

Judge Joseph Laplante to Receive Kenison Award at Bar Foundation Annual Dinner

By Tom Jarvis

Judge Joseph Laplante of the US District Court for the District of New Hampshire will receive the 2026 Frank Rowe Kenison Award at the New Hampshire Bar Foundation's Annual Dinner on Wednesday, October 21, at Pembroke Pines Country Club in Pembroke.

The Bar Foundation presents the Kenison Award annually to recognize substantial contributions to New Hampshire through the administration of justice, the legal profession, or legal thought. The award is named for Frank Rowe Kenison, a member of the New Hampshire Bar Association for 48 years who served as chief justice of the New Hampshire Supreme Court from 1952 to 1977.

Judge Laplante has served on the US District Court for the District of New Hampshire since 2007 and was chief judge from 2011 to 2018. Before his appointment to the federal bench, he served as an assistant US attorney and later as first assistant US attorney. Much of his work involved the New England Organized Crime Drug Enforcement Task Force. His earlier career included positions with the US Department of Justice's Public Integrity Section, the homicide and white-collar crime units of the New Hampshire At-



torney General's Office, and the Manchester law firm of Wiggin & Nourie.

In addition to his work on the bench, Judge Laplante has remained involved in legal education and the Granite State legal community. He frequently participates in NHBA continuing legal education programs and has contributed to the

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NHBA Symposium to Focus on Practice Readiness, Mentorship

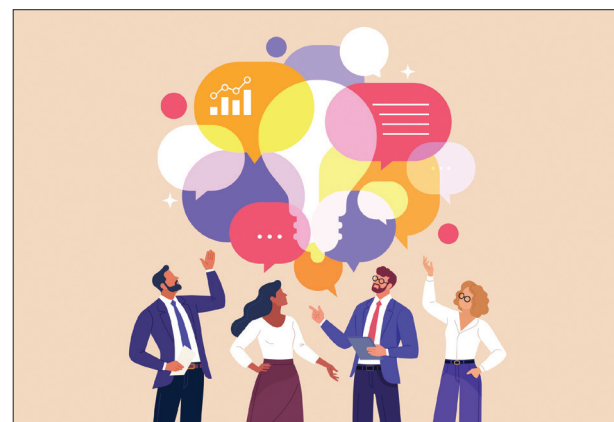
By Tom Jarvis

The New Hampshire Bar Association will bring attorneys, judges, educators, and other members of the legal community together on November 6 at the University of New Hampshire Franklin Pierce School of Law for "Counsel for the Future: Building a Foundation for Practice Readiness," a symposium focused on mentorship and preparing the next generation of lawyers for legal practice.

The program is a major initiative of NHBA President Robert Lucic, who says the idea grew out of several overlapping concerns about legal education, technology, mentorship, and the transition from law school to practice.

"Law school teaches a very specific way of analyzing problems, but it doesn't really teach you how to practice law in the real sense," Lucic says.

He points to managing the business side of law practice, having difficult conversations with clients, managing expectations, and navigating cases when things go badly as skills that are often developed through experience rather than classroom instruction.



"We want young lawyers to learn how to become not just technicians but counselors, trusted advisers," he says. "Part of that is experiential and part of that is watching other people, actually learning the skills of how to have difficult communications with people."

Lucic says the symposium grew in part from discussions surrounding the NHBA's Special Committee on Artificial Intelligence, and from a report by the national Committee on Legal Education and Admissions Reform (CLEAR).

In August 2023, the Conference of Chief Justices and the Conference of State Court Administrators established

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Kelly Conviction Marks First Under New Hampshire Fetal Homicide Law

By Tom Jarvis

In a historic jury verdict, William Kelly became the first person in New Hampshire to be convicted under the state's 2018 fetal homicide law.

A Carroll County Superior Court jury convicted Kelly, 40, on July 9 of two counts of second-degree murder for the December 17, 2023, deaths of his girlfriend, Christine Falzone, 33, and her fetus. The evidence showed that Falzone was between 35 and 37 weeks pregnant at the time of her death.

On August 10, Judge Mark Attorri sentenced Kelly to two consecutive terms of 40 years to life, leaving him with an aggregate minimum sentence of 80 years.

The conviction marked the first

successful application of a change to New Hampshire's homicide statutes that took effect in 2018. The amendment expanded the meaning of "another" under RSA 630:1-b, which prohibits causing the death of another either knowingly or recklessly, to include a fetus beginning at the end of the 20th week after conception.

The law applies to first- and sec-



ond-degree murder, manslaughter, negligent homicide, and causing or aiding suicide. It also contains exemptions for

conduct by the pregnant woman, conduct undertaken at her direction or for her benefit, and certain medical procedures and treatment.

Michael Garrity, director of communications and external affairs for the New Hampshire Attorney General's Office, says the case involved separate charges for two victims.

"Evidence needed to be presented at trial establishing the cause and manner of death for each individual victim, as well as how the defendant caused each of those deaths," Garrity says. "The medical evidence introduced at trial established that the fetal cause of death was maternal death."

Although the same act ultimately

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Symposium: Counsel for the Future

Ἀρχὴ ἥμισυ παντός

The beginning is the most important part of the work – Plato

In 416 BCE, a veritable who's who of Greek philosophers gathered for a banquet at Agathon's house in Athens that would become famous as Plato's Symposium. Anyone who was anyone was there: Socrates, Phaedrus, Pausanias, and Aristophanes participated. The controversial (and supposedly drunk) Athenian general Alcibiades showed up late. As Plato tells it, the dialogue was sparkling. The winning argument came from Diotima, via Socrates: Beauty must be recognized not merely in physical appearance but in souls, laws, and knowledge.

On Friday, November 6 – 2,441 years later – we will be holding a symposium, Counsel for the Future, here in New Hampshire. As serious-minded, flinty New Englanders, we will have a more practical purpose than the participants in the original symposium. We will address the question of how we are going to train, mentor, and learn from the next generation of lawyers. It will be hosted at the University of New Hampshire Franklin Pierce School of Law in Concord.



Anselm Feuerbach's 1869 painting *Plato's Symposium* depicts a gathering inspired by the ancient Greek tradition from which the modern term "symposium" derives. Wikimedia Commons

President's Perspective



By Robert R. Lucic

Sheehan Phinney
Manchester, NH

The challenges that we face as a profession are profound. The destabilizing technology of artificial intelligence is just one of them. High school, college, and law school students may not receive the same rigorous writing training or learn the essentials of critical thinking as students of the past. It will become harder to evaluate the work of new lawyers and, more importantly, to know whether they actually understand the written work they generate.

Students who pass the bar exam now are taught only a sliver of what it means to be a lawyer. Only seven percent of all cases that go to court have a lawyer on both sides. Vast

communities of underserved or unserved people need legal help. We need to do everything we can to ensure that the next generation of lawyers is as "practice-ready" as effectively as possible. We need lawyers who are not just technicians able to ask Claude, Harvey, or ChatGPT the right question, but counselors who can guide clients, and become judges, prosecutors, public defenders, and protectors of the rule of law.

Many of us, me included, have had the benefit of training and mentorship. And mentorship, as I have said before, is not simply older lawyers teaching the new ones. Young lawyers have much to teach about how technology can help our clients. Too often, however, getting that helping hand has been a matter of luck – being in the right place at the right time with the right person. We want to gather as many people as we can to invigorate and inspire them to give their time to the future of our profession.

So how are we going to do it? We plan to have educators, lawyers of every stripe, judges, and court staff work together to share their thoughts, as the philosophers did. We will have outside professionals help us work on techniques for mentoring, training, and giving feedback. We will learn how to be better mentors and mentees. There will be homework before and after the symposium. This is not going to be easy or completed in a day. But then, we are still discussing Agathon's dinner party two and a half millennia later.

All are invited to participate (except maybe Alcibiades). Sign up early because seating will be limited. You will get CLE credit. But, like the participants in the original symposium, you will come away appreciating the beauty of knowledge and the law. Most importantly, you will want to pass that appreciation along. ♦

[Editor's note: More details to come as the event approaches.]

NHBA Welcomes Joseph Kozlowski

By Megan Koerber

The New Hampshire Bar Association is pleased to welcome Joseph Kozlowski as its new Lawyer Referral Service Intake and Referral Specialist.

Kozlowski is in his senior year at Southern New Hampshire University (SNHU), finishing a bachelor's degree in forensic psychology. When he completes his degree, he plans to attend



law school.

He most recently served as a floating customer service representative at Bar Harbor Bank & Trust, where he assisted branches around the state with day-to-day operations.

Before transferring to SNHU, he was active in student government at Suffolk University and served on a variety of committees such as student affairs, dining, and athletics.

"I'm thrilled to start my position at the New Hampshire Bar Association," Kozlowski says. "Law is a true passion of mine, and I can't wait to learn and take my first step into the legal field." ♦



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Judge Anne Edwards Named Co-Chair of Access to Justice Commission

By Tom Jarvis

New Hampshire Superior Court Judge Anne Edwards has been named co-chair of the New Hampshire Access to Justice Commission. Edwards joins co-chair Mark Rouvalis in leading statewide efforts to improve access to civil justice.

Judge Edwards, who joined the Superior Court in 2023, brings more than three decades of legal experience and public service to the position. Before joining the bench, she spent nearly 27 years with the New Hampshire Department of Justice, handling a range of complex civil and criminal matters and serving in leadership roles. She is a graduate of Saint Anselm College and Boston University School of Law.

Judge Edwards says she is excited to assist the Commission with the “vital work it is doing to make our court system more accessible,” particularly for residents attempting to navigate what she describes as an often confusing court process.

She says she became an attorney after seeing her parents’ friends struggle with legal issues when they could not afford to retain counsel, adding that she will work diligently with the Commission to assist people involved in the state’s court system.

Created by the New Hampshire Supreme Court in 2007 and reorganized in 2011, the Commission works to improve access to the courts for New Hampshire residents. Members of the Supreme, Superior, and Circuit Courts participate in the Commission’s work alongside representatives of the legal community and other partners.

The Commission’s efforts include assessing civil legal needs, identifying ob-



stacles that prevent people from obtaining legal assistance, and developing initiatives intended to make the justice system more accessible.

Among its recent projects, the Commission helped develop the 2025

New Hampshire Legal Needs Study, released in April. Drawing on court, legal services, private bar, and community data, the study examined where civil legal needs arise and where gaps in assistance remain across the state.

The study found that New Hampshire’s three primary civil legal services organizations received more than 33,000 requests for help between 2022 and 2024, with thousands going unmet because of limited capacity. It also identified transportation, internet access, disability, age, and geography as barriers that can prevent residents from obtaining legal help or participating meaningfully in court proceedings.

New Hampshire Supreme Court Justice Melissa Countway, who previously served as co-chair, praised Judge Edwards’ commitment to the Commission’s mission.

“Judge Edwards brings energy, focus, and great skill to all she does,” Justice Countway says. “She is deeply committed to the cause of access to justice and has devoted a great deal of her professional career to making our state a better place.”

Justice Countway will remain a member of the Commission. ♦

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Sara Crisp Finds Her Calling in Family Law

By Kathie Ragsdale

Growing up, Sara Crisp said she would never be a lawyer. She'd seen how hard her lawyer father had to work.

And if she did somehow end up in the law, it was never going to be family law. Everyone she knew had cautioned her against it.

But Crisp is now a seasoned family law attorney – practicing in her father's Concord firm – with an appreciation for how experience can change life's trajectory.

"Pretty much everything in my life I said I would never do, I ended up doing," Crisp says with a laugh. "I've learned to never say 'never.'"

Born in Berlin, New Hampshire, and raised in Franklin and Bow, Crisp grew up in the lap of the law, as her father, Jack, served in such positions as president of the New Hampshire Bar Association, president of the New England Bar Association, and chair of the NHBA's Continuing Legal Education Committee for more than a decade.

"I remember on our vacations as a family, we would go to Bar events," she recalls. "The Annual Meeting was at the



Sara Crisp enjoys some family time with husband, Joe Conti, and their children, Jack and Cecilia, then one and three years old. Courtesy Photo



Cooper, the Crisp Law office greeter. Courtesy photo

Balsams. That was a huge part of my childhood. It provided some of my best memories."

Crisp went to Keene State College, earning a bachelor's degree in political science and women's studies. While there, she attended a summer program in philanthropic studies at Georgetown University, a course that included work at Rachael's Women's Center, a shelter in Washington, DC.

"It was a pretty remarkable experience, especially as a middle-class white

woman from New Hampshire," she says. "I had a strong interest in women's studies, and I wanted to work at the shelter because I felt like it aligned with my interests. It was one of the first experiences I had with homelessness and mental health [issues] and just learning about it in such a hands-on way."

It was also one of her first experiences dealing with victims of domestic violence, and Crisp says those lessons continue to inform her work with clients today.

"A lot of women there were going

through that and I see more of a correlation now and how it carried my path forward," she says.

She also spent her last semester of college at Victoria University in Wellington, New Zealand, studying political science and religious studies – a choice which likewise influences her current work.

"It helps me understand different people's backgrounds a little," she says of the religious coursework, citing the example

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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
\$1,000,000	Improperly performed gallbladder surgery leads to post-op infection and reconstructive surgery



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Nicholas Chong Yen Brings Versatility, Civility to Attorney General's Office

By Scott Merrill

When Nicholas Chong Yen arrived at the University of New Hampshire Franklin Pierce School of Law (UNH Law) in Concord in 2013 from Toronto, Canada, he had only a vague idea of the kind of lawyer he wanted to become. He certainly had not decided to become a prosecutor.

More than a decade later, Chong Yen is a senior assistant attorney general whose work ranges from homicide prosecutions to election-law cases and investigations involving alleged sexual abuse at the Youth Development Center (YDC). He has worked on fatal overdose investigations and oversees Right-to-Know requests for the Attorney General's Criminal Bureau.

In 2025, Attorney General John Formella promoted him to senior assistant attorney general. That same year, Chong Yen received the New Hampshire Bar Foundation's Robert E. Kirby Award, which recognizes attorneys under 35 or practicing for fewer than 10 years who demonstrate outstanding civility, courtesy, perspective, and advocacy.

"Nick has done a little bit of everything, which speaks to his versatility as a lawyer," says retired Superior Court Judge Jaclyn Colburn, who first encountered Chong Yen as a law student. "He was one of the most diligent law students I ever had. Those qualities didn't lessen when he left law school."

Senior Assistant Attorney General Benjamin Agati, chief of the Attorney General's Homicide Unit, describes Chong Yen as a lawyer determined to make his case without sacrificing civility or fairness.

A Great Lawyer and a Genuinely Nice Person

Colburn saw those qualities years before Chong Yen became a prosecutor.

She met him in an advanced trial advocacy program at UNH Law. Each spring, four students traveled to a national trial competition, and Colburn recommended Chong Yen for the team.

She remembers him as one of her



Chong Yen and his wife, Rebecca Ricard, in Japan. Courtesy photo



Chong Yen and his wife, Rebecca, in Italy. Courtesy photo

most diligent students. She also remembers that people liked him – even when he was representing the opposing side.

"He's one of the most genuinely nice people you'll meet," Colburn says.

Their relationship eventually became personal as well as professional. Colburn knew Chong Yen's wife, Rebecca Ricard, from law school, and when the couple decided to marry, they asked Colburn to perform their wedding ceremony.

She later presided over Chong Yen's swearing-in ceremony in federal court.

"I had a lot of respect for Nick as a student and as a person, and today as a lawyer," Colburn says.

A Happy Mistake

Chong Yen grew up in Newmarket, Ontario, about 45 minutes north of Toronto, and attended the University of Ottawa, where he studied political science. At first, he imagined a career in corporate or international law.

His connection to the law began earlier, in an unexpected place. His father is Chinese Jamaican, and as a high school student, Chong Yen traveled to Kingston, Jamaica, where he attended a legal clinic. The experience gave him an early glimpse of the law in practice and a connection to another part of his family's history.

When it came time to choose a law school, Chong Yen had been focused on Canada. A family friend who knew about his interest in law suggested he look at

UNH Law.

"I had a family friend who had heard about my interest in the law and recommended UNH School of Law, as it was called then," Chong Yen says. "It turned out to be a happy mistake."

He had been interested in international law, but as he learned more about UNH Law, he realized the school's strengths were in areas such as intellectual property. Still, something about the school – and the community around it – caught his attention.

"I had visited some law schools in

Canada, and it was a very competitive environment," he says. "Here, it was much more collaborative."

During the visit, he asked a student what life at the school was like. The student told him he had made some of his best friends there and that students worked together rather than against one another.

"So, I thought, this is a place where I could see myself," Chong Yen says, adding that Concord reminds him of the community where he grew up. "Many of

CHONG YEN *continued on page 24*



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Heather McCandless to Receive 2026 Paralegal Professionalism Award

By Tom Jarvis

New Hampshire Public Defender (NHPD) paralegal Heather McCandless will receive the New Hampshire Bar Association's 2026 Paralegal Professionalism Award on September 18 during the Paralegal Association of New Hampshire's Annual Meeting at the Manchester Country Club in Bedford.

NHBA Treasurer Geoffrey Gallagher will present the award, which recognizes a paralegal who demonstrates exceptional professionalism, possesses outstanding job-related knowledge and motivation, and serves as a role model within the profession.

McCandless, who has been with the New Hampshire Public Defender for nearly three years, is uncomfortable with the attention.

When she learned she had been selected, her first question was who had nominated her. When she was told Senior Assistant Appellate Defender Pamela Phelan was among those responsible, McCandless had an immediate response.

"I'm going to go upstairs and yell at her," she recalls telling NHBA President Robert Lucic, who notified her of the award.

Instead, she cried.

"I've never won any kind of award ever," McCandless says. "So it's kind of hard to put it into words, because people are like, 'I'm so proud of you.' I'm like, 'But why? I'm just me. I just did Heather things.'"

Her colleagues, however, have plenty to say about what those "Heather things" entail.



Heather McCandless, who will receive the NHBA's 2026 Paralegal Professionalism Award, stands outside the New Hampshire Public Defender's Concord office. Photo by Tom Jarvis

"Heather is like the MacGyver of paralegals," Phelan says. "She'll always figure out a way to get done what needs to be done."

Phelan says McCandless stands out not simply because of her willingness to take on work, but because of how she approaches it.

"What sets her apart is that she doesn't just complete tasks – she works hard to genuinely understand the complicated legal and factual issues in the cases she has worked on for me so that she can offer meaningful, substantive support rather than simply following instructions," she says.

NHPD attorney Maya Dominguez describes McCandless in similarly expansive terms.

"Heather is basically the MVP of any team she is on, and that is because she is always what we need," Dominguez says.

She says McCandless often identifies where she can contribute most and gets to work without waiting to be directed.

"She is somehow able to walk into a case and identify the areas where she can be the most impactful, and she just starts doing it," Dominguez says.

In one case headed for trial, attorneys asked McCandless to make a Right-to-Know Law request involving one is-

sue. McCandless suggested making four additional requests while she was at it. According to Dominguez, information obtained through one of the additional requests became a central component of the defense and may have made the difference at trial.

"She just shows up and does everything she can to help, every time, and on every case," Dominguez says.

NHPD attorney Tom Stonitsch says McCandless's effectiveness extends beyond case organization and discovery review to her ability to connect with clients.

He recalls one case involving a Massachusetts client who, because of a protective order, could not independently possess certain discovery materials. McCandless distilled a voluminous record into the material most relevant to the client, then drove to meet the client halfway so the discovery could be reviewed in person.

"Going the extra mile to make sure that our clients are actively involved in their case, to me, that's the definition of a professional," Stonitsch says.

That client contact is one of McCandless's favorite parts of the job. She travels throughout the state to meet incarcerated clients, review discovery with them, and help them navigate cases involving serious charges and extensive evidence.

"I come in and I bring in a human level to it, and I'm able to communicate with them as a human and talk about their lives and talk about their case and go over discovery in a nonjudgmental, no-pressure way," she says.

McCandless grew up in Tacoma,

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LUCIE Is Here: What New Hampshire Attorneys Need to Know

By David Sakowich

New Hampshire attorneys now have a new way to access court case information online.

The New Hampshire Judicial Branch launched LUCIE – Look Up Case Information Electronically – in August, replacing the former public case access portal with an account-based system for accessing current, electronically filed, nonconfidential cases in the Circuit and Superior Courts.

For attorneys, LUCIE offers more than a new way to conduct a public case search. Once registered and verified, New Hampshire lawyers can receive elevated access to cases in which they are counsel of record.



Why LUCIE?

LUCIE provides a more secure platform for online case access and creates a foundation for future enhancements. While the technology has changed, longstanding Judicial Branch policies determining who may access particular court records remain in place.

What Cases Are Available?

At launch, LUCIE includes electronically filed, nonconfidential cases in:

- Circuit Court: civil, small claims, name change, and estate cases; and
- Superior Court: civil and criminal cases.

Electronically filed confidential cases and other restricted information remain unavailable online except where access is specifically authorized.

Members of the public who create accounts can search cases and view publicly available information such as case status and hearing dates. Court documents are not available online to public users who are not parties to a case and can continue to be viewed at public access kiosks in New Hampshire courthouses, as permitted by court rules and policies.

Verified attorneys, however, can receive additional information and documents in their associated cases.

