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MAY 06 '21 PM 12:45 RCVD
**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

JOHN M. FORMELLA
ATTORNEY GENERAL



JANE E. YOUNG
DEPUTY ATTORNEY GENERAL

May 4, 2021

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

That approval be and hereby is given to the Attorney General to appoint Joseph A. Cherniske, Position #9U648 (Appropriation #02-20-20-200510-2610-013-500132) as an Assistant Attorney General at a salary level of \$83,000, effective upon Governor and Executive Council approval or June 4, 2021, whichever is later, for a term ending July 1, 2024.

EXPLANATION

Mr. Cherniske, a Henniker resident, graduated *cum laude* from the University of Connecticut in 2004, with a Bachelor of Arts in Psychology. Between 2005 and 2007, he counseled delinquent youth at a residential treatment facility in Litchfield, Connecticut. While studying at the University of New Hampshire, School of Law, he was selected as a Teaching Assistant, Moot Court Board member, and Advanced Trial Advocacy team member. He graduated *cum laude* with his Juris Doctor in 2010, and was admitted to the New Hampshire Bar the same year. Mr. Cherniske was an Assistant County Attorney at the Merrimack County Attorney's Office from 2010 to 2020, where he prosecuted complex felony criminal matters and conducted more than 60 jury trials. He joined the New Hampshire Department of Justice in May 2020, and has been practicing in the Criminal Justice Bureau. I am requesting that Mr. Cherniske receive a \$3,000 salary increase from \$80,000 to \$83,000. I plan to continue his assignment in the Criminal Justice Bureau. A copy of his resume is attached.

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

Respectfully submitted,



John M. Formella
Attorney General

#3137165

Joseph A. Cherniske

Cell Phone: [REDACTED]

Office Phone: (603) 271-1296

E-mail: [REDACTED]

Admitted to practice in New Hampshire since October 2010

EDUCATION

University of New Hampshire School of Law, Concord, NH

Degree: Juris Doctor, May 2010

GPA: 3.50/4.00

Degree Honors: Cum Laude, Class Rank: Top 20%

Awards and Activities:

- o Moot Court Board, 2009-2010; Advanced Trial Advocacy Team 2009-2010; Criminal Procedure Moot Court Competition 2008-2009; Teaching Assistant, Fundamentals of Law, Spring 2009 and 2010; Teaching Assistant, Criminal Law, Fall 2009

University of Connecticut, Storrs, CT

Degree: Bachelor of Arts, Psychology and Individualized Major in Criminal Justice, December 2004

Degree Honors: Cum Laude

EXPERIENCE

New Hampshire Office of the Attorney General

33 Capitol Street | Concord, NH 03301

Position: Attorney, full time

June 2020 - Present

Primary Responsibilities:

- o Prosecute and manage complex felony sexual assaults that occurred at the State's Youth Development Center, to include, arraignments, bail hearings, probable cause hearings, and grand jury proceedings, as well as the organization of voluminous discovery.
- o Work with and provide guidance to law enforcement in both the Youth Development Center sexual assault multi-faceted investigation and homicide investigations.

Merrimack County Attorney's Office

4 Court Street | Concord, NH 03301

Position: Assistant County Attorney, full time

October 2010 – June 2020

Position: Rule 36 Student Attorney, part time

May – November 2009

Primary Responsibilities:

- o Litigate complex felony criminal matters, including physical and sexual assaults, thefts, and drug offenses, from indictment through trial.
- o Prosecuted over 60 jury trials.
- o Provide guidance and instruction to law enforcement throughout Merrimack County.
- o Collaborate with the Merrimack County Child Advocacy Center to ensure safety and justice for child victims of assault.

New Hampshire Superior Court, Belknap County

64 Court St # 5 | Laconia, NH 03246

Position: Law Clerk Intern, part time

Spring 2010

Primary Responsibilities:

- o Assisted judges with research and writing for court orders.
- o Provided quick research for complex issues arising during judicial proceedings.

Criminal Practice Clinic, University of New Hampshire

2 White Street | Concord, NH 03301

Position: Rule 36 Student Attorney, part time

Spring 2009

Primary Responsibilities:

- o Represented clients for various misdemeanor level offenses.
- o Drafted court pleadings and motions.

New Hampshire Public Defender

10 Ferry Street # 202 | Concord, NH 03301

Position: Investigator Intern, part time

Summer 2009

Primary Responsibilities:

- o Assisted investigators with witness interviews and reports in juvenile, misdemeanor, and felony cases.

Connecticut Junior Republic

550 Goshen Road | Litchfield, CT 06759

Position: Youth Counselor III, full time

May 2005 – August 2007

Primary Responsibilities:

- o Provided support in individual and group settings to delinquent youth at a residential facility.

TRAININGS AND JOB RELATED COURSES

- o Presenter, 2021 New Hampshire Attorney General's Office Training: Combatting the Stressful World of Prosecution
- o Presenter, 2019 Partnering for a Future without Violence Conference - Have you Ever Experienced That Sinking Feeling When Media Start Asking Questions About Your Case?
- o Attendee, 2014 - 2019 Partnering for a Future without Violence Conference.
- o Attendee, 2017 Stalking: Nowhere to Hide, Domestic Violence Conference.
- o Attendee, 2016 Trial in the Digital Age: Understanding the Role of Technological Evidence to Prove your Child Abuse Case Conference.
- o Attendee, 2015 National Cyber Crime Conference.

BOARD MEMBERSHIPS AND OTHER VOLUNTEER POSITIONS

- o Board Member, Sexual Assault and Nurse Examiner Advisory Board.
- o Board Member, United Way, Merrimack County Community Impact Committee.
- o Member, The Attorney General's Task Force on Child Abuse and Neglect.
- o Volunteer, University of New Hampshire School of Law.