ATTORNEY GENERAL
DEPARTMENT OF JUSTICE

1 GRANITE PLACE SOUTH
CONCORD, NEW HAMPSHIRE 03301

JOHN M. FORMELLA
ATTORNEY GENERAL

JAMES T. BOFFETTI
DEPUTY ATTORNEY GENERAL

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June 24, 2024

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 Assistant Attorney General Mary Ann Dempsey as the Director of Charitable Trusts (Position #9U258, Appropriation #02-20-20-201010-2621-013-500132) at a salary level of $120,000, effective upon Governor and Executive Council approval or June 28, 2024, whichever is later, for a term ending March 22, 2029.

EXPLANATION

Ms. Dempsey is a Merrimack resident licensed to practice law in New Hampshire and Massachusetts. She graduated, *cum laude*, from Clark University in 1994 with a Bachelor of Arts in Government. She earned her Juris Doctor in 1997 from Boston College Law School where she won the John F. Cremens Graduate Award for Outstanding Work in Clinical Programs. She served as a law clerk for the New Hampshire Superior Court (1997-1999) before joining Wiggin & Nourie, P.A., as a litigation attorney (1999-2011). Ms. Dempsey joined the Department of Justice as a Senior Assistant Attorney General in 2011 and was assigned Chief of the Civil Law Bureau overseeing 15 attorneys, two paralegals, four legal secretaries, and an investigator. She left the Department in 2015 to join Governor Margaret Wood Hassan's office as Legal Counsel. In that capacity she advised the Governor and her policy and communications staff on complex issues including pending legislation, state budget, personnel, health care initiatives, and litigation. She next worked with the New Hampshire Judicial Branch - first as General Counsel (2016-2023) and more recently as a Circuit Court Administrator (2023-2024). Ms. Dempsey has served on the New Hampshire Supreme Court Society's Board of Trustees since 2015. She previously served as President of the Manchester Bar Association (2010-2011) and member of the New Hampshire Bar Association's Board of Governors (2014-2015). She

won the New Hampshire Bar Foundation's Robert E. Kirby Award in 2006 and the Manchester Bar Association's Distinguished Service Award in 2016. She joined the Department as Assistant Director of the Charitable Trust Unit on May 31, 2024. I request that she now be appointed as Director of Charitable Trusts in accordance with RSA 7:20. Her salary will remain the same. Her resume is attached.

RSA 21-M:3 and RSA 94:1-a(I)(c)(3) provide 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.

I am very pleased to offer Ms. Dempsey's appointment as the Director of Charitable Trusts and as an Assistant Attorney General at the above-referenced salary for your approval and respectfully urge your favorable consideration.

Respectfully submitted,

John M. Formella
Attorney General

#4537115

MARY ANN DEMPSEY

Licensed to practice law in Massachusetts and New Hampshire

PROFESSIONAL EXPERIENCE

NEW HAMPSHIRE JUDICIAL BRANCH
CIRCUIT COURT ADMINISTRATOR (APRIL 2023 – MAY 2024)
GENERAL COUNSEL (NOV. 2016 - MARCH 2023)

- Work directly with the Circuit Court Administrative Judge and Deputy Administrative Judge as part of the management team of the largest court system within the Judicial Branch. My responsibilities include collaborating with Circuit Court Clerks and Managers on all aspects of personnel decisions including performance evaluations, training managers and staff on the Americans with Disabilities Act, and ensuring compliance with state law, court rules and procedures.
- As General Counsel, provided legal advice to Chief Justice and the Associate Justices of the New Hampshire Supreme Court, the Administrative Judges of the Superior and Circuit Courts, and the Director of the Administrative Office of the Courts.
- Advised Human Resources on compliance with federal and state laws as well as personnel rules, collective bargaining agreements, and Judicial Branch policies impacting branch staff of approximately 850 members.
- Drafted opinions for the New Hampshire Judicial Branch Committee on Judicial Ethics.
- Drafted and reviewed all contracts including for the Statewide Drug Court Program and Community Housing Program.
- Managed all litigation in which the Judicial Branch is a party and conducted employment investigations.
- Negotiated with two labor unions and managed all grievances.
- Served as the Americans with Disabilities Act (ADA) Coordinator.
- Trained new employees and judges on Anti-Discrimination Policy, ADA, and Language Access Plan.
- Served as the Language Access Coordinator to ensure court access for individuals with limited English proficiency.
- Served as Acting Director of the Administrative Office of Courts for six months.
- Created Judicial Branch COVID-19 protocols for employees and citizens.