What Attorney Access Provides

To request elevated access, New Hampshire attorneys should create a LUCIE account, verify their email address, and select Attorney (NH-registered) as their access role. They then provide their New Hampshire Bar number. A firm name may also be provided to assist with verification.

Judicial Branch court staff verify the Bar number against New Hampshire Bar records. While verification is pending, the attorney retains general public access to LUCIE. Once approved, the attorney receives elevated access to associated cases, including future cases in which the attorney is identified as counsel of record.

Once verified, attorneys can view additional case information, including party information and case documents

for eligible electronically filed cases.

Attorneys who are not registered with the New Hampshire Bar should select the Self-Represented Party/Non-Attorney role and request elevated access using the applicable case number or numbers.

Searching and Managing Cases

LUCIE allows users to search by full case number or by the name of an individual or business. Advanced filters can narrow results by case category, include closed cases, and specify a filing-date range.

Selecting a case opens a Case Detail page. Depending on the case and the user's level of access, information may include parties, scheduled and past hearings, dispositions, financial information, and case documents.

The personalized dashboard provides quick access to search tools, recently viewed cases, access requests and help resources. The My Cases feature allows users to track elevated-access requests, and see whether a request is approved, pending, or denied.

Another useful feature for attorneys is the Case Summary report. From a Case Detail page, users can generate a PDF summary of the case that can be reviewed, printed, or saved.

LUCIE Is Not the E-Filing System

For attorneys, one distinction is particularly important: LUCIE does not replace File & Serve.

Attorneys will continue to e-file and

e-serve documents through File & Serve. Self-represented litigants will continue to use TurboCourt.

LUCIE serves a different purpose: accessing and viewing case information. Attorneys can use LUCIE to search for cases, review case information, and access documents when authorized.

Help Is Available

The Judicial Branch has developed a detailed LUCIE user manual, help resources, and FAQs to assist users with account creation, searches, elevated-access requests, and other features. Help is also available directly within LUCIE.

LUCIE was developed through a collaborative effort involving staff from across the Judicial Branch, including Information Technology, Circuit Court, and Superior Court personnel.

With LUCIE now available, New Hampshire attorneys have another tool for accessing court information they need in their day-to-day practice.

For more information about LUCIE, visit the New Hampshire Judicial Branch website. ♦

David Sakowich is the communications manager and public information officer for the New Hampshire Judicial Branch, where he oversees strategic communications, media relations, and internal and external communications. He previously spent 34 years in television news, including 22 years at WMUR-TV, where he worked in newsroom leadership and covered major stories across New Hampshire.

Community Note

The New Hampshire Housing Appeals Board has hired a new clerk and implemented procedures aimed at expediting housing-related appeals. The Board's goal is to issue decisions within 135 days of the filing of an appeal, consistent with its statutory obligations.

The Housing Appeals Board hears certain appeals of municipal decisions involving housing and housing development. Its website provides forms, applicable laws and administrative rules, hearing information, decisions, and other resources for municipalities, property owners, developers, attorneys, and members of the public.

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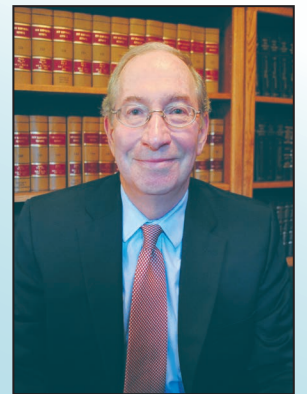
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RoL–NH Gives Attorneys Mobile Access to Court Rules

By Megan Koerber

RoL–NH, a new iOS mobile application designed for New Hampshire attorneys, brings select court rules, amendment histories, rule-change tracking, legal news, and advanced keyword search capabilities into one mobile platform.

Attorney Keith Diaz, a solo practitioner at Apis Law, created, programmed, and designed the app himself.

Diaz began his career as a prosecutor in Rockingham County, trying cases ranging from motor vehicle offenses and DUIs to serious felonies, including assault and drug trafficking. In 2005, Diaz expanded his practice into civil litigation.

Diaz was inspired to create RoL–NH after he came across a similar app focused on federal rules of evidence. He also refers to the app as “Roll with It New Hampshire,” a play on its abbreviated name and the pace of technological change in the legal profession.

“The idea is that sometimes one needs to roll with the changes in technology in the practice of law,” Diaz says.

RoL–NH represents years of self-directed learning, software development, along with a commitment to making legal information more accessible.

“I had this crazy idea in my head that it was going to be easy,” Diaz says. “But I was wrong. It is insanely complicated – I’ve learned how fast everything changes in the world of computers – but this is how I am. I see something, it gets my curiosity, and then I have to do it.”

He started development and programming in 2016. After a decade of work, it was finally published on the App Store in 2026.

Over those 10 years, Diaz taught himself Apple’s development tools and adapted as technology changed around him, including the shift from Objective-C to Swift and then another transition with the introduction of SwiftUI.

Diaz believes the “passion project” was worth the effort when he sees what the app has become. The finished product now offers four primary features.

The first is a live newsfeed that tracks New Hampshire Supreme Court rule amendments, court-related articles, and selected case information. Diaz monitors relevant publications from the court and its committees and incorporates them into the app.

A second feature allows users to follow the docketed rule-change proposals from the Supreme Court Advisory Committee on Rules. Users can track each one through the amendment process, from committee review to public comment and final adoption.

The third feature is an advanced keyword search, which Diaz already plans to expand using artificial intelligence.

“I worked on the search a lot because I wanted it to be useful,” says Diaz. “My guess is that by the end of the year, I’ll probably make the keyword search kind of morph into a natural language search with ranking or weighting done through AI.”

The fourth and original feature remains the rules database itself. RoL–NH currently contains the New Hampshire Superior Court Rules, Rules of Criminal Procedure, and Rules of Evidence.

Tony Naro, a colleague of Diaz’s, believes the app fills an important need.

“I think the app does two things really well,” Naro says. “First, it puts the latest Supreme Court opinions and rule changes

at your fingertips. No website to navigate and click through. You get a quick summary of the rule change or opinion, and then you can access the source document if you want to dig into the material further. Second, it provides quick and easy access to the Superior Court Rules, Rules of Criminal Procedure, and Rules of Evidence.”

Unlike many online resources, the app includes detailed amendment histories and the original court orders associated with those changes.

“It’s pretty unique,” says Diaz. “I don’t know of any other piece of software that really provides that.”

One of the most time-consuming aspects of the work was taking the original PDFs from the court website and transforming them into usable, structured data – a process Diaz handles entirely on his own.

When asked how attorneys could use RoL–NH in their day-to-day practice, Diaz says its accessibility is key. The rules are stored directly within the application, allowing attorneys to access them even without an internet connection. Whether in the courtroom, office, or at home, users can quickly locate and search relevant rules.

“It is all about keeping abreast of developments in the law and having quick access to information,” Naro says.

In his own practice, Naro regularly uses the app to monitor developments from

the New Hampshire Supreme Court.

“[My favorite feature] is the slip opinion summaries with links to the full opinions,” says Naro.

Diaz sees room for future growth, including additional rule sets and potentially an Android version if user demand warrants the investment. He has also explored the possibility of including external contributors in the newsfeed.

“If people were interested in reporting verdicts or settlements, I think it would make RoL–NH a little bit more relevant to a lot more people,” says Diaz.

For now, however, RoL–NH remains primarily a passion project, one born from curiosity and sustained by a desire to create a practical tool for fellow legal professionals. ♦

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LawLine

The New Hampshire Bar Association thanks Allison Ambrose, Kyle Amell, Katharine Lacey, Joshua Marshall, and Aaron Smith of Wescott Law, as well as attorneys Madeline Ables, Daniel Clark, Robert Hunt, Theodore Lothstein, Lily Mischo, and Robert Moore for volunteering during the successful LawLine event held on August 12.

During LawLine, 102 individuals received brief legal guidance from volunteer attorneys on a wide range of topics, including eviction, divorce, debt collection, employment issues, probate questions, and criminal matters.

In June, LawLine transitioned to a new call-out format designed to better connect members of the public with volunteer attorneys with experience in the relevant practice areas. Individuals seeking assistance submit a short online application in advance, allowing NHBA staff to identify questions appropriate for LawLine. Applications are assigned in advance so that volunteer attorneys have sufficient time to perform conflict checks. Assigned participants receive a telephone call



Robert Hunt providing brief legal advice for LawLine. Courtesy photo

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. To volunteer, please contact NHBA LawLine Coordinator Joseph Kozlowski jkozlowski@nhbar.org. ♦

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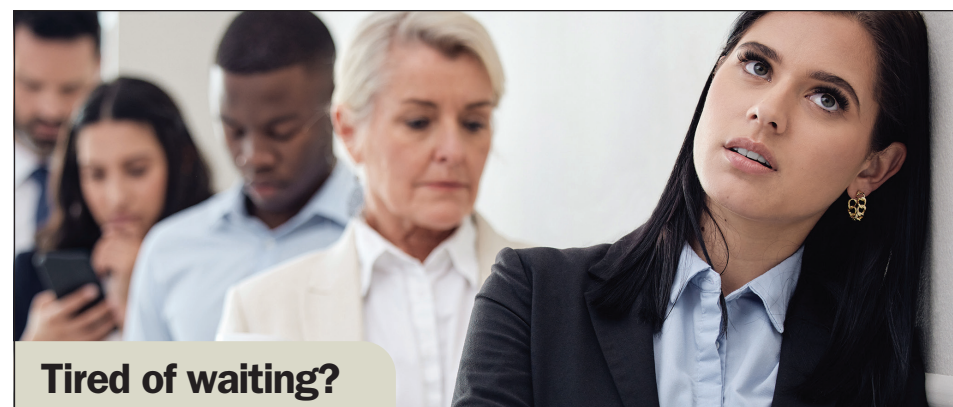
—WHERE ARE THEY NOW?—



Everyone here at the firm became enormous fans of Meegan O’Connell when she was our Law Student in Residence from UNH-Law in the Spring of 2025. She went straight to New Hampshire Public Defender to continue the criminal defense path she started with us. As for “the rest of the story,” this recent picture of Meegan, Daniel and Dominic says it all!

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Civics in Action: Kennedy-Breyer Program Puts Students Inside the Three Branches of Government

By Tom Jarvis

For a group of rising high school sophomores gathered in Boston this summer, learning about government meant more than taking notes about the three branches. Students became US senators, debated legislation, negotiated across party lines, participated in an executive-branch exercise, and, eventually, argued a compassionate-release case before a real judge in federal court.

Among them were sisters Ofelia and Naima Fleischer Castro of Spofford, New Hampshire, who spent a week participating in the Kennedy-Breyer Civic Scholars program, an experiential civics initiative involving the Edward M. Kennedy Institute for the United States Senate, the John F. Kennedy Presidential Library and Museum, and the federal judiciary's Breyer Learning Center.

Both sisters had expected something closer to traditional classroom instruction.

"I didn't really expect we would be doing a lot of hands-on work, like a simulation and a mock courtroom, and I was pleasantly surprised because it really helped me understand it a lot better by actually being active in creating bills and stuff like that," Ofelia says.

Naima was surprised when the group arrived at the Kennedy Institute.

"I didn't know that the Edward M. Kennedy Institute actually had a replica of the Senate, which was so cool," she says.

Judge Seth Aframe of the US Court of Appeals for the First Circuit was among



Naima and Ofelia Fleischer Castro at the Great Migration exhibit in Boston during the week of the Kennedy-Breyer Civic Scholars Program. Courtesy photo

the original planners of the program, which is now in its second year.

"We realized that we in New England, at least, have a unique ability to create a hands-on civic experience that probably does not exist anywhere else in the country," Judge Aframe says.

The program moves students through all three branches of the federal government. Over the course of the week, students participate in legislative, executive-branch, and judicial exercises, eventually applying the law they have studied during a compassionate-release proceeding in federal court.

"The idea really was to have the students pass a law and then to have a mock

trial experience that is applying the law that they passed to a real-life set of facts," Judge Aframe says.

During the legislative simulation, students were assigned states, political parties, and policy positions that did not always align neatly with one another.

Ofelia represented Vermont as a Democrat.

"I didn't understand how many different perspectives have to be taken into account," she says. "I was a Vermont Democrat, but my state believed in certain things, I believed in certain things, and my party believed in different things."

She says the exercise required her to look beyond any one set of priorities if she

wanted legislation to advance.

"It's more about the good of our country and not just what my party and state prioritize," Ofelia says. "If that's what I really want, I have to be able to take these perspectives into account and try to help them find a middle ground where we all agree."

Judge Aframe says that type of interaction is part of what the program is intended to teach.

"The second thing is that they learn sort of collegiality and civility, and that's a huge part of civics," he says, noting that students may find themselves on opposing sides during both the legislative and courtroom portions of the week. "When you have to make arguments against each other, you do it, but you also remain friends. And so it seems to me the earlier in life we can show that and model that to young people, the better for our democracy as a whole."

Retired University of New Hampshire Franklin Pierce School of Law professor John Greabe has participated in both years of the program. His roles have included portraying the president during a bill-signing exercise, coaching students, and participating in the courtroom simulation.

"I just think context is everything for most learners," Greabe says.

He says this year's students took the compassionate-release exercise well beyond simply working through the facts they had been given.

"It was every bit the quality of a real compassionate-release hearing," Greabe

CIVICS continued on page 25

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Two Milestones, One Message: There Is Hope

By Jonathan M. Dunitz

In the March 18, 2026, issue of the *New Hampshire Bar News*, the NHBA was kind enough to republish an article I had written during my year as president of the Maine State Bar Association (MSBA).



In it, I shared my experience with depression. I described first being diagnosed in 1996 but not truly focusing on staying well until an on-again, off-again relationship with antidepressants landed me in Spring Harbor Hospital in December 2005. My intent then was to help destigmatize depression so others might feel safe seeking help – and so colleagues might learn how to offer support.

This article, my final article as a member of the MSBA's Board of Governors, picks up where the original article left off. My goal now is to offer encouragement to anyone who feels discouraged: there is hope.

For me, hope sometimes appears in weird places. The most recent reminder came in September or October 2025. At the time, I was sitting in my office at Verrill searching for my scissors. To be

clear, for those who might be triggered, this article does not involve self-harm. My practice group had recently moved to a new floor, and my desk setup had changed. As I looked for those scissors, it struck me that I was just a few months away from two milestones – both connected to my lowest point.

Scissors and depression milestones may sound unrelated, but to me they symbolize how far I've come. After my hospitalization, I took medical leave before slowly returning to full-time practice. Not long after coming back, I couldn't find my scissors and irrationally assumed one of my colleagues had removed all sharp objects from my office as a precaution. Moments later, I opened the right drawer and found them – right where they had always been – because I was not a danger to myself or anyone else.

That first milestone – December 2025 – marked twenty years since my hospitalization. On the day I was admitted in December 2005, I didn't know if I'd ever practice law again. What mattered most then was simply being safe. Two decades later, something as ordinary as misplaced scissors reminds me that depression, once treated, didn't end my life or my career.

Reflecting on these twenty years, I've learned countless lessons. One of the most important came my first night in the hospital. During intake, after repeating my medical history for what felt

like the hundredth time, the staff member asked me what makes me happy. Without thinking, I said: music, photography, and cooking. They responded, "You have some cool hobbies." It was a small comment, but it helped me breathe again. I realized I'd drifted away from the things that made me, *me*. That was the start of my recovery – the moment I began finding my way back.

While I no longer play my trumpet, I listen to music every chance I get. I take my cameras almost everywhere. And I just remodeled my kitchen so I can find even more joy in cooking. I've learned how easy it is to lose oneself in a law career – but also how much better we are, as lawyers and as people, when we hold onto what makes us happy.

Asking for help and committing to my well-being allowed me to do things I once thought impossible. I've worked on complex cases, traveled the country, met incredible people, and served as a bar leader – something that was nowhere on my radar in December 2005.

That brings me to my second milestone. On December 31, 2025, my term as the MSBA's immediate past president – and with it, my service on the Board of Governors – concluded. This milestone represents one of the highlights of my career. Serving on the Board and leading that 135-year-old organization was both a privilege and an honor. Over the past decade, I had the joy of working

alongside a dedicated staff, Board, and eight presidents. Together we strengthened the MSBA and its ability to serve our members.

The support of the MSBA's membership – especially as I worked to bring attorney well-being to the forefront – was one of my fondest experiences. It continues to inspire my passion through my new role with the National Conference of Bar Presidents' Executive Council and as I begin my term on the American Bar Association's Lawyer Assistance Programs' Advisory Commission.

My hope is that New England attorneys will continue this journey toward well-being. Our profession is stronger, our clients better served, and our justice system healthier when we take care of ourselves and one another.

Here's to remembering – and truly enjoying – what makes you happy. And here's to hoping I keep losing my scissors for many years to come. Be well. ♦

Jonathan M. Dunitz is counsel at Verrill, where his practice includes energy, utilities, and telecommunications, commercial litigation, appellate work, insurance coverage, food and beverage law, and mediation. He is president of the New England Bar Association and a former president of the Maine State Bar Association, where he made attorney well-being a focus of his leadership.

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NHLAP Seeks New Commission ("Board") Members

We at the **New Hampshire Lawyers Assistance Program** are extremely proud of the wonderful, talented professionals that comprise our Commission. We have multiple individuals approaching the end of their term, and we are extremely grateful for their service to the New Hampshire legal community. Each member brings forth a unique set of skills, experiences, and perspectives, and we hope to continue this tradition with all new members that join the commission.

Commission members of the **New Hampshire Lawyers Assistance Program** are appointed by the New Hampshire Supreme Court. We are seeking individuals with diverse professional or lived experience, knowledge, and demonstrated competence in the areas of substance use disorders and/or mental health conditions that affect members of the legal profession AND satisfy the following professional conditions:

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Shaheen & Gordon Trainings Focus on Staff Wellness, Client Accessibility

By Lyndsay Robinson and
Alexander Spadinger



Robinson



Spadinger

Shaheen & Gordon recently hosted “Navigating Difficult Situations for Support Staff,” an interactive wellness-focused training designed specifically for staff members who regularly work with clients facing challenging circumstances. Presented by Jill O’Neill, executive director of the New Hampshire Lawyers Assistance Program (NHLAP), and Mark Durso, MSJS, MSW, the session addressed the often-overlooked impacts of compassion fatigue, burnout, and secondary traumatic stress on professionals in client-facing roles.

Attendees explored how these challenges can affect professionals in client-facing roles and learned practical strategies for recognizing and managing stress before it becomes overwhelming. The presenters shared evidence-based tools and resources aimed

at promoting resilience, maintaining professional effectiveness, and supporting overall well-being.

The training emphasized that support staff, often the first point of contact for clients navigating stressful legal matters, can be particularly vulnerable to absorbing the emotional weight of difficult situations. Through engaging discussions and interactive activities, participants examined ways to establish healthy boundaries, practice self-care, and respond effectively to challenging client interactions.

Drawing on more than two decades of experience in the mental health field, O’Neill shared insights from her work supporting legal professionals and advancing wellness initiatives throughout New Hampshire. Durso contributed his extensive expertise in mental health, substance use disorders, trauma-informed care, and wellness programming, offering practical approaches to fostering resilience in both personal and professional settings.

The program was intended to provide staff with tools for navigating difficult situations, maintaining wellness, and supporting clients effectively.

“Together, we explored how these challenges can show up in daily work,” O’Neill says. “We shared practical tools and resources for managing difficult moments and created space for connection, reflection, and engaging activities – including a fun, non-clinical five-minute personality exercise that

sparked meaningful conversation about individual strengths, team dynamics, and the traits each person brings to the workplace.”

Accessibility and Disability Rights

Shaheen & Gordon also hosted an educational program for attorneys and staff focused on improving accessibility and inclusivity in legal practice. The training, *Representing Clients with Disabilities*, was presented by Disability Rights Center–New Hampshire (DRC-NH) Managing Attorney Lynne Clay and Staff Attorney Kayla Turner.

The program provided practical guidance for legal professionals seeking to better serve clients with disabilities while fostering a deeper understanding of disability rights and accessibility within the legal system. Topics included accommodations for client meetings and court hearings, effective communication strategies, and considerations when working with individuals under guardianship or supported decision-making agreements.

Beyond the practical aspects of legal representation, the presenters provided an overview of the disability rights movement and its lasting impact on legal protections and civil rights for people with disabilities. The discussion highlighted the important role attorneys play in ensuring equal access to justice and removing barriers that may prevent individuals with disabilities from fully participating in legal proceedings.

Clay brought more than three decades of experience in disability rights advocacy and litigation to the presentation. Since joining DRC-NH in 1991, she has developed extensive expertise in areas including the Americans with Disabilities Act, special education law, housing, Medicaid, Social Security, and juvenile law. Her practice has included litigation in both state and federal courts, including the United States Court of Appeals for the First Circuit.

Turner, who first joined DRC-NH as a legal intern and returned as a staff attorney in 2023, discussed lessons from her litigation experience and the importance of advancing equity through the legal system. Drawing from her work in both criminal and civil matters, she emphasized the importance of understanding the unique needs and legal rights of clients with disabilities and creating practices that are accessible and responsive.

The training was designed to give attorneys practical guidance on accessibility, accommodation, and meaningful client engagement.

