

I certify that the information provided in this application is true and correct to the best of my knowledge and belief and understand and agree that I have a continuing obligation to advise the Center for Guardianship Certification if there is a change in circumstances.

*(Must be signed before a Notary Public)*

\_\_\_\_\_ Date

\_\_\_\_\_ Signature of Applicant

State of \_\_\_\_\_ County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

by \_\_\_\_\_ who is personally known to me or who has produced

\_\_\_\_\_ as identification and who did/did not take an oath.

\_\_\_\_\_ Notary Public

**Center for Guardianship Certification**  
**PO Box 5704, Harrisburg, PA 17110**  
**717-238-4689 ♦ 717-238-9985 (fax)**  
[www.guardianshipcert.org](http://www.guardianshipcert.org)

## National Certified Guardian Declaration and Agreement

I affirm that I have carefully read and voluntarily agree to be bound by the Terms and Conditions of Certification listed below. Furthermore, I declare under penalty of perjury that the representations contained in this Declaration are true and complete.

\_\_\_\_\_  
Candidate Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Address

Upon certification, the applicant and the CGC Board will be bound by the terms and conditions contained in this document.

I understand that permission to use the certification marks National Certified Guardian is valid for a period of two years. At the end of such period, if the certification is not renewed, the certification expires and any right to use the marks will terminate. If I fail to comply with requirements to renew my certification, I agree to cease use of the marks immediately. I understand that the CGC Board may relinquish any rights I may have in the use of its marks if I fail to maintain a current certification status.

I have read and understand the NGA Model Code of Ethics, as well as the CGC Rules and Regulations Regarding Certification and Re-Certification of Registered Guardians. I agree to adhere to the provisions of those documents as they presently exist and as they may be amended from time to time.

I further understand and agree that the CGC Board has the absolute and unrestricted right to revoke any rights I may have to use its marks National Certified Guardian if it finds that I have failed to comply with the NGA Model Code of Ethics and the CGC Rules and Regulations Regarding Certification and Re-Certification of National Certified Guardians.

In consideration of the certification granted hereby, I further agree that neither the CGC Board nor its directors, officers, employees and others acting on its behalf shall be liable to me for any actions taken or omitted to be taken in any official capacity or in the scope of employment, except to the extent that such actions or omissions constitute willful misconduct or gross negligence, and I hereby release the CGC Board and the other persons identified above from any liability for such actions or omissions.

CGC will take every precaution to ensure the exam is secure from the testing location to the CGC offices. CGC utilizes courier or overnight services to send the exams and, due to this process, an exam may be lost or destroyed prior to grading. In the unlikely event this occurs, it will be the responsibility of the candidate to retake the exam at no additional fee.

I affirm that I have read carefully and understand the items set forth in this statement, including the release of liability and the items described herein. I further affirm that my statements are true and complete to the best of my knowledge and freely given.

\_\_\_\_\_  
Candidate

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

State of \_\_\_\_\_

County of \_\_\_\_\_

The foregoing Declaration and Agreement was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ by

\_\_\_\_\_, who is personally known to me or has produced appropriate identification.

\_\_\_\_\_  
Notary Public

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Revised: 2/5/09



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## CHECKLIST FOR RE-CERTIFICATION

*Before mailing, please check to be sure that you include these items in your packet:*

- Provide a completed application form that has been signed and notarized.
- Provide a continuing education sheet filled out with a **minimum** of 20 hours for the past **two** years. The time period for which you are tracking your CEU's is calculated from the month that you were originally certified; not an automatic calendar year. For example, if you were certified in March 2004, please provide twenty hours from March 2004 – March 2006.
- Provide certificates of attendance (copies are acceptable) for the program/course/work items for each CEU listing.
- Provide the declaration and agreement that has been signed and notarized.
- Provide a check in the amount of \$150.00 and add an additional \$35.00 late fee (if applicable.) Please make all checks payable to CGC or Center for Guardianship Certification.

Please provide all of this documentation in order for your re-certification to be fully processed. Keep in mind that re-certifications not received within the expiration date are subject to a \$35 late fee.



# Center for Guardianship Certification

PO Box 5704  
Harrisburg, PA 17110  
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## APPLICATION FOR RE-CERTIFICATION AS A NATIONAL CERTIFIED GUARDIAN (Re-Certification Application Fee: \$150.00)

Full Name: \_\_\_\_\_ Date Certified: \_\_\_\_\_  
(as you wish it to appear on your certificate and the website)

Business Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Work Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Home Phone Number: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

***We accept Checks, made out to Center for Guardianship Certification and  
Visa or MasterCard***

Check # \_\_\_\_\_ for \$ \_\_\_\_\_ is enclosed.  
**Please make check payable to Center for Guardianship Certification.**

Visa                  MasterCard

Credit Card Number: \_\_\_\_\_ Exp. Date: \_\_\_\_\_

Three-Digit Security Code: \_\_\_\_\_ Signature: \_\_\_\_\_

**Re-Certification Application Fee: \$150.00  
Late Fee: \$35.00**

**Return Application with Applicable Fees to:  
Center for Guardianship Certification  
PO Box 5704  
Harrisburg, PA 17110  
(717) 238-4689 Phone - (717) 238-9985 Fax  
[www.guardianshipcert.org](http://www.guardianshipcert.org)**

List your experience providing guardianship or other alternative protective services of person or estate for the last two years, beginning with the most recent. If you are a family guardian, who has no employer, please list the family member and experience.

