

Guardian ad Litem Board
Public Minutes
August 18, 2016 at 9:00am
121 South Fruit Street, Concord NH 03301

A meeting of the Guardian ad Litem Board was held on August 18, 2016. Also in attendance were: Attorney Alan Cantor, David Robbins, Attorney Betsy Paine and Representative David Welch. Not present were David Villotti, Senator David Pierce, Honorable Henrietta Luneau and Chairperson Susan Duncan. Attending from the Office of Professional Licensure and Certification were Rick Wisler, Chris Horne and Attorney Robert Lomberti(joined the meeting later).

Also in attendance: Attorney Debra Mulcrone, Taylor Gailliot.

After a brief discussion the board members accepted Attorney Blodgett's offer to chair the meeting. Attorney Blodgett called the meeting to order at 9:05.

1 – Rules Hearing: Debra Mulcrone, Attorney and GAL, addressed the following items within the proposed rules:

1. Time required for complaint responses. She believed a 30 day time limit could be difficult at times depending on work load and time off. Other rule requirements are 60 – 90 days.
2. Should a certified letter rather than first class be used to insure timely delivery, see 203.02 (d).
3. Due to scheduling conflicts it may be difficult to review complaint documents at the GAL Board office because not all documents are provided in Notice of Complaint, see 203.02 (c)(4).
4. Is 203.03 (a)(11) b.2 time frame reasonable? Should b.2 be eliminated and leave b.1?

Attorney Paine asked Attorney Mulcrone if she is aware of reasons why some GALs elect to not renew their certification. Concerns included low compensation related to the increasing work load, time intensive cases, time limits for hearings/trials and the resulting detailed reports.

Following Board member questions the Board thanked Attorney Mulcrone for her comments. There were no further comments on the rules, the hearing closed at 9:52. Attorney Mulcrone and Taylor Gailliot departed the meeting.

The Board thoroughly discussed all comments and determined:

Concern #1 - GAL203.02(g) allows the Board to extend a response if needed although an expedited time frame may be possible if staff was authorized to grant extensions. Staff will research and report back to the Board.

Concerns #2 through #4 – The Board, by consensus, believed the rules should remain as proposed.

2 – Approval of July 15, 2016 Minutes. Attorney Paine moved, Representative Welch seconded. Dave Robbins abstained, unanimous.

3 – Unfinished Business: None

4 – Communications General: None

5 CEU Requests:

- a. High Conflict Parent Education Program 27 CEUs. approved for 11
- b. Looking at Alimony – current & proposed, plus Parenting Modification & other Family Law Updates 3 CEUs- approved for 2
- c. Mediation Skills for Collaborative Professionals 6 CEUs –approved
- d. Legal Technology Academy 12 CEUs – not approved, courses are not relevant to GALs
- e. Why Parents Don't Believe 1 CEU – approved

6 - Board Updates:

- a. GAL Late Reports – reviewed, no action
- b. GAL Stats- the Board reviewed the statistics compiled by staff indicating a decline of the number of “active” certified GALs from 86 in 2014 to 66 currently. Board discussion then continued into agenda item #7.

7 – New Business:

- a. Letter from Shelley Randall – GAL Training and present need for new GALs.

Attorney Bob Lamberti joined the meeting.

Following a lengthy discussion of possible new rule changes to facilitate more timely Board offered training, and increase shadowing requirements, Dave Robbins moved to change 303.02 (a)(4) and 303.02 (d) to increase from 4 to 8 hours of shadowing. Representative Welch seconded, Attorney Cantor abstained, unanimous. Dave Robbins moved to change 303.02(b) by replacing “of at least” to “not in excess of” Attorney Blodgett seconded, Attorney Cantor abstained, unanimous.

Attorney Paine noted the Board arrived at this decision by reviewing the decreasing number of GALs over the past two years, that no new applicants were received over the past year, and a letter from a potential GAL indicating she could not apply due no available Board training. Further, it was noted that staff has discussed a similar lack of training with three other potential GAL applicants.

Attorney Lamberti departs the meeting.

8 – Non Public Session: moved, and seconded, to go into a Non-Public meeting for the purpose of discussing matters which if discussed in public, would likely adversely affect the reputation of a person or persons who is not a member of this body pursuant to RSA 91-A:3, II(c). Roll call vote unanimously approved.

Return from Non-Public Session- moved, seconded, to seal non-public minutes. Unanimous vote to seal the minutes.

9 – Adjournment: Moved, seconded, unanimous.