutes, steeling herself to go into the building, and found herself sobbing for no particular reason.

Once she composed herself, she headed to her office and quickly shut the door without greeting anyone. She came out twice for coffee, declined an invitation for lunch with her work friends, and left for the evening at 8 pm. Her dinner at home consisted of leftover pizza and wine, and she did not answer text messages from her sister or her mentee, who had asked to talk about an issue with a coworker.

The differences between these two scenarios are clear. Adam generally enjoys his work and has been satisfied with his career. He appears to be experiencing a temporary period of high stress due to workload, lack of help, and an upcoming evaluation. With renewed attention to his well-being, Adam will probably be able to overcome the issues he is

experiencing and return to his prior, healthier behaviors.

Brenda, on the other hand, has experienced a prolonged period of dissatisfaction at work and shows signs of anxiety and depression. She is engaging in unhealthy behaviors, such as poor eating and sleeping habits, and has withdrawn from colleagues and family. She appears to be showing a lack of empathy and responsiveness to her mentee. Brenda could use some support in connecting with resources that may assist her. Otherwise, she is likely approaching or experiencing burnout.

Individuals who believe they may be experiencing burnout can use a number of assessment tools. Examples include the Copenhagen Burnout Inventory and the Oldenburg Burnout Inventory, both of which are easily accessible. Talking with a therapist or professional coach is also highly recommended.

Finally, attorneys experiencing mental health or emotional distress should consider accessing the free and confidential services of the New Hampshire Lawyers Assistance Program. Information about its services is available at lapnh.org. ♦

Charla Bizios Stevens is a retired attorney who consults on workplace issues. She is a member of the ABA Section of Litigation's Mental Health and Wellness Committee, chairs the NHBA's Special Committee on Attorney Wellness, and is a commissioner of the New Hampshire Lawyers Assistance Program. She can be reached at charlastevensconsulting.com.



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Opening Doors: Making Your Practice Welcoming to LGBTQ+ Clients

By Michael Haley

Every client who walks through an attorney's door or navigates a firm's website for the first time is making a judgment about whether they will feel safe, respected, and understood. Engaging with a lawyer and a law office can be intimidating, and clients hope to be heard and helped. For LGBTQ+ individuals and families, the worry and fear of engaging with legal assistance can be overwhelming.

Barriers to accessing legal services often begin long before the first consultation, and some arise from aspects of LGBTQ+ clients' lives that practitioners may not have considered. In recognition of Pride Month, this article highlights a few of the ways that LGBTQ+ clients may encounter friction when seeking legal help and practical steps practitioners can take to signal that their doors are genuinely open.

We often speak of LGBTQ+ people "coming out" as though it is a single event. In reality, every new professional relationship (a new doctor, a new employer, a new attorney) may require an LGBTQ+ person to decide once more whether, when, and how to disclose aspects of their identity. That decision involves real uncertainty. Will this person treat me the same? Will information I share be used with sensitivity? Will I encounter judgment that affects the quality of service I receive?



This uncertainty can deter LGBTQ+ individuals from seeking legal services in the first place or lead them to withhold information that an attorney needs. Practitioners can reduce that uncertainty, and secure better results for the client, by signaling affirmatively that their practice is a welcoming space.

One straightforward step is reviewing what your website communicates. Including a statement describing your firm's commitment to follow the anti-discrimination protections in RSA Chapter 354-A signals to prospective clients that they will be treated with equal respect regardless of their sexual orientation or transgender status. A simple website note about nondiscrimination costs nothing and can make a meaningful difference to someone who is trying to decide whether to reach out.

Intake forms and initial interviews offer another opportunity. Simple adjust-

ments communicate attentiveness and respect.

For example, asking about a prospective client's "spouse" rather than their "husband" or "wife" until you know otherwise avoids putting the prospective client in the uncomfortable position of correcting you.

Similarly, giving prospective clients the opportunity to tell you whether they use a name other than their legal name shows a willingness to respect the prospective client's wishes while reducing confusion and building a closer relationship. These are not just matters of courtesy; they affect whether a client feels comfortable sharing the information you need to represent them effectively.

LGBTQ+ clients may present legal questions that do not fit neatly into traditional frameworks, and this is perhaps nowhere more evident than in family law. Children in LGBTQ+ families are fre-

quently born through fertility healthcare such as donor insemination, in vitro fertilization, or gestational surrogacy. Each pathway carries its own legal considerations with respect to parentage.

New Hampshire has taken significant steps to address these realities and protect children, no matter how they are born. HB 1162, signed into law in 2020, expanded the ways in which parents can establish legal parentage, including through confirmatory adoption. This process allows a parent who already has a parental relationship with a child to obtain a court decree reflecting that relationship.

This is particularly important because such a decree, as a court judgment, is entitled to recognition by other states under the Full Faith and Credit Clause of the US Constitution. A family that moves from New Hampshire to a less protective state benefits considerably from having that judgment in hand.

Despite these protections, LGBTQ+ families can still face complexity in custody and parentage matters – particularly when a child has been raised by two parents but only one has a legal relationship with the child.

Attorneys practicing in family law, estate planning, or related areas would do well to familiarize themselves with the child-centered framework established by RSA Chapter 168-B, New Hampshire's parentage scheme, and the resources available through organizations such as GLAD Law, which maintains on its website a regularly updated online guide to LGBTQ+ legal issues in New Hampshire.

LGBTQ+ continued on page 16

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We are thrilled to announce that Kaylee Doty-Johnson is now a Member of the firm!

Kaylee launched the first new practice area for Lothstein Guerriero, PLLC, since the firm opened in 2013: representing professionals and skilled craftspeople in professional disciplinary proceedings at the Office of Public Licensure and Certification (OPLC). Today, these cases make up about half of her caseload at any given time.

Meanwhile, she continues to appear in courts across the state representing people accused of crimes and people facing civil restraining order and stalking hearings.

Kaylee also has taught several CLEs on the subjects of criminal litigation and administrative law.



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Lake People Problems – Littoral Rights in New Hampshire Part 2 – Littoral Owner v. Littoral Owner

By Christopher X. Morris

Editor's Note: This article is the second in a two-part series, the first part having appeared in the May issue.



More lakefront, more problems. In the previous editorial on littoral rights, lake people had to curtail the use of their littoral rights in favor of the public's right over New Hampshire's natural bodies of water. But the odds are a bit more even when a littoral owner goes up against another littoral owner (usually their neighbor).

Littoral Owner v. Littoral Owner

On the list of Lake People Problems, the top spot has to go to other lake people. There's only so much lakefront to go around, and every inch is coveted. If you're going to spend over a million dollars on a lakefront cabin, the least you can do is make sure no one interferes with your quiet enjoyment.

That being said, the lake lawyer should be cautious before resorting to the old bag of property claims to respond to Lake People Problems. As noted previously, the core principle of littoral rights is that they are a slight enhancement of



the rights enjoyed by the public at large. Thus, a simple trespass claim is not likely to succeed.

The Superior Court has addressed littoral trespass claims in a few contexts with varying degrees of success. In one instance, the Rockingham Superior Court (English, J.) held that a non-littoral owner committed a trespass on a plaintiff's littoral domain when he placed a mooring ball 100 feet away from that plaintiff's shorefront. *Hawkins v. Yannetty, et al.*, No. 218-2021-CV-00796 (N.H. Super. Feb. 1, 2023).

By contrast, the Merrimack Superior Court (St. Hilaire, J.) was hesitant to hold

that one littoral owner commits a continuous trespass by docking and casting off through an abutter's littoral domain throughout the boating season. *Morgan, et al. v. Wood, et al.*, No. 217-2023-CV-00339 (N.H. Super. Aug. 12, 2025). The author submits that these two decisions can be reconciled.

For example, the Rockingham case involved a non-littoral owner versus a littoral owner, which meant the odds were stacked in the littoral owner's favor. If that is the case, then it would be easier to find a trespass if a member of the public were to encroach on lakefront property to

which they have no reasonable connection. Moreover, a mooring ball is a permanent fixture (subject to specific regulations), while docking activities are more transient even if they are continuous. By reading these two cases together, it seems that the more permanent a trespass and the less entitled a trespasser, the more likely a trespass claim will succeed.

Regardless of whether a littoral trespass claim is cognizable, it is hard to ignore the bad taste left in your mouth by arguing that anyone should be excluded from public waters. Enforcement of littoral rights deals in equity, after all. So, a court will have to consider whether the needs of one lakefront owner can fairly outweigh the entitlement of the public.

A more thoroughly litigated area of littoral law is the tried-and-true nuisance claim. The analysis of this claim comports more with lived experience rather than rote application of property law principles on water. Indeed, insofar as a nuisance claim is pressed between littoral owners, the original rule of reasonableness takes center stage because littoral rights are construed "so as not to interfere with the correlative rights of other littoral owners." *Heston v. Ousler*, 119 N.H. 58, 62 (1979). "A nuisance may be merely a right thing in the wrong place, like a pig in the parlor instead of the barnyard." *Id.* at 60.

Unlike trespass, with its underlying

LITTORAL continued on page 16

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May LawLine volunteers, from left: Leif Becker, Mark Waldner, Cassandra Moran, Katheryn Dumais, and Christopher Morrow. Courtesy photo

Members of the New Hampshire Bar Association's Leadership Academy Class of 2026 volunteered for the May 13 LawLine program, answering 53 calls from residents across the state on topics including custody, business, real estate, and municipal law. The NHBA thanks the class members for contributing to a successful evening of free legal assistance at the program's final live call-in event.

Beginning in June, LawLine will transition to a new call-out format designed to better connect members of the public with volunteer attorneys who have experience in the practice areas where they need brief guidance. Individuals seeking assistance will submit a short online application in

advance, allowing NHBA staff to identify questions appropriate for LawLine and assign eligible applicants to available volunteer attorneys. Assigned participants may receive a telephone call from an anonymous volunteer attorney offering brief legal advice during the monthly LawLine session.

LawLine is offered on the second Wednesday of each month from 6 to 8 pm. The NHBA is seeking volunteer attorneys for future events under the new format. Attorneys interested in helping provide brief legal guidance to members of the public may contact NHBA LawLine Coordinator Amanda Adams at aadams@nhbar.org. ♦

New Members

The New Hampshire Bar Association extends a warm welcome to the following attorneys who were recently admitted to the New Hampshire Bar:

May 15, 2026

Catherine Christine Carr, Jack Wilson Champagne, Marcus Couture, Bridget Marie Danielson, Matthew Robert Donlon, Abigail Morgan Garside, Hunter James Harris, Heather Kristin Howell, Yvonne Marie Kinsella, Uthej Kunamneni, Mathias Walter Nessim Long, Grace Anna Lowe, Joseph Rocco Mariani, III, Lucas Bay Nering, Devan Ashley Ravino, Aaron Jacob Smith, Alyssa Michelle Stankevitz, William James Sweeney, Lauren Brennan Tomasula, Peyton Brooke Valliancourt

May 28, 2026

Shelby Farr Anderson, Jessica Hanna, Dmytro Kusen, Kristy Ann Legoas, Erich Michael Nedder, Nathanael W. Peterson, Samantha Elaine Schramm, Nathan Caine Whitehead

June 4, 2026

Raphael Alexander Addante, Eve Loev Balistra, Brendan Thomas Barry, Amber London Bencher, Casey C. Birth, Amanda Michelle Brahm, Caroline Martha Burkard, Genevieve Byrne, Gabriela Josephine Cerretani, Jessica Anna Chia-
vara, Carra Marie Cicalese, Abigail Ryan Cluff, Jane Mello Coderre, Ryan Michael Connor, Matthew James Dennehy, Edward Francis Dombroski, Jr., Victoria A. Gall-rani, Katie Marie Gray, Aubrey Savannah Griffin, JD Haas, Rachel Yasmin Hemani, Anna Elizabeth Horgan, Gabrielle Rose Hunter-Ensor, Nolan Marr Kaldenberg, Rajdeep Kaur, Zachary Edward Klemm, Kalley Joan Leery, Julia Hope McLure, Kalin Elizabeth McKivergan, Caroline MacKinlay Meade, Andrew Henson Miller, Alec Orenstein, Samson Philip Racioppi, Philip C. Reilly, James David Renner, David Judson Ridders, Benjamin John Roberts, Joshua Cyle Salazar, Amanda Bomfim Salvucci, Robert Charles Scaro, III, Nina Ingrid Schultz, Amy E. Serino, Qinglin Wong ♦

NHBA Volunteers Help New Franklin Students Mark Nation's 250th Anniversary

By Megan Koerber

In celebration of the nation's semiquin-centennial, students at Portsmouth's New Franklin Elementary School (New Franklin) participated in a full day of special historical and civics-related activities on May 14. As part of the NHBA's Civics and Law Outreach (CLO) program, attorneys Ali Gennaro and Jack Bielagus volunteered to help second graders better understand the Declaration of Independence through age-appropriate lessons and hands-on learning experiences.

"The school made a whole day of the celebration, starting with an assembly that included the fifth graders reciting the Declaration of Independence," says Tammi Truax, the library media specialist at New Franklin and primary organizer of the event. "Everyone came dressed in historical costumes and we formed a human timeline of American history on the back lawn. It was a blast."

Gennaro, a staff attorney for New Hampshire Legal Assistance, first became involved with the CLO program five years ago through the We the People program and has since volunteered for similar events whenever she is available.

"The second-grade class had a roundtable discussion on the Declaration of Independence," says Gennaro, "and I attended as a guest teacher. The students seemed really engaged in the discussion. They had a lot of interesting insights."

Bielagus says the New Franklin event was his first time volunteering with a school civics program. He is currently in an advisory role with Accurate Title, which he co-founded in 1994.

"I think it went over very well," says Bielagus. "The students were excited to ask questions of an attorney, and I hope they came away with examples of the liberties they possess as US citizens and a better understanding of the justice system."

Truax started planning the celebration last summer after she attended a professional development day organized by social studies teacher Megan Philbrook and Superintendent Brian Connolly.

"I wanted students to have a day they would never forget and to learn some essential civic and history lessons," she says. "In the days that followed, I asked several of my classes what their favorite parts were and got a variety of responses. The human history timeline and the indoor Flavors of



Ali Gennaro and Jack Bielagus sit with second grade students at New Franklin Elementary School in Portsmouth. Courtesy photo

the States Picnic topped the list. I heard a lot of students say, 'Best day ever!'"

That evening, parents were able to hear educator Dave Alcox speak about the Declaration of Independence alongside members of New Hampshire Humanities and the Ranger Chapter, Daughters of the American Revolution.

For more information about the CLO program, visit nhbar.org/civics-education. To volunteer for future civics events, contact NHBA CLO Coordinator Martha Madsen at mmadsen@nhbar.org. ♦

The Bar News Crossword by James P. Mulhern

The answers to the *Bar News* Crossword from the May 2026 issue (Vol. 36, No. 12).

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Women at the Helm: Tremper and Quinn Lead UNH Law Journals

By Bethany Hartt

Recently, it dawned on me that the University of New Hampshire Franklin Pierce School of Law's (UNH Law) interim dean; newly selected student body president, vice president, treasurer, and secretary; and editors-in-chief of all three law review publications are all women.



Natalie Tremper, editor-in-chief of *The University of New Hampshire Law Review*, Volume 25, and Annie Quinn, editor-in-chief of *IDEA: The Law Review of the Franklin Pierce Center for Intellectual Property*, Volume 67, agreed to be featured together for this month's column. If you know Annie and Natalie, this will come as no surprise. In any law school course they take together, they are seated side by side.

Both Annie and Natalie have rightfully earned their reputations as "silent killers," a term frequently used to refer to the introspective students who crush exams. As approachable as they are ambitious, Annie and Natalie shared insights into their respective editing styles,

visions as editors-in-chief, and future professional goals.

Natalie, a Florida native, is passionate about employment law and "the aesthetic of using small caps and *supra*" in legal citations.

As a New England transplant, she sought to immerse herself in the Granite State's legal landscape by writing her 2026 law review note on the *Contoocook Valley* decision and the constitutionality of New Hampshire's per-pupil base adequacy amount."

In addition to being an avid writer, Natalie is also an avid reader. She makes time to consume fiction and literature that would make any English major beam, despite having majored in economics and international affairs in college. Her reading recommendations are both refined and discerning.

True to form, Natalie enthusiastically, albeit "biasedly," suggests reading Shira Diner's article, "Revocation Reconsidered: Probation Advocacy Through a Litigation Lens," published in Volume 24 of *The University of New Hampshire Law Review*.

This year, she hopes *The UNH Law Review* will continue to grow and strengthen legal scholarship."

In the near future, Natalie will be working as a summer associate at Drummond Woodsum in Manchester and



Tremper



Quinn

hopes to "finally go camping in Bar Harbor, Maine."

Originally from New York, Annie is a registered patent agent and "an aspiring patent attorney hoping to practice biotechnology patent prosecution at an IP firm."

Fittingly, Annie's favorite Bluebook rule is Table T1.2. "Table T1.2 has a lot of the IP-related citations like the MPEP and PTAB decisions, so editors on *IDEA* use it frequently," she says.

Her goal as incoming editor-in-chief of *IDEA: The Law Review of the Franklin Pierce Center for Intellectual Property* is to maintain its reputation as a "top-notch journal covering modern IP issues."

Annie's intellectual curiosity and interest in science permeate nearly everything she does. She graduated with a degree in biology from Loyola University Maryland and will pursue a master's

degree in biotechnology at Johns Hopkins University in addition to her law degree. Though she would never volunteer this information without prompting, Annie was the highest-scoring student in her section of Civil Procedure and Legal Writing during her 1L year.

Annie's hobbies even include food science. She maintains a healthy and active sourdough starter that she refers to as "Diane."

"Outside of my professional life, I always want to try new sourdough recipes," she says. "I've made soft pretzels, regular bread loaves, and bagels so far. I want to expand my sourdough menu to pizza this summer."

Annie is working as a summer associate at Sterne, Kessler, Goldstein & Fox in its Biotechnology & Chemical Group in Washington, DC.

Both law review publications are in the hands of capable, well-rounded editors. You can request information about *The University of New Hampshire Law Review* at lawreview@law.unh.edu and about *IDEA: The Law Review of the Franklin Pierce Center for Intellectual Property* at idea@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.

Professional Announcements

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Dan A. Jiménez
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Upton & Hatfield, LLP is pleased to announce that Dan A. Jiménez joined the firm as an Associate Attorney.

