



# ***2012***

# ***ANNUAL REPORT***

## Message from the President



Dear Friends of the CGC:

The Center for Guardianship Certification (CGC) became 18 years old in 2012. Much like a young person reaching the age of maturity, the year saw the CGC take on new responsibilities. Also, like nearly all new adults, our organization faced its fair share of trials and tribulations. I'll take this opportunity to look back at the Center's triumphs and challenges in 2012.

To set the stage, let me remind you, to fulfill our mission to provide certification of guardians, CGC certification requires three components in addition to demonstration of competency through testing. Those components are: documentation of eligibility, enhancement of skills and submission to a grievance process.

### Testing Centers

Continuing the process which began with the phase-out of pencil and paper examinations in favor of online tests, all CGC examinations were moved to testing centers. National Certified Guardian (NCG) and National Master Guardian (NMG) tests are now given at times convenient to and arranged by the examinee.

A person desiring to take a CGC test no longer has to provide a computer, wait for a limited number of test dates or travel great distances to take the exam. CGC began the year with a contract with ACT to provide testing centers. Part way through 2012, however, ACT informed us they would no longer be able to provide the service for guardianship examinations.

The CGC's management company, Calabrese Management, rose to the occasion. Facing critical time constraints, CGC located and negotiated a contract with PSI to provide testing centers for examinees. PSI has locations in all 50 states in major metropolitan areas.

### Identity Verification, Criminal Background Checks & Educational and Employment Verification

Prior to 2012, in response to concerns raised by the federal government and state officials, CGC's Board – after exhaustive and thorough consideration – decided to implement identity verification and state criminal background checks for both applicants and renewing certificants. In addition, applicants are required to have their educational credentials and their relevant work experience verified by an independent third party.

As of January 1, 2012, CGC contracted with Certiphi to do the identity verifications, criminal background checks and educational verifications. CGC staff does employment verifications based upon affidavits.

Since its inception, the CGC had been a "certifier of knowledge." With, however, the current prevalence of identity theft and faced with two undercover applicants who became certified with bogus credentials, CGC's Board felt compelled to raise its certification process to a higher level. Such action increased the value of the NCG and NMG certification, as clients and courts can now have an even higher level of confidence in CGC certificants.

Although some commercials may make conducting a background check seem like a quick and easy process, CGC's Board discovered it was not. No nationwide criminal database accessible to organizations such as the Center for Guardianship Certification exists. We believe our experience in 2012 has shown our contract with Certiphi gives CGC and the vulnerable persons our certificants serve the most "bang for the buck."

The Board initially favored exempting applicants from the criminal background check requirement who lived in states which already required such checks for certified guardians. When, however, the different types of criminal background checks conducted were considered, along with the administrative difficulties in tracking such exemptions, it was decided to require CGC criminal background checks of all persons seeking national CGC certification.

### **On-line Continuing Education Unit Tracking**

To enhance our certificants' skills, CGC requires NCGs to participate in at least 20 hours of continuing education and guardianship training during the two years the guardian has been certified. NMGs must complete 30 hours of continuing education during their three year certification period.

A committee led by CGC Secretary Michelle Kenney put in place the opportunity for CGC certificants to keep track of their continuing education and guardianship hours – Continuing Education Units (CEUs) – on-line. Not only will this resource make it easier for NCGs and NMGs to keep track of their hours, it will also streamline the re-certification process.

### **Grievance and Discipline**

All guardians seeking certification must affirm they will abide by the National Guardianship Association (NGA) Code of Ethics and submit to a disciplinary procedure. The CGC President may call a Professional Review Board to consider disciplinary action upon receipt of a documented petition alleging a certified guardian has violated the Code of Ethics.

Much time was spent in 2012 by the CGC's Decertification committee, chaired by Rich Vanderheiden, reviewing and refining the disciplinary procedures. These efforts are continuing into 2013.

The fairness of the disciplinary procedure is vital, but especially in those states in which CGC certification is required to practice. Discipline against professional guardians in Alaska, California, Florida, Nevada, New Hampshire and Utah and on county public guardians in Illinois is administered by the CGC. Guardians in California and Florida, however, are not currently required to maintain their CGC certification, so those who do not renew their national certification are not subject to CGC discipline.

### **National Accreditation**

The Vision Statement of the Center for Guardianship Certification is, "Every professional guardian will obtain and maintain CGC certification." Therefore, it follows the CGC certification process should itself be certified by a national body as meeting recognized standards.

