GAL CORE TRAINING
March 26-29, 2019
Capital Judicial Center
1 Court Street, Augusta

Presented by the
Maine State Bar Association
in conjunction with the
Maine Judicial Branch

Credits: See page 2 for credit information.
GENERAL INFORMATION

GAL CREDITS:
GALs who wish to be rostered for Title 22, 19-A and Title 18-A cases must complete/attend the entire four-day training to be eligible for placement on the roster. Total GAL and CLE credits: 26.50, including 1.50 ethics and 1.25 H&D.

Day 1: Tuesday, March 26: 6:25, including .75 ethics
Day 2: Wednesday, March 27: 6:25
Day 3: Thursday, March 28: 6.5, including .75 ethics
Day 4: Friday, March 29: 7.5, including 1.25 H&D

DIRECTIONS:
The Capital Judicial Center is located at 1 Court Street, Suite 101, in Augusta. For detailed directions, visit www.courts.state.me.us and go to Courts, Court Locations, Kennebec, Kennebec County Superior Court, Augusta.

PARKING:
There are two free public parking lots at the courthouse. There is limited metered parking near the courthouse.

SECURITY:
Anyone entering the Capital Judicial Center is required to go through screening each time they enter. Please allow sufficient time for the screening process.

REGISTRATION:
Registration and conference room are located on the second floor of the courthouse. You must check in and check out each day you attend.

PROGRAM MATERIALS:
A link to the program materials will be provided by email to all registrants prior to the program. Printed materials will not be available at the program.

HOTEL ACCOMMODATIONS:
Best Western Plus Augusta Civic Center Inn. A limited number of rooms are available at the Best Western Plus Augusta Civic Center Inn, 110 Community Drive in Augusta. For those in need of lodging on March 26, 27, 28 and 29, the MSBA has secured a room rate of $80.00 per room for non-smoking kings or non-smoking doubles (plus any applicable taxes) per night. This rate is guaranteed until Monday, March 10, 2019. After March 10, 2019, reservations will be taken on a space-available basis. Please call Best Western Plus directly at (207) 622-4751 and request the Maine State Bar Association GAL CLE group rate.

PLEASE COMPLETE THE FORM BELOW AND PROVIDE PAYMENT INFORMATION.

Name_________________________ ME Bar #________________
Organization ____________________________
Address ____________________________
City __________________ State ______ Zip ______
Tel #________________________ Email Address __________________________

Registration & Fees
Pre-registration & payment are required.
☐ 4-DAY REGISTRATION
March 26 - March 29 ...... $380

Payment Information: Registrations cannot be processed without payment.

Total $________________________

Check Enclosed #__________ | MasterCard - VISA - AMEX - Discover
Card # ____________________________ Expiration Date ____________ CSC Code ____________

Name as it appears on card ____________________________
Billing address ____________________________
Telephone #________________ Signature ____________________________

COMPLETE THIS FORM & MAIL, FAX OR CALL:
Maine State Bar Association
124 State Street, Augusta, ME 04330
Telephone: 207-622-7554 • Toll Free: 1-877-622-7554
Fax: 207-623-0083 • Email: cle@maineban.org • Website: mainebar.org
TUESDAY, MARCH 26 | DAY 1
(6.25 HRS., INCLUDING .75 ETHICS)

REMINDER: You must check in and register and check out each day you attend.

8:00 REGISTRATION

8:30 WELCOME, PROGRAM OVERVIEW AND INTRODUCTION
   Hon. Susan E. Oram, Chief Judge, Maine District Court, Lewiston

8:45 THE STRUCTURE OF MAINE'S COURTS: A ROADMAP
   - The Maine Constitution and the enabling legislation
   - The historical parens patriae authority of the judiciary
   - Child Protection: Title 22 and its unique jurisdiction
   - Family Law: Title 19-A magistrates and judges
   - Probate: Title 18-A
   - The Role of the Maine Supreme Judicial Court: rule-making and appeals
     Professor Deirdre M. Smith, University of Maine School of Law, Portland

10:00 BREAK

10:15 ROLE OF THE GAL
   - Title 4, Title 19-A & Title 22
   - Relevant GAL duties and obligations under the M.R.G.A.L.
     Hon. Susan E. Oram, Chief Judge, Maine District Court, Lewiston
     Hon. Susan Sparaco, Deputy Chief Judge, Maine District Court, Rockland