Dan A. Jiménez is a member of Upton & Hatfield's municipal and litigation practice groups where he assists municipal clients with



a wide variety of issues and represents clients with general litigation matters. Prior to joining the firm, he spent over a decade between the New Hampshire and Massachusetts Attorney General's Offices. He has experience in complex litigation matters in conjunction with parallel administrative proceedings. Dan is admitted to practice in New Hampshire and Massachusetts.

Welcome Dan! We are so happy to have you on our team.

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MacDonald Law, PC



(Left to right) Robert E. Ducharme, Corey F. MacDonald, Robert P. Sullivan

Welcomes Attorneys Robert P. Sullivan and Robert E. Ducharme of Ducharme Law to the Firm!

Attorney Sullivan brings nearly five decades of legal experience. Admitted to the bar in 1977, he most recently served as City Attorney for the City of Portsmouth and was honored in 2024 by the New Hampshire Bar Foundation with the Frank Rowe Kenison Award. His practice focuses on civil, municipal, land use, and labor and employment matters. Bob's ability to advise boards, municipalities and businesses based on his years of experience navigating the law and the related politics of competing concerns is unrivaled. We are excited to add him to our team.

Attorney Ducharme brings extensive experience in condominium and community association law, advising associations, boards, and property managers throughout New Hampshire. The merger of his firm into MacDonald Law expands the firm's capabilities in condominium and HOA law. Our four-person condo team is ready to serve associations or individuals with their legal challenges.

MacDonald Law, PC is based in Hampton Falls, New Hampshire, with a secondary office in Newburyport, Massachusetts, and provides legal services in family law, criminal defense, civil litigation, municipal, land use, labor and employment, and condominium & association law. The firm welcomes referrals in all its practice areas. www.macdonaldlaw.us

SHEEHAN PHINNEY

CONGRATULATIONS

Congratulations to attorney **Robert Lucic** on being named President of the New Hampshire Bar Association. Thank you for your dedication and commitment to our legal community.



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Congratulations to attorney **Mark Bartram** on being named Co-Chair of the firm's Estate Planning Group.



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Congratulating our Colleagues!



Congratulations Maddie Matulis for completing the New Hampshire Bar Association's Leadership Academy program.

We are proud of your accomplishment and to call you a member of the Upton & Hatfield team.



We are honored and proud to have Lauren as a member, partner, and mentor for 30 years.

Please join us in celebrating **Lauren S. Irwin** as she receives the **E. Donald Dufresne Award for Outstanding Professionalism**.

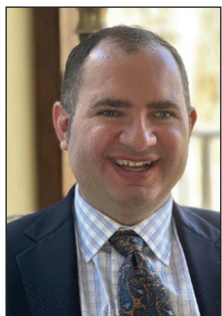
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Subduing Your Subscriptions

By Jeffrey R. Schoenberger

Somewhere in your firm's finances, a charge appears monthly for software you forgot you purchased. Maybe it is a second e-signature service. Maybe it is a project management tool someone set up during a "let's get organized" moment two years ago. Maybe it is a cloud backup product running silently alongside the backup already built into your practice management platform.



Subscription costs are a slow leak in many small-firm budgets – easy to start, easy to forget, and surprisingly resistant to scrutiny. Here is how to get them under control.

Take Inventory First

You cannot manage what you cannot see. The first step is a straightforward audit: pull together every active subscription the firm is paying for and put them in a single place. A spreadsheet works fine.

For each subscription, note (1) the vendor's name, (2) what the software does, (3) the billing cycle – monthly or annual, (4) the cost, (5) the account holder, and (6) the renewal date. That last item matters more than most people realize. Annual subscriptions often auto-renew without any notification beyond an email that gets buried – if that.

Start with your credit card and bank statements – and check emails for those "I'll cancel it later" subscriptions or free trials that turned into paid subscriptions and were forgotten. Look back 13 months, not 12. Some annual subscriptions are staggered and will fall outside a standard calendar-year search. Add your Apple, Google, and Microsoft account subscriptions as well, because personal billing accounts sometimes carry business software.

When you finish, the list will likely be longer than you expected. That is the point.

Look for Duplication

Once the list is in front of you, redundancy becomes visible. The most



common category right now: AI assistants. Firms paying for Microsoft Copilot through a Microsoft 365 Business Premium license, plus a ChatGPT Plus subscription, plus a Claude Pro subscription are paying three times for tools that overlap substantially in day-to-day use.

Pick one and cancel the others. Or at least make the conscious decision to pay for all three because you prefer ChatGPT for strategizing, Claude for drafting, and Copilot for working with Office documents.

Email and office software is another frequent offender. Attorneys who prefer Gmail sometimes keep a Google Workspace subscription alongside Microsoft 365 – because they also need Word for client work. If you are paying for both, look hard at whether both are truly necessary. Microsoft 365 Business Basic starts at \$6 per user per month and includes browser-based Word. That may be enough.

Or, if you prefer desktop apps, Microsoft 365 Apps for business (\$8.25 per user per month) provides the traditional Office apps for less than Business Standard or Premium.

Other places to look: video conferencing (Zoom alongside Teams, or Teams alongside Google Meet), e-signature (DocuSign, Adobe Acrobat Sign, and law practice management software), document storage (Dropbox, SharePoint, and iCloud), and time-tracking (a stand-alone app and the timer built into your practice management software).

The goal is not to strip the firm to the fewest possible tools. It is to make sure

each tool earns its place.

Buy the Right Tier

Most software vendors sell multiple subscription tiers, and the pricing differences are substantial. The common mistake is upgrading when a feature sounds useful, then staying at the higher tier long after that feature stops being relevant.

Look at what tier you are currently paying for and what features you actually use. Practice management platforms like Clio, MyCase, and Filevine have tiered pricing. If you are on the Essentials or Advanced tier, check whether you have activated and routinely use the features that justify the cost. If not, downgrade.

This is worth a 15-minute conversation with your software vendor. Ask: "What tier would fit a firm our size that uses features X, Y, and Z?" They will tell you. Vendors prefer retaining a customer at a lower price to losing that customer altogether.

One caution: some features are not reversible if you downgrade – particularly custom fields, data exports, or automation workflows you have already built. Confirm what you would lose before switching.

Track the Numbers Over Time

Subscription prices are not static. Vendors adjust pricing, consolidate tiers, and roll out updated plans that often cost more than the previous ones. These changes are disclosed – usually in an email with a subject line like "Important updates to your subscription" – but rarely with any urgency. The new rate simply

appears on the next statement.

Add a column in your subscription spreadsheet for the price at which you originally signed up and a second column for the current price. Review the list quarterly, not annually. A \$10 per month increase on three separate subscriptions is \$360 a year. Not catastrophic, but not nothing.

Set a calendar reminder 60 days before each annual renewal. That window gives you time to evaluate, negotiate, or cancel without being rushed. Many vendors will offer a retention discount if you contact them before renewal and indicate you are considering other options. It costs nothing to ask.

Get Eyes on It

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Jeffrey R. Schoenberger is an attorney and business strategist with Lawyerist. He specializes in practice management advisory services, including content development, CLE presentations, and member consultations. His favorite part of his job is discovering new technologies and techniques to help attorneys.

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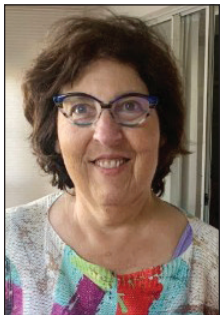
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Debra M. Feins

Debra Martha Feins (Zigelbaum) passed away on January 30 in Sarasota, Florida, after a long battle with her health.



She was born on August 12, 1958, in Boston, Massachusetts, and grew up in Framingham, where she graduated from Framingham South High School. She graduated from Brandeis University and went on to study law at Syracuse University College of Law. She practiced law in Massachusetts, Rhode Island, and New Hampshire. In 1991, she met and married Dr. Robert Feins, and they moved to Bedford, New Hampshire, where they started their family together. She not only had her own legal practice but also assisted in managing her husband's medical practice and tirelessly advocated for her children in the Bedford school system. During her career, she served on the board of Delta Dental of New Hampshire and on multiple committees at Temple Adath Yeshurun. She was also active with Families in Transition.

She is survived by her loving husband, Robert; her daughters, Rachel Feins (Troy Jollimore) and Carly Feins; her mother, Marilyn Flynn (Zigelbaum); her sisters, Pamela (Marshall) Baldassarre, Lisa Raffael (Thomas Sykes), and Rebecca (Stephen) MacLennan; and her stepsister, Christine (Arvind) Kumar.

In lieu of flowers, the family asks that you make a contribution to your favorite nonprofit organization or, in honor of her past battles, make a donation to Sharsheret, The Jewish Breast & Ovarian Cancer Community, at sharsheret.org/donate-now.

Daniel W. Jones

Daniel W. Jones passed away after a short illness on Tuesday, May 5, at the age of 81. Dan was a small-town lawyer and army veteran who earned a Bronze Star in Vietnam. With his passing, he leaves behind a legacy of hard work and dedication to his family and community.



Born on New Year's Day, 1945, at Walter Reed Army Medical Center, Dan spent his early life in Middlebury, Connecticut. The third of four boys born to Edward and Eleanor Jones, Dan was an active child who always kept his parents on their toes – at one point, he had an infamous bicycle accident involving a stone wall, which resulted in lifelong metal plates in his head!

After graduating from Choate Rosemary Hall, Dan attended college at Yale University. After four years as a varsity oarsman, he graduated with a degree in art history in 1967. Dan began law school at Boston University the following year and was then drafted into the Army and served his country in Vietnam. His military ser-

vice deeply impacted Dan and was rarely discussed beyond occasional reflections on being glad he could enjoy Christmas with his family instead of standing guard duty.

After returning home from Vietnam, Dan returned to his law studies at BU. He soon met his future wife, Linda Jones, when she moved into his apartment building in 1970 to pursue a career in the emerging computer industry. They married in December 1971. The following spring, Dan graduated from BU and was admitted to the Bar in Massachusetts.

In 1973, Dan and Linda moved to a small farm in Exeter, New Hampshire, to start their family. He began his legal career with the firm Scammon, Gage & Whitman in Exeter from 1973 to 1975 before opening a solo practice in town.

Dan's legal work led to deep ties with the Exeter community. Primarily focused on real estate and probate work, Dan helped many people through some of their most joyful and most difficult days. He served his community in the New Hampshire House of Representatives, as chairman of the Exeter Zoning Board of Adjustment, and as a member of the Exeter Planning Board. Dan also worked for many years supporting both children and the elderly through guardianship and related work. Some of his most memorable professional work involved the closing of the Laconia State Children's Home and transitioning the residents into new community-based care.

Dan's love of his family, his home, and the outdoors defined the remainder of his life. Over the years, Linda and Dan raised sheep, pigs, chickens, and geese on the farm and were always accompanied by their

faithful cairn terrier dogs.

On the farm, Dan spent countless hours cutting, moving, and splitting wood to use for heat and was rarely happier than when he was bouncing through the woods on his tractor. Even in his eighties, Dan was still outside splitting wood with his grandson Eli and passing along skills to another generation. Dan enjoyed spending time with his son Nate and his family in nearby Brentwood, especially enjoying watching Patriots games with a Guinness in hand at neighborhood gatherings. He also happily served as a "Bonus Dad" to Linda's first daughter, Marcia Aufmuth, and her husband, Joe.

Dan especially loved rowing and fancy cars throughout his life, and his continual tinkering with antique cars and old trucks brought him lots of joy. Rowing was a passion for Dan, and he helped start a local boat club on the river in Stratham, New Hampshire. He continued to row well into his retirement and loved his time on the water. Dan was also a talented wrestler in his youth, including winning the New England Championships while at Choate. His love of wrestling was passed on to both of his sons and his grandson, and Dan was often seen at wrestling meets with his camera in hand.

Dan was predeceased by his wife Linda, his parents Edward and Eleanor Jones, and his brothers David and Evan. He is survived by his brother, Ben; his children, Scott and Nate, and their partners, Courtney LaRue and Jenn Jones; and four grandchildren, Lavender, Sarah, Ada, and Eli.

In lieu of flowers, donations can be made to the Exeter Area Community Children's Fund at exeterareacharitablefoundation.org. ♦



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■ LGBTQ+ *from page 8*

These are areas where proactive legal planning can provide critical protections for children and their families.

Transgender individuals often change their names and the gender markers on their identification documents as part of their transition. While New Hampshire law permits changes to names and gender markers on birth certificates and state-issued identification, the processes and eligibility requirements vary substantially from state to state. A transgender client born in another state may face challenges or be prevented entirely from making those changes depending on that state's laws.

At the federal level, individuals are currently not permitted to change the gender marker on passports or Social Security records, which can create mismatches between federal and state identity documents.

For clients navigating matters that require identity verification (real estate closings, business formations, notarizations, immigration proceedings, and more), these discrepancies can cause delays, confusion, or complications that are entirely unrelated to the substantive legal matter at hand.

Practitioners should be aware that a client presenting documents with inconsistent information may be a transgender individual dealing with this reality and should handle such situations with sensitivity and discretion.

Not every practitioner will have deep familiarity with the full range of legal issues facing LGBTQ+ clients, and that is neither expected nor required. What matters is a willingness to recognize those issues when they arise and to respond appropriately. Practitioners who want to deepen their competency in this area may also benefit from connecting with attorneys and organizations already working in this space, including lawyer referral services and legal advocacy organizations familiar with LGBTQ+ legal issues.

The issues described here are illustrative, not exhaustive. Practice areas including estate planning, housing, employment, healthcare directives, and immigration all present distinct consid-

erations for LGBTQ+ individuals and families. Spotting issues for LGBTQ+ clients and providing legal services with respect and sensitivity leads to better outcomes for clients and a broader client base for firms. This Pride Month, take the time to ask what you can do to demonstrate that your doors are open. ♦

Michael Haley is a staff attorney at GLBTQ Legal Advocates & Defenders (GLAD Law), which works in New England and nationally to create a just society free of discrimination based on gender identity and expression, HIV status, and sexual orientation. More information on GLAD Law, including the GLAD Law Lawyer Referral Service, is available at gladlaw.org.

■ LITTORAL *from page 9*

theme of "get off my property," nuisance claims focus on the offending party's conduct while balancing the rights of each littoral owner against the public character of lake water.

In the Merrimack Superior Court case referenced previously, Judge St. Hilaire elected to resolve the case between two littoral owners based on the plaintiff's nuisance claims. In that case, like *Heston* before it, the offending conduct is nothing more than docking and boating activities. But it is where these activities take place, and the impact of these activities on abutters, that will help a court determine whether injunctive relief is necessary.

Judge St. Hilaire further considered alternative areas where the defendants

could dock. That case was a bit extreme because the defendants had (1) access to a boathouse that was used for storage instead of docking, (2) an entirely different boathouse they owned away from the plaintiffs' property, and (3) their own mooring ball.

With so many options, it must have been difficult for the defendants to argue that they were entitled to dock their boat through the plaintiffs' littoral domain. In sum, nuisance claims have a historical application to littoral rights, one which deals in fundamental fairness and ends with the broad powers and flexible means by which a court can grant injunctive relief.

One other distinguishing feature of littoral rights is the open question of whether they can be acquired prescriptively. Littoral rights are severable and so "may be transferred separate from the ownership of the littoral property." *Donaghey*, 119 N.H.

at 323. However, the Supreme Court has (on at least one occasion) found it problematic that a person can have a prescriptive easement over state-owned water. *See Armstrong v. Giakoumakis*, No. 2018-0014, 2018 WL 5839185, at *2 (N.H. Oct. 26, 2018) (non-precedential).

Indeed, a littoral domain is not fixed, so a person pursuing a prescriptive easement has to overcome the first hurdle of proving that they are wharfing onto a portion of the lake to which they are not entitled. This setup requires prescriptive plaintiffs to prove that the defendant owns the water before addressing whether the plaintiff's conduct was notorious enough to acquire another's littoral rights (*i.e.*, beyond what the public would usually do on the lake).

Perhaps the right factual circumstances will come along to give a clear answer as to whether someone can ac-

quire someone else's littoral rights. For now, though, the issue falls somewhere between "I don't know" and "it depends."

Upon reflection of the battles between littoral owners, the following things can be learned: (1) stick to nuisance with trespass as a backup, and (2) you probably can't steal what is state-owned.

Lake People Problems involve a unique stick in the property rights bundle. Hopefully, this overview of the scope and means to enforce littoral rights will keep you above water should you have to deal with a littoral rights issue. As these problems bob with the tide, please remember to stay current. ♦

Christopher Morris is an associate at Poulin, Hurley, Makris & Lyons, PA, where he handles a variety of civil litigation matters. Prior to that, he spent two years as a law clerk for the Belknap County Superior Court.

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ing or ready for bed at night, cannot use the bathroom, and are unable to bathe, change clothes, prepare meals, or move throughout their homes and communities.”

Eber says the plaintiffs are particularly concerned about authorized “hands-on” services, including home health aide, personal care, homemaker, and skilled nursing services.

New Hampshire Legal Assistance (NHLA) Justice in Aging Project Director Cheryl Steinberg says project partners and other stakeholders, including the AARP state office, had shared concerns with NHLA for several years about deficiencies in the CFI program before the lawsuit was filed.

“Because other forms of advocacy to improve the system were unsuccessful, people believed that court action would be the only way to effect meaningful changes to protect CFI participants,” Steinberg says.

The claims are based in part on the integration mandate applied by the US Supreme Court in *Olmstead v. L.C.*, which requires public entities to administer services to people with disabilities in the most integrated setting appropriate to their needs.

In his memorandum opinion, Judge Barbadoro rejected the defendants’ argument that the plaintiffs lacked standing to pursue their claims, writing that the alleged injury is not the risk of institutionalization, but the alleged loss of services class members are entitled to receive in a community setting.

He also concluded that the plaintiffs



had presented sufficient evidence to raise factual disputes about whether alleged deficiencies in reimbursement rates, real-time monitoring of service delivery, contingency planning, and oversight of case management agencies contribute to or worsen gaps in authorized services.

At the same time, Judge Barbadoro declined to grant summary judgment to the plaintiffs, finding that the record does not yet establish that they are entitled to judgment as a matter of law.

The defendants have disputed that CFI participants face a class-wide serious risk of institutionalization caused by DHHS’s actions or omissions and have argued that the plaintiffs have not identified reasonable changes that could be implemented without fundamentally altering the program.

