

## YOU SHOULD KNOW

...there is a lot going on at the NHBA! Including...

### BOARD EDITION – November 2009

There is a lot going on through the New Hampshire Bar Association! While it is difficult to paint a concise *and* complete picture of what your professional organization produces, this report is intended to give you *just a glimpse* of some of what has gone on lately. This is by no means an exhaustive compilation of activities...

#### Communications & Web Site

*Here was the message to staff about Pro Bono in the News (Channel 9 on 11/12/09)...this generated a lot of enthusiasm amongst Bar members and staff alike:*

#### **Celebrate!**

**Great teamwork, top-notch volunteer leadership--  
and the efforts of thousands of attorneys in our most excellent pro bono program  
made this rarity -- positive news about lawyers -- a reality!**

On Thursday, November 12, while Jim Tenn was touring the building, Dan received a call from Channel 9 news. A viewer had e-mailed them something to the effect that Pro Bono was not taking cases anymore. The assignment editor at the station asked Dan if attorneys were not donating as much time because of the economy. Dan said that it was really a case of there being so much demand, that even tho' attorneys were volunteering EVEN MORE, it was not keeping up with the demand. Channel 9 was interested and wanted to interview someone.

Jim Tenn was recruited for this last minute opportunity. Ginny and Dan, with the help of Jeannine and some of the Pro Bono staff, prepped Jim with some timely talking points to overlay his already considerable knowledge and understanding of Pro Bono. Jim was interviewed by Channel 9's Adam Sexton.

Below is a news article summarizing the report that **LED THE 11 o'clock news**. It was a great day for all of us – for volunteer attorneys, for the Association and its staff, and for the public. The report encouraged people to go to the Association's website and we have updated a blurb there to emphasize legal services resources.

#### **Requests for Free Legal Assistance Rise**

MANCHESTER, N.H. -- The recession is taking its toll on the justice system in New Hampshire, as lawyers see a significant rise in the number of cases qualifying for free legal help.

Attorney Jim Tenn, president of the New Hampshire Bar Association, said this year will go down as one of the busiest for the Bar's pro-bono program which links low-income people with lawyers who help them for free.

Tenn said most of the time, top needs relate to issues of family law, but in the recession that's changing to bankruptcy, foreclosure and landlord-tenant problems.

Tenn said the the pro-bono program provides more than \$2 million in free legal services every year and is still striving to do more. A number of attorneys in New Hampshire also take cases on their own and provide help to low-income clients outside the program.

Here is the video link. There is an ad that runs for about 20 seconds first.

<http://www.wmur.com/video/21602365/index.html>

...and volunteer results...

*This was great to watch.*

*Registrar Cheryl Moore just told me that a member attending today's CLE program asked her about how he could help after seeing the news last night. Awesome!*

*Great job everyone!*

*Jo*

## BAR JOURNAL / BAR NEWS / PICTORIAL MEMBER DIRECTORY

The *Bar Journal* has set themes for next two issues:

- Winter/spring: Women in the Profession: Follow up to the Gender Equality Survey with articles about the latest survey, and articles on related subjects.
- Summer: Crime & Punishment: Death penalty, immigration and juveniles in criminal law; other topics to be decided.

*Bar News* is readying the **Goin' South four-page pull-out section** on the temporary move of Hillsborough North to the Hillsborough South Superior Courthouse. Staff solicited the Manchester and Nashua Bars; they contributed \$250 each to fund the added printing and color costs for the informative and practical section. It will be posted on the website for future reference.

Staff is in the closing stretch of producing the *pictorial Membership Directory*. More than **\$21,000 in advertising was sold** in the teeth of a difficult economy, ensuring that this member service will come at **only a minimal cost to members**.

## Legal Services

The **Reduced-Fee Program** reflects the economy in that through November the program has made **more than twice as many referrals** for bankruptcy, foreclosure and mortgage problems than for the same period last year.

