

PETITION 21 - AS INTRODUCED

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PETITION 21  
PETITION FOR REDRESS OF GRIEVANCE

**TO:** The Honorable House of Representatives  
**FROM:** Petitioner Representative Donald B. McClarren, Hillsborough 21  
**DATE:** October 27, 2011  
**SUBJECT:** Grievance of Arthur Ginsberg, Nashua, New Hampshire

Your Petitioner Representative McClarren on behalf of Arthur Ginsberg of Nashua, and the citizens of New Hampshire who may likewise be affected, hereinafter presents the following summary of his grievances involving a decision of the New Hampshire Supreme Court and invokes the constitutional authority and duty of the Honorable House of Representatives pursuant to Articles 31 and 32 to bring about redress:

Grievance involving judges of the New Hampshire Superior Court for permitting an Attorney John P. Griffith to enter false evidence and testimony and to conduct malicious and frivolous litigation.

Grievance involving the Professional Conduct Committee of the Supreme Court Attorney Discipline System for delay in scheduling the hearing for Attorney Griffith, and unlawfully voiding an official investigative report.

Grievance involving special investigator Attorney Diane Nicolosi for falsifying a second investigative report on Attorney Griffith, including misrepresentation of interviews with Mr. Ginsberg's lawyers.

Grievance involving Margaret Nelson, chairperson of the Professional Conduct Committee of the Supreme Court Attorney Discipline System, Disciplinary Counsel Landya McCafferty, and Special Investigator Diane Nicolosi for stating that Mr. Ginsberg's complaint did not meet the clear and convincing evidence burden of proof when at the time of these investigations, preponderance of evidence was the standard burden of proof used at the investigative level.

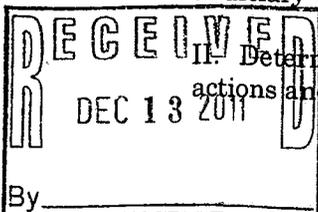
Grievance involving a decision of the New Hampshire Supreme Court which vacated an order accepting the case in question.

Grievance involving the department of justice for not addressing specific violations of law and putting more effort into investigating Mr. Ginsberg than the actual complaint.

Wherefore, your Petitioner prays that the House of Representatives consider this proposed remedy:

I. Review and study the procedures used by the Professional Conduct Committee and the Judiciary Conduct Committee in handling complaints.

II. Determine what testimony and evidence should be accessible to the public in disciplinary actions and introduce legislation to provide for such accessibility.



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III. Introduce legislation to repeal article 73-a of the second part of the New Hampshire constitution.

IV. Review the standard burden of proof required for investigations that are part of the screening process within the court system and if necessary, introduce legislation to require a preponderance of evidence as the standard burden-of proof.

V. Request an official investigation by the attorney general for criminal violation by members of the court system.

**Respectfully submitted by Petitioner Representative McClaren on Behalf of Arthur Ginsberg.**