<i>Employer Name/Address</i>	<i>Position</i>	<i>Start and end dates</i>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**Guardianship or Alternative Education**

Please attach a listing of the dates, courses taken, program sponsors, locations, and the number of hours completed for each course in the last two years. Re-certification requires attendance/participation in at least 20 hours of continuing education and guardianship training every two years. Please complete the attached Documentation for Re-Certification Form and return with this application.

Have you ever been convicted or pled guilty or no contest to a felony?  
Yes                      No

Have you ever been found civilly liable for an action of fraud, moral turpitude, misrepresentation, material omission, misappropriation, theft, or conversion?  
Yes                      No

If yes, please submit a letter of explanation, including the case number.

Have you ever been relieved of responsibilities as a guardian or conservator by a court, employer, or client for actions involving fraud, misrepresentation, material omission, misappropriation, theft, or conversion?  
Yes                      No

If yes, please submit a letter explaining the circumstances.

Are you bonded in accordance with state statutes and local practice?  
Yes                      No

If no, please explain. (please refer to your local state court)

\_\_\_\_\_  
\_\_\_\_\_

Have you ever been found liable in a subrogation action by an insurance or bonding agent?  
 Yes                       No

If yes, please explain.

\_\_\_\_\_  
\_\_\_\_\_

I certify that the information provided in this application is true and correct to the best of my knowledge and belief and understand and agree that I have a continuing obligation to advise the Center for Guardianship Certification if there is a change in circumstances.

*(Must be signed before a Notary Public)*

\_\_\_\_\_  
*Signature of Applicant*

\_\_\_\_\_  
*Date*

State of \_\_\_\_\_ County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_,

by \_\_\_\_\_ who is personally known to me or who

has produced \_\_\_\_\_ as identification and who did/did not take an oath.

\_\_\_\_\_  
*Notary Public*

**THIS APPLICATION MUST BE RETURNED NO LESS THAN ONE MONTH  
PRIOR TO THE CERTIFICATION EXPIRATION DATE.**

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**National Certified Guardian Declaration and Agreement**

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I affirm that I have carefully read and voluntarily agree to be bound by the Terms and Conditions of Certification listed below. Furthermore, I declare under penalty of perjury that the representations contained in this Declaration are true and complete.

\_\_\_\_\_  
*Candidate Name*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Telephone Number*

\_\_\_\_\_  
*Address*

Upon certification, the applicant and the CGC Board will be bound by the terms and conditions contained in this document.

I understand that permission to use the certification marks National Certified Guardian is valid for a period of two years. At the end of such period, if the certification is not renewed, the certification expires and any right to use the marks will terminate. If I fail to comply with requirements to renew my certification, I agree to cease use of the marks immediately. I understand that the CGC Board may relinquish any rights I may have in the use of its marks if I fail to maintain a current certification status.

I have read and understand the NGA Model Code of Ethics, as well as the CGC Rules and Regulations Regarding Certification and Re-Certification of National Certified Guardians. I agree to adhere to the provisions of those documents as they presently exist and as they may be amended from time to time.

I further understand and agree that the CGC Board has the absolute and unrestricted right to revoke any rights I may have to use its marks National Certified Guardian if it finds that I have failed to comply with the NGA Model Code of Ethics and the CGC Rules and Regulations Regarding Certification and Re-Certification of National Certified Guardians.

In consideration of the certification granted hereby, I further agree that neither the CGC Board nor its directors, officers, employees and others acting on its behalf shall be liable to me for any actions taken or omitted to be taken in any official capacity or in the scope of employment, except to the extent that such actions or omissions constitute willful misconduct or gross negligence, and I hereby release the CGC Board and the other persons identified above from any liability for such actions or omissions.

I affirm that I have read carefully and understand the items set forth in this statement, including the release of liability and the items described herein. I further affirm that my statements are true and complete to the best of my knowledge and freely given.

\_\_\_\_\_  
*Candidate Signature*

\_\_\_\_\_  
*Date*

State of \_\_\_\_\_

County of \_\_\_\_\_

The foregoing Declaration and Agreement was acknowledged before me this \_\_\_\_\_ day of

\_\_\_\_\_, 20\_\_ by \_\_\_\_\_, who is personally known to me or has produced appropriate identification.