As part of the Merrimack County United Way's series on member agencies, **Pro Bono** Director Ginny Martin and Board Member/Volunteer Don Hebert were interviewed by **United Way** Director Liz Hager for the series, "Your Community at Your Service." The **half-hour interview** will air on Concord's local educational access television.

The **Family Law Section** sponsored a **mini-referral marathon** for **Pro Bono** on November 20, 2009. For two short hours prior to their Section Meeting, Elizabeth Garon, Marilyn McNamara, Margie Kerouac, Heather Tacconi, Ann Barber, Barbara Stewart, Judy Fairclough and Linda Ashford called upon their peers to take cases. In total **20 cases** were placed!

December is marathon season for the **Pro Bono Program**. **Referral sessions** are slated for 12/2 (with Pro Bono Board members making calls) as well 12/8 and 12/17. To date, 18 attorneys have signed on to make calls to place the cases of needy Pro Bono clients with lawyers from around the state. Pro Bono normally refers more cases in December than at any other time of the year, thanks both to the attorneys stepping up to refer cases and those who accept them. **The Program can use more volunteers** to fill both roles during this season of light and hope.

On November 6, 2009, **Pro Bono's Low-Income Taxpayer Project** held its **annual attorney training**. This year's training was co-sponsored by the NHBA's Tax Section and focused on representing clients in the United States Tax Court. The seminar included featured speakers Attorney Mike Fiore of the IRS

Office of Chief Counsel in Boston and US Tax Court Judge Joseph Goeke. In addition, Attorney Liz Segovis of the Rhode Island Low-Income Taxpayer Clinic, Attorney Arthur Kerr of Newton, MA, and NH'S Taxpayer Advocate Marsha Simmons also presented at the seminar which received excellent reviews. One participant said, "The profession can eviscerate idealism. This program is a prototype, an antidote. Bravo!" This past month the Project's Coordinator also spoke to attendees at the NHBA and CPA Society's **annual Tax Forum** and has written updates about the Project for the **Tax Section's new monthly newsletter**. Next on the Project's agenda, the Low-Income Taxpayer Clinic's national conference in Washington DC from December 14-18. Joceline Champagne will be included on a **speakers' panel** focusing on how to recruit and maintain Pro Bono volunteers.

**DOVE Project News** -- The North Country Pilot continues to take shape with preparations to serve victims of domestic violence in Coos, Carroll and Upper Grafton Counties. The coordinator has visited all site locations, meeting with agency directors, court staff and other local stakeholders. The plan is to **implement services to clients in January 2010**.

Additional news---the **annual statewide DOVE attorney training** is scheduled for Tuesday, March 16, 2010. This program will focus on issues impacting clients involved in family law cases where domestic violence is a significant factor. More info to follow in the future.

On November 9, 2009, Ginny Martin and Joceline Champagne **met at Senator Jeanne Shaheen's office** in Manchester to share information about Pro Bono's **Home Rescue Project**. In addition to several of the Senator's staff people, also in attendance were representatives from non-profit housing resource centers from around the Senator's district. The group discussed the efforts being made to help homeowners with loan modifications as well as ways to try to improve the delivery of services. The Project looks forward to keeping the lines of communication open with the members of this group and trying to work more closely with them moving forward.

## **CONTINUING LEGAL EDUCATION**

The Association's CLE Staff sent a message to the 400+ members who have yet to complete their Supreme Court Rule 53 NHMCLE requirements. Here are some of the responses. We were able to help out a number of members who are having health, financial, and other hardships.

