

**NEW HAMPSHIRE BAR ASSOCIATION  
PUBLIC PROTECTION FUND  
ANNUAL REPORT TO THE SUPREME COURT**

**YEAR ENDING:** May 31, 2009

**NUMBER OF CLAIMS:**

**PENDING AT PRIOR YEAR END:** Twelve

**MADE IN REPORTING YEAR:** Two

**REMANDED BY THE SUPREME  
COURT IN REPORTING YEAR:** None

**APPROVED IN REPORTING YEAR:** Four  
(Paid in Reporting Year: Four)

**DENIED IN REPORTING YEAR:** Five

**ABANDONED IN REPORTING YEAR:** None

**PENDING AT 2008-2009 YEAR END:** Six

**Comment:** Of the six claims pending at year end, two, totaling \$691,084, were not ripe for adjudication in the 2008-2009 reporting year because the accused attorney had not been disbarred or suspended as of year end (May 31, 2009). The other four claims pending at year end, totaling \$3,502,739, were all filed against the same accused attorney, and were received in the last quarter (March - May) of the reporting year. Based on the current claims payment restrictions set forth in Rule 55, the maximum potential exposure to the Fund for those claims is \$450,000.

**FUND BALANCE AT PRIOR YEAR END:** \$2,208,225.47

**ASSESSMENTS RECEIVED IN REPORTING YEAR:**

- Total Assessments for Fiscal 2008-2009 \$ 189,845.00
- Less: Portion of assessment allocated to LAP \$ 122,380.00

Net Assessments designated to the Public Protection Fund \$ 67,465.00

**Comment:** A portion of the Public Protection Fund annual Court Fee Assessment in the reporting year was designated by the Court to fund the Lawyers Assistance Program (LAP).

<b>INCOME EARNED IN REPORTING YEAR:</b>	\$ 30,688.76
<b>RECOVERIES MADE IN REPORTING YEAR:</b>	\$ .00
<b>TOTAL AMOUNT CLAIMS FILED IN REPORTING YEAR:</b>	\$ 3,502,739.10
<b>TOTAL AMOUNT CLAIMS APPROVED IN REPORTING YEAR:</b>	\$ 542,188.81
<b>TOTAL OF CLAIMS PAID IN REPORTING YEAR:</b>	\$ 150,000.00

**Comment 1:** Income Earned is from deposits in New Hampshire banks, Certificates of Deposit of \$100,000 or less from other U.S. banks invested through a CD purchase program administered by Laconia Savings Bank, and in U.S. Treasury instruments.

**Comment 2:** In the 2008-2009 reporting year, claims were approved in the total amount of \$542,188.81, and arose from the defalcations of one attorney. Given the application of the current claims payment restrictions set forth in Rule 55, providing a \$150,000 per lawyer and per claimant cap, the total approved payment for this group of claims was \$150,000, just under 28% of the total approved amount of the awards.

**EXPENSES INCURRED IN REPORTING YEAR:** \$ 7,163.21  
for the goods and services detailed below:

Fund Share of Bar Association Costs \$6,729.53

Staff Liaison	\$1,759.00
Systems Administrator	\$ 297.24
Staff Accountant	\$ 781.93
Accounting Clerk	\$2,488.32
Summer Help	\$ 631.95
Invoices -	
Postage & Printing	\$ 588.59
Annual Audit	\$ 182.50

Direct Costs of Committee \$ 433.68

Client Protection Forum	\$ 225.35
Postage - other	39.70
Copies	20.74
Stationery	47.89
General Expenses	100.00

**FUND BALANCE AT THIS YEAR END:** \$2,149,216.02

**Comment:** The fund balance at the end of the reporting year is less than the balance at the beginning of the year because the claims paid in the year (\$150,000) were greater than the income received in the year (\$98,154).

Respectfully submitted,

DATED: September 30, 2009

NEW HAMPSHIRE BAR ASSOCIATION  
PUBLIC PROTECTION FUND

By:

A handwritten signature in black ink, appearing to read "Kevin G. Collimore", written over a horizontal line.

Kevin G. Collimore, Chair