Both trainings were valuable, and we highly recommend that other firms and organizations within the New Hampshire legal community provide similar training to their employees. ♦

Lyndsay Robinson and Alexander Spadinger are co-chairs of Shaheen & Gordon’s Diversity, Equity, and Inclusion Committee.

Professional Announcements



Craig, Deachman & Associates, PLLC

is pleased to announce that
Sinan "Sam" Hurmuzlu
has joined the firm as an Associate Attorney.

Sam is based in the firm's Manchester office. His practice focuses on real estate law, civil litigation, landlord tenant law, and bankruptcy. He earned his bachelor's degree in business at Southern Methodist University Cox School of Business and his Juris Doctor from the University of New Hampshire – Franklin Pierce School of Law. Attorney Hurmuzlu is admitted to practice in the State of New Hampshire and the U.S. District Court for the District of New Hampshire. He resides in Manchester with his wife.



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Attorney Larson joins Shaheen & Gordon's litigation group. Previously, Cooper practiced commercial litigation and transactional law in Oklahoma City, handling matters from initial pleadings through discovery, dispositive motions, and trial preparation. During law school, he interned with the Oklahoma Attorney General's Office and served as a student attorney in a transactional law clinic, providing pro bono counsel to small businesses and nonprofit organizations. He graduated with high honors and received the CALI Award for the highest grade in his Legal Research and Writing course.

clarson@shaheengordon.com · 107 Storrs Street, Concord, NH



Attorney Ralph
Matthews, M.D.

Attorney Matthews joins Shaheen & Gordon's personal injury group, bringing a unique background. During his years of work within the American health care system, Ralph witnessed the widespread issue of medical negligence firsthand. This drive set him toward earning an MBA and JD from the University of New Hampshire, establishing himself as both an attorney and medicolegal consultant. After several years of practice in Montana, Ralph has returned to New Hampshire to advocate for injured clients and to help improve the standard of care across the country.

rmatthews@shaheengordon.com · 353 Central Ave, Suite 200, Dover, NH

Updated Guidance on Disclosure of Information in Motions to Withdraw

Q: I read the Ethics Corners published by the Ethics Committee in 2021 related to motions to withdraw. Is there updated guidance on the information I can disclose when filing such a motion?

A: On December 3, 2025, the American Bar Association Standing Committee on Ethics and Professional Responsibility published a formal opinion on the disclosure of information in a motion to withdraw from representation. ABA Formal Opinion 519 largely mirrors the Ethics Corner published by the Ethics Committee in 2021. Specifically, any required disclosure must be strictly limited to the extent reasonably necessary and, whenever possible, made through measures that protect confidentiality such as by making submissions in camera or under seal.

Updated Ethics Corner on Rule 1.16

In 2021, the Ethics Committee published three Ethics Corner articles on withdrawal from representation under Rule 1.16. The second of those articles addressed the extent to which the attorneys' duties of confidentiality under Rule 1.6 and candor to the court under Rule 3.3 impact the lawyer's description of the circumstances underlying the motion to withdraw, particularly in instances where the motion to withdraw is triggered by the client's violation of law or request that the attorney violate a rule of professional conduct or other law. The Ethics Corner article outlined the attorney's obligation to avoid material adverse effect on the client's interest when withdrawing and suggested best practices with respect to withdrawal motions.

Overview of Rule 1.16

Rule 1.16 addresses both mandatory and permissive withdrawal from representation.

Withdrawal is required when the representation will result in a violation of the Rules of Professional Conduct or other law, the lawyer's physical or mental condition materially impairs the lawyer's ability to represent the client, the lawyer has been discharged, or the client or prospective client seeks to use or persists in using the lawyer's services to commit or further a crime or fraud. Rule 1.16(a).

Subject to compliance with any applicable court rules, withdrawal may be permitted if it can be accomplished with-

out material adverse effect on the client's interests, the client persists in a course of action involving the lawyer's services that the lawyer reasonably believes is criminal or fraudulent, the client has used the lawyer's services to perpetuate a crime or fraud, the client insists upon taking action that the lawyer considers repugnant or with which the lawyer has a fundamental disagreement, the client fails substantially to fulfill an obligation to the lawyer and has been given reasonable warning that the lawyer will withdraw unless the obligation is fulfilled, the representation will result in an unreasonable financial burden on the lawyer or has been rendered unreasonably difficult by the client, or other good cause for withdrawal exists. Rule 1.16(b).

Overview of Rule 1.6

The duty of confidentiality applies to information related to the representation regardless of its source. Disclosure is permitted only if the client gives informed consent, the disclosure is impliedly authorized to carry out the representation, or disclosure is permitted under Rule 1.6(b). There is no exception in Rule 1.6(b) for motions to withdraw or other pleadings. "Consequently, for some matters, merely citing a relevant provision of Rule 1.16(a) may constitute an implicit disclosure of 'information relating to the representation.' Providing a fuller explanation will result in an explicit and more extensive disclosure and may be harmful to the client." ABA Op. 519, p. 3.

Motions to Withdraw

ABA Opinion 519 reflects that different courts approach motions to withdraw differently. For example, in *State v. Kent*, 2014 Del. Super. LEXIS 558, at *10 (Del. Super. Dec. 3, 2014), the Court found that some evidence of confidential information must be provided in support of a motion to withdraw on the basis of a conflict of interest. See *Whiting v. Lacara*, 187 F.3d 317 (2d Cir. 1999). On the other hand, the United States District Court for the District of New Hampshire found that it was appropriate for a court considering a motion to withdraw to consider in camera submissions to avoid prejudice to the client. *United States v. Isaacson*, 2010 U.S. Dist. LEXIS 124178 (D.N.H. 2010); see *Weinberger v. Provident Life & Cas. Ins. Co.*, 1998 U.S. Dist. LEXIS 19859 (S.D.N.Y. Dec. 23, 1998); *Com-*

monwealth v. Miranda, 484 Mass. 799 (Mass. 2020); *Blessing v. Dow Chemical Co.*, 521 A.2d 1176 (Me. 1987). Discipline has been imposed upon attorneys for disclosing confidential information in motions to withdraw. *In re Gonzalez*, 773 A.2d 1030 (D.C. App. 2001) (lawyer disciplined under Virginia Professional Responsibility Canons for alleging in motion to withdraw that client lied to payer and failed to provide requested information); *Lawyers Disciplinary Bd. v. Farber*, 488 S.E.2d 460, 463 (W. Va. 1997) (lawyer disciplined for stating in motion to withdraw that client told lawyer "a flat-out lie").

Best practices suggest that even ex parte disclosures should be limited to information required to substantiate the basis of the withdrawal motion.

Permissible Disclosures

ABA Opinion 519 describes circumstances under which disclosure may be permissible. For example, a lawyer may disclose information not related to the representation, such as information concerning the lawyer's own physical or mental condition under Rule 1.16(a)(2). A lawyer may, of course, disclose any information the client authorizes them to disclose upon informed consent. For example, when the client discharges the attorney under Rule 1.16(a)(3). Further, there may be circumstances under which an exception to confidentiality applies under Rule 1.16(b).

Disclosure may be permitted under Rules 3.3 (Candor Toward the Tribunal), 1.13 (Organization as Client) and 1.14 (Client with Diminished Capacity). Rule 3.3(a) requires a lawyer to take remedial measures, including if necessary, disclosure to the tribunal, if the client or a witness called by the lawyer offers material false evidence. Rule 1.13(c)(2) permits a lawyer representing an organization to reveal information relating to the representation if the organization's highest authority fails to act with respect to conduct that clearly violates law and that the lawyer reasonably believes is likely to cause substantial injury to the organization, "whether or not Rule 1.6 permits such disclosure, but only if and to the extent" the lawyer reasonably believes the disclosure is necessary to prevent substantial injury to the organization. Rule 1.14(c) allows lawyers to take protective action to aid a client with decision-making limi-

tations who is at risk of financial or other harm.

The ABA referred to its Opinion 476, which advised that a lawyer filing a motion to withdraw begin by making a formulaic reference to "professional considerations" or a similar term. If the Court requires additional information, the attorney should ask the court's permission to provide the information ex parte or under seal.

Proposed Multi-Step Approach to Withdrawal

ABA Opinion 519 proposed a multi-step approach to withdrawal. When the reasons for withdrawal are subject to Rule 1.6, and the client does not authorize the withdrawal, "disclosure of information relating to the representation will not be 'impliedly authorized in order to carry out the representation' under Rule 1.6(a). Even when disclosure is permitted under Rule 1.6(b) or another Rule, disclosure must be strictly limited to the extent reasonably necessary and, whenever possible, made through measures that protect confidentiality such as in camera or under seal submissions."

The initial motion should cite only "professional considerations" or similar generic language. If further information is required, all non-frivolous claims of confidentiality should be asserted, and the narrowest information necessary to substantiate the motion should be provided. "Ultimately, the lawyer's paramount duty is to preserve client confidentiality, even at the risk that the tribunal may deny the motion to withdraw. The Rules require that any disclosure in support of withdrawal be narrowly tailored, protective of the client's interests, and undertaken only within the scope of an applicable exception." ABA Formal Op. 519, p. 12. ♦

This Ethics Corner Article was submitted for publication review to the NHBA Board of Governors at a recent meeting. The Ethics Committee provides general guidance on the New Hampshire Rules of Professional Conduct and publishes brief commentaries in the Bar News and other NHBA media outlets. New Hampshire lawyers may contact the Committee for confidential and informal guidance on their own prospective conduct or to suggest topics for Ethics Corner commentaries by emailing the Ethics Committee staff liaison, at ethics@nhbar.org.

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What's in a Name? The Story Behind UNH Franklin Pierce

By Bethany Hartt

What's in a name? When it comes to the name of the University of New Hampshire Franklin Pierce School of Law, there's a lot to unpack.

I'll never forget the first time someone asked me if I went to "Frank's."

For me, "Frank's" conjured up the name of a hot dog factory – not a law school.

I quickly learned that "Frank's" referred to Franklin Pierce, who served as the 14th president of the United States from 1853 to 1857. He is the only president to hail from New Hampshire.

I knew virtually nothing about Franklin Pierce until I stumbled upon a painting of him at the National Portrait Gallery on a recent visit to Washington, DC. I was thrilled to see him there.

Pierce's portrait is small and nondescript, but its exhibition label stopped me in my tracks. It succinctly detailed a life marked by accomplishment, controversy, and tragedy.

Pierce had a lifelong friendship with author Nathaniel Hawthorne, whom he met at Bowdoin College in Maine. When Pierce emerged as a promising presidential candidate, Hawthorne wrote, "What luck



Frank has."

Pierce's perceived fortune ran out two weeks before his inauguration, when his 11-year-old son, Benjamin, died in a train accident in Andover, Massachusetts. A newspaper report described this incident as one of "breathless horror."

At his inauguration, Pierce told the crowd, "You have summoned me in my weakness; you must sustain me by your strength."

In almost the same breath, Pierce declared that "involuntary servitude, as it exists in different states of this Confederacy, is recognized by the Constitution."

Less than ten years later, Abraham Lincoln would proclaim, "It may seem strange that any men should dare to ask a just God's assistance in wringing their bread from the sweat of other men's faces."

Lincoln would be remembered as one of the nation's greatest leaders. Pierce would not.

As president, Pierce is best known for signing the infamous Kansas-Nebraska Act, which repealed the Missouri Compromise and allowed settlers to decide the issue of slavery through popular sovereignty. As a result of this legislation, the Kansas Territory was plunged into years of violence now referred to as "Bleeding Kansas."

Pierce is similarly condemned for his close friendship with Jefferson Davis, the president of the Confederacy during the Civil War.

Pierce's critics referred to him as a "doughface," a term for a Northerner with

Southern sympathies.

After failing to win his party's nomination for re-election, Pierce returned to New Hampshire. His reputation as a handsome, social orator faded. He became a recluse and his fondness for liquor led to his death by cirrhosis.

On Wikipedia's "Historical rankings of presidents of the United States," Franklin Pierce has never ascended above his place in the fourth, and lowest, quartile. In numerous surveys of presidential scholars, he consistently earns poor marks in categories like "Integrity," "Executive ability," and "Ability to compromise." On the C-SPAN Survey of Presidential Leadership, Pierce is always at the bottom, usually besting only Andrew Johnson and James Buchanan, other notorious southern sympathizers.

What about this man inspired such devotion to endure as the law school's namesake since 1973?

According to Professor Emerita and Alumni Liaison Ellen Musinsky, devotion was never a motivating factor.

"The naming of the law school had nothing to do with the president himself," she says. "It had everything to do with Franklin Pierce College. [Robert H.] Rines, the law school's founder, needed to get the school accredited by state authorities and the ABA."

Franklin Pierce College (now Franklin Pierce University), in Rindge, was willing to affiliate with the fledgling law school. The Franklin Pierce Law Center was named as a matter of convenience for ac-

creditation purposes.

When Musinsky came to the law school in the 1980s, administrators and faculty wanted a new name, "but nobody really did anything about it."

Franklin Pierce Law Center steadily graduated students and earned a reputation for excellence in intellectual property law. The name Franklin Pierce became a well-known brand across Asia, South and Central America, and parts of Europe.

For reputational, financial, and marketing reasons, Dean John Huston sought to affiliate with the University of New Hampshire (UNH) in the early 2000s. The law school then dropped Franklin Pierce and simply became the University of New Hampshire School of Law.

Although the name change ultimately helped strengthen the law school's identity in New Hampshire and New England, students struggled to explain the merger with UNH to prospective employers.

"It felt like we spent the bulk of our OCI conversations explaining to our interviewers that yes, there's this new UNH Law, but it's not official," recalls alumna Caroline Leonard. "We did not know until our 3L year whether the merger was a go, which, ultimately, it was. Our diplomas ended up reading University of New Hampshire School of Law."

As the law school's brand strengthened locally, the name change irked international students with ties to the intellectual property program.

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Employee AI Prompts Are Creating a New Insider Risk

By Zafar Khan

A new data-sharing route is becoming part of everyday enterprise workflows: the AI prompt. Employees are increasingly using AI to summarize documents, compare contract terms, analyze spreadsheets, prepare presentations, draft customer communications, and research business questions. In many cases, these activities are simply another way to work faster.

The security concern is not necessarily the use of AI itself, but the information employees provide to AI to make it useful.

A useful prompt often requires context. An employee asking an AI assistant to analyze a contract may include pricing terms, customer names, negotiation history, or internal approval criteria. Another employee summarizing a financial report may upload forecasts, revenue figures, or acquisition assumptions. An HR employee may provide information from an employee record, while a legal team might ask an AI tool to review confidential documents.

All this information may be sensitive even when the employee does not consider the prompt itself sensitive.

AI as a Data-Sharing Channel

Organizations have spent years build-



ing controls around familiar ways information leaves the enterprise. Email security tools inspect outbound messages, data loss prevention systems monitor certain file movements, cloud security tools provide visibility into storage and collaboration platforms, and access controls restrict who is permitted to open sensitive repositories.

AI introduces another route. Information can now leave an approved business system simply by being copied into a prompt, pasted into a chatbot, uploaded for analysis, or made accessible to an AI assistant through an application or connector.

For enterprises tackling data security, the challenge is not, "Where are employees sending files?" It's, "What information are employees giving AI access to?"

This distinction may seem small, but it matters because controls designed primarily around email attachments, cloud uploads, or conventional file transfers may not always provide the same visibility into what an employee types, pastes, summarizes, or submits through an AI interface.

Insider Risk Without Malice

AI prompt security should then be viewed partly as an insider-risk issue rather than only as an AI-security issue. The employee does not need to steal information; they may simply be trying to do their job. For instance, a salesperson might just want some help comparing customer requirements, a financial analyst might need an AI assistant to identify trends in a spreadsheet, or an attorney might be looking to summarize a long agreement.

Each of these actions may appear reasonable. But the information supplied to complete the task could include confidential business data, personally identifiable information, financial information, legal documents, intellectual property, security details, or other restricted content.

The result is a form of unintentional insider risk – sensitive information can cross a control boundary because an authorized employee is using a tool in a way the organization may not fully observe.

Not All AI Tools Are Equal

It is also important not to treat every AI interaction as equally risky. An enterprise-approved AI platform operating under defined security, privacy, retention, and contractual controls is different from an employee using a personal account on an unapproved consumer service.

How data is processed can vary depending on the AI provider, service tier, account configuration, administrative settings, contractual terms, integrations, and data-retention practices. That makes AI governance partly an information classification problem.

Organizations need to determine not simply whether employees can use AI, but which information can be used with which AI systems, for which purposes, and under what controls. For example, publicly available marketing information might present little concern. Customer financial records, product roadmaps, board materials, legal correspondence, authentication information, or merger discussions may require

very different treatment.

Security Policies Need AI Rules

Blocking AI entirely is unlikely to be a practical long-term strategy for many organizations. AI is rapidly becoming embedded in productivity applications and routine business processes. A more sustainable approach is to extend existing information-governance principles into AI-assisted work.

Organizations can start by:

- Defining which AI tools are approved for business use
- Identifying categories of information that should not be submitted to unapproved AI systems
- Applying existing data-classification policies to prompts and AI uploads
- Educating employees that copying text into a prompt is still a form of data sharing
- Reviewing AI provider retention, privacy, and data-use policies
- Monitoring AI usage where technically and legally appropriate
- Establishing processes for responding when sensitive information is mistakenly exposed

Visibility After Sharing

AI also complicates the problem because sensitive information does not al-

AI continued on page 25



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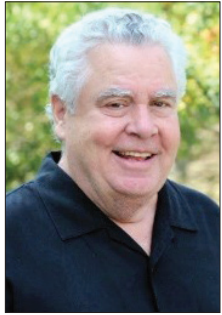
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In Memoriam

Marc Augustin Chretien

Marc Chretien passed away peacefully on June 11 after a courageous battle with cancer. He was the beloved husband of Betsy Haines, devoted father to Anna Lisette Chretien and Colette Chretien (Sam), and proud grandfather of Bailey and Arabelle Duker.



Marc was born on September 29, 1954, in Washington, DC, the second of nine children. During his childhood, the family resided in Alexandria and Arlington, Virginia. As the oldest of five boys, Marc was the ringleader of the Chretien boys, leading them on adventures and, on occasion, into minor mischief.

After graduating from Yorktown High School in Arlington in 1972, Marc enlisted in the US Army with the 82nd Airborne Division, where he earned his "Jump Wings" as a paratrooper. He served at Fort Bragg, North Carolina, and received the Army Commendation Medal.

Marc graduated from Georgetown University in 1979 with a degree in philosophy and later graduated from Franklin Pierce Law Center in 1988.

He started his own law firm in Manchester, New Hampshire, and was elected to two terms in the New Hampshire House of Representatives. He later served as New Hampshire state director for Senator Bob Dole's 1996 presidential campaign and

manager of Ovide Lamontagne's 1996 gubernatorial campaign.

In 1998, Marc returned to the Washington, DC, area and served for five years as senior investigative counsel to the Committee on Oversight and Government Reform in the US House of Representatives.

Beginning in 2005, Marc spent almost eight years in Iraq and Afghanistan with the Department of State, serving in senior advisory roles supporting US diplomatic and military efforts.

After leaving government service, Marc helped found Mt. Defiance Cider in Middleburg, Virginia, and was also involved with the Mimslyn Inn in Luray, Virginia, and Stowe Cider in Stowe, Vermont.

Marc married Betsy Haines in 2006. Their daughter, Anna Lisette, was born in 2011. His first marriage to Elizabeth Bailey ended in divorce and produced daughter Colette. He is also survived by his eight siblings: Gisele, Paul Noel, Justin, Martin, Jeannine, Josette, Nicole, and Jacques.

Marc was erudite, warm, and humorous. He loved fine food, hosting dinners, telling stories, and bringing family and friends together. He favored colorful Hawaiian shirts and believed he was never too old to learn or try new things.

In lieu of flowers, please consider donating to the American Cancer Society, Fisher House for Veterans, or Homes for Our Troops.

Lynn A. Donohue

Lynn Donohue of Kennebunk passed away on August 9 following a brief illness, surrounded by her family. She will be remembered for her love of family

and friends, generosity, and kindness.

Lynn was the daughter of the late Donald and Eloise Donohue of Pottstown, Pennsylvania.

She is survived by her brother, Brian Donohue and his wife, Lorraine, of Royersford, Pennsylvania; her sister, Brenda Verdesi and her husband, Paul, of Holmes, New York, and their sons, Jacob and Benjamin; and her sister, Mary Hampton and her husband, Walt, of Lexington, South Carolina, their children, Jessica, Walter, and James, and grandchildren, Jack and Isaac. She is also survived by her close friend, Andrew Clauer of Gorham.

Lynn graduated from Owen J. Roberts High School in Pottstown and earned a Bachelor of Science degree from Goldey-Beacom College in Wilmington, Delaware. She later graduated *cum laude* from Pace Law School with a Juris Doctor degree.

Lynn enjoyed a distinguished legal career and was admitted to practice in Maine, New Hampshire, and New York. Most recently, she was an attorney with Drummond Woodsum in Portland, where she focused on commercial and residential real estate.

She volunteered with Partners for World Health in Portland and served on its board of directors. She also volunteered at Holmes Camp and Retreat Center in Holmes, New York.



