



Theodore H. Kirchner - Of Counsel

Two Canal Plaza P.O. Box 4600
Portland, Maine 04112

(207) 774-7000 *main*
(207) 553-4625 *direct*

tkirchner@nhdlaw.com

Theodore Kirchner has counseled and represented attorneys, real estate sales agents and brokers, and title insurance companies in the defense of professional liability, malpractice and errors and omissions negligence claims, and manufacturers in defense of product liability lawsuits throughout the state of Maine. A skillful negotiator, Ted is particularly knowledgeable in representing individuals in employment disputes concerning gender, disability and age discrimination, and other EEOC violations.

In 30 years of consistent dedication to representing his clients with informed and capable advocacy, Ted has argued cases in Maine State and Federal District Courts, and to ultimate appeals in Maine's Law Court and to the U.S. Supreme Court. He has been awarded Martindale Hubbell's highest ranking, A-V.

A representative sample of some of the cases he handled that resulted in significant decisions includes:

Grover v. Boise Cascade Corp., a 2004 case that had substantial impact on jury selection procedures, particularly *voir dire*, in Maine;

Johnson v. Carleton, which addressed the requirement for expert witnesses to establish causation in legal malpractice cases, and

Tauvar v. Bar Harbor Congregation, et al., which was appealed to the U.S. Supreme Court but not heard, pitted an individual's Constitutional right to worship where he chose against the right of association for a religious group or congregation to exclude persons who disagreed with the group's basic doctrines.

Ted served in the U.S. Army Security Agency as a Russian linguist in Ethiopia and Turkey prior to his law career.

Education

- University of Maine Law School, J.D., 1977
- Rutgers University, B.A., 1969

Practice Areas

Insurance Defense Litigation
Personal Injury
Products Liability
Real Estate Litigation
Trials and Litigation

Affiliations

Admitted to Practice

- State of Maine
- U.S. District Court, District of Maine
- U.S. Court of Appeals, First Circuit
- U.S. Supreme Court

Member, Past and Present

- Maine State Bar Association, Member
- Maine Trial Lawyers Association, Member
- Defense Research Institute, Member
- Habitat for Humanity of Greater Portland, Board of Directors
- National Alliance on Mental Illness – Maine, Board of Directors

Selected Reported Cases

- *Grover v. Boise Cascade Corp.*, 2004 ME. 119, 860 A.2d 851; 2003 ME 45, 819 A.2d 322.
- *Johnson v. Carleton*, 2001 ME 12, 765 A.2d 571.
- *Renaissance Yacht Co. v. Stenbeck*, 818 F.Supp. 407 (D.Me. 1993).
- *Freund v. Fleetwood Enterprises, Inc.*, 756 F.Supp. 604 (D.Me. 1991)
- *Tauvar v. Bar Harbor Congregational, et al.* 633 F.Supp 741 (D.Me. 1985), *dismissal affirmed*, 787 F.2d 579 (1st Cir. 1986), *cert. denied* (Sup. Ct. January 12, 1987).

Awards, Merits & Honors

- Identified among the *New England Super Lawyers* (2012 to present)

Designations