A committee headed by CGC Trustee Ginny Casazza, working closely with Calabrese Management, did yeoman work in laying the groundwork for an application to the National Commission for Certifying Agencies (NCCA). I hope and believe the hard work will pay off with CGC becoming certified in 2013.

### State Contracts

CGC's contract with the State of Texas to provide guardian certification services ended in 2012 as the parties could not come to terms on a new agreement. CGC hopes to re-establish its relationship with Texas in the near future. State specific contracts are currently in place with Florida, California and Oregon.

### Budget

The CGC finished 2012 with a budget deficit for the year of \$ 6,488.68. While such an operating deficit is certainly unsustainable, it is an improvement over the projected budget deficit of \$35,185.00. As just one example of efforts to reduce costs, CGC's *Connection e-newsletter* has been discontinued. The total assets of the CGC at the end of the year were \$ 196,438.08.

### Personal Notes

First, for anyone who might have been wondering after reading my second President's Message in our newsletter, the bills in the 2012 session of the Illinois legislature to eliminate the county Public Guardians did not pass. Such a bill has, however, already been introduced in the 2013 session.

Second, I want to thank all the officers, Board of Trustees and staff of the Center for Guardianship Certification for all their help and hard work in 2012. I particularly want to thank Past-President Jean Krahn, Treasurer Neil Newstein, the irreplaceable Sally Hurme and the irrepressible Frank Fajardo.

Finally, to repeat what I wrote in the last CGC *Connection e-newsletter*, it was an honor to serve as President of the Center for Guardianship Certification. I am humbled when I consider all the great work being done by you—the National Certified Guardians and the National Master Guardians—on behalf of persons under guardianship. Thank you!

Sincerely,

*Fred Floreth, NMG*

2012 CGC President

## **Background**

The Center for Guardianship Certification (CGC) was created in 1994 as an allied organization 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 principles 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 principles and laws.

## **Vision Statement**

Every professional guardian will obtain and maintain CGC certification.

## **Mission Statement**

The mission of the Center for Guardianship Certification is to enhance the quality of guardianship services by providing examination and certification of guardians and fiduciaries.

## **Purpose**

The purpose of the Center for Guardianship Certification includes:

- Developing and administering a credentialing process for guardians and guardianship agencies;
- Addressing issues related to renewal, suspension and revocation of credentials for guardians and guardianship agencies;
- Maintaining and up-dating rules and regulations for certification of guardians;
- Encouraging, supporting and fostering the work of the National Guardianship Association.

## 2012 CGC Board of Trustees

### Officers

#### President

Fred Floreth, Esq. NMG  
Litchfield, IL

#### Secretary

Michelle Kenney NCG Emeritus  
Florida Elder Law Concepts, P.A.  
Boca Raton, FL

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Jean Krahn NMG  
Kansas Guardianship Program  
Manhattan, KS

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Viable Alternatives, Inc.  
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Neil Newstein LCSW NCG  
AJFCS  
West Palm Beach, FL

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Lisa J Berg & Associates, Inc.  
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Volunteers of America Minnesota  
Minneapolis, MN