\_\_\_\_\_  
*Notary Public*

## CGC DOCUMENTATION FOR RE-CERTIFICATION

NAME: \_\_\_\_\_ Date Certified: \_\_\_\_\_

Re-certification for the NCG certification requires attendance/participation in at least 20 hours of continuing education and/or guardianship training every two years. The time period for which you are tracking your CEU's is calculated from the month that you were originally certified; not an automatic calendar year. For example, if you were certified in March 2004, please provide twenty hours from March 2004 – March 2006. Appropriate programs include junior college, university, state bar, state guardianship, or other specific seminars or training courses related to guardianships. Up to 10 hours of continuing education credit may be requested for teaching courses, speaking at seminars, or authoring books or articles. **You are required to attach certificates of attendance (copies are acceptable) for the program/course/work items described in the following list.** The Certification Board may require additional information or documentation. Note: 60 minutes is equal to one CEU credit of instruction.

If you need additional space, photocopies of this form are acceptable.

Title of program/course/work: \_\_\_\_\_

Sponsor: \_\_\_\_\_

Location: \_\_\_\_\_

Date(s) presented/published: \_\_\_\_\_

Number of hours of attendance/teaching/preparation: \_\_\_\_\_

Title of program/course/work: \_\_\_\_\_

Sponsor: \_\_\_\_\_

Location: \_\_\_\_\_

Date(s) presented/published: \_\_\_\_\_

Number of hours of attendance/teaching/preparation: \_\_\_\_\_

Title of program/course/work: \_\_\_\_\_

Sponsor: \_\_\_\_\_

Location: \_\_\_\_\_

Date(s) presented/published: \_\_\_\_\_

Number of hours of attendance/teaching/preparation: \_\_\_\_\_

Total Hours: \_\_\_\_\_

I certify that I have completed the above and that I can produce appropriate documentation if requested by the Certification Board.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Thirty days prior to certification, send to:

**Center for Guardianship Certification**  
PO Box 5704  
Harrisburg, PA 17110





**Rules and Regulations  
Regarding Certification and Re-Certification  
of  
National Certified Guardians**

*Revised: February 5, 2009*

## **I. GENERAL PRINCIPLES**

The purpose of the Center for Guardianship Certification (CGC) National Certified Guardian certification program is to identify those individuals who are involved in guardianship issues and who meet minimum qualifications and have a minimum level of knowledge and experience in guardianship services to be identified to the public as a National Certified Guardian.

Certification is individual and voluntary. CGC Certified guardians are expected to act in compliance with the CGC Rules and Regulations in any fiduciary capacity, whether court-appointed, non-court appointed, or any position of trust.

Application with the appropriate fee shall be made to the CGC on the forms it shall supply. Certification is open to all qualified applicants without regard to age, race, religion, color, ethnic background, gender, sexual orientation, or disability.

All applications and other information submitted to the CGC as part of the certification and recertification process shall be privileged and confidential except that the CGC may reveal that an application has been made for the purpose of verifying (a) information submitted by the applicant or (b) whether an individual is a National Certified Guardian.

## **II. ADMINISTRATION OF CERTIFICATION AND RE-CERTIFICATION**

The certification and re-certification of National Certified Guardians shall be administered by the CGC.

The CGC shall certify all individuals in accordance with these rules and regulations.

The CGC shall develop and oversee the following:

- A. Approval of the application process used for guardian certification and re-certification.
- B. Determination as to whether particular applicants have met the standards for certification or recertification.
- C. Approval of training and continuing education courses related to meeting certification or recertification requirements.
- D. Approval of waivers or modification of specific certification requirements for good cause.
- E. Oversight of the preparation and administration of certification examinations.
- F. Approval of all examination questions.
- G. Development of the procedure for reviewing any applicant's examination that receives a failing grade.
- H. Establishment of criteria relative to denial, suspension or revocation of certification.
- I. Determination of all requests for reconsideration of denials, revocations, or suspensions of certification.
- J. Maintenance of all appropriate records relative to certification.
- K. Provision of accommodations in accordance with the ADA.
- L. Upon certification, the registrant will be issued a certificate and card, which will be valid for two years. A new certificate and card will be issued bi-annually upon satisfactory completion of the re-certification process.

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Revised: 2/5/09

### III. APPLICATION PROCEDURE

**A. Application Forms.** Applications for Certification and Re-certification shall be made in writing on forms provided by the CGC. The CGC may require the applicant to submit information in addition to that called for on the application forms.

**B. Fees.** All fees connected with certification and re-certification shall be set by the CGC and are subject to change at any time.

