

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

BOARD EDITION – December, 2011

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...

LEGAL SERVICES

LRS gathered several outdated NH Law Directories from staff and donated a copy to each NH county jail and state prison library in order to minimize the number of inmate requests for free services and other legal information. Legal Services receives several inmate letters per week.

Meeting with Federal Court on Pro Se Issues—Pro Bono met with a group organized by Dan Lynch, which is looking at pro se issues at the federal District Court in Concord. Judge Joseph Laplante and Assistant US Attorney (and former NHBA board member) Gretchen Witt are active participants. The group discussed the roles volunteer attorneys might play that would be limited in scope, such as responding to motions for summary judgment. Judge Laplante expressed concern, however, about adding to Pro Bono's workload. Participation possibilities will be vetted with the Pro Bono Board.

National ABA Pro Bono Involvement--Ginny attended the ABA's first invitation-only National Pro Bono Summit in Washington, DC and is serving on the strategic planning committee with Jim Sandman of LSC; the Chair of the ABA's Standing Committee on Pro Bono and Public Service and about a dozen other people. The group met in October and will continue the dialogue via phone conferencing. She is also serving on the committee charged with updating the ABA's Pro Bono Standards. Of note, many of the ingredients discussed as important for successful pro bono programs are things we do at NHBA Pro Bono, such as having a board devoted to pro bono program development/oversight, trained staff assigned to pro bono, mentoring and training supports for volunteer attorneys as well as varied participation options.

Pro Bono December Referral Marathons

Over a dozen attorneys volunteered to spend a few hours at the Bar Center calling on colleagues to take a Pro Bono Case. This year's marathons were scheduled on December 1st, 8th and 16th.

Pro Bono Low-Income Taxpayer Project

On December 1, 2011, the LITP held its annual volunteer training. The topic this year was "Behind the Scenes with the IRS: Resolving Tax Cases With Appeals." It was held at the Bar Center but was also available via webcast for volunteers unable to travel to Concord. The faculty included IRS representatives from both Portsmouth and Boston, as well as the Acting Local Taxpayer Advocate for the state of NH and Attorney Elizabeth Segovis from Rhode Island Legal Services. The seminar received excellent reviews, and the LITP gained several new volunteers for its *pro bono* panel. The LITP thanks the NHBA CLE and Communications departments for helping to make the program a success.

DOVE

Pam and Janice met with Mary Searles, Supreme Court Law Librarian, regarding the achievements made in 2011 under the DOVE 's Pro Hac Vice grant. We gained significant insight from Mary regarding how to effectively collaborate with public librarians. We developed plans for engaging Librarians to reach out to victims of domestic violence at the same time as the general public. Our new initiative will be to design a bookmark that will be discreet but will also serve as a reminder to victims that there is a resource for them.

We will request renewal of our current grant supporting North Country DOVE Outreach (the current funding timeframe ends December 31).

Praise for the Lawyer Referral Service An LRS panel member who is leaving to pursue an out-of-state practice expressed the following words of appreciation for the LRS program:

“Thank you for the interesting and excellent clients you sent me these last five years. My involvement in the LRS was definitely worth it, and helped me as a new attorney build my practice. I always appreciated the fact that your office does a great job screening clients so they are organized by the time I speak with them.”

COMMUNICATIONS

“overheard” in a 11/1/11 e-mail to Craig Sander from a NHBA member who also practices in Connecticut ...I must say the communications I get from the NH Bar are more frequent and more pertinent than what I get from CT. Tell everyone to keep up the good work.

Elaine Pagliaro

Greater member involvement. Each year, we publish a list of authors to Bar News to publicly thank them. Our Practice area focuses are definitely generating more articles from Bar members. This tally is all authors, but the area of growth is in members’ articles.

2011: 130 contributors to date (not even including December!!)

2010: 76 total

2009: 100 total

Non-traditional advertisers. Due to our own efforts and some referrals, the December Bar News issue features 3 non-traditional advertisers:

- 2 –page spread from Clear Channel Communications which is trading advertising with us on its 6 radio stations that cover most every demographic in NH – from Rock 101 to Kiss95.3. We are planning to use our radio ads to market Lawyer Referral Service, do public service type information spots and other uses to come.
- Year-long contract with Grace Limousine, offering members a 10 percent discount on its rates.
- Half-page ad from Sig Sauer Academy, which offers firearms training.

QR Codes. We are experimenting with new technology that is suited to mobile-phone users – QR codes are those fuzzy squares cropping up in ads and other printed material. You can use a smart-phone (with the proper app) to scan one of these boxes and it will immediately take you to a web page to, for instance, sign up for a most excellent NHBA CLE program! More uses to come as we get accustomed to this technology.