The opinion also noted efforts by the state to increase resources for the program. Medicaid reimbursement rates, including CFI rates, increased by 3.1 percent in fiscal years 2020 and 2021, and the Legislature later appropriated more than \$7.1 million for reimbursement rate increases in the 2024–2025 biennium, including \$6.4 million for CFI providers.

DHHS Director of Communications Jake Leon says the department is reviewing the ruling and considering its next steps.

“DHHS is disappointed by the Court’s ruling and is reviewing the order with counsel while evaluating its legal options moving forward,” Leon says. “DHHS remains committed to minimizing institutionalization and helping eligible individuals receive services

in their homes and communities to the greatest extent possible. The Department has made significant investments in its Choices for Independence program, including increasing expenditures from approximately \$66 million in 2020 to \$111 million in State Fiscal Year 2024.”

DRC-NH Executive Director Stephanie Patrick says the case concerns participants’ ability to remain in their own homes and make ordinary decisions about their lives.

“Community living is something that many people, especially people without disabilities, take for granted,” Patrick says. “When you live in your own home with supports, you can make your own decisions about all of these things and many others that we take for granted until they are taken from us.” ♦



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■ COURT *from page 1*

program provides. Judge Delker says the court is designed to serve both a public safety goal and a rehabilitative one.

“Our main mission is really twofold: to enhance public safety by intervening in a positive way in young adult defendants’ lives and to get them on track to develop skills so that they can be productive members of society,” he says. “I think it accomplishes both goals.”

The program is not intended for low-level offenses, Judge Delker says. Instead, he describes it as a program for medium- to high-risk individuals who have committed fairly serious offenses and would normally be facing a long period of incarceration.

Participants are assessed for risk and need and, if accepted, enter a court model that brings together the court, prosecution, defense, probation, police, and My Turn, a nonprofit organization that works with young people on education, employment, and related support.

Judge Delker says the collaborative model allows team members to bring different perspectives to each participant’s progress.

Young adults often approach risk differently, he says.

“As a young person, your tolerance for risk is extremely high because young people just feel invincible,” he says. “They don’t have that perspective that a more mature person has, and they also make decisions impulsively as opposed to using the more deliberative part of the brain.”

Jordan Strand, assistant managing attorney of litigation at the New Hampshire Public Defender and a member of the YAC team, says the program recognizes that turning 18 does not mean a person suddenly has the skills, stability, or support associated with adulthood.

“You don’t snap your fingers on someone’s 18th birthday, and they be-

come an adult and have adult skills,” she says. “Some of us are luckier than others. We have those people that are in our lives that can teach us the skills that we need. But not everyone has that.”

Strand says many participants need help with basic life skills, from making appointments and contacting the DMV to understanding why the court has responded to certain conduct in a particular way.

“I think what’s so special about this population – kids aged 18 to 25 – is that they have extraordinary potential,” she says. “You just need to tap into it.”

For Liggins, the program included earning his driver’s license, working hourly jobs, completing an electrician program, and securing a placement with a master electrician.

During the graduation ceremony, Judge Delker praised Liggins for keeping his focus on long-term goals while working jobs at places such as Taco Bell, BJ’s Wholesale Club, and Wendy’s. He acknowledged to Liggins that the process had not always been smooth, particularly when early opportunities for apprentice placements did not work out.

“I hope what you’ve learned over the last two years is that the path to success isn’t always a straight line,” Judge Delker said. “The strength and commitment that allowed you to be here today, for graduation, is going to be with you throughout your life.”

Velasquez entered the program as a young single mother without a high school diploma or driver’s license. She says she came into YAC after facing charges that included stealing, repeatedly driving without a license, and participating in a riot.

She is now a licensed nursing assistant in Epsom and says she hopes to continue advancing in the field, possibly becoming a licensed practical nurse or registered nurse.

“When you first come into Young Adult Court, it feels like everybody’s

against you,” Velasquez says. “It feels like everyone is just kind of pointing the finger. But once you go through it and you get halfway, you notice that everyone’s just there to put you in a better position, to make your life easier, and to show you what it is to be an adult and not think like a kid anymore.”

Velasquez says My Turn helped her obtain a job, car, housing, childcare, and other support. She specifically credited My Turn Executive Director Allison Joseph with helping her navigate major barriers, including appearing before the nursing board to explain her criminal record.

At the graduation ceremony, Joseph said she was proud not only of Velasquez’s progress in the classroom and workplace, but also of her growth as a mother.

“The thing that I’m most proud of in you is the way you are with Lanaya, the mother that you are,” Joseph said. “I knew immediately you were going to be a great caregiver, and that’s evident.”

Velasquez says receiving a sanction in the program – a weekend in jail after driving without a license – became a turning point.

“I needed to see what the inside of a jail looked like,” she says. “I needed to feel what it looked like being without my daughter. That was a big eye-opener.”

Judge Delker says YAC utilizes both consequences and incentives.

“It is designed to provide quick sanctions when someone does not follow the instructions or rules, or does not meet their obligations,” he says, “but it is also designed to reward and incentivize the participants who are on the right track.”

That incentive structure is one reason a recent grant the program received from the New Hampshire Bar Foundation is important, Judge Delker says. Unlike some other treatment courts, YAC does not have independent funding.

The grant will allow the program to provide incentives such as gas cards, gym memberships, or positive community ac-

tivities when participants meet goals.

Patrick Ives, a prosecutor with the Hillsborough County Attorney’s Office and a member of the YAC team, says the program grew partly from concerns about young adults on the edge of more serious criminal involvement.

“The hope was, if we can find some of those people, take them out of a prison-directed trajectory, and instead give them intensive supervision and a different path to walk, maybe we’re going to get a safer community,” he says.

Ives says the program is still young, and it is too early to measure its system-wide effect. But for the right participants, YAC fills a gap between incarceration and ordinary supervision.

“I couldn’t just incarcerate them into compliance,” Ives says. “I couldn’t just let them out into the community without enough supervision. I needed a more specialized tool to address some of the people who came across the criminal justice system, and [YAC] is a specialized tool that can help us get our job done.”

Strand says one sign that the program is working is when participants begin to speak honestly for themselves in court without being prompted by the judge, probation officer, or counsel.

“Those are the most rewarding exchanges with the court that we can possibly have – when they don’t need me to advocate for them anymore,” she says. “It’s very rewarding to see them all turn into their own self-advocates.”

During the February graduation ceremony, Strand addressed Velasquez and Liggins directly.

“You have proven to everyone in this room that second chances matter, that forgiveness matters, that rehabilitation matters, and that young people have limitless potential,” she said. “Successes in the criminal justice system cannot be measured by not guilty verdicts. They cannot be measured by the granting of bail. They have to be measured in moments like this.” ♦

■ TRAINING *from page 1*

through the court system, the challenges judges encounter, and opportunities for improvement despite limited resources.

“Just as important, we focused on making sure both sides are fairly heard and that we’re handling these matters as thoughtfully and accurately as possible,” she says. “And we made space to step back and reconnect with the bigger picture – what these cases really represent for the people involved, and the responsibility we carry in getting them right.”

The morning program included a session presented by Superior Court Chief Judge Mark Howard and Superior Court Judge David Ruoff on the admissibility of prior abuse evidence under Rule 404(b) and expert testimony concerning delayed disclosure.

“The way victims respond to abuse often doesn’t look the way people expect,” Christo says. “Someone who has experienced domestic violence or sexual assault may stay in contact with the person who hurt them, minimize what happened, or even change their story over time. Without an understanding of trauma, those behaviors can be easy to misread as a lack of credibility, when in reality, they’re very common responses to abuse.”

Delayed disclosure, she says, may be

connected to fear, financial dependence, concerns involving children, or a person not feeling safe enough to come forward.

“If a judge assumes that someone would report immediately if the abuse were real, that assumption can unfairly affect how the case is viewed,” Judge Christo says. “Having a basic understanding of trauma helps judges put these behaviors in context.”

She adds that understanding trauma does not mean predetermining the outcome of a case.

“At the end of the day, it’s about making sure decisions are based on a full and informed understanding of how these cases actually present, not on outdated assumptions about how someone ‘should’ act,” she says.

The training also examined barriers faced by people seeking protective orders. A panel moderated by Judicial Branch Communications Manager Av Harris included Joi Smith, program director at the New Hampshire Coalition Against Domestic and Sexual Violence; University of New Hampshire Franklin Pierce School of Law Clinical Assistant Professor Julian Jefferson; Merrimack County Attorney’s Office Victim/Witness Coordinator Jessica Clarke; and New Hampshire State Police Detective Sergeant Sean Smarz.

Judge Christo says the range of topics reflected the fact that domestic

violence and sexual assault matters can involve multiple cases, courts, and agencies at once.

“You might have a divorce, a child custody matter, a domestic violence protective order, and even a related criminal case moving forward in different courts or jurisdictions simultaneously,” she says. “One of the ongoing challenges for the court system is making sure that what happens in one case – like a bail order or a custody decision – doesn’t unintentionally create safety risks in another case or interfere with how another matter is being handled.”

She says the participation of external stakeholders allowed judges to hear about challenges beyond the courtroom, including the importance of timely and accurate information regarding protective orders, bail conditions, and firearm surrender requirements.

“Courts can’t operate in a vacuum,” Judge Christo says. “By necessity, we rely on strong collaboration with law enforcement, crisis centers, and other external stakeholders to ensure matters are handled appropriately and with attention to safety considerations.”

Stone’s keynote address focused on his experience as a male survivor of sexual assault, his delayed disclosure, the stigma that can prevent survivors from coming forward, and the role of listening in the justice system’s response. Judge Christo

says she repeatedly heard from judges that Stone’s presentation was impactful.

“Aaron Stone delivered a powerful call to action, reminding those of us entrusted with these cases that we need to lead with moral courage – underscoring the need to listen to survivors, protect their dignity, and ensure that the justice system is equipped to handle cases of sexual assault with empathy and accountability,” she says. “That message really resonated and stayed with many of us well beyond the day itself.”

Judge Christo says the gathering also provided an uncommon opportunity for trial court judges from across the state to learn from one another and consider how courts can handle these matters consistently.

“The biggest accomplishment of the day, honestly, was simply getting all of New Hampshire’s trial court judges in the same room, together as colleagues, focused on how we can better fulfill our constitutional responsibilities,” she says.

She adds that judicial education has a direct effect on the people who rely on the court system.

“At the end of the day, the more we invest in training, the stronger and more informed we become as a judiciary,” Judge Christo says. “And that directly impacts the quality of outcomes for the thousands of people in New Hampshire who rely on the court system every year.” ♦



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WED, OCT 7 – 9:00 a.m. – 4:15 p.m.
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WED, OCT 21 – Save the Date
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FRI, OCT 30 – 9:00 a.m. – 4:30 p.m.
Developments in the Law 2026
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NOVEMBER 2026

FRI, NOV 6 – Save the Date
School Law 2026
• Concord-NHBA Seminar Room/Webcast

DECEMBER 2026

WED, DEC 9 – 8:30 a.m. – 4:45 p.m.
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Practical Skills for New Admittees – Day 2
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FEBRUARY 2027

FRI, FEB 19
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*The opinions expressed by the speakers and panelists are their own and do not necessarily reflect the views of the New Hampshire Bar Association.
The New Hampshire Bar Association does not endorse or assume responsibility for any statements made during this program.*

Navigating Complexity in New Hampshire Real Estate Law

Thursday, June 18, 2026

9:00 a.m. – 4:30 p.m.

375 NHCLE min., incl. 60 ethics min.

NHBA Seminar Room/Webcast

New Hampshire real estate practice is increasingly shaped by layered regulation, environmental exposure, development pressures, financial distress, litigation risk, and emerging technologies. Navigating Complexity in New Hampshire Real Estate Law brings together seasoned practitioners to provide advanced, practice-focused guidance on the issues that matter most to today's real estate attorneys. From resolving title defects and managing environmental liability to securing land use approvals, protecting creditor and landlord rights in bankruptcy, litigating boundary and partition disputes, and responsibly integrating artificial intelligence into modern workflows, this comprehensive program delivers strategic insight and actionable tools. Designed for practitioners who already know the fundamentals and want a deeper, practical perspective, participants will leave better equipped to manage risk, protect clients, and confidently handle sophisticated real estate matters across New Hampshire.

Faculty

Sabrina C. Beavens, Program Chair, McLane Middleton Professional Association, Manchester

Alexandra S. Careno, McLane Middleton Professional Association, Manchester

Adam M. Dumville, McLane Middleton Professional Association, Concord

Eric T. Kilchenstein, Sheehan, Phinney, Bass & Green, PA, Portsmouth

Caroline H. Palucha, McLane Middleton Professional Association, Manchester

William P. Reddington, Wadleigh, Starr & Peters, PLLC, Manchester

Graham W. Steadman, McLane Middleton Professional Association, Manchester

John F. Weaver, McLane Middleton Professional Association, Manchester

Developments in the Law 2026

Friday, October 30, 2026

9:00 a.m. – 4:30 p.m.

360 NHCLE min., incl. 60 ethics min.

DoubleTree by Hilton, Manchester

This comprehensive program brings together leading legal minds to deliver fast-paced, practical updates across a wide spectrum of practice areas. Whether you're a solo practitioner, firm attorney, or in-house counsel, this CLE offers high-value takeaways that will keep your practice current and compliant. Timely updates from the New Hampshire Supreme Court, Superior Court, and Circuit Court, as well as focused sessions on municipal, employment, and bankruptcy law ensure you're equipped for the year ahead. With informative panels and excellent networking opportunities, this is a must-attend event for any New Hampshire attorney.

Faculty

Sara B. Crisp, Program Chair/CLE Committee, The Crisp Law Firm, PLLC, Concord

Simon R. Brown, Preti, Flaherty, Beliveau & Pachios, LLP, Concord

Thomas M. Closson, Thomas M. Closson Attorney at Law, PLLC, Nashua

Tracey Goyette Cote, Shaheen & Gordon, PA, Concord

Amy M. Feliciano, Hillsborough County Superior Court-South, Nashua

Edmond J. Ford, Ford, McDonald & Borden, PA, Manchester

Alyssa Graham Garrigan, Ansell & Anderson, PA, Bedford

Timothy A. Gudas, Clerk, NH Supreme Court, Concord

Stephanie C. Hausman, NH Appellate Defender Program, Concord

Heather S. Kulp, NH Trial Court Center, Concord

Thomas J. Pappas, Primmer, Piper, Eggleston & Cramer, PC, Manchester

Laura Spector-Morgan, Mitchell Municipal Group, PA, Laconia

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

9th Annual CLE by the Sea

NE Conference for Solos & Small Law Firms

Thursday, July 16, 2026

8:30 a.m. – 5:30 p.m.

390 NHCLE min., incl. 120 ethics min.

Blue Ocean Event Center, Salisbury Beach, MA

Topics include:

- The Modern Law Firm in 2026: Mobile Practice, AI, Tools, & Cybersecurity
- Deciphering Tax Returns in Divorce Cases
- The Entrepreneurial Lawyer, Building a Law Firm that Lasts
- Coparenting: Beyond the Orders: Transforming High-Conflict into Healthy Lasting Outcomes for Families
- Top Ten Employment Law Mistakes Small Businesses Make
- The Price is Right: Cheap & Effective Tools for Solo Lawyers
- A Local Permitting Attorney's Responsibilities in Order to be Successful with the Local Permitting Authorities
- Domestic Violence & Technology: Become Aware of Misuse
- Ethics Risk Management for Lawyers: Claims, Complaints, & Multi-jurisdictional Traps
- Setting the Stage & Performing Successful Negotiations
- How to Use Forensics in Your Cases
- Spinning the Mediator
- Avoiding Claims of Harassment & Discrimination in Your Law Practice
- Challenging Valuation in Marital Dissolution Matters
- Today in Immigration Law: the Good, the Bad, & the Ugly

Register at <https://www.nhbar.org>.

Solo & Small Firm Conference 2026: Building the Modern Law Practice

Co-sponsored by the NHBA's Solo & Small Firm Law Section

Wednesday, October 7, 2026

9:00 a.m. – 4:15 p.m.

365 NHCLE min., incl. 120 ethics min.

NHBA Seminar Room/Webcast

Join New Hampshire attorneys, judges, and practice management experts for a full day devoted to the real-world challenges and opportunities facing solo and small firm lawyers. From practical strategies for aligning people, processes, and technology, to the effective and ethical use of artificial intelligence, sustainable business models, risk management, leadership, and lawyer well-being, this conference delivers actionable guidance that can be implemented immediately. Whether you are launching a new practice, growing an established firm, or planning for the future of legal services in New Hampshire, you'll leave with practical tools, proven strategies, and a clearer vision for long-term success.

After the program, join your colleagues for a reception in the NHBA's Member Center.

Members of the Solo & Small Firm Law Section will receive a discount on their fee.

Faculty

Aaron A. Archambault, Program Co-Chair, A.A. Archambault, PLLC, Hopkinton

Marcia A. Brown, Program Co-Chair, NH Brown Law, PLLC, Somersworth

Amy M. Cann, Program Co-Chair, Cann Law, PC, Portsmouth

Stephanie K. Burnham, Burnham Legal, PLLC, Manchester

Danielle Hall, Affinity Consulting Group

Alec Harrison, CEO, VisualBoston, Boston, MA

Cassandra O. Rodgers, Sheehan, Phinney, Bass & Green, PA, Portsmouth

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

SAVE THE DATE

New Hampshire Evidence at Trial: A Practical Guide to Objections, Admissibility, and Preserving the Record September 17, 2026

The new **New Hampshire Rules of Evidence Summary Guide** is poised to become an indispensable courtroom companion for New Hampshire practitioners—bringing together the rules, objections, and real-world applications that define effective trial advocacy. Designed for clarity and speed, the Guide distills complex evidentiary principles into practical, usable insights, from foundational admissibility standards to the precise language of objections and preservation techniques. Building directly on this resource, the September 17 program, **New Hampshire Evidence at Trial: A Practical Guide to Objections, Admissibility, and Preserving the Record**, translates the Guide into live, courtroom-ready skills. Through focused, fast-moving sessions and judicial insight, attendees will sharpen their ability to think on their feet, make clean records, and navigate evidentiary issues with confidence in real time.

