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**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

JOHN M. FORMELLA
ATTORNEY GENERAL



JAMES T. BOFFETTI
DEPUTY ATTORNEY GENERAL

4F

December 7, 2022

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

Your Excellency and Members of the Council:

REQUESTED ACTION

That approval be and hereby is given to the Attorney General to appoint Melissa E. Fales to Position #9U225 (Appropriation #02-20-20-200510-26130000-013-500132) as an Assistant Attorney General at a salary level of \$88,000, effective upon Governor and Executive Council approval or January 1, 2023, whichever is later, for a term ending August 31, 2025.

EXPLANATION

Ms. Fales, a Newmarket resident, received a Bachelor of Science in Environmental Biology from Plymouth State University in 2008. She earned her Juris Doctor, with a Natural Resources and Environment Certificate, from the University of Montana School of Law in 2011. She was admitted to the New Hampshire Bar in 2011. Ms. Fales began her legal career as an Assistant Legal Counsel in the Hillsborough County Office of Legal Counsel in 2012. After approximately nine months in that post, she joined the Grafton County Attorney's Office as an Assistant County Attorney. She prosecuted primarily felony level criminal offenses for that office until she joined Rockingham County Attorney's Office in 2016. Ms. Fales was an Assistant County Attorney in Rockingham County until 2020, when she was promoted to Deputy County Attorney. Ms. Fales joined the Department in July of 2022 and was assigned to the Environmental Protection Bureau. I plan to continue her current assignment. Her salary will increase by \$2,014 from \$85,986 to \$88,000. A copy of her resume is attached.

RSA 21-M:3 and RSA 94:1-a(I)(c) provides that designation of positions, salary levels, and salary increases for attorneys at the Department of Justice shall be determined by the Attorney General, subject to approval of the Governor and Council, within appropriations made to the Department of Justice.

His Excellency, Governor Christopher T. Sununu

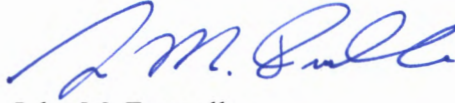
And the Honorable Council

December 7, 2022

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I am very pleased to offer Ms. Fales' appointment as an Assistant Attorney General at the above-referenced salary for your approval and respectfully urge your favorable consideration. Thank you.

Respectfully submitted,



John M. Formella
Attorney General

#3806128

Melissa E. Fales

Bar Membership

New Hampshire State and Federal Bar

Concord, NH
November 2011

- Admitted

Experience

New Hampshire Department of Justice

Concord, NH

Attorney – Environmental Protection Bureau July 2022 – present

- Prosecute environmental crimes for the State of New Hampshire, including reviewing investigations, making charging decisions, representing the State in court, and negotiating resolutions.
- Represent state agencies including the Department of Environmental Services in civil and administrative proceedings.
- Enforce environmental laws and administrative rules through filing petitions in court to collect civil penalties and request injunctive relief.

Rockingham County Attorney's Office

Brentwood, NH

Deputy County Attorney January 2020 – June 2022

Assistant County Attorney September 2016- January 2020

- Collaborated with police agencies regarding investigation, charging decisions, and interpreting law.
- Prosecuted felony cases - reviewed investigations, negotiated pleas, presented charges to grand jury, prepared for trial and presented cases at jury trial.
- Responded to right-to-know requests made to the office pursuant to RSA 91-A.
- Collaborated with the County Attorney to supervise office employees, develop policy, and make administrative decisions to best serve Rockingham County citizens.

Grafton County Attorney's Office

North Haverhill, NH

Assistant County Attorney September 2012 – September 2016

- Handled all stages of prosecution for primarily felony level criminal offenses.
- Reviewed investigations, drafted charging documents, presented cases to the grand jury, negotiated plea agreements, researched and drafted motions, and argued on the State's behalf at hearings and jury trials.

Hillsborough County Office of Legal Counsel

Assistant Legal Counsel January 2012 – September 2012

- Drafted and filed petitions for writs of attachment, motions for summary judgment, settlement agreements, and represented Hillsborough County at periodic payment hearings.
- Conducted legal research and drafted objections to writs of habeas corpus filed by inmates at the Hillsborough County Department of Corrections.

New Hampshire Department of Justice Environmental Protection Bureau Concord, NH
Summer Intern June 2010 – August 2010

- Researched and wrote memoranda, petitions, motions, and proposed orders for the Environmental Protection Bureau.
- Prepared for and attended arraignments, department meetings, inter-agency meetings, and hearings.
- Collaborated with AAGs in preparing for, and trying, a developer for wetlands and water quality violations impacting Concord's drinking water supply.

Education

University of Montana School of Law

- Juris Doctor
- Natural Resources and Environment Certificate

Missoula, MT

May 2011

May 2011

Plymouth State University

- Bachelor of Science in Environmental Biology
- Study Abroad: Dublin City University

Plymouth, NH

May 2008

Dublin, IE Fall 2007

Community Involvement

- New Hampshire Bar Association Legislation Committee
- Newmarket Community Church, Volunteer

Presentations

- NH DOJ Basic Prosecutor Training – Bail, Pre-trial Hearings, and Deadlines December 2022
- NH DOJ Sexual Assault Training Series – Charging, Bail, and Motion Practice January 2022
- Granite State Children's Alliance Child Advocacy Center Annual Summit – Testifying for Forensic Examiners – April 2021 and April 2022
- NH DOJ Sexual Assault Training Series – Direct Examination April 2022