*Thank you for the message. I just took care of this today with your help.*  
*Bob*

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*Thank you for the email. I was able to complete my CLE online last weekend and send out my package/checks for receipt tomorrow.*  
*I appreciate the email!*  
*Regards,*  
*Bill*

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*THANKS!!! I seriously need help. I have several hearings this morning and another important one this afternoon, but I will call you when I am through.*  
*I really appreciate you reaching out to me.*  
*Best regards,*  
*--K*

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*Thank you for the helpful email. I am still in the process of completing my requirements. Should I send in what I have along with my fine or wait until I've completed all of my CLE hours? This has been a tough year and I'm looking forward to finishing as soon as possible.*  
*Regards,*  
*T*

### **Very interesting:**

In October 2008 NHBA\*CLE sold 714 hours of online CLE programming. In 2009 that number was 1,082 for October. In the twelve months ending November 2008 the average user of

NHBA online seminars took 4.37 hours online....in the 12 months ending November 2009 the average user is on track for an average of 4.6 hours of online viewing. The average cost has not changed for members to take one hour of online CLE (\$40 hour) programming.

### **In other CLE news....**

The Annual Developments in the Law program chaired by Mark Weaver was held on October 30 at the Center of NH in Manchester. Approximately **290 members** were in attendance. NH Supreme Court Justice James Duggan addressed the audience in **recognizing National Pro Bono Week** and thanked members for volunteering. He also announced the proclamation from Governor John Lynch recognizing National Pro Bono Week. The program also livened up with Bernie Waugh entertaining the crowd with his fiddle in the afternoon. We sent all pre-registered an email the week of the program to announce that the Communications Department would be available to take member photos for the upcoming member directory (but especially for those who need such a photo for the Hillsborough County Security Program). Dan Wise and Craig Sander were present and took about **30 member photos**.

#### ◆ NOVEMBER

- *Nuts and Bolts* of Criminal Law – chaired by Richard Guerriero and Karen Gorham from the Hillsborough County Attorney's Office was co-sponsored by the Criminal Law Section – this program held on November 6 was well attended (**about 65**) and received excellent evaluations.
- 27<sup>th</sup> Annual Tax Forum – **numbers are running a bit higher** than last year. This is a co-sponsored program with the NH Society of CPAs and is scheduled for November 19.
- Employment Law 101 – chaired by Lucy Hodder and Julie Moore – This program is being co-sponsored with the Woman's Bar Association. There were about **75 in attendance** and the reviews were top notch.
- Fundamentals of Trust Administration – chaired by Bob Wells was well attended with about **60 registrants** on November 4. As expected, the reviews were excellent.
- LLC Basics – chaired by Matt Benson and held on November 5 received very good reviews and about **40 members** were present.

#### ◆ DECEMBER

- Complex Issues in Divorce Practice – chaired by Dave Phillips
- Elder Law – chaired by John Kitchen
- Practical Skills – chaired by Suzanne Gorman – we will be scheduling interviews for the Webster Scholar Program Client Standardization Survey. Notices went out to new attorneys for this special project.

Note: The first four programs in November are all "**Basic to Intermediate**" programs. We decided to run **video replays** in January for all four. We also offered a **November only special** for all bar members. Nine members took advantage of the "register for two programs, get the third for free."

Plans are set for the **Midyear Meeting CLE** Programming. The **Professionalism Day** Program in the morning features Egil "Bud" Krogh, a member of the Nixon Administration's Special Investigations Unit. This is a program you won't want to miss. The afternoon CLE program will be "**Ethics Encounter – The Game Show for Credit.**" Game show host is Landya McCafferty from the Attorney Discipline Office and contestants will be Russ Hilliard and Steve Gordon with lots of audience participation. Our judge for the arguments is Jennifer Sargent, a district court judge from the Upper Valley; she is a former ethics and legal writing faculty member at Vermont Law School and former public defender here in NH. I believe she also sits on the PCC screening

panel. The brochure has been printed and will be on member's desks by Thanksgiving! Early registration deadline is January 8 and **we expect to fill the Center of NH!**

The new year brings a many **video replays scheduled for January and February** (it's easier to deal with the snow when you aren't counting on faculty to arrive) and then we kick it up a notch in March, April and May with more solid programming from the CLE Committee.