BAR CENTER USE

For the 4 weeks beginning November 14 and ending December 9, our meeting/conference rooms were used as follows:

- **306** members held **25** meetings in Conference Rooms
(wkly average: **76** mbrs.; **6** mtgs.)
- **96** Lawyers and guests held **34** meetings in Small Meeting Rooms
(wkly average: **24** mbrs; **8** mtgs)

2 CLE’s, and 2 Section meetings were held in our Lower Level Seminar Room.

Member Log-In for www.nhbar.org

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

FINANCE AND INFORMATION TECHNOLOGY

FINANCIAL REPORTING: Financial reports have been submitted through October 31, 2011 to the NHBA BOG and the November financial reports are being finalized at this time. Preparation and planning has begun for Microsoft GP Grant/Project Module implementation scheduled for January 2012. The new module will streamline the grant recordkeeping process and reduce costs associated with managing such grants. NHBA Finance Department will be administering the NHBF financial reports using Microsoft GP beginning February 1, 2012. Currently, the Director of Finance & IT is working with NHBF staff to update processes and data in preparation of the February go live.

INFORMATION TECHNOLOGY:

The Associate implementation is moving forward with the Phase 1 implementation schedule as follows: 1) Accounting 2)Membership 3)Events 4)Inventory (subscriptions) 5)Lawyer Referral 6)List Serve 7)Pro Bono.

Microsoft Dynamics Project Module will be implemented in the next two months to improve tracking and reporting of grants received. NHBA owns several of the Microsoft Dynamics modules that will be implemented over the next six months to include timecard entry, fixed assets and the project module.

An updated listing for the Courts NH attorney's directory was forwarded to Caroline Kalanges at **LexisNexis**.

A **T1** line will replace the current Comcast line for improving the submission of CLE Webcasts.

HUMAN RESOURCES: Planning for next fiscal year's benefits renewal has begun as well as preparation for supplying all NHBA staff with a complete wage and benefit report at calendar year end, produced in cooperation with NEEBCo, NHBA's benefits broker.

PUBLIC PROTECTION FUND: The PPF Committee will be meeting on December 14 to review and finalize several more claims. Letters of appreciation have been sent by claimants to the PPF for the work they do. One individual forwarded a note where the PPF funds came just at the right time when her vehicle became unusable; she was able to use the funds to repair the car.

BAR FOUNDATION

IOLTA Leadership Bank Recognition gets a SAVE!

Our program of doing extra recognition of Leadership Banks with Bar News, e-mail and publicity exposure continues with 3 done, and 2 in the works. One of those pending banks, Meredith Village Savings Bank, said it was reconsidering its offering of 2-percent (way above-market) interest on IOLTA accounts when we informed them of the upcoming recognition. After hearing about all we were going to do for them, they re-confirmed their commitment to Leadership Bank status and will continue to offer 2 percent interest on IOLTA accounts.

An article about the IOLTA program's 30-year partnership with the banking community will appear in an upcoming issue of the *NH Business Review*.

NHMCLE

As of 12/14/11, there were 51 attorneys who were non-compliant (either due to not filing the necessary documentation and/or for not having the required number of CLE credits) for 2011. We are actively contacting these attorneys with a reminder that the deadline for responding was 12/9/11. In January, a certified letter will be sent to attorneys who are still not compliant for 2011 and their names will be sent to the Court.

CONTINUING LEGAL EDUCATION

First a few quotes from some of our online evaluations:

Great, as was the phone support that informed me of this program (from a member who needed a last minute ethics credit). – from our online program Ethics with Stuart Teicher.

One of the best CLE programs I've taken. It was a great refresher for someone who has been away from the practice of family law for a year. Good presenters, relevant subject matter. -- from our online program on Basic Family Law.

One of the better CLEs I've watched. Real world application and strong speakers. Nice work all-around. -- from our online program Ethics Encounter originally offered at the MYM 2010.

Very good program. The online CLE idea is fantastic. Please keep them coming! Thank you. -- another from the Ethics Encounter online program.

The speakers were great. A fine balance of humor and relevant information. -- from our live webcast on State Securities, chaired by Alan Reische.

This was one of the most interesting, thought-provoking, and worthwhile CLE's I have ever experienced through the NH Bar. -- from our archived online program Contempt of Court offered at the MYM 2011.

