



Guardianship Certification Board
 205 W. 14th Street, Suite 600, Tom C. Clark Bldg, Austin,
 Texas 78701

<p>\$25.00 Application Fee Must accompany this application</p>

Provisional Certification Application Form

1. Name	Last	First	M.I.	Suffix	2. Date of Birth	mm/dd/yyyy																					
3. 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																					
4. 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.																										
5. Education	High School	High School Name		High School Location		Graduation Date: mm/yyyy																					
	Or		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																								
6. Work Experience (Provide your current employer and show 2-3 years work experience. Attach separate sheet if necessary.)	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:																											
Start Date	Leave Date		Employer:	Location:																							
Mo	Yr	Mo				Yr																					
Describe relevant experience:																											
7. Under Board rules, a provisionally certified guardian may provide guardianship services only under the supervision of a certified guardian supervisor . My certified guardian supervisor is:																											
Name	Last	First	M.I.	Suffix	Certification Number:																						
Business																											
Address	Street or P.O. Box	City	State	Zip	Phone																						

Signature of Certified Guardian Supervisor: _____

Date: _____

8. 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.

9. 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):

10. 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):

11. 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 APPLICATION FOR PROVISIONAL CERTIFICATION 02/20/2009

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 are an individual providing 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. If you do not meet the experience, education, or examination requirements for certification (have two years of relevant experience related to guardianship OR a four-year degree in a field related to guardianship AND pass an exam on Texas guardianship law and the Center for Guardianship Certification, formerly known as the National Guardianship Foundation National Certified Guardian exam), you may qualify for provisional certification. To qualify for provisional certification, you must be at least 21 years old and have a high school diploma or GED equivalent. You must also meet certain criminal history and other requirements set out in Rule VI, Rules Governing Guardianship Certification. Under Board rules, if you are provisionally certified, you may provide guardianship services only under the supervision of a certified guardian supervisor.
3. Complete the Application for Provisional Certification. You may attach a resume, but you must fill out the form completely. Be sure to give the requested information about your certified guardian supervisor and obtain that person's signature and certification number on the form. Sign your application in front of a notary public.

NOTE: While college education and relevant work experience are not required for provisional certification, the Board requests that you provide this information for its records.
4. 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. 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.LIenrollment.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, which is available on the Board's website, 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 #8), 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.
5. Mail your completed application for provisional certification 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.
6. 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 provisional certification process.
7. You will be notified when your application for provisional 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 provisional certification as set forth in Rule IX, Rules Governing Guardianship Certification.
8. Provisional certification is valid for two years. To continue providing guardianship services after expiration of your provisional certification, you must obtain certification by filing an application for certification and meeting the requirements set forth in Rule VI, Rules Governing Guardianship Certification, unless you seek and the Board grants a waiver of the two year limit on your provisional certification.
9. Your provisional certification may be suspended or revoked by the Board at any time for the reasons set forth in Rule XI, Rules Governing Guardianship Certification.

**PROPOSED AMENDMENTS
RULES GOVERNING GUARDIANSHIP CERTIFICATION**

III. CERTIFICATION AND RE-CERTIFICATION

- (a) To provide guardianship services in this state, the following individuals must be certified by the Board pursuant to Section 111.042, Texas Government Code:
 - 1) an individual who is a private professional guardian;
 - 2) an individual who will provide guardianship services to a ward of a private professional guardian or the Texas Department of Aging and Disability Services on the guardian's or department's behalf; and
 - 3) an individual, other than a volunteer, who will provide guardianship services to a ward of a guardianship program on the program's behalf.
- (b) Notwithstanding subsection (a), an individual who must be certified but does not meet the requirements for certification under Section VI(c) or (d) of these rules may provide guardianship services in this state if the person obtains provisional certification pursuant to Section XIV.
- (c) Notwithstanding any other provision of these rules:
 - 1) pursuant to section 696B of the Texas Probate Code, a family member or friend of an incapacitated person is not required to be certified under these rules to serve as the person's guardian, and
 - 2) an employee of the United States Veterans Administration appointed to serve as a guardian for an incapacitated person under section 601(14)(C) of the Texas Probate Code is not required to be certified under these rules to serve as the person's guardian.
- (d) The Board shall certify all individuals in accordance with these rules. Criteria not rationally related to the performance of guardianship services shall not be used to deny certification.
- (e) Upon certification, the individual will be issued a certificate, which will be valid for two years according to the provisions of Section V(d). New certificates will be issued for successive two-year periods upon timely and satisfactory completion of the re-certification process.
- (f) A certified guardian may use the designation "TxCG" to indicate that the guardian has been certified by the Board. Provisionally-certified guardians may not use such designation.

