NEW HAMPSHIRE SUPREME COURT
ADVISORY COMMITTEE ON RULES

Minutes of Public Meeting of September 20, 2013

Supreme Court Courtroom
Frank Rowe Kenison Supreme Court Building
One Charles Doe Drive
Concord, NH 03301

The meeting was called to order at 12:35 pm by Justice Robert J. Lynn, Committee Chair. The following Committee members were present: Karen M. Anderson, Robert L. Chase, Hon. R. Laurence Cullen, Hon. N. William Delker, Jeanne P. Herrick, Esq., Martin P. Honigberg, Esq., Derek D. Lick, Esq. Raymond W. Taylor, Esq, and Hon. Robert J. Lynn.

Also present were Secretary to the Committee, Carolyn Koegler, Esq., Christine Damon, Staff, Abigail Albee, Esq., from the Office of the Public Defender, and Christopher Keating, Esq., Executive Director of the Judicial Council.

Justice Lynn welcomed two new members to the Committee- Honorable N. William Delker and Derek Lick, Esq. He also noted that Attorneys Albee and Keating were present at the meeting to address two issues on the agenda, and requested that the Committee consider those issues first. The Committee agreed to hear from Attorney Keating regarding items 3(e) and 3(f) on the agenda. See items 3(e) and 3(f) below for a summary of the discussion. The Committee also agreed to hear from Attorney Albee regarding an item that had not been placed on the agenda, but related to item 2(c) on the agenda, # 2010-010 (Counsel at Arraignment).

1. Approval of Minutes of June 7, 2013 Meeting

Upon motion made and seconded, the Committee voted to approve the June 7, 2013 minutes. Committee members Delker, Lick and Anderson abstained from voting, because they were not present at the June 7 meeting.

2. Status of Pending Items

a. 2007-001. Alternative Dispute Resolution

Judge Delker explained that in August Judge Nadeau had submitted to the Court a final version of the ADR Rule that had been approved by the ADR Rule subcommittee and had requested that the Court adopt the ADR Rule as a

part of the new Superior Court Rules Applicable in Civil Actions (effective Oct. 1), as Rule 32. The final version of the Rule differs from the Rule that the Committee had put out for public hearing in June, in that it incorporates the changes Judge Nadeau suggested in her May 31, 2013 letter to the Committee.

Justice Lynn explained that the Court will likely adopt the ADR Rule as a part of the new Superior Court Rules Applicable in Civil Actions prior to the October 1 effective date of the New Rules. Justice Lynn then drew the Committee's attention to subsection (f) of the rule. Subsection (f) changes the current funding mechanism, away from the rostering fee collected from the Rule 170 neutrals and a $50.00 fee from parties participating in mediation with volunteer neutrals, to a $10.00 surcharge to be added to each entry fee collected in the Superior Court for all civil cases. This change is designed to alleviate the courts of the administrative burden of collecting and tracking parties' payments of the $50.00 fee for volunteer mediation, as well as the neutrals' burden of paying $350.00 simply to be included on the court list of paid neutrals. Justice Lynn noted that because the rule changes the fee structure, Chief Justice Dalianis had written to legislative leadership to explain the reason for the change.

Ray Taylor noted that some of the changes the Committee had made to the original proposal, which are reflected in Appendix J of the June 7 Public Hearing Notice, had not been made in Judge Nadeau's most recent proposal. Carolyn Koegler agreed that she would compare Appendix J to Judge Nadeau's most recent submission, and make the necessary changes (ie to delete references to equity actions, writs of summons, etc.), so that the final version adopted by the Court would include both Judge Nadeau's changes and the changes the Committee had made.

Upon motion made by Justice Lynn and seconded, the Committee voted unanimously to recommend that the Court adopt as Rule 32 of the new Superior Court Rules applicable in Civil Actions the most recent submission by Judge Nadeau, as amended to take into consideration changes made by the Committee and reflected in Appendix J.

b. <u>District Court Rules of Civil Procedure and Probate Court Rules of Civil Procedure and Probate Administration</u>

Judge Cullen reminded the Committee that given all of the changes being made with the transition to the Circuit Court, it is not practical to recommend the adoption of rules for the district or probate division at this time.

c. 2012-010(i)&(ii) District Division Rules. Need for procedure to insure that counsel is available for indigent defendants at arraignment.

