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**ATTORNEY GENERAL**  
**DEPARTMENT OF JUSTICE**

33 CAPITOL STREET  
CONCORD, NEW HAMPSHIRE 03301-6397

GORDON J. MACDONALD  
ATTORNEY GENERAL



JANE E. YOUNG  
DEPUTY ATTORNEY GENERAL

November 26, 2019

His Excellency, Governor Christopher T. Sununu  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

Your Excellency and Members of the Council:

**REQUESTED ACTION**

1. That approval be and hereby is given to the Attorney General to grant a salary increase to Erik P. Bal, as an Attorney (Position #9U360, Appropriation #02-20-20-201010-2620-013-500132) from a salary level of \$62,500 to a salary level of \$66,000 retroactive to July 1, 2019 upon Governor and Executive Council approval.
2. Upon approval of Requested Action #1 above, it is further requested that approval be granted and hereby is given to the Attorney General to appoint Erik P. Bal, (Position #9U360, Appropriation #02-20-20-201010-2620-013-500132) as an Assistant Attorney General at a salary level of \$69,000, effective upon Governor and Executive Council approval or January 3, 2020, whichever is later, for a term ending December 6, 2020.

**EXPLANATION**

In accordance with the 2001 N.H. Laws Chapter 158, Section 101, and 2018 N.H. Laws Chapter 162, Section 14, this request seeks your approval to grant a salary increase for Attorney Erik P. Bal. **Requested Action #1** of this item is **retroactive** because funds in the Fiscal Year 2020-2021 biennium budget were not available to submit this request prior to July 1, 2019.

RSA 94:1-a(I)(c)(3) provides that designation of positions, salary levels, and salary increases for attorneys at the Department of Justice shall be determined by the Attorney General, subject to approval of the Governor and Council, within appropriations made to the Department of Justice.


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**Requested Action #2** seeks authorization to move Mr. Bal from the status of Attorney to that of Assistant Attorney General, with a term effective upon Governor and Executive Council approval, or January 3, 2020, whichever is later, for a term ending December 6, 2020. The annual salary increase, from \$66,000 to \$69,000, effective that same date, is warranted and justified based on the experience garnered by Mr. Bal during his tenure in our office.

Mr. Bal is a resident of Hampton Falls. He received his law degree from the University of Minnesota Law School in 2015. Mr. Bal worked as a Fellow at the Minnesota Court of Appeals for Judge Louise Dovre Bjorkman in St. Paul, Minnesota. From November 2015 through October 2018 he was an associate at Rice, Michels & Walther LLP in Minneapolis, Minnesota. Mr. Bal joined the Department of Justice in December 2018 as a litigator and client counselor in the Civil Bureau. His salary will increase by \$6,500, from \$62,500 to \$69,000. I will continue his assignment in the Civil Bureau.

I am very pleased to offer Mr. Bal's appointment as an Assistant Attorney General at the above-referenced salary for your approval. I respectfully urge your favorable consideration. Thank you.

Respectfully submitted,

  
Gordon J. MacDonald  
Attorney General

#2561137

## ERIK BAL

### EDUCATION

University of Minnesota Law School, Minneapolis, MN

J.D., concentration in Labor & Employment Law, 2015

*Managing Editor, ABA Journal of Labor & Employment Law*

*Honors:* Minnesota Justice Foundation Public Service Award, 2015; Dean's List, 2014-2015; Dean's List, 2012-2013

*Activities:* Fighting Mondales Hockey Club: Captain

Office of Admissions: Head Student Ambassador

University of Minnesota, Minneapolis, MN

B.A., Political Science, June 2006

### LEGAL EXPERIENCE

*Attorney, New Hampshire Department of Justice – Office of the Attorney General, Concord, NH, December 2018 – Present*

- Advise XX State agencies and boards on legal issues including interpretation of statutory authority, responses to Right to Know requests, personnel issues, and review and approval of contracts.
- Draft pleadings and represent agencies in hearings before the Personnel Appeals Board.
- Compose petitions, prepare witnesses, and advocate on behalf of State employees and contractors in Involuntary Commitment and Guardianship proceedings.

*Associate, Rice, Michels & Walther LLP, Minneapolis, MN, November 2015 – October 2018*

- Serve as general counsel for an independent board of municipal government, including drafting ordinances, construction contracts, and appeal of \$1.2 million deobligation of Public Assistance funds by the Federal Emergency Management Agency.
- Advocate interests of Union members through representation of grievants in disciplinary proceedings including arbitration and drafting an amicus curae brief to the Minnesota Supreme Court advocating Union's interest.
- Protect pensions of volunteer firefighters by drafting amendments to the Relief Association's Retirement Benefit Plan, defend amendments through litigation, negotiate and implement settlement agreement that provides an additional \$1,000 per year of service pension benefit and \$250 per year of service severance pay to each member.

*Fellow, Minnesota Court of Appeals – Judge Louise Dovre Bjorkman, St. Paul, MN, September 2015 – October 2015*

- Review evidentiary record and parties' briefs and conduct relevant legal research.
- Draft bench memorandum to three-judge panel regarding case.
- Prepare initial draft of court's opinion.

*Student Volunteer, National Labor Relations Board Region 18, Minneapolis, MN, September 2014 – December 2014*

- Investigate Unfair Labor Practice charges against Employers and Unions by taking affidavits, reviewing documentary evidence, and researching relevant case law.
- Make written merit decision recommendations to the Regional Director.
- Orally defend my recommendations to the Regional Director and Supervisory Attorney.

*Supplemental Instructor, Professor Daniel Schwarcz, University of Minnesota Law School, Fall 2013/2014*

- Prepare and lead biweekly supplemental lesson plans for 1L Contracts class.
- Meet with Professor to discuss class progress, difficulties, and concerns.
- Work with students individually and in small groups to develop and deepen understanding of course material.

*Law Clerk, Education Minnesota, St. Paul, MN, April 2014 – August 2014*

- Research and draft a breach of contract complaint and duty of fair representation motion to dismiss.
- Research case law and arbitration decisions regarding implied just cause provisions, employee eligibility under the American with Disabilities Act, and reasonable accommodations in preparation for grievance proceedings.
- Draft appeals of Long Term Disability claim denials.

*Supplemental Instructor, Professor June Carbone, University of Minnesota Law School, Spring 2014*

- Duties similar to those described above for 1L Property class.

*Research Assistant, Professor Stephen Befort, University of Minnesota Law School, Summer 2013*

- Research recent developments in the field of Employment Law.
- Write and edit eight chapters of the pocket part update of the Minnesota Practice Series Employment Law and Practice Guide.
- Cite check five chapters of the casebook *ADR in the Workplace*.