1. **Application Fee.** Each applicant shall submit a non-refundable application fee along with the completed application form. No application will be processed until the application fee has been paid.
2. **Examination Fee.** Each applicant shall pay an examination fee before taking the certification examination. The fee shall be submitted with the completed examination registration form to the CGC at least thirty (30) days before the day on which the applicant wishes to take the certification examination.
3. **Re-certification Fee.** Each application for re-certification shall be accompanied by a nonrefundable re-certification fee. No re-certification application may be processed until the re-certification fee has been paid.
4. **Late Fee.** The CGC may impose a late fee for certification and re-certification applications received after the deadline.

**C. Application Procedures.** Upon receipt of a completed application form, the CGC staff shall review the application to determine that (1) the application form has been completed, (2) the applicant meets the minimum standards and (3) the appropriate fees have been paid. If so, the application shall be accepted.

**D. Examination Failure.** In the event the applicant does not pass the certification examination, the applicant may retake the examination upon submission of an additional examination fee and a new examination registration form for each examination date. If the applicant does not pass the examination by the second anniversary of the date on which the original certification application was accepted, the application for certification shall be denied. If an applicant whose application is so denied subsequently seeks to become certified, the application process must start again.

**E. Application for Re-certification.** Certification shall expire two years after the date it is issued. CGC must receive a properly completed application for re-certification not more than 45 days after the certification expires. The re-certification application shall be accompanied by the appropriate fee or it shall be denied. Individuals filing re-certification applications more than 45 days after their certification expires shall be denied re-certification. In such case, the certification process must begin again. At that time, the CGC website will be updated to remove the individual from the listing of certified guardians. An application for re-certification filed less than one month before the certification expires will be subject to a late fee.

### IV. MINIMUM STANDARDS FOR NATIONAL CERTIFIED GUARDIAN CERTIFICATION

#### **A. Minimum Standards for Certification**

To qualify for certification the applicant shall pay all required fees, comply with the application procedures herein, and meet the following minimum standards, except as otherwise provided by state certification law:

1. Must be at least 21 years of age.
2. Must be a high school graduate or possess the GED equivalent.
3. Must have one year of relevant work experience related to guardianship or conservatorship or the following educational or training requirements: (1) a degree in a field related to guardianship, or (2) completion of a course curriculum or training specifically related to guardianship or conservatorship approved by the CGC.
4. Must not have been convicted or pled guilty or no contest to a felony?

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5. Must attest that he or she has not been civilly liable in an action that involved fraud, misrepresentation, material omission, misappropriation, moral turpitude, theft, or conversion.
6. Must attest that he or she has not been relieved of responsibilities as a guardian by a court, employer, or client for actions involving fraud, misrepresentation, material omission, misappropriation, theft, or conversion.
7. Must attest that he or she is bonded in accordance with state statutes and local practice.
8. Must attest that he or she has not been found liable in a subrogation action by an insurance or bonding agent.

#### **B. Examination.**

The applicant shall make a satisfactory showing of competency in guardianship by successfully completing an examination administered by the CGC. Notification of examination results shall be mailed to the applicant within 60 days.

#### **V. MINIMUM STANDARDS FOR RE-CERTIFICATION**

The period of certification is two years. A national certified guardian who desires continued certification shall apply for re-certification within the time limits prescribed in section III. To be eligible for re-certification, the certified individual shall pay all required fees and meet the following minimum standards:

##### **A. Reaffirmation.**

The National Certified Guardian shall reaffirm items 4 through 8 of IV of the Minimum Standards for National Certified Guardian Certification, IV of these Rules.

##### **B. Continuing Education.**

The National Certified Guardian shall, during the period since certification or most recent re-certification, have participated in at least twenty hours of continuing education and guardianship training as approved by the applicant's state guardianship association and/or by the CGC. National Certified Guardian shall list on the application for re-certification the dates, locations, sponsors, and number of credits earned for all continuing education courses to satisfy this requirement. The National Certified Guardian may request on the application for re-certification credit up to ten hours of continuing education credit for teaching courses, speaking at seminars, or authoring books or articles.

#### **VI. DISCRETION TO REQUEST ADDITIONAL INFORMATION**

If after reviewing the information submitted by the applicant the CGC determines that the applicant does not meet the standards established by these rules and regulations, the CGC may conduct further investigation or require additional information from the applicant or other sources. The CGC may deny certification and re-certification based on the information it receives.

#### **VII. DENIAL AND DISCIPLINARY CRITERIA**

The CGC may deny, suspend or revoke a certification, or impose other disciplinary action on a National Certified Guardian, who as the guardian of the person or estate, or who in any other court appointed or non-court appointed fiduciary capacity, or position of trust, if it is determined that they have violated any of the following criteria:

- A. Failed to abide by the Rules and Regulations promulgated by the CGC to govern the certification program;
- B. Failed to pay any applicable fee established by the CGC;
- C. Failed to meet the Minimum Standards for Certification established by the CGC;
- D. Been convicted or pled guilty or no contest to a felony.
- E. Been found civilly liable in an action that involved fraud, moral turpitude, misrepresentation, material omission, misappropriation, theft, or conversion.
- F. Been relieved of responsibilities as a guardian or fiduciary by a court, employer, or client for actions involving fraud, misrepresentation, material omission, misappropriation, theft, or conversion.
- G. Not been bonded in accordance with state statutes and local practice.
- H. Been found liable in a subrogation action by an insurance or bonding agent.
- I. Failed to notify CGC of a violation as set forth in IV. A 4-8.

