



Promoting Professional Excellence



Observations Related to CGC's Disciplinary Process ***Data on Professional Review Board (PRB) Decisions***

During the nine years between 2008 and mid-year 2017, the Center for Guardianship Certification (CGC) has convened 23 Professional Review Boards (PRB). A PRB may be convened by the President of the CGC to review complaints about the conduct of those guardians or conservators who have been certified by CGC.

Before a PRB is convened, CGC must receive a written complaint that outlines the specific National Guardianship Association (NGA) Standards of Practice alleged to have been violated. That complaint is reviewed by the CGC President, CGC Executive Director and CGC Legal Counsel to determine if a PRB is warranted. The President selects three experienced guardians to serve, who must pledge confidentiality as to the proceeding and affirming they have no conflict of interest with any of the parties involved. PRB members may be current or former CGC board members or others known to the President to have high ethical standards.

At the time of application, all applicants affirm that they agree to abide by the NGA Standards of Practice and to have their conduct reviewed by CGC's disciplinary process. Details about the CGC disciplinary process are found the CGC Rules and Regulations posted on the CGC website. Complaints about guardians who are not currently CGC certified cannot be considered, but they are referred to the appointing court or other appropriate avenues in order to have the complaint addressed.

According to the Rules and Regulations, the PRB may impose a range of sanctions: dismiss the complaint, refer the complaint to the appropriate court of law, enter an advisory letter or letter of concern into the certificant's file, impose a censure, suspend the certification for a definite or indefinite period, or revoke the certification. Of the twenty-three (23) cases for which a PRB was called, sanctions were imposed in fifteen (15) cases. It took no action in eight cases, or approximately one-third of the complaints. Actions by the PRB were these: one advisory letter, two censures, four suspensions from two years to an indefinite period, and eight revocations.

Of the 15 sanctioned, 14 were National Certified Guardians (NCG), and one was a National Master Guardian (NMG). The guardians were originally certified between 2001 and 2014. They came from the states of Arizona, Florida, Minnesota, New Hampshire, New Mexico, Nevada, Ohio, Oregon, and Texas.

The majority of acts that caused guardians to have their certifications revoked related to mishandling or commingling of funds, fraudulent fee petitions, embezzlement, or other mismanagement of client funds. Other acts, a number of which reflected multiple acts in one case, included lack of communication with family members of the protected person, neglect of the protected person, improper relocation of the protected person, failure to seek required court approvals, and bringing a handgun into court in violation of state law.

Specific NGA Standards of Practice that were found to have been violated in revocation cases included the following:

Standard 1:	Comply with law and ethics
Standard 5:I	Treat other professionals with respect
Standard 9:IV	Create guardian plan
Standard 10:I.C-D	Consider personal values, quality of life
Standard 12:IA	Make appropriate placement
Standard 13:II	Use person-centered planning
Standard 16:	Avoid conflict of interest
Standard 22:	Appropriate fees

CGC maintains a high standard of excellence and our core value is “Excellence in Certification”. We believe in our vision and look forward to the day when ALL guardians are certified through CGC.