

GAL Review Board Meeting
October 17, 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 October 17, 2018. A quorum being present, the meeting convened at 9:30 a.m. with Chair Prescott presiding. Board members in attendance were Dana E. Prescott, Kenneth P. Altshuler (via phone), Karen E. Boston, Lisa A. Bryant, Armanda B. Day (via phone), Malcolm T. Dow (via phone), Brenda M. Harvey, Christopher P. Leddy, Catherine C. Miller (via phone), Diane A. Tennes, and Mary J. Zmigrodski. Also in attendance were staff members Angela Morse, and Jacqueline M. Rogers. Judicial Liaison Justice Joseph M. Jabar was unable to attend the meeting.

1) Approve July 18, 2018 Minutes

Upon motion by Mr. Leddy and second by Ms. Harvey, the July 18, 2018 Minutes were unanimously approved.

2) Administrative Matters

a) Roster Report/Registration Update

Ms. Rogers provided a written and verbal report with respect to registration statistics. The GAL roster stands at 196, representing a decrease of 21 over the prior reporting period. There are currently 11 GALs who have not completed their annual registration. Administrative suspensions will be imposed on October 22, 2018.

3) CLE Subcommittee Report

a) Summary of Approved Courses

Dr. Tennes distributed a written report containing a list of courses approved by the CLE Subcommittee and reported that the review process is well defined and working well.

b) Review Guardian ad Litem Accreditation Application for Continuing Professional Education Courses

Dr. Tennes reported that the CLE Committee is often presented with incomplete CLE applications from course providers. The incomplete applications require staff and committee members to work behind the scenes to obtain the missing information delaying the committee's review. Board members discussed the concern and agreed to convert the form to a digital format. The new digital form would make certain questions mandatory, provide links to rules, and refine questions so that the CLE Subcommittee has the information it needs to evaluate submissions.

c) Discuss Presenting Quarterly Ethics Webinars and Possible Topics

Ms. Tennes followed up on a discussion item from the July meeting regarding the Board presenting three to four webinars each year for guardians ad litem. In that regard, she sought suggestions from Board members on topics to be presented. The following topics were suggested: Professionalism/Ethics Update; Staying in Your Lane: Confidentiality and Boundaries; and Safety and Self-Care for Guardians ad Litem. Ms. Rogers will look into a provider to host the webinars.

4) Update from the AOC

a) New GAL Training

Ms. Leigh advised that the Court has received several new GAL applications which Chief Judge Oram is currently reviewing. A planning meeting with Ms. Leigh and staff at the Maine State Bar Association is scheduled later today to discuss training. I am meeting with the MSBA on the 17th at 2:00 p.m. to discuss future training. Board members shared their thoughts with respect to the location, duration, and discussion topics.

b) Legislative Update

On behalf of Elaine Clark, Ms. Rogers reported that the Maine Judicial Branch is working on a comprehensive package of legislation to address public/non-public court records. The Court expects that there will be a section addressing family proceedings, including GAL reports. Public notice of the drafts

toward the end of October. Ms. Clark asked if the GAL Review Board could be prepared to review and comment on the proposals, that would be very helpful.

Ms. Leigh provided an update on the following five bills that were considered by the Legislature in the last session that impact guardians ad litem directly or indirectly:

LD 1919 - This was regarding criminalizing the failure to report for mandated reporters. This did not pass.

LD 1920 - Act to modify the expungement of DHHS records. This passed. Currently, records are expunged after 18 months for unsubstantiated or inappropriate reports. With this legislation, the Department will have a five-year look back. It goes into effect in December. The records will be used for child welfare only and will not be reported on any background checks. This new legislation is to help the Department assess when there have been numerous unsubstantiated or inappropriate reports, which they are not responded to the third.

LD 1921 - Act to grant DHHS access to criminal information. Historically, the Department only was able to see public information regarding criminal records. With this legislation, the Department will have access to charges and pleas. The bill passed.

LD 1922 - This legislation strengthens the language related to reasonable efforts and attempts to balance the best interest of the child and child safety while continuing to focus on reunification. The bill passed.

LD 1923 - Act to improve child welfare. This bill will increase the rates for foster homes, and it created a number of new positions - supervisors, regional positions, case workers, and case aids. It also includes a pay increase for child welfare staff. The bill passed.

c) Other

Ms. Leigh reported that on September 21, 2018, the Maine Supreme Judicial Court issued an order establishing an Advisory Committee on the Maine Family Rules. The Committee will be looking at forms and providing recommendations to the Court as it moves forward with its new technology system. The Committee is chaired by Judge Daniel Driscoll.

5) Judicial Liaison Report

On behalf of Justice Jabar, Ms. Rogers reported that the Supreme Judicial Court has approved the amendment to Rule 9(b)(1).

6) Chair Report

No report.

7) Docket Report and Statistics

Board Counsel Morse provided a report on active cases as well as statistical data regarding closed matters.

8) New Business

a) Letter from Department of Health and Human Services re GAL Walter Ollen

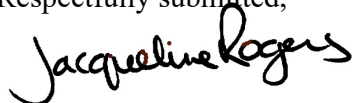
Ms. Rogers distributed a letter from the Department of Health and Human Services praising the good work of GAL Walter Ollen. Board members had a lengthy discussion on the good work that is being done by Gals across the state and ways in which to recognize that work.

9) Confirm Next Meeting Date

Ms. Rogers advised that she will prepare and email a proposed meeting calendar for 2019.

Upon motion by Ms. Boston and second by Ms. Zmigrodski, the meeting adjourned at 10:30 a.m.

Respectfully submitted,



Jacqueline M. Rogers
Executive Director