i. 2012-010 (i) District Division Criminal Rules 2.20-2.23

Justice Lynn reported that the Supreme Court has approved, but has not yet implemented, Circuit Court – District Division Criminal Rules 2.20-2.23, which set out procedures designed to insure that counsel is available for indigent defendants at arraignment. Justice Lynn explained that the District Division needs time to make sure that all of the pieces are in place before the rules are adopted and that some of the courts have been implementing the rules already. Justice Lynn explained that when the district division is ready, the Supreme Court will adopt the rules on a temporary basis and refer them to the Advisory Committee on Rules for its recommendation as to whether they should be made permanent. Justice Lynn explained that he thought that the rules should probably be in effect for 6 months before the Committee makes a recommendation, to see how well the rules are working.

Justice Lynn then provided an overview of the rules. He explained that the rules were designed to make it as easy as possible for defendants to request counsel prior to arraignment. Among other things, the rules require the bail commissioner to provide the defendant with oral and written notice that if s/he is unable to afford counsel, counsel will be appointed prior to that arraignment, if requested. The rules also require that if the defendant is found to be financially eligible, counsel shall be appointed within 24 hours from the date of the receipt of the request by the Circuit Court but not later than the filing of the complaint. The hope is that the rules will mean that there are significantly fewer cases in which a defendant is not represented by counsel at arraignment.

Justice Lynn explained that these rules were prompted by an appeal to the Supreme Court in which the defendant argued that it was unconstitutional for indigent defendants not to be provided counsel at arraignment. Although the Court did not address the issue because it concluded that the constitutional argument was moot, the Court noted in its order that the issue should be referred to the Advisory Committee on Rules. The Court believed that a rules change might be needed to maximize the potential for attorneys to be present at arraignment. A subcommittee consisting in part of Buzz Scherr, Abigail Albee and Susan Morell was formed to address this issue. The subcommittee proposed the set of rules directly to the Court, and the Court has approved the rules and will adopt them when the district division is ready to implement them throughout all of the district division courts.

ii. 2012-010 (ii). Rule of Professional Conduct 1.7 (Conflict of Interest)

The Committee agreed to add this new item to the agenda. Justice Lynn requested that Attorney Abigail Albee explain the reasons for a proposal made to the Court to amend Rule of Professional Conduct 1.7 to create an exception to the strict requirements of sections (a) and (b) of the rule that will apply only to New Hampshire Public Defender Attorneys representing criminal defendants at arraignment.

Attorney Albee explained that the proposal to amend Rule 1.7 was prompted by a difficulty that arose in connection with the pending implementation of the Circuit Court – District Division Criminal Rules 2.20 through 2.23. She explained that Rule 1.7(a) and (b) and the Supreme Court's decision in State v. Veale, 154 N.H. 730, 734 (2007) that the New Hampshire Public Defender is one firm for the purpose of conflict determinations, have caused the public defender to have to reject certain cases due to a conflict of interest. This approach has caused a substantial number of withdrawals, backlog for the courts, and delay for the clients. Without the proposed amendment to Rule 1.7, this problem would intensify under the new arraignment rules set forth in Circuit Court – District Division Criminal Rules 2.20 through 2.23. Without the amendment, Rule 1.7 would significantly inhibit the ability of the New Hampshire Public Defender to participate in implementing the new rules.

Justice Lynn noted that if section (c) were not added to Rule 1.7, the public defender would not be able to take many cases and contract or appointed counsel would need to be appointed in every circumstance in which the public defender could be deemed to have a conflict preventing its attorneys from acting as counsel at arraignment. He noted that the proposed change is driven ultimately by fiscal concerns.

Judge Delker noted that a prior version of the proposal included a provision stating that "Notwithstanding (a) and (b) above, a lawyer from the New Hampshire Public Defender program may represent a client for arraignment if that client is not: (a) an alleged victim in another case in which the client is represented by the New Hampshire Public Defender Program." He inquired why the "alleged victim" exception was deleted from the proposal. Attorney Albee explained that the public defender felt that this exception was not necessary, because in certain cases, there is less of an issue of a loyalty concern, and it made sense to give the public defender the authority to make a decision about whether there was a conflict, under the circumstances of the particular case.

Judge Delker inquired whether any thought had been given to proposing a rule that would declare that the public defender's office is not one firm for the

purposes of the conflict rules. Attorney Albee noted that the public defender's office does have chinese walls, and that as a practical matter the nine trial offices and the appellate defender are arguably separate entities. Nevertheless, the Supreme Court decision in State v. Veale holds that the public defender's office is one firm for the purposes of conflict determinations.

