



June 10, 2021

By electronic mail only

New Hampshire Judicial Branch &
Administrative Office of the Courts
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Dear Members of the New Hampshire Judicial Branch,

On behalf of the New Hampshire Women's Bar Association (NHWBA), I am pleased to participate in today's town hall meeting to discuss the impact of the pandemic on legal practice in New Hampshire.

Like most, our members have had mixed reactions to the changes the pandemic forced the legal profession to take.

Some positive changes included:

- More acceptance of flexible work arrangements;
- Better ability to control schedules and working hours;
- Increased fluency with technology, especially video conferencing; and
- Graciousness surrounding work environments that pre-pandemic may not have been as tolerated (e.g., dogs barking, children yelling, etc.).

The negative changes included:

- Reduced, or in some cases, eliminated childcare, which resulted in working parents having increased demands on top of their legal careers;
- Lawyers shouldering educational responsibilities for their children through online schooling;
- Increased home demands, much of which seemed to disproportionately fall on women. These were based on numerous reasons, such as financial concerns,

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discomfort of having third parties in the home, and desire to reduce risk of infection;

- Increased demands by older parents for the same reasons;
- Increased strain on mental health due to the numerous concerns many had during the pandemic;
- Loss of camaraderie with friends and colleagues during the pandemic;
- Loss of mentorship opportunities for younger practitioners; and
- Loss of income due to pandemic-related economic conditions.

We should treat the pandemic as an opportunity to make changes for the betterment of the legal profession. Changing the culture of the profession by encouraging greater flexibility would go a long way in supporting working attorneys and their families.

One way our profession could achieve greater flexibility would be by continuing the use of telephonic and video hearings for procedural hearings, such as structuring conferences, or hearings that do not involve witness testimony. Alternatively, we could permit attorneys to continue doing hearings remotely if both sides agreed.

Second, we can and should encourage employers, public and private alike, to genuinely encourage flexibility with their legal staff. Yes, certain activities might function better in person (e.g., team-building activities, depositions, hearings involving witness testimony, and brainstorming sessions with colleagues). But, we know now that many of our jobs can be done well in other settings. Giving and encouraging all members of your team the flexibility to work in locations other than the office when needed allows your colleagues to feel better able to handle their personal obligations in addition to their professional ones. Encouraging employers to make this pivot in thinking, and not just paying lip service to it, would go a long way in helping employees handle competing demands on their time. At the same time, the community should be cautious of expecting employees to be available during weekend or evening hours simply because technology permits it. Employers and employees would benefit if expectations regarding availability are clear.



Third, we should work with community partners to ensure high quality childcare is available throughout our state. We should work to develop policies and cultures that encourage and permit parents to contribute meaningfully to childcare responsibilities.

Lastly, increased flexibility by the bench and bar will help keep women in the legal profession. This, in turn, increases representation in all areas of our profession. Increased representation not only gives the younger generations role models, but it also increases the diversity, backgrounds, and mindsets of decision-makers. This benefits everyone.

We appreciate the opportunity to participate in this important discussion, and look forward to seeing meaningful change implemented based on the lessons the pandemic has taught us.

Very truly yours,

A handwritten signature in blue ink that reads "Caroline K. Leonard". The signature is fluid and cursive.

Caroline K. Leonard, President

New Hampshire Women's Bar Association