Municipal Law, Land Use & Practice in New Hampshire September 23, 2026

Municipal Law, Land Use & Practice in New Hampshire, on September 23rd, offers a comprehensive, practice-driven examination of the issues shaping land use and local governance across the state, bringing together perspectives from both the municipal and developer sides of the bar. This full-day program explores the lifecycle of land-use decision-making—from drafting and adopting zoning ordinances to navigating variances, special exceptions, and planning board approvals—while also addressing emerging challenges, such as workforce housing and recent legal developments. With a balanced faculty of experienced municipal counsel and leading development practitioners, the program delivers practical guidance on procedure, strategy, and advocacy before local boards, along with critical insights on conflicts of interest and ethical considerations that arise in this uniquely local and highly impactful area of practice.

2026 Employment Law 360° Forum September 24, 2026

Mark your calendars for the **2026 Employment Law 360° Forum—Developments and Strategy from Every Side of the Bar**, on September 24th, chaired by Beth Deragon, which brings together a balanced faculty to examine the most important developments shaping employment law practice today. Designed for New Hampshire practitioners representing employers, employees, and institutions alike, this program offers a comprehensive, real-world look at evolving legal standards, emerging risks, and strategic decision-making across core practice areas. Through focused analysis and practical insight, attendees will gain a clearer understanding of how current trends are playing out on all sides of the bar—and how to respond effectively in their own practice.

Developments in Intellectual Property Law October 21, 2026

Join us for IP for the GP, a practical full-day program designed to help general practitioners and non-IP specialists recognize, understand, and navigate the intellectual property issues that increasingly arise in everyday practice. This seminar will provide a clear foundation in core IP concepts, including patents, copyrights, trade secrets, technology-driven transactions, PTAB and TTAB appeals, patentable subject matter, and patent litigation fundamentals. The program will also explore developing trends, including the fast-moving intersection of artificial intelligence and intellectual property, with guidance from experienced practitioners on issue-spotting, client counseling, and knowing when specialized IP support may be needed.

Now Available OnDemand

Federal Practice in New Hampshire

May 8, 2026 – 215 NHCLE min.

Practicing in federal court requires a command of distinct procedural rules, strategic motion practice, and a practical understanding of how federal judges manage cases—particularly in an era of complex electronically stored information and an increasing number of self-represented litigants. 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.

Advocacy Before NH Agencies & Licensing Boards

May 12, 2026 – 315 NHCLE min., incl. 30 ethics min.

This seminar presents a distinct and often misunderstood arena of legal practice—where procedural rules, investigative authority, and regulatory frameworks intersect with constitutional due process. This practical program brings together experienced practitioners from both private practice and government to guide attorneys through the full lifecycle of administrative advocacy, from investigations and enforcement actions to hearings, record preservation, and appeals. Participants will gain practical strategies for effective advocacy in a forum where preparation, procedural mastery, and strategic communication can make all the difference.

Hot Topics in New Hampshire Bankruptcy Practice

May 13, 2026 – 375 NHCLE min., incl. 45 ethics min.

Designed for New Hampshire bankruptcy practitioners seeking timely updates and practical guidance, this seminar delivers a full day of in-depth discussion on the most significant developments affecting consumer and business bankruptcy practice. This program brings together experienced judges and practitioners to examine recent local rule changes, evolving homestead exemption issues, and current challenges in Chapters 11 and 13 practice. Faculty also explore the intersection of bankruptcy and family law, offering practical insights for attorneys navigating overlapping jurisdictions and client obligations. An ethics segment rounds out the day, addressing professional responsibility considerations unique to bankruptcy practice. Whether you represent debtors, creditors, or trustees, this program provides valuable, practice-ready guidance you can use immediately.

Mechanic's Liens in New Hampshire

May 15, 2026 – 210 NHCLE min.

Mechanics' liens remain one of the most powerful—and most technical—tools available to contractors, suppliers, and construction professionals seeking payment for their work. For attorneys advising clients in construction, real estate, or commercial litigation, understanding how to properly create, perfect, and enforce a lien can make the difference between securing payment and losing priority to other creditors. This practical program walks through the full lifecycle of a mechanic's lien under New Hampshire law—from determining eligibility and satisfying statutory prerequisites to navigating judicial attachment, priority disputes, and related contractual and bankruptcy issues. Faculty highlight common pitfalls, strategic considerations, and the procedural steps practitioners must master to effectively protect their clients' interests.

20th Annual Ethics CLE

May 28, 2026 – 120 NHCLE ethics min.

This annual ethics CLE returns with a timely and practical examination of the professional responsibilities that shape everyday legal practice in New Hampshire. This engaging, discussion-driven program brings together members of the NH Bar Ethics Committee and the Attorney Discipline Office to explore both foundational rules and emerging ethical challenges. Through focused presentations and robust panel interaction, attendees will gain insight into recent ethics opinions, common pitfalls encountered by newer attorneys, and evolving expectations in areas such as negotiation, communications, and dealings with self-represented parties. The program offers a valuable perspective on how ethical issues are evaluated in practice. Designed to encourage questions and candid dialogue, this seminar emphasizes real-world application and practical guidance that attorneys can use immediately. Whether you are looking to refresh your understanding or sharpen your judgment in complex situations, this program delivers essential insights grounded in New Hampshire practice.

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

■ GALLAGHER *from page 4*

clerking at Westcott Law in Laconia, where he realized he enjoyed municipal law. He then had a five-month stint at Bellevue, Fradette & Gallant in Manchester before becoming an associate attorney at Gardner Fulton & Waugh in Lebanon.

He served as assistant county attorney in Carroll County for a year and a half, then moved on to the Sullivan County Attorney's Office for almost five years, serving as assistant county attorney there. He then became an associate at Sulloway & Hollis in Concord for two years, briefly served as assistant city prosecutor in Concord, and joined Poulin, Hurley, Makris & Lyons in 2024.

He specializes in professional liability, including ethics and malpractice, and has been a member of the NHBA's Ethics Committee since 2013.

One of his most memorable cases came when he was a prosecutor, and the victim in the case refused to testify. A man and six other individuals were accused of assaulting a fellow inmate at the

Sullivan County House of Corrections and covering a surveillance camera to hide their actions as they did so. Footage showed the man's injuries after the fact but not the actual assault.

Despite the victim's unwillingness to testify and the lack of inculpatory statements from any other inmates, Gallagher relied on the Sullivan County Sheriff's Department's investigation and the words of corrections officers to secure a conviction.

Another case involved a dispute between Sullivan County and the Town of Newport over who owned the Sullivan County Superior Court building. Gallagher had to research records dating back to 1872, when Newport gave the county a tract of land to be used for a courthouse. The transfer was subject to the condition that if the land was not used for a courthouse, it would revert to the town.

The courthouse was constructed, later burned down, and was rebuilt. In 1986, the state of New Hampshire took over administration of the courts, and the county and town signed a lease whereby the county would pay rent to the town

based on the rent received from the state. When the lease expired in 2018, the two sides could not agree on new terms and the issue ended up in court with both sides claiming ownership. Gallagher's side prevailed, and the court agreed with the county.

"It involved going through the old county records and reviewing the old 1885 handwritten deed," Gallagher recalls. "It was pretty fun going through all the old records ... it is probably my favorite civil case I have worked on."

Gallagher's dedication has won him admirers both inside and outside the profession.

Jay Buckey, executive director of the New Hampshire Judicial Council, has known Gallagher for about a decade, since Gallagher was an assistant county attorney and Buckey was a public defender.

"Geoff is a talented litigator who cares deeply about the law," Buckey says. "Beyond his private practice, he goes out of his way to serve the Bar by teaching on ethics and professional responsibility and discussing these issues with others. He is also willing to take on serious court-

appointed cases and litigate them aggressively. As an adversary, he maintains his collegiality, and as a colleague, he is generous with his time and expertise."

Chris Ivory, a friend of 16 years, met Gallagher because Ivory's wife had gone to law school with him and they would see each other at UNH Law events.

"Geoff went out of his way to bring me into the fold," Ivory recalls. "I quickly learned that Geoff is always that way – open, inclusive, and kind to everyone he meets ... He is one of the most authentic, present people I've ever met, so much so that it was just a few years after that he was the officiant at my wedding. While I don't cross paths with him on a professional level, he is exactly the sort of person that gives me hope in our legal system."

Gallagher's interest in game theory applies even in his off hours. He plays video games with a group of friends he has known since his law school days and enjoys tabletop games like Dungeons & Dragons and Pathfinder. He likes comic books, and he and his wife, Anna, also enjoy movies and opera. ♦

■ VICINANZO *from page 5*

– treaty interpretation one day, criminal review the next – was his first real exposure to criminal work, and it stuck. "That experience certainly inspired my later move to where I am now."

From Civil Rights to Project Safe Childhood

After his clerkship, Vicinanzo re-

joined Crowell & Moring and rose from associate to counsel before returning to New Hampshire as a prosecutor in January 2024. He started in a role handling both criminal and civil matters involving civil rights and, after about a year, moved into a full-time criminal docket. Today he is the office's child exploitation coordinator – leading its Project Safe Childhood work – as well as its human trafficking coordinator. He also handles multi-state Medicare and Medicaid fraud cases.

Creegan frames the federal prosecutor's role with an analogy: where a county prosecutor must respond to crimes as they happen with "emergency room doctor-type skills," a federal prosecutor is "the quarterback of a team, interdicting a criminal network" – finding and incapacitating threats, often on the dark web, "before they victimize more children."

The cases are relentless and they are real. In fiscal year 2024, 1,430 of the 61,678 cases reported to the US Sentencing Commission involved sexual abuse offenses, an increase of 62.5 percent since fiscal year 2020. More than 80 percent of those cases fell under primary sentencing guidelines for production of child pornography or travel to engage in prohibited sexual conduct with a minor.

"These child exploitation cases have real victims, as well as their families who are also victims," Vicinanzo says. "Achieving justice for them is so important. You can't just let a case sit while you're away for the weekend."

Asked how he carries the emotional weight, he points to the discipline of focus. "It's the mindset to focus on what you can control. I can control what steps I'm taking legally in my cases," he says. "That's been a helpful way to think about it, and it helps you compartmentalize a little."

Respect for the Process

If there is a through-line in how Vic-

inanzo speaks about the work, it is reverence for doing it the right way – even for defendants.

"When law enforcement is doing investigations, it is so critical that they provide proper Miranda warnings, that they search only pursuant to the Fourth Amendment," he says. "Our system allows for careful protections for all citizens, even people who we know have committed terrible crimes. We're given the power to take those folks off the streets but only if it's done the right way."

He sees the stakes plainly in a moment of public scrutiny of the US justice system. "The public trust is so important. It emphasizes the responsibility of prosecuting the right way, and it keeps us accountable," he says. "We only have this power because the public has given it to us, and we can lose it pretty quickly."

That respect extends to the bench. "Sometimes a judge will rule against me, and you might preserve the issue for appeal, but always respectfully. Respect for the process and respect for the judiciary is part and parcel of this job."

Family, Hiking, and Giving Back

Outside the office, Vicinanzo's focus is his family. He and his wife, Emma, have three young children and are expecting another later this year. He is raising them in the state he grew up in, surrounded by a large extended family. "I love to hike, and I've brainwashed them into thinking it's really fun too," he says.

He has also been instrumental in helping to launch a pro bono program at the US Attorney's Office. Vicinanzo sits on the new pro bono committee and was its first member to volunteer at a monthly Saturday legal clinic run by Administer Justice in Concord.

"It's really rewarding," he says. "It's heartening to think I can use my skills to help people who can't afford it."

Judge Howard, for one, is not surprised by where Vicinanzo landed. "It takes a certain type of person to do the right thing overall and represent the government," he says. "He's a model."

Crawford put it more simply when his old colleague and friend left for public service. "I told him, 'you're exactly what we need in a public servant.' Matt truly embodies what the profession is all about." ♦

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due date of

July 1

NHBA and NH Supreme Court assess delinquency fees after **August 1**.

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for even one day
between
June 1 - May 31
must file the TAC
form.

File TAC form
on or before
the due date of

July 1

NH MINIMUM CONTINUING LEGAL EDUCATION (NHMCLE)

Any attorney having
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more than six months
between June 1 - May
31 must complete all
required NHMCLE
minutes per Rule 53.

Any attorney who
must complete
NHMCLE minutes
must file the NHMCLE
Affidavit on or before
the due date of

July 1

In accordance with New Hampshire Supreme Court Rules, any attorney who has not completed all annual license renewal requirements as of **September 1** will be reported to the New Hampshire Supreme Court. Upon receiving this report, the Court may initiate a proceeding to suspend the lawyer's license to practice in NH.

Questions? Visit MyNHBar Portal at nhbar.org or email billing@nhbar.org

Intellectual Property Law

From Mickey Mouse to Usain Bolt to Matthew McConaughey: Trademarks as a New Frontier for Artist Protection

By Anthony Miele and Katarina Overberg



Miele



Overberg



Not long ago, a fan might spot an impersonator on a street corner. Today, a fan may watch an online video of their favorite artist, hear a perfect match of their voice, and observe familiar gestures and expressions without realizing they are watching a machine-generated forgery.

Modern technology has advanced to the point where it can produce shockingly realistic audio and video replicas of real people. It can clone a voice from a short audio sample, reconstruct a performer's face from publicly available images, and synthesize entire performances that never happened. For artists – singers, actors,

athletes, and content creators – the pressing question is no longer whether their identity can be replicated, but what legal tools exist to stop it.

The Limits of Traditional IP Protection

Copyright and right-of-publicity laws have long served as legal shields for performers. Copyright protects original creative works, while right-of-publicity statutes, which vary by state, prevent the unauthorized commercial use of a person's name, image, or likeness.

However, copyright does not protect a

voice itself, only the things expressed by the voice, such as a melody or a specific uttered expression. If modern technology generates a new recording that *sounds* like an artist without copying an original protected expressive work, copyright infringement may not apply. Right-of-publicity laws are state-based and inconsistent, creating a patchwork of protections that can be hard to enforce. The ability of modern technology, including generative AI, to replicate and create uncanny likenesses at speed and scale has stretched IP laws to their limits. Into this gap, a new strategy is emerging: pursuing trademark registra-

tions for vocal signatures and images.

Trademarks as Supplemental Protection

Under the Lanham Act, a trademark is “any word, name, symbol, or device” used to identify the source of goods or services. Trademark registrations have long been granted not only for words and logos but also for sounds, called “sensory trademarks.” The NBC chimes, the MGM lion's roar, and the THX sound are classic examples. What is new is the proposition that the distinctive vocal, visual, and physical characteristics of individual performers can qualify for trademark protection, serving as powerful supplements to copyright and right-of-publicity claims.

If a sound or image is so distinctly associated with a single source that consumers reliably identify that source upon encountering it in connection with goods or services, then it functions as a trademark. Federal trademark registration carries significant advantages over state right-of-publicity claims, most notably the ability to bring infringement lawsuits in federal court, creating a nationwide deterrent rather than state-by-state enforcement battles.

TRADEMARKS *continued on page 28*

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Ownership Concerns When Inventing with Artificial Intelligence

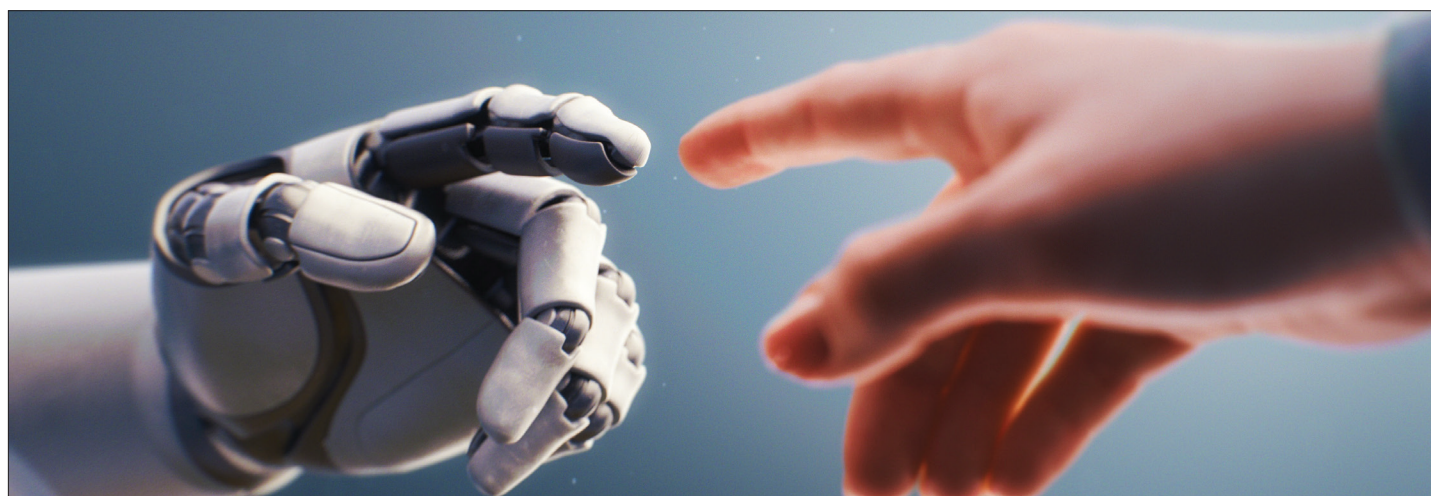
By Todd Sullivan and Colin Dean



Sullivan



Dean



US patent law is designed to encourage creativity, innovation, and commercial reliability by granting limited legal protection to certain intangible efforts. With the exception of a few outlier inventors who claimed inventorship help from animals or machines, for centuries these intangible efforts shared one quality – human inventorship. However, the rise of artificial intelligence, seemingly capable of creating and innovating and growing “smarter” every day, has raised questions regarding the generally well-understood and often overlooked “inventorship” aspect of patent law.

Moreover, the questions surrounding AI’s role in inventing have grown, in part, due to the investment needed to keep AI models advancing. Until recently, AI developers satisfied their scaling needs with venture capital and paid subscriptions, delaying more substantial revenue pursuits. However, OpenAI, the

developer behind the well-known ChatGPT, has stated an interest in tying pricing to outcomes instead of usage. *See* Jon Markman, “Moving Beyond ChatGPT: OpenAI’s New Revenue Model,” *Forbes* (Jan. 20, 2026).

In other words, the door may be opening to AI model developers seeking an ownership interest in any “invention” created, in part or in whole, using one of their products as an avenue to satisfy their cash needs. Hence, AI developers may have a different incentive, and thus a different path, for claiming invention ownership as AI continues to disrupt the legal landscape.

