

File a Complaint Against a National Certified Guardian (NCG) or National Master Guardian (NMG)

Questions and Answers

What is Guardianship?:

Guardianship is a legal relationship established by a court with the jurisdiction to hear a case in the state and local area where the individual resides. After evidence has been submitted, the hearing officer or judge determines whether an individual is unable to make decisions and must have someone else make decisions for them. A guardian is a person appointed by the court to manage the personal or financial affairs of another. The local court that appointed the guardian is always responsible for the oversight of the guardian.

Important Information:

Persons interested in the activities of guardians must understand that the court that appointed the guardian has the sole authority to remove, or otherwise sanction a guardian in a particular case. Therefore, complaints should be made first to the local court of jurisdiction that established the guardianship.

There are several states that certify, or license, or register guardians as a matter of state law; currently Alaska, Arizona, California, Florida, Texas, & Washington. In these states, complaints or grievances may be made to a state oversight board that can review allegations about the behavior of a guardian and impose disciplinary sanctions on the guardian if found necessary. These state level boards most often require that a complaint about the behavior of a guardian be made first to the local court of jurisdiction.

What Authority Does the Center for Guardianship Certification Have Over Guardians?:

The Center for Guardianship Certification (CGC) has a two-tiered certification process, certifying National Certified Guardians (NCG), at the entry level and National Master Guardians (NMG), with a higher level of experience and responsibility. Currently, there are approximately 1,700 CGC-NCGs, and 48 CGC-NMGs throughout the United States. The CGC has authority over only those individual guardians who voluntarily chose to be certified as NCGs or NMGs. CGC takes seriously its responsibility to protect the wards of its certified guardians, and has a disciplinary review procedure outlined in the CGC Rules and Regulations.

CGC is allied with the National Guardianship Association (NGA), a trade and member driven organization of guardians and others interested in guardianship. The NGA encourages its members to be certified by CGC in order to raise the standard of excellence in guardianship services.

What does CGC Certification Mean?

The Center for Guardianship Certification (CGC) certification process requires that applicants attest that they have no felony convictions, civil or criminal liability findings and that they are in good standing with state legal requirements, bonding and other local jurisdictional requirements. They must pay a fee, meet minimum criteria and pass a guardianship test. They

must also swear or affirm that they will adhere to the provisions of the NGA Model Code of Ethics in their work as a guardian. The NGA Model Code of Ethics, spells out fundamental ethical precepts it expects guardians to follow

Code of Ethics Rules*:

Rule 1 – Decision Making

Rule 2 – Relationship Between Guardian and Ward

Rule 3 – Custody of the Person, Residence

Rule 4 – Consent to Care, Treatment and Services

Rule 5 – Management of the Estate

Rule 6 - Termination and Limitation of the Guardianship

*(Can be found on the CGC web-site: www.guardianshipcert.org)

What can the Center for Guardianship Certification Do To a Guardian?:

The CGC may deny, suspend or revoke a certification, or impose other disciplinary action on an individual NCG or NMG. The process for reviewing a complaint against an individual guardian is quite extensive and is not taken lightly. The process is outlined in detail in the CGC “Rules and Regulations Regarding Certification and Re-Certification of National Certified and National Master Guardians, Section VII.”

How Do I File a Complaint About the Behavior of an NCG or NMG with CGC?:

Individuals wishing to file a complaint against a CGC certified National Certified Guardian or a National Master Guardian, must provide evidence in writing of a violation of the Model Code of Ethics or any change in status that affects their eligibility to be certified as defined in the CGC Rules and Regulations. CGC will not accept complaints filed anonymously. Letters of complaint should be addressed to the Executive Director, Center for Guardianship Certification, P.O. Box 5704, Harrisburg, Pennsylvania 17110.

Complainants wishing to have a guardian removed from a case, or cases, must contact the appointing court to determine that court’s procedure for such a complaint.