OFFICE OF NEW HAMPSHIRE GOVERNOR MARGARET WOOD HASSAN (FEB. 2015 – NOV. 2016)
GOVERNOR'S LEGAL COUNSEL

- Advised New Hampshire Governor Margaret Wood Hassan and her policy and communications staff on complex issues including pending legislation, state budget, personnel,health care initiatives, and litigation.
- Crafted executive branch policies on substance abuse, mental health, and education.
- Drafted professional board rules on opioid prescribing practices enacted into law in 2016.
- Provided legal advice on state and federal level initiatives related to reauthorization of New Hampshire's Medicaid Expansion Program.
- Served as Governor's legal and policy advisor to Commissioners of all state agencies including Health and Human Services, Corrections, and Insurance.

NEW HAMPSHIRE ATTORNEY GENERAL'S OFFICE (SEPT. 2011- FEB. 2015)
CIVIL BUREAU CHIEF AND SENIOR ASSISTANT ATTORNEY GENERAL

- Nominated by Attorney General Michael A. Delaney and confirmed by Governor & Executive Counsel to serve as the Civil Bureau Chief for the New Hampshire Attorney General's Office.
- Managed the Civil Bureau's daily operations to advise state agencies and litigate civil cases.
- Managed the elections unit which oversaw all state and federal elections in New Hampshire.

- Supervised 15 attorneys, 2 paralegals, 1 investigator, and 4 legal secretaries including providing performance reviews and mentoring new attorneys.
- Advised Attorney General on all state and federal litigation as well as budgeting issues.
- Served as lead attorney on high-profile cases involving constitutional challenges to the Medicaid Enhancement Tax, Liquor Commission's competitive bid of 20-year liquor warehouse contract, and employment actions against the Judicial Branch and Department of Corrections.

WIGGIN & NOURIE, P.A. (SEPT. 1999 -SEPT. 2011)
LITIGATION ATTORNEY

- Litigated civil cases involving personal injury, commercial, employment, and insurance coverage.
- Authored New Hampshire Supreme Court and First Circuit Court of Appeals Briefs.
- Legal panelist on insurance, trial practice, discovery, and professional ethics.

NEW HAMPSHIRE SUPERIOR COURT (SEPT. 1997 – SEPT. 1999)
LAW CLERK

- Performed legal research and drafted trial court decisions in civil, criminal, and equity cases.
- Served as Senior Law Clerk in my second-year supervising 12 other law clerks throughout the state.

EDUCATION

BOSTON COLLEGE LAW SCHOOL, JURIS DOCTORATE (1997)

- John F. Cremens Graduate Award: Outstanding Work in Clinical Programs

CLARK UNIVERSITY, BACHELOR OF ARTS (1994)

- Major: Government, graduated *Cum Laude*

PROFESSIONAL ACCOMPLISHMENTS

- Harvard Kennedy School of Government, Leaders in State and Local Government Program (2022)
- Manchester Bar Association's Award for Distinguished Service (2016)
- Authored Impeachment Chapter of a Practical Guide to Evidence in New Hampshire(2012)
- Invited Speaker at Supreme Court Confirmation Hearings of Justices Galway, Hicks, and Lynn
- New Hampshire Bar Association Board of Governors (2014-2015)
- Board of Trustees of New Hampshire Supreme Court Society (2015-Present)
- President of the Manchester Bar Association (2010-2011)
- Defense Research Institute - Outstanding State Representative Award (2007)
- New Hampshire Bar Foundation Robert E. Kirby Award (2006)

PROFESSIONAL AFFILIATIONS

- Admitted to Massachusetts Bar, 1997 - Present
- Admitted to New Hampshire Bar,1998 – Present
- Admitted to United States District Court for the District of New Hampshire, 1999 - Present
- Admitted to United States Court of Appeals,. First Circuit, 2002 - Present
- Admitted to United States Supreme Court, 2003 - Present
- Member of New Hampshire Women's Bar Association