Clifford Walker, NMG  
Austin, TX

Frank Fajardo, Esq.  
New Mexico Office of Guardianship  
Sante Fe, NM

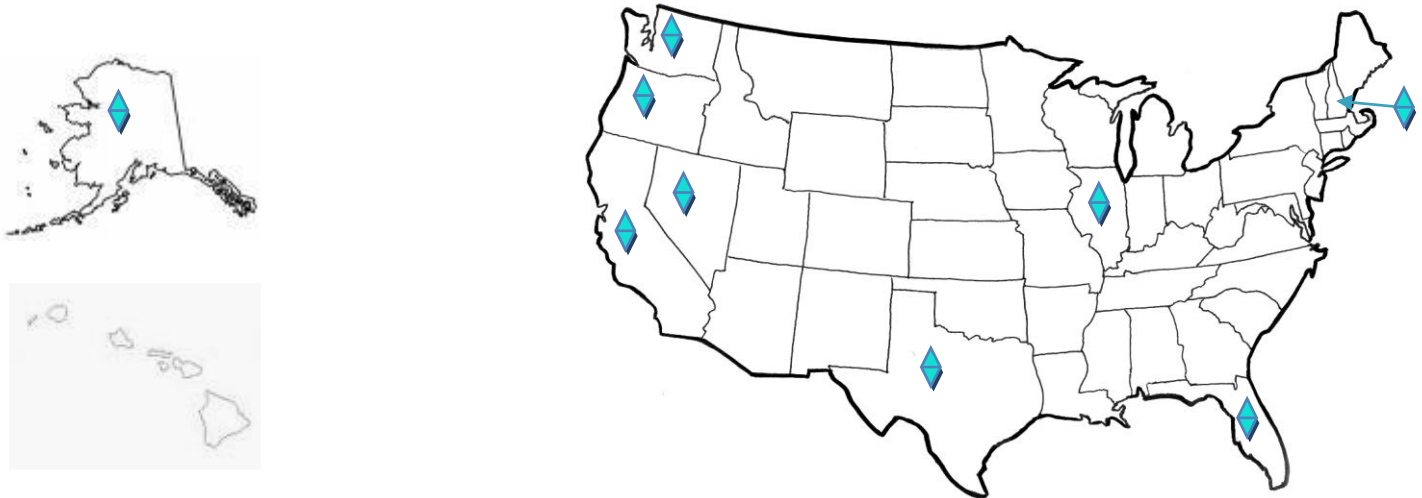
Catherine Robbins NMG  
Mohave County Public Fiduciary  
Kingman, AZ

*NGA Representative –  
ex-officio member*  
Honorable Irvin G. Condon  
Charleston County Probate Court  
Charleston, SC

## Certified Guardians 3-Year Statistical Overview

	<u>2010</u>	<u>2011</u>	<u>2012</u>
<b>National Certified Guardians</b>			
Applications Received	418	426	277
Retests Administered *	30	17	68
Certification Renewals	577	566	555
NCGs at end of fiscal year	1,865	1,833	1,632
<b>National Master Guardians</b>			
Applications Received	10	5	2
Retests Administered	1	3	0
Certification Renewals	10	14	21
NMGs at end of fiscal year	59	64	64
<b>State-Specific Certification</b>			
California Applicants	110	128	102
Florida Applicants	118	104	62
Oregon Applicants	5	5	2
Texas Applicants	89	51	33

\* Inclusive of NCG exams and state-specific exams



◆ Indicates states with state-specific certification and/or states requiring some type of examination through CGC, including Alaska, California, Florida, Illinois, Nevada, New Hampshire, Oregon, Texas, and Washington.

## **Certified Guardian Complaints**

### **2012**

8 complaints were filed against certified guardians in 2012

1 complainant did not follow-up with required documentation

1 Professional Review Board was called with discipline resulting in an advisory letter being placed in CGC files

2 complaints were reviewed and deferred to the authority of the appropriate court of law

1 complaint was reviewed and determined that a Professional Review Board was not warranted

2 Professional Review Boards were called with no disciplinary action recommended. Both decisions were appealed to the Board of Trustees, which upheld the original decisions.

1 Professional Review Board was called and the discipline resulted in revocation of the certification.

### **2011**

7 complaints were filed against certified guardians in 2011

1 complaint was deferred to the authority of the appropriate court of law

3 complaints were reviewed and were determined that a Professional Review Board was not warranted

1 Professional Review Board was called with discipline resulting in a letter of concern being placed in CGC files

1 Professional Review Board was called with no disciplinary action recommended. This decision was appealed to the Board of Trustees where it upheld the original decision.

1 complaint was reviewed where it was determined that a Professional Review Board was not warranted. This decision was appealed to the Executive Committee, which upheld the decision.

### **2010**

7 complaints were filed against certified guardians in 2010

6 complainants did not follow-up with required documentation

1 Professional Review Board was called with no disciplinary action recommended.



## 2012 Accomplishments

**Changes to Certification Processes:** In 2012, CGC began the implementation of several changes to the certification examination and approval process for applicants. Among those changes included a mandatory criminal background check for all applicants and all re-certificants (which would occur every other recertification period); third-party verification of employment and/or experience requirements; third-party verification of educational background; and offering examinations at testing centers. The testing center concept allowed for examinees to choose the date, time and location of their examination and proved to be a worthwhile change both for the applicant and for the CGC.