Our **marketing strategy** has worked very well for all of our CLE products. The **CLE E-News** has been very well received and we continue to send **monthly mailings** to members. The mailings are very successful; CLE Director Jo Hinnendael reports that nationally, the bars that cut out direct mailings to "save money" are now experiencing huge declines in live attendance. Our experience is that the Gen X-ers respond to the electronic marketing and the "boomers"-plus respond more to the mailings.

## **Administration & IT:**

As of November 1, **Bar Dues and/or Court Fees** had been collected from all but **181** members (invoices were mailed in June). After other collection contacts were attempted, these members were sent a Delinquency Letter, which included an assessment of the \$50 delinquency fee. This compares to **182** letters sent in November 2008 and **187** letters sent in November 2007.

Work has continued and accelerated on the conversion to "The Associate" **association management software**, with significant progress being made on the Membership, Pro Bono and Lawyer Referral modules of the system. We have also been focusing on the Meetings & Events (CLE) module which, along with Accounting, rounds out the areas of the system that we have targeted for the first phase of the implementation. Once these areas are complete, we will be converting them to The Associate and increasing our focus to include Law Related Education, Subscriptions and Advertising, the areas designated for the second phase.

## **Bar Center Use**

In the 7 weeks since the October 2009 BOG meeting:

- **364** members at 24 meetings in Conference Rooms (wkly average: 73 mbrs.; 5 mtgs.)
- **81** lawyers and guests in 34 meetings in Small Meeting Rooms (wkly average: 16 mbrs; 7 mtgs)
- **6 Section meetings and 4 CLE's** in our Lower Level Seminar Room

### **Member Log-In for [www.nhbar.org](http://www.nhbar.org)**

**33** requests from members for their log-in information were filled.

## **Law Related Education:**

The LRE **Website** has been up-dated with information about the opportunity for NH schools to take part in the **Mock Trial** program through the 2010 Yale University High School Mock Trial Tournament. The Mock Trial Tournament is to be held on Saturday, February 13, 2010 at the historic Old Campus District of Yale University in New Haven, CT. After taking part in last

year's tournament, Bishop Guertin High School of Nashua, NH went on to represent NH at the National Tournament held in Atlanta, Ga.

- **We the People: The Citizen and the Constitution** – Volunteers for the Competition Season of this very popular program are vying for a position as judge. First comers are sure to get a spot on the judge's panel, others will serve in the very important role of timer. Letters of invitation have gone out to Governor Lynch and Justice Souter asking for their participation. Much preparation is in progress with a few new twists this year – an awards ceremony of sorts recognizing all the hard work of both students and teachers to cap off the District Hearings before announcing the teams who will move forward to the State Competition.
- **“A Lawyer and Judge In Every School”**- The date for the next Law Day celebration in NH has been set for Friday, May 7, 2010; more in the coming months as we await the ABA release of a theme.
- **We the People: Project Citizen** – slated to take place next year on Friday, May 14 at the Legislative Office Building. It is never too early to volunteer for a program.

**Member Services & Benefits - ...Supporting Members of the Legal Profession & Their Service to the Public and Justice System**

**Member and Public Thanks for services:**

*Thanks very much for responding so thoughtfully to my email about **getting more involved with the Bar**. I'll follow up on your suggestions. When I get myself more hooked up I'll let you know what I decided to do, just so you can know that your help made a difference.*

*Thanks so much,  
Brian McEvoy*

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***The purpose of this letter is to thank the Association for providing an avenue to resolve issues between lawyers and their clients, short of the need to file litigation.***

*In our case we had been struggling for over a year and a half to bring resolution to a matter which should have been very routine and handled with alacrity. Unfortunately, for whatever reason, this did not occur.*

*After we turned to the Bar for assistance, the matter was resolve in a matter of a few weeks. Ellen Friedman was assigned by the Dispute Resolution Committee to mediate the dispute. Her prompt and effective intervention resulted in our receipt of the documents we were attempting to receive, but unable to on our own.*

*Again, we thank the Bar and deeply appreciate the efforts of Attorney Friedman that brought this issue to a prompt and satisfying close.*

*With Gratitude, .....*

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You never know how useful your Bar ID card can be ... recently the receptionist took an early morning phone call from a member of the public. The caller indicated that he had just found a wallet which contained (along with the usual important information) a NH Bar Association ID card. He was calling to obtain the attorney's business phone number so that he could contact him in order to return the wallet. A follow-up phone call to this Massachusetts attorney confirmed that yes, indeed, the attorney had lost his wallet and the Good Samaritan had contacted him and returned it to him the same day.