V. APPLICATION PROCEDURE

- (a) Application Forms. Applications for certification, provisional certification, and re-certification shall be made in writing on forms provided by the Board. In appropriate circumstances, the Board 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 Board with the approval of the Supreme Court and are non-refundable. A schedule of fees shall be published on the Board's web site.
 - 1) Application Fee. Each applicant must submit a non-refundable application fee along with the completed application form. No application will be

processed until the application fee has been paid. However, an employee of the Texas Department of Aging and Disability Services who is applying for a certificate to provide guardianship services to a ward of the department is exempt from payment of the application fee.

- 2) Examination Fee. Each applicant must submit a non-refundable examination fee to take the examination approved by the Board that affirms competency in Texas guardianship matters. The fee must be paid by the date established in the examination schedule.
 - 3) Re-certification Fee. Each application for re-certification must be accompanied by a non-refundable re-certification fee. However, an employee of the Texas Department of Aging and Disability Services who is applying for re-certification to provide guardianship services to a ward of the department is exempt from payment of the re-certification fee. No re-certification application may be processed until the re-certification fee, if applicable, has been paid.
 - 4) Late Fee. Each late application for re-certification must be accompanied by a non-refundable late fee.
- (c) Application Procedures.
- 1) Upon receipt of a completed application form, Board staff shall review and accept the application if:
 - A. the application form has been completed;
 - B. the applicant meets the requirements for certification or provisional certification; and
 - C. the appropriate application fee has been paid.
 - 2) An applicant who submits an application form but does not complete the requirements for certification or provisional certification within twelve (12) months of submitting the form must begin the certification process anew.
- (d) Application for Re-certification. Certification shall expire on the second anniversary of the date the certificate is issued. Re-certification shall expire every two years thereafter on the same day and month of the original certification. Applications for re-certification accompanied by the appropriate fee must be filed at least ninety (90) days before the certification expires; applications filed after this deadline but within ninety (90) days after the certification expires will be subject to a late fee. Re-certification applications filed more than ninety (90) days after the certification expires shall be denied and the certification process must begin anew.
- (e) Application for Provisional Certification. In addition to the other information required on the application form, an applicant for provisional certification must identify the applicant's supervisor on the application form. The supervisor must sign the application form.
- (f) Expiration of Certification. Upon expiration of a certified guardian's certification, the guardian must immediately provide written notice of the expiration to each court in which the guardian has been appointed pursuant to section 693 of the Texas Probate Code and, if the guardian provides guardianship services on behalf of the Department of Aging and Disability

Services or a guardianship program, to each of those organizations on whose behalf the guardian provides guardianship services.

VI. REQUIREMENTS FOR CERTIFICATION

To qualify for certification, the applicant must pay all required fees, comply with the application procedures herein, and must:

- (a) Be at least twenty-one (21) years of age;
- (b) Be a high school graduate or possess the GED equivalent;
- (c) Have two years of relevant work experience related to guardianship or the following educational or training requirements:
 - 1) a minimum of a bachelors degree conferred by a college or university accredited by an organization recognized by the Texas Higher Education Coordinating Board in a field related to guardianship, including but not limited to medical, mental health and mental retardation, law, business, accounting, social work, sociology, psychology, human services, protective services, and criminal justice fields, or
 - 2) completion of a course curriculum or training specifically related to guardianship approved by the Board;
- (d) Meet one of the following criteria:
 - 1) have successfully completed an examination approved by the Board covering Texas law and procedure related to guardianship, and any other examination required and approved by the Board testing knowledge of guardianship issues, or
 - 2) be currently certified by and in good standing with the National Guardianship Foundation and have successfully completed an exam approved by the Board covering Texas law and procedure related to guardianship issues;
- (e) Attest under penalty of perjury as to whether he or she has ever been adjudged guilty of or entered a plea of no contest in return for a grant of deferred adjudication to a felony, crime of moral turpitude, or any offense listed in sections 22.01 (assault), 22.011 (sexual assault), 22.02 (aggravated assault), 22.021 (aggravated sexual assault), 22.04 (injury to a child, elderly individual, or disabled individual), 22.041 (abandoning or endangering a child), 22.05 (deadly conduct), 22.07 (terroristic threat), and 32.45 (misapplication of fiduciary property) of the Texas Penal Code; and
- (f) Attest under penalty of perjury as to whether he or she:
 - 1) has 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, or conversion;
 - 2) has ever been found civilly liable in an action, or settled a claim, involving allegations of fraud, misrepresentation, material omission, misappropriation, moral turpitude, theft, or conversion on the applicant's part; or