**National Accreditation:** The vision of the Center for Guardianship Certification is that every professional guardian will obtain and maintain CGC certification. Therefore, it follows the CGC certification process should itself be certified by a national body as meeting recognized standards. The CGC Board committed to pursuing national accreditation through the National Commission for Certifying Agencies (NCCA). Created in 1987 by the Institute for Credentialing (ICE) the NCCA helps “ensure the health, welfare, and safety of the public through the accreditation of a variety of certification programs/organizations that assess professional competence.” A Task Force worked through 2012 to apply for accreditation and it is hoped the process will be finalized in 2013.



**Website Improvement:** CGC continued to provide improvements to the website for certified guardians. In 2012, the CEU Task Force developed an on-line CEU tracking form to allow certificants to easily track the number of CEUs accumulated during their recertification period. It was communicated to certificants the use of the form was not mandatory, but a helpful tool if they chose to utilize it.

### Honors and Awards:

**NCG Excellence Award** – CGC introduced this brand-new award in 2012 and nominations were solicited from the NGA membership and CGC certified guardians. Nominees were reviewed based upon their leadership within the guardianship community, the nominee’s exemplification of the NGA Standards of Practice and Model Code of Ethics, and how the nominee contributed to the larger community. The 2012 award was presented to **Lee Eakin, NCG**. Lee is Director of the Guardianship Program for Alpert Jewish Family and Children’s Service in West Palm Beach, FL. For the six years in spearheading the guardianship program, Lee was committed to working diligently to preserve the dignity for those whose rights have been legally taken away. Not only does he lead his team in doing so, but he continues to maintain a caseload of his own. In his role as guardian, he truly “stands in the shoes” of each vulnerable ward. He seeks understanding of the uniqueness and individual desires of each person, and focuses on bringing respect and a sense of personhood to his clients. Lee was nominated by Jenni Frumer, NCG.



**NMG Star Award** – The 2012 NMG Star Award was presented to **Kathleen Eddy, NMG**. Kathleen has been with the state of Illinois for more than 28 years. She spent 14 years as a Public Service Administrator with the Office of State Guardian. The previous 14 years, she was a Supervising Rights Coordinator with the Human Rights Authority. Prior to her state service, she was with the Illinois Developmental Disabilities Advocacy Authority. Before that, she was a volunteer advocate with a regional parent group covering the western part of Illinois.

She has been her son’s guardian for 28 years. Kathleen encourages independent thought not only amongst her staff, but with the people under guardianship as well. Her ultimate goal is for the people under guardianship to seek restoration of rights. If that isn’t feasible, she encourages that limited powers be given to the state as guardian so the people under guardianship are able to make more decisions on their own. She has been a member of her local Kiwanis Club for 12 years and received the Luis V. Amador Medallion Award for special recognition and honor to an individual that has demonstrated outstanding service to her community. Kathleen raised money to eliminate iodine deficiency in third world countries and for Special Olympics in Illinois. She was nominated by Susan Creighton, LCSW, NCG.

**Fred Kretz Cornerstone Award** – **Kathleen Buchanan, NCG**, was nominated and chosen to receive the 2012 Fred Kretz Cornerstone Award. Kathleen, who was nominated by Ginny Casazza, NCG Emeritus, has been working with the office of Clark County Public Guardian for more than 20 years. She was appointed to run the office as the Clark County Public Guardian in 2000. Her office serves approximately 500 persons under guardianship and as representative payee for approximately 700 Nevadans. She developed and implemented a program in conjunction with State and Federal authorities using the Electronic Benefit Transfer System for food stamp recipients on her program. Kathleen successfully utilized careful, respectful and judicial use of the media to assist her office in finding family and the true identities of “John Doe Persons Under Guardianship,” enabling these persons to receive the care and benefits they need. She has been instrumental in serving as a resource for Nevada’s state legislators through her appearance and testimony during public hearings and committee meetings. Kathleen has assisted Nevada in passing good guardianship reform such as requiring CGC certification of private professional guardianships and passage of the Uniform Adult Guardianship and Protective Proceedings Jurisdictional Act. She requires her deputies and case managers to be certified by CGC. Kathleen has been a member of NGA since 1998, served on both NGA’s committees and board and received the Outstanding Affiliate Member Award. She is a founding member of the Nevada Guardianship Association and served on its Board of Directors for several years.