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**Swearing – In Ceremonies:** December 10, 2009 will mark the **9<sup>th</sup> Swearing-In Ceremony** for 2009. A total of **301** new attorneys will have been admitted to the New Hampshire Bar Association this calendar year.

**Member ID Cards & Hillsborough South Security Pilot Program:**

Since October the New Hampshire Bar Association has been working to help members 'Goin' South' get their Photo ID NHBA membership card to in order to apply for participation in the Security Pilot program that is in place in Nashua. Efforts were made to make sure the **court data system was updated**, and **updated ID cards being sent to members** who had requested them. Several **photo opportunities** were offered to members (Manchester Bar meeting; Developments in the Law CLE) and **staff assisted the Sheriff's Department** in processing Security Access Card requests on two dates in November.

**LPM Brown Bag Lunch (BBL) Workshops:** - The first LPM BBL Workshop was held November 18<sup>th</sup>. The topic "**Year End Planning**" was presented by H&R Block representatives. Eight members signed up to attend and the overall evaluations were excellent!

**NHBA Insurance Agency enables savings** – a member was referred to the agency by the member's current agent as that agent wasn't able to secure professional liability insurance at a reasonable price (\$10,000). The agency was able to obtain coverage for the member at a cost of \$3100 – approximately \$7,000 saved for the member!

## SECTIONS

### A Bit of History and the Current Status of Sections (as of 12/2/09)

#### 1. Alternative Dispute Resolution Section (114 members including 5 subscribers)

Co-Chairs for 2009-2010 are Melinda Gehris and Ora Schwartzberg. Melinda was Chair of the Section from 2002 – 2006 and then became Co-Chair with Ora from 2006 to the present. (This Section was formed in 2001 and the only other chairperson prior to Melinda was the original chair Peter Wolfe.)

The meeting schedule for 09-10 is as follows:

June 9, 2009 – Elections were held and an update was given on the statewide project.

Sept. 9 – 1.5 hours CLE on Medicare Liens and Set Asides

Oct. 28 - 1.5 hours CLE on Arbitration in NH. In addition, the meeting included an update on ADR Alliance, the statewide joint project initiated by NH Conflict Resolution, the ADR Section of the NH Bar, and the NH judicial branch's Office of Mediation and Arbitration.

The purpose of the statewide project “is to initiate a conversation about the future direction of alternative dispute resolution in the State.”

Jan. 12, Mar. 9 and May 11 agendas TBA.

**2. Business Litigation Section (174 members including 4 subscribers)**

This Section was formed in 1989. Since 2005, the group has had little activity. The officers for 09-10, Garry Lane and Michael Ramsdell, hope to create renewed interest by Section members beginning with a Listserv discussion on the new Business Court. A meeting with new Business Court Judge Richard McNamara was held Nov. 18th at the Bar Center at which Judge McNamara invited input and comments from Section members on the new Business Court. (See the article on the meeting in the upcoming Dec. 18 issue of *Bar News*.) Also in attendance were Judge Smukler and Merrimack County Court Clerk Bill McGraw. Thirty-four Bar members attended the meeting.

**3. Children’s Law Section (67 members including 1 subscriber)**

Established in 2005, this Section has experienced some difficulties retaining at least a core group of members interested in regular meetings. Although not a strong Section as a whole, its individual members are deeply devoted to advocacy for children and sharing information related to children and the legal system. The Section did not hold elections at the end of 08-09 so last year’s officers are still in place. A meeting was recently scheduled for Dec. 17.