- 3) has ever been denied certification or had his or her certification revoked or suspended in Texas or any other jurisdiction requiring certification, registration or licensure to provide guardianship services; or
 - 4) has ever been found civilly liable or settled a claim in a surcharge action.
- (g) Provide the Board with his or her Texas and national criminal history records by having his or her fingerprints submitted to the Texas Department of Public Safety (DPS), to be used by DPS for a Texas criminal history search and forwarded to the Federal Bureau of Investigation for a national criminal history search. The criminal history records resulting from both the Texas and national criminal history searches will then be forwarded to the Board. The Texas and national criminal history searches must be conducted no earlier than 90 days preceding the date the application is submitted.
- (h) If the applicant has ever been adjudged guilty of or pleaded no contest to any crime described in Section VI(e) above, or been relieved of guardian responsibilities, been found civilly liable, settled a claim, or been denied certification or had certification revoked or suspended as described under Section VI(f)(1), (2) or (3) above, the applicant must describe with particularity the circumstances and provide any related documentation requested by the Board.

XII. COMPLAINTS; DISCIPLINARY PROCEDURE

- (a) Initiation of Process. Any person ("Petitioner"), including the Director, may petition the Board to initiate disciplinary procedures against a certified guardian or provisionally-certified guardian ("Respondent").
- (b) Content of the Petition. The Petition must be submitted to the Board in writing and must include:
- 1) The name and pertinent contact information of the Petitioner and the Respondent;
 - 2) An allegation of the existence of one or more of the disciplinary criteria set forth in Section XI (relating to Disciplinary Criteria);
 - 3) An adequate factual basis for the allegation(s); and
 - 4) Any necessary documentation or other supporting materials or information.
- (c) Initial Review of Petition. If a Petition filed by a person other than the Director does not conform to the requirements of subsection (b) of this section, the Director shall notify the Petitioner that the Petition will not be considered. If a Petition filed by the Director does not conform to the requirements of subsection (b) of this section, the Board Chair shall notify the Director that the Petition will not be considered. The Petitioner may re-file an amended Petition.
- (d) Review Committee. Once a Petition is determined to conform to the requirements of subsection (b), the Director will notify the Board Chair, who will appoint three Board members to a Review Committee to address the Petition. The Board Chair shall also designate one of the Review Committee members to be Review Committee Chair. The General Counsel of the Office of Court Administration or the General Counsel's designee shall serve as

counsel to the Review Committee. The Review Committee will act by majority vote.

(e) Notice; Answer.

- 1) Notice to Respondent. At the same time the Director notifies the Board Chair, the 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 direct that the Respondent submit a written Answer to the Petition, to be received by the Board within fifteen (15) days after the Respondent's receipt of the notice. Respondent may request an extension of time to file an Answer. The request must be made in writing before the expiration of the fifteen (15) day period. For good cause shown, the Review Committee or its designee may extend the Respondent's time to answer for such period as it may determine, but in no event shall the extension exceed thirty (30) days.
- 2) Failure to Submit Answer. If the Respondent fails to submit an Answer within the required time, absent good cause shown, such failure will constitute default, and all facts alleged in the Petition may be taken as true. If the Review Committee believes that such default has occurred, it will recommend to the Board whether any sanctions should be imposed. Absent good cause for the failure to timely submit an Answer, the Board shall enter an order of default and determine any sanctions to be imposed.

(f) Review and Recommendation by Review Committee.

- 1) Review by Review Committee. The Review Committee Chair will schedule at least one meeting to review the Petition and Answer, if any. Additional meetings may be held as deemed necessary by the Review Committee. The Review Committee may seek additional information in its discretion, but it has no obligation to do so. The Review Committee is not an investigatory body and will generally render its recommendation to the Board based on the submissions of the Petitioner and Respondent.
- 2) Review Committee's Recommendation. If the Review Committee does not request additional information from the Petitioner or Respondent, the Review Committee must make a recommendation to the Board within thirty (30) days after the Review Committee receives the Answer. If the Review Committee requests additional information, the Review Committee may allow up to thirty (30) days to provide the additional information and must make a recommendation to the Board within fifteen (15) days after the date it receives or should have received the additional information. The Review Committee's recommendation must be in writing and furnished to the Respondent at the same time it is furnished to the Board.

(g) Hearing. If the Review Committee recommends disciplinary action, or if the Board does not adopt a recommendation from the Review Committee to dismiss the Petition, the Respondent may request a hearing. The request must be made no later than fifteen (15) days after the date the Respondent receives the Review Committee's recommendation.