11:30 SCOPE OF THE APPOINTMENT ORDER (AO): EXAMPLES AND RESPONSIBILITIES
   - Title 19-A Order of Appointments: limited, standard, expanded, and amended
   - Title 22 Order of Appointment
     Hon. Susan Sparaco, Deputy Chief Judge, Maine District Court, Rockland

12:30 LUNCH (INCLUDED)

1:30 ETHICAL DUTIES AND IMMUNITY: WHY THE APPOINTMENT ORDER MATTERS
   - Independent judgment
   - To whom is the duty owed?
   - Immunity
   - Confidentiality
   - Mandated reporting
     Dana E. Prescott, Esq., Prescott Jamieson Murphy Law Group, LLC, Saco

2:15 BREAK

2:30 FRAMEWORK OF THE GAL ROLE BY RULE
   - M.R.G.A.L. 5: Standards of conduct
   - M.R.G.A.L. 9: Guardian ad litem review board complaint system
   - M.R.G.A.L. 8: Guardian ad litem registration
     Angela M. Morse, Esq., Special Counsel, Board of Overseers of the Bar, Augusta

3:00 INTERVIEWING CHILDREN
   - Where do you talk to children?
   - How to talk to a child at each developmental stage
   - How much to tell a child
   - What is a meaningful preference?
   - Wishes, preferences, best interests, and demands
   - Interviewing Techniques: Title 19-A v. Title 22
     Joyce Wientzen, LCSW, Director, Spurwink Child Abuse Program, Portland

4:15 PROGRAM ADJOURNS
REMINDER: You must check in and register and check out each day you attend.

8:15 REGISTRATION

8:30 TITLE 22: CHILD PROTECTION LAW 101
- Title 22, relevant case law, legal stages (summary preliminary hearing, jeopardy, judicial reviews, termination of parental rights, etc.)
- Best interests of the child defined
- Interstate Compact on the Placement of Children (ICPC)
- Indian Child Welfare Act (ICWA)
- Kinship care and grandparents' rights
- Permanency: adoption, permanency guardianship, Another Planned Permanent Living Arrangement (APPLA)

David F. Hathaway, Esq., Assistant Attorney General, Portland
Christopher P. Leddy, Esq., Ainsworth Thelin & Raftice PA, South Portland

10:00 BREAK

10:15 TITLE 22: CHILD PROTECTION GAL INVESTIGATION
- Role of the GAL under M.R.G.A.L. 4(c)
- Conducting an investigation: talking with a child; talking with parents, foster parents, teachers, caseworkers, and others; reviewing mental health records; reviewing medical records; reviewing educational records
- Making the expressed wishes of the child known to the court and disagreeing with a child's expressed wish
- Children in court: Duties under M.R.G.A.L. 4(c)(5)
- Family team meetings
- Evaluations: CODE and risk assessment
- Making recommendations
- Settlement conferences, trial management conferences and wrap-up conferences
- Confidentiality, Cliffords orders, in camera access

David F. Hathaway, Esq., Assistant Attorney General, Portland
Christopher P. Leddy, Esq., Ainsworth Thelin & Raftice PA, South Portland

11:45 LUNCH (INCLUDED)

12:45 TITLE 18-A AND TITLE 18-C – PROBATE MATTERS
- Home courts
- Role of GAL in probate proceedings
- GAL reports
- Contested probate guardianships, termination of parental rights and adoptions
- Payment of services

Professor Deirdre M. Smith, Esq., University of Maine School of Law, Portland

2:00 TITLE 19-A – FAMILY LAW MATTERS
- Title 19-A and relevant case law
- Divorce and parental rights and responsibilities
- Child support and family finances
- Best interest of the child analysis, 19-A M.R.S. §1653
- Meaningful preference
- Post-judgment motions
- The Maine Parentage Act, de facto parenting, grandparents' rights

Hon. Steven J. Chandler, Capital Judicial Center, Augusta
Joanna B. Davis, Esq., Family Matters Process Specialist, Augusta

3:00 BREAK

3:15 TITLE 19-A – FAMILY LAW MATTERS - CONTINUED

Hon. Steven J. Chandler, Capital Judicial Center, Augusta
Joanna B. Davis, Esq., Family Matters Process Specialist, Augusta

4:15 PROGRAM ADJOURNS
THURSDAY, MARCH 28 | DAY 3
(6.5 HRS., INCLUDING .75 ETHICS)

REMINDER: You must check in and register and check out each day you attend.