One year ago, we published an AI article in the *New Hampshire Bar News* stating that the United States Patent and Trademark Office (USPTO) used a “sig-

nificant contribution test” to determine whether a natural person significantly contributed to the inventive concept covered by each claim in a patent, when AI assisted in the process. That guidance has evolved. On November 26, 2025, to comply with Executive Order 14179 (“Removing Barriers to American Leadership in Artificial Intelligence”), the USPTO pre-published new guidance rescinding the previous guidance and returning to the traditional conception-based standard for inventions aided by AI. Revised Inventorship Guidance for AI-Assisted Inventions, 90 Fed. Reg. 54636 (Nov. 28, 2025).

Essentially, the USPTO aims to have the same legal standard for all patents, regardless of whether AI was used in the inventive process. Accordingly, as it stands

today, the inventorship test requires a human and the inquiry involves “the formation in the mind of the inventor, of a definite and permanent idea of the complete and operative invention . . .” *Burroughs Wellcome Co. v. Barr Labs., Inc.*, 40 F.3d 1223, 1228 (Fed. Cir. 1994) (citing *Sewall v. Walters*, 21 F.3d 411, 415 (Fed. Cir. 1994)). There is no special standard when an inventor has used AI in developing their intellectual property.

Moreover, in the same November 26 guidance, the USPTO reaffirmed that AI can be used as an instrument by human inventors. The USPTO went as far as comparing AI systems to “laboratory equipment, computer software, research databases, or any other tool that assists in

AI continued on page 29

PROTECTING CLIENTS’ IP / SERVING THEIR NEEDS

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The \$1.5 Billion Copyright Infringement Settlement: Why Anthropic's Legal Troubles Are Far from Over

By Sarah Leighton

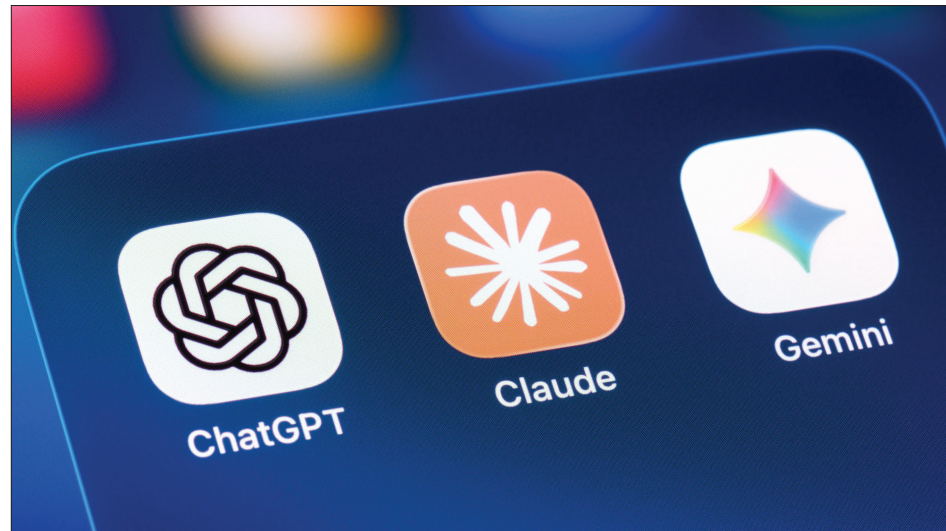
In 2025, Anthropic PBC agreed to a proposed class-wide settlement to resolve claims that it infringed copyrights in more than seven million texts and publications. At \$1.5 billion, this is the largest proposed copyright infringement settlement in United States history, and with good reason. Before this agreement, Anthropic faced a staggering potential liability exceeding \$70 billion.



If this historic settlement was reached a year ago, why is it still making headlines? There are two main reasons: the presiding judge has not yet signed off on the proposal after the settlement fairness hearing, and authors who opted out of the class action are leveraging the findings from the case to file separate lawsuits.

How Did We Get Here?

Anthropic has become a household name for its creation and deployment of Claude, a series of large language model (LLM) artificial intelligence systems. While most recently known for its separate and ongoing skirmish with the Unit-



ed States government over AI deployment, the roots of the *Bartz v. Anthropic PBC* lawsuit trace back to the original training phase of the Claude LLM.

Under US law, every single creative work (including, for example, art, poems, textbooks, and novels) is protected by copyright the moment it is created. This means the author has the exclusive right to reproduce, distribute, and create derivative works of their original work. This protection is memorialized in both Article I of the United States Constitution and the federal Copyright Act of 1976. While there are some noteworthy exceptions, such as fair use, generally

only the author has the right to decide how the work is used.

To train an LLM, developers need to feed the system massive datasets of preexisting text and image works. This is where Anthropic blundered. To train Claude, the company used not only legally digitized books but also *pirated* books downloaded from illegal "shadow libraries." Shadow libraries are online databases that upload copyrighted works to the internet without permission from the copyright owner.

Anthropic subsequently acknowledged that it knew the books it downloaded from these shadow libraries were

obtained illegally. *Bartz v. Anthropic PBC*, 787 F. Supp. 3d 1007, 1015 (N.D. Cal. June 23, 2025).

Three authors subsequently filed a complaint alleging that Anthropic infringed their copyrights by using copyrighted materials, including the pirated materials, to train Claude. The plaintiffs also requested class certification to represent the copyright owners of all seven million works used to train Claude. Anthropic responded by arguing that its uses of these works were "fair use" because the works were being used for scholarship and research. Therefore, Anthropic argued, permission from the copyright owners was unnecessary.

On summary judgment, the court held that creating a central library to train LLMs using pirated, illegally obtained copies of the works did *not* constitute fair use. While not the specific focus of this article, the court also found that using legally acquired copyrighted works (specifically, buying books and destroying them to create a digitized central library) to train AI models *was* fair use.

After this ruling, the judge certified a subset of the requested class. This certification definition encompassed approximately 500,000 of the pirated works. Following this partial certification, the parties reached a settlement.

COPYRIGHT *continued on page 29*

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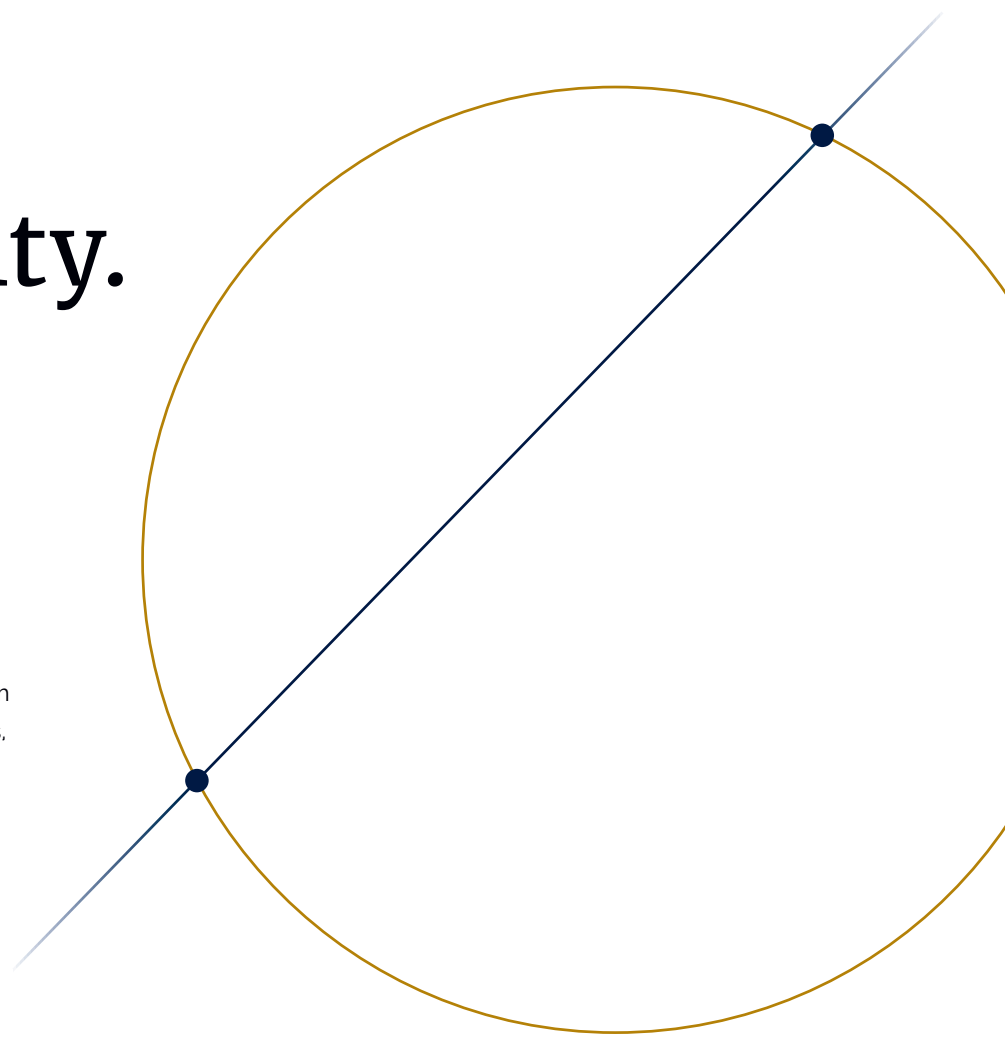


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■ TRADEMARKS *from page 24*

Moreover, trademark holders can issue takedown demands against platforms.

From Cartoons...

Disney's management of Mickey Mouse is a template for layered IP protection blending copyright, trademark, and licensing. As early Disney-era copyrights have entered the public domain, trademark protections on specific Mickey imagery have remained, illustrating how trademark can outlast and complement copyright to provide continuous brand control. Disney has leaned heavily into this approach, with its trademark portfolio allowing it to pre-

vent commercial uses of the character.

To Athletes...

The fastest man in history, Usain Bolt, extended his brand by seeking legal protection for his signature "Lightning Bolt" celebration pose. Bolt has held trademark registrations for the pose in Jamaica, Brazil, China, Canada, Australia, and the European Union since 2009, and in 2022 filed a US trademark application seeking protection across a wide range of goods. His move followed successful figurative trademark precedents like Michael Jordan's iconic "Jumpman" basketball silhouette.

To Artists...

Rapper Pitbull blazed a trail in sound

trademark law when the US Patent and Trademark Office (USPTO), in October 2019, granted him two trademark registrations for his signature grito – his distinctive falsetto yell, "EEEEEEYOOOOO!" The registrations are believed to be the first instance of a sound trademark within a song being registered on the Principal Register for musical sound recordings.

In 2023, Matthew McConaughey filed to register eight trademarks, all of which were granted. They include a sound mark for audio of him saying "Alright, alright, alright!" and "Just keep livin', right?" as well as short video clips of his likeness. His stated goal: ensure that his voice or image is used only with his consent. "In a world where we're watching everybody scramble to figure out what to do about AI misuse, we have a tool now to stop someone in their tracks or take them to federal court," said attorney Jonathan Pollack of Yorn Levine.

In April 2026, Taylor Swift's company filed three trademark applications with the USPTO: two sound trademarks covering her voice, for "Hey, it's Taylor Swift" and "Hey, it's Taylor," and one visual trademark covering a specific photograph of her performing – in direct response to the proliferation of AI-generated deep-fakes targeting her likeness.

USPTO Signals Support for Personal-Brand Trademarks

The USPTO's institutional posture has grown increasingly favorable toward personal-brand trademarks. In April 2026, the agency took the unprecedented step of establishing an educational presence at the NFL Draft – the first time it had done

so in a major sports setting. Director John A. Squires led a World IP Day panel on trademark protection in the NIL and AI era, emphasizing that as a person's public profile rises, so does the risk of misuse. The agency's message was clear: federal trademark registration is a legitimate tool to protect identities from AI exploitation.

The Path Forward

Trademark protection is not a silver bullet. Marks must be connected to goods or services in commerce, and the extent to which sound marks can be used against AI voice mimicry remains legally untested. But in an era when technology can steal a voice, clone a face, or fabricate a performance with alarming ease, protecting one's likeness as a trademark may be the most practical tool currently available to artists seeking to own their lane before AI trespasses any further.

Those with questions about pursuing trademark protections for their brands may wish to consult intellectual property counsel. ♦

Anthony Miele and Katarina Overberg are members of McLane Middleton's Corporate Department and Intellectual Property Practice Group. Miele advises clients on patent and trademark strategy, IP transactions, monetization, and litigation. Overberg, who is also a member of the firm's Cybersecurity and Privacy Group, advises clients on cybersecurity and data privacy compliance and litigation, as well as patent preparation and prosecution. They can be reached at anthony.miele@mclane.com and katarina.overberg@mclane.com.

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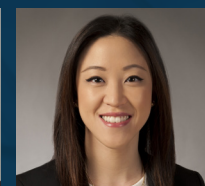
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■ AI *from page 25*

the inventive process.” Importantly, the USPTO indicated that inventors are free to use the services, ideas, and aid of others without those sources becoming “co-inventors.”

Under today’s law, an AI developer cannot assert that their AI model (and therefore the AI developer) is a co-inventor on a patent based solely on an inventor’s use of the AI in the inventive process. In fact, the USPTO’s November 26 guidance seems to indicate that AI has no greater role in an “invention” than a standard microscope or word processor. While patent law might not provide a path for AI developer ownership of AI-assisted inventions, contract law does.

Everyone, including New Hampshire lawyers, has accepted terms and conditions of a click-through license without reading them. Thus, it is easy to imagine that an AI developer could, would, or already has put mandatory assignment language into its terms and conditions for any invention that the developer’s AI was used in developing, and most inventors would be unaware. An AI developer could similarly take possession of all information fed to the AI, impacting NDAs, confidentiality agreements, privilege, and other data security concerns.

Unlike an attorney who has fiduciary duties to clients, AI developers are not beholden to those rules and are free to contract with their users about the extent to which the developers can use the user’s information. Accordingly, a user

of an AI service, especially while using a free tier/service, may blindly accept unfriendly terms and conditions and, accordingly, lose control of any information input into the AI service.

Although most AI developers provide opt-out provisions regarding the developer’s ability to incorporate user-entered information for internal or external uses, the user’s information is still transmitted to these third parties and what is done with that information may never be known.

For example, Anthropic’s terms and conditions permit a user to opt out of consenting to Anthropic’s default data-retention policy but adds a retention exception for flagged content to advance Anthropic’s “safety research,” which, conveniently, is not defined.

Ultimately, it is important for any user to understand the metes and bounds of the terms and conditions accompanying an AI service. It is imperative for an inventor contemplating using AI as a tool to read the terms and conditions and determine whether the inventor is under an obligation to assign to the AI developer any portion of the invention the AI assisted with. Perhaps the best advice a patent practitioner can give is to think before you prompt. ♦

Todd A. Sullivan is the managing partner at Hayes Soloway and has 25 years of experience helping local, domestic, and international clients protect their IP globally. Colin Dean is a patent attorney at Hayes Soloway with a practice that includes patent and trademark prosecution.

■ COPYRIGHT *from page 26*

Proposed Settlement Terms

The current proposed settlement is structured as follows:

- **Total gross settlement fund:** \$1.5 billion
- **Payout per work:** \$3,000 less expenses
- **Payment per lead plaintiff:** \$50,000
- **Cost reserve:** \$18.22 million
- **Attorneys’ fees:** \$187.5 million, or 12.5 percent of the gross settlement

This settlement is temporarily on hold after the May 14 settlement fairness hearing. The judge requested additional information about the lead plaintiff payments and the requested attorneys’ fees before granting final approval. While a fee of 12.5 percent of the gross settlement fund may seem low compared to a standard contingent award, the requested amount is 6.29 times higher than the current hours-based projection of attorneys’ fees.

What Is Next for Anthropic?

Even if the court eventually accepts the proposed \$1.5 billion settlement structure, Anthropic’s legal troubles are far from over. A total of 350 authors, representing 1,802 individual works, officially opted out of the class action settlement before the deadline. Some authors have publicly stated they did so because they want a jury trial for individualized statutory damages, which can range from

\$30,000 to \$150,000 per work.

Two different sets of authors have already filed separate copyright infringement lawsuits using the same law firm. The first was filed on December 22, 2025, against a group of artificial intelligence companies including Anthropic PBC, Google LLC, OpenAI, and Perplexity AI, Inc. *Carrey Rou, et al. v. Anthropic PBC, et al.*, No. 3:25-cv-10897-TSH (N.D. Cal.). The second was filed on May 13, 2026. See *Angie Cruz, et al. v. Anthropic PBC*, No. 5:26-cv-04482-SVK (N.D. Cal. May 13, 2026).

The *Angie Cruz* complaint is interesting because it names only Anthropic PBC as the sole defendant and alleges willful copyright infringement. This claim could trigger a maximum statutory penalty of up to \$150,000 per work. Because the complaint alleges copyright infringement of 54 separate works, this puts Anthropic’s potential liability at \$8.1 million for just this single lawsuit.

The plaintiffs also back their assertions of willfulness by directly citing Anthropic’s own public declarations, court motions, and the court’s summary judgment holding from the class action lawsuit against Anthropic. Anthropic intended for the \$1.5 billion settlement to close this chapter of its history, but instead the settlement seems to have provided a playbook for authors and will potentially result in a protracted battle. ♦

Sarah Leighton is an attorney at Saunders & Silverstein, LLP, where she specializes in trademark and copyright law with a focus on trademark and copyright enforcement, prosecution, and clearance.

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Municipal & Governmental Law

You Should Have Known: The Rising Cost of Getting Right-to-Know Responses Wrong

By Graham W. Steadman

Every practitioner who advises a municipality, a police department, or a governmental agency will eventually face a question with no clear answer: Does the Right-to-Know Law require disclosure of this record?



On April 15, the Supreme Court decided *Town of Hanover v. Valley News*, reversing the trial court and ordering an award of attorney's fees against the Town of Hanover and its police department under RSA 91-A:8, I. The decision is the latest in a line of cases reshaping the attorney-fee landscape under the Right-to-Know Law, raising the practical stakes of disclosure decisions.

The Valley News Case

In October 2023, two Dartmouth College students were arrested in Hanover. The *Valley News* filed a 91-A request for the arrest records. Hanover refused, invoking the *Murray* exemptions for law enforcement files. *Murray* allows



law enforcement to prevent disclosure when doing so could interfere with enforcement proceedings (exemption A) or deprive a defendant of a fair trial (exemption B). See *Murray v. N.H. Div. of State Police*, 154 N.H. 579 (2006). The *Murray* exemptions do not appear in the text of RSA Chapter 91-A. They are judicially created, not statutory. The court adopted them from the Freedom of Information Act in *Lodge v. Knowlton*, 118 N.H. 574 (1978), "in the absence of legislative standards." Nearly fifty years later, legislative standards have not been adopted.

