

THE STATE OF NEW HAMPSHIRE

SUPREME COURT OF NEW HAMPSHIRE

O R D E R

Pursuant to Part II, Article 73-a of the New Hampshire Constitution and Supreme Court Rule 51, the Supreme Court of New Hampshire adopts the following technical amendments to court rules.

**Technical Amendments to Supreme Court Rule 51B**

1. Amend Supreme Court Rule 51B as set forth in Appendix A. This amendment supersedes the amendment to this rule in the supreme court order dated November 14, 2008.

**Effective Date**

The amendments in Appendix A shall take effect January 1, 2009.

Date: December 16, 2008

ATTEST: \_\_\_\_\_  
Eileen Fox, Clerk of Court  
Supreme Court of New Hampshire

## APPENDIX A

Amend Supreme Court Rule 51B as follows (new material is in **bold and in brackets**]; deleted material is in ~~strikethrough~~ format):

(1) There shall be an Advisory Committee on Rules, which shall be composed of ~~fourteen~~ **[fifteen]** members as follows:

(a) One judge from each of the following courts shall be appointed by the supreme court: district court, probate court, superior court, and supreme court.

(b) Two attorneys shall be appointed by the supreme court.

(c) Three lay persons shall be appointed by the supreme court.

(d) One member shall be appointed by the Governor.

(e) One member of the senate shall be appointed by the president of the senate.

(f) One member of the house shall be appointed by the speaker of the house.

(g) One clerk of court shall be appointed by the supreme court.

(h) One member of the New Hampshire Bar Association Board of Governors shall be appointed by the president of the New Hampshire Bar Association.

**[(i) One judge, master, or administrator from the family division shall be appointed by the supreme court.]**

(2) Appointments by the supreme court shall, where possible, be made from the Committee on Judicial Conduct, the Committee on Professional Conduct, the New Hampshire Bar Association's Committees on Civil Procedure, Evidence and Ethics, and such other committees as may be either studying or enforcing rules for the administration of justice. All such committees shall channel recommended changes through the Advisory Committee on Rules and shall serve as its sub-committees for specific areas of rule-making.

(3) A vacancy in the office of the committee shall occur[.]:

(a) when a member ceases to be a member by resignation or otherwise;

(b) when a judge[, **master, clerk, or administrator**] ceases to hold the office which he or she held at the time of selection;

(c) when a lawyer ceases to be admitted to practice in the courts of this State or is appointed to a judicial office;

(d) when a lay person becomes a lawyer or a judge;

(e) when a legislative member ceases to be a member of the general court;

(f) when a New Hampshire Bar Association Board of Governors member ceases to be a member of the Board of Governors.

(4) Members appointed by the Governor, the president of the senate, the speaker of the house, and the president of the New Hampshire Bar Association shall serve at the pleasure of the appointing authority.

(5) The secretary of the committee shall be the clerk of the supreme court or any other person designated by the supreme court.