

an elderly woman living at a nursing home in Franklin, New Hampshire. For purposes of recommending what, if any, disciplinary sanction(s) should be imposed, the undersigned also took account of Ms. Marino's testimony, and reviewed transcripts from the proceedings as well as exhibits submitted by her.⁹

The M.P. matter arose from a complaint filed with the Probate Division by the executive director of a nursing facility from which M.P., a ward of Ms. Marino, was abruptly removed after Ms. Marino told the ward and her care team she was simply going out to lunch. See Order (Aug. 15, 2014). After a hearing, the Probate Division concluded that "Ms. Marino demonstrated a callous disregard for the needs and requests of [M.P.] particularly as it related to the importance of her friendship" with another resident with whom M.P. was "inseparable." Id. at 3. It also concluded that "Ms. Marino refused to meaningfully discuss or consider [M.P.'s] care team's professional opinions without justification" and that "[w]hile Ms. Marino may believe that she was justified in relocating [M.P.] in the manner she did, there was certainly no justification for failing to notify her care team." Id. The Probate Division found that Ms. Marino violated eight standards of professional conduct, including: NGA Standard 3 (treating persons with dignity); NGA Standard 4 (failing to properly consider a person's relationships with their friends); NGA Standard 12 (failing to consider the needs and physical and mental well-being of the ward in changing her residential setting); NGA Standard 5 (failing to consult with and consider the opinions of M.P.'s care team); NGA Standard 6 (failing to maximize M.P.'s meaningful input); NGA Standard 7 (failing to act

⁹ While, in the interests of fairness these exhibits and testimony were allowed, counsel and Ms. Marino arguably strayed close to, if not into, the realm of re-litigating the findings of the Probate Division and Supreme Court. To the extent that any such evidence contradicted those findings, as opposed to properly addressing matters concerning sanctions, the undersigned gave that evidence little, if any, weight.