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STATE OF NEW HAMPSHIRE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION FOR BEHAVIORAL HEALTH

Jeffrey A. Meyers
Commissioner

Katja S. Fox
Director

129 PLEASANT STREET, CONCORD, NH 03301
603-271-9544 1-800-852-3345 Ext. 9544
Fax: 603-271-4332 TDD Access: 1-800-735-2964

March 13, 2017

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

REQUESTED ACTION

Authorize the Department of Health and Human Services, Division for Behavioral Health, Bureau of Mental Health Services to establish a consultant list of six (6) Attorneys and enter into agreements with them as necessary to provide legally required representation for certain individuals admitted to New Hampshire Hospital at a price not to exceed \$60,800.00 effective July 1, 2017 or upon Governor and Executive Council approval, whichever is later, through June 30, 2019. 100% General Funds

Funds to support this request are anticipated to be available in State Fiscal Years 2018 and 2019 upon the availability and continued appropriation of funds in the future operating budgets, with the authority to adjust encumbrances between state fiscal years through the Budget Office without Governor and Executive Council approval, if needed and justified.

05-95-92-922010-4115 HEALTH AND SOCIAL SERVICES, DEPT. OF HEALTH AND HUMAN SVCS, HHS: BEHAVIORAL HEALTH – DIV OF, BUREAU OF MENTAL HEALTH SERVICES, COMMITMENT COSTS

Fiscal Year	Class/Object	Class Title	Activity Code	Amount
2018	108-500751	Provider Payments – Legal Services	92127003	\$30,400
2019	108-500751	Provider Payments – Legal Services	92127003	\$30,400
			TOTAL	\$60,800

EXPLANATION

Individuals subject to revocation of conditional discharge, emergency medication administration, or emergency transfer to the New Hampshire Hospital's Secure Psychiatric Unit have a constitutional right to legal counsel at such hearings or upon readmission to New Hampshire Hospital as provided in New Hampshire RSA 135-C:52, He-M 609, He-M 306 and He-M 311. These hearings occur sporadically on short notice making it difficult to have the services available of a single Attorney at a specific time or to budget specific amounts for contracts with individual Attorneys. The establishment of a list of available Attorneys along with authorization to engage them as required to provide services will ensure the availability of legal counsel to individuals so entitled.

The Bureau of Mental Health Services seeks approval of the attached list of Attorneys to provide legal representation for the following services:

1. Hearings appealing the revocation of his/her conditional discharge in accordance with RSA 135-C:52; He-M 609;
2. Hearings to obtain an emergency forty five (45) day order to administer medications involuntarily in accordance with He-M 306; and
3. Hearings for emergency transfer to the Secure Psychiatric Unit in accordance with He-M 311.

The Bureau of Mental Health Services utilizes these six (6) Attorneys to provide the services listed above and has been satisfied with the services provided. A list of the Attorneys and their resumes are attached. The rate of reimbursement for this service was set by the Bureau of Mental Health Services to be paid on a per hour rate established by the New Hampshire Supreme Court in indigent defense cases. The rate will continue to be \$60.00 per hour with a maximum payment of \$300.00 per case.

Area served: statewide.

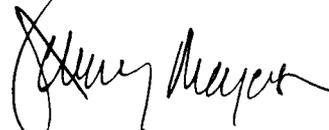
Source of funds: 100% General Funds

Respectfully submitted,



Katja S. Fox
Director

Approved by:



Jeffrey A. Meyers
Commissioner

BUREAU OF MENTAL HEALTH SERVICES
ATTORNEYS
SFY 2018 and SFY 2019

Providing legal representation for:

- Appeal hearings for conditional discharge revocations
- Hearings to obtain emergency 45 day order to administer medication
- Hearings for emergency transfer to the Secure Psychiatric Unit

Rate: \$60 per hour with a \$300 cap per case.

Funding: 05-95-92-922010-41150000-108-500751

Lauren S. Vallari Concord, NH 03301 Vendor #: 164385 B001	Charles G. Glover Concord, NH 03301 Vendor #: 163579 B001 charles@gloversq.com
Earl Carrel Backus, Meyer & Branch, LLP 116 Lowell Street Manchester, NH 03105 Vendor #: 174182 R001 ecarrel@backusmeyer.com	Amy Davidson PO Box 625 Contoocook, NH 03229 Vendor #: 159722 B001
Richard Anderson PO Box 4 New London, NH 03257 Vendor # 164436 B001	Ellen Purcell Portsmouth, NH 03801 Vendor #: 218300 B001 epurcell@purcelllawnh.com

Phone (603)

Fax (603)

LAUREN S. VALLARI, ESQUIRE

Education

University of New Hampshire School of Law Concord, NH
J.D., May, 1986. Admitted to New Hampshire Bar, October, 1988. Admitted to Bar of U.S. District Court for District of New Hampshire, November, 1988.