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J. Violated the NGA Code of Ethics.

K. CGC may also discipline a National Certified Guardian, including by suspension or revocation of certification if: (a) the certificate was granted contrary to the Rules and Regulations of the CGC; or (b) the certificate was granted to an individual who is not eligible to acquire a certificate or who has made any false representations or misstatement of material fact to the CGC.

### **VIII. DISCIPLINARY PROCEDURE FOR NATIONAL CERTIFIED GUARDIAN**

**A. Initiation of Process.** Any person ("Petitioner") may Petition CGC to initiate disciplinary procedures against a National Certified Guardian ("Respondent"). If information or allegations come to the attention of CGC that a National Certified Guardian has violated one or more of the disciplinary criteria set forth in Paragraph VII herein, and no complaint is forthcoming from any person, then the CGC President may appoint an agent or agents to conduct an inquiry and fact finding to determine whether there is a reasonable basis to file a formal complaint. If the agent or agents file a formal complaint, then this complaint shall be processed in accordance with the disciplinary procedures set forth herein. The person or persons who initiated/participated in the inquiry should not be part of the final appeal decision and would be asked to recuse themselves, if an appeal was made. Those same individuals will also not be asked to serve on the Professional Review Board (PRB) convened for the specific inquiry in which they were involved.

**B. Content of the Petition.** A Petition, which is to be submitted to the CGC Executive Director, must be in writing and must include: the name and pertinent contact information of the Petitioner and the Respondent; an allegation of the existence of one or more of the disciplinary criteria set forth in section VII; an adequate factual basis for the allegation(s); and any necessary documentation or other supporting materials or information.

**C. Initial Review of Petition.** The CGC Executive Director, in consultation with the CGC President and CGC General Counsel, will review the Petition to determine if it includes the necessary elements identified in paragraph B herein. If the Executive Director determines that the Petition does not conform to paragraph B herein, then, citing the specific deficiency or deficiencies, the Executive Director shall notify the Petitioner that the Petition will not be considered. The Petitioner may re-file an amended Petition, or may seek a review of the Executive Director's decision by the CGC Executive Committee by so notifying the CGC Executive Director within fifteen (15) days of the date of the rejection letter. In addition, if a complaint includes allegations of criminal conduct by a guardian or conduct that is actionable against a guardian in a court of law, the CGC Executive Director, in consultation with the CGC President and CGC General Counsel, may decline consideration and instead defer to the authority of an appropriate court of law, law enforcement agency, or other governmental investigatory or adjudicatory body. An outcome of such legal proceedings adverse to a guardian may form the basis of a subsequent complaint.

**D. Professional Review Board.** Once a Petition is determined to conform to the requirements of paragraph B herein, the Executive Director will notify the CGC President, who will appoint three individuals to a Professional Review Board ("PRB") to address the Petition. At least one appointee shall be a member of the CGC Board of Trustees at the time of appointment. The CGC President shall also designate one of the PRB members to be PRB Chair. The PRB will act by majority vote.

**E. Notice; Response.** Concurrent with notification of the President, the Executive Director will also inform the Respondent in writing that a Petition has been submitted; provide the Respondent with a copy of the Petition, including all supporting materials, as well as a copy of these Rules and Regulations; and ask for a written Answer to the Petition to be received by CGC within fifteen (15) business days from the date of the letter.

**F. Suspension Pending Decision.** The CGC Executive Committee may, in its discretion, suspend the certification of the Respondent pending the decision of the PRB, and/or pending final disposition of any appeal.

**G. Review by PRB.** The PRB Chair will schedule at least one meeting, in person or via conference call, to review the Petition and Answer, if any. Additional meetings may be held as deemed necessary by the PRB. While the PRB may seek additional information in its discretion; it has no obligation to do so; the PRB is not an investigatory body, and will generally render its decision based on the submissions of the Petitioner and Respondent.

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Revised: 2/5/09

**H. Hearing.** The PRB shall offer the Respondent the opportunity for a hearing. The date and location of the hearing will be determined by the PRB. The respondent is responsible to bear all costs to attend the hearing including the cost of witnesses for the respondent and all other costs for respondent to prepare for the hearing. At this proceeding, the Respondent will be permitted to testify; present evidence; respond to questions from the PRB; and examine and cross-examine witnesses who are also present. The Respondent may be represented by legal counsel at the hearing. No hearing need be held if the PRB decides to dismiss the Petition. The PRB may establish rules for the conduct of the hearing, though formal rules of evidence will not apply.

