

Guardian ad Litem Board
Public Minutes
September 29, 2016 at 8:30 am
121 South Fruit Street, Concord, NH

A meeting of the Guardian ad Litem Board was held on September 29, 2016. The meeting was called to order at 8:31 by Chairperson Duncan. Also in Attendance were: Attorney Sarah Blodgett, Attorney Alan Cantor, Attorney Betsy Paine and David Robbins. Not present were Representative David Welch, Honorable Henrietta Luneau, David Villotti and Senator David Pierce. Attending from the Office of Professional Licensure and Certification were Rick Wisler, Chris Horne and Attorney Robert Lamberti.

1. Call to Order: Chairperson Duncan called the meeting to order at: 8:31

2. Unfinished Business:

- a. Discussion and Final vote on 100-200 Rules: Staff Attorney Lamberti noted suggested changes to Gal 203.03(a)(3) and 218.01(f). All other changes within 100 – 200 are editorial. By consensus the Board would like a “standing order” for use by future Boards to define implementation of 218.01(f) only after consultation with Board counsel. Attorney Blodgett to draft a standing order. Dave Robbins moved and Attorney Paine seconded to approve changes. Unanimous.
- b. Discussion and Final vote on 300 – 500 Rules: Attorney Lamberti discussed the JLCAR comment regarding Gal 302.02 (d)(2) and wherever else noted in rules requesting further definition of “shadowing”. Following discussion the Board would like to include language that defines “shadowing” that includes:
 - a. Consistent with statutory requirements by observing a certified GAL:
 - i. Attending court proceedings,
 - ii. Drafting of court documents, and
 - iii. Interviewing appropriate parties.

The Board also discussed JLCAR’s comments regarding 302.02(f)(19). After Board deliberation, it was believed relevant information was already requested elsewhere and 302.02(f)(19) could be deleted. The Board also approved changing 303.01(c) to remain consistent with similar language elsewhere in the rules. Additional discussion was held on 303.01(h) regarding the suggested new language defining “good character”. The Board agreed to instead use the definition or language from the Supreme Court’s decision on Oligny involving good character. Attorney Lamberti will look at the case and replace suggested rule language or, if the Oligny case does not provide a definition, leave the language as currently listed in rules. The Board also discussed JLCAR’s comment on 401.02(c)(2)d. By consensus the Board decided to delete that section and as used elsewhere in the rules. Lastly, the Board decided to change 503.15(i) to instead reference emergency

suspensions under section 200, and delete 503.15(j). Attorney Paine moved, Dave Robbins seconded, unanimous to approve all changes as discussed for 300 – 500 Rules.

- c. Next step with rules process: Many Board members intend to be present at the Oct. 20 JLCAR meeting. Immediately following the JLCAR meeting, the Board will meet at 11:00 that same day in the LOB to vote on adoption of the rules.

3. Any Other Business: None

4. Adjournment: Attorney Paine made a motion to adjourn, Dave Robbins Seconded, unanimous to adjourn at 9:40.