Rider University Lawrenceville, NJ
B.A., 1979. Major in Political Science.

Professional experience

Lauren S. Vallari, Attorney-At-Law Concord, NH
Solo Practitioner, 1989 to Present. Practice primarily focused on civil matters, including guardianship, civil commitments and involuntary emergency hospitalization.

Rinden, P.A. Concord, NH
Associate Attorney, 1988 to 1989. Engaged in general practice of law which included litigation, personal injury and family law.

Rinden P.A. Concord, NH
Law Clerk, 1985-1988. Conducted research related to litigation and non-litigation matters, assisted in drafting of documentation and client correspondence, and conducted client interviews.

Professional memberships

New Hampshire Bar Association

New Hampshire Women's Bar Association - Founding Member

Merrimack County Bar Association

Interests and activities

Skating, watercolors and gardening.

CHARLES G. GLOVER, ESQ.
Concord, NH 03301

PROFESSIONAL HISTORY

- PLYMOUTH STATE UNIVERSITY, Plymouth, NH Spring 2013-Current
Adjunct Professor
- Develop curriculum and instruct BA/BS candidates in Sports Law, Commercial Law, Small Business Law and Human Resource Issues, and Business Law
 - Develop curriculum and instruct MBA candidates in Business Law
- NEW HAMPSHIRE TECHNICAL INSTITUTE, Concord, NH Fall 2008-Spring 2009
Adjunct Professor
- Develop curriculum and instruct AS candidates in Sports Law and Business
- LAKES REGION COMMUNITY COLLEGE, Laconia, NH Fall 2007-Spring 2014
Adjunct Professor
- Develop curriculum and instruct AS candidates in Hospitality Law and International Business
- CHARLES G. GLOVER, ESQ., ATTORNEY-AT-LAW, Concord, NH Summer 2005-Current
Principal
- Advise small-to-medium size business owners and entrepreneurs in business-related legal issues, including choice of entity, financing business ventures, and employee relations
 - Provide estate planning counsel and documentation to wide variety of New Hampshire and Massachusetts residents, including Federal Estate and Gift Tax mitigation
 - Serve as attorney to fiduciaries undergoing New Hampshire probate proceedings
 - Represent buyers and sellers in commercial and residential real estate transactions; advise landowners concerning landlord/tenant issues, including lease drafting and evictions
 - Court-appointed attorney for proposed wards and patients facing involuntary commitment
 - Appointed attorney for patients in administrative mental health-related hearings

EDUCATION

- JURIS DOCTORATE DEGREE, 2000
Boston College Law School, Newton, MA
- Note editor for the Boston College Environmental Affairs Law Review
 - Proof read and edited student and outside articles in preparation for publication
- BACHELOR OF ARTS IN ECONOMICS AND PHILOSOPHY, *Cum Laude and Dean's List*, 1996
St. Lawrence University, Canton, NY
- Teaching Assistant from Spring 1995 through Spring 1996
 - Instructed undergraduate students in Aristotelian logic, symbolic logic, rhetoric, oral presentation and debate; evaluated student essays and oral presentations and facilitated debates

EARL S. CARREL

[REDACTED]

EMPLOYMENT

BACKUS, MEYER & BRANCH, LLP

116 Lowell Street
P.O. Box 516
Manchester, NH 03105

JULY 2000 - PRESENT

CARREL LAW OFFICES

726 Mast Road
P. O. Box 65
Goffstown, NH 03045
(603) 641-9799

OCTOBER 1987 - JULY 2000

SENTINEL TITLE SERVICE

Route 4
Northwood, NH 03261

DECEMBER 1985 - SEPTEMBER 1987

U. S. DEPARTMENT OF VETERANS AFFAIRS

Boston, MA Regional Office
Washington, DC Central Office
Manchester, NH Regional Office
Buffalo, NY Regional Office

JUNE 1984 - DECEMBER 1985
OCTOBER 1982 - JUNE 1984
OCTOBER 1975 - OCTOBER 1982
AUGUST 1973 - OCTOBER 1975

NEW HAMPSHIRE COLLEGE

North River Road
Manchester, NH 03104

AUGUST 1987 - JUNE 2000

PROFESSIONAL EXPERIENCE

25 years of private practice experience as an attorney with a focus in real estate, mental health and small business.