Lynn's family and friends will treasure the memories they shared – the laughter, travels, gatherings, and special moments that made her such an important part of their lives. Her cats, Mickey and Molly, also held a special place in her heart.

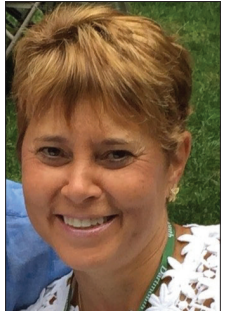
She will be deeply missed by her family, friends, colleagues, neighbors, and all who knew her.

Shari Medina Jankowski

Shari Medina Jankowski of Newbury, New Hampshire, passed away peacefully at her home on July 6. She was a cherished wife, mother, grandmother "Lolly," and friend.

Shari was born on December 20, 1958, in New Bedford, Massachusetts, to Frederico (Fred) and Leola Medina (née Nadeau). She graduated as valedictorian of Old Rochester Regional High School in 1976, earned an AB degree in earth sciences from Dartmouth College in 1980, and received her JD from Vermont Law School in 1988.

Shari was a dedicated attorney with a long career in estate planning at Wiggin & Nourie and later at Fidelity Personal Trust Company. Outside work, she enjoyed being near the water, running,



IN MEMORIAM *continued on page 18*



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■ IN MEMORIAM from page 17

playing pickleball, doing Pilates, hiking, and especially playing golf, a passion that brought many adventures and lifelong friendships. She also loved holiday cooking and traditions and spending time with family and friends.

Shari is survived by her husband of 45 years, James (Jim) Jankowski; son Andrew Jankowski; daughter Caroline (Cara) Lucey; daughter-in-law Alyssa Jankowski; son-in-law Jack Lucey; grandchildren Ryder and Theodore (Teddy); brothers Frederico (Rick) Medina, Darryl Medina, and Karl Medina; sister-in-law Sara Dickson; and many nieces and nephews.

In lieu of flowers, donations in Shari's memory may be made to Sarcoma Research at Dana-Farber's Jimmy Fund or the Jupiter Medical Center Foundation.

J. Paul Kolodziej

J. Paul Kolodziej, age 72, of Gloversville, New York, passed away on April 29.

Born on July 14, 1953, in Amsterdam, New York, Paul was the son of the late Joseph Kolodziej and Anne (Burba) Kolodziej. In addition to his parents, he was predeceased by his sister, Karen.

Paul's life was defined by two enduring passions: his family and his profession. A lifelong learner, he attended St. Mary's Institute, Bishop Scully High School, Fordham University, Manhattanville College, and Franklin Pierce Law Center.

He went on to establish the Offices of J. Paul Kolodziej, building a distinguished legal career that spanned nearly five decades.

A dedicated and compassionate attorney, Paul approached the practice of law as a calling rather than simply a career. Through his integrity, wisdom, and genuine concern for others, he earned the trust and respect of clients, colleagues, real estate professionals, and members of the community he served.

The Office of J. Paul Kolodziej was more than a law practice – it was a second home. Paul deeply valued his dedicated staff members, Joanne, Brenda, Teri, and Shari, and was grateful for



their loyalty, friendship, and commitment.

Above all, Paul was a devoted husband, father, grandfather, great-grandfather, and friend. He is survived by his beloved wife, Romy Kolodziej; his children, Aimee Hart (Michael Hart), Ashley Katopodis, Jeffrey Baum, and William (Tori) Ackley; his cherished grandchildren, Alexa Albanese (Zachary Wheatley), Maya Hart, Mason Hart, Eva Katopodis, Antonios Katopodis, Alexander Katopodis, Reilly Baum, Scarlett Baum, Charles Macko, Samantha Ackley, and Jacklyn Ackley; and his treasured great-grandson, Calvin Wheatley.

Paul embraced life with enthusiasm, curiosity, and a unique sense of humor. He was an avid collector, loved cats, played the organ, spent time on the water, gardened, cooked for family and friends, and restored homes in Caroga Lake.

One of Paul's favorite expressions was "carpe diem" – seize the day. He embodied those words throughout his life, embracing opportunities, pursuing his passions, and making the most of every moment.

Paul was deeply loved by his family, friends, colleagues, staff, and clients. His legacy of love, service, humor, generosity, and friendship will continue through the many lives he touched.

Peter J. Leahy

Peter J. Leahy, known to all as Scoop, died July 26 at Baystate Medical Center in Springfield, Massachusetts, from complications of Parkinson's disease at age 76. Both of his children were with him when he passed.

Scoop was born in 1949 in South Boston to Mary and John Leahy, the middle of three sons, and was raised in Arlington, Massachusetts.

After college in Boston, he graduated from Rutgers University Law School and went on to a 45-year career as a criminal defense attorney in New Hampshire.

Later in life, he married fellow attorney Linda Sullivan, whom he had met years earlier at the beginning of his career, and the two practiced together as Leahy and Leahy, PLLC, for a decade.

With his first wife, Donna Gatna-



rek, Scoop raised his two children in Bow. He played saxophone and flute in area bands, enjoyed fishing, camping, bird watching, cheering on the Boston Bruins, and a classic Irish whiskey on the rocks.

Scoop spent his retirement with Linda, first in South Carolina and later in Louisville, Kentucky, where he cherished being close to his daughter and Linda's grandsons and became a tai chi aficionado.

After Linda died, Scoop returned to Massachusetts to be closer to his two young grandchildren; watching them play hockey was a particular joy in his final months.

Scoop was predeceased by his parents, his brother Gerard Leahy, and his wife, Linda, who died nine months earlier. He is survived by his daughter, Heather Gatnarek and partner Josh Jennings of Louisville; his son, Sean Leahy and wife Audra Winn of Northampton, Massachusetts; his brother, Paul Leahy and Anne of Arlington; his grandchildren, Esme and Cyrus Leahy and Emerson Jennings; his nieces and nephews; and his cat, Big Boy Boo.

Per Scoop's wishes, his ashes will be spread at a later date in his daylily garden with family present and jazz music playing.

The family extends sincere thanks to the staff and residents at the Lathrop Home of Northampton for making Scoop's last two months enjoyable and comfortable.

John G. Pieper

John G. Pieper of Upper Brookville, New York, died on May 27, at age 82. Beloved husband of Karin. Loving father of Damian (Kristin Kelly), Kristina (Cole Trautmann), and the late Troy. Dear brother of Holly and Lou (Mickie). Devoted grandfather of Liam, Riley, Jack, Kellan, and Bode. Also survived by several loving nieces, nephews, and cousins. Mr. Pieper was the village justice of Upper Brookville for over 30 years. He took over 30 bar exams and was an attorney in over 30 states.

Thomas F. Quinn

Thomas F. Quinn, 71, a longtime resident of Amherst, New Hampshire,

died at his home on August 25, surrounded by his family after a brave fight with cancer.

He was born on May 2, 1955, in Cambridge, Massachusetts, the fourth of six sons of the late John and Bertha (Carpenter) Quinn.

Tom grew up in Lexington, Massachusetts, and attended Lexington Public Schools. He graduated from Boston College in 1977 and earned a JD from Suffolk University in 1980.

He worked as a land use attorney for 46 years, serving individual families, community projects, and commercial development.

Tom met Judy, the love of his life, when he was 15, and they married on September 3, 1977. In 1985, they purchased their home in Amherst, where they raised their children and he lived for the remainder of his life.

Tom's greatest joy was his family. He prioritized time together, often working pre-dawn hours to make time for coaching, drop-offs and pickups, and family dinners. Nothing made him happier than sitting around the table with loved ones and a home-cooked meal.

An active volunteer, Tom served on several boards and joined the Milford Rotary Club, where he found a community of loyal friends. Through the club, he discovered the 100 Holes Golf Tournament and a love for the sport. He will be remembered for his big heart and support of others.

Tom approached his cancer diagnosis with courage and optimism and relied on his faith for strength and comfort. He also participated in emerging therapies in hopes of contributing to scientific discovery.

Tom is survived by his wife, Judy Quinn; his six children, Catherine Quinn (Kevin), Annie Williams (Franklin), Margaret Brinson (Antwon), Devin Quinn (Jeanine), Cameron Quinn (Sara), and Brett Quinn; his eight grandchildren, Dominique, Khiam, Emery, Eleanor, Genevieve, Riley Jean, Henry, and Sadie; his brother, James Quinn (Veda); and many nieces and nephews.

He was predeceased by his parents and four brothers.

In lieu of flowers, donations in Tom's memory may be made to the Dana-Farber Cancer Institute, Catholic Charities, or the Milford Rotary. ♦



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New Hampshire Evidence at Trial
• 345 NHCLE min.
• Concord-NHBA Seminar Room/Webcast

WED, SEP 23 – 9:00 a.m. – 4:30 p.m.
Municipal Law, Land Use, & Zoning in New Hampshire
• 380 NHCLE min., incl. 60 ethics min.
• Concord-NHBA Seminar Room/Webcast

THU, SEP 24 – 9:00 a.m. – 4:30 p.m.
The 2026 Employment Law 360° Forum
• 400 NHCLE min., incl. 60 ethics min.
• Concord-NHBA Seminar Room/Webcast

OCTOBER 2026

WED, OCT 7 – 9:00 a.m. – 4:15 p.m.
Solo & Small Firm Conference 2026: Building the Modern Law Practice
• 365 NHCLE min., incl. 120 ethics min.
• Concord-NHBA Seminar Room/Webcast

WED, OCT 21 – 9:00 a.m. – 4:15 p.m.
Intellectual Property for Business Lawyers & Litigators
• 360 NHCLE min.
• Concord-NHBA Seminar Room/Webcast

THU, OCT 22 – 9:00 a.m. – 4:30 p.m.
Immigration Law Now: Fundamentals, Current Developments, & Pathways to Pro Bono Service
• 360 NHCLE min.
• Concord-NHBA Seminar Room/Webcast

FRI, OCT 30 – 9:00 a.m. – 4:30 p.m.
Developments in the Law 2026
• 360 NHCLE min., incl. 60 ethics min.
• Manchester – DoubleTree by Hilton

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(if you missed any of the previously held programs,
they are now available ON-DEMAND)

NOVEMBER 2026

WED, NOV 4 – 9:00 a.m. – 4:30 p.m.
Basics of Family Law
• 375 NHCLE min., incl. 35 ethics min.
• Concord-NHBA Seminar Room/Webcast

FRI, NOV 6 – 9:00 a.m. – 4:15 p.m.
School Law 2026
• 360 NHCLE min.
• Concord-NHBA Seminar Room/Webcast

THU, NOV 12 – 1:00 p.m. – 4:00 p.m.
The Sustainable Lawyer: Competence, Judgment, & Well-Being in Modern Practice
• 170 NHCLE min.
• Concord-NHBA Seminar Room/Webcast

FRI, NOV 13 – Save the Date
Wills & Trusts Essentials: The Basics of Estate Planning in NH
• Concord-NHBA Seminar Room/Webcast

THU, NOV 19 – 9:00 a.m. – 12:30 p.m.
Competency Processes & Procedures in NH Criminal Court
• 195 NHCLE min., incl. 30 ethics min.
• Concord-NHBA Seminar Room/Webcast

DECEMBER 2026

WED, DEC 9 – 8:30 a.m. – 4:45 p.m.
Practical Skills for New Admittees – Day 1
• Concord – Grappone Conference Center

WED, DEC 10 – 8:30 a.m. – 12:00 p.m.
Practical Skills for New Admittees – Day 2
• Concord – Grappone Conference Center

WED, DEC 16 – 9:00 a.m. – 4:30 p.m.
Best Practices & Procedures for Fiduciaries in Trust & Estate Planning
• 375 NHCLE min.
• Concord-NHBA Seminar Room/Webcast

JUNE 2027

FRI, JUN 4 – Save the Date
25th Annual Labor & Employment Law Update
• Concord-NHBA Seminar Room/Webcast

New Hampshire Evidence at Trial

Thursday, September 17, 2026

9:00 a.m. – 4:00 p.m.

345 NHCLE min.

NHBA Seminar Room/Webcast

This practical, New Hampshire-focused program brings together experienced trial lawyers and judges for a fast-paced examination of the rules and courtroom realities that govern evidentiary decisions. From relevance, Rule 403, character evidence, privileges, impeachment, authentication, and hearsay to real-time objections and appellate preservation, faculty will focus on the issues lawyers encounter most often in trial practice. The day concludes with an outstanding judicial panel sharing candid perspectives on what helps—and hurts—advocates in the courtroom. As an added benefit, every attendee will receive the **First Edition of the New Hampshire Rules of Evidence Summary Guide: Trial Objections & Evidence Basics**—a concise, practical reference designed for use at counsel table, in chambers, or in trial preparation.

Faculty

Nicole Fontaine Dooley, Program Co-Chair/CLE Committee Member, Welts, White & Fontaine, PC, Nashua

Jesse J. O'Neill, Program Co-Chair/CLE Committee Member, McLane Middleton Professional Association, Manchester

Jason A. Casey, Hinckley Allen Snyder, LLP, Manchester

Hon. Melissa B. Countway, NH Supreme Court, Concord

Meghan C. Hagaman, Merrimack County Attorney's Office, Concord

Hon. David D. King, NH Circuit Court, Concord

Sean R. Locke, NH Attorney General's Office, Concord

Rory J. Parnell, Parnell, Michels & McKay, PLLC, Londonderry

Lauren E. Prusiner, NH Public Defender, Stratham

Hon. Charles S. Temple, NH Superior Court (ret.)

*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.*

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

Municipal Law, Land Use, & Zoning in NH

Co-sponsored by the NHBA's Municipal & Governmental Law Section

Wednesday, September 23, 2026

9:00 a.m. – 4:30 p.m.

380 NHCLE min., incl. 60 ethics min.

NHBA Seminar Room/Webcast

Master the fundamentals, stay current on developments, and sharpen your municipal and land use practice with guidance from New Hampshire's leading zoning and planning practitioners. This program brings together some of New Hampshire's leading land use practitioners for a comprehensive review of the laws, procedures, and practical realities shaping development and municipal decision-making today. From zoning ordinance adoption and amendment procedures to variances, special exceptions, equitable waivers, planning board approvals, and the latest developments in New Hampshire land use law, this program offers essential guidance for attorneys representing municipalities, developers, property owners, and boards. Faculty will share practical insights, strategic considerations, and real-world lessons drawn from years of experience before zoning boards, planning boards, and the courts. The day concludes with discussions of conflicts of interest and ethical issues frequently encountered in municipal and land use practice.

Members of the NHBA's Municipal & Governmental Law Section will receive a discount on their registration fee.

Faculty

Eric A. Maher, Program Chair, Donahue, Tucker & Ciandella, PLLC, Exeter

C. Christine Johnston, NH Municipal Association, Concord

Cordell A. Johnston, Attorney at Law, Henniker

Ari B. Pollack, Gallagher, Callahan & Gartrell, PC, Concord

Laura Spector-Morgan, Mitchell Municipal Group, Laconia

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.

For those attending in person, please join your colleagues for a reception after the program.

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

Coda D. Campbell, Campbell Law, PLLC, Groveland, FL

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

Stephanie K. Burnham, Burnham Legal, PLLC, Manchester

Danielle Hall, Affinity Consulting Group, Columbus, OH

Alec Harrison, CEO, VisualBoston, Norwood, MA

Justin C. Richardson, NH Water Law, Portsmouth

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

2026 Employment Law 360° Forum: Developments & Strategy from Every Side of the Bar

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

Thursday, September 24, 2026

9:00 a.m. – 4:30 p.m.

400 NHCLE min., incl. 60 ethics min.

NHBA Seminar Room/Webcast

This seminar 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.

Members of the NHBA's Labor & Employment Law Section will receive a discount on their registration fee.

Faculty

Beth A. Deragon, Program Chair, ClarkDeragon Law, PLLC, Concord

Brian J. Bouchard, Sheehan, Phinney, Bass & Green, PA, Portsmouth

Heather M. Burns, Upton & Hatfield, LLP, Concord

Amy M. Cann, Cann Law, PC, Portsmouth

Susannah Chance, Leddy Group, Dover

Anna B. Cole, Drummond Woodsum, Manchester

Donna M. Daneke, Manchester

Geoffrey M. Gallagher, Poulin, Hurley, Makris & Lyons, PA, Manchester

Chad T. Hansen, Maine Employee Rights Group, LLC, Portland, ME

Shiva Karimi, McLane Middleton Professional Association, Boston, MA

Benjamin T. King, Douglas, Leonard & Garvey, PC, Concord

John S. Krupski, Krupski & Beaudoin, PLLC, Concord

Meredith M. Lasna, Pastori | Krans, PLLC, Concord

Katie K. Marble, Focus Financial Partners, Portsmouth

J. Daniel Marr, Hamblett & Kerrigan, PA, Nashua

Marie S. McKean, Saint Anselm College, Manchester

Enrique F. Mesa, Jr., Mesa Law, Manchester

Margaret A. O'Brien, McLane Middleton Professional Association, Manchester

Brittani L. Pelissier, Shaheen & Gordon, PA, Nashua

James P. Reidy, Phinney, Bass & Green, PA, Manchester

John E. Rich, Jr., McLane Middleton Professional Association, Manchester

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

Andrea B. Saglimbene, Devine, Millimet & Branch, PA, Manchester

K. Joshua Scott, Jackson Lewis, PC, Portsmouth

Abby Tucker, Wadleigh, Starr & Peters, PLLC, Manchester



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Intellectual Property for Business Lawyers & Litigators:

Co-sponsored by the NHBA's Corporation, Banking & Business Law Section

Wednesday, October 21, 2026

9:00 a.m. – 4:15 p.m.

360 NHCLE min.

NHBA Seminar Room/Webcast

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.

Members of the NHBA's Corporation, Banking & Business Law Section will receive a discount on their registration fee.

Faculty

David A. Thibodeau, Jr., Program Chair, VLP Law Group, Manchester

Sally N. Baraka, Solversa Legal Solutions, PLLC, Portsmouth

Aaron S. Jacobs, Prince Lobel, Boston, MA

Cassandra C. LaRae-Perez, LaRae Perez Law Firm, PLLC, Manchester

Michael Matuson, Mechanicus, PLLC

Sean M. Michalski, Patent Attorney, Bedford

Willow Murphy, Genpact

Sarita L. Pickett, Patent Negotiator, PLLC, Manchester

Zvi S. Rosen, UNH Franklin Pierce School of Law, Concord

Todd A. Sullivan, Hayes Soloway, Manchester

Immigration Law Now: Fundamentals, Current Developments, & Pathways to Pro Bono Service

Thursday, October 22, 2026

9:00 a.m. – 4:30 p.m.

360 NHCLE min.

NHBA Seminar Room/Webcast

Designed for both immigration practitioners and attorneys with little or no prior experience, this full-day program combines foundational instruction with current legal developments, practical litigation strategies, and real-world guidance from experienced practitioners representing private firms, nonprofit organizations, and advocacy groups. Through engaging presentations, practical demonstrations, and a mock immigration bond hearing, participants will gain a deeper understanding of the legal issues affecting immigrants today while discovering concrete ways to provide effective pro bono representation.

Faculty

Shiva Karimi, Program Co-Chair, McLane Middleton Professional Association, Boston, MA

Branden S. Ladebush, Program Co-Chair, The Law Office of Branden S. Ladebush, PLLC, Dover

Ronald L. Abramson, Shaheen & Gordon, PA, Manchester

Maggie Fogarty, American Friends Service Committee-NH, Concord

SangYeob Kim, American Civil Liberties Union-NH, Concord

Tania M. Martinez, Gomez & Martinez, LLC, Lawrence, MA

Laura K. Putnam, NH Legal Assistance, Manchester

Michelle Shepard, Fragomen, Del Rey, Bernsen, & Loewy, LLP, Boston, MA

Christina R. Simpson, Drummund Woodsum, Attorneys at Law, Manchester

Petronila Veras-Rizwan, Gomez & Martinez, LLC, Lawrence, MA

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 and 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

Basics of Family Law

Co-sponsored by the NHBA's Family Law Section

Wednesday, November 4, 2026

9:00 a.m. – 4:30 p.m.

375 NHCLE min., incl. 60 ethics min.

NHBA Seminar Room/Webcast

Family law cases can present some of the most personal, consequential, and challenging issues an attorney will encounter. Basics of Family Law provides a practical, start-to-finish foundation for navigating these matters with greater knowledge and confidence. An experienced faculty of New Hampshire family law practitioners will walk participants through the essential building blocks of practice from starting a divorce case and dividing marital property to parental rights and responsibilities, financial affidavits, child support, and alimony. The program also explores mediation and Supreme Court appeals, while dedicated discussions of professionalism, practice tips, and family law ethics address the judgment and professional responsibilities that are every bit as important as knowing the law. Whether you are newer to family law, expanding your practice, or simply looking for a solid refresher on the fundamentals, this comprehensive program offers practical guidance you can put to work immediately.

This program is co-sponsored with the NHBA's Family Law Section whose members will receive a discount on the registration fee.