**I. Decision of PRB.** The PRB shall strive to render a decision on the Petition within ninety (90) days of the submission of all documents by the Petitioner and Respondent or any hearing herein, and shall notify the Petitioner and Respondent in writing of that decision. The written notification shall include an explanation of the basis for the decision. In most cases a decision of the PRB will be one of the following: the Respondent has engaged in prohibited conduct; the Respondent has not engaged in prohibited conduct; or there is insufficient evidence to determine whether or not the Respondent has engaged in prohibited conduct. A finding of a prohibited conduct must include the PRB's decision as to any disciplinary action to be imposed including, but not limited to censure, suspension, and revocation. The PRB may issue an Advisory Letter or Letter of Concern to the Respondent even though there is no finding of prohibited conduct.

**J. Definitions:** The following represent definitions of terms associated with the decision herein of the PRB:

Non-Disciplinary Action

1. Advisory Letter means written communication from the PRB notifying the Respondent that the conduct, while not warranting discipline or a finding of prohibited conduct, may result in future disciplinary action if not modified or eliminated. An Advisory Letter is not disciplinary action and there is no appeal of an Advisory Letter by the Respondent. The Advisory Letter will be placed in the permanent file of the Respondent. The Respondent may respond in writing to the Advisory Letter. Any such correspondence will be included in the permanent file.

2. Letter of Concern means written communication from the PRB notifying the Respondent that, while there is insufficient evidence to support disciplinary action, the PRB believes the Respondent should modify or eliminate certain practices that led to the Complaint. A Letter of Concern is not a disciplinary action and there is no appeal of a Letter of Concern by the Respondent. The Letter of Concern will be placed in the permanent file of the Respondent. The Respondent may respond in writing to the Letter of Concern. Any such correspondence will be included in the permanent file.

Disciplinary Action

3. Censure means written disciplinary action from the PRB finding the Respondent has engaged in prohibited conduct and violated one or more disciplinary criteria contained in Paragraph VII of the Rules and Regulations herein.

4. Suspension means written disciplinary action finding the Respondent has engaged in prohibited conduct and violated one or more disciplinary criteria contained in Paragraph VII of the Rules and Regulations herein, resulting in not permitting the Respondent to exercise the privileges of a National Certified Guardian for a set period of time. The CGC Executive Committee may suspend a certification pending a decision by the PRB.

5. Revocation means written disciplinary action from the PRB finding the Respondent has engaged in prohibited conduct and violated one or more criteria contained in Paragraph VII of the Rules and Regulations herein, resulting in removal by the PRB of the Respondent's Certification as a National Certified Guardian.

**J. Appeal.** Except as otherwise provided in this Section VIII, a Petitioner or Respondent may appeal the decision of the PRB to the CGC Board of Trustees by submitting a written notice with the CGC Executive Director within thirty (30) days of the date of the PRB's decision. Either the PRB or the CGC Board of Trustees may postpone implementation of the disciplinary action, if any, imposed by the PRB until after disposition of the appeal. The CGC Board of Trustees shall seek to issue its ruling within sixty (60) days of receipt of the appeals notice. There shall be no right to a hearing. The decision of the CGC Board shall be final.

**K. Publication.** CGC may publicize the nature, existence, or preliminary or final result of any disciplinary proceeding or action, at any stage, if deemed by CGC to be in the interests of CGC, the Certification Program, or any segment of the general public.

**L. Correspondence.** All correspondence and notices herein between the petitioner and respondent should be made by certified mail and courier service

#### **IX. THE OFFICIAL ADDRESS FOR ALL CORRESPONDENCE**

The official address for all correspondence to the Center for Guardianship Certification is PO Box 5704, Harrisburg, PA 17110.

#### **X. OFFICIAL LANGUAGE**

Except as restricted by applicable law, an individual holding a current certification from CGC shall use the following language to disclose the certification in written communications: "certified as a National Certified Guardian" and/or the designation of "NCG."

#### **XI. AMENDMENTS PROCEDURES**

These rules and regulations may be amended as provided in the Bylaws of the Center for Guardianship Certification.

*Center for Guardianship Certification*  
*PO Box 5704, Harrisburg, PA 17110*  
*717-238-4689 ♦ 717-238-9985 (fax)*  
[www.guardianshipcert.org](http://www.guardianshipcert.org)

Revised: 2/5/09



**Guardianship Certification Board**  
 205 W. 14<sup>th</sup> Street, Suite 600, Tom C. Clark Bldg, Austin,  
 Texas 78701

<b>\$25.00</b> <b>Application Fee</b> Must accompany this application
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**Certification Application Form**