On 10/20/11 an email from NHBA CLE was sent to over 400 members who were not in compliance with the Supreme Court NHMCLE Rule for reporting year 2011 (ending 6/30). We worked with many members to help them comply with the rule and on 12/2/11 another email was sent to 175 members who still were not in compliance. This is 100 more not in compliance at this time last year. The NHBA CLE Staff are working with the NHMCLE staff to reach out to these bar members before names are sent to the Supreme Court for suspension. A few situations that stood out: one member from Vermont who lost her home and office in Hurricane Irene and had been relocated temporarily and another out-of-state member who had a child diagnosed with a very serious illness. Both members were overwhelmed that we reached out to them so they wouldn't get suspended.

NHBA CLE is a great member service.

Late breaking news (see above) – we are now down to **51!**

NOVEMBER/DECEMBER 2011:

November 18 we co-sponsor the **Annual Tax Forum**, with the NH Society of CPAs, chaired by Dick Samuels. Enrollment was 131 (65+ being lawyers).

We also scheduled many **video replays across the state** for the annual **Developments in the Law CLE**. Our West Lebanon replay attracted 25 members. Our last two replays of Developments will be in February in Concord and Keene.

Our **Practical Skills** course was held on December 7 and 8, with "A Taste of the Bar" at lunchtime. NHBA-CLE also assisted with the scheduling of the client interviews with the Webster Scholar Program staff. Reviews from new members were excellent. There were about 145 attendees, half of those were "waive-ins."

We assisted the **Low-Income Taxpayer Project** with a CLE program on December 1. Around 20 members participated. Our December 2nd **DWI** program had around 77 attendees, including police prosecutors. The CLE Committee continues to work hard on scheduling the last few spring programs!

The CLE staff has continued to assist those members who are in need of credits before individuals not in compliance receive suspension notices from the Court. Members are appreciative of the outreach from the Bar Association.

Midyear Meeting programming is set for **March 7, 2012!** We are bringing two national speakers here for **MYM-Professionalism Day**...Michael Tigar and Mark Curriden. We also requested and received a subsidy (from a surplus of late fees that has built over the years) from the **NHMCLE Board** helping us to offer our **"that's incredible" pricing** again this year. We are working on a brochure that will go out to all members in the very near future. There is a two-page spread in the December issue of *Bar News*. The Bar will also be offering a one hour CLE at breakfast with the Casemaker folks.

The CLE Director is working with a planning group from the UNH School of Law to offer a free Ethics CLE program for in-house counsel in April. Dean John Broderick will be asking those in attendance to consider supporting the Campaign for Legal Services. More details next month. CLE Committee members Bob Wells and Alan Reische have been assigned to work on this program with UNH Law.

SECTIONS

December meetings:

- **Elder Law, Estate Planning & Probate – 12/14, 4-6 PM, Common Man, Concord.**
Although a guest speaker from Prudential Insurance will offer a brief presentation, the focus of this event is primarily social. The Probate judges have also been invited.
- **Joint Meeting - Real Property Law and Corporation, Banking & Business Law Sections – 12/19, 5-7 PM, The Derryfield Restaurant, Manchester.**

Other Section news:

- **Title Standards** - At the Nov 8 meeting of the **Real Property Law Section**, members approved the proposed draft revisions to the 2010 Standards, with adopted comments, and requested that they be forwarded to the NHBA Board of Governors for approval at the December Board meeting. The Section requests that the BOG adopt the 2011 revisions to the 2010 NH Title Standards to become effective December 31, 2011.
- **New Section Members** - The Practical Skills CLE, held Dec. 7 & 8 at the Grappone Conf Center in Concord, had approx 145 new member attendees. During the "Taste of the Bar" exhibitor segment, many of the newly admitted Bar members visited the Sections table, and **15** signed up right away! **Six more new members** requested further info and will likely sign up shortly. *Note: We had (and continue to have) new members who have an interest in and would like to sign up for the Criminal Justice Section. But unfortunately, that Section is inactive.*

Listserves Activity Nov 1 – 30:

- **ADR Section** – 4 postings on 3 topics.
- **Children's Law** – 7 postings on 4 topics
- **Elder Law, Estate Planning & Probate** – 151 postings on 42 topics
- **Family Law** – 332 postings on 79 topics
- **International Law** – 6 postings on 2 topics

- **Labor & Employment Law** – 4 postings on 1 topic
- **Real Property Law** – 134 postings on 34 topics
- **Telecommunications, Energy & Utilities Law** – 2 postings on 2 topics
- **Workers' Comp Section** – 5 postings on 1 topic
- The following sections had 0 postings during November: **Business Litigation; Corporation, Banking & Business Law; Criminal Justice; Federal Practice Section; Health Law; Intellectual Property; Environmental & Natural Resources Law; Mental & Physical Disabilities Law; Military Law; Public Sector Law; and Tax Law.**

EXECUTIVE & MEMBER SERVICES

COMMITTEE WORKS

New Lawyers Committee - The Bench & Bar Meet & Greet continues to be a great success in reaching out to our newest members of the Association. With 75 new lawyers participating, 17 judges, 5 members from the BOG and 8 NLC members, a grand total of 105 participants had a great time.

