

GAL Review Board Meeting
October 18, 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 October 18, 2017. A quorum being present, the meeting convened at 9:30 a.m. with Chair Prescott and Vice Chair Tennies presiding. Board members in attendance were Chair Dana E. Prescott, Vice Chair Diane A. Tennies, Kenneth P. Altshuler, Karen E. Boston, Lisa A. Bryant, Malcolm T. Dow, Brenda M. Harvey, Judicial Liaison Justice Joseph M. Jabar, Christopher P. Leddy, and staff members Angela M. Morse and Jacqueline M. Rogers. Board members Catherine C. Miller and Mary Zmigrodski were unable to attend the meeting. Special guests in attendance were District Court Interim Deputy Chief Susan Sparaco, Family Division and Civil Process Manager Elaine Clark, and Tracy Leigh, Coordinator of Guardian ad Litem Services for the Family Division of the Maine Judicial Branch.

1) Approve June 20, 2017 Minutes

Upon motion by Ms. Harvey and second by Mr. Dow, the June 20, 2017 Minutes were unanimously approved.

2) Administrative Matters

a) Roster Report/Registration Update

Ms. Rogers reported that the GAL roster stands at 213 (197 attorneys/16 non-attorneys) representing a decrease of 13 over the prior reporting period. She also reported that the annual registration period will conclude on October 23, 2017. Nineteen GALs have not completed the registration requirement.

3) CLE Subcommittee Report

a) New Staff Liaison to CLE Subcommittee

Dr. Tennies reported that Ms. Rogers is now serving as the staff liaison to the CLE Subcommittee.

b) Summary of Approved Courses

Dr. Tennies provided an overview of courses approved by the CLE Subcommittee. She stated that the review system is working well noting that the rules are very precise with respect to creditworthy courses.

c) Individual Course Approval Procedure

Dr. Tennies advised that the CLE Subcommittee has reviewed a small number of submissions submitted by individual GALs. As part of the review process, the Subcommittee learned that once a course has been approved, regardless of whether it is submitted by a sponsor or an individual, it is entered into the Board's database for the benefit of all. The Subcommittee had assumed that each individual GALs seeking credit would have to submit an application together with the \$25 fee. Ms. Rogers explained the internal process for adding an approved course to the database. She advised that it would be administratively challenging from a database standpoint to require each GAL seeking credit for a course that has previously been approved to submit an individual approval request and fee. After discussion, Board members agreed that no changes would be made to the current review and approval process for individual course approval requests.

4) Update from the AOC

a) 10/2/17 AOC Letter re Court Process and the role of GALs involving District Court Adoptions pursuant to the Home Court Act

Ms. Leigh provided an overview of the circumstances that prompted the Court to issue a letter informing GALs that because District Court adoption cases are related to, but independent of a Child Protection action, and because the PC GAL has no official role in the adoption, the Judicial Branch will not

reimburse GALs for costs associated with attending such an adoption proceeding. After a brief discussion, the matter was tabled.

b) Compliance Report for Guardians ad Litem

Ms. Leigh provided an overview as to the development and creation of compliance reports for guardians ad litem. The forms, which remain in draft form, have yet to be adopted by the Court.

Note: See item 6(a) below for additional discussion.

5) Judicial Liaison Report

a) GAL Review Board Vacancies

Justice Jabar reported that attorney Amanda Beal Day has received preliminary approval by the Court for appointment to the Board. He asked Ms. Rogers to reach out to Attorney Day to inquire whether she would be willing to serve.

b) GAL Review Board Member Reappointments

Justice Jabar reported that the reappointment orders are in process.

6) Chair Report

a) Proposed amendments to the Maine Rules for Guardians ad Litem to adopt standard billing procedures and to require reports of compliance with assigned tasks

Mr. Prescott reported that he and Ms. Rogers met with Justice Jabar last month to discuss the proposed amendments to Rule 5 of the Maine Rules for Guardians ad Litem that creates a new subdivision (k) and (l). As a result of that meeting, and as a courtesy to the Board, the Law Court granted an extension to the GAL Review Board to comment on the proposed revisions.

Subsequent to the meeting with Justice Jabar, Mr. Prescott advised that he met with Judge Oram, Ms. Leigh, and Ms. Clark to discuss the proposed amendments as well as the associated draft compliance forms. Discussion at both meetings centered around the preference of submitting the compliance form and billing itemization when the GAL's report is submitted to the Court. Mr. Prescott solicited input from Board members. After discussion, Mr. Prescott thanked Board members for their thoughts and advised that he would circulate a proposed revision for comment to Board members prior to submitting proposed revisions to the Court.

7) Docket Report

Ms. Morse provided an update on pending cases and statistical data regarding complaints received thus far in the calendar year 2017. As part of her update, Ms. Morse noted that the majority of complaints received this year have been dismissed due to complainants not meeting the jurisdictional threshold as stated in the Rules.

8) New Business

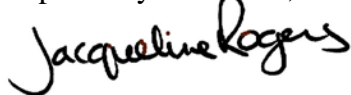
There was no new business.

9) Confirm 2018 Meeting Schedule

Board members approved the proposed 2018 meeting schedule.

Upon motion by Mr. Altshuler and second by Mr. Dow, the meeting adjourned at 11:15 a.m.

Respectfully submitted,



Jacqueline M. Rogers
Executive Director