Hanover filed a declaratory judgment action, seeking court guidance on its decision not to disclose the records. The trial court ordered the records released and initially awarded fees, but on reconsideration reversed the fee award, finding that Hanover had made a good faith effort to navigate a complex and unsettled area of the Right-to-Know Law. The Supreme Court disagreed.

The Fee-Shifting Framework

RSA 91-A:8, I provides that a public body that violates the Right-to-Know Law "shall be liable for reasonable attorney's fees" if two conditions are met: the lawsuit was necessary to enforce compliance, and the public body "knew or should have known" its conduct violated the statute. Once both prongs are satisfied, the fee award is mandatory. For decades, that standard routinely shielded public bodies when the governing law was unsettled. See, e.g., *Goode v. N.H. Legislative Budget Assistant*, 145 N.H. 451 (2000) (unsettled area of law; fees denied); *Prof. Firefighters of New Hampshire v. HealthTrust, Inc.*, 151 N.H. 501 (2004) (HealthTrust not clearly covered; fees denied).

Blanket Denial and the "Knew or Should Have Known" Standard

Since 2022, the court has repeatedly held that when a public body refuses to gather and assess responsive records individually and instead issues a blanket denial, that refusal can satisfy the "knew

or should have known" standard.

In *Colquhoun v. City of Nashua*, 175 N.H. 474 (2022), a citizen requested emails between two city employees over a two-month period. The city refused to search, calling the request overbroad and not "reasonably described." The court disagreed and awarded fees, holding that the city should have known that refusing to conduct a reasonable search violated the statute, even though no prior decision had specifically defined the statutory phrase "reasonably described."

In *Michaud v. Town of Campton Police Dep't*, 176 N.H. 542 (2024), the town denied a records request based on the requestor's suspected motive – circumventing discovery limits in separate litigation. The court held that motive alone cannot justify a blanket denial without first reviewing responsive records for applicable exemptions. It then vacated the trial court's denial of fees and remanded for a determination of whether fees should be granted.

In *Valley News*, Hanover's blanket denial rested on the *Murray* exemptions. The court acknowledged that its prior precedents had not addressed *Murray* exemption B. But it held that at least some of the withheld records – including Dartmouth College policy documents, the college president's community message about the arrests, and student position statements – did not implicate any *Murray* exemption. The court rejected the argument that Hanover's blanket denial was appropriate because a criminal investigation and prosecution were ongoing. It then reversed and remanded for an award of attorney's fees and costs.

Three different justifications for blanket denial – burden, motive, and an active criminal prosecution – have each been rejected by the court.

Lessons from Valley News

What makes *Valley News* striking is what Hanover appears to have done right. It engaged in pre-litigation discussions, sought court guidance through a declaratory judgment action, and the trial court found that Hanover had acted in good

RESPONSES *continued on page 32*



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HB 1195 Expands the Ability of Childcare Facilities to Open and Operate

By Natch Greyes

House Bill 1195, effective July 1, 2026, limits the ability of municipalities to use zoning regulations to control the siting of small childcare facilities in certain circumstances, and the operation of such facilities where state regulations already control operations. The legislation amends RSA 674:16 and creates a new subdivision in RSA 674 governing "Child Care Centers."



The law addresses two broad categories of childcare operations: home-based childcare and small, center-based childcare facilities. In both contexts, the legislation creates statewide uniformity by preempting local zoning ordinances that impose requirements differing from state childcare licensing laws and administrative rules.

Importantly for stability in the market and predictability in operations, House Bill 1195 expressly prohibits local governments from adopting or enforcing ordinances that differ from RSA 170-E or the New Hampshire Department of Health and Human Services (DHHS) rules implementing that chapter. This provision was added because childcare is licensed by DHHS and *must* follow the comprehensive DHHS rules. There is no



waiver process. Contradictory local regulations, therefore, can prevent childcare facilities from opening and operating.

Home-Based Childcare

The first section of HB 1195 amends RSA 674:16, VI, concerning municipal zoning powers over home-based care. Prior law allowed municipalities to permit family day care homes and group family day care homes either by right or through a conditional use permit process. HB 1195 removes the conditional use permit option entirely, allowing home-based childcare "by right." This change addressed a barrier to entry identified by the New Hampshire Zoning Atlas and Community Development Finance Authority after pas-

sage of 2024's HB 1567.

HB 1195 also clarifies that home-based childcare operations must be allowed within either the primary residence or an existing accessory structure on the property. Prior law was ambiguous because it simply specified that home-based childcare was allowed as an "accessory use," but did not clarify whether accessory structures could be built for the purpose of hosting home-based childcare. HB 1195 clarifies that accessory structures may not be built for the express purpose of hosting home-based childcare.

Although legally unnecessary, HB 1195 preserves the enforceability of private covenants, including homeowners' association restrictions. Additionally, de-

spite being slightly reworded, no change was made to the existing ban on site plan review for home-based childcare.

Small, Center-Based Childcare

The second major component of HB 1195 creates a new statutory subdivision governing "Child Care Centers." This section governs all types of childcare, except home-based childcare, which is governed under RSA 674:16.

As with home-based childcare, center-based childcare is allowed "by right" in commercial zones pursuant to new RSA 674:81. However, two important limitations are placed on such siting. First, unlike the provisions governing home-based care, HB 1195 does not entirely eliminate local site plan review authority over larger facilities. Municipalities may still subject childcare centers to site plan review regulations adopted under RSA 674:44 if the center's licensed capacity exceeds 30 children.

As a result, larger facilities could still face municipal review concerning traffic circulation, parking, drainage, and related development impacts, though municipalities could not use those processes to impose standards conflicting with state childcare regulations.

Second, HB 1195 preserves municipal authority to bar childcare centers in industrial and manufacturing districts, unless the facility is intended exclusively for the employees of a business operating within that

HB 1195 *continued on page 32*

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■ RESPONSES *from page 30*

faith. But the Supreme Court applied an objective standard, holding that Hanover should have known that at least some of the records were not exempt from disclosure because they were publicly available.

The court's reasoning raises an important practical question. How should law enforcement evaluate investigatory records that partially overlap with public information? Consider a witness statement that echoes a media account, or a public social media post referenced in an arrest report. The public records referenced in *Valley News* appear to have been embedded in arrest reports or included as part of them. Law enforcement must balance two competing risks: fee liability for withholding records they should

have disclosed, and the possibility that disclosure could compromise an ongoing criminal investigation or jeopardize a defendant's right to a fair trial.

Disclosure May Not End the Exposure

The *Valley News* court also resolved a procedural question with practical significance. After Hanover released the records, the *Valley News* moved to reopen and seek fees, arguing it could not evaluate the withholding until it saw the records themselves. The court agreed, finding the motion timely. The ruling signals that requesting parties may seek fees after disclosure if the records reveal the initial withholding was unjustified.

The Broader Compliance Burden

Stepping back from the *Valley News* decision, 91-A compliance pressures

extend well beyond the *Murray* exemptions. Many exemptions in RSA 91-A:5 require judicially created balancing tests (e.g., weighing privacy interests or evaluating confidential information) that the public body must do in the first instance. The people doing that work – town clerks, police records staff, and municipal administrators – often do so without legal counsel and under a five-business-day statutory deadline.

As demonstrated above, the financial consequences of failing to disclose a record that should have been disclosed are significant.

Practical Guidance

The practical takeaways are straightforward. Review each responsive document individually. Separate clearly public material from records that plausibly fall within an exemption. Cite specific

statutory exemptions with brief explanations, as the statute requires. Document your reasoning contemporaneously. For requests involving law enforcement records, complex balancing tests, or any unsettled area of law, seek legal counsel early. A consultation on the front end almost certainly costs less than a fee award on the back end.

After *Valley News*, the message is unmistakable: if a public body withholds all records when some should have been disclosed, fees will follow. The path forward is not less transparency, but more careful, document-by-document analysis before, not after, the decision to deny. ♦

Graham Steadman is a litigator at McLane Middleton in Manchester. His practice includes Right-to-Know Law and municipal litigation. He can be reached at graham.steadman@mclane.com.

■ HB 1195 *from page 31*

district. This preservation of local land-use control over areas considered unsuitable for general childcare operations, while still permitting employer-sponsored facilities, ensures that the handful of existing childcare facilities in industrial zones need not rely on grandfathering for continued operation or navigate future hurdles if the facility needs to be renovated or relocated.

This carve-out also works to incentivize medium-sized employers to consider partnering with existing childcare

operators to invest in facilities located in commercial zones and open to the public, rather than facilities limited exclusively to employees.

As has been the trend with other recent changes to land-use statutes, HB 1195 also requires municipalities to permit the conversion of existing buildings, or portions of buildings, into childcare centers so long as the project does not alter the structure's exterior dimensions. This provision is intended to facilitate adaptive reuse of existing commercial properties for childcare purposes without triggering broader zoning barriers tied to

building expansion or redevelopment.

Finally, although legally unnecessary, HB 1195 clarifies that nothing in RSA 674:81 limits enforcement of applicable state fire safety, building code, water supply, or sewage disposal laws under RSA 153, RSA 155-A, and RSA 485-A. This reference provision ensures that those unaware of these other statutes are reminded that center-based care remains subject to statewide health and safety oversight despite the narrowing of local zoning authority.

The legislature's move to create a single, statewide code for childcare ensures

a level playing field for providers looking to open new facilities or expand existing facilities; developers and builders helping to construct or renovate facilities; state entities charged with regulating such facilities; and municipalities faced with figuring out how these unique business operations should fit within their land-use codes. ♦

Natch Greyes is the vice president of public policy at the Business and Industry Association of New Hampshire. Previously, he served as government affairs counsel at the New Hampshire Municipal Association and was once a prosecutor.

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NH Supreme Court At a Glance

Employment Law

Appeal of New Hampshire Division of State Police
No. 2025-0344
May 15, 2026
Reversed and remanded.

- Whether RSA 273-D:3 entitles an employee to overtime wages as part of a back pay award.

The respondent, a state trooper, was investigated by the Division of State Police (Division) for timecard alterations. After he was terminated for these violations, the respondent appealed to the Personnel Appeals Board (PAB), which reversed the termination and reinstated him following a 20-day suspension without pay. The Division appealed to the Supreme Court, which affirmed the PAB's decision and the reinstatement order. Following a disagreement about the respondent's entitlement to back pay and benefits, the PAB, in response to a mo-

At a Glance Contributor



Kevin R. King
is an associate in the Healthcare Practice Group of Hamel, Marcin, Dunn, Reardon & Shea in Hampton, NH

tion for clarification, explained that the order required the respondent to receive back pay "less any mitigation and less the 20-day suspension without pay" and directed the Division to provide those benefits.

A separate disagreement then arose as to whether the back pay owed to the respondent should include extra-duty detail and overtime work. In response to this disagreement, the PAB ordered payment of the respondent's expected over-

time back pay during his termination and used an estimated figure based on the respondent's overtime earnings from 2017 and 2018. The Division's motion for a rehearing before the PAB was denied, and the Division appealed.

The question before the Court was whether, pursuant to RSA 273-D:3, the calculation of the back pay owed should have included overtime pay. The statute requires the PAB to reinstate employees terminated for reasons that violate a statute or administrative rule but grants it discretion in crafting the specific relief in any other situation. The respondent argued that the reinstatement order was issued pursuant to the PAB's mandatory powers, but that the PAB retained its discretionary power in crafting the back pay award.

The Court assumed that the PAB's order reinstating the respondent was made pursuant to its mandatory authority, which required back pay in an amount equal to the salary loss incurred. The Court found that when reinstatement is

mandatory under RSA 273-D:3, V, the PAB lacked the authority to use its discretion to include overtime wages as part of its calculation of back pay benefits. The Court then turned to the meaning of the term "salary," which the statute does not define. The Court concluded that the term was used in a general sense to mean "fixed compensation paid regularly," which did not include overtime because overtime is an additional payment for excess work. The Court was not persuaded to expand that definition despite the respondent's argument that he regularly worked overtime prior to his termination.

Attorney General John M. Formella and the Office of the Solicitor General, Anthony J. Galdieri and Meaghan A. Jepsen, on the brief, and Anthony J. Galdieri, orally, for the New Hampshire Division of State Police. Krupski & Beaudoin, PLLC, Marc G. Beaudoin, on the brief and orally, for the respondent, Thomas Owens.

NH Supreme Court Orders

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

I. Rule 11(b) of the New Hampshire Rules of Criminal Procedure

(This amendment sets forth requirements in which the superior court may accept a paper guilty plea and sentence a defendant to a misdemeanor or violation-level offense without the defendant's personally appearing.)

1. Amend Rule 11(b) as set forth in Appendix A.

Effective Date

The amendment shall take effect on August 3, 2026.

Issued: May 8, 2026

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

The Access to Justice Commission (commission) was established by Supreme Court order dated January 12, 2007. The Supreme Court appoints Supreme Court Chief Justice Gordon J. MacDonald to succeed Supreme Court Justice Melissa B. Countway as a co-chair of the commission, effective May 20, 2026. Chief Justice MacDonald shall serve the remainder of Justice Countway's term, which expires on August 31, 2027.

Issued: May 12, 2026

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

Pursuant to RSA 490-C:2, I(a), the New Hampshire Supreme Court, with Chief Justice Gordon J. MacDonald's authority but without his participation, appoints Circuit Court Judge David J. Burns to the Guardian ad Litem Board as the representative of the New Hampshire Supreme Court, effective immediately. Judge Burns succeeds Circuit Court Judge Henrietta W. Luneau. Judge Burns's term

shall run for five years from May 12, 2026, and until a successor is appointed.

Issued: May 12, 2026

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

LD-2026-0006, In the Matter of Kurt S. Olson, Esquire

On March 18, 2026, the Professional Conduct Committee (PCC) submitted a request from Attorney Kurt S. Olson to resign from the bar in accordance with Rule 37(11), along with the PCC's recommendation that the resignation be accepted. The PCC's recommendation was accompanied by an affidavit of Attorney Olson, which satisfies the requirements of Rule 37(11).

The court has reviewed the affidavit of Attorney Olson and the recommendation of the PCC. In accordance with Rule 37(11), Attorney Olson's resignation from the bar is accepted. Attorney Olson shall reimburse the Attorney Discipline Office for the costs incurred in the investigation of this matter.

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

Issued: May 12, 2026

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

LD-2026-0002, In the Matter of Robert F. Johnson, III, Esquire

On January 27, 2026, the Professional Conduct Committee (PCC) filed a petition recommending that Attorney Robert F. Johnson, III, be suspended from the practice of law for a period of two years. In accordance with Supreme Court Rule 37(16)(c), the court provided notice to Attorney Johnson of that recommendation and ordered him to file a response on or before February 27, 2026, identifying any legal or factual issues relating to the PCC's recommendation that he wished the court to review. The court's order of notice, along with the PCC's recommen-

dation, was sent to Attorney Johnson by first-class and certified mail at the latest address provided by him to the New Hampshire Bar Association. See Supreme Court Rule 42E(c). Attorney Johnson did not file a response to the order of notice.

In the disciplinary matter that gives rise to the pending recommendation for a two-year suspension, Attorney Johnson did not respond to requests by the Attorney Discipline Office (ADO) for information during its investigation, did not file an answer to the ADO's notice of charges, and did not attend a scheduled sanction hearing before a Hearing Panel. The PCC found that Attorney Johnson violated Rule 8.1(b) of the Rules of Professional Conduct, which provides that a lawyer in connection with a disciplinary matter shall not knowingly fail to respond to a lawful demand for information from a disciplinary authority.

After reviewing the PCC's recommendation and record, the court accepts the PCC's findings and its recommendation that Attorney Johnson be suspended from the practice of law in New Hampshire for a period of two years, with the potential for one year of the suspension being suspended.

THEREFORE, the court orders as follows:

(1) Attorney Robert F. Johnson, III, is suspended from the practice of law in New Hampshire for a period of two years, with the potential for one year of the suspension being suspended upon assurance satisfactory to the Professional Conduct Committee that Attorney Johnson is working on the issue or issues that brought him into noncompliance with the Rules of Professional Conduct.

(2) Attorney Johnson is ordered to reimburse the Attorney Discipline Office for all costs and expenses incurred by the attorney discipline system in the investigation and prosecution of this matter.

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

Issued: May 13, 2026

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

LD-2025-0008, In the Matter of Christopher R. Burns, Esquire

On December 18, 2025, the Professional Conduct Committee (PCC) filed an order recommending the disbarment of the respondent, Attorney Christopher R.

ORDERS *continued on page 34*

Need to schedule a Mediation?

FEBRUARY 2026

Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21		23
24	25	26	27	28		

Fast-track scheduling at www.NHMediators.org

■ ORDERS from page 33

Burns. The PCC's order further recommended that the Attorney Discipline Office (ADO) "immediately pursue interim suspension ... while the Supreme Court considers the matter." On December 19, 2025, the ADO filed a motion for the immediate suspension or disbarment of Attorney Burns pursuant to Supreme Court Rule 37(16)(d) and (f). On December 23, 2025, we suspended Attorney Burns on an immediate basis for the reasons set forth in the PCC's order and the ADO's motion.

In its order recommending disbarment, the PCC "adopt[ed] the Hearing Panel's analysis and conclusions" and further found as follows:

Attorney Burns committed serious misconduct. He immediately began converting a client's funds for his own uses without ever earning it, depleting the funds in nine days. He failed to represent the client in any meaningful way, let alone with a minimum amount of competence or diligence, and then submitted falsely notarized interrogatories to opposing counsel, lied to his client over a period of months, caused a default judgment with costs to be entered against the client, and failed to respond to the disciplinary authority. Attorney Burns lied to the Committee and showed no remorse.

By adopting the Hearing Panel's analysis and conclusions, the PCC found and ruled that Attorney Burns violated the following Rules of Professional Conduct, among others:

(1) Rule 1.1, which requires an attorney to provide competent representation to a client.

(2) Rule 1.3, which requires an attorney to act with reasonable diligence and promptness in representing a client.

(3) Rule 1.4, which requires an attorney to keep the client reasonably informed about the status of the matter and to promptly comply with reasonable requests for information.

(4) Rule 1.15, which sets forth requirements for the safekeeping of client property.

