



State of New Hampshire Guardian ad Litem Board

Public Minutes

Legislative Office Building Room 101

July 19, 2013

Members Present: Susan Duncan, Chair, Ann Larney, Master Henrietta Luneau, Representative Deana Rollo, David Villiotti
Former Board member Nina Gardner pursuant to RSA 490:C:3 IV

Absent: Alan Cantor, Chris Keating, Senator David Pierce

A quorum was present.

Chairwoman Duncan called the meeting to order at 1:07pm.

1. Public Comment

- a. There was no public comment as no members of the public were present.

2. Review Minutes

- a. May 17, 2013 Full Board Public
 - i. A. Larney made a motion to approve the minutes. M. Luneau seconded. Vote: 5-0
Motion passes.
- b. May 17, 2013 Full Board Non-Public SEALED
 - i. S. Duncan made a motion to approve the minutes. A. Larney seconded. Vote: 5-0
Motion passes.
- c. June 14, 2013 Full Board Public
 - i. A. Larney made a motion to approve the minutes. M. Luneau seconded. Vote: 4-0-1 M. Luneau abstaining. Motion passes.
- d. June 21, 2013 Full Board Public
 - i. Rep. Rollo made a motion to approve the minutes as amended. D. Villiotti seconded. Vote: 4-0-1 M. Luneau abstaining. Motion passes.
- e. June 21, 2013 Full Board Non-Public SEALED
 - i. A. Larney made a motion to approve the minutes. Rep. Rollo seconded. Vote: 4-0-1 M. Luneau abstaining. Motion passes.
- f. June 21, 2013 Public Hearing Thompson Bennett
 - i. A. Larney made a motion to approve the minutes as amended. D. Villiotti seconded. Vote: 4-0-1 M. Luneau abstaining. Motion passes.
- g. July 10, 2013 Complaint Sub-Committee Public
 - i. A. Larney made a motion to approve the minutes. S. Duncan seconded. Vote: 4-0-1 M. Luneau abstaining. Motion passes.
- h. July 10, 2013 Complaint sub-committee Non-public SEALED
 - i. A. Larney had corrections so discussion was held until non public session.

3. Board Actions and Updates

- a. Vacant Seat on Board
 - i. One of the General Public Seats has been vacant since October 2011.
 - ii. Senator Pierce suggested Jeannette Birge.
 - 1. She politely declined as she does not have the time currently.
 - 2. She asked that we keep her name in mind for future openings.

- iii. Board members were asked to brainstorm possible names to present to the Governor.
- b. Office Moving
 - i. Somewhere between August 13 -30, 2013 the office is moving.
 - ii. All the contact information will remain the same.
 - iii. No help is needed as General Services will be moving everything.
 - iv. The new space is a bit larger and will have more room for storage. It also a private office.
 - v. Discussion Included:
 - 1. The new space could give the public the perception that now the Board is linked to the Judicial Council.
 - a. The Board does not want to imply that they are attached or influenced by the Judiciary.
 - 2. The new space is puts the current office staff person in an office next door to another family member.
 - a. They work for different agencies.
 - b. Currently, they are in the same building different floors.
 - 3. These issues were brought to the Commissioner of Administrative Services who was aware of the issues and is still going forth with the move.
 - 4. The Judicial Council approved the move months ago.
 - 5. Even though the Board office will now be near the Judicial Council it is still attached to Administrative Services.
- c. Thompson Bennett mailing
 - i. The order for Ann Thompson Bennett was mailed certified return receipt on July 1st.
 - ii. On July 5th the envelope was received back in the office with RTS and No name at this box written on it. The return receipt was not attached.
 - iii. After double checking the address that was on file and confirming it to be the same on the envelope the office called Ms. Thompson Bennett on July 8th.
 - 1. She verified that the PO Box number was correct.
 - 2. It was agreed that the order would be emailed immediately and resent by mail.
 - iv. A message was left at the Goffs Falls Post Office in Manchester on July 8th.
 - 1. The Board shouldn't have to pay again to mail the document when the Post Office put it in the wrong box.
 - v. On July 9th the return receipt was received from the original mailing with a signature but not from Ms. Thompson Bennett.
 - vi. July 10th the office again called the Post Office.
 - 1. The postal worker apologized for the mishap.
 - 2. She said that the letter could be hand delivered to the Post Office and would not need to be paid for again. Just put a new return receipt on it.
 - 3. The office staff person drove to the Goffs Falls Post Office on the way home from work and dropped off the letter.
 - vii. Ms. Thompson Bennett signed for it on July 11th.
- d. Investigator
 - i. Only Nason Investigations replied to the inquiry about renewing the contract.
 - ii. The Board agreed there is not a current need for two investigators so will jus stay with the one. The Board will readdress the issue if the need arises.
- e. Training
 - i. There are 33 people currently on the notification list for newbie training.

