

529, signed by a principal still under guardianship and witnessed by a challenged person who apparently was herself unable to act as agent for her own husband, calls into question her professional competence.

Ms. Marino was given the opportunity to testify about this matter at the hearing. She explained that both W.R. and A.R. have intellectual disabilities and grew up at the now closed Laconia State School. She was familiar with the couple and since A.R. lacked the cognitive ability to speak with W.R.'s doctors after he became sick, she stepped in as guardian. She further testified that earlier this year she was notified that the power of attorney was ineffective and she has since had the document re-drafted. She testified, and the final accounting filed confirms, that she took no fees as guardian.

Although the undersigned is encouraged that the document's defects may have been rectified, I remain concerned that Ms. Marino operated as agent under it for approximately six years, potentially endangering the validity of transactions completed pursuant to it. In addition, the undersigned is concerned that as a matter of policy vulnerable wards are put at risk if professional guardians can grant themselves broad agency powers extending beyond termination of a guardianship, without any oversight by a court or even the participation of an independent notary.

ii) Guardianship of T.B. and Special Needs Trust of T.B.

In September 2014, Chief Administrative Judge Kelly requested that Ms. Marino forward to him certain information, including whether she had previously been removed as guardian over the person or estate in any other matters than the Guardianship of M.P. Ms. Marino responded by letter dated October 9, 2014,²⁸ stating that "I have not

²⁸ Ms. Marino shared the packet of information before the March 16, 2016 hearing. See In re Jeanette Marino, 317-2015-AP-0001 (Index #11).