Judge Delker inquired whether the State v. Veale decision is based on an interpretation of the rules, in which case, the Committee could propose a rule that says that the public defender is not one firm for the purposes of the conflict rules. Justice Lynn acknowledged that this would be another way to address the problem that prompted the proposal to amend Rule 1.7. Attorney Albee noted that this was not something that the public defender's office had considered. Justice Lynn inquired whether the public defender's office had some statewide procedures that might make this difficult. Attorney Honigberg inquired whether the County Attorney's office would have to be consulted about such a proposal. Attorney Honigberg suggested that a subcommittee be formed to consider whether a broader exemption should be created that would change, by rule, the holding in Veale.

Justice Lynn inquired whether there had been any discussion about this proposal during the arraignment rules subcommittee's meetings. He noted that Susan Morrell from the AG's office was involved in this, and asked Attorney Albee whether this issue had ever been raised. Attorney Albee stated that it had not, and that this was just one of a series of problems the subcommittee had had to address in anticipation of the new arraignment rules.

After some discussion, it was agreed that a subcommittee consisting of Judge Delker and Attorneys Albee and Morrell would be formed to consider the question of whether a broader exemption should be created that would change, by rule, the result in Veale. Justice Lynn reminded the Committee that the arraignment rules have not yet been adopted, but Judge Kelly is putting the rules into effect on a pilot basis in almost all courts. Therefore, he suggested this should be a short-term subcommittee project.

d. 2012-021. Superior Court Administrative Rules. "Rules Clean-up."

It was noted that this issue had been deferred until the December meeting.

e. 2013-002. Interlocutory Appeals.

Justice Lynn reminded the Committee that the Court had requested that the Committee consider whether a rule amendment should be adopted that provides a mechanism for the trial court to certify (either on its own, or on motion, or both) that an order that would otherwise be interlocutory is final and immediately appealable. Justice Lynn noted that Federal Rule of Civil

Procedure 54(b) allows a judge to certify an order as a final order. The Circuit Court can still decline to hear the appeal, but at least there is a mechanism for appeal. It was noted that Attorney Ardinger's subcommittee is addressing this.

f. 2013-003. Supreme Court Rules 37 and 37-A. Attorney Discipline.

Jeanne Herrick reported that the subcommittee has met, and that members have their assignments. She noted that listed as item 3(c) (#2013-014) on today's agenda is a request by the Court that the Committee consider whether to recommend a rule amendment regarding the use and effect of stipulations in attorney discipline proceedings. She suggested, and the Committee agreed, that item #2013-014 should be consolidated with item #2013-003 and that the issue be considered by the same subcommittee.

g. 2013-007. New Superior Court Civil Rules.

Carolyn Koegler referred the Committee to the August 15 memorandum to the Court and the Committee from the subcommittee consisting of attorneys Honigberg and Slawsky. She reminded the Committee that in June the Committee had considered a May 28 memorandum in which the Court asked the Committee to consider a number of issues related to the new Superior Court Civil Rules (effective October 1, 2013). In June, the Committee agreed to refer the memorandum to the subcommittee that worked on the new Superior Court Civil rules comprised of Attorneys Honigberg, Slawsky and Kirkland.

Following the June meeting, it became clear that attorney Kirkland would not be available to work on this project until sometime in the fall. Attorneys Honigberg and Slawsky agreed that because the issues should be addressed as soon as possible, the subcommittee should proceed without attorney Kirkland's participation. The subcommittee worked with Carolyn Koegler over the summer to address the issues raised in the May 28 memorandum. The subcommittee's August 15 memorandum summarizes the subcommittee's recommendations regarding each of the issues. The August 15 memo was addressed to both the Court and the Committee at the same time due to concerns about the timing of the next Committee meeting and the effective date of the new rules.

