

I. INTRODUCTION

Good afternoon, I am Jim Bassett from Canterbury. Before I begin my brief remarks this afternoon, I would like to introduce the members of my family who could join me here today: my wife, Ellen, and two of our three children, Hannah and Johnny.

It is a testament to the depth and quality of the Bar and Bench in our State that there are many who could be sitting before you today who are equally well-qualified to be on the New Hampshire Supreme Court. There are many, including several in this room, who would clearly serve the Court with great distinction. Accordingly, I realize that I am very fortunate that Governor Lynch has chosen to nominate me. That said, I am confident that I can do the job well, and I will do my best to earn your confidence and your support.

This is an unusual moment for me: I am unaccustomed to being the center of attention or dwelling upon my accomplishments. Nonetheless, I am looking forward to the opportunity to speak with you today because you and the citizens of New Hampshire are entitled to examine my background and my record as a lawyer and member of my community, and I have an obligation to explain who I am, why I have sought this position, and why, if I were to be confirmed, I would make a valuable contribution to the Court, and to the justice system in New Hampshire.

II. FAMILY AND EDUCATIONAL BACKGROUND

I grew up in Connecticut, attended public high school, and graduated from Dartmouth College in 1978. I attended the University of Virginia Law School, graduating in 1982. During the summer of 1980, I returned to Hanover to build hiking trails. It was at that time that I met my wife, Ellen, who was then a student at Dartmouth Medical School. We were married in 1983; in June, we will be celebrating our 29th wedding anniversary. We moved to Canterbury in 1985, and we have been very fortunate to raise our children in that great community.

We have three children, Jesse, a 2011 graduate of Worcester Polytechnic Institute, who now works at BAE in Hudson; Johnny, who will graduate from Harvard next Thursday; and Hannah, who has just completed her sophomore year at Tufts. Jesse graduated from Shaker Regional High School; Johnny and Hannah are graduates of Bishop Brady High School in Concord. Ellen stayed at home with our children as they grew up, but she has returned to practicing medicine, and she now is the Medical Director of the Hospice Program for the Visiting Nurses Association, here in Concord.

III. MY LEGAL PRACTICE

After I graduated from the University of Virginia in 1982, I spent a year clerking for the Chief Judge of the Federal District Court in Boston, Judge Andrew Caffrey. In 1984, I joined the firm of Hale & Dorr, one of the largest law firms in Boston.

While I enjoyed working in Boston, Ellen and I decided that we wanted to return to New Hampshire to raise our family. Consequently, in the summer of 1985, we moved to Canterbury. Ellen began work in private practice, and I joined Orr & Reno as a litigation associate. In 27 years at Orr & Reno, the last 23 of which have been as a shareholder and director, I have had extraordinary opportunities and have had the privilege of learning from, and practicing with, some of the finest attorneys in New Hampshire.

I have had a very diverse practice, and, like many lawyers during the past 30 years, I have refocused many times: for a decade, virtually all of my work was in the area of medical malpractice defense. However, during the last 15 years, my practice has been much more diverse: I have had an active trial practice in both the state and federal courts, with a concentration in complex civil litigation, often involving the First Amendment, the New Hampshire Right to Know Law, or other constitutional issues. I have tried more than twenty

cases, before juries as well as judges, and argued dozens of cases before the New Hampshire Supreme Court and at the First Circuit Court of Appeals in Boston. I have served as counsel in many cases presenting important constitutional issues. For example, when Senator Ayotte was serving as Attorney General, her office asked me to represent the Senate President and the Speaker of the House in a case that presented major issues involving the Right to Know Law and involving the separation of powers between the legislature and the courts. In addition, over many years I have represented media organizations in their effort to make government more open and accountable. In 2002, I represented Channel 9 in both the trial court and before the Supreme Court in the *Petition of WMUR* case, which established the important presumption that cameras should be permitted in the courtroom. I have found the constitutional work that I have done to be particularly interesting and gratifying, and I would welcome the opportunity to analyze those issues as a member of the Court.

IV. COMMUNITY INVOLVEMENT

In addition to our work and family responsibilities, both Ellen and I have been very involved in our community. Both my mother and father served on non-profit boards as I was growing up, and they instilled in me a deep belief that I needed to give back to my community. In fact, my 86-year old mother's dedication to her non-profit work continues to this day - she told me that she could not attend the hearing this afternoon because she is teaching a class at a local hospital.

In the Town of Canterbury, I began serving on the Planning Board in the late 1980's and served for 15 years, often as Chair. I was twice elected to the Canterbury Board of Selectmen, and I served as Chairman for several years. Since 2006, I have been a member of the Town's Conservation Commission.

I am currently a member of the Board at the Friends of Norris Cotton Cancer Center in Lebanon, and I am also a member of the Leadership Council at the New Hampshire Campaign for Legal Services. Of particular importance to me has been my involvement over many years with Granite United Way, including as Chair of the annual campaign in Merrimack County in 2009-2010. I also was a soccer coach as our kids were growing up.

**V. WHY DO I BELIEVE THAT I COULD SERVE
THE STATE WELL IF CONFIRMED?**

Having represented clients in the courts of New Hampshire for almost 30 years, I am aware that every case that comes before the Supreme Court, whether it be a constitutional dispute, a dispute between neighbors or businesses, or a custody or divorce case, is of tremendous importance to the individuals involved. A timely, respectful, fair and legally sound resolution of issues before the Court is fundamental to the proper functioning of our government and society and is essential to the delivery of justice. All cases require and deserve thoughtful resolution by the best and most impartial judges that our system can provide.

I believe that I have the necessary combination of personal and professional experience, judgment, intellectual curiosity, energy, and enthusiasm to ably discharge the responsibilities of a justice on the New Hampshire Supreme Court. Grappling with complex issues of law and justice, and researching and writing briefs have long been among the most satisfying aspects of my practice. I have always enjoyed presenting oral arguments at the Supreme Court, and, if confirmed, I would look forward to asking the questions rather than answering them.

It is important to have the perspective of experienced trial judges on the Supreme Court, and that perspective is well represented by the Justices presently sitting. Many of the issues on appeal require a full appreciation of the dynamics and realities of pretrial practice and of the trial itself, as well as the practical challenges of representing clients in that environment. Trial court

rulings on pretrial issues and on evidentiary issues often have a critical impact on the outcome of a case. A Justice with recent and extensive experience as trial counsel would serve the Court well by providing a “fresh from the trenches” perspective. I can provide that viewpoint.

In addition, my experience during more than 20 years as a member of the Select and Planning Boards in Canterbury has given me a very valuable perspective on local government. I have spent many long evenings immersed in land use issues and managing town government, giving me an insight that is otherwise hard to attain. After all, local government is where the “rubber meets the road,” in other words, where the citizens of our State most often interact with their government.

VI. CLOSING

In sum, during 30 years of practicing law, I have had exposure to a broad range of issues through my representation of individuals, landowners, physicians and hospitals, divorcing spouses, the media, municipalities and businesses. For more than 25 years, I have tried to serve my community, not only through service on non-profit boards, but through many years as an elected local official.

I am honored to have been nominated by the Governor for a position on the New Hampshire Supreme Court. If confirmed, I believe that my training, professional experience, and my personal background would enable me to serve the State well, and I would look forward to doing so. I hope that I can earn your support. I welcome your questions.