

GAL Review Board Meeting
April 11, 2018 – 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 April 11, 2018. A quorum being present, the meeting convened at 9:30 a.m. with Chair Prescott presiding. Board members in attendance were Chair Dana E. Prescott, Kenneth P. Altshuler, Karen E. Boston, Lisa A. Bryant, Armanda B. Day, Malcolm T. Dow, Brenda M. Harvey, Catherine C. Miller (via phone), and Mary J. Zmigrodski. Also in attendance were staff members, Angela M. Morse and Jacqueline M. Rogers. Board members Diane A. Tennes, Christopher P. Leddy and Judicial Liaison Justice Joseph M. Jabar were unable to attend the meeting. Special guests in attendance were Family Division and Civil Process Manager Elaine Clark, Tracy Leigh, GAL Services Coordinator for the Maine Judicial Branch.

1) Welcome new Board member Armanda Day

On behalf of the GAL Review Board, Chair Prescott welcomed new member Armanda Day.

2) Approve October 18, 2017 Minutes

Upon motion by Mr. Altshuler and second by Ms. Harvey, the October 18, 2017 Minutes were unanimously approved.

3) Administrative Matters

a) Roster Report/Registration Update

Ms. Rogers reported that the GAL roster stands at 219 (201 attorneys/17 non-attorneys) representing an increase of five over the prior reporting period.

4) CLE Subcommittee Report

a) Summary of Approved Courses

Ms. Rogers provided a report listing courses approved from July 1, 2017, to April 6, 2018, by the CLE Subcommittee.

b) Can we approve a program for Title 22 GALs and not Title 19-A GALs?

Mr. Altshuler advised that the CLE Subcommittee recently approved a program geared toward guardians ad litem who are rostered to accept Title 22A appointments. Once approved, all GALs would receive credit if approved they attended the program regardless of whether they are rostered for this type of appointment. Ms. Rogers explained the current design of the Board's database does not differentiate between Title 19 and 22A appointment types. After discussion, it was agreed that this program was atypical and that no change would be made to the current credit system.

5) Update from the AOC

Ms. Clark advised that it has been a pretty quiet time period for the GAL program given the current short legislative session. The court has finalized the new compliance forms. She advised that the Court continually seeks to recruit GALs in Maine's Aroostook and Washington Counties. Ms. Leigh provided an overview of the Court's recruitment efforts.

Ms. Zmigrodski asked whether the new compliance forms have caused GAL's to resign from the roster. Ms. Leigh advised that she was unaware of any resignations and that concerns quieted down once the form was issued.

Ms. Day commented on a recent experience involving the new form. The form has a checkbox that GALs mark advising that they have completed all assigned tasks. She did so in an assigned case and provided a copy of the form to the opposing party who pointed out that she hadn't completed her duties because the hearing had not yet taken place. A discussion followed in which members sought guidance from Ms. Clark and Ms. Leigh as to whether the report is confidential or should be provided to the parties. Ms. Leigh and

Ms. Clark advised that it was their understanding the Compliance Report should be copied to the parties. They will confirm and report back to Board members.

6) Judicial Liaison Report

a) GAL Review Board Vacancy

On behalf of Justice Jabar, Ms. Rogers reported that the Court has not received the required recommendations from the Governor or legislative leadership from which to appoint a public member.

b) Update on the Proposed Amendment to Rule 5

On behalf of Justice Jabar, Ms. Rogers reported that the proposed amendment to Rule 5 which deals with billing standards and compliance reports was adopted by the Court on January 22, 2018.

7) Chair Report

Mr. Prescott reported that the Legislature has before it a very comprehensive piece of legislation related to Maine's Probate Code. If adopted, the legislation will blend Maine's Probate Court into the District and Superior Court in some fashion. If the legislation passes, there will likely be necessary rule revisions and associated training. However, before that happens, the Court is looking at a major overhaul of associated civil rules practices, internal procedures, and budget concerns. The legislation, drafted in large part by University of Maine Law School Professor Deidre Smith and Policy & Legal Analyst Petty Reinsch, is an incredible undertaking and a major accomplishment. If adopted, Professor Smith advises that there will be significant changes in the guardianship laws in the Probate Code, to the extent that guardians are being appointed in 18(a) matters, which will also need to be addressed through training.

8) Docket Report and Statistics

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.

Ms. Morse also reported that she and Mr. Prescott will be speaking at an upcoming seminar presented by the York County Bar Association.

9) Revised GAL Complaint Form by Deleting Question B(9)

Ms. Morse advised Board members that Sections A and B on the GAL Complaint form have duplicate questions regarding GAL's fees. After discussion and upon a motion from Mr. Altshuler and second by Mr. Dow, Board members voted to remove the duplicate fee question from Section A.

10) Discuss Format and Distribution of 2017 Annual Report

After discussion, it was a consensus to incorporate the GAL Review Board's Annual Report into the Annual Report of the Board of Overseers of the Bar.

11) New Business

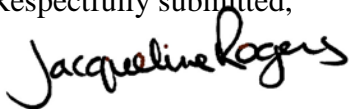
There was no new business.

12) Confirm next meeting date of July 18, 2018

Board members confirmed the next meeting will be held on Wednesday, July 18, 2018, 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 Mr. Altshuler and second by Mr. Dow, the meeting adjourned at 10:40 a.m.

Respectfully submitted,



Jacqueline M. Rogers
Executive Director