According to the memo, it was the subcommittee's recommendation that certain non-substantive changes be made prior to the effective date of the new rules, while other, substantive recommendations be referred back to the Committee for further consideration. Carolyn Koegler explained that the Court had reviewed the memorandum and had decided to adopt only two of the changes recommended by the subcommittee prior to the effective date of the new rules. She stated that the Court would soon issue an order adopting Rules 32 (ADR), 33 (Arbitration by Agreement), 34 (judge conducted intensive mediation) and 201 (fees) and amending Rules 9 and 39 of the Rules of the

Superior Court of the State of New Hampshire Applicable in Civil Actions. Therefore, almost all of the subcommittee's recommendations set forth in the August 15 memorandum are still pending before the Committee. Justice Lynn explained that the Court did not want to make major changes to the rules now, but that it had made a change to Rule 9(e) to make the rule substantively consistent with the existing superior court rule. Ray Taylor inquired whether the Court would be deleting subsection (c) of Rule 39 which requires the filing of a final civil action disposition sheet. Carolyn Koegler confirmed that this change would be made.

Derek Lick stated that he would like the Committee to consider whether the deadline to file an Answer should be extended. He notes that the new rule (like the PAD Rules) requires that an Answer be filed within 30 days of service, and that he has had to file 3 motions to extend the deadline to file an Answer. He stated that in federal court, the deadline is 60 days.

h. 2013-009. Filing Motions Under Seal.

Carolyn Koegler reminded the Committee that it had directed her to draft rules for the trial courts similar to Supreme Court Rule 12(2)(b) to address how a party may go about requesting that the court seal a case record or portion of a case record. She explained that the draft rules are set forth in her September 12, 2013 memorandum to the Committee.

Upon motion made by Ray Taylor and seconded by Judge Lynn, the Committee voted to put the proposals to amend Rule 12 of the Superior Court of the State of New Hampshire Applicable in Civil Actions, Rule 1.8 of the Rules of the Circuit Court of the State of New Hampshire-District Division, Rule 58-B of the Rules of the Circuit Court of the State of New Hampshire-Probate Division, and Rule 1.26 of the Rules of the Circuit Court of the State of New Hampshire – Family Division out for public hearing in December.

i. 2013-010. ABA Commission on Ethics.

Carolyn Koegler reported that at the June meeting, the Committee had directed her to forward a March 1, 2013 letter from the ABA Center on Professional Responsibility "encourag[ing] Supreme Courts and State Bar Associations to review their rules of professional conduct, regulation and admission to the bar as a result of the recent revisions to the ABA Model Rules" to the Ethics Committee of the NH Bar Association. Carolyn reported that she had done so, and that she had recently been copied on an email from Rolf Goodwin of the Ethics Committee to President of the Bar Rancourt, requesting that the Board of Governors review the recommendation of the Ethics Committee and offer its opinion on the recommendations, but that she had heard nothing further.

The Committee directed Carolyn Koegler to ask Attorney Rancourt about the status of this item.

j. 2013-011. Superior Court Rule 14. Proposed Continuity of Counsel Rule.

Justice Lynn reminded the Committee that Chief Justice Nadeau had submitted a proposal to the Committee to change the rules regarding appointment of counsel in the Superior Court to provide that once an appointment has been made in the Circuit Court, that appointment should continue throughout any appeal to the superior court. In June, the Committee had asked Carolyn Koegler to forward the proposed amendment to Attorney Christopher Keating and to the Attorney General's Office and to request comment on the proposal. Both Attorney Keating, Executive Director of the Judicial Council, and Attorney Rice of the Attorney General's office support the proposed amendment, although Attorney Rice suggests one minor language change.

Upon motion made and seconded, the Committee voted unanimously to put the proposal out for public hearing in December.

k. 2012-012. IOLTA and Title Companies

The Committee was reminded that a subcommittee had submitted a proposal to amend Supreme Court Rules 50 and 50-A to include title companies owned or operated by attorneys in the mandatory IOLTA program. The Committee had put the proposal out for public hearing in December. Following the June meeting, Justice Lynn asked Carolyn Koegler to update the Court about the pending proposal. Clerk Eileen Fox raised some concerns about the proposal, and Justice Lynn asked Carolyn Koegler to forward the proposal to Janet DeVito and Craig Calaman of the Attorney Discipline Office for their review and comment. Clerk Fox's concerns, related to the language used in the proposal to amend Supreme Court Rule 50-A ("Certification Requirement"), are set forth in a September 18, 2013 memo from Carolyn Koegler to the Committee. Comments from the Attorney Discipline Office, related to Supreme Court Rule 50-A, are set forth in a September 13 letter to Carolyn Koegler.

