

**State of New Hampshire
Circuit Court
Administrative Order 2015 – 14**

[CONFIDENTIAL]

Pursuant to Supreme Court Rule 54 and the Circuit Court's supervisory duties over professional guardians under Circuit Court Administrative Order 16 (2009), see also RSA 464-A:2; XIV-b; 490-F:17; 18, a letter was sent to professional guardian Jeannette Marino, notifying her of referrals by two Circuit Court judges to the Administrative Judge concerning violations of the National Guardianship Association ("NGA") Standards and Circuit Court – Probate Division Rules in the Guardianship of _____ (No. 317-2011-GI-_____) and Guardianship of _____ (No. 317-2013-GI-_____) matters. See Letter from the undersigned dated Sept. 24, 2015. Ms. Marino was given notice of an administrative hearing to be held on October 23, 2015 at 9:30 a.m. and affording her an opportunity to be heard and to show-cause why sanctions should not be imposed in light of the misconduct found by the Circuit Court in the above-mentioned cases.

Ms. Marino, through her counsel, requested a continuance of the proceeding by letter dated October 19, 2015. See Letter from David P. Eby, Esq. (Oct. 19, 2015). That request was granted orally on October 21, 2015, and this Order confirms that the administrative hearing has been postponed.

In light of Attorney Eby's letter, and specifically his request for additional guidance and a structuring conference, the Honorable Gary R. Cassavechia is assigned to sit specially to conduct administrative proceedings concerning the appropriate sanctions, if any, to be imposed upon Ms. Marino, and make recommendations regarding sanctions to the Administrative Judge.


Judge Cassavechia is granted the authority to: receive sworn and/or unsworn written and/or oral testimony and other evidence relevant to the imposition of sanctions; receive and consider submitted memoranda; establish appropriate procedural guidelines for the administrative proceedings before him; establish deadlines for submissions; schedule hearings as necessary; and make a final recommendation to the Administrative Judge.

To be clear, Judge Cassavechia will not reconsider the decisions of the probate division in the _____ and _____ cases, as the findings contained therein constitute binding final orders. Rather, he has been assigned to provide a fair process through which recommendations regarding the appropriate sanction, including possible removal from the list of professional guardians, may be made to the Administrative Judge.

Any final decision on the appropriate sanction will be made solely by the Administrative Judge pursuant to Administrative Order 16.

Until further Order, any communication should be directed to the Administrative Judge at 45 Chenell Drive, Suite 2, Concord, New Hampshire 03301-8541

October 22, 2015


Edwin W. Kelly
Administrative Judge
New Hampshire Circuit Court