8:00 REGISTRATION

8:30 MENTAL HEALTH AND TRAUMA: CHILDREN AND ADULTS
  • Types of mental health issues (DSM-5)
  • Impact on parental capacity; is the diagnosis or treatment related to functional parenting capacity?
  • Prescription medications
  • Evidence-based interventions: how do you know what works?
  • The use and misuse of diagnosis in child-related cases
    TBA

10:15 BREAK

10:30 INTERPERSONAL VIOLENCE (IPV)
  • Definition of IPV and current research
  • Impact on parental capacity and children
  • Evidence-based interventions: Certified batterer intervention programs and non-offender treatment
  • Risk assessments
  • Role of IPV in 19-A M.R.S. §1653(6)
  • Title 19-A with protection from abuse orders
  • Role of IPV in Title 22 matters
    Faye E. Luppi, Esq., Violence Intervention Partnership, Portland
    Stephanie Noyes, Through These Doors, Portland

12:00 LUNCH (INCLUDED)

1:00 SUBSTANCE USE
  • Definition: prescription v. illegal
  • Impact on parental capacity/impaired parenting
  • Residential treatments, intensive outpatient programs and maintenance drugs (harm reduction)
  • Evaluations
  • Medical marijuana after Daggett v. Sternick, 2015 ME 8 (2015)
    Blaine Linton, LADC, Blue Willow Counseling, Lewiston

2:15 BREAK

2:30 SUBSTANCE USE AND ABUSE
  • Family Recovery Court
    Erika S. Bristol, Esq., Law Office of Erika Bristol, Lewiston
    Blaine Linton, LADC, Blue Willow Counseling, Lewiston
    Hon. Susan E. Oram, Chief Judge, Maine District Court, Lewiston

3:15 CHILD DEVELOPMENT: RESEARCH FOR GALS
  • Developmental milestones
  • Timing and impact of court-related events from a child's perspective
  • Dynamics of separation and divorce and their effect on children
  • Child support, family finance, and the financial impact of separation and divorce
  • Impact of chronic conflict and chronic chaos
  • When to ask for help: education, evaluation, and intervention
  • Evaluations: psychological, child custody, and CODE
    TBA

4:30 PROGRAM ADJOURNS
FRIDAY, MARCH 29, 2017 | DAY 4
(7.5 HRS., INCLUDING 1.25 ETHICS OR H&D)

REMINDER: You must check in and register and check out each day you attend.

8:00 REGISTRATION

8:30 BOUNDARIES: STAY IN YOUR LANE
• Can do and cannot do
• Courthouse etiquette: from the hallway to the courtroom
  Moderator: TBA
  Panelists: Steven M. Carey, Esq., The Carey Law Firm PA, Portland
            Mary J. Zmigrodski, Esq., Vassalboro

9:30 CULTURAL COMPETENCY: MANAGING BIAS (ETHICS)
• Exploring our own diversity
• Language barriers and informed consent
• The language of bias
  TBA

10:45 BREAK

11:00 BILLING REQUIREMENTS AND VOUCHERS
• Clarity and best practices for tracking time
• Best billing practices under the new billing standards
• Title 19-A: What happens when time or fees have run out?
• Title 22: Vouchers and Maine Judicial Branch Administrative Order JB-05-5
  Hon. Susan Sparaco, Deputy Chief Judge, Maine District Court, Rockland

11:30 INDIAN CHILD WELFARE ACT
• Legal overview
• 2016 BIA Guidelines
• Qualified expert witnesses
  Xi Chen, Assistant Attorney General, Augusta

12:30 LUNCH (INCLUDED) AND PERSONAL SAFETY
  Mike Coty, Chief of the Judicial Marshalls, Capital Judicial Center, Augusta

1:30 WRITING A GAL REPORT: BEST PRACTICES
• Timeliness
• Templates
• Pictures of the children
• Investigative facts v. conclusions
• Grammar
• Recommendations
  Moderator: Tracy L. Jacques, Esq., GAL Services Coordinator, Maine Judicial Branch, Augusta
  Panelists: Hon. Christine Foster, Active Retired Maine District Court Judge, Biddeford
            Hon. Valerie Stanfill, Maine District Court Judge, Waterville

3:00 BREAK

3:15 COURTROOM: BEST PRACTICES
  Hon. Christine Foster, Active Retired Maine District Court Judge, Biddeford
  Hon. Valerie Stanfill, Maine District Court, Waterville
  Taylor Sampson, Esq.
  Zaak Pakkonen, Assistant Attorney General, Augusta

4:30 CLOSING REMARKS