Justice Lynn noted that the issue of whether title companies owned or operated by attorneys should be included in the mandatory IOLTA program is a controversial one. One Committee member suggested that it might make sense for the Committee to invite Herbert Cooper, the Chair of the subcommittee that submitted the proposal, and a representative from the Attorney Discipline Office, to the public hearing in December. Justice Lynn noted that it might make sense to also include someone from the subcommittee who did not agree with the proposal. The Committee asked Carolyn Koegler to invite Attorney

Herbert Cooper and one other member of the subcommittee, Attorney Janet Devito and/or Craig Calaman to attend the public hearing in December.

3. New Submissions

a. 2013-012. Protocol for In-Camera Review of Documents.

Carolyn Koegler reminded the Committee that this item is related to item # 2012-008. The Committee had put out for public hearing in June a proposed protocol for in-camera review, forms related to the protocol and a proposed amendment to Supreme Court Rule 57-A. One of the comments the Committee received regarding the protocol was submitted by a June 6 letter from Attorney Jeffrey Kaye. Attorney Kaye was concerned about the protocol as applied in criminal cases. He argued that defense counsel in criminal cases should be permitted to review the in-camera documents with the Court and the prosecution present, to determine whether the documents might be considered exculpatory.

The Committee voted in June to recommend that the Supreme Court adopt the protocol, related forms and the proposed amendment to Supreme Court Rule 57-A. However, the Committee also agreed that it would be a good idea to research the issue raised by Attorney Kaye. Representative Berch agreed to research the issue of how other jurisdictions have addressed the argument that counsel for a criminal defendant should be permitted to review, with the court, documents submitted for in-camera review. Because Representative Berch was not present at the meeting, the Committee took no action on this item.

b. 2013-013. Deadlines for Filing Motions to Suppress.

Justice Lynn explained that the Court has asked the Committee to consider whether the Court should adopt a rule creating a deadline for motions to suppress in Circuit Court cases, including delinquency cases. This issue arose in a case in which, in the middle of a hearing, a police officer was going to testify, and the juvenile moved to suppress the testimony. The juvenile's motion was denied. One of the issues on appeal was the issue of whether there should be a requirement that motions to suppress be made in advance of trial. Justice Lynn explained that his inclination is that there should be such a rule. Judge Cullen noted that it might make sense for a subcommittee comprised, in part of a Circuit Court Judge and Pat Ryan, to address this issue. Judge Lynn suggested that he might be able to draft a proposed rule to circulate to the Committee by email. He noted that it would make sense to ask the public defender and a district court prosecutor to comment on the draft.

Jeanne Herrick noted that there are a lot of issues in these juvenile cases because of the tight time frame. She observed that if the motion is filed ahead

of time, there would probably have to be a mini-hearing on the motion prior to the trial. She also noted that because circuit court judges come from different backgrounds, they may not have a lot of experience in dealing with these kinds of issues, so that it would be a good idea to have a rule and a practice in place about how to address these kinds of situations. She stated that one way to address the timing problem is to have the juvenile file a Notice of Intent to move to suppress.

After some discussion, it was agreed that Justice Lynn would draft a proposed rule.

c. 2013-014. Supreme Court Rule 37A. Use and effect of stipulations in attorney discipline proceedings.

The Committee was reminded that this issue has been consolidated with item #2013-003 and was referred to the subcommittee chaired by Jeanne Herrick.

d. 2013-015. Family Division Rule 3.11. Withdrawal of court-appointed counsel in abuse and neglect cases.

The Committee considered the proposal made in the July 26 letter from Judge Kelly to Justice Lynn, in which Judge Kelly proposes an amendment to Circuit Court-Family Division Rule 3.11. The letter states, in relevant part:

> The current version of Family Division Rule 3.11 provides that the appearance of court appointed counsel in CHINS and Delinquency cases is deemed withdrawn thirty (30) days after the dispositional hearing, unless the court otherwise orders representation to continue and states the specific duration and purpose of the continued representation. Given the recent amendment to RSA 169-C which now requires the appointment of counsel for parents accused of abuse or neglect and for-non accused parents in limited circumstances, we believe it would be helpful in our enforcement of Supreme Court Rule 48's limitation on fees for counsel in these cases, to amend Rule 3.11 to include Abuse and Neglect cases.

Jeanne Herrick stated that the relevant statute, RSA 169-C:10, may preclude such a rule change. She noted that the statute says, "In any case of neglect or abuse brought pursuant to this chapter, the court shall appoint an attorney to represent an indigent parent alleged to have neglected or abused his or her child. . . ." Given the language, "court shall appoint," it is not clear that the Court has the authority to adopt a rule that says that the appearance of court appointed counsel will be deemed withdrawn 30 days after the dispositional hearing.