Faculty

Crystal M. Maldonado, Program Chair, Turco Legal, Manchester

Heidi A.D. Ames, Moore Ames Law, PLLC, Manchester

Stephanie K. Annunziata, McLane Middleton Professional Association, Manchester

Amy C. Connolly, Connolly Law, PLLC, Bedford

Brittani L. Pelissier, Shaheen & Gordon, PA, Nashua

Andrew J. Piela, Shaheen & Gordon, PA, Nashua

Jon N. Strasburger, Bossie, Wilson & Strasburger, PLLC, Manchester

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

School Law 2026

Friday, November 6, 2026

9:00 a.m. – 4:15 p.m.

360 NHCLE min.

NHBA Seminar Room/Webcast

School Law 2026 brings together leading New Hampshire practitioners for a timely examination of the legal issues shaping today's educational landscape. Beginning with a comprehensive review of the year's most significant school law decisions, the program then explores the evolving legal framework governing special education and school funding before turning to one of the most dynamic areas of modern practice—the intersection of free speech, public education, and social media. Through practical analysis, real-world examples, and a faculty panel examining emerging challenges facing students, employees, administrators, and school districts, attendees will gain the insight needed to navigate today's increasingly complex educational environment with confidence. Whether you represent school districts, educational institutions, municipalities, public employers, or individuals interacting with New Hampshire's schools, this program delivers current law, practical guidance, and forward-looking perspectives from experienced practitioners on the issues that matter most.

For those attending in person, please join your colleagues for a reception after the program.

Faculty

James A. O'Shaughnessy, Program Chair, Drummond Woodsum, Attorneys at Law, Manchester

Anna B. Cole, Drummond Woodsum, Attorneys at Law, Manchester

Kathryn Cox Pelletier, Upton & Hatfield, LLP, Concord

Karen E. Hewes, EdLaw New England, PLLC, Bedford

Callan E. Sullivan, NEA-NH, Concord

Milliana R. Zonarich, Drummond Woodsum, Attorneys at Law, Manchester

Competency Processes & Procedures in NH Criminal Court

Co-sponsored by the NHBA's Criminal Justice Section

Thursday, November 19, 2026

9:00 a.m. – 12:30 p.m.

195 NHCLE min., incl. 30 ethics min.

NHBA Seminar Room/Webcast

The program culminates in a judicial and practitioner panel focused on what happens when these issues move from doctrine into the courtroom. Judges, prosecutors, defense counsel, and a forensic evaluator will explore recognizing competency concerns, working effectively with evaluators, judicial expectations, restoration challenges, ethical considerations, and best practices from multiple perspectives. Whether you prosecute criminal cases, represent defendants, serve the courts, or encounter competency issues only occasionally, this program will provide a clearer understanding of the process, and practical guidance for handling these difficult cases with greater confidence and effectiveness.

Members of the NHBA's Criminal Justice Section will receive a discount on their registration fee.

Faculty

Lynmarie C. Cusack, Program Chair, Wexford Health Services, Inc., Concord

Richelle M. Barb, PsyD, Chief, Office of the Forensic Examiner, Concord

Michael R. Grandy, Dept. of Justice, NH Attorney General's Office, Concord

Hon. Ryan C. Guptill, NH Circuit Court

Hanna K. Kinne, NH Public Defender, Littleton

Hon. John C. Kissinger, NH Superior Court

Eric S. Monty, NH Circuit Court Administrative Office, Concord

Tracy A. Scavarelli, NH Judicial Branch Administrative Office, Concord

The Sustainable Lawyer: Competence, Judgment, & Well-Being in Modern Practice

Thursday, November 12, 2026

1:00 p.m. – 4:00 p.m.

170 NHCLE min.

NHBA Seminar Room/Webcast

Through candid discussion and practical guidance, the program will examine how lawyers and legal organizations can recognize professional challenges, respond appropriately when help is needed, and foster practices that support competent, ethical, and sustainable representation. Faculty will address workplace approaches to mental health and well-being, strategies for managing difficult client and colleague relationships, and lessons learned by attorneys who have navigated significant professional challenges while continuing to meet their obligations to clients, courts, colleagues, and the profession.

For those attending in person, please join your colleagues for a reception after the program.

Faculty

Charla B. Stevens, Program Chair, Charla Stevens Consulting, Bedford

Officer Justin L. Breton, Manchester Police Department, Manchester

Susan Brown, Manchester Police Department, Manchester

Coda D. Campbell, Campbell Law, PLLC, Groveland, FL

Roger "Rusty" Chadwick, Rockingham County Attorney's Office, Brentwood

Julian B. Jefferson, University of NH Franklin Pierce School of Law, Concord

Kaylee C. Doty-Johnson, Lothstein Guerriero, PLLC, Concord

Anthony Naro, Naro Law, PLLC, Nashua

Jill O'Neill, NH Lawyers Assistance Program, Concord

Emily Gray Rice, Manchester City Solicitor's Office, Manchester

Lyndsay N. Robinson, Shaheen & Gordon, PA, Nashua

Anne F. Zinkin, Office of Public Guardian, Concord

Best Practices & Procedures for Fiduciaries in Trust & Estate Planning

Co-sponsored by the NHBA's Trust & Estate Law Section

Wednesday, December 16, 2026

9:00 a.m. – 4:30 p.m.

360 NHCLE min.

NHBA Seminar Room/Webcast

Drawing on institutional, independent, tax, estate planning, and fiduciary-risk perspectives, this panel will work backward from trust acceptance and administration to identify what estate planning attorneys should address in the governing documents, preserve in the planning file, and discuss before the plan is signed. The focus is not on how trustees should administer a trust, but on what planners can do now to make later administration clearer, more efficient, and less prone to beneficiary surprise and avoidable conflict.

Members of the NHBA's Trust & Estate Law Section will receive a discounted registration fee.

Faculty

Mark B. Bartram, Program Co-Chair, Sheehan, Phinney, Bass & Green, PA, Manchester

Christine F. Donlan, Program Co-Chair, Fidelity Personal Trust Company, FSB, Merrimack

Deanna L. Meehan, Blackbird Trust Services, LLC, Lee

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

■ LAPLANTE *from page 1*

NHBA Practical Skills Program. He has also chaired the NHBA New Lawyers Committee and the Committee on Professionalism and served on the Committee on Cooperation with the Courts.

Judge Laplante teaches statutory interpretation as an adjunct professor at Boston College Law School, Georgetown Law, the University of New Hampshire Franklin Pierce School of Law, and Cardozo School of Law. He previously taught at Suffolk University Law School.

His work in judicial administration has included service on three committees of the Judicial Conference of the

United States and on the Federal Judges Association Board of Directors. He has represented the District of New Hampshire on the First Circuit Judicial Council, chaired the First Circuit Committee on Access to Justice, and previously chaired the New Hampshire Access to Justice Commission.

Judge Laplante received the Bar Foundation's Robert E. Kirby Award in 2001, the NHBA's Distinguished Service to the Public Award in 2017, and the Golden Gavel Award from the New England Chapter of the American College of Trial Lawyers in 2018. He is the first recipient of the Kirby Award to also receive the Bar Foundation's Frank Rowe Kenison Award. He also volunteers with the Boys & Girls Club of Greater Nash-

ua and Nashua PAL.

The dinner will begin at 5:30 pm and feature Jeffrey Rosen, CEO emeritus of the National Constitution Center and a *New York Times* bestselling author. His presentation, "The Pursuit of Happiness and America at 250," will draw from his books *The Pursuit of Happiness: How Classical Writers on Virtue Inspired the Lives of the Founders* and *Defined America* and *The Pursuit of Liberty: How Hamilton vs. Jefferson Ignited the Lasting Battle Over Power in America*.

He will discuss the Founders' classical understanding of happiness as the pursuit of long-term virtue rather than short-term pleasure. He will also examine the competing visions of Alexander Hamilton and Thomas Jefferson, includ-

ing Jefferson's emphasis on states' rights and individual liberties and Hamilton's support for a strong federal government and a powerful executive. His remarks will explore how Americans have continued to embrace liberty, equality, government by consent, and the pursuit of happiness while disagreeing about how those principles should be balanced.

Registration is now open and costs \$99, includes a copy of either book. Before the dinner, Bar Foundation Fellows and sponsors are invited to a VIP meet-and-greet with Rosen beginning at 4:30 pm, where he will sign books.

For more information or to register for the dinner, visit nhbar.org/new-hampshire-bar-foundation/annual-dinner. ♦

■ KELLY *from page 1*

caused both deaths, Garrity says the case was "more akin to a double homicide prosecution."

Both charges alleged reckless second-degree murder. Under RSA 630:1-b, the State was required to prove that Kelly recklessly caused the death of another under circumstances manifesting an extreme indifference to the value of human life.

For the charge involving Falzone's fetus, the State also had to establish gestational age.

"This definition required us to prove the additional element of gestational age for the charge related to Christine's unborn child," Garrity says, noting that the deputy chief medical examiner conducted a fetal autopsy and determined the gestational age to be between 35 and 37 weeks.

The case also presented a question about what Kelly was required to know.

Before trial, the State requested an instruction informing jurors that they did not have to find that Kelly knew of the existence of Falzone's fetus in order to find that he recklessly caused the death. The defense objected, but the court ruled in the State's favor and gave the instruction.

From Lamy to the Legislature

The statutory change followed a 2009 New Hampshire Supreme Court decision that identified a gap in the state's homicide laws.

In *State v. Lamy*, 158 N.H. 511 (2009), Joshua Lamy had been convicted after driving while intoxicated

and crashing into a taxi carrying a pregnant woman. Her child was delivered by emergency cesarean section following the crash, placed on life support, and died approximately two weeks later.

At the time, New Hampshire's homicide statutes expressly excluded a fetus from the definition of "another." The Supreme Court concluded there was insufficient evidence that the child had displayed spontaneous signs of life following delivery and reversed Lamy's manslaughter and negligent homicide convictions related to the child.

The Court acknowledged that the "born alive" doctrine could produce difficult results, but said changing the law was a matter for lawmakers.

"Should the legislature find the result in this case as unfortunate as we do, it should follow the lead of many other states and revisit the homicide statutes as they pertain to a fetus," the Court wrote.

Efforts to enact a fetal homicide statute continued for years. The Legislature ultimately passed Senate Bill 66 in 2017, sponsored by then-Senator Regina Birdsall (R), with the new provisions taking effect January 1, 2018.

Birdsell told the *New Hampshire Bulletin* in 2024 that repeated versions of the legislation had been negotiated over the years before one finally passed.

"All the stars aligned," Birdsall said. "With each iteration, we massaged it a little and finally got something through."

Opponents of SB 66 expressed concern during the legislative debate about the potential implications of recognizing a fetus as a victim under homicide law. The American Civil Liberties Union of

New Hampshire (ACLU-NH) instead supported enhanced penalties for conduct causing a miscarriage or stillbirth without changing the definition within the homicide statutes.

"Every time a court rules under a fetal homicide law, there is the potential to create legal precedent recognizing that a fetus has the same rights as a born person," ACLU-NH Executive Director Devon Chaffee said in a 2024 interview with the *New Hampshire Bulletin*.

Birdsell, however, said after Kelly's July conviction that the prosecution represented the circumstances she intended the legislation to address.

"Unfortunately, situations like this happen, and this is precisely why I put the bill in," Birdsall told *NH Journal*.

A Second Trial

Kelly's July conviction came after an earlier attempt to try the case ended in a mistrial.

His first trial began in November 2025 but ended in a mistrial after testimony raised concerns involving Kelly's constitutional right to remain silent. The State subsequently retried the case.

Garrity says retrials present considerations beyond those encountered when witnesses are testifying for the first time.

"Witnesses at the first trial have already given sworn testimony under oath, and both parties need to be acutely aware of consistencies and/or inconsistencies as testimony from those same witnesses is introduced at the retrial," he says.

At the second trial, prosecutors argued that Kelly inflicted the injuries that killed Falzone and, as a result, her unborn child. New Hampshire Public Defender attorney Katherine Canny chal-

lenged the State's theory during opening statements.

"This case is about a rush to judgment," Canny said, according to the *Conway Daily Sun*.

The jury returned guilty verdicts on both second-degree murder counts.

The Public Defender declined to comment while the case remains pending on appeal.

At sentencing, Judge Attorri imposed separate consecutive sentences for the two convictions. Falzone's aunt, Tiffany Marcos, spoke about the effect of the deaths on the family and the significance she believed the case would have for future victims.

Falzone and her unborn child "are going to be the storms that clear the path in the state of New Hampshire for every victim's case coming forward," Marcos said during the hearing, according to WMUR.

Marcie Hornick of the Grafton County Attorney's Office says her office generally supports the fetal homicide statute, including its exemptions.

"This case shows that the state of New Hampshire takes domestic violence cases seriously and that consideration for victims reaches beyond those who may seem the most obvious — here the unborn child," Hornick says.

Garrity points to the Legislature's stated purpose in changing the law after *Lamy*.

"The legislature's statement of intent in passing the 2018 amendment made clear that they wished to provide an avenue to protect pregnant women and their unborn children and to serve justice for families who have lost an unborn child due to the criminal acts of a third party," he says. ♦

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■ SYMPOSIUM *from page 1*

CLEAR as a working committee on legal education and admissions reform. New Hampshire Supreme Court Chief Justice Gordon MacDonald served as chair of the committee during its initial work. Its report called for state supreme courts and other stakeholders to modernize legal education and bar admissions, improve practice readiness before and after attorneys enter the profession, and expand experiential learning opportunities.

The report also highlighted concerns about mentorship. Chief Justice MacDonald told the *New Hampshire Bar News* last year that remote practice has made some of those traditional mentoring opportunities more difficult.

Lucic says the symposium is intended to make that kind of professional development more deliberate.

Breakout sessions are expected to be a central part of the program, with participants working through practical scenarios and discussing how to become more effective mentors and mentees.

"The breakout sessions are designed

to be practical, hands-on, interactive programs where people can discuss best practices for how to become a good mentor," Lucic says.

He says the sessions are also intended to address how to ask the right questions, give difficult feedback, and learn from the approaches other attorneys would take in similar situations.

"The idea is to have an interactive session, to have the ability for everybody to exchange ideas, and to have our facilitators work through some scenarios with people," he says.

Additional speakers and program details are still being finalized.

The symposium will also address the growing role of artificial intelligence in legal practice and the implications it may have for training newer attorneys.

Lucic says AI-generated work can make it more difficult for supervising attorneys to determine whether a newer lawyer truly understands the legal reasoning behind the work. In some cases, he says, traditional methods of assigning and reviewing legal writing may need to be supplemented with more direct questioning.

"You have to put the computer down,

sit down with me, and explain to me in your own words what this means," Lucic says.

At the same time, he says the profession must teach attorneys to use AI effectively and critically rather than simply avoid it.

"We're going to have to teach people how to write prompts and how to critically analyze the output because it looks all very shiny and nice when it gets spit out," he says. "It may look right, but you've got to do the homework."

That exchange of knowledge is also central to Lucic's view of mentorship. He says experienced lawyers can offer perspective on judgment, client relationships, professional expectations, and difficult situations, while newer attorneys may be better positioned to help more experienced lawyers understand emerging technology.

"Younger lawyers can also teach older lawyers like me not to be scared of the technology," he says. "It's a tool."

Lucic says November 6 is not intended to be the end of the discussion.

"I really hope that this is not a one-off, that this is really a start of a dialogue that needs to happen," he says.

Participants will have work to do before the symposium and follow-up commitments afterward, he says, with practice readiness and mentorship expected to remain part of discussions at future NHBA events, including the Midyear Meeting, Annual Meeting, and Bench-Bar Conference.

"This is just the start," Lucic says. "We will not be done in a day."

For Lucic, the broader goal is to make mentorship a more intentional part of professional life rather than something that happens only when time permits or when a younger lawyer happens to find the right person.

"This is the future of our profession," he says. "Everybody has had the benefit of having learned from or been taught by people along the way. Every one of us who has made it to a certain level in this profession has had the help of others, and it's our job to continue to do that."

That responsibility, he says, has to remain a priority even amid the demands of day-to-day practice.

"We need to make it a focus of our practice, not just 'Oh, I'll get to it if I have time,'" he says. ♦

■ CRISP *from page 4*

of a client who might be opposed to divorce because of religious beliefs.

One of her college professors was a woman lawyer who "talked a lot about how her legal training influenced her life, her way of thinking."

That was enough to send Crisp off to the University of New Hampshire Franklin Pierce School of Law a year after graduation.

"Every single person in my life was telling me not to do family law," she says. "Me being the person I am, I thought, 'How come nobody wants to do family law?' I ended up clerking at the Nashua Circuit Court and found myself wanting to spend all my time there with the family court judge. They were just the cases I found most interesting."

She interned with Nashua family law attorney Katherine "Kate" Morneau, who then hired Crisp out of law school, and Crisp found her to be "an incredible

mentor."

"I was really overwhelmed initially, representing these families, people fighting for their children, and going through difficult moments in their lives," recalls Crisp, who stayed with the firm four years. "Kate was so supportive, constantly reminding me of what I was capable of ... It was a wonderful experience."

The respect is mutual.

"Sara has a unique ability to relate to people, make sure they feel heard, and become a strong advocate for them," Morneau says. "While working with us, Sara focused on family law and always saw the benefit of finding a reasonable solution to avoid having the family brought into the court system ... I've continued to appreciate that I can send her clients and they will be in good hands. We are lucky to have Sara in our Bar."

But Crisp had longed to work with her father at some point and in 2019 joined him at the Crisp Law Firm in Concord. She divides her practice between family law and licensing defense work and usu-

ally has two or three pro bono cases going at any time.

Named a Pro Bono Rising Star in 2019 by 603 Legal Aid, Crisp says some of her most memorable cases have been pro bono matters because of the gratitude clients often show.

"I think helping someone who is just so appreciative makes you feel like you're doing the right thing," she says. "Pro bono is something my dad instilled in me, that Kate instilled in me. I am of the belief that it's an obligation we have as attorneys, with the power we've been given."

Crisp remains active in Bar work and has served on the CLE Committee since she started practicing. She is vice chair of the NHBA's Family Law Section and is also a member of the New Hampshire Bar Foundation's IOLTA Grants Committee, which recommends funding allocations from lawyer trust accounts to the Foundation board of directors. The funds support free legal services and public education via programs such as 603 Legal Aid, New Hampshire Legal Assistance, the Disabil-

ity Rights Center-NH, and the Modest Means Legal Program.

Her Bar work has earned her the respect of colleagues like Catherine E. Shanellaris, who has known Crisp since she was a new attorney and has admired her for her "thoughtful advocacy and the respect she shows both opposing counsel and clients."

"I have such respect for her legal knowledge, skills, and professionalism in all she does," Shanellaris says. "She is respected for her integrity. Sara always has such a commitment to her ethics and public service, being a dedicated volunteer for many NHBA programs and activities."

Crisp's husband, Joe Conti, a former lawyer and a teacher, is also a major sports fan, and much of her spare time is spent with him and their two youngsters at events like Fisher Cats games or Phillies' spring training.

Their dog, Cooper, a mix of a border collie and a Jack Russell terrier, has been the official office greeter at Crisp Law since February 2019. ♦

■ CHONG YEN *from page 5*

my closest friends today are people I met here."

Finding His Way to Prosecution

When Chong Yen entered law school, becoming a prosecutor was not part of the plan. That began to change during a legal writing class.

Professor Eleanor MacClellan watched Chong Yen participate in an appellate argument exercise and suggested he consider oral advocacy. She encouraged him to take Colburn's trial advocacy course.

Chong Yen quickly discovered that he liked the preparation, pressure, and necessity of thinking quickly in court.

"I fell in love with the whole experience of oral advocacy and trial work," he says.

After graduating in 2016, he became an assistant county attorney in Grafton County, prosecuting felony cases and working with the county's multidisciplinary Sexual Assault Resource Team.

He joined the Attorney General's Of-

fice in 2018, initially working in the Drug Prosecution Unit as fentanyl was emerging as an increasingly serious threat in New Hampshire. Agati was leading the unit and remembers Chong Yen throwing himself into fatal overdose investigations.

"He was all in right from the beginning," Agati says, adding that New Hampshire, along with several other states, was at the "tip of the spear" in dealing with overdose deaths.

Chong Yen soon moved into the Election Law Unit, working with state and local election officials through several election cycles and prosecuting alleged election-law violations. He returned to the Criminal Bureau in 2019 and has since focused primarily on homicide cases while also assisting with the YDC prosecutions. He continues to work on election matters and oversees Right-to-Know responses for the bureau.

Agati says the breadth of Chong Yen's work reflects one of his chief strengths. Prosecutors in the Attorney General's Office must move quickly among investigations, legal research, courtroom arguments, and collaboration with investiga-

tors, often under intense time pressure.

Agati recalls a description of the criminal justice system by former NHBA President Richard Guerriero as a three-legged stool comprising the defense, the prosecution, and the courts.

"If you cut one leg too short, it doesn't work," Agati says.

The analogy, he says, speaks to Chong Yen's ability to understand and respect each part of the process. That is particularly important in homicide work, where the legal and human stakes are high. A prosecutor may have to tell a grieving family that the evidence does not support a charge, tell investigators there is not enough probable cause for a warrant, or conclude at trial that the State cannot prove its case.

Chong Yen approaches those situations with empathy without allowing it to interfere with his obligation to apply the law fairly, Agati says.

