



John H. Lightfoot, Jr.
Chairman

State of New Hampshire Guardian ad Litem Board

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In the Matter of:
Melissa Borowski
Adjudicatory Proceeding

DECISION AND ORDER

Before the Guardian ad Litem Board (the Board) is the matter of Melissa Borowski following the denial of her application for certification as a Guardian ad Litem.

BACKGROUND INFORMATION

On July 21, 2010, the Guardian ad Litem Board office received an application for certification as a Guardian ad Litem from Melissa Borowski

On August 16, 2010, the Board reviewed Ms. Borowski's application and requested a new written submission in compliance with gal 302.04 (e) that would satisfy the requirement 303.01(r).

On September 29, 2010, the Board office received a new written statement.

On October 15, 2010, the Board reviewed the new written statement, and voted to deny the application pursuant 303.01 (r) A Guardian ad Litem must be able to clearly, succinctly and understandably articulate thoughts in writing as demonstrated by the person's application, including the written submission.

On November 10, 2010, the Board office received a written request for a hearing to challenge the denial of her application, from Ms. Borowski pursuant to 302.01 (g) & (e).

On January 5, 2011, the Notice of Hearing was mailed via certified return receipt.

The notice of hearing provided that the following specific issues would be determined at the adjudicatory proceeding:

Whether Ms. Borowski meets the requirement of Gal 303.01 (r) A Guardian ad Litem must be able to clearly, succinctly and understandably articulate thoughts in writing as demonstrated by the person's application, including the written submission.

Jack Lightfoot served as presiding officer.

HEARING

An adjudicatory hearing was held on June 21, 2011 in room 102 of the Legislative Office Building, Concord.

Present were: Jack Lightfoot, Chair; Susan Duncan; Nina Gardner, Mark Jewell, Representative Jeffrey Oigny

Also present were Melissa Borowski, respondent

The record in this case consists of the following:

Documents from the Board's file on Ms. Borowski:

2010 Renewal Application and all attachments of Melissa Borowski filed on July 21, 2010

Notice of Hearing dated January 5, 2011.

Respondent submitted additional writing samples and an assessment of her vocational abilities.

Summary of Evidence

Ms. Borowski's original written submission did not satisfy the requirements of GAL 303.01(r). The Board asked for a new one. The second written submission was deemed by the board to not clearly, succinctly and understandably articulate thoughts in writing so the application was denied.

Ms. Borowski's submitted additional writing samples showing that she can clearly, succinctly and understandably articulate thoughts in writing. In addition she submitted an assessment done of her vocational abilities.

She asks that the Board reconsider her application.

FINDINGS OF FACT

Ms. Borowski's written submissions did not meet the qualifications set forth in GAL 303.01(r).

Ms. Borowski's additional writing samples show that she can clearly, succinctly and understandably articulate thoughts in writing

RULINGS OF LAW

Ms. Borowski did provide a writing sample that clearly, succinctly and understandably articulate thoughts in writing meeting the qualifications of GAL 303.01(r).

DISCUSSION AND CONCLUSION

The Board discussed and agreed that Ms. Borowski's formal writing samples met the requirements of GAL 303.01(r).

THEREFORE IT IS ORDERED that the application of Melissa Borowski be approved pursuant GAL 401.05(a), as the applicant submitted a complete application.

Appeals from orders of the Board may be taken pursuant to RSA 541. See RSA 490-C:8. Within 30 days of the date of this decision, the respondent may appeal by petition for a writ of certiorari to the New Hampshire Supreme Court. See RSA 541:6.

BY ORDER OF THE BOARD

DATE: January 21, 2011



Jack Lightfoot
Presiding Officer

cc: Melissa Borowski
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