1. Name	Last	First	M.I.	Suffix	2. Date of Birth	mm/dd/yyyy																					
3. Provisional Certification	If you are provisionally certified at the time you file this application, check here <input type="checkbox"/> and provide continuing education information under question #9.				Provisional Certification Number																						
4. Address (both home and work addresses must be provided)	Home	Street	City	State	Zip	Phone																					
	Work	Street or P.O. Box	City	State	Zip	Phone																					
	Email Address		Other Phone (e.g., cell)			FAX																					
5. Contact Preference	Mail: <input type="checkbox"/> Home <input type="checkbox"/> Work (if both, or neither, is selected, Board-related mailings will be sent to work address) <input type="checkbox"/> E-Mail: If this box is selected, Board staff will communicate with you by e-mail, except when notice by U.S. mail is required.																										
6. Education	High School	High School Name		High School Location		Graduation Date: mm/yyyy																					
		<b>Or</b>		Equivalency Type		Date: mm/yyyy																					
	College or University	Name and Location of School			<table border="1"> <tr> <th colspan="4">Dates Attended</th> <th rowspan="2">Degree</th> <th rowspan="2">Major</th> </tr> <tr> <th colspan="2">From</th> <th colspan="2">To</th> </tr> <tr> <th>Mo</th> <th>Yr</th> <th>Mo</th> <th>Yr</th> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>		Dates Attended				Degree	Major	From		To		Mo	Yr	Mo	Yr							
Dates Attended				Degree	Major																						
From		To																									
Mo	Yr	Mo	Yr																								
7. Work Experience (provide at least 10 years of experience. Attach separate sheet if necessary)	Start Date	Leave Date		Employer:		Location:																					
	Mo	Yr	Mo	Yr	Current																						
	Describe relevant experience:																										
	Start Date	Leave Date		Employer:		Location:																					
	Mo	Yr	Mo	Yr																							
	Describe relevant experience:																										
Start Date	Leave Date		Employer:		Location:																						
Mo	Yr	Mo	Yr																								
Describe relevant experience:																											
8. Exams/ Certification	Texas Exam			Center for Guardianship Certification Exam																							
	Passed? <input type="checkbox"/>		Date Expect to Take		Passed? <input type="checkbox"/> Yes <input type="checkbox"/> No																						
	Yes	Date Taken	<input type="checkbox"/> No		Date Taken	Date Expect to Take																					
CGC Registered Guardian: CGC Certification Date				In good standing? <input type="checkbox"/> Yes <input type="checkbox"/> No																							

9. Continuing Education (provide only if you are provisionally certified when you file this application)	If you answered "Yes" to question #3, provide the following information on courses you took during the period you were provisionally certified. (Attach separate sheet if necessary.)					
	date of course	sponsor	name and location of course	total hours	ethics hours	legislative update hours

10. Have you ever been adjudged guilty of or entered a plea of no contest in return for a grant of deferred adjudication to any felony or misdemeanor other than juvenile offenses or misdemeanor traffic offenses?

Note: Answer yes even if your plea resulted in a probation or deferred adjudication that was successfully completed and subsequently dismissed.

Driving While Intoxicated is NOT considered a traffic offense and should be reported.

No  Yes – Provide a certified copy of the charging instrument, judgment, and disposition, including dates, charges, court, court location, and any other pertinent information.

11. Have you ever been relieved of responsibilities as a guardian by a court, employer, or client for actions involving fraud, moral turpitude, misrepresentation, material omission, misappropriation, theft conversion or breach of fiduciary duty?

No  Yes – Provide details (attach separate sheet if necessary):

12. Have you ever been found civilly liable in an action, or settled a claim, involving allegations of fraud, misrepresentation, material omission, misappropriation, moral turpitude, theft, conversion, or breach of fiduciary duty on your part?

No  Yes – Provide details (attach separate sheet if necessary):

13. Have you ever been denied certification, or had your certification revoked or suspended in Texas or any other jurisdiction requiring certification, registration or licensure to provide guardianship services?

No  Yes – Provide details (attach separate sheet if necessary):

I certify under penalty of perjury that the information provided in this application is true and correct. I have read and understand the Guardianship Certification Board's Rules Governing Guardianship Certification and Minimum Standards for Guardianship Services and agree to comply with the current and subsequent Rules and Minimum Standards. I understand that the fee submitted with this application is non-refundable. I understand that if I am certified, I will have a continuing obligation under Rule X(c) and (d) of the Rules Governing Guardianship Certification to notify the Board if there is a change in circumstances.

(Must be signed before a Notary Public) Signature: \_\_\_\_\_ Date: \_\_\_\_\_

State of \_\_\_\_\_ County of \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_



**Mail:**

- 1) Your completed, signed, and notarized application form, and
- 2) A check or money order in the amount of \$25.00 payable to the Office of Court Administration to:

Office of Court Administration  
Guardianship Certification Board  
P.O. Box 12066  
Austin, Texas 78711-2066

**Hand Deliver:**

Alternatively, you may deliver your original application and fee to the Office of Court Administration, 205 West 14th Street, Suite 600, Austin, Texas 78701.

