

EXECUTIVE COUNCIL PUBLIC HEARING

November 29, 2010

STATEMENT BY THE HONORABLE LINDA STEWART DALIANIS  
SENIOR ASSOCIATE JUSTICE OF THE NEW HAMPSHIRE SUPREME COURT

Good afternoon everyone.

Members of the Executive Council, it is a great honor for me to come here today to talk with you about my nomination to be Chief Justice of the New Hampshire Supreme Court. I am deeply grateful to Gov. John Lynch for the confidence he has shown in me and in my ability to lead the court system through the difficult times ahead. I know the challenges. But, I stand with my colleagues throughout the Judicial Branch who see this period in our history as an opportunity to take steps toward innovation and change that will produce a modern, efficient court system that will meet the demands of the future.

I share their vision in which the technology will make the justice system more accessible and less expensive for citizens and for the legal community.

I fully support efforts to change the way we do business so we can better utilize our workforce, reduce costs and provide more efficient service to the public.

If I am privileged to have your support as Chief Justice, you can be sure that I will continue to pursue these goals, taking the same pragmatic approach that has been my guide for 30 years as a judge, and throughout my life.

I would like to take a moment to express my thanks to Chief Justice John Broderick, who leaves our court tomorrow, after 15 years of service to the citizens of New Hampshire. His energy and passion for justice for all has strengthened public trust and confidence in our courts, and opened the door to change.

I am not one to spend a whole lot of time talking about myself. But, from time to time, I have been asked to look back on my personal history and the journey that brought me to where I am now. For women of my generation, who came of age in the 1960s, I think it is a familiar story.

When I was a young girl, growing up in Peterborough, my father John Stewart always told me I could be anything I wanted to be. I believed him. I admired independent girls who pursued their dreams—but I learned early on that it wouldn't be easy.

I love horses—still do; in fact, I ride my horse whenever I get the chance—and I wanted to be a veterinarian. But, when I wrote letters to veterinary schools, the answer was always the same—girls were either not accepted or very unlikely to be admitted. I was disappointed, of course, but not deterred.

I was an avid reader—still am--and so I decided I would study English literature and journalism and try to become a college professor. My family was of modest means, so I worked my way through Northeastern University—I had a scholarship, participated in the cooperative education and work-study programs, worked as resident assistant in a dormitory and took out student loans.

It was during one of my co-op jobs, working as the editor of the employee newspaper at Sanders Associates (now BAE Systems) in Nashua, that I worked regularly with the office of general counsel and discovered the intellectual appeal of the law. Being practical minded, I also saw independence and financial stability in a legal career.

I could not afford full-time law school, so I attended Suffolk Law School in Boston at night, working my way through as a legal secretary at the law firm of Sullivan & Worcester. I was a very good typist. The partners for whom I worked evidently saw promise in me and in a gesture that was unheard of at the time, promoted me to the position of law clerk (theretofore only held by Ivy League law students).

That gesture opened doors for me, so when I came home to New Hampshire to practice law, I got my first job at Hamblett & Kerrigan in Nashua in 1974. I was the first woman lawyer there—I don't think they really knew what to do with me in the beginning. I will always be grateful to Robert Bleakney at Sullivan & Worcester and Joseph Kerrigan at Hamblett & Kerrigan for their faith in me.

In 1979, I was appointed by the Superior Court as a marital master and left the firm. To this day, I believe that is one of the most difficult jobs in the judicial system. A year later, when I was 31-years-old, I was nominated by Gov. Hugh Gallen to be the first woman on the Superior Court. I was seven-months pregnant and had a four year old at home. My

mother, my father, my sister and, of course, my husband Griffin, gave me the logistical support I needed to do the job.

It wasn't easy at the start, there were lonely days, but I felt I had a responsibility to do as well as I could for all the women judges and lawyers who would follow me. I was determined to succeed, and committed to the work. I served on the trial court for 20 years, and was Chief Justice for a brief period, until the year 2000, when I was appointed by Gov. Jeanne Shaheen to the Supreme Court where I am now the senior associate.

I am proud of my record as a judge and the contribution I have made, with my Supreme Court colleagues, to the body of law of our state. But I am equally proud of the time and effort I have devoted, to the administrative work that I was asked to take on, in addition to my work as a judge. These are not the assignments that draw public attention; but they did produce important improvements in the day-to-day operations of our courts, and to the practice of law.

For example, in 2004, I served as chair of the Family Division Implementation Committee which laid the foundation, with legislative support, for the statewide expansion of the Judicial Branch Family Division. Now, throughout New Hampshire, the Family Division helps families and children in distress settle differences fairly and efficiently, and perhaps most importantly with as little conflict as possible.

In 2005, Chief Justice Broderick asked me to lead a "Committee on Alternative Dispute Resolution Services" to find a way to expand programs for settling disputes outside of court—which is more efficient and less costly. Two years later, that work resulted in the creation of the Judicial Branch Office of Mediation and Arbitration, a self-funded program which now provides centralized statewide assistance to citizens who want to resolve disputes without time-consuming and expensive court hearings and trials.

My experiences on the bench led to my long involvement in the development of the "Webster Scholars Program" at the University of New Hampshire School of Law, which focuses upon training young lawyers in the practical skills they need to work with clients as soon as they graduate. I am proud to have chaired the "Webster Scholar Advisory Committee" and to have led the way toward launching this "practice-ready" program, now in its fifth year, that is unique among our nation's law schools.

Those who know me best, recognize my style when I approach these administrative responsibilities. When I am given a task, I analyze it and determine what is necessary to accomplish it and I take a step-by-step path toward the goal. This is the method that, for me, has produced results.

My nature is to be conciliatory, to try to build consensus to get the job done. If I am confirmed as Chief Justice, that is the path I will take, with the support of our judges, administrators and staff, on behalf of the citizens of our state. I believe it is the right path to take in order to lead the Judicial Branch through these the most trying and challenging times, into a new, and better future.

I am humbled and proud to have a place in the history of our state as the first woman to serve on the Supreme Court, and now to have been nominated to be Chief Justice. As I was preparing to come here today, I looked to the provision in our state constitution which makes the Chief Justice the administrative head of all the courts. "*He shall*" it says, work with the associate justices to lead the judicial branch. If I have your support to be Chief Justice, I assure you, "*she will.*"

I respectfully ask for your support. I welcome any questions you may have.

Thank you