**4. Corporation, Banking & Business Law Section (260 members including 2 subscribers)**

In recent years, the Section has held 3-4 meetings/yr. under the co-chairmanship of Matthew Benson and Patrick Closson. Still the co-chairs for 09-10, the officers have discussed meeting plans but have yet to schedule anything. Matt Benson was involved in planning and chairing the Nov. 5<sup>th</sup> NHBA CLE on Hot Topics in LLCs.

**5. Criminal Justice Section (137 members including 1 subscriber)**

After several years of inactivity, the Section grew from approximately 108 members in 2005 to almost 250 in 2006-07 when free membership was offered to any NHBA member wishing to join the Section that year. (Section dues were increased in 06-07 from \$30 to \$40 annually and the offer of free membership in the Section was a response by then President Richard Uchida and the BOG to help keep the Criminal Justice Section alive and generate renewed interest in it by allowing practitioners to remain in or join the Section at no cost.) The following year, 07-08, although not free, membership in this Section continued to grow to approximately 300 members. But in 08-09 it slipped back again to roughly 258. And this year (09-10) its membership is further reduced to 137 members.

The Criminal Justice Section does not usually hold meetings, but they do co-sponsor two (2) criminal law CLEs with the Bar Association each year which are very well attended. The Section has never adopted any formal by-laws and has not held elections for several years.

**6. Elder Law, Estate Planning & Probate Law Section (354 members including 8 subscribers)**

This group continues to hold ten (10) monthly meetings per year (exceptions: January & July) usually on the 1<sup>st</sup> Wed of each month. A strong core group of this Section’s members attend the regular monthly meetings, averaging 20-30 attendees per month. The Listserv is also one of the most active NHBA Listservs.

Meeting dates in 09-10:

- Jun. 3, 2009 – Topic: “Staying Out of Trouble – Minimizing Risk in a Down Economy”
- Aug. 11 – Joint meeting/ice cream social with Real Property Section in Portsmouth
- Sept. 2 – Topic: NH Charitable Foundation
- Oct. 7 - Topic: Social Security Benefits Planning – Part I
- Nov. 9 – Topic: Current Health Issues in NH, Personal Health Insurance Policies, Medicare Advantage Plans, and Medicare Supplemental Insurance
- Dec. 1 – Topic: Social Security Benefits Planning – Part II
- Jan. 7, 2010 – Special meeting recently scheduled with the Tax Section to discuss the federal estate tax changes anticipated in 2010.
- Feb. 3, Mar. 3, Apr. 7 and May 5 topics TBA.

In 2001 the Section officially changed its name from the Elder Law Section to the current Elder Law, Estate Planning & Probate Law Section. “This recognized the better and more practical division of practice areas between this Section and the Real Property Section (which also changed its name from the Real Property, Probate and Trust Section.” (2001 Report of Section Activity and Accomplishments by Edward Adamsky and Ann Butenhof, Co-Chairs.)

#### **7. Environmental & Natural Resources Law Section (119 members including 3 subscribers)**

Established in 1988, for many years this Section has continued to meet on a regular basis, usually at lunch time at the Bar Center. For FY 09-10, the Section has 7 meetings scheduled as follows, all falling on the 3<sup>rd</sup> Wed. of the month:

- Sept. 16, 2009 – 1 hour CLE on Local Siting of Commercial / Residential Developments and Environmental Concerns
- Oct. 21 – Topic: Law Office Sustainability
- Nov. 18 – Meet & Greet at The Barley House, Concord (early evening event)
- Feb. 17, 2010 – possible topic: criminal enforcements (may request CLE credit)
- Mar. 17 – possible topic: the funding stimulus (may request CLE credit)
- Apr. 21 – Tentatively planned as a joint meeting with the TEU Section to be held at PSNH in Manchester.
- May 19 – Topic TBA.

