



State of New Hampshire Guardian ad Litem Board

Public Minutes

October 10, 2014

Legislative Office Building Room 101

Members Present: Susan Duncan, Chair, Alan Cantor, Chris Keating, Betsy Paine, Representative Deanna Rollo, Dave Robbins

Members Absent: Master Henrietta Luneau, Senator David Pierce, David Villiotti

1. Public Comment

There was no public present.

2. Review Minutes

September 19, 2014 Full Board: A. Cantor made a motion to approve the minutes. S. Duncan seconded. Vote: 4-0-2 C. Keating and Rep. Rollo abstaining.

3. GAL Statistics as of October 10, 2014

- a. 88 Certified GALs
 - i. 2 are no longer accepting appointments
 - ii. 3 are temporary for the purpose of completing an appointment
 - iii. Technically, there are 83 Certified GALs able & willing to serve.
- b. 1 GAL expired in September
- c. 2 GALs possibly expire in October
- d. 3 GALs are still within the 90 day re-certification period
- e. 60 GALs are certified in Family Division
- f. 68 GALs are certified in District Court
- g. 86 GALs are certified in Superior Court
- h. 75 GALs are certified in Probate Court

4. Board Actions & Updates

Member Binders

New members to the Board have received a binder with all their GAL Board information in one place. It was discussed that if incumbent members would like a binder they should notify office staff.

Meeting Dates 2015

Board members agreed to continue meeting on the third Friday of every month and set the 2015 schedule as follows:

January 16 th	February 20 th	March 20 th	April 17 th
May 15 th	June 19 th	July 17 th	August 21 st
September 18 th	October 16 th	November 20 th	December 18 th

Office Hours

The office will be closed on Friday October 17th and Friday October 24th.

Office Staff Position

The Board Chair and staff are in the process of reclassifying the position to Administrative Assistant I. After reading the description that is what the current office staff is doing and they are for the most part operating without supervision.

Budget Executive Order

The Governor has issued an Executive Order to cut the proposed budget for FY 16-17. Once the directive has been given the Chair and Board staff will make required cuts and let Board know.

Email

The Board staff received an email from Dr. Ken Cohen regarding GALs and mental health training. He Board discussed that the email had had excellent points. The Board has never required that in order to renew their application they must have CEU requirements in certain fields. The current rule just states 30 CEUs and does not delineate into categories. The Board agreed that they could look at this in the future during the rules process. The Board agreed to reply, thanking him for his email and stating that the Board does not require a GAL to be a mental health professional but a GAL should be sensitive. If Dr. Cohen has a specific complaint he should file an official complaint with the Board.

New Court Forms

In accordance with the newly passed and effective HB 1343 the court has created two new forms the GAL Statement & Motion to Exceed Fees. The Board reviewed them. The Court also redid the Order of Appointment. The Board was concerned that the in the new Order of Appointment the Court did not address the issue of contradiction as to when the investigation begins which the Board wrote a letter to the courts about in June. The Board agreed to write another letter and suggest adding language stating, If payment not received by a certain date the GAL is required to file a motion. Change the wording of when they begin their investigation to upon receipt of order of appointment and all retainers. Also add the GAL shall report to the court if a party has not fulfilled their retainer requirement by the due date. And finally on page 2 remove the first sentence next to #3.

5. CEU Requests

Intro to NH Drug Courts 6 credits

After reviewing the request discussion included that about only 50 people are involved in drug court. The likelihood of a GAL getting a case involving the drug court is low. The training was more procedural than relevant to substance abuse disorders. C. Keating made a motion to deny the request. D. Robbins seconded. Vote: 6-0. Motion passes.

6. Non-Public Session

C. Keating 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). D. Robbins seconded. A roll call vote was taken:

A. Cantor, Aye, S. Duncan, Aye, C. Keating, Aye, B. Paine, Aye, D. Robbins, Aye, Rep. Rollo, Aye

~Non-Public Session~

C.Keating made a motion to go back into public session. Rep. Rollo seconded. Vote: 6-0. Motion passes.

7. New Business

Travel Reimbursement

Board Member Dave Robbins raised the question as to why Board members are not compensated for travel and clerical expenses. The Board discussed that RSA **490-C:2 Membership. –II.** States that “The members of the board shall serve without compensation.” There was discussion whether or not travel reimbursement counted as compensation. It was pointed out that other Boards have a specific statute that says they are entitled to travel reimbursement. Board staff was going to ask counsel for more clarification on this issue and get back to the Board.

Training

Board Member Dave Robbins strongly suggested a training be held as soon as possible for GALs. He stated he was not swayed by the Judicial Branch stating they do not need new ones. Discussion included is the Board being negligent in not offering a training. The opposite point was also raise as to whether it was ethical to hold a training. It would cost the Board a few thousand dollars and the potential GALs hundreds of dollars knowing that the Judicial Branch does not need new GALs at this moment. It was also discussed that the college requires at least 30 people to put on a training. Is it good business practice to spend money organizing and advertising for a training that may not happen due to lack of attendance, especially now that the Governor has issued an order to cut the budget. Another point that was brought up was that our current rules reflect the way the courts use to be. Now that the entire state has family court the rules need to change to reflect that. The Board has also been informed that in some Probate cases judges appoint only attorney GALs. A letter has been sent to the Administrative Judges asking which cases require attorney GALs. Some Board members felt that they should hold off on the training until the rules are re-written because you wouldn't want to either give false hope or have to have people come back for more training costing more money. The Board decided to not take any action at this time.

S. Duncan made a motion to adjourn. C. Keating seconded. Vote: 6-0. Motion passes.