Ethics Committee – Attorneys with vexing questions on the interpretation of their obligations regarding ethics or the rules of professional conduct may seek answers through the Bar's Ethics Committee. The Committee regularly publishes formal opinions, either as responses to specific hypothetical inquiries or as more general discussions of issues through "Practical Ethics" opinions in *Bar News*.

Most recently, the committee has endeavored to submit short commentaries on important issues that have arisen on a regular basis. The first commentary was printed in the November issue of the *Bar News* on “Non-Compete Clauses: Safe for Lawyers?” The December issue has covered the issue of “Flat Fees: What if Client Terminates?” The Ethics Committee is working very diligently to meet the needs of members by way of sharing expertise and knowledge.

Gender Equality – The Committee looks to promote, educate, and supporting gender equity in the NHBA. The committee is planning the annual Gender Equality Breakfast in March at the Midyear Membership Meeting, and continuing to work on addressing issues identified as continuing challenges in the last Survey of the Status of Women in the Profession.

Legislation Committee - Legislation Committee will hold its first meeting December 19th at the Bar Center. It looks like it is going to be another busy year. On top of bills from last year that the committee will continue to follow this year, John MacIntosh reports that there are approximately 300 bills ready for release by the House, with many more to come based on the long LSR list.

Bar Admission Ceremonies

We had a successful reception for the 38 new admittees sworn in on December 6 at the Supreme Court. The majority were sworn in on motion and 6 by exam.

Leadership Academy

Wow, December's Judicial session was fantastic! On the panel were NH Supreme Court Associate Justice Carol Ann Conboy, NH Superior Court Chief Justice Tina L. Nadeau, NH Circuit Court Deputy Administrative Judge David King and NH Judicial Council Director Nina Gardner, with Judge Paul Moore moderating. The panel and participants discussed the new Circuit Court, asked if there were plans to reorganize the Superior Court; what

actions the Superior Court is taking to meet the on going budget cut challenges. There were also questions and discussions on the future for civil jury trials, electronic filing and what the Court system will look like in 5 years. The afternoon was alive with conversation and interaction.

This module starts with an interactive homework assignment that sets the stage for the panel discussions. Each participant must “shadow” a judge for a day prior to the December 9th session at the bar center. The shadowing involves observing hearings during the day; meeting with Court staff; and interviewing the Judge. This year Judge Moore recruited Judges Colburn, Brown, Lewis, Nicolosi, LaPointe, Boyle, Abramsom, and Moore along with Masters Garner, Foley, Luneau, and Forest volunteered to spend the day with a Leadership Academy participant.

Stay-tuned for details on January’s module, “Non-Profits”.

LAW RELATED EDUCATION

- **CIVICS IN ACTION** – the month of December will be a bit slower for Civics in Action Ambassadors with 4 Rotary presentations planned. January is shaping up to be a busy month with 5 presentations already planned and more requests coming in from Rotary Clubs looking to fill their calendar with a presentation.
- **We the People: The Citizen and the Constitution** – the 25th Anniversary District Congressional Hearings were held at the Legislative Office Building in Concord on Friday, December 9th. Sixty-five students from around the state converged at the LOB to vie for a position in the State Finals to be held the first Friday in January. A Special 25th Anniversary Awards Ceremony was held and each student received a medallion marking the occasion. Trophies were also given to the students who shined in their particular Unit of study in the “We the People” Units 1-6.
- **“A Lawyer and Judge in Every School”** - The Law Day 2012 theme, “No Courts, No Justice, No Freedom,” highlights the serious underfunding of courts across America. Law Day in NH will be celebrated on Friday, May 4, 2012.
- **We the People: Project Citizen** – New date this year for the State Showcase – Students will be hosted on Friday, June 1, 2012 for the Project Citizen State Showcase and Hearings at the Legislative Office Building in Concord.
- **Mock Trial** – the web page for Mock Trial has been updated with this year’s case and other materials and information to help NH teams prepare for the Mock Trial State Competition which will be held in Nashua in February.
- **LRE** – The “Your Guide to the NH Courts” booklet, pamphlets, and posters have been up-dated to reflect the changes that have taken place in the courts since July 1, 2011. The NHBA has offered these same materials to the Courts so that they are able to up-date their materials.