NOV14 22 PM12:40 RCVD

57A

Nina Gardner, Chair
Hon. James P. Bassett
Stephanie Bray, Esq.
Gina Belmont, Esq.
Sen. Sharon Carson
Kimberley Casey
John E. Durkin, Esq.
Rep. Edward Gordon
John Formella, Esq.
Karen A. Gorham, Esq.

THE STATE OF NEW HAMPSHIRE
JUDICIAL COUNCIL
www.nh.gov/judicialcouncil

Hon. David D. King
Steven D. Lubrano
Dianne Martin, Esq.
Brian J. X. Murphy, Esq.
Hon. Tina Nadeau
Richard Samdperil, Esq.
Dino Scala
Alan Seidman, Ed.D
Phillip Utter, Esq.

Sarah T. Blodgett, Executive Director
25 Capitol Street, Room 120
Concord, New Hampshire 03301-6312

November 14, 2022

His Excellency, Governor Christopher T. Sununu
And the Honorable Executive Council
State House
Concord, N.H. 03301

REQUESTED ACTION

Pursuant to RSA 94:6, the Chair of the Judicial Council respectfully requests to place Mr. Richard Samdperil at Step 7 of unclassified salary grade HH, earning $120,562 annually for the position of Acting Executive Director, position #9U616, effective upon Governor and Council approval or December 12, 2022, whichever is later. 100% General Funds.

EXPLANATION

The Judicial Council respectfully requests an entrance salary higher than the minimum salary within the established range of unclassified salary grade HH for Mr. Richard Samdperil position #9U616, Acting Executive Director. Mr. Samdperil has over twenty-five years' experience as a trial and appellate lawyer representing clients in New Hampshire state courts, including more than 60 cases before the New Hampshire Supreme Court.

RSA 494:7 authorizes the Judicial Council to appoint an Executive Director – qualified by reason of education and experience – to serve at its pleasure. The Executive Director is responsible for administering the indigent defense delivery system and ensuring its quality and cost-effectiveness. This involves provision of general supervision over the Public Defender Program and recruitment of qualified attorneys to serve as court-appointed counsel. The indigent defense system continues to be in a state of crisis. As of today's date, more than 1,000 cases are awaiting assignment of counsel. The Judicial Council's proposed budget includes funding for an alternative public defender program. The Executive Director will create a request for proposals for this new program.

Mr. Samdperil possesses a Juris Doctor from Northeastern University School of Law and a Bachelor of Arts from Lake Forest College. Mr. Samdperil is an attorney and partner at Samdperil & Welsh, PLLC in Exeter. He also teaches criminal courses at the University of New Hampshire Franklin Pierce School of Law. Mr. Samdperil has worked as both a public defender and a private defense attorney. He currently serves as the Vice-Chair of the Judicial Council and a member of the Indigent Defense Subcommittee. He has worked closely on attorney

Phone: (603) 271-3592
TDD: Relay NH 1-800-735-2964

recruitment and training efforts and is uniquely qualified to address the current challenges facing the Judicial Council.

Based upon Mr. Samdperil's education and experience as a practicing attorney spanning twenty-five plus years – sixteen of which have been in the private sector – authority to place him into the Acting Executive Director, #9U616, unclassified grade HH, at step 7 earning $120,562 annually is respectfully requested.

Thank you for your consideration.

Sincerely,

Nina C. Gardner

Nina C. Gardner
Chairperson

RICHARD E. SAMDPERIL

OFFICE: 100 HIGH STREET, EXETER, NEW HAMPSHIRE 03833, USA
TELEPHONE: | EMAIL:

ATTORNEY PROFILE

Over 25 years of experience as a trial and appellate lawyer representing clients in New Hampshire state courts, including more than 60 cases before the New Hampshire Supreme Court. Additional experience instructing lawyers and teaching students on various topics, including evidence, professionalism and ethics, criminal law, and criminal procedure.

EDUCATION

Northeastern University School of Law, Boston, Massachusetts — *Juris Doctor*, 1994

Lake Forest College, Lake Forest, Illinois — *Bachelor of Arts*, 1990

EMPLOYMENT SUMMARY

Samdperil & Welsh, PLLC, Exeter, New Hampshire — 2006 – present
Attorney/Partner
Trial and appellate attorney in a small law firm that focuses on criminal defense and related representation, and other general practice matters.

New Hampshire Public Defender, New Hampshire — 1995 – 2006
Managing Attorney, Staff Attorney, Assistant Appellate Defender
Nine years as a trial lawyer in three different offices, including managing the state's largest public defender office. An additional two years as an appellate lawyer responsible for researching, writing briefs, and arguing cases before the state's highest court. As member of the Program's Litigation Support Group, authored materials and trained lawyers.

Multi-County Public Defender, Atlanta, Georgia — 1994 – 1995
Assisted lawyers in the representation of capital defendants by drafting trial court pleadings, appellate briefs, and conducting mitigation investigations.

TEACHING AND ADVISING EXPERIENCE

University of New Hampshire Franklin Pierce School of Law, Concord, New Hampshire
Interim Director, Criminal Practice Clinic — 2019 – 2020
Adjunct Professor — 2019 – present; 2012
Courses taught: Criminal Law, Criminal Practice Clinic, Criminal Procedure I, Fundamentals of Law Practice, Hybrid JD Immersion (Civil Litigation Experience)
Academic Success Program — 2020 – 2021
Advised students regarding the bar admission process and bar exam preparation

Saint Anselm College, Manchester, New Hampshire
Adjunct Instructor, Criminal Justice (Criminal Law) — 2007 – 2008

OTHER LEGAL PROFESSION AND BOARD EXPERIENCE

New Hampshire Judicial Council 2020 – present
Member and vice-chair; Indigent Defense Subcommittee member

New Hampshire Bar Association
Committee on Cooperation with the Courts (2021-2022)
Criminal Justice Section (current member and past chair)
Ethics Committee (2013 – 2019)
Professionalism Committee (past vice-chair and member, 2005 –2008)
NHBA liaison to New Hampshire Superior Court Chief Justice's Felony Case Flow Working Group (2013 –2015)
Rockingham County Bar Association (past president).

Seacoast Science Center, Rye, New Hampshire 2013 – 2019
Board of Directors (board chair 2014 – 2019)

PUBLISHED MATERIALS

"Identification" (chapter author)
A Practical Guide to Evidence in New Hampshire, 1st ed. (2010) and supp. (2012); 2nd ed. (2021)
MCLE New England

"Ethics and Professionalism" (2020 chapter update and revision)
New Hampshire Practice and Procedure Handbook
New Hampshire Bar Association

Utilizing Forensic Science in Criminal Cases (chapter contributor), 2012 ed. (not in publication)
Aspatore (Thompson Reuters)

Additionally, I have authored training materials and/or served as an instructor for multiple Continuing Legal Education (CLE) presentations.

PROFESSIONAL AFFILIATIONS

New Hampshire Bar Association (1995 –present)
New Hampshire Association of Criminal Defense Lawyer (1996 –present)
National Association of Criminal Defense Lawyers (1998 –present)

BAR ADMISSIONS

New Hampshire Bar - 1995
United States District Court for the District of New Hampshire – 1995
United States Court of Appeals for the First Circuit – 2011