

THE STATE OF NEW HAMPSHIRE  
JUDICIAL BRANCH  
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Court Name: 6th Circuit - Probate Division - Concord  
Case Name: Guardianship of  
Case Number: 317-2013-GI-  
(if known)

PETITION/MOTION

- 1. Petitioner Name Jeannette Marino, M.S. Telephone 226-6004  
Mailing Address 75 South Main Street, #7, PMB 616, Concord, NH 03301  
Petitioner Name \_\_\_\_\_ Telephone \_\_\_\_\_  
Mailing Address \_\_\_\_\_
- 2. Attorney Name \_\_\_\_\_ Telephone \_\_\_\_\_  
Mailing Address \_\_\_\_\_ Bar ID# \_\_\_\_\_

3. The petitioner(s) states as follows:

- 1. Jeannette Marino, M.S., as guardian over the estate of \_\_\_\_\_, filed the First and Final Accounting, Motion to Terminate Guardianship of the Estate only and Motion for Payment of Outstanding Fees on July 22, 2014;
- 2. The Court approved the First and Final Accounting on September 2, 2014;
- 3. The Court approved the Motion to Terminate Guardianship of the Estate only on September 2, 2014;
- 4. The Court denied the Motion for Payment of Outstanding Fees on September 25, 2014, stating "the Court is not aware of any authority to approve guardianship fees from non-guardianship assets after the guardian's authority has been terminated";
- 5. Ms. Marino now submits this Motion for Reconsideration of the September 25, 2014 order and requests a hearing on the matter;
- 6. RSA 464-A:23 states, in part, "After a person ceases to be guardian, he or she may maintain an action for the recovery of said money owed for expenses and services.";
- 7. Although, Ms. Marino's duties as guardian over the estate have terminated, the Guardianship of \_\_\_\_\_ remains an open matter before the court, in that Mr. \_\_\_\_\_ continues to have a guardian over the person;
- 8. Funds for payment of outstanding fees are available through income not considered part of the estate and otherwise paid to Medicaid for the Ward's cost of care. Upon provision of a Court order for payment of fees, as required by Medicaid, these funds are routinely used for payment of guardian fees and do not impact the needs of the Ward in this matter.