Justice Lynn suggested that the proposal be put out for public hearing as is in December. He also notes that this issue is related to the issues raised by Attorney Keating in his September 3, 2013 email to Carolyn Koegler. In his email, Attorney Keating proposes amendments to Supreme Court Rules 47(3), 48(2) and (3) and 47-A(3). Justice Lynn proposes putting Judge Kelly's proposal out for public hearing, along with Attorney Keating's proposals. Jeanne Herrick noted that it is important to try to understand what these changes would mean for the system, and what the financial impact would be.

One Committee member suggested that it might make sense to ask Attorney Keating to address the Committee at the public hearing in December. Another Committee member suggested that it also would make sense to ask Judge Kelly or a representative to attend the meeting in December to provide more information about this issue. In particular, the Committee would like to understand what the standard procedure would be if it were to adopt the rule proposed by Judge Kelly. If counsel is in the case only until the dispositional hearing, then what happens after that? If counsel comes back in, is this a "new case," for reimbursement purposes? One committee member noted that it probably makes sense to have counsel for the entire length of the litigation. If counsel is to remain counsel for the length of the litgation, then it might make sense to increase the fee cap.

Upon motion made by Attorney Honigberg and seconded by attorney Taylor, the Committee voted to put Judge Kelly's proposal to amend Circuit Court-District Division Rule 3.11, and attorney Keating's proposals to amend Supreme Court Rules 47, 48 and 48-A out for public hearing in December. The Committee directed Carolyn Koegler to invite Attorney Keating and Judge Kelly, or a representative, to attend the public hearing.

e. <u>2013-016. Supreme Court Rules 47(3), 48(3) and 48-A(3). Calculation of mileage reimbursement and fee caps for attorneys or guardians ad litem seeking reimbursement for his or her efforts on behalf of criminal defendants or parents or juveniles in child protection matters.</u>

Attorney Keating was present at the meeting and spoke in support of his proposal to modify the rules to clarify that mileage expenses are separate from the fee caps when a lawyer or guardian ad litem seeks reimbursement for his or her efforts on behalf of a criminal defendant or a parent or juvenile in a child protection matter. He explained that it has been the long-time practice of the Judicial Council to treat mileage expenses as part of the fee cap. He notes that when the Supreme Court reimburses attorneys for work done on appeals, it reimburses mileage separately from the calculation of the fee cap. The Judicial Council would like to follow this approach, but would like to have the relevant rules modified to authorize this. He explained that in the past the Judicial Council's approach has not caused much of a problem because the fee caps

were not being strictly enforced. However, now that the fee cap is being enforced, people feel that they are really being "nickel and dimed," which is what has prompted this request.

Justice Lynn inquired how much more money it would cost if the rules were modified in this way. Attorney Keating explained that it would probably only total about $4000, but that this can make a difference for people doing this work.

f. 2013-017. Supreme Court Rule 48(2). Reimbursement of attorneys for working on behalf of parents in child protection matters for attending periodic review hearings held in the normal course of a case in the Family Division.

Attorney Keating explained that he views this request as merely a housekeeping matter. He notes that the schedule in the rules governing the reimbursement of attorneys for work on behalf of parents in child protection matters does not contain a provision allowing for the payment of attorneys to attend the periodic review hearings held in the normal course of a case in the Family Division. He proposes that Supreme court Rule 48(2) (i) be amended as follows (new material is in **[bold and in brackets]**), "Maximum fee for court review hearings of juvenile cases pursuant to 169-B**[, C]**, and D: $300."

g. 2013-018. Fees.

Justice Lynn explained that the Supreme Court had, by Order dated June 26, 2013, adopted amendments to court rules increasing the fees charged in the New Hampshire Supreme Court and in the New Hampshire trial courts. The increased fees are intended to provide additional funds to the judicial branch information technology fund for the maintenance of the technology related to the New Hampshire e-Court project. He noted that the Court had referred the amendments to the Advisory Committee on Rules for its recommendation as to whether they should be adopted on a permanent basis.

Upon motion made by Justice Lynn and seconded by attorney Taylor the Committee unanimously voted to put this out for public hearing in December

4. Meeting Dates

December 13, 2013
March 14, 2014
June 20, 2014
September 19, 2014
December 12, 2014