#### **8. Family Law Section (383 members including 10 subscribers)**

Established in 1983, this Section celebrated its 25<sup>th</sup> anniversary in May 2008 with a party at Fratello’s in Manchester, the first of an annual social event.

An active Section for many years, this group usually holds 6 meetings/yr and prefers to hold as many CLE presentations at their meetings as possible. The 09-10 schedule is as follows:

- Sept. 22, 2009 – cancelled
- Oct. 27 – Topic: Use of Therapists in Family Law Cases. (*Application for CLE credit has been made.*)
- Nov. 20 – Panel discussion on working with GALs
- Jan. 21, 2010 – Topic: Income valuation and assessment, especially relating to the self-employed, for purposes of child support calculation.
- Mar. 11 and Apr. 14 topics TBA.

The Family Law Section Listserv is the busiest discussion list the Bar has. During FY 07-08, the leadership of the Section, after considerable discussion, decided that the Section’s Listserv was to be limited to participation by NHBA attorneys only. Section subscribers (non-NHBA

members) would continue to receive notice and be able to attend meetings, but would no longer have access to the e-mail discussion list. As then Section Chair Graham P. Chynoweth explained it, “there is a benefit to having a free flow of information on the ListServ....Allowing ‘Subscribers’ access would impact the type, content and number of the posts – to the detriment of benefit to the FLS Members of the ListServ.”

**9. Federal Practice Section (134 members, no subscribers)**

Since its formation in 1999 the FPS has generally held 2-3 meetings per year and members have been involved with NHBA CLE and the federal court in the planning of the Federal Practice Institute, which has taken place every other year.

In August 2009, the leadership of the Section had a planning session and selected three dates for Section meetings in 2009-10: Oct. 22, Feb. 10 and May 6. The October meeting, held at the US District Courthouse, was an open forum with the judicial law clerks followed by a social hour for attendees, court staff and judges. It was open to all NH Bar members and FPLC students, not just Section members, and sign-up was handled by the federal court staff. Approximately 90+ people attended. The Feb. and May meetings are also expected to be panel presentations followed by a social hour at the Rudman Courthouse.

**10. Health Law Section (67 members including 2 subscribers)**

The Health Law Section usually holds about 4 meetings/yr. In FY 09-10, they had a meeting in June and another in November. The November program on HIPAA and the HITECH Act was granted 1.5 general CLE credits. The next meeting is set for January 19, 2010. Topic TBA.

**11. Intellectual Property Law Section (92 members including 9 subscribers)**

The most recent meeting of the Section was held on Oct. 8 at Flag Hill Winery in Lee, NH. Of the 40 people who signed up, 19 were able to make it. Nevertheless, the event was a great success with a brief meeting followed by a discussion on the making of wine and an opportunity for some wine tasting.

Further meetings of the group have not yet been scheduled, but it is anticipated that they will be held off-site.

In September, the IP Section web page hosted on the FPLC website was taken down, as it had not been updated since 2005. Since the information on the FPLC site was outdated and there has been no one to maintain it, and also since each of the Bar’s Sections now has its own page hosted on the Bar’s website, it was no longer appropriate to keep the outdated web page on the Pierce Law site. We thanked Jon Cavicchi at Pierce Law for his support of the project over the years.

**12. International Law Section (45 members including 1 subscriber)**

This group continues to hold periodic lunch meetings at various host firms in Manchester and Concord. Two meetings held thus far in 09-10. One in June which qualified for 1.5 general CLE credits. The most recent meeting was held Dec. 1 at the McLane offices in Manchester. Topic: Business Immigration Issues. No other meetings dates set at this time.

**13. Labor & Employment Law Section (177 members including 3 subscribers)**

The Nov. 4 meeting hosted guest speaker Joni Esperian of the NH Human Rights Commission. Attendance was good with over 22 people. One of the original organizers of the Section, Judge Conboy has offered to hold a Section meeting at the Supreme Court. We are not sure when this will take place yet – looking at January, March or May 2010.