Chong Yen describes his responsibility in similarly measured terms. He tries not to approach cases as contests between good and evil. His job is to determine whether the evidence supports the allega-

tions and whether the State can prove its case beyond a reasonable doubt.

For him, that balance is central to the job.

"Passionate advocacy" does not require abandoning professionalism, he says. New Hampshire's relatively small legal community allows lawyers to be adversaries in court while maintaining respect for one another outside it.

For Chong Yen, being a prosecutor is ultimately less about winning than about making sure the process works as it should.

Outside work, life is quieter. He and Rebecca, also an attorney, travel when they can, collect Pokémon cards, and play strategy games with friends. At home, they have Claude Bonnet, a rabbit Rebecca got while the couple were dating in law school.

Colburn says Chong Yen displayed the same diligence and respect as a student that he now brings to his work as a lawyer.

"When you stand in front of a room of 150 new law students," Colburn says, "you hope they'll be like Nick." ♦

■ McCANDLESS *from page 6*

Washington, and attended Central Washington University before transferring to Keene State College, where she earned a bachelor's degree in English literature in 2012. She later completed paralegal coursework at NHTI.

She says she did not grow up around the legal profession and was the first person on either side of her family to attend college. Her father-in-law, Concord attorney Roy McCandless, was the person who first suggested paralegal work as a career.

McCandless began working at his law office, first cleaning the office before

becoming a paralegal. She later worked at Cohen & Winters in personal injury, family law, and criminal defense before joining the NHPD in 2023.

She quickly found that public defense suited her.

"I liked the work, and I liked the problem-solving, the case building, and just going down a discovery rabbit hole," she says.

Her work now includes reviewing and organizing discovery, working with digital evidence and cellphone extractions, assisting attorneys and experts, meeting with clients, and finding ways to solve whatever problem a case happens to present.

Stonitsch says McCandless rarely

treats any of it as extraordinary.

"She doesn't view anything she does as going above and beyond," he says. "To her, that's what she's there to do."

He says that despite her quiet demeanor, McCandless has earned the trust of attorneys throughout the office.

"She's extremely soft-spoken, but when she does speak, people stop and listen," Stonitsch says.

Outside work, McCandless is married and has two daughters. She enjoys gardening, home improvement projects, crocheting and embroidery, and says she rarely sits still for long. She has built raised garden beds from salvaged fencing, rebuilt her front deck, and enjoys figur-

ing out how to fix things herself – another trait that fits the "MacGyver" label.

Asked what she is most proud of professionally, McCandless does not point to a particular case or accomplishment.

"I'm most proud of being a person others can depend on," she says.

That modesty, her colleagues say, is characteristic.

"I tell her all the time that she is our MVP, and she rolls her eyes and plays down her contributions," Dominguez says.

Stonitsch is glad the recognition is finally coming from a source that Heather cannot so easily dismiss.

"I'm glad people finally are talking about her," he says. ♦

■ CIVICS *from page 9*

says. "We had given them a little packet of facts, and they really mastered the facts, and they really dove in deeply. They actually found some soft spots in our materials and took advantage of that in making their arguments."

For both Fleischer Castro sisters, the courtroom portion was among the most memorable parts of the week.

Ofelia represented the defense in the compassionate-release case.

"It was just really exciting to be able to work with these lawyers, and especially to be in the courtroom in front of a real judge, but it was also a little nerve-wracking," she says.

Naima, who says she is interested in attending law school and becoming a public defender, was assigned to the prosecution. The hypothetical prisoner was seeking compassionate release in part because his daughter was dying of cancer.

"I used to think prosecutors were against the criminal, but we're just for the

law, not against the criminal," she says.

She says the exercise required her to weigh empathy for the prisoner against the prosecutor's responsibility to focus on the law and consider public safety.

Before the hearing, Naima worked with a law clerk who helped her prepare the case materials.

"I got really close with one of these law clerks, and she taught me how to examine the whole 50 pages of a packet on the case and how to find the loopholes," she says. "It was just so much more fascinating because I think immersing yourself in the experience is what actually teaches you about it, and it's so much better than just sitting in a classroom."

Judge Aframe says that level of participation is central to the program's approach.

"It is more important than ever that students learn about civics," he says, "but to make it stick and make it something that they will be able to call on as they get older, they need to touch it, feel it, participate in it."

He says preparing students for careers

in law is not the purpose of the program. Students gain public-speaking experience and practice working through disagreements in formal settings.

Greabe says lawyers, judges, and law schools can also contribute to broader civic education efforts.

"We the people are not going to be able to run our country like the Constitution says if we don't teach we the people how it works," he says.

He says attorneys can be a resource for teachers who are balancing civics with other classroom requirements.

"For them to have the resource of a lawyer in the classroom really can make all the difference, and for lawyers it's just a refreshing reminder of what it was that first drew us to this profession," Greabe says.

Judge Aframe says he would welcome the opportunity to bring a version of the experience closer to New Hampshire, al-

though planning remains preliminary.

"While I'm on the First Circuit, I am the New Hampshire representative, and I would be very excited to be able to offer something like what we're doing down in Massachusetts here," he says.

For Ofelia, the week reinforced the importance of understanding how government works and how individuals fit into it.

"I just think it was a really important experience, and especially right now, I think we should understand how our system of government works because we should know our rights and we should know what our role is in this, because everyone really has a part to play," she says.

Attorneys interested in supporting civic education can contact NHBA Civics and Law Outreach Coordinator Martha Madsen at mmadsen@nhbar.org or (603) 715-3259 to learn about opportunities to serve as a classroom resource, visit schools, and work with students. ♦

■ UNH *from page 15*

Musinsky stated that this group of students were "largely furious."

In response, Dean Megan Carpenter reintroduced Franklin Pierce into the law school's name in 2019, resulting in its current name: the University of New Hampshire Franklin Pierce School of Law.

For those new to, or unfamiliar with, the law school, it's a mouthful of a moniker. Many students and alumni find the Franklin Pierce appendation especially cumbersome.

"The institutional legitimacy from associating with the state's most prominent post-secondary educational institution after Dartmouth seems like a no-brainer," says alumnus Petar Leonard. "I appreciate the brand recognition of the Franklin

Pierce name, but I think there are ways to preserve and leverage that without having to ham-fist it into the school's name."

As a student who wants to practice locally, I tend to agree. But I'm also fascinated that an obscure and derided United States president can have a redemption arc abroad.

When asked about the possibility of a future name change, Caroline Leonard replied, "absolutely not."

Other students and alumni suggested Marilla Ricker, Wentworth Cheswill, and even Manchester native Adam Sandler as replacements for Franklin Pierce.

Time will tell if any of them stick. ♦

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.

■ AI *from page 16*

ways enter AI directly from the original employee. A company might securely send a pricing spreadsheet, confidential presentation, or strategy document to a customer, supplier, adviser, or other third party. That recipient could later upload the information into an AI assistant for summarization or analysis.

At that point, controlling employee AI use alone is no longer enough. Organizations also need to think about what happens to sensitive content after it leaves their immediate environment.

AI prompt risk ultimately requires a combination of policy, employee awareness, approved AI environments, information governance, visibility, and technical controls.

The key shift is recognizing the prompt for what it has become: another place where sensitive business information can cross a security boundary. ♦

Zafar Khan is the CEO of RPost and has been in the technology field for more than 15 years. He has invented four US patents and holds an MBA from The Wharton School.

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Environmental, Telecomm, Energy & Utilities Law

New Hampshire's Brand New Solid Waste Site Evaluation Committee

By Amy Manzelli

Noise, odor, economic impacts, property value, tourism, traffic – until now, all of these, and many more, were not subject to regulation when a new solid waste facility was proposed or an existing facility was proposed for expansion. Like energy generation and transmission facilities, solid waste facilities now have a statewide siting statute and committee that both deems them indispensable to society and recognizes inherent adverse impacts that need regulation to make sure they do not outweigh the societal value. Just like we all use or transmit energy, we all make trash.



In the past few years, amid overwhelming public concern about existing and proposed solid waste facilities statewide, lawmakers have been pressured and/or persuaded to act on a myriad of issues associated with solid waste. In the past three legislative sessions alone, lawmakers have taken up at least 40 bills regarding solid waste or landfills, passing at least fifteen of them, one of which formed the Solid Waste Site Evaluation Committee (SWEC) earlier this year.

In 2026, those bills included SB 644-FN, requiring background checks for solid waste and hazardous waste facility owners; SB 593-FN, enabling the use of solid waste management funds by solid waste management districts; HB 1192, exempting certain household pharmaceutical wastes from the definition of hazardous waste; and HB 707-FN, establishing a Solid Waste Site Evaluation Committee.

In 2025, the bills included HB 355, relative to the membership of the solid waste working group; HB 566-FN, requiring permit applications for new landfills to contain a detailed plan for leachate management; HB 416-FN, prohibiting the intentional disposal of yard waste into the surface waters of the state; and SB 299, relative to penalties for contractors violating water pollution and waste disposal



regulations.

In 2024, lawmakers passed HB 1181, relative to solid waste districts; HB 1221, relative to including solid waste landfills in the definition of development of regional impact; HB 1371, relative to allowing the land use master plan to include a section on waste reduction; HB 1386-FN, relative to prohibiting the disposal of lithium-ion batteries in solid waste landfill facilities, composting facilities, or incinerators; HB 1490, relative to the solid waste management act; HB 1632, relative to out-of-state solid waste; and SB 329-FN, relative to background checks of certain persons associated with solid waste management.

The bills that did not pass failed, in large part, because they could not generate enough bipartisan support, including bills limiting out-of-state waste going into New Hampshire landfills, overriding municipal contracts, and studying incineration of waste.

The SWEC survived the legislative gauntlet, like most laws, because of a confluence of factors. First, advocacy groups had earlier elevated the issue such that all candidates in the 2024 gubernatorial campaign publicly supported no new solid waste facilities adjacent to Forest Lake State Park. Second, once elected, Governor Ayotte, a longtime protector of North Country natural resources, proposed such a committee in her budget address in February 2025. Third, lawmakers took her cue. After perennially bearing the brunt

of so many proposed bills, they saw in the SWEC an opportunity for a proactive solution that could eliminate the granular (and often divisive) issues many bills addressed. Fourth, an existing solid waste facility had triggered one of the largest, if not the largest, civil penalties in state history in January 2026 of \$1.9 million “for violations related to New Hampshire’s Solid Waste Management Act,” according to the January 12, 2026, press release from the New Hampshire Department of Justice.

With this milieu of forces, HB 707-FN takes effect September 8, 2026, and is codified starting at RSA 149-M:65 with a Declaration of Purpose that recognizes certain impacts had not been regulated before the new law, provides a non-exhaustive list of those impacts, states that the state has a compelling interest in maintaining sufficient environmentally protective solid waste capacity, and provides that landfilling should not occur on ‘greenfield’ (meaning undeveloped) land.

The law borrows heavily from RSA 162-H, the longstanding statute governing the siting of energy transmission and generation facilities through the Energy Site Evaluation Committee. Key concepts there, as here, include the following (be sure to refer to the law directly for statutory precision; this article paraphrases).

It prohibits commencement of “construction of any major solid waste disposal facility” without a certificate and then describes the application requirements,

the standards for an application to be approved, and a requirement for facilities to “be constructed, operated, and maintained in accordance with the terms of the certificate.”

The statute applies only to a new ‘major solid waste disposal facility,’ defined as one with ‘a proposed waste acceptance rate greater than 100,000 tons per year,’ and to expansions of 50,000 tons or 100,000 cubic yards per year or more.

“Affected municipality” includes any municipality where a facility subject to the statute is proposed or from which it will be visible or audible, including off-site traffic impacts.

The SWEC has authority to evaluate and act on certificate applications, engage in enforcement, assist the public, and hire third parties at the applicant’s expense. The SWEC also has authority to hire third parties at the applicant’s expense. The SWEC is administratively attached to the Department of Environmental Services and has an administrator.

The statute sets a few key deadlines: a public information session 30 days before application; 60 days to decide completeness once an application is filed; 30 days to cure incompleteness; and 180 days from completion, or acceptance, to act on the application.

For every application, “the attorney general shall appoint” counsel for the pub-

COMMITTEE *continued on page 29*

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New Septic Rules Aim to Improve Permitting, Environmental Protection

By Thomas S. Burack

Each year, the New Hampshire Department of Environmental Services receives approximately 6,000 permit applications for construction of new or replacement septic systems, so when septic system laws or rules change, as they have over the past couple of years, many properties are affected. In fact, more than 65 percent of the wastewater generated here in the Granite State gets processed in individual or community septic systems, so their proper installation and maintenance are essential to protecting public health and the environment.

A typical septic system, also known as an Individual Sewage Disposal System (ISDS), includes a few components. First, a home or building's sewer line drains into a large, buried, watertight septic tank where the sewage separates into sludge (heavy waste that sinks to the bottom), oils (that float to the surface), and a middle layer of clearer, liquid effluent.

Baffles keep the sludge and oils in the tank while the effluent flows through a pipe to a distribution box. The box evenly spreads the liquid into perforated piping or chambers in a leach field or effluent disposal area (EDA), where the wastewater



seeps through crushed stone or gravel and then into the underlying soils. There, microbes and soil particles do the final cleaning before the water reaches the groundwater table.

Failed septic systems can contaminate drinking water supply wells. Septic systems are also sources of nutrients (such as nitrogen and phosphorus) that can seep into surface waters and promote the growth of algal blooms and cyanobacteria.

ISDS design and installation is costly – usually \$15,000 to \$30,000 for a residence and far more for commercial buildings – but in most New Hampshire communities it's the only wastewater treatment

option available, so it's essential to build and maintain them with care and to pay attention to changes in the applicable laws and rules. Effective February 1, 2026, NHDES adopted new rules (CHAPTER Env-Wq 1000 Subdivisions; Individual Sewage Disposal Systems) intended to ensure compliance with recent statutory changes and promote greater consistency and efficiency in the permitting and inspection processes.

Recent Law Revisions

Since 2024, RSA 485-A:39 has required the buyer of any developed waterfront property whose ISDS is within 250

feet of the reference line of lakes or ponds larger than 10 acres, or of larger rivers, to engage a licensed ISDS evaluator (and for unapproved or older systems to also engage a licensed designer) to determine if the ISDS has failed. The buyer must repair or replace a failed system within 180 days of the transfer of the property. The new rules provide more detailed guidance for this process. *See PART Env-Wq 1025.*

Also effective in 2024, RSA 485-A:35 was amended to reduce the required vertical separation distance for residential pipe-and-stone and concrete chamber ISDS from the seasonal high water table from 48 inches down to 24 inches, provided a compliant six-inch layer of sand is placed below the EDA. *See also Env-Wq 1014.08.* This change allows conventional ISDS the same separation distance from the seasonal high water table as had previously been available only to certain approved innovative ISDS technologies. *See PART Env-Wq 1024.*

Highlights of 2026 Rule Revisions

Since 2015, NHDES has processed ISDS permits through an online filing system accessible to licensed designers and installers. To further promote streamlining and consistency, the new rules include a detailed checklist of all the items that must appear on proposed plan sheets, such as lot and location plans, wetlands delineation certification, drinking water source

SEPTIC *continued on page 29*

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Decide Now, Hear Later: SB 445 Reshapes DES Administrative Appeals

By Viggo Fish

On June 19, Governor Ayotte signed into law SB 445, an act relative to adjudicative proceedings where there is a council or board with jurisdiction (the Act). The Act, which became effective on August 18, reads like a housekeeping bill but made a series of subtle yet significant changes to the administrative process for adjudicating certain decisions of the Department of Environmental Services (DES or the Department).

Principally, the Act removed the requirement that DES hold a hearing before issuing final decisions to impose administrative fines for alleged violations of environmental laws or to suspend or revoke certain licenses, permits, or approvals. In other words, the Act removed the opportunity to be heard before DES imposes a fine or revokes a permit, instead requiring aggrieved parties to appeal DES's final decisions to one of four environmental councils – Water, Wetlands, Air Resources, and Waste Management – with statutory authority to adjudicate DES permitting and enforcement decisions. *See* RSA 21-O:14.

As amended, RSA 125-C:13 now



authorizes the Department to suspend or revoke an air permit without first holding a hearing. RSA 149-M:12, II, relating to revocation or suspension of solid waste permits, was similarly amended. RSA 482-A:13 and RSA 483-B:18, III(b) now authorize assessment of wetlands and shoreland fines up to \$5,000 per violation without any pre-decision opportunity to be heard. In total, the Act removed the pre-decision hearing requirement from over 30 provisions across more than a dozen chapters.

In addition to the statute-specific

amendments, the Act amended the Administrative Procedure Act (APA) to exempt *any* administrative agency from the requirement “to provide for an adjudicative proceeding prior to making a final decision” where the agency decision is otherwise appealable to a council (or board) that provides notice and an opportunity to be heard. RSA 541-A:30, IV (as amended).

To address potential due process implications of this change in process, the Act amended RSA 21-O:14, governing appeals to the environmental councils, to

provide that administrative fine decisions “shall not become effective for 30 days following the date of the decision, or if an appeal is filed to a council, until the council issues a decision.” RSA 21-O:14, V (as amended). Thus, although the Department’s decision to impose a fine is final, it does not become effective for 30 days to allow aggrieved parties to seek review before a council. The APA was amended to include a similar provision with an exception for decisions involving circumstances that the Department unilaterally adjudges present “an immediate risk to human health or the environment.” RSA 541-A:30, IV (as amended). Such decisions are effective and enforceable upon issuance – again, without any pre-decision hearing opportunity.

The change in process from a pre-decision hearing to a post-decision appeal (with suspended enforcement) may seem innocuous – where an appeal has been filed, no administrative fine or permit revocation can be enforced until the council renders a decision. However, the change has potentially significant burden-shifting implications. Ostensibly, where the Department is required to hold a hearing before issuing an administrative fine, RSA 541-A should require the Department to prove its claim of violation.

Before the councils, however, the burden rests on the aggrieved party to prove, by a preponderance of the evi-

SB 445 *continued on page 30*

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■ COMMITTEE *from page 26*

lic who “shall be deemed to represent the public as a party to the proceedings before the committee.” Those with standing may intervene.

The seven-member committee represents a cross-section of subject-matter experts from state government and the public. Members include the chairperson of the Waste Management Council; the commissioners of the Departments of Business and Economic Affairs and Environmental Services, or their designees; and four members appointed by the governor with the consent of the Executive Council. Those four members must include one who serves on a local conservation commission, one who has expertise in the private waste management industry, one who has expertise in municipal planning, and one who has expertise or experience in environmental, health, or science.

The matter is handled through adjudicative hearings and SWEC deliberations, all held in public session with notice and transcribed verbatim.

The law varies in an important way from RSA 162-H, representing legislative compromise and distinctions between solid waste and energy. First, the law sets forth a series of five findings the SWEC must make to issue a certificate:

- Adequate financial, technical, and managerial capability;
- The facility will not unduly interfere with the orderly development of the region;

- The facility satisfies the criteria in RSA 149-M:11, III, regarding whether a proposed solid waste facility provides a substantial public benefit, as determined by the department;
- The public benefit of the facility shall outweigh any adverse impact; and
- Issuance of a certificate will serve the public interest.

The law then seeks to implement a preference for expansion over new facilities by use of a rebuttable presumption: “There shall be a rebuttable presumption that applications for landfill expansions shall satisfy the criteria in subparagraphs III(a), III(b), and III(d).”

Perhaps saving the best for last, the final new section of RSA 149-M links the SWEC’s rulemaking requirement to a moratorium on new permits for facilities the SWEC would regulate. The “department shall not issue any permit approvals that authorize new capacity for major solid waste disposal facilities until rules are adopted by the committee or until July 1, 2027, whichever is later.” (Emphasis added.)

The law is silent on how it intersects with any applications or proposals that would trigger SWEC jurisdiction but that were pending in some way prior to September 8, 2026. ♦

Amy Manzelli is the managing attorney and an owner of BCM Environmental & Land Law, PLLC. Amy practices throughout New Hampshire and Maine and is proud to leverage her legal skills to try to make the world a better place.

■ SEPTIC *from page 27*

and piping, a scaled site plan, physical field measurements and elevations (including those based on LiDAR, Light Detection and Ranging) in compliance with specified standards, tank size and details, and lot loading calculations. *See Env-Wq 1003.13; see also Env-Wq 1003.07.*

Requirements for determining tank size were also modified to more accurately reflect the actual volume of wastewater generated in residences and businesses. While tank sizing for buildings of up to 12 bedrooms will not be affected under most design scenarios, facilities with more than 12 bedrooms may require a larger tank than in the past. And the minimum tank size for a combined residential and commercial building must have a liquid capacity at least equal to the minimum of the combined total of the specified volumes for each of those two uses. *See Env-Wq 1010.01 and 1010.02.*

Once NHDES has issued construction approval for an ISDS plan and a licensed installer has the ISDS ready for issuance of operational approval, the installer is to contact NHDES to request an inspection. To help reduce the potential need for multiple rounds of inspection of the same ISDS before approval to backfill and operate can be issued, the new rules identify three items that the installer must confirm before requesting inspection: the complete ISDS has been installed according to plan unless modifications conforming with Env-Wq 1004.07 (see below) have been undertaken; the foundation, slab or gravel

pad for any building to be connected to the ISDS has been installed; and the well (if the property isn’t connected to a public water system) has been installed or its location marked with a stake (under specified circumstances). *See Env-Wq 1004.06.*

The new rules also clarify the circumstances under which the final ISDS plan (for which NHDES issued construction approval) must be amended in the event that actual field conditions or other factors would not enable the installer to construct the ISDS exactly according to the final ISDS plan. In these cases, before installation begins, the installer must notify the designer, who must review the proposed modifications, inform the installer of the methods and materials to be used and prepare and stamp an amended plan to be submitted to the field inspector at the final inspection. Plan amendments that require rule waivers are subject to additional steps. *See Env-Wq 1004.07.*

September 14–18 is SepticSmart Week, an annual national event to bring attention to the importance of caring for and maintaining septic systems. *See epa.gov/septic/septicsmart-week.* And if you would rather not learn more about the new ISDS rules firsthand, this may be a good time to get your septic tank pumped! ♦

Thomas S. Burack is a shareholder and member of Sheehan Phinney’s Environment and Energy Practice Group. He served as commissioner of the New Hampshire Department of Environmental Services from 2006 through 2016 and is a Fellow of the American College of Environmental Lawyers.

