

IN RE HON. ANNA BARBARA HANTZ MARCONI

Docket Nos. JC-24-078-C and JC-24-079-C

STIPULATION

Whereas the New Hampshire Supreme Court Committee on Judicial Conduct has commenced judicial conduct proceedings against former Supreme Court Justice Anna Barbara Hantz Marconi; and

Whereas former Justice Anna Barbara Hantz Marconi is desirous of resolving the judicial conduct proceedings without a hearing and is willing to enter into a *Stipulation*, with the advice of counsel, to make certain admissions and waivers.

NOW COMES, the Judicial Conduct Committee (JCC) and former Justice Anna Barbara Hantz Marconi (Hantz Marconi) to agree and stipulate as follows:

1. Hantz Marconi admits she violated the following provisions of the Code of Judicial Conduct (Supreme Court Rule 38) as referenced below:

Canon 1, Rule 1.1 (Compliance with the Law) [2 violations] of the Code of Judicial Conduct (Supreme Court Rule 38) provides that: "A judge shall comply with the law, including the Code of Judicial Conduct." These violations of the Code occurred on April 19, 2024, and June 6, 2024, when then Justice Hantz Marconi communicated with and sought information from Pease Development Authority (PDA) Chair Stephen Duprey and New Hampshire Governor Christopher Sununu about her husband's administrative suspension from the PDA and the potential impact on her judicial role.

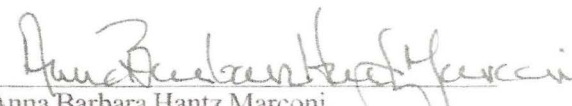
Canon 1, Rule 1.2 (Promoting Confidence in the Judiciary) [2 violations] of the Code of Judicial Conduct (Supreme Court Rule 38) provides that: "A judge shall act all times in a manner that promotes public confidence in the independence, integrity and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety." Public confidence in the judiciary is eroded by improper conduct and conduct that creates the appearance of impropriety. This principle applies to both the professional and personal conduct of a judge. These violations occurred on April 19, 2024, and June 6, 2024, when then Justice Hantz Marconi communicated with and sought information from Pease Development Authority (PDA) Chair Stephen Duprey and New Hampshire Governor Christopher Sununu about her husband's administrative suspension from the PDA and the potential impact on her judicial role.

2. Hantz Marconi understands that as a result of her admissions and the terms of this Stipulation, the JCC will enter a finding, by clear and convincing evidence, that she has violated the provision of the Code of Judicial Conduct Rule 1.2 and by extension Rule 1.1 as stated above, and shall prepare a summary report of this proceeding and of its findings and recommendations (if any) concerning the sanctions to be imposed which shall be filed in the public docket of the Committee and forwarded to the New Hampshire Supreme Court as required by New Hampshire Supreme Court Rule 40(12)(d).
3. Hantz Marconi understands that she has a right to a public hearing to contest these violations pursuant to New Hampshire Supreme Court Rules 40(9), (10) and (11). Hantz Marconi hereby signs the within *Stipulation* in lieu of this public hearing and hereby waives her right to this public hearing under Rule 40; and agrees that the within *Stipulation* shall serve as part of the official record of these proceedings.
4. Hantz Marconi further agrees to waive any appellate rights which she may have to a *de novo* hearing in connection with this matter pursuant to New Hampshire Supreme Court Rule 40(12)(d)(1) and (2).
5. Hantz Marconi acknowledges she has had the advice of counsel in connection with the preparation and execution of this *Stipulation* and that she understands both the terms and effect of such *Stipulation* and she executes the *Stipulation* of her own free will.
6. The JCC and Hantz Marconi agree that upon the execution of this *Stipulation* the JCC will enter a finding of violations of the Code of Judicial Conduct as stated herein, which Hantz Marconi admits to, by clear and convincing evidence, and that these violations will be referred for further review by the Supreme Court pursuant to New Hampshire Supreme Court Rule 40(12)(d).
7. The JCC recognizes that Hantz Marconi has significant objections to the Summary Report of Proceedings, Findings, and Recommendations which the JCC will submit to the Supreme Court. The JCC agrees that Hantz Marconi's Objections to the Committee's Summary Report, including relevant parts of the record she submitted to the Committee, shall accompany the JCC's submissions to the Supreme Court and shall be made public at the same time as this *Stipulation* and the Summary Report.

The Judicial Conduct Committee, by


John Mullen

Anna Barbara Hantz Marconi


Anna Barbara Hantz Marconi

Judicial Conduct Committee Counsel


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