The Section officers also developed a brief survey seeking input from members on meeting preferences such as time, location, days, topics, etc. Survey results not yet available.

**14. Mental & Physical Disabilities Law Section (37 members, no subscribers)**

Five meetings have been set for FY 09-10:

- June 17, 2009 – General business meeting
- Oct. 7 – Topic: The Impact of the State Budget on Community Mental Health Services
- Dec. 16 – Discussion on the Mental Health Courts
- Mar. 24 and May 26, 2010 meeting topics TBA.

**15. Military Law Section (13 members including 1 subscriber)**

Relatively active with telephone meetings in the past couple of years, there has been no activity in this Section yet this year.

**16. Municipal & Governmental Law Section (184 members including 1 subscriber)**

This group continues to hold monthly meetings (10x/yr) at the Local Government Center (LGC) in Concord. The schedule set for 09-10 is as follows:

- June 17, 2009 – Topic: American Reinvestment and Recovery Act (“ARRA”)
- Sept. 9 – 1.5 hours CLE presentation: Annual Legislative Update
- Oct. 21 – Topic: Vested Rights, Modified Approvals, Violations and Revocation
- Nov. 18 – Topic: Employee Handbooks. (This session took place during the LGC’s annual conference. The Section hosted this 75-minute session of the conference.
- Dec. 9 – Topic: Annual Town Meeting Update
- Jan. 20, Feb. 17, Mar. 17, Apr. 21 and May 19, 2010 meeting topics TBA.

**17. Public Sector Law Section (20 members, no subscribers)**

Although the response to the 3-question survey in July indicated that the majority of responders think the Public Sector Section should continue, there has been no further activity in this Section since then and nothing is scheduled at this time.

**18. Real Property Law Section (500 members including 8 subscribers)**

Another very active Section, the Real Property group meets monthly. The 09-10 schedule is as follows:

- Aug. 11, 2009 – Joint meeting with Elder, Estate Planning & Probate Section in Portsmouth.
- Sept. 8 – Topics: Update on revisions to the Title Standards and a legislative update
- Oct. 13 – Discussion of the court decision in *Mansur v. Muskopf*. Meeting held at the Inns at Mill Falls in Meredith.
- Nov. 10 – Members voted on the proposed revisions to the 2009 Title Standards and recommendation to send the Standards to the BOG for adoption. Also, there was a presentation on the Comprehensive Shoreland Protection Act.
- Jan. 12, 2010 – Topic TBA.
- Feb.4 & Mar. 9 – Joint meetings scheduled with the Tax Section. At the Feb. meeting, special guest DRA Commissioner Kevin Clougherty will attend.
- Apr. 13 and May 1 – Topics TBA.

**19. Taxation Law Section (103 members including 1 subscriber)**

The Tax Section has dynamic and energetic leaders who are trying to revive broader interest and participation in the Section. More meetings are being scheduled this year than in the recent past and are being held at host firms in Manchester and Concord. So far, Sept. and Oct. meetings

were held, and a reception following the Annual Tax Forum at the Grappone Center in Nov. was hosted by the Section.

As noted above, the group has set joint meeting dates with the Elder, Estate Planning & Probate Law Section in January and the Real Property Section in February and March.

In addition, they have developed a monthly newsletter with the inaugural edition circulated in October. Attached is the December edition with further information and Section highlights.

**20. Telecommunications, Energy & Utilities Law Section (53 members, no subscribers)**

One of the smaller Sections, this group has not yet made meeting plans for 09-10.

**21. Workers' Compensation Law Section (109 members including 1 subscriber)**

The W/C group usually holds quarterly meetings. June hosted Joe Dion, Dispute Resolution Coordinator, Workers' Comp Division at the NH Dept. of Labor, and the September meeting hosted Hon. Richard Galway (ret.) who spoke about appellate practice as it relates to workers' comp. Due to scheduling conflicts, the December meeting has been postponed until January 8, 2010.



Tax Section  
Newsletter (Dec 2