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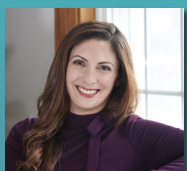
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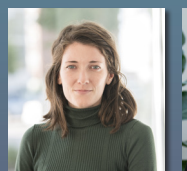


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■ SB 445 from page 28

dence, that the Department’s decision was “unlawful or unreasonable” – the standard of review under RSA 21-O:14 and council procedural rules. Further, unlike the prior mandatory hearing requirement, an appeal to a council does not guarantee a hearing. RSA 21-O:14 requires that appellants set forth in a notice of appeal “every ground upon which it is claimed that the decision complained of is unlawful or unreasonable.” RSA 21-O:14, I-a(a). The hearing officer has authority to dismiss appeals that do not sufficiently plead claims that meet this standard.

Therefore, unlike the prior automatic hearing opportunity, the change in administrative process means aggrieved parties may not see their “day in court” when facing potentially significant fines or consequential permit revocations from DES. For those who are successful, the council appeal process can be lengthy, complex, and costly, and retention of experienced legal counsel may be advisable. Further, council authority is limited: councils may only affirm the decision or remand it back to DES for further consideration – there is no possibility for vacatur.

In addition to the changes in process, the Act made another notable change: it removed the requirement that the hearing officer appointed by the New Hampshire Department of Justice be a qualified attorney with a statutorily expressed preference for “a retired justice of the superior or supreme court.” As amended, the statute now only requires that the hearing

officer have a JD from an accredited college or university and have experience in the conduct of administrative adjudicative hearings and the application of law to facts. RSA 21-M:3, VIII(a) (as amended).

Thus, the hearing officer charged with, among other things, “decid[ing] all questions of law” and “issu[ing] a decision on all motions and on the merits” of appeals that often involve complex legal issues need not have passed the bar exam. RSA 21-M:3, IX(e) and (f). While intended to expand the pool of potential candidates, the change contrasts sharply with the prior emphasis on qualified attorneys – that is, lawyers licensed to practice law.

Fundamentally, SB 445 did not expand the Department’s enforcement authority, but it materially changed when and where that authority can be contested. Practitioners should heed the 30-day clock to appeal final administrative fine and revocation decisions. Practitioners should also be mindful that the preliminary notice of appeal and settlement-discussion track under RSA 21-O:14, I-b is available for revocation decisions, which are now defined as “department permitting decision[s]”, but not for administrative fines, which are defined as “department enforcement decision[s]”. ♦

Viggo Fish is a director in McLane Middleton’s Administrative Law Department where he maintains a diverse environmental and energy regulatory and litigation practice. He can be reached at viggo.fish@mclane.com.

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July	Federal Practice & Bankruptcy & International Law
August	Workers’ Compensation & Personal Injury Law
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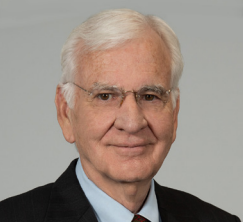
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AUGUST 2026

CIVIL LAW

Hologic, Inc. and Subsidiaries v. Commissioner, New Hampshire Department of Revenue Administration & a.
No. 2025-0240
August 26, 2026
Reversed and Remanded

- Whether, under RSA Chapter 77-A, a member of a water's edge combined group may carry back its capital loss to offset a capital gain incurred by another member of the combined group; whether DRA regulations requiring members of a combined group to determine their gross business profits separately conflict with RSA Chapter 77-A; and whether the DRA's interpretation violates the New Hampshire or United States Constitutions.

Hologic, Inc. and its subsidiaries filed combined New Hampshire business profits tax returns as a water's edge combined group. Hologic, Inc. incurred a substantial capital loss in 2020 from the sale of a subsidiary, while another member of the group, Gen-Probe Incorporated, had realized a substantial capital gain in 2017 from the sale of its blood screening division. Hologic sought to carry back its 2020 capital loss to offset Gen-Probe's 2017 capital gain and obtain a refund of New Hampshire taxes.

The Department of Revenue Administration (DRA) denied the requested carryback, concluding that a capital loss could be carried back only to offset capital gains of the same group member that incurred the loss. The Superior Court disagreed and ruled in favor of Hologic, concluding that RSA Chapter 77-A permitted the members of a combined group to offset one member's capital loss against another member's capital gain. The Superior Court also found that certain DRA administrative rules requiring members of a combined group to determine their gross business profits separately conflicted with the statute. The DRA appealed.

The Supreme Court reversed. The Court held that the water's edge method requires each member of the combined group to first calculate its own net income under the Internal Revenue Code before those amounts are combined. Because the capital loss carryback is accounted for when calculating an individual member's net income, a capital loss incurred by one member cannot be used to offset a capital gain incurred by another member. The Court also rejected Hologic's argument that RSA 77-A:6, IV, which permits the Commissioner to impose the tax as though the entire combined net income were that of one business organization, required a different result.

Hologic also challenged the DRA's interpretation on constitutional grounds. Under the New Hampshire Constitution, Hologic argued that prohibiting the sharing of capital loss carrybacks violated the requirement that taxation be just, uniform, equal, and proportional. Hologic contended that the DRA's interpretation treated a combined group differently from a single business organization because a single company could use its capital losses to offset its own capital gains, while the members of a combined group could not use one member's loss to offset another member's gain.

The Court rejected this argument, find-

ing that the DRA's interpretation treated individual members of a combined group the same as a business organization operating on its own because each member was permitted to use its own capital losses to offset its own capital gains.

Hologic also argued that the denial of the carryback violated the United States Constitution's Commerce and Due Process Clauses because the tax calculation could include capital gains earned largely outside New Hampshire while refusing to recognize a capital loss incurred by a group member that conducted business in New Hampshire. The Court rejected this argument as well. The Court explained that Hologic's argument confused two separate steps in the tax calculation: determining the group's combined net income and then apportioning that income to New Hampshire.

The Court found that RSA 77-A:3's apportionment formula addresses the extent to which the group's income is attributable to New Hampshire. The statute also permits a modified apportionment formula when the standard formula does not fairly reflect the extent of the business's New Hampshire activities. Because Hologic had not sought such a modification, the Court found no unconstitutional taxation of extraterritorial income.

The Court therefore held that capital losses incurred by a member of a water's edge combined group may offset only that member's own capital gains, that the DRA's interpretation did not violate either the New Hampshire or United States Constitutions, and that Rev 302.09 and Rev 302.10 were consistent with RSA Chapter 77-A. The case was reversed and remanded for further proceedings.

Rath, Young and Pignatelli, Michael S. Lewis and Kathryn H. Bibbo, on the brief, and Michael S. Lewis orally, for Hologic, Inc. and its subsidiaries. The Office of the Attorney General, John M. Formella, Attorney General, and Anthony J. Galdieri, Solicitor General, on the brief and orally, for the New Hampshire Department of Revenue Administration and its Commissioner. Pierce Atwood, Jonathan A. Block and Olga J. Goldberg, on the brief, for Council on State Taxation, amicus curiae.

CRIMINAL LAW

The State of New Hampshire v. Craig Keville
No. 2024-0257
August 19, 2026
Affirmed

- Whether the State introduced sufficient evidence to prove beyond a reasonable doubt that the defendant committed two counts of first-degree murder and three counts of falsifying physical evidence, where the State's case was based largely upon circumstantial evidence.

The defendant and Holly Banks had previously been in a relationship and lived together. After their relationship ended, the defendant moved to an apartment in Berlin. On April 26, 2022, Banks was at a Berlin bar with Keith LaBelle. The defendant became aware that Banks was with another man and went to the bar, where witnesses described him as angry and aggressive toward Banks and LaBelle. The defendant repeatedly attempted to get Banks to leave with him and grabbed her phone during the encounter.

Later that evening, the defendant went

At a Glance Contributor



Sarah Paris Tourville

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to the area of Banks's apartment. Banks told LaBelle that her ex-boyfriend was outside and told him not to come until the defendant had left. The defendant eventually left the area, and LaBelle then went to Banks's apartment. Surveillance video and cell phone location evidence later showed the defendant returning to the apartment during the early morning hours of April 27. Shortly afterward, the defendant sent a message to his mother stating, "I'm sorry."

The defendant subsequently drove away from the area before going to the Gorham Police Department and directing officers to Banks's apartment. Officers found Banks and LaBelle deceased from gunshot wounds. The defendant's apartment contained an empty pistol-sized gun case and a bill of sale for a Ruger 9E pistol, but no handgun was found. After the police initially searched his apartment and released him, a second search revealed that the gun case and bill of sale had been placed in the trash, with the bill of sale torn up.

Police also found 9mm ammunition in the defendant's storage unit. A firearms expert determined that the bullets recovered from the crime scene were fired from the same 9mm pistol and were not fired from a pistol registered to Banks.

Following a twelve-day trial, the jury found the defendant guilty of two counts of first-degree murder and three counts of falsifying physical evidence. The defen-

dant appealed, arguing that the circumstantial evidence was insufficient to establish beyond a reasonable doubt that he committed either the murders or the falsifying-evidence offenses. He argued that the evidence did not exclude reasonable conclusions consistent with his innocence and, as to the falsifying evidence charges, did not establish that he acted with the required purpose of impairing the availability of the gun case and bill of sale.

In affirming the convictions, the Court held that the evidence, viewed in the light most favorable to the State and considered as a whole, was sufficient for a rational jury to find the defendant guilty beyond a reasonable doubt. The evidence supported the conclusion that the defendant possessed a 9mm handgun around the time of the murders and disposed of it before arriving at the police station. His disposal of the gun case and bill of sale shortly after learning that police had searched his apartment also supported the finding that he acted with the purpose of impairing their availability in the ongoing investigation.

The Court rejected the defendant's argument that the evidence left a reasonable alternative explanation for his conduct. Unlike in *State v. Harris*, where the evidence did not exclude the possibility that the defendant had left the firearm in his apartment, the police in this case searched the defendant's apartment twice, including after releasing him from custody. The Court concluded that the evidence, taken together, excluded reasonable conclusions other than guilt.

The Office of the Attorney General, John M. Formella, Attorney General, and the Office of the Solicitor General, Anthony J. Galdieri, Solicitor General, Sam M. Gonyea, Assistant Attorney General, on the brief and orally, for the State. Pamela E. Phelan, Senior Assistant Appellate Defender, of Concord, on the brief and orally, for the defendant.



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R-2026-0004 *In re July 30, 2026 Report of the Advisory Committee on Rules*

The New Hampshire Supreme Court Advisory Committee on Rules (committee) has reported proposed rule amendments to the New Hampshire Supreme Court with a recommendation that they be adopted. On or before **October 19, 2026**, members of the bench, bar, legislature, executive branch, or public may file with the clerk of the Supreme Court comments on any of the proposed rule amendments.

In accordance with Rules 3 and 4 of the Supplemental Rules of the Supreme Court of New Hampshire for Electronic Filing, comments should be submitted through the Supreme Court's electronic filing (e-filing) system into case no. **R-2026-0004**, using "Rules Docket Entries" as the Filing Type and "Comment on Rule" as the Filing Sub-type. The address of the Supreme Court's e-filing system is ctefile.nhecourt.us.

The e-filing system is also accessible through the Electronic Services page of the New Hampshire judicial branch website at courts.nh.gov/resources/electronic-services/supreme-court/attorneys-self-represented-parties-and-other-non. Prior to registering with the e-filing system, attorneys should review the Quick Guide – Registering as an Attorney E-Filer; nonlawyers should review the Quick Guide – Registering as a Nonlawyer E-Filer. The Quick Guides are available on the Electronic Services page.

Persons who electronically submit a comment into case no. **R-2026-0004** will be able to view all other comments through the "Case Search" functionality of the e-filing system. Persons who are unable to submit their comments electronically may mail or deliver them to the clerk of the Supreme

Court at the New Hampshire Supreme Court Building, 1 Charles Doe Drive, Concord, New Hampshire 03301.

All comments, whether submitted electronically or in paper, will be available for public viewing at the computer kiosks located in the lobby outside the clerk's office of the New Hampshire Supreme Court Building; they will also be available for remote public viewing on the webpage of the Advisory Committee on Rules at courts.nh.gov/resources/committees/advisory-committee-rules.

The language of the proposed rule changes and background regarding the proposals may be found in the July 30, 2026, Advisory Committee on Rules Report, which is available at courts.nh.gov/resources/committees/advisory-committee-rules/reports-court. Copies of the July 30, 2026, Advisory Committee on Rules Report are also available upon request submitted to the clerk of the Supreme Court at the New Hampshire Supreme Court Building, 1 Charles Doe Drive, Concord, New Hampshire 03301. The current rules of the New Hampshire state courts are available at courts.nh.gov/resources/court-rules.

The Supreme Court is requesting comments on recommendations to amend the following rules:

I. Supreme Court Rule 51

This proposed amendment, the language of which is set forth in Appendix A, would clarify the rule-making process to be followed by the committee and by the Supreme Court.

II. Supreme Court Rule 47

This proposed amendment, the language

of which is set forth in Appendix B, would add "armed career criminal" to the list of major crime cases.

III. Superior Court Rule 13A

This proposed amendment, the language of which is set forth in Appendix C, would provide that any reply to an objection to a motion for summary judgment shall be filed within twenty days of the filing of the objection.

IV. New Hampshire Rule of Evidence 502(b)

This proposed amendment, the language of which is set forth in Appendix D, would remove the reference to "in a pending action" so that the common-interest variant of the lawyer-client privilege could be applicable even if litigation is not yet pending.

Date: August 19, 2026

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

LD-2026-0010, *In the Matter of Glenn Robert Milner, Esquire*

On July 21, 2026, the Professional Conduct Committee (PCC) submitted a request from Attorney Glenn Robert Milner 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 Milner, which satisfies the requirements of Rule 37(11).

The court has reviewed the affidavit of Attorney Milner and the recommendation of the PCC. In accordance with Rule

37(11), Attorney Milner's resignation from the bar is accepted. Attorney Milner shall reimburse the Attorney Discipline Office for the costs incurred in the investigation of this matter.

Donovan, Countway, Gould, and Will, JJ., concurred.

DATE: August 21, 2026

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

LD-2025-0009, *In the Matter of Anna Shapiro, Esquire*

On August 18, 2026, the Professional Conduct Committee (PCC) submitted a request from Attorney Anna Shapiro 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 preceded by an affidavit of Attorney Shapiro, which satisfies the requirements of Rule 37(11).

The court has reviewed the affidavit of Attorney Shapiro and the recommendation of the PCC. In accordance with Rule 37(11), Attorney Shapiro's resignation from the bar is accepted. Attorney Shapiro shall reimburse the Attorney Discipline Office for the costs incurred in the investigation of this matter. An application for readmission shall be governed by Rule 37(14)(c).

Donovan, Countway, Gould, and Will, JJ., concurred.

DATE: September 1, 2026

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

US District Court Decision Listing

June 2026

28 U.S.C. § 2241

Deepak Gupta v. Brackett, et al., 26-CV-207-PB-TSM, 2026 NHD 078, June 16, 2026

Habeas petitioner Deepak Gupta challenged an immigration judge's refusal to release him, contending that his hearing violated his due process rights. After determining that claims that an alien presents an unacceptable danger to the community or flight risk are mixed questions of law and fact subject to judicial review notwithstanding 8 U.S.C. § 1226(e), the Court rejected the petitioner's claim on the merits. In so holding, the Court found that the IJ considered the evidence before her and applied the correct legal standard in determining that Gupta was a flight risk. Moreover, she considered alternatives to Gupta's detention before determining that no amount of bond could ameliorate his risk of flight. Motion denied. 10 pages. Judge Paul J. Barbadoro

Cardona Lopez v. Luna et al, 26-cv-440-LM-AJ, 2026 DNH 086 P, June 30, 2026

Petitioner Carlos Antonio Cardona Lopez is a Guatemalan national who was previously removed from the United States in 2011. When he unlawfully re-entered the country in 2016, Immigration and Customs Enforcement (ICE) reinstated his order of removal but released him into the country on an order of supervision. ICE revoked his order of supervision in April 2026 and de-

tained him. Cardona Lopez thereafter challenged the revocation of his release on the grounds that ICE failed to comply with its own regulations requiring that revocations of supervision be accompanied by notice of the grounds therefor and an informal interview with an ICE officer at which the detainee can contest the revocation.

The Court denied Cardona Lopez's petition. The notice of revocation clearly stated that Cardona Lopez's release was being revoked because he had been convicted of a DUI offense in Rhode Island state court, and the conditions of Cardona Lopez's release made plain that such a conviction could result in detention. Moreover, ICE offered Cardona Lopez an interview to contest his revocation on the same day as his arrest, but Cardona Lopez declined. Petition denied. 10 pages. Judge Landya B. McCafferty.

42 U.S.C. § 1983; *Brady v. Maryland*

Traudt v. Lebanon Police Department et al, 23-cv-500-LM-TSM, 2026 DNH 087 P, June 30, 2026

Plaintiff Scott Traudt alleges that several current and former police officers for the City of Lebanon unlawfully withheld material impeachment evidence regarding two City police officers in advance of Traudt's criminal trial, at which he was convicted and sentenced to a term of imprisonment. After diligent efforts to obtain the officers' disciplinary records for many years following his release from prison, Traudt finally obtained them in 2021, and their disclosure led the

Grafton County Superior Court to vacate his convictions in January 2023. Traudt instituted this action in November 2023, claiming, inter alia, that the officers violated his due process rights under *Brady v. Maryland* and its progeny and were also liable in negligence under New Hampshire common law. One of the officers (Smolenski) moved for judgment on the pleadings.

The Court granted the motion with respect to Traudt's negligence claim, finding that Traudt failed to demonstrate the existence of a duty under New Hampshire common law that Officer Smolenski could have breached. However, the Court denied the motion with respect to Traudt's Brady claims. *Heck v. Humphrey* prevented those claims from accruing until Traudt's conviction was vacated in January 2023; as such, those claims were timely filed in November 2023. Traudt plausibly alleged facts that would allow a reasonable judge to conclude that disclosure of this impeachment evidence regarding one of the State's key witnesses undermined confidence in the outcome of his trial. With respect to qualified immunity, Officer Smolenski's factual assertions regarding New Hampshire's exculpatory evidence schedule were outside the four corners of the pleadings and were better addressed at summary judgment. Motion granted in part and denied in part. 19 pages. Judge Landya B. McCafferty.

Compassionate Release

United States v. Stottlar, 20-cr-61-LM, 2026 DNH 068 P
June 2, 2026

Defendant Jared Stottlar first moved for compassionate release in April 2024 on the basis of the Bureau of Prisons' (BOP's) allegedly inadequate treatment of Stottlar's serious medical conditions, including colon cancer and testicular cysts. The Court initially denied Stottlar's motion without prejudice; despite being troubled by the quality of BOP's treatment, the Court found that, with so much time left to serve on Stottlar's sentence, applicable sentencing factors outweighed his justification for release. When BOP's medical treatment did not improve Stottlar filed a renewed motion for compassionate release in April 2026.

The Court granted Stottlar's renewed motion, finding that BOP's treatment of Stottlar's serious and complex medical conditions had not improved (and in some ways, had worsened), and that Stottlar's remarkable rehabilitation weighed heavily in favor of a sentence reduction. The Court reduced Stottlar's sentence to time-served and placed him on supervised release so that he could obtain treatment in the community. Renewed motion granted. 27 pages. Judge Landya B. McCafferty.

Exculpatory Contracts

Ioannidis et al v. Polaris et al, 24-cv-30-PB-AJ, 2026 DNH 061, June 17, 2026

Konstantin Ioannidis was injured on a guided snowmobile tour. He and his wife, Erika Dilbarian, filed suit against Polaris Industries Inc., Polaris Experience, LLC, and Winter Fun, Inc. for negligence, strict product liability, breach of warranty, violation of

the New Hampshire Consumer Protection Act, and loss of consortium. The defendants moved for summary judgment. In support of its motions, the defendants first argued that all of the plaintiffs' claims are barred by the exculpatory contracts that the plaintiffs signed before participating in the tour. In the alternative, they argued that the plaintiffs' product liability claim fails because the defendants neither manufactured nor sold the allegedly defective helmet on which their strict product liability claim is based.

