

APPLICATION PROCESS FOR NEW APPLICATIONS

[9/15/07]

Qualifications for Initial Certification

Persons meeting certain qualifications are eligible for certification by the Board as a guardian ad litem. Please note that the Board does not appoint GALs to particular cases. Appointment is a court function. Certification by the Board is not a guarantee that an individual will receive actual appointment by a court.

The qualifications for initial certification as a GAL are set forth in **Part Gal 303** of the rules of the Board. Qualifications for renewal, recertification and reinstatement are addressed in **Chapter Gal 400**. GALs certified by the Board before September 15, 2007 will ultimately be required to meet the same qualifications as persons certified on or after that date, generally by the time of renewal. See **“Renewal, Reinstatement and Recertification Materials”** located on the GAL website.

The new application process is used when applying for initial certification and when applying for certain types of certification made more than 90 days after expiration of a prior certification.

The application process is designed to obtain the information necessary to determine qualifications as well as to gather information that would assist the court in making an informed decision on whether or not to appoint an individual as a GAL in a particular case. See RSA 490-C: 4, II (g) and RSA 490-C: 5, I (b). The Application for Certification and the Supplemental Application for Certification forms, as well as checklists and summaries of required documentation, have been developed by the Board to assist applicants for certification in working through the process and addressing applicable requirements.

The general qualifications for initial certification as a GAL are set forth below. Please note that other requirements may apply in contexts other than requests for initial certification and that the following is merely a general synopsis of initial qualifications. It is not a verbatim recitation of the applicable rules. Statutory provisions and the provisions of the Board’s rules provide the actual requirements, are controlling and should be consulted. Generally, an applicant for initial certification must:

- (a) Properly complete and submit to the Board all required application and supplemental application forms, fees and supporting materials;
- (b) Submit to the Board such additional information that the Board requests in connection with the application;
- (c) Possess either:
 - (1) A bachelor’s degree from an accredited college or university plus at least 3 years of experience in professional or

volunteer activities dealing with children or incapacitated adults, consisting of at least 200 hours of experience in each of the 3 years;

(2) An associate's degree from an accredited college or university plus at least 5 years of experience in professional or volunteer activities dealing with children or incapacitated adults, consisting of at least 200 hours of experience in each of the 5 years; or

(3) An advanced degree from an accredited college or university beyond a bachelor's degree, for which a bachelor's degree is a prerequisite, plus at least one year of experience in professional or volunteer activities dealing with children or incapacitated adults, consisting of at least 200 hours of experience in that year;

- (d) Be at least 25 years of age;
- (e) Never have been convicted of or pleaded guilty to any felony in any jurisdiction which has not been reversed or overturned on appeal or annulled;
- (f) Never have been convicted of or pleaded guilty to certain misdemeanors listed in the Board's rules which have not been reversed, overturned on appeal or annulled and never have been convicted of, or pleaded guilty to, more than 2 misdemeanors of any type, regardless of the jurisdiction in which they arose, that have not been reversed, overturned on appeal or annulled. See Gal 303.01 (f);
- (g) Not currently be listed on the Central Registry of Founded Abuse and Neglect reports, nor ever have been the subject of a founded report of child abuse or neglect in this or any other jurisdiction;
- (h) Be of good character;
- (i) Never have been suspended from any activity as a GAL in any jurisdiction other than New Hampshire as the result of misconduct in the performance of his or her duties as a GAL, or as the result of a failure to be of good character, unless such suspension was reversed or overturned on appeal;
- (j) Never have had any certification, registration, approval or appointment as a GAL revoked as the result of misconduct in the performance of his or her duties as a GAL, or as the result of a failure to be of good character, in any jurisdiction other than New Hampshire, unless such

revocation was reversed or the certification was reinstated, or unless the revocation was overturned on appeal;

- (k) Never have had any certification, registration approval or appointment as a guardian ad litem revoked in New Hampshire, by an entity other than board, under the circumstances described in (j) above;
- (l) If presently or formerly authorized to practice as an attorney in this or any other jurisdiction, never have been disbarred;
- (m) Have completed the guardian ad litem training requirements specified in Gal 303.02;
- (n) Be recommended for certification as a guardian ad litem by three individuals of the type specified in the Board's rules, in the specific manner prescribed by the rules. See Gal 302.04 (f) and Gal 302.05;
- (o) Not have provided a positive answer to the question on the supplemental application form inquiring whether the applicant knows of any reason (other than a potential conflict of interest) why he or she should not be appointed as a GAL;
- (p) Never have had his or her application for license, certification, registration, or approval to practice as a GAL denied in any jurisdiction other than New Hampshire on any basis that would constitute grounds for a denial of certification under RSA 490-C or the rules of the Board, unless that denial was reversed, overturned on appeal or the ground for denial was subsequently superceded by the granting of an application;
- (q) Possess a current telephone number;
- (r) Be able to clearly, succinctly and understandably articulate thoughts in writing as demonstrated by the person's application, including the written submission required by Gal 302.04 (e); and
- (s) Have access to reliable transportation.

Process

In order to apply for new certification, an applicant must provide:

1. A completed Application for Certification form;
2. A completed Supplemental Application for Certification form (including the Log of Professional or Volunteer Experience);
3. The application fee of \$75;

4. All required supporting materials, including (but not limited to) a criminal records release with required fee, three positive letters of reference, the required letter from the Central Registry and a waiver of confidentiality.

A **Summary of Required Documentation for New Applications** and an **Application Checklist** are available on the GAL website to help in the completion of the application.

The Board will not consider a request for new certification until it has received: (1) a completed Application for Certification form; (2) a completed Supplemental Application for Certification form; (3) all required supporting materials; (4) the applicable fee; and (5) return from the Department of Safety of the results of the applicant's criminal background check. Once required materials are received, the Board will notify the applicant if the application is incomplete or if the Board requires additional information or materials.

If you have questions about the application materials or the application process, please review the Summary of Required Documentation for New Applications, the Application Checklist and/or the **administrative rules of the Guardian ad Litem Board** (<http://www.gencourt.state.nh.us/rules/gal.html>). These materials will answer many questions. You may, of course, also contact the staff of the GAL Board.

Please Note

Persons interested in obtaining certification by the Board must take the required training specified in Gal 303.01 (m) and Gal 303.02 before submitting an application for certification.

Certified guardians ad litem will be listed on the Board's website and included in any list of GALs that the Board may issue. The "business contact" information provided on the Application for Certification (or on an application for renewal, reinstatement or recertification) will be utilized for these lists.

The foregoing information regarding new applications is simply intended as a synopsis of the Board's process. It is not a verbatim recitation of all applicable rules and statutes. Those interested or involved in the new application process should consult the specific laws or rules at issue.