**State-Specific Certification** – CGC continued to provide state-specific examination services for California, Florida, Oregon and Texas. The Texas contract was not renewed after August of 2012 due to that state wishing to provide examinations in paper and pencil format with proctors and CGC only providing examinations electronically at testing centers. The NCG Committee conducted job analyses for California, Florida, Oregon and Texas in 2012, rewrote examination questions, and remapped the examinations to ensure a valid exam was being delivered. Both the Florida and California contracts are due for renewal in 2013.

## Financial Statements

January through December 2012 Financial Statement

	<u>Jan - Dec</u> <u>12</u>
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
4045 · Certification Renewals	113,295.00
4046 · Certification Applicants	67,360.00
4047 · Certification Retests	5,950.00
4250 · Investment Income	<u>709.92</u>
<b>Total Income</b>	<u>187,314.92</u>
<b>Gross Profit</b>	187,314.92
<b>Expense</b>	
7020 · Award & Scholarship Expense	0.00
7030 · Bank Fees	0.00
7040 · Board Expense	1,795.78
7041 · Committee Expense	7,823.80
7080 · Copying Costs	2,822.22
7090 · Credit Card Fees	7,372.01
7200 · Dues & Contributions	0.00
7240 · Insurance and Tax Expense	2,068.00
7290 · Management Services	120,500.04
7350 · Office Expense	726.04
7370 · Postage, Shipping & Mailing	842.58
7400 · Printing	233.44
7410 · Proctor Expense	45.51
7420 · Professional Fees	5,865.00
7480 · Telephone & Fax	3,099.91
7485 · Testing Site Expense	19,548.00
7500 · Travel Expense	4,395.18
7590 · Vol Support Exp (BOD Mbrs)	11,383.40
7600 · Website & Internet Fees	<u>5,282.69</u>
<b>Total Expense</b>	<u>193,803.60</u>
<b>Net Ordinary Income</b>	-6,488.68

# CENTER FOR GUARDIANSHIP CERTIFICATION 2012 ANNUAL REPORT

## January through December Financial Statements – 3-year Comparison

<b>Account</b>	<b>Actual 2010</b>	<b>Actual 2011</b>	<b>Actual 2012</b>
<b>INCOME</b>			
Certification Renewals	\$91,305.00	\$99,490.00	\$113,295.00
Certification Applicants	\$106,200.00	\$99,115.00	\$67,360.00
Certification Retests	\$9,710.00	\$6,365.00	\$5,950.00
Investment Income	\$1,110.47	\$889.01	\$709.92
Miscellaneous Income			
<b>TOTALS</b>	<b>\$208,325.47</b>	<b>\$205,859.01</b>	<b>\$187,314.92</b>
<b>EXPENSES</b>			
Award & Scholarship Expense	\$0.00	\$350.98	\$0.00
Bank Fees	\$50.00	\$126.05	\$0.00
Board Expense	\$3,473.20	\$7,599.98	\$1,795.78
Committee Expense	\$3,109.59	\$9,305.06	\$7,823.80
Copying Costs	\$1,538.55	\$2,466.87	\$2,822.22
Credit Card Fees	\$4,039.00	\$6,160.05	\$7,372.01
Dues & Contributions	\$500.00	\$5,200.00	\$0.00
Insurance & Taxes Expense	\$2,045.00	\$2,058.00	\$2,068.00
Management Services	\$96,440.04	\$94,340.04	\$120,500.04
Office Expense	\$1,631.39	\$738.05	\$726.04
Postage, Shipping & Mailing	\$1,442.74	\$937.14	\$842.58
Printing	\$1,679.99	\$1,984.56	\$233.44
Proctor Expense	\$0.00	\$1,346.21	\$45.51
Professional Fees	\$18,914.81	\$6,939.38	\$5,865.00
Travel	\$3,022.79	\$4,550.41	\$4,395.18
Telephone & Fax	\$2,548.74	\$3,546.36	\$3,099.91
Testing Site Expenses	\$0.00	\$23,240.00	\$19,548.00
Volunteer Support Expenses	\$9,942.95	\$12,855.53	\$11,383.40
Website & Internet Fees	\$5,127.20	\$4,270.12	\$5,282.69
<b>TOTAL</b>	<b>\$155,505.99</b>	<b>\$188,014.79</b>	<b>\$193,803.60</b>
<b>NET INCOME/(EXPENSE)</b>	<b>\$52,819.48</b>	<b>\$17,844.22</b>	<b>(\$6,488.68)</b>