- ii. M. Luneau & A. Cantor are planning to meet about an advanced training for current GALs.
- iii. Statistics for FY 11-13(when GAL fund was cut)
 - 1. 7 New GALs were certified
 - 2. 39 did not renew certification
 - 3. End of FY 13 there are 123 Certified GALs
- iv. Discussion Included:
 - 1. What is entailed in the scheduling of a training?
 - 2. Putting out an RFP for someone to write the manual.
 - 3. Scheduling with NHCC Concord.
 - 4. Coordinating presenters.
 - 5. Creating and agenda.
- v. Just because there are 33 people on the notify list that doesn't mean that 33 people will sign up.
- vi. When the Board last checked with Judge Kelly he said there are currently no courts that cannot fill their GAL appointments.
- vii. The Board would not be economical, effective or efficient for anyone to have a training knowing there is no work out there for new GALs.
 - 1. Since the GAL fund for marital cases was dissolved in 2011 the need for GALs has diminished as they are only private pay.
- viii. S. Duncan made a motion to email the 33 interested people and post on the website a statement regarding the lack of demand for GALs and the subsequent lack of training needed. She will obtain up to date information from Judge Kelly and Supreme Court Attorney Howie Zibel. Rep. Rollo seconded. Vote: 5-0. Motion passes.
- ix. The Board agreed to currently put their efforts into hosting training for currently certified GALs.

4. Continuing Education

- a. Introduction to Psychology Community College of Vermont 27.50 CEU's
 - i. Topics covered are highly relevant to GAL work.
 - ii. M. Luneau made a motion to approve the course. A. Larney seconded. Vote: 5-0. Motion passes.

5. Late Reports

- a. At the May meeting it was agreed by the Board to send a letter to any GAL with a late report.
 - i. This was at the request of GALs who had received the letter upon renewal and had to dig through files.
 - ii. The letter also stated if documentation was provided by the court that their name would be removed from the list.
 - iii. A letter went out on May 29th and gave a date of July 15th for the information to be returned.
 - iv. The following people replied by the deadline:

Nina Lloyd	Nancy Brown	Steven Bunker	John Cameron
Suzanne Decker	Patricia Frim	Barbara Griffin	George LaRocque
Teresa Mahoney Mullen		Miriam Newman	Judith Roman
Kathleen Sternenberg		Jennifer Rackley	Ann Thompson Bennett

 - 1. 8 of the 14 people that replied simply gave an explanation and agreed that their report was late.
 - 2. The remaining 6 people supplied what they felt was sufficient information to have their name removed from the list.

v. The following people did not reply:

1. Nancy Blais
2. James Mulligan
3. Katherine Stearns
4. Jane Vallincourt

vi. Discussion Included:

1. This mailing has caused a buzzed amongst GALs.
2. There is still confusion as to whether the court clerks are double checking for orders or motions filed in regards to the stipulations or report before listing a GAL as being late.
3. Due to budget cuts there is the same amount of work for less clerks to do making it overwhelming.
4. Should the Board take this issue on or should it be brought up to the Judge during the case in court?
5. The extent to which the GALs went to in order to clear their name was much more time consuming than the Board envisioned when it decided to ask for explanations.
6. Some of the late reports went back to 2011.
7. For the 2nd quarter of 2013 there were only 4 GALs with late reports.
8. The Board agreed to not automatically send out letters to the late reporters for the next quarter until the Board has made a decision on what to do.
9. The parties do not always pay the retainer, return the questionnaires and sign the stipulation in time for the report to be filed.
10. The Board did not create the list so how can the Board remove a name from the list.
 - a. Should the Board forward these letters to the courts and let the court reply.
 - b. The Board could remove name from list that Board keeps and advise GAL to contact court to have name removed from court.
 - c. Previously the Board has removed names from the list if documentation was provided by the court.

vii. S. Duncan made a motion to table the discussion and allow Board members time to think about how to deal with the issue in a simple matter rather than complicate the issue. A. Larney seconded. Vote: 5-0. Motion passes.

- b. Portsmouth Family Division sent an amended list stating that Tracy Bernson was mistakenly put on the 2013 1st Quarter report. The database has been updated.
- c. 2nd quarter reports from all family divisions were received at the Board office.
 - i. The list of late reporters was distributed to Board members.
 - ii. Letters were sent out to the late reporters for an explanation with a deadline of August 31, 2013 to reply.

6. Ethics Complaint

- a. Board member Chris Keating attended the Executive Branch Ethics Committee meeting July 3rd regarding the Archambault complaint against the Board for violating RSA 21-G:23 Misuse of position..
 - i. C. Keating reported via email: The Committee wrestled with whether it had jurisdiction to consider the complaint, but ultimately decided to consider the complaint. After discussion the Committee voted unanimously to dismiss the complaint on the ground that the complaint did not provide a basis on which the committee could find that the Guardian ad Litem Board acted unethically.

7. Non-Public Session

Rep. Rollo moved to go into non-public session for the purposes of discussing a matter which, if discussed in public, would likely affect adversely the reputation of a person or persons who is not a member of this body pursuant to RSA 91-A:3, II(c). A. Larney seconded. A roll call vote was taken:

S. Duncan, Aye, A. Larney, Aye, M. Luneau, Aye, Rep. Rollo, Aye, D. Villiotti, Aye

M. Luneau left the room recused during non-public session.

N. Gardner replaced her pursuant to RSA 490:C3IV.

A quorum was still present.

M. Luneau returned to the meeting in non-public session.

N. Gardner left as she was no longer needed.

Rep. Rollo made a motion to go back into public session. M. Luneau seconded. Vote: 5-0. Motion passes.

D. Villiotti made a motion to adjourn. Rep. Rollo seconded. Vote: 5-0 Motion passes.