I am currently a partner with Backus, Meyer & Branch, LLP and have served as managing partner since 2005.

My practice since 1987, as well as my time employed with Sentinel Title Service, involves extensive emphasis on real estate title examination through administration of real estate closings. I represent primarily borrowers and lenders providing services ranging from execution and review of title abstracts through preparation of loan documents and administration of closing. Geographically, I cover the State of New Hampshire.

I also have experience with landlord/tenant law having represented several management companies and numerous individuals in these matters over the years.

In the field of mental health, I have served as *Special Justice for the Concord District Court* from **February 1988 to July 1994** presiding over Involuntary Emergency Admission hearings at New Hampshire Hospital. Since **August 1994** I represent patients at these hearings and no other hearings at New Hampshire Hospital. I also represent individuals in guardianship hearings before the Probate Courts.

Carrel Law Offices, which I owned and managed provided a general practice of law employing up to three attorneys and 8 support staff.

Over TWELVE years of public service experience with Veterans Affairs with a career focus in Administrative Law with emphasis on Disability Claims.

Executive Officer/Supervisor Claims Development & Benefit Authorization. Emphasis in review of adjudicative decisions and workflow management. Full budget responsibility. Hired, trained, supervised staffs ranging from 15 to 25 employees. Developed strong background and working knowledge in government regulations, administrative and appeals procedures.

Staff Attorney. Reviewed determinations in relation to federal law, regulations, & procedures. Coordinated on-site field reviews at regional offices through the United States. Designed and monitored special benefits review projects. Wrote procedural manuals & directives. Served as Budget Analyst for Compensation and Pension Service.

Claims Examiner. Coordinated, reviewed & determined pension, compensation, education & death benefits claims. Ascertained compliance with laws and regulations.

FOURTEEN years teaching experience as part of the Adjunct Faculty at New Hampshire College. Courses taught include Business Law I, Business Law II, Real Estate Law, and Introduction to American Government.

EDUCATION

STATE UNIVERSITY OF NEW YORK **J.D., 1973**
Buffalo, NY

RIVIER COLLEGE **M.A., Social Science, 1984**
Nashua, NH Concentration: Public Administration

STATE UNIVERSITY OF NEW YORK **B.A., History, 1970**
Buffalo, NY

PROFESSIONAL MEMBERSHIPS

NH Bar Association, Member	1982 - Present
NH Bar Association Real Estate Section, Member	1989 - Present
NH Bar Association Elder Law Section, Member	2000 - Present
NH Bar Association Group Insurance Committee, Member	1992 - 2001
	Chair- 1997 - 1999
Health Insurance Subcommittee, Chair-	1994 - 1997

OTHER MEMBERSHIPS and COMMUNITY ACTIVITIES

Justice of the Peace and Notary Public, State of New Hampshire

Goffstown, NH Library Trustee	1986 - 1989
Goffstown, NH Capital Improvement Program Committee	1999 - Present
Trustee of Town Trust Funds	2004 - Present

Temple Israel, Manchester, NH

President	1988 - 1989, 2003 - 2005
Vice President	1985 - 1988
Recording Secretary	1978 - 1982
Director	1978 - 1992, 2001 to 2006

Jewish Community Center, Manchester, NH

Vice President	1982
Treasurer	1981
Director	1979 - 1982, 2003 - 2005

AMY B. DAVIDSON

PROFESSIONAL

LAW OFFICE OF AMY B. DAVIDSON, Contoocook, NH, March 1992 – present; Private practice with concentration in juvenile, family and mental health law; New Hampshire Bar Association Domestic Violence Emergency (DOVE) Project panel attorney (1993 to present).

NEW HAMPSHIRE DEPARTMENT OF EDUCATION, Concord, NH, July 2001 – present; Hearing Officer/Alternative Dispute Resolution Officer. Preside over Impartial Due Process Hearings and State Board hearings and serve as a mediator and neutral evaluator in cases involving special education, student discipline, bullying, teacher contracts and other matters which come before the Department.

Guardian *ad litem* in New Hampshire courts, 1994 to 2014 (Board certified, 2004 – 2014); faculty for guardian *ad litem* training in the Probate Courts, 2004 to 2014.

RIVIER COLLEGE, Nashua, NH, January 1999 – May 2001; Adjunct Faculty, Family Law Instructor, Paralegal Studies Program.

COLLEGE FOR LIFELONG LEARNING, Manchester, NH, April 1997 – May 1997; Adjunct Faculty. Family Law Instructor, Paralegal program.