The Court granted summary judgment as to the negligence and negligent misrepresentation claims and the strict product liability claim but denied summary judgment as to their breach of warranty, CPA, and loss of consortium claims. In so holding, it found the exculpatory contract only barred the plaintiffs' negligence claims. However, it found that the exculpatory contract did not bar plaintiffs' strict product liability, breach of warranty, CPA, or loss of consortium claims. Alternatively, however, the Court found that the defendants were entitled to summary judgment on the strict product liability claim because the defendants could not be held strictly liable for a helmet they leased to Ioannidis incident to his participation in the tour. Motion granted in part and denied in part. 22 pages. Judge Paul J. Barbadoro.

Statute of Frauds;
Promissory Estoppel

Collision Communications, Inc. v. Nokia Networks & Solutions OY, 20-cv-949-LM, 2026 DNH 081 P, June 18, 2026

Plaintiff Collision Communications, Inc. sued defendant Nokia Networks & Solutions OY, alleging that the parties formed a \$23 million oral contract for the licensing and integration of Collision's cellular technology software to Nokia. At trial, the jury found for Collision on its breach of contract and promissory estoppel claims, and awarded Collision \$23 million in damages. After trial, the Court certified a question of law regarding the statute of frauds to the New Hampshire Supreme Court.

The Supreme Court thereafter held that an intellectual property license is fully performed on the date that the licensor conveys the license to the licensee, such that the obligations imposed on the licensor by an intellectual property license (absent express provisions to the contrary) are capable of being fully performed within one year for purposes of the statute of frauds. With the benefit of the Supreme Court's opinion, the District Court found in Collision's favor on Nokia's statute of frauds defense to Collision's breach of contract claim.

With respect to Collision's promissory estoppel claim, however, the Court found that Collision failed to prove that injustice could be avoided only through enforcement of the promises upon which Collision's claim relied, which compelled entry of judgment in Nokia's favor on that claim. 31 pages. Judge Landya B. McCafferty.

CIVIL RIGHTS ACT / HAVA

United States v. Scanlan, et al., 25-cv-371-JL, 2026 DNH 085

The United States brought suit against the New Hampshire Secretary of State seeking production of the State's unredacted statewide voter registration list and related voter-registration information under Title III of the Civil Rights Act of 1960 and the Help America Vote Act (HAVA), after New Hampshire declined to comply with the Department of Justice's requests. The Secretary

and intervenor-defendants moved to dismiss, arguing that the requested records were not subject to production under the Civil Rights Act and that the complaint failed to state a claim under HAVA.

The Court granted the motions to dismiss and denied the government's motion to compel as moot. The Court concluded that New Hampshire's statewide voter registration list is not a "record[] or paper[] which come[s] into [an election officer's] possession" within the meaning of Title III because it is a continuously maintained, state-created database rather than a record received from an external source. The court further held that the Attorney General's demand letter was independently defective because it failed to include the statutorily required statement of the factual basis for the demand. As to HAVA, the Court concluded that the statute imposes no obligation to disclose the requested information to the federal government and that the complaint failed to allege sufficient facts showing any substantive HAVA violation. 26 pages. Judge Joseph N. Laplante.

FED. R. EVID. 401-03, 601-02 /
COLLATERAL SOURCE RULE

Lamontagne et al. v. Hande, et al., 23-cv-395-JL-TSM, 2026 DNH 075

The plaintiffs brought a medical negligence action against multiple physicians, healthcare providers, and the United States under the Federal Tort Claims Act arising from the delayed diagnosis and treatment of a cerebral aneurysm that ultimately ruptured and caused their daughter to suffer permanent neurological injuries. The parties filed numerous motions in limine addressing the admissibility of evidence concerning damages, agency, expert witnesses, causation, and other evidentiary issues before trial.

The Court granted the motions in part and denied them in part. The Court held that the plaintiffs may introduce the face amounts of medical bills as evidence of the reasonable value of medical services, while excluding evidence of payments made by Medicaid, Medicare, or other collateral sources. It further ruled that evidence that a radiology practice group purchased malpractice insurance for a defendant-physician is admissible to prove agency, and that plaintiffs may impeach one defense expert with evidence that he initially failed his radiology board certification examination.

On causation, the Court permitted expert testimony regarding whether earlier diagnosis and treatment could have altered the daughter's outcome and allowed testimony explaining that unruptured aneurysms may produce symptoms through mechanisms such as sentinel bleeds or space-occupying lesions, but prohibited testimony that the daughter in fact suffered a sentinel bleed or lay speculation regarding what treatment she would have chosen in a hypothetical scenario. The Court also denied the United States' motion to preclude use of an advisory jury on the Federal Tort Claims Act claims, reserving whether to employ one until trial. 17 pages. Judge Joseph N. Laplante.

July 2026

* Published

28 U.S.C. § 2241

De Leon v. Luna, 25-cv-424-PB-TSM, 2026 DNH 089, July 15, 2026

Following the Court's order that the

government provide him with an administrative custody review under 8 C.F.R. § 241.4, alien detainee Bersain Francisco Perez De Leon moved for immediate release, contending that the government's custody review did not comply with the Court's order. Responding to the petitioner's arguments, the Court concluded that the government's custody review complied with applicable regulations and that the petitioner's pending appeal of his removal order to the First Circuit did not give rise to a viable claim under *Zadvydas v. Davis*, 533 U.S. 678 (2001), nor under substantive due process principles. Petition dismissed. 6 pages. Judge Paul J. Barbadoro.

Singh v. Strafford County Department of Corrections, Superintendent, 25-cv-268-SE-TSM, Opinion No. 2026 DNH 092, July 17, 2026

In response to this Court's habeas order, the immigration judge (IJ) held a bond hearing and denied bond, finding that the petitioner was a danger to the community by clear and convincing evidence. Reviewing that determination under the substantial evidence standard, the Court agreed with the petitioner that the bond decision violated his due process rights. The IJ found that the petitioner had been charged with a crime, but the record showed that one jurisdiction did not bring charges, and while another jurisdiction initially charged the petitioner, the criminal court dismissed that charge on the merits for lack of probable cause.

This Court could not reconcile the IJ's finding that there was clear and convincing evidence of dangerousness with the criminal court's conclusion that the same evidence failed to establish probable cause of criminality. Contrary to the IJ's findings, the record lacked substantial evidence that the petitioner, a taxi driver, was culpable in crimes carried out by his passenger. The respondents argued that the IJ's finding of dangerousness could nonetheless be sustained on the alternative ground that the petitioner was willfully blind to his passenger's criminal conduct.

The Court rejected this argument, reasoning that the record did not contain substantial evidence to support such a finding. Because the record lacked substantial evidence to support the IJ's dangerousness conclusion, and because the IJ did not make a finding as to flight risk, the Court ordered the respondents to provide the petitioner with a new bond hearing for the limited purpose of determining whether the petitioner was a flight risk by a preponderance of the evidence. 14 pages. Judge Samantha D. Eliott.

Motion to Amend

Grace New England v. Town of Weare, 24-cv-

41-PB-AJ, 2026 DNH 093, July 20, 2026
Plaintiffs Grace New England and its founder, Howard Kaloogian, sought reconsideration under Federal Rule of Civil Procedure 59(e) of the Court's grant of summary judgment to defendants the Town of Weare, its zoning enforcement officer, and the chairman of its Planning Board. The plaintiffs argued that the defendants' post-judgment rejection of their request for a waiver of municipal review (the subject of their lawsuit) had ripened their claims that were nonjusticiable when the Court granted summary judgment to the defendants on those grounds.

The Court held that the defendants' rejection did not merit Rule 59(e) relief for any of the three reasons that the plaintiffs suggested. First, the Court concluded that the defendants' rejection did not reveal a factual error in the Court's decision, as it did not arise until after the Court's decision issued. Second, the Court concluded that the defendants' interpretation of their regulations to support that rejection bore no relevance to the Court's de novo interpretation of law in its decision. Third, the Court's decision did not impose a manifest injustice on the plaintiffs because their challenge's limited justiciability was a predictable result of their chosen litigation strategy. Motion denied. 13 pages. Judge Paul J. Barbadoro.

Defamation

Lewis, et al. v. Abramson, 22-cv-126-PB, 2026 DNH 098, July 22, 2026

Journalist Seth Abramson published a series of articles and tweets alleging that plaintiffs Robert Patrick Lewis, his organization, 1st Amendment Praetorians, and one of its members, Philip Luelsdorff, were military extremists involved in an effort to overturn the results of the 2020 presidential election. Plaintiffs brought suit against Abramson, alleging defamation, conspiracy, and false-light invasion of privacy claims.

In a previous order, the Court dismissed the plaintiffs' defamation by implication and conspiracy claims, in addition to determining that 34 of the 41 allegedly defamatory statements were not actionable. The parties later dismissed the remaining false light claims, leaving only the defamation claims for the remaining seven actionable statements. Abramson moved for summary judgment. In support of his motion, Abramson argued that because plaintiffs are limited-purpose public figures and cannot prove he acted with actual malice, he is entitled to judgment. The Court granted summary judgment as to Lewis and 1AP's defamation claims but denied it as to Luels-

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dorff's remaining claim. In so holding, the Court first concluded that the public controversy at issue was the legitimacy of the 2020 presidential election and actions taken to assist efforts to challenge the election.

Against this backdrop, the Court then determined that both Lewis and IAP were limited-purpose public figures with regard to that public controversy and did not raise triable issues of fact as to whether Abramson published the allegedly defamatory statements with actual malice. However, the Court held that because Luelsdorff was a private figure and Abramson failed to make any argument that summary judgment was warranted under the traditional standard for proving defamation in New Hampshire, summary judgment must be denied as to Luelsdorff's remaining claim. Motion granted in part and denied in part. 37 pages. Judge Paul J. Barbadoro.

Personal Jurisdiction

Allstate Property and Casualty Insurance Company v. Samsung Electronics America, Inc. et al, 25-cv-267-LM, 2026 DNH 096, July 21, 2026

Plaintiff Allstate brought this subrogated negligence and strict products liability action against Samsung (the manufacturer of an allegedly faulty dishwasher), Bitron (the manufacturer of the allegedly faulty valve within the dishwasher), and Midea (the company that sold the allegedly faulty valve to Samsung). Midea moved to dismiss for lack of personal jurisdiction.

The Court granted Midea's motion. Midea supplies valves to Samsung for incorporation into Samsung's dishwashers, which Samsung then sells throughout the United States, including in New Hampshire. Midea derives substantial revenues from its sales to Samsung but has little contact with New Hampshire specifically. The only New Hampshire-based contact Allstate could point to is an appliance store in Hooksett that is authorized to service Midea parts.

The Court held on these facts that Allstate failed to establish that its claims were related to Midea's contacts with New Hampshire. Nor had Allstate shown that it was entitled to jurisdictional discovery. 11 pages. Judge Landya B. McCafferty.

ICE Habeas Corpus

Mbiya v. Doe, 26-cv-467-JL-TSM, 2026 DNH 094, July 21, 2026

An Angolan national detained by ICE under 8 U.S.C. § 1226(a) brought a habeas petition challenging two immigration bond determinations that found him to be a danger to the community and a flight risk based on his involvement in a fatal pedestrian accident and, later, a non-final order of removal. The Court granted the petition, concluding that

the immigration judges failed to apply the constitutionally required burdens of proof and that the evidence was insufficient as a matter of law to establish either dangerousness or an unmanageable risk of flight.

The Court reasoned that the dangerousness findings rested solely on an apparently unavoidable accident for which the undisputed evidence attributed no fault to the petitioner, while the flight-risk finding relied principally on a non-final removal order despite overwhelming evidence of the petitioner's family, employment, and community ties and the absence of any history of flight. Concluding that a third bond hearing would be futile because the government had already failed twice to meet its burden on the same evidentiary record, the Court ordered the petitioner's immediate release under reasonable conditions of supervision. 22 pages. Judge Joseph N. Laplante.

Classifieds

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ASSOCIATE – A Concord firm seeks to add associate with 1 - 5 years' experience. Seeking attorney with experience in any of the following areas: (a) Family Law, (b) Trusts, Estate Planning, and Probate, and (c) business organization formations and commercial transactions. Our firm's practice is focused in these three areas. Must have strong analytical skills, self-motivation, strong work ethic, and an entrepreneurial spirit. Excellent research and written communication skills required. Competitive salary and benefits. Collegial atmosphere and team approach. For details about firm name, location, compensation, and benefits send resume to Lawcolleague26@gmail.com.

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. 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).

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- Conducting legal research and drafting ordinances and resolutions
- Advising City leadership on legal matters
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- Strong professional demeanor, reliability, and attention to detail;
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Megan Pimentel mpimentel@adlercohen.com

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Personal Injury/Workers' Compensation Attorney Manchester, NH

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Salary ranges from \$76,000 to \$78,000 with a robust benefits package including but not limited to health, vision, and dental available upon hiring, and a 5% salary match to a retirement account after 1 continuous year of employment. Please send a resume and cover letter to Rebecca Woitkowski at rwoitkowski@new-futures.org.

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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.

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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.

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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@mcclane.com

PROSECUTOR

The Franklin Police Department has an opening for a police prosecutor position. The Police Prosecutor is responsible for the preparation and prosecution of misdemeanor and violation-level offenses in the Franklin District Division Court. This position works closely with police officers, victims, defense counsel, and the court system to ensure cases are handled efficiently, ethically, and in accordance with New Hampshire law.

Responsibilities include but are not limited to: Review arrest reports, citations, and investigative materials, prepare and present cases in court, provide legal guidance to police officers, meet with victims and witnesses, ensure compliance with discovery obligations, maintain accurate case files, coordinate with the Merrimack County Attorney's Office, stay current on changes in the law, and attend training as required.

Applicants must have a Juris Doctorate from an accredited university, be a member in good standing with the New Hampshire Bar, and have prior prosecutorial experience

Salary ranges from \$98,717 to \$132,808. The City of Franklin offers a comprehensive benefits package and enrollment into the NH retirement system.

Please send a resume and cover letter to Ralph Hale at rhale@franklinnh.gov.

ASSISTANT COUNTY ATTORNEY BELKNAP COUNTY



The Belknap County Attorney's Office is seeking a prosecutor to work in a team environment as a full time Assistant County Attorney. Under the general supervision of the Belknap County Attorney, the Assistant County Attorneys enforce the laws of the State of New Hampshire by preparing charges for the Grand Jury, meeting and interviewing witnesses and victims, seeking indictment and prosecuting felony crimes and misdemeanor appeals in the Superior Court. Other responsibilities may include "on-call" duties and providing advice and guidance to local law enforcement. For further information visit our website listed below.

Salary Range: \$85,690-\$126,441 commensurate with experience along with a competitive benefits program.

Minimum Qualifications: Bachelor's Degree and Juris Doctor of Law, membership in the New Hampshire Bar Association. Some prior litigation experience preferred, and a strong preference for prior criminal prosecution experience.

Application: Send resume and cover to letter to Jamie Ellsworth, Deputy Human Resources Director, 34 County Dr., Laconia, NH, 03246. Phone: 729-1245; email jellsworth@belknapcounty.gov or visit our website at <http://www.belknapcounty.gov> for additional information or a complete Job Description. A criminal history & background check will be required of any applicant prior to being offered a position.

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ADMINISTRATIVE PROSECUTOR

The State of New Hampshire Office of Professional Licensure and Certification (OPLC), Division of Enforcement seeks full-time Administrative Prosecutor.

The Administrative Prosecutor will be responsible for prosecuting administrative cases against licensees, preparing legal documents, and collaborating with investigators. Day-to-day tasks include conducting legal research, drafting pleadings and motions, presenting cases at hearings, and ensuring compliance with relevant laws and regulations.

The ideal candidate will have a Juris Doctorate from an accredited law school and at least 4 years' experience in the active practice of law.

Candidate must be an active member of the New Hampshire Bar Association and in Good Standing.

Please send cover letter and resume to Office of Professional Licensure and Certification, 7 Eagle Square, Concord NH 03301, Attn: Sharda Rao, HR Administrator or via email at Sharda.B.Rao1@opl.nh.gov.

For a full job description, please visit the State of NH's job posting and search for Job ID # 52682, <http://das.nh.gov/jobsearch/Employment.aspx>



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>



Immediate Openings

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

Senior /Experienced Assistant County Attorney

Nashua Office - Full-Time

Entry Level and Experienced Attorneys

Manchester Office - Full-Time

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.

Responsibilities include:

- Reviewing criminal investigations and evidence submitted by the Hillsborough County Sheriff's Office, New Hampshire State Police, and law enforcement agencies from the cities of Manchester and Nashua plus 29 towns.
- Drafting indictments and presenting cases to the Grand Jury.
- Representing the State at bail hearings, pre-trial motion hearings, depositions, and trials.
- Conducting legal research, responding to defense motions, preparing witnesses, and arguing at sentencing and post-conviction proceedings.
- Collaborating closely with police, victim/witness coordinators, court staff, and the public to ensure victims are supported throughout the prosecution process.
- Mentoring interns and Rule 36 attorneys.

One attorney in the office is on call 24/7 to assist law enforcement. Our team consists of approximately 25 prosecutors supported by experienced legal staff, four Victim Witness Coordinators, two investigators with decades of combined law enforcement experience (including a dedicated Sexual Assault Investigator), and a full-time Program Support Specialist who manages digital evidence such as body-worn camera footage and surveillance video.

Preferred Qualifications: Criminal defense or prosecution experience is preferred, but we will fully train the right candidate with strong potential.

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

To apply in Manchester or for more information, please contact our Office Manager by email at pamela.cummings@hcnh.gov.

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.

PROSECUTOR - City of Manchester (Salary Range \$85,334.20 - \$121,666.16, Grade 123)

The Office of the City Solicitor, Manchester NH, serves the City with a team of eleven attorneys, including seven full-time prosecutors handling misdemeanor prosecutions and juvenile cases in the 9th Circuit Court in Manchester.

The Office is seeking applicants for one open prosecutor position. We offer a collegial, team-based working environment with paralegal support and modern case-management and evidence-management platforms.

Candidates must have graduated from an accredited JD program, and be admitted in good standing to the New Hampshire Bar. The position includes a comprehensive benefits package, including payment of NH Bar dues and CLE requirements, comprehensive medical and dental coverage, vacation and holidays. Experience is preferred but not required as this Office offers an exceptional environment for training.

Interested candidates please apply with a resume and cover letter to www.manchesternh.gov/departments/human-resources/employment

Please do not hesitate to contact or email Attorney Greg Muller, Supervising Prosecutor, gmuller@manchesternh.gov, or our Office Manager Irellynne West, iwest@manchesternh.gov. Both can be reached by telephone at 603-624-6523.

Legal Assistant



The City of Keene is seeking a Legal Assistant to provide essential administrative, legal, and operational support to the City Attorney and Deputy City Attorney. This is an excellent opportunity for someone who enjoys meaningful work, values public service, and wants to play a key role in supporting municipal government. Additional information can be found in the job description.

This position is full-time and the pay range for this position is \$31.94-\$39.80 per hour and will also receive an attractive benefits package which includes low deductible/low-cost health insurance, low-cost dental insurance, State of NH Group I retirement, tuition assistance, 457 retirement fund options and other benefits such as life, disability, and paid time off!

Apply online at <https://keenenh.gov/jobs>. This position will be open until it is filled, and the first review of applications will be on Monday, August 17, 2026. EOE

ASSISTANT COUNTY COUNTY

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

Felony Prosecutor – this position involves prosecuting felony criminal cases in the Cheshire County Superior Court. Experience preferred, but recent law school graduates are encouraged to apply.

Circuit Court Prosecutor - this position involves prosecuting criminal cases for the Keene Police Department in the 8th Circuit Court – Keene District Division, and the attorney is stationed at the Keene Police Department. Experience preferred, and salary is commensurate with experience.

Cheshire County offers a comprehensive benefits package, with paid travel, CLE trainings, Court Fees and Bar Dues in addition to paid leave, medical and dental insurance options, NH Retirement, 11 paid holidays per year. Experience preferred, and salary is commensurate with experience. NH Bar membership required. Please submit a cover letter and resume to Chris McLaughlin, Cheshire County Attorney, attention Kim May, 12 Court Street, Keene, NH 03431.



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ASSISTANT COÖS COUNTY ATTORNEY

The Office of the Coös County Attorney currently has an opening for a full-time Assistant County Attorney. The Assistant County Attorney is primarily responsible for representing the State in the prosecution of felony crimes in Coös Superior Court. The position may also involve administering a federal grant, discussing legal aspects of cases with staff and police, and counseling law enforcement on legal matters. Trial or jury trial experience is preferred, and experience prosecuting criminal cases and working with victims of crime is a plus. Other responsibilities may include being available to take calls and to provide advice and guidance to local law enforcement during non-office hours.

Minimum Qualifications: Juris Doctor degree and be a member in good standing of the New Hampshire Bar Association.

Application Process: Please send a resume and cover letter to the address below.

John G. McCormick, Coös County Attorney
55 School Street, Suite 141
Lancaster, NH 03584
603-788-5560 (fax)
sue.corrow@cooscountynh.us

Coös County is an Equal Opportunity Employer

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