(5) Rule 3.3, which requires candor toward the tribunal.

(6) Rule 3.4, which states, among other things, that an attorney shall not "fail to make reasonably diligent effort to comply with a legally proper discovery request by an opposing party" in pretrial proceedings.

(7) Rule 4.1, which provides that a lawyer shall not make a false statement of material fact or law to a third person, including to opposing counsel.

(8) Rule 8.1(b), which provides that an attorney shall not knowingly fail to respond to a lawful demand for information from a disciplinary authority.

(9) Rule 8.4(c), which states that an attorney commits professional misconduct when he engages in conduct involving dishonesty, fraud, deceit, or misrepresentation.

Following the suspension order and the PCC's filing of the record of the disciplinary proceedings, we issued a procedural order notifying the parties that they were required to identify any legal or factual issues concerning the PCC's disbarment recommendation that they wished this court to review. See Supreme Court Rule 37(16)(c).

The ADO did not identify any such issues. Attorney Burns responded by raising the following issues: (1) his due process rights were violated as a result of his claimed nonreceipt of filings or notices during the disciplinary proceedings; (2) the attorney discipline system lacked "ju-

risdiction" over certain matters that he characterizes as a mere "fee dispute" with the client; (3) "res judicata and/or issue preclusion" barred consideration of his noncompliance with trust accounting requirements; and (4) the PCC overlooked a "mitigating factor[]" – his operation of a supervised visitation center in Dover for over a decade. Having reviewed Attorney Burns's response, we agree with the ADO that briefing is unnecessary because "this Court may address the legal and factual issues raised by the Respondent on the record before [us]."

In attorney discipline cases, we defer to the PCC's factual findings if supported by the record, but retain ultimate authority to determine whether, on the facts found, a violation of the rules governing attorney conduct has occurred and, if so, the sanction. *Salomon's Case*, 171 N.H. 694, 700 (2019). As a result of Attorney Burns's default in failing to file an answer to the ADO's notice of charges, the allegations set forth in the notice of charges were properly deemed to be admitted. See Supreme Court Rule 37A(III)(b)(3) (A). Having considered the default and having reviewed the record, we conclude that there is ample support for the PCC's findings that Attorney Burns violated the Rules of Professional Conduct set forth above, and we determine that disbarment is the appropriate sanction. See *Salomon's Case*, 171 N.H. at 700, 707.

As a threshold matter, we note that Attorney Burns's response does not address many of the misconduct findings, including the most serious. See *id.* at 707 ("Because no single transgression reflects more negatively on the legal profession than a lie, attorney misconduct involving dishonesty justifies disbarment." (quotation omitted)). The issues that he does raise are without merit.

As to the "due process" issue, Attorney Burns does not address Supreme Court Rule 42(XIV) and Rule 42E(c), which require an attorney to keep his address information current and accurate with the New Hampshire Bar Association and which allow the court and court-established committees to treat as binding notices sent to an address provided by the attorney to the New Hampshire Bar Association. The characterization of the matter as a "fee dispute" is refuted by the factual findings of the PCC. The "res judicata and/or issue preclusion" issue is not explained at all, and we fail to see the relevance or applicability of either preclusion doctrine here.

Finally, even if we assume, without deciding, that Attorney Burns's operation of a supervised visitation center qualifies as a mitigating factor, the aggravating factors substantially outweigh that one mitigating factor. See *Salomon's Case*, 171 N.H. at 707-08. The PCC found "numerous" aggravating factors, including "dishonest or selfish motive, a pattern of misconduct, multiple offenses, bad faith obstruction of the disciplinary proceedings, and substantial experience in the practice of law."

THEREFORE, the court orders that Christopher R. Burns be disbarred from the practice of law in New Hampshire. He is hereby assessed all costs and expenses incurred by the attorney discipline system in the investigation and prosecution of the matter.

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

Issued: May 13, 2026

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

Classifieds

POSITIONS AVAILABLE

ASSOCIATE ATTORNEY – Friedman & Bresaw, PLLC seeks an associate attorney for a busy family, criminal and civil firm. Offices in Meredith and Laconia, with a statewide practice. We are a small fast paced litigation firm seeking a motivated individual to continue to grow out our practice areas. Salary and benefits are negotiable based upon experience. Email hiring@fblawnh.com.

ATTORNEY – Seacoast firm seeks an attorney for its civil litigation practice. The successful candidate will work on all types of civil litigation matters. The firm's primary clients are banking institutions, credit unions, small businesses, corporations, and high wealth individuals. The successful candidate may also work in the firm's other practice areas including personal injury, trusts and estates, collections, and real estate. The candidate must have excellent research, writing, and communication skills, be detail oriented, organized, and self-motivated. Competitive compensation with an aggressive bonus program. Those interested, please send your resume and cover letter to ryelaw@ryelaw.net. Please address cover letter to Earl L. Kalil, Jr.

ATTORNEY – Well-established law firm located in Nashua, NH seeking a full-time Attorney to focus on Estate Planning, Probate, Family Law and Bankruptcy cases. The position is entry level and further training is to be provided. Friendly, team-oriented law firm environment. Admission to the NH Bar is required. Please e-mail your resume and specific salary requirements to candy@annuttolawoffice.com.

ASSOCIATE: Robinson, Boesch, Sennott & Daly P.A., of Portsmouth, seeks a full time Associate to join our Estate Planning, Elder Law, Probate and Trust Administration practice. The candidate must be licensed in New Hampshire and have 3 or more years experience in estate planning. Preference for Maine license as well. Unique opportunity to join a small established boutique law firm with partnership potential. Interested applicants please forward resumes to Karen Lindbom, Office Manager at klindbom@nhprobatelaw.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).

PARALEGAL – Roy S. McCandless, Esq., PLLC are seeking an experienced, detail-oriented, thorough, and organized Paralegal to join the team at their Concord office. Seeking an individual with a broad base of experience including and not limited to personal injury, civil litigation, and probate & trust administration, working knowledge of the New Hampshire, Massachusetts and Maine Court rules and procedures. Direct resume with cover letter to muna@roysmccandlesslaw.com.

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. All inquiries will be kept confidential.

CLASSIFIEDS continued on page 39



JUDICIAL COUNCIL SEEKING ATTORNEYS

The New Hampshire Judicial Council is seeking qualified attorneys to serve as contract and assigned counsel for indigent defendants in criminal cases.

Email Jay.M.Buckey@jc.nh.gov or call (603) 271-3592 with any questions regarding contract or assigned counsel work.



Brennan Lenehan Iacopino & Hickey seeks an associate attorney with three to five years of experience in state and/or federal criminal defense. Some civil litigation experience is preferred.

We seek someone who remains composed under pressure, exercises sound judgment in complex situations, and advocates effectively for clients when the stakes are high. The ideal candidate approaches challenging matters with professionalism and resilience, is comfortable handling court appearances and motion practice, and brings strong legal writing, analytical, and communication skills. The ability to manage a demanding caseload with focus, discretion, and care in a challenging and imperfect criminal system is essential.

We offer competitive wages, paid holidays, paid time off, and a 401(k) retirement plan, along with health, dental, and vision insurance

Please reply to: [Tara Terrazzano at TTerrazzano@brennanlenehan.com](mailto:Tara.Terrazzano@brennanlenehan.com)

PASTORI | KRANS ATTORNEYS AT LAW

LITIGATION ATTORNEY

Pastori | Krans, PLLC, a law firm located in downtown Concord, NH is seeking a mid- to senior-level NH attorney to join its litigation practice.

The ideal candidate will have demonstrated experience advising clients, handling complex matters, and providing strategic counsel across a range of legal issues.

Experience in employment law and/or family law is preferred.

Pastori | Krans is committed to investing in our team's professional growth and development, and provides excellent mentorship, training, and opportunities to work on sophisticated and challenging legal matters.

We offer competitive compensation, comprehensive benefits, including health, dental, vision, disability and life, a generous 401(k) match, ample PTO, and a collegial and fun work environment.

Submit resume to blandry@pastorikrans.com. All inquiries are held in strict confidence.

Associate Attorney

Brannen & Loftus, PLLC is a law firm based in Hanover, NH, representing individuals and institutional clients in complex civil litigation matters in Vermont and New Hampshire. The firm's lawyers have significant experience in professional liability, family/domestic law, and general civil litigation.

Role Description

This is a full-time position. The Associate Attorney will be responsible for handling a wide variety of cases, including professional liability matters, family/domestic law, and general civil litigation, and will provide legal advice, conduct research, negotiate, and assist with all aspects of case preparation and litigation. Pay will be commensurate with relevant experience, skill, and qualifications.

The ideal candidate will have a Juris Doctor (JD) degree from an accredited law school, strong knowledge of the law and experience in civil litigation, the ability to provide high-quality legal advice and analysis, excellent research and analytical skills, the ability to work independently and as part of a team, excellent organizational skills and high attention to detail, and excellent written and verbal communication skills. Licensure to practice law in both New Hampshire and Vermont is preferred. We will train the right candidate, and recent law school graduates are encouraged to apply.

Interested candidates should send their resume and cover letter to:
lbarth@brannen-loftus.com.



SHEEHAN PHINNEY

LITIGATION ASSOCIATE ATTORNEY Boston, MA and Manchester, NH

Sheehan Phinney is seeking Litigation Associates to join our team. In this role, you will represent a broad range of clients in commercial disputes and tort actions; conduct research; draft and prepare pleadings, motions, and other litigation documents; collect and analyze evidence; use cutting-edge e-discovery tools; manage all phases of discovery; take and defend depositions; and appear at hearings, arbitrations, trials, and mediations. Qualified candidates will have a J.D. from an accredited institution and be admitted to practice in MA, NH and/or other New England states. A minimum of 2+ years of law firm and commercial litigation experience is required. Named a 2025 Best Places to Work, we offer a collaborative culture, competitive pay, and comprehensive benefits.

Please submit your cover letter, resume, transcripts, and writing sample at:
www.sheehan.com/careers

Estate Planning Paralegal for busy Bedford, MA Law Office



Brown & Brown, PC is a highly regarded estate planning and real estate law firm serving clients in eastern Massachusetts and southern New Hampshire for generations. The firm consists of four active attorneys, two of whom specialize in estate planning and trust/estate administration. We are seeking a team player paralegal to work with our estate planning attorneys to draft estate planning documents and probate filings. The successful candidate will have experience managing a high volume of phone calls and emails from clients, drafting client correspondence, and assisting with document execution meetings. This is a perfect opportunity for a friendly, outgoing person to work in a collegial setting. Significant experience with estate planning and probate is required as the successful candidate will need to speak with clients

who have questions related to these areas from day one.

This is a full-time, in-office position at our Bedford office with some flexibility to accommodate remote work on a limited basis. Qualified applicants should be highly organized, able to multi-task, and should be prepared to interact with a wide variety of clients and callers. We offer generous retirement benefits, health insurance and a supportive, family-friendly work environment.

Salary: \$60,000 - 75,000 per year commensurate with experience

Benefits: Work-life balance, Simple IRA with company matching, Health insurance, Life insurance, Paid time off, On-site parking

Please submit your resume and salary request to pbrown@brown-brown-pc.com.



MacDonald Law, PC ATTORNEY

MacDonald Law, PC has been a family law focused firm, located on the New Hampshire Seacoast, and now in Newburyport, Massachusetts. We are looking for another great attorney to join our mid-sized firm. The right candidate will be admitted in New Hampshire (Massachusetts admission is a bonus) with a minimum of 2 to 3 years of experience. You must have a proven track record of amazing communication and writing skills. You should be prepared to share professional references. The right candidate will handle all aspects of family law negotiations, drafting and trial for divorces to post divorce, and parenting matters. Hourly rate of pay is commensurate with experience and is paid based on hours billed to clients.

We offer health insurance, dental insurance,

retirement match, and for the first year with the Firm, attorneys have one month off, plus 12 court holidays. After the first year of proven success, we offer unlimited PTO to our attorneys. The Firm has a KPI financial bonus structure and additional incentives. We pride ourselves on our persistent yet respectful approach to family law litigation, and we value strong work ethic and an empathetic approach to our clients. After 3 years of successful service to the Firm, every employee is eligible for a sabbatical for professional and personal growth and development. We are not your traditional Firm; a sense of humor is absolutely required to work with our team!

For all inquiries and applications, please email felicity@macdonaldlaw.us.

HOEFLE, PHOENIX, GORMLEY & ROBERTS, PLLC ATTORNEYS AT LAW

LAW BUSINESS MANAGER

Hoefle, Phoenix, Gormley & Roberts, PLLC, a mid-sized law firm in downtown Portsmouth, NH, seeks an experienced and highly capable Law Business Manager to manage office operations and financial operations including legal billing, financial reporting, and vendor relationships.

We seek a candidate with three-five years of full-charge bookkeeping experience, preferably in a law firm environment. Strong working knowledge of Quickbooks, MS Office (especially Excel), account reconciliation, preparation of financial reports, and month/year end closing procedures. The successful candidate will possess strong administrative, communication, and interpersonal skills while demonstrating sound judgment, professionalism, discretion, and the ability to manage multiple priorities in a fast-paced environment. This position is ideal for a proactive professional who can keep firm operations running smoothly while supporting financial accuracy, client service, and organizational efficiency.

Salary dependent on experience. Competitive benefits.

Please contact cwebster@hpgirlaw.com



HAMEL MARCIN DUNN REARDON & SHEA, PC

Litigation Attorney

Associate position for Portsmouth, NH branch of mid-sized defense firm. Opportunity to work with highly experienced attorneys on litigation involving medical malpractice, real estate, construction, general liability, and employment, as well as defense of and consultation on professional licensing matters. Competitive salary, great benefits, and reasonable billing requirement. Excellent verbal communication and writing skills required. Ability to work collaboratively with team members on cases. Admission in New Hampshire, Maine, or Massachusetts required with admission or willingness to get admitted in other jurisdictions.

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



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has proudly served clients since 1899.

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Medical Malpractice and Product Liability Defense

Defend healthcare providers, product manufacturers, and their insurers. Assist in managing matters from pre-suit investigation through trial. Motion practice, discovery responses, depositions, witness preparation, expert coordination, and court appearances. Collaborate with clients and insurers. Must be New Hampshire licensed.

Labor and Employment Law

Represent employers in labor and employment matters, including counseling, compliance, and litigation. Responsibilities include advising clients on employment policies and practices, negotiating collective bargaining agreements for public employers, assisting with union grievances, handling administrative proceedings, and representation in state and federal court in matters involving discrimination, wage and hour issues, wrongful termination, and related claims. Must be New Hampshire licensed.

Estate Planning & Probate

Advise clients on estate planning strategies, including wills, trusts, and tax planning. Administer probate estates and trusts. Handle guardianships and related fiduciary matters. Build and maintain long-term client relationships. Must be New Hampshire licensed.

Municipal Law

Advise municipalities and public agencies on governance, regulatory compliance, and statutory authority. Attend board and council meetings. Provide counsel on land use, zoning, employment, and public records matters. Represent municipal clients in administrative and court proceedings. Must be New Hampshire licensed.

More About Us

Our firm values professionalism, commitment to our clients, long-term vision, independence and diverse perspectives, and collegiality. We foster a collegial and collaborative firm culture. We offer competitive compensation, commensurate with experience, and a comprehensive benefits package including health insurance, 401k plan, life insurance, long term disability, employee assistance program, paid time off and free parking. Professional development opportunities include meaningful client contact, courtroom experience, and one-on-one mentorship.

To Apply:

Please submit a cover letter, resume, writing sample, and references to HR@wadleighlaw.com.

wadleighlaw.com

95 Market St., Manchester, NH 03101 · P: 603-669-4140 F: 603-669-6018

Legal Assistant Manchester, New Hampshire

Drummond Woodsum is seeking a full-time legal assistant to join our Manchester office. This role will provide support across multiple practice areas, including Municipal Law, School Law, Labor & Employment Law, and Trial Services. This position entails carrying out administrative services, providing support to legal professionals by preparing various documents including correspondence, legal forms, and other types of documents, and support to enhance attorney/timekeeper effectiveness.

Responsibilities will include:

- Complete administrative duties, such as making copies, answering and directing phone calls, and greeting clients in a professional and courteous manner
- Prepare documents and forms by completing initial drafts, processing edits and red-lining in Word, and conversions and manipulations in PDF
- Handle incoming and outgoing mail
- Communicate with clients
- Keep files and corresponding deadlines organized and identified
- Provide exceptional service to all clients
- Additional duties as assigned

Qualifications:

- Be accurate, detail-oriented, and have strong attention to detail
- Take initiative and be proactive; anticipate needs; reach out to become more involved
- Strong writing and verbal communication skills; excellent spelling, punctuation, and grammar skills
- System proficiency: general knowledge and experience with common software applications, such as Microsoft Office Suite and PDF processing; strong Excel and MS Word skills in particular
- Motivated to learn and provide work of the highest quality
- Prior legal experience preferred

For consideration, please submit your resume and cover letter by email to hr@dwmlaw.com. We look forward to hearing from you.

Community College System of NH In-House General Counsel

General Summary: Reporting to the Chancellor, serves as the primary legal and compliance advisor and representative for CCSNH and its colleges, the Board of Trustees, Chancellor, Presidents, and senior leadership. Provides strategic leadership and sound guidance on a broad, complex range of legal matters, mitigating institutional risk while supporting the CCSNH mission and values. Ensures all policies and practices align with state and federal legal requirements and best practices in higher education.

Principal Duties and Responsibilities:

- Oversees CCSNH's legal matters and provides general and specialized counsel on a broad range of higher education issues.
- Identifies legal issues and counsels management to develop legal strategies and solutions. Advises the Chancellor and CCSNH leadership on matters regarded as highly visible, sensitive, or that may expose the System or a College to legal risk or liability and works with the relevant stakeholders to manage and respond to the legal issue(s).
- Proactively reviews policies and practices, identifying complicated compliance and operational issues, and develops legally sound solutions, guidance, and training for CCSNH staff.
- Serves as a member of the CCSNH Leadership Team with responsibility for strategic planning, fiscal management, resource development, employee relations, policy setting, and operational oversight.
- Oversees and manages a portfolio of legal issues and provides advice and counsel on a variety of areas, including employment and anti-discrimination laws (including Title IX, ACA, FMLA, ADA, FLSA, COBRA, ERISA, ADEA), admissions,

financial aid, academic and student affairs, contracts, lease agreements, procurement policies, development and gift agreements, grants, AI-related issues, governance and board bylaws, legislative proceedings, and internal investigations.

