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THE STATE OF NEW HAMPSHIRE  
 JUDICIAL COUNCIL  
 www.nh.gov/judicialcouncil



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March 21, 2019

The Honorable Mary Jane Wallner, Chairman  
 Fiscal Committee of the General Court  
 State House  
 Concord, N.H. 03301

His Excellency, Governor Christopher T. Sununu  
 And the Honorable Executive Council  
 State House  
 Concord, N.H. 03301

REQUESTED ACTION

Pursuant to RSA 9:16-a, authorize the Judicial Council to transfer funds from the Abuse and Neglect (Non-CASA) and Assigned Counsel accounting units to the Guardian ad Litem accounting unit as outlined below, in the total amount of \$166,000. Effective upon Fiscal Committee and Governor and Council approval, through June 30, 2019. Source of funds is 100% General Fund.

| AU       | Title                      | Class | Account | Current Budget | Requested Change | Adjusted Budget |
|----------|----------------------------|-------|---------|----------------|------------------|-----------------|
| 10910000 | Assigned Counsel           | 108   | 500751  | \$1,320,001    | (\$96,000)       | \$1,224,001     |
| 11010000 | Abuse & Neglect (Non-CASA) | 108   | 500751  | \$430,000      | (\$70,000)       | \$360,000       |
| 10920000 | Guardian ad Litem          | 108   | 500751  | \$508,050      | \$166,000        | \$674,050       |

EXPLANATION

The Guardian ad Litem (10920000) account funds a variety of services, including guardians appointed to incapacitated adults and minors in guardianship court proceedings. It also funds parent attorneys and private guardians ad litem in termination of parental rights cases. The current balance in this line is \$15,499. This is insufficient to pay the in-house bills. It is also insufficient to pay the remainder of the invoices expected to come in before the end of the fiscal year.

The cost for services in the termination cases has increased significantly. As of March 21, 2019, the Council has paid \$260,921 in termination costs alone – an increase of over 50% compared to the same time last year. Based on the monthly average of expenditures since July 1, 2018, the

account will require the addition of \$166,000 to meet the anticipated expenditures through June 30, 2019.

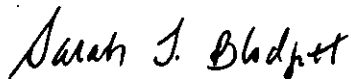
Currently, the Judicial Council does not have authority to request additional funding for this account. A transfer is necessary to obtain adequate funding through the remainder of the fiscal year. However, this will necessitate that additional appropriations from other budget lines be used to fund Guardian ad Litem budget line expenses. It also contributes to a new request for an additional appropriation for the Assigned Counsel (10910000) budget line.<sup>1</sup>

Expenditures have significantly exceeded our forecasts in this line. Without additional funding, the Judicial Council will be unable to pay the court-approved invoices for these services. Postponing payment until the new fiscal year would constitute an undue hardship for these providers. The Judicial Council's proposed budget included a footnote authorizing requests for additional funding for this line. This authority was included in the Governor's budget.

This Agency will remain at your service to provide any requested information concerning the critical importance of this additional funding to the orderly administration of justice.

Thank you for your consideration.

Respectfully Submitted,



Sarah T. Blodgett  
Executive Director

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<sup>1</sup> Please see the Judicial Council's request for additional funding for the Assigned Counsel budget line in a companion item.