DISABILITY RIGHTS CENTER, INC., Concord, NH, March 1985 – October 1991; Staff Attorney. Represented individuals with disabilities in federal and state courts and before administrative agencies, in matters involving special education, rights to treatment and services, housing and benefits; participated in workshops, conferences and legislative activities which addressed disability-related issues.

SOUTHERN TIER LEGAL SERVICES, Bath, NY, August 1982 – March 1985; Reginald Heber Smith Community Lawyer Fellow/Staff Attorney. Represented low-income clients in cases involving housing, public benefits, education, disability and mental health; organized and conducted Social Security/SSI and special education workshops for community groups.

CORNING COMMUNITY COLLEGE, Corning, NY, fall 1982; Visiting Lecturer. Taught a course entitled “Wills and Trusts for the Layperson”.

FRANKLIN PIERCE LAW CENTER, Concord, NH, August, 1980 – March 1982; Civil Procedure Teaching Assistant. Prepared and taught weekly sessions for first year law students.

A BETTER CHANCE, INC., Concord, NH, September 1980 – June 1981, Tutor. Worked with inner city students in a residential setting; assisted with academics and college preparation.

CENTER FOR EVALUATION AND RESEARCH OF RHODE ISLAND COLLEGE, Providence, RI, May 1978 – May 1979; Graduate Research Assistant. Evaluated compensatory education programs throughout Rhode Island; responsibilities included conducting interviews, classroom observations, development of testing and survey instruments, report preparation and data analysis.

SOUTH NORFOLK COUNTY ARC, INC., Sharon, MA, August 1978 – June 1979; Assistant House Manager. Provided community-based services to eight women with developmental challenges.

EDUCATION

FRANKLIN PIERCE LAW CENTER
(now **University of New Hampshire School of Law**), Concord, NH, Juris Doctor, 1982.

RHODE ISLAND COLLEGE, Providence, RI, Master of Arts, Social Psychology and Personality, 1979.

BOSTON UNIVERSITY, Boston, MA, Bachelor of Arts, Psychology, 1974.

BAR ADMISSIONS

STATE: New Hampshire – 1985
Massachusetts – 1984
New York – 1983

FEDERAL: U.S. District Court, District of Massachusetts - 1994
U.S. Court of Appeals for the First Circuit – 1989
U.S. District Court, District of New Hampshire – 1985
U.S. District Court, Western District of New York – 1983

PROFESSIONAL MEMBERSHIPS

New Hampshire Bar Association
NHBA Mental & Physical Disabilities Law Section

MISCELLANEOUS INTERESTS

Animal welfare and rescue; volunteering for local animal shelters and rescue organizations;

Conservation and environmental concerns;

Professional musician/piano teacher;

Competitive triathlete and runner; also enjoy trail and road biking, kayaking, Nordic and alpine skiing, snowshoeing, swimming, hiking, volleyball, tennis, badminton, skating.

Richard Glenn Anderson

P.O. Box 4
New London, NH 03257

Education

- J.D.**, New England School of Law, Boston, MA, 1999
(*Areas of study included Wills, Trusts and Estates, Income Taxation, Contracts, Business Organizations, Legislation, International Law.*)
New England Scholar, 1996
Staff Member, *New England Law Journal*, 1997-1998
Case and Note Editor, *New England Law Journal*, 1998-1999
Admitted to New Hampshire and Massachusetts Bars
- B.A., Economics** (minor in mathematics), Rutgers University,
New Brunswick, NJ, 1985

Experience

Attorney at Law - Richard G. Anderson Law Offices, P.L.L.C. 2003 - Present

- Assist clients and families in the development of estate plans (through the utilization of wills, trusts and named beneficiary assets) that protect and pass on assets in the most efficient and practical manner possible to the individuals and institutions that matter most to them.
- Advise clients on business/transactional matters including contract review, entity formation, intellectual property, risk management, employment and taxation issues.
- Develop an extensive client base through regular presentations on estate planning to companies, professional organizations, nursing homes, hospitals and other health care facilities in a manner designed to ensure comprehension at the layperson level.
- Represent elderly and disabled clients before governmental administrative departments.
- Meet with clients at their convenience - whether at home, work or in a medical facility.
- Guide clients in the administration of estates to achieve cost effective, compassionate results.