- Negotiates, drafts, and reviews complex transactional documents such as contracts, leases, licenses, and other documents related to CCSNH's legal business transactions.
- Manages the legal services budget and establishes a strategy to retain and manage outside counsel to provide subject matter expertise.
- Ensures an effective Right-to-Know policy and practice is in place. Reviews complex requests pursuant to NH RSA 91-A, and acts as the conduit for all requests to CCSNH institutions.
- Serves as a resource to the Executive Director of Government Affairs on proposed state and federal legislation, providing occasional testimony before legislative or other committees.
- Conducts periodic legal reviews of college policies and procedures to ensure legal compliance with appropriate laws and the principles of academic freedom.

Qualifications: Juris Doctor degree from an ABA accredited institution plus a minimum of seven (7) years practicing law in employment, higher education, and/or as general counsel for a public agency. Valid Driver's License or access to statewide transportation. Member of the New Hampshire Bar Association required.

Salary Range: 137,000 To 165,000

https://apply.hrmdirect.com/resume-direct/ApplyOnline/Apply.aspx?req_id=3710823&source=3710823-IJB-0

Business/Corporate Attorney Portland, Maine

Drummond Woodsum seeks an attorney to join its business services practice at its Portland, Maine office. This position will involve a broad range of work, including mergers and acquisitions, debt and equity financings, securities laws matters, and other commercial transactions. The ideal candidate will be responsible for providing expert legal advice on corporate and commercial matters, including corporate governance and contract issues, as well as drafting, reviewing, and negotiating a variety of contracts and agreements.

Candidates must have outstanding academic credentials, excellent research and writing skills, a strong work ethic, and the ability to manage and work well on a team. A minimum of 5 years of prior experience is required. To apply, please submit a letter of interest and a resume to hr@dwmlaw.com. No phone calls, please. All inquiries are held in the strictest of confidence.

Drummond Woodsum is a full-service law firm with more than 100 attorneys and consultants providing a wide range of services for our nationwide client base, which ranges from some of the nation's largest corporations to small start-up companies, financial institutions, Tribal Nations and Tribal enterprises and individuals. We recognize that our greatest asset is our people so we have intentionally created an environment where personal and professional growth are encouraged and fostered through mentorship and a respect for work-life balance. Drummond Woodsum offers a generous benefits package including a choice of medical plans with wellness reimbursements, life insurance, short and long-term disability insurance, 401(k)/Profit Sharing plan, on-site covered parking, and more. We look forward to hearing from you.

Drummond Woodsum is an equal opportunity employer that does not discriminate on the basis of race, religion, color, national origin, sex, veteran's status, age, disability, sexual orientation, gender identity, genetic information, creed, citizenship status, marital status, or any other characteristic protected by federal, state or local laws. Our Firm's policy applies to all terms and conditions of employment.

Labor and Employment Attorney Manchester, New Hampshire

Drummond Woodsum's Manchester, NH office is seeking an attorney to join our labor and employment law practice group. We are a collaborative, tight-knit team that works closely with employers, particularly in the New Hampshire public sector (e.g., school districts, town, cities, and counties) and Tribal Nation clients, to provide thoughtful, practical guidance on workplace issues before they become disputes.

A central focus of this role is client counseling and proactive risk assessment. Our attorneys advise organizational leaders, HR professionals, and public officials to help them navigate complex employment issues, identify potential legal risks, and implement sound policies and practices. We provide advice on all aspects of the employer/employee relationship, including collective bargaining, grievance administration, workplace discrimination, disability accommodation compliance, wage and hour laws, and workplace misconduct. Our team is also frequently called upon to provide training on labor and employment law topics to supervisors and employees. While much of our work involves preventative counseling and strategic guidance, our team also represents clients in state and federal courts, before federal and state agencies, and in labor arbitration.

We are seeking qualified applicants who are interested in developing a practice centered on client counseling, particularly within the New Hampshire public sector. The ideal candidate will have excellent academic credentials; research, writing, interpersonal, and analytical skills; and have an interest in labor and employment law. Applicants with 0-5 years of related experience are encouraged to apply. We are invested in the success of all our associates and will provide training, mentoring, and resources to support your development as a labor and employment practitioner. New Hampshire bar admission is strongly preferred and the ability to obtain NH bar admission is required. As a close-knit, collaborative team, this role is primarily in-person, with occasional flexibility for remote work.

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

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

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

Trust and Estates Legal Assistant **PretiFlaherty** Concord, New Hampshire

Preti Flaherty, one of New England's largest law firms with offices in Maine, New Hampshire, Massachusetts, and Washington, D.C., is seeking a Trust and Estates Legal Assistant to support attorneys in its Concord, NH office.

This full time position supports estate planning, probate, and trust administration matters.

Responsibilities include:

- Administrative support to Trust and Estates attorneys
- Preparing, proofreading, and formatting probate and estate planning documents
- Assisting with probate filings in New Hampshire courts
- Managing calendars, scheduling meetings, and tracking deadlines

- Communicating professionally and confidentially with clients
- Maintaining electronic and physical client files
- Coordinating document execution, notarizations, and signatures

Qualifications include:

- High school diploma required; associate or bachelor's degree preferred
- 1-3 years of legal administrative experience, preferably in Trust & Estates
- Proficiency in Microsoft Office and strong attention to detail
- Familiarity with probate procedures and experience with document management systems is preferred

Apply directly:

www.preti.com/careers/staff-openings



MUNICIPAL ATTORNEY

Donahue, Tucker & Ciandella, PLLC (DTC Lawyers) is a full-service New Hampshire law firm with offices in Exeter, Portsmouth, and Meredith, known for its strong community roots, collegial culture, and practical, high-quality legal services.

We are seeking an attorney with an interest in municipal and land use law to join our Municipal Practice Group, with flexibility across office locations.

This role includes advising municipalities on governance, Right-to-Know compliance, contracts, planning and zoning, land use, and related matters, and working with the firm's real estate and litigation teams on development issues.

Candidates should have active bar membership (or anticipated) in New Hampshire, with 3 to 5 years of relevant experience preferred. Experience with planning or zoning boards is a plus. The position includes attendance at evening meetings, as needed, and offers a mix of advisory work and litigation.

TRUSTS & ESTATES ATTORNEY

Donahue, Tucker & Ciandella, PLLC (DTC Lawyers) is a full-service New Hampshire law firm with offices in Exeter, Portsmouth, and Meredith, known for its strong community roots, collegial culture, and practical, high-quality legal services.

We are seeking two attorneys to join our Trusts & Estates practice, with positions in Exeter and Meredith.

This role includes estate planning, trust and estate administration, and advising clients through all stages of planning. It offers the opportunity to join a well-established and collaborative team.

Candidates should have active bar membership (or anticipated) in New Hampshire, with 3 to 5 years of experience in estate planning and probate administration preferred. Strong drafting, communication, and organizational skills are essential. Experience with elder law, tax planning, or business succession is a plus.

Competitive compensation, comprehensive benefits, generous paid time off, and professional development support are provided.

Submit cover letter, resume, and writing sample to careers@dtclawyers.com

All inquiries remain confidential.



MID-SENIOR-LEVEL TAX ATTORNEY

McLane Middleton is seeking a talented and driven Tax Attorney to join our team. The ideal candidate will have 5+ years of tax law experience, working closely with businesses and individuals on complex tax structuring for mergers and acquisitions, partnership tax, federal income tax, and private equity transactions. Experience with federal and state and tax controversy work, ERISA and other state and federal laws relating to employee benefits and executive compensation plans is a plus. The qualified candidate will have prior private firm experience or will be transitioning from the IRS or an accounting firm.

JUNIOR-MID-LEVEL EDUCATION LAW ATTORNEY

McLane Middleton is seeking an Education Law Attorney to join our growing education law practice. The ideal candidate should possess 3+ years of experience as an attorney, including experience working with K-12 independent day and boarding schools as outside or in-house legal counsel. Prior legal counsel experience with public schools, higher education, or other youth serving organizations will also be considered. Equally important is in-depth experience in employment law, student misconduct, contract and policy review and development, managing and overseeing investigations, crisis response, and enterprise risk management. The candidate should have a strong work ethic and the ability to effectively counsel various levels of management.

MID-LEVEL EMPLOYMENT LAW ATTORNEY

McLane Middleton is seeking an Employment Law Attorney to join our growing employment law practice. The ideal candidate will have 4+ years of experience in employment law with some background in general litigation. Additional experience should include employee handbooks and related policies, wage and hours compliance, employer hiring guidance and experience with on-site employee training on harassment prevention. Prior experience with crisis response and risk management is a plus.

JUNIOR-MID-LEVEL TRUSTS & ESTATES ATTORNEY

McLane Middleton has one of the largest Trusts and Estates departments in New England and has an exciting opportunity for a Trusts and Estates Attorney. 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.

EXPERIENCED TRUSTS & ESTATES ATTORNEY

This is a unique opportunity to join 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.

For more than 107 years, McLane Middleton has supported the long-term growth of its professionals, helping them build rewarding and successful careers. We welcome dedicated self-starters who are eager to advance their careers and pursue business development opportunities.

A hybrid work schedule combining in-office and remote work is available. Qualified candidates will have strong academic credentials from an accredited law school, excellent analytical abilities, and outstanding communication and writing skills, along with a commitment to exceptional client service.

We offer a collegial team culture, robust professional development, and meaningful opportunities for personal and professional growth in a dynamic environment. Candidates must be admitted to the New Hampshire and Massachusetts Bar or have the ability to waive in. Additional bar memberships are a plus. We provide a competitive compensation and benefits package.

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, at 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 and crystal@sabbethlaw.com.

🔗 Let's explore how your talents can help us deliver **justice with excellence and innovation**.

PROSECUTING ATTORNEY

The Lebanon Police Department is accepting applications for the position of Prosecuting Attorney.

2026 Salary Range: \$1,735.99–\$2,343.55 weekly, or \$90,271–\$121,864 annually, plus up to a \$30,000 sign-on bonus. Comprehensive, flexible spending benefits package and enrollment in the New Hampshire Retirement System.

Minimum qualifications include United States citizen, JD degree, NH law license, good standing with the NH Bar, U.S. citizenship, and 1–3 years of criminal prosecution experience. 3–5 years preferred.

Apply at <https://lebanonnh.gov/1414/Employment-Opportunities>



ASSISTANT COUNTY ATTORNEY

SCOPE OF POSITION:

Seeks justice with professionalism, excellence and pride, consistent with the New Hampshire Rules of Professional Conduct, American Bar Association and National District Attorney's Association guidelines, as a criminal prosecutor with a concentration in Superior Court.

ESSENTIAL JOB FUNCTIONS:

- Acts as counsel for the State of New Hampshire in criminal matters.
- Works closely with Victim/Witness Coordinators to ensure that all witnesses/victims are properly informed, prepared and supported throughout the prosecution process.
- Presents investigations and cases to the Grand Jury.

REQUIRED EDUCATION AND EXPERIENCE

- Juris Doctor from accredited law school.
- Must be admitted into the New Hampshire Bar Association.

Salary Range:

\$81,723.20 - \$114,400.00/year, dependent on experience.

Status: Full Time/Exempt

Apply Online:

<https://www.governmentjobs.com/careers/rockinghamnh>

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

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

We offer paid training, competitive salaries, and a comprehensive benefits package.

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

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

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



NH LIQUOR COMMISSION - ATTORNEY IV

Position # 44223 – Concord Office

Salary Range: \$72,579 - \$99,586.50

See *total compensation information at the bottom of announcement.

The New Hampshire Liquor Commission currently has an attorney position available to supervise, integrate, coordinate, and evaluate all legal and legislative objectives and actions for the NH Liquor Commission.

The Duties include:

- Reviews documents, contracts, and relevant issues on behalf of the Commission and its three divisions and provides legal advice regarding them.
- Conducts and provides legal research on various Commission Administrative Rules, Regulations, Issues, Policies, and State & Federal Laws.
- Assists with agency legislative issues, formulates strategy, and represents agency as required.
- Serves as an advisor to the NHLC senior management team by effectively communicating legal advice. Assists with legal hearings and prepares legal hearings Orders and Decisions.
- Represents Commission and manages lawsuits and legal proceedings, including criminal matters and appeals.
- Oversees compliance issues, interfacing with relevant State and Federal Agencies.
- Conducts legal programs and initiatives to ensure efficiency and consistency in application of Commission objectives and recommends corrective action.
- Works with the NH Department of Justice on legal matters as needed.
- Represents Commission at state and out of state conferences and seminars and prepares and presents legal training and presentations as required.
- Supervises personnel, including disciplining employees, solving personnel problems, developing work methods and writing evaluations.
- Recognizes that everyone we come into contact with is a customer and treats all with courtesy, respect and the utmost professionalism.

Requirements: J.D. from an American Bar Association recognized law school, active member of the New Hampshire Bar Association and in Good Standing, six years' experience in the active practice of law, and a valid driver's license and/or access to transportation for statewide travel.

The Attorney IV is a confidential position.

*TOTAL COMPENSATION INFORMATION

The State of NH total compensation package features an outstanding set of employee benefits, including:

- HMO or POS Medical and Prescription Drug Benefits:
- See this link for details on State-paid health benefits: <https://das.nh.gov/hr/benefits.html>
Value of State's share of Employee's Retirement: 12.15% of pay

Other Benefits:

- Dental Plan at minimal cost for employees and their families (\$500-\$1800 value)
- Flexible Spending healthcare and childcare reimbursement accounts
- State defined benefit retirement plan and Deferred Compensation 457(b) plan
- Paid holidays and generous leave plan
- \$50,000 state-paid life insurance plus additional low cost group life insurance
- Incentive-based Wellness Program (ability to earn up to \$500)

Total Compensation Statement Worksheet:

https://das.nh.gov/documents/hr/JobSearch/FINAL_TOTAL_COMP_STATEMENT_ISSUE.xlsx

Want the specifics? Explore the Benefits of State Employment on our website:

<https://das.nh.gov/hr/documents/BenefitBrochure.pdf>

<https://das.nh.gov/hr/index.aspx>

HOW TO APPLY: Please go to the following website to submit your application electronically through NH First: <http://das.nh.gov/jobsearch/employment.aspx>. A paper application may be sent to: New Hampshire Liquor Commission, 50 Storrs St., Concord, NH 03301, Attention: Karen Garneau. A paper application may be emailed to HR@LIQUOR.NH.GOV EOE

ASSISTANT COUNTY ATTORNEY GRAFTON COUNTY ATTORNEY'S OFFICE

The Office of the Grafton County Attorney currently has a full-time position available for a highly motivated attorney. An Assistant County Attorney is primarily responsible for appearing in and prosecuting felony cases in Superior Court, as well as conducting legal research, drafting and filing motions and being a collaborative member of our overall prosecutorial team. Other responsibilities include discussing legal aspects of criminal cases with police and community relations in general. Applicant must have a Juris Doctor Degree and be a member in good standing of the NH Bar. We are flexible with telework options.

COME JOIN OUR TEAM!

Salary: \$76,876.80-\$105,851.20

We offer an excellent wage and benefit package.

Benefits Include: NH Retirement System, Low deductible Health Insurance, 13 Paid Holidays, Generous Earned time package, Education Assistance, Dental Insurance, Life Insurance & more.

For complete position details, visit our website and apply online:

www.co.grafton.nh.us/employment-opportunities • Email: hr@graftoncountynh.gov

Or in person at: Grafton County Human Resources, 3855 Dartmouth College Hwy., North Haverhill, NH 03774 • (603) 787-2034
E.O.E.

Immediate Openings

Senior /Experienced Assistant County Attorney

Nashua Office

Job Type: Full-Time

Salary: \$81,723.20 - \$114,400.00 Annually



Hillsborough County, the most populous county in New Hampshire (with over 430,000 residents), seeks a dedicated Assistant County Attorney to join our team of prosecutors. We pursue justice with professionalism, excellence, and pride while upholding the New Hampshire Rules of Professional Conduct, American Bar Association Standards for the Prosecution Function, and National District Attorneys Association guidelines.

As an Assistant County Attorney, you will serve as counsel for the State of New Hampshire in criminal matters. You will primarily handle felony and serious misdemeanor cases in Superior Court.

Requirements:

- Juris Doctor degree from an accredited law school.
- Admission to the New Hampshire Bar (or eligibility for admission).

The Hillsborough County Attorney's Office is the focal point for criminal prosecution in our area. If you are passionate about public service, committed to ethical prosecution, and ready to make a meaningful impact in a dynamic team environment, we encourage you to apply.

To apply or for more information, please contact our Nashua Office First Assistant County Attorney Thorspecken by email at nicole.thorspecken@hcnh.gov



LEGAL ASSISTANT/PARALEGAL

Lewis Builders Development, Inc. is seeking a full-time legal assistant/paralegal to assist Legal Counsel in a wide-ranging role with paralegal and administrative responsibilities, including real estate, corporate and regulatory matters. Ideal candidate must be efficient, organized, work independently and possess attention to details.

3-5 years relevant experience

Visit www.lewisbuilders.com/careers

CLASSIFIEDS from page 34

LEGAL SECRETARY – Busy Wolfeboro law firm seeks enthusiastic, energetic, talented and experienced full-time legal secretary. Excellent word processing, computer and people skills a must. Medical and retirement benefits are available. Please send resume with your job qualifications and salary requirements to randy@walkervarney.com.

REFERRALS

LAWYER REFERRAL SERVICE – FULL FEE PROGRAM – Even when your practice is thriving, you need a steady stream of leads to keep it that way. Join NHBA Lawyer Referral Service to receive prescreened referrals for the types of cases you select. Set the type and quantity of cases you want to receive with no obligation to accept any referral. Pay LRS only 10% of collected fees earned on referrals. To learn more or sign up visit <https://www.nhbar.org/join-lawyer-referral-service> or contact LRS at (603) 715-3235 or email lrsreferral@nhbar.org.

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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



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ASSISTANT CITY PROSECUTOR CITY OF LACONIA, NH

The City of Laconia is seeking a highly skilled attorney to fill the position of Assistant City Prosecutor to manage criminal cases in the City Prosecutor's Office.

Salary Range: \$106,847.52 - \$115,655.19, plus a competitive benefits package (Starting salary based upon experience)

Submit cover letter and resume to:

Laconia Police Department
Attn: Executive Assistant Lori Marsh
126 New Salem St.
Laconia, NH 03246

The position will remain open until filled.

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