**Faxed or e-mailed applications are not acceptable.**

DRAFT

TEXAS GUARDIANSHIP CERTIFICATION BOARD  
INSTRUCTION SHEET FOR CERTIFICATION APPLICATION FORM

1. To provide guardianship services in Texas, you must be certified if you are a private professional guardian, if you provide services to a ward of a private professional guardian or the Department of Aging and Disability Services, or if you provide services to a ward of a guardianship program on behalf of the program. If you are a volunteer for a guardianship program, or a family member or friend of the ward, you do not need to be certified.
2. To qualify for certification, you must be at least 21 years old and have a high school diploma or GED equivalent. You must have two years of relevant experience related to guardianship OR have a four-year degree in a field related to guardianship. You must also take and pass an exam on Texas guardianship law, and must take and pass the Center for Guardianship Certification (CGC), formerly known as the National Guardianship Foundation (NGF), National Certified Guardian exam OR be currently certified by and in good standing with the CGC. The CGC administers both exams. For an exam schedule, locations, and registration information, please see the CGC's website: [www.guardianshipcert.org](http://www.guardianshipcert.org).
3. Complete the Certification Application Form. You may attach a resume, but you must fill out the form completely. Please provide sufficient detail to enable Board staff to determine the nature and extent of your work experience. Your completed application must be notarized.
4. Certified guardians must complete 6 hours of continuing education during each year of the two-year certification period. Provisionally certified guardians are bound by the same continuing education rules as certified guardians. If you are provisionally certified at the time you apply for certification, report hours taken during the time you were provisionally certified on the certification application. Once you are certified, continuing education hours earned during your two-year certification period will be reported when it is time for you to re-certify.
5. You must provide the Board with your Texas and national criminal history records by having your fingerprints submitted to the Department of Public Safety (DPS). DPS will perform a Texas criminal history search and forward the fingerprints to the FBI for a national criminal

history search. If you are provisionally certified when you apply for certification, and your provisional certification was granted within one year of your application for certification, it is not necessary for you to submit a new criminal history report.

DPS has contracted with Fingerprint Applicant Services of Texas (FAST) to provide fingerprinting services. You may also be able to obtain fingerprinting services from local law enforcement officials. For a list of FAST locations and hours of operation, please visit [www.Llenrollment.com](http://www.Llenrollment.com). If you use FAST, you must schedule an appointment by visiting their website or calling 1-888-467-2080. When you go to the FAST location, you must take a FAST Pass, available on the Board's website, [www.courts.state.tx.us/gcb/docs/FASTPass.doc](http://www.courts.state.tx.us/gcb/docs/FASTPass.doc). If you do not use FAST, you must provide the Board's ORI Number (TX922180Z) to the entity that fingerprints you so that your search records reach the Board. The FAST charge for the fingerprinting service is \$9.95; the charge for a Texas criminal history record search is \$15.00; and the charge for an FBI search is \$19.25, for a total of \$44.20. All fees are paid to FAST at the time your fingerprints are taken. The criminal history records resulting from both the Texas and national criminal history searches will be forwarded directly to the Board. **The Board will not process your application until it has received the results of the criminal history searches.** The Texas and national criminal history searches must be conducted no earlier than 90 days prior to the date you submit your application.

**Note:** Applicants are required to self-report criminal history (see question #10), except juvenile and misdemeanor traffic offenses. If you are unsure if an offense is a traffic offense, it should be reported. The Board may require further information and review on any criminal history.

6. Mail your completed application and the \$25.00 application fee to:  
Office of Court Administration  
Guardianship Certification Board  
P.O. Box 12066  
Austin, Texas 78711-2066

Alternatively, you may deliver your application and fee to 205 West 14th Street, Suite 600, Austin, Texas. Faxed or e-mailed applications are not acceptable.

7. Upon receipt, Board staff will review your application. You will be notified if it is complete or if any required information or documentation is missing. The Board reserves the right to request further information from you during the certification process.
8. You will be notified when your application for certification is approved or denied. If your application is denied, you will be informed of the reason(s) for denial and will have the right to appeal a denial of certification as set forth in Rule IX, Rules Governing Guardianship Certification.
9. Certification is valid for two years and may be suspended or revoked by the Board at any time for the reasons set forth in Rule XI, Rules Governing Guardianship Certification. You must apply for re-certification every two years. To re-certify, you must meet the requirements set forth in Rule VII, Rules Governing Guardianship Certification, including payment of a \$25.00 re-certification fee.
10. It is your responsibility to re-certify. You must file your application for re-certification at least 90 days before your certification expires. If you file your application for re-certification after this deadline but not later than 90 days after your certification expires, you must pay a late fee of \$75.00. Applications for re-certification received more than 90 days after expiration will not be processed, and you must begin the certification process anew.