Adjunct Professor for Business Ethics - Southern New Hampshire University, 2002

- Developed curriculum for courses on business ethics (with more than sixty undergraduates) utilizing texts, videotape examples, role-playing and case studies.
- Taught classes exploring topics such as the nature of morality, normative theories of ethics, economic distribution and capitalism, globalization, workplace issues, the role of consumers in society and environmental questions as they relate to business.
- Encouraged debate and insights on fundamental questions of appropriate business conduct using real world scenarios and current business news.
- Created lesson plans for the Online NewsHour of PBS.

Volunteer Attorney – New Hampshire Department of Justice (Criminal Bureau), 2002

- Wrote appellate briefs on behalf of the State for submission to the Supreme Court of New Hampshire.
- Assisted staff attorneys in trial preparation, sentencing hearings and grand jury proceedings.
- Researched and issued memoranda on pertinent legal issues of interest to the Justice Department involving spousal immunity, insurance fraud, hearsay, electronic surveillance, insanity defenses, embezzlement, grand jury proceedings and habeas corpus appeals.

Senior Territory Sales Manager - Thomas & Betts Corporation, 1989 – 2001
(a leading Fortune 500 manufacturer)

- Successfully managed entry of new distribution channels into market, enabling growth of existing base while simultaneously exploiting new avenues to achieve 30%+ sales increase.
- Coordinated introduction of a major new product line into the marketplace through training of sales force, resulting in second highest market share within two years.
- Conducted in-depth training seminars at more than seventy engineering organizations to promote specifications and brand preference.
- Developed and implemented detailed annual business programs for fifty-four different electrical distribution locations with quantifiable targets and specific strategies for each one.
- Achieved top level performance in three state sales territory while simultaneously completing four-year evening program for law degree and serving as a Law Journal editor.

Sales Representative - Daido Electronic Instruments Corporation, 1985-1989

- Commenced company sales efforts in an undeveloped territory for a sophisticated line of electronic position control devices utilized in computer numeric controlled equipment - developing lowest yield territory into second highest yield territory within eighteen months.
- Trained new employees for three other territories and temporarily assumed day to day management of sales department during transition period.
- Acquired steadily greater territory responsibilities as a result of successful sales efforts.

Consultant / Campaign Manager - New Jersey State Committee, 1984

- Coordinated national presidential campaign efforts in two New Jersey counties as youngest paid staff member in the state.
- Developed voter registration strategies resulting in 15,500 new voters in 46 townships.
- Supervised and targeted canvassing and literature drops utilizing more than seventy volunteers and established phone banks working with constituency groups for voter outreach.

Volunteer Activities: Elected Member of the KRSD Municipal Budget Committee
Town of New London Firefighter & Citizens Advisory Committee
Development Committee of Ausbon Sargent Land Preservation Trust

ELLEN PURCELL



PROFESSIONAL BACKGROUND

Civil litigation attorney primarily representing plaintiffs in state and Federal employment law claims, including discrimination, wrongful termination, whistleblower, and wage claims; also practicing in the areas of mental health, disability, injury, and family law. State administrative agency experience before the New Hampshire Commission for Human Rights, Department of Labor (workers' compensation and wage claims), Public Employee Labor Relations Board, Board of Education, and Board of Nursing. Federal administrative agency experience with the Equal Employment Opportunity Commission, the Office of Personnel Management, and the Social Security Office of Disability Adjudication Rights. Licensed to practice in New Hampshire state and Federal District courts.

EXPERIENCE

- Purcell Law Office, PLLC**, Portsmouth, NH January 2011 – present
Owner and managing attorney
Areas: Employment, mental health, and family law; SSDI/SSI
- Backus, Meyer & Branch, LLP**, Manchester, NH February 2004 – September 2009
Litigation associate
drafted charges, complaints; conducted all aspects of pre-trial discovery
conducted bench trials in contract, probate and insurance cases; jury trials in employment, medical malpractice, and construction/contract cases
responsible for client screening and management
- Hebert and Uchida PLLC**, Concord, NH December 2003 – February 2004
Contract attorney; research and writing support
- First Circuit Court of Appeals**, Boston, MA September 2002 – December 2002
Judicial intern for **Hon. Norman H. Stahl, U.S. Circuit Judge**
conducted legal analysis for Judge and senior clerks
assisted Judge in preparation for oral arguments; assisted in opinion writing and editing

EDUCATION

- University of New Hampshire School of Law**, Concord, NH
Juris doctor 2003
- University of New Hampshire**, Durham, NH
Bachelor of Arts, Philosophy 2000; *Minor, Architectural Studies*

ASSOCIATIONS

- New Hampshire Bar Association, Labor/Employment Section member
American Bar Association member
National Employment Lawyers Association (NELA)
NELA, NH Chapter