

GAL Review Board Meeting
January 17, 2017 – 9:30 a.m.
Board of Overseers of the Bar – Augusta

Minutes

Call to order: A meeting of the GAL Review Board was held on January 17, 2017. A quorum being present, the meeting convened at 9:35 a.m. with Chair Prescott and Vice Chair Tennes presiding. Board members in attendance were Chair Dana E. Prescott, Vice Chair Diane A. Tennes, Kenneth P. Altshuler (via phone), Karen E. Boston, Lisa A. Bryant, Malcolm T. Dow, Brenda M. Harvey, Judicial Liaison Justice Joseph M. Jabar, Christopher P. Leddy, and Catherine C. Miller. Also in attendance were staff members Aria Ee and Jacqueline M. Rogers. Board members David Dutremble, Wayne P. Doane, and Mary Zmigrodski were unable to attend the meeting. Special guests in attendance were Chief Judge E. Mary Kelly, Family Division and Civil Process Manager Elaine Clark, and Tracy Leigh, Coordinator of the Guardian ad Litem Services of the Family Division of the Maine Judicial Branch.

1) Accept September 16, 2016 Minutes

Upon motion by Mr. Dow and second by Ms. Harvey, the September 16, 2016 Minutes were unanimously approved. Moving forward, Board members asked Ms. Rogers to provide a courtesy copy of the meeting minutes to Judge Bruce Jordan, Chair of the Family Law Advisory Commission.

2) Remarks from Chief Judge E. Mary Kelly

Chief Judge Kelly thanked the GAL Review Board for extending an invitation to attend the meeting. She reported that the Court is working on its Report to the Joint Standing Committee on the Judiciary. The report will include background as to the creation of GAL Review Board oversight program and data from its first year of operation. In that regard, Chief Judge Kelly asked for insight from members regarding their service on the Board thus far and what if any changes might be recommended. Several members commented on their experience. It was a consensus that the rules, policies, and procedures established by the Court and the Board are effective and that the new system is functioning well.

Judge Kelly updated the Board on the Court's revised survey that is distributed to parents and attorneys at the conclusion of a case involving a guardian ad litem. Data collected will be summarized by the Court and used in the evaluation process of guardian ad litem services.

3) Remarks from Tracy Leigh and Elaine Clark of the Family Law Division

a) March CASA Guardian ad Litem Training

Ms. Leigh reported that the CASA GAL training is scheduled for March 7 – 10, 2016. The CASA training is similar to the core training as far as programming offered to the participants. The four-day training concludes with a mock trial held at the Court. The program planners are looking at adding a fifth day of training to allow for additional topics and participant interaction.

b) Staffing Changes at the Administrative Office of the Courts – Family Division

Ms. Clark reported that she transferred to her new position as Family Division and Civil Process Manager in early January. Ms. Clark provided an overview of the staffing with the Family Law Division noting that there are currently three vacancies. She expects the department to be fully staffed in the near future and looks forward to working the Court and the Board.

c) Online Survey of Parents and Attorneys in Cases involving GALs

Following up on Chief Judge Kelly's remarks, Ms. Leigh advised that the Court's survey was implemented on January 3rd. Initially developed as one survey, the Court elected to create four separate surveys specific to the various parties and types of GAL matters. The respondents are anonymous and data collected does not link to the underlying case.

d) Legislative Initiatives

Ms. Clark advised that the Judicial Branch has submitted a bill to remove the sunset provision from the consolidated law governing guardians ad litem in Maine Revised Statutes, Title 4, chapter 3. Dr. Tennes reported that there are other bills being contemplated, however, the bills have not yet been printed.

4) Administrative Matters

a) Roster Update

i) New Special Counsel Update

Ms. Rogers reported that the position remains vacant. First round interviews were held on December 7, 2016 and second round interviews are scheduled for January 25, 2017.

ii) October 2016 Suspensions

Ms. Rogers reported that twelve GALs were suspended on October 21, 2016 and that two of those individuals were subsequently reinstated.

iii) Newly Rostered GALs

Ms. Rogers reported that twenty-seven new GAL were rostered by the Court in early November.

iv) Roster Statistics

Ms. Rogers reported that the GAL Roster stands at 225.

b) Consider Vacating Guardian ad Litem Roster Policy regarding Designated Confidential Information

i) Ms. Rogers reported that the Court's recent amendment of Rule 7(a)(8) which makes confidential the residence address, telephone number and email address is in conflict with the Board's policy regarding Designated Confidential Information and with the Court's policy of publishing this information on its online roster. After discussion, Ms. Rogers was directed to send an email to Justice Jabar and Chief Judge Kelly advising of the conflict and to remove the policy in question from the Board's website until the matter is resolved by the Court.

c) CLE Sub-Committee Report – *Tennies*

Procedure to Review and Approve Courses Submitted by Providers and Individuals

Dr. Tennes reported that upon receipt of an application from a provider seeking GAL credit, Board staff forwards the request to her. She then emails the request to subcommittee members Brenda Harvey and Ken Altshuler for review. A decision to approve or disapprove, typically issued within 36 to 48 hours.

Earlier this month, the subcommittee was asked to reconsider the approval of *The Paperless Office: Real-World Success Stories* session presented at the Board of Overseers of the Bar's Sixth Annual Legal Ethics Seminar. It was the consensus of the subcommittee that the session did not meet the standards contained within the rules. Ms. Rogers advised she would notify the GAL seeking reconsideration.

Lastly, Board members discussed the need to advertise approved courses to the GAL community. Ms. Rogers advised she will look into the matter and devise a notification system.

5) Docket Report

Deputy Bar Counsel Eee reported that there are no open matters and no pending public review requests.

6) GAL Review Board Annual Report

Mr. Prescott reported that the Annual Report would consist of prior year statistics, the Board Roster, meeting minutes together with a cover letter. He expects that the Court will make use of this information as it prepares its Report to the Joint Standing Committee on the Judiciary.

7) Old Business

There was no old business.

8) New Business

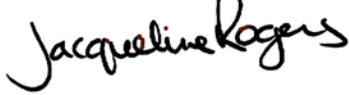
Justice Jabar noted that the GAL Review Board and the Court have been very active in the GAL arena over the past year. From the Court's perspective, the new system is running smoothly and he is not aware of any concerns regarding the work of the Board. Justice Jabar, on behalf of the Court, expressed his thanks to members for their service on the Board.

9) Confirm next meeting Date of April 12, 2017

GAL Review Board members confirmed the next meeting will be held on Wednesday, April 12, 2017, at 9:30 a.m. The meeting will be held at the office of the Board of Overseers of the Bar in Augusta.

Upon motion by Ms. Boston and second by Ms. Bryant, the meeting adjourned at 11:45 a.m.

Respectfully submitted,



Jacqueline M. Rogers
Executive Director