

National Guardian Certification Paired with State Certification

The Center for Guardianship Certification (CGC), formally the National Guardianship Foundation, was incorporated in 1997 as an allied foundation of the National Guardianship Association (NGA) to enhance the quality of guardianship services through national certification. CGC views certification not as the end, but as a means to demonstrate to the public, clients, and the courts that the certified guardian has sufficient skill, knowledge and understanding of the universal guardianship principals to be worthy of the responsibility entrusted to him or her.

Certification entitles the guardian to represent to the courts and the public that he or she is eligible to be appointed, is not disqualified by prior conduct, agrees to abide by universal ethical standards governing a person with fiduciary responsibilities, submits to a disciplinary process, and can demonstrate through a written test an understanding of basic guardianship principals and laws.

While testing distinguishes certification from registration, passing the examination is just one component of the certification process. The complete process includes acquiring a basic floor of necessary knowledge (eligibility), demonstrating proficiency in core competencies (examination), enhancing skills and understanding (continuing education), maintaining ethical conduct (re-certification), and avoiding malfeasance (de-certification). One way to visualize certification is that it must have both a front door and a back door. For certification to be valid, the process must determine the core competencies that establish the baseline of what a guardian must know to obtain certification, as well as the on-going conduct necessary to maintain that certification. The front door issues include who is eligible to sit for the examination and what the testing should cover. The back door issues include what the guardian must do or not do during certification and how certification is to be denied or revoked.

CGC has developed a two-tiered certification process, certifying Registered Guardians (RG) at the entry level and Master Guardians (MG) with a higher level of experience and responsibility. The eligibility standards, as well as content and level of difficulty of the core competencies tested, for the Master Guardian certification are much higher. Nevertheless, both the RG and MG must affirm they will abide by the NGA Model Code of Ethics and maintain a high level of conduct to be re-certified. The same process is used to determine if either certificate should be withheld or revoked.

The Registered Guardian certification exam is designed to identify guardians who can demonstrate basic proficiency in answering questions that any guardian in any part of the country should be able to answer. Most of the questions are based on the NGA Code of Ethics and Standards of Practice. They cover issues of person and of property; of aging, disability, and developmental disabilities; placement, medical consent and financial management; conflict of interest, confidentiality and fiduciary responsibility; and relationships with courts, attorneys, clients, and family. A Study Guide is available and the NGA sponsors a review course.

Because this is a national examination, the questions have been thoroughly screened to make the answer "correct" in any state. To be fair to all applicants, questions that demonstrate knowledge of specific procedures or laws cannot be asked. Like the multi-state portion of the lawyers' bar examination, only topics with "national" answers are included. However, questions based on the NGA Code of Ethics and Standards of Practice may require knowledge which reflects a level of professionalism that may be more advanced than state law requires.

CGC recognizes the need and appropriateness of having a state-specific component to the examination that calls for a familiarity with state guardianship laws and procedures. We envision that all states would require professional guardians to be certified using the complete CGC certification process, including an exam with multi-state and state-specific components. The guardian who successfully passes the certification examination would obtain dual certification.

To that end, we propose to partner with your state in developing a certification process, building on our ten years' experience in guardian certification. We offer the following template as an outline of a potential partnership, explaining the critical decision points that can be negotiated to meet your state's needs. CGC stands ready to partner with the appropriate state entity, whether that is a state association, foundation, agency, or task force that wishes to establish either a voluntary or mandatory certification program for professional guardians. CGC provides a flexible menu of assistance and services on a continuum of options. One option is for CGC to work with a state guardianship association to establish a voluntary state-specific examination that would be given in conjunction with the RG exam, using without modification the CGC eligibility, recertification, continuing education, and decertification requirements, fees and procedure. At the other end of the continuum would be contracting with a state agency to establish a mandatory certification and testing process, as we are doing with the Florida Department of Aging. Specific details must be discussed and can be negotiated. As always, funding and expenses must be considered.