- 1) Hearing Date and Location. If the Respondent timely requests a hearing, the date and location of the hearing will be determined by the Board or its designee. The hearing must be held within one hundred twenty (120) days from the date the Board receives a timely request for hearing, unless the Board extends the hearing date for good cause.
 - 2) Notice of Hearing; Requirements. The Board shall give notice of the hearing to the Petitioner and the Respondent. The notice must include a statement of the time, place, and nature of the hearing; a reference to the particular sections of the statutes and rules involved; and a short statement of the disciplinary action recommended. The Board must also provide the Respondent a copy of the Review Committee's recommendation.
 - 3) Costs of Attending Hearing. The Respondent is responsible for Respondent's costs of preparing for and attending the hearing, including any costs associated with witnesses called on the Respondent's behalf. The Petitioner is responsible for Petitioner's costs of preparing for and attending the hearing.
 - 4) Respondent's Rights at Hearing. At the hearing, the Respondent will be permitted to testify; present evidence; respond to questions from the Board; and examine and cross-examine witnesses who are also present. The Respondent may be represented by legal counsel at the hearing.
 - 5) Conduct of the Hearing; Burden of Proof. The Board may establish rules for the conduct of the hearing. Formal rules of evidence will not apply. Testimony of witnesses must be given under penalty of perjury. The burden of proof shall be on the Petitioner to show why disciplinary action should be imposed. The burden of proof shall be by a preponderance of the evidence.
 - 6) Board Counsel. The General Counsel of the Office of Court Administration or the General Counsel's designee shall serve as counsel to the Board.
 - 7) Board Action. The Board will act by majority vote of Board members attending the meeting.
 - 8) Recusal. At the hearing, each member of the Board serving on the Review Panel must recuse him/herself and take no part in the Board's consideration or vote on the matter.
- (h) Default. If the Respondent fails to appear at the hearing:
- 1) upon proof that notice of the hearing was given to Respondent, the Board may proceed in the Respondent's absence on a default basis; and
 - 2) the factual allegations in the Petition may be deemed admitted.
- (i) Board Decision. The Board shall notify the Respondent and the Petitioner in writing of its decision not more than forty-five (45) days after the conclusion of the hearing. The written notification shall include an explanation of the basis for the decision and the Board's decision as to any disciplinary action to be imposed, including reprimand, suspension, revocation, or other disciplinary action.
- (j) Publication. The Board may publish or otherwise provide public notice of the final result of any disciplinary proceeding or action.

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2/2009

- (k) Correspondence. All correspondence and notices herein sent by or to the Petitioner or Respondent should be made by regular and certified mail to ensure receipt of the item served.



Guardianship Certification Board
 205 W. 14th Street, Suite 600, Tom C. Clark Bldg, Austin,
 Texas 78701

\$25.00
Re-Certification
Application Fee
 Must accompany this
 application

Re-Certification Application Form

1. Name	Last _____ First _____ M.I. _____ Suffix _____	2. Certifica- tion Number	Expires On mm/dd/yyyy		
3. Provisional Certification	If you were provisionally certified before being granted certification, check here: <input type="checkbox"/>	Provisional Certification Number			
4. Address (provide current home and work contact information)	<input type="checkbox"/> Home	Street _____ City _____ State _____ Zip _____	Phone _____		
	<input type="checkbox"/> 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, mail 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 (provide information on any degrees earned since you were certified)	College or University	Name and Location of School	Dates Attended	Degree	Major
			From To		
			Mo Yr Mo Yr		
7. Work Experience (list your current employer, employer as of date you were certified if different, and any changes to employer during your certification period)	Start Date	Leave Date	Employer:	Location:	
	Mo Yr	Mo Yr			
	Describe experience:				
	Start Date	Leave Date	Employer:	Location:	
	Mo Yr	Mo Yr			
	Describe experience:				
	Start Date	Leave Date	Employer:	Location:	
	Mo Yr	Mo Yr			
	Describe experience:				
	Start Date	Leave Date	Employer:	Location:	
	Mo Yr	Mo Yr			
	Describe experience:				

8. Continuing Education
 (6 hours for each year of the certification period, including 1 hour of ethics each year and 1 hour of legislative update for the 2 year period. All courses must be approved by the Board to claim continuing education credit.)

Report continuing education hours earned during your two-year certification period. If you earned more hours than needed in one year of your two-year certification period, (or in your immediately preceding year of provisional certification, if applicable), up to 2 hours may be carried forward for the next year's reporting requirement; however, ethics hours do not carry forward. (Attach separate sheet if necessary.)

date of course	sponsor	name and location of course	hours	ethics hours	legislative update hours

If you have not completed the required hours, but are scheduled to attend a course or courses before your certification expires, please check here: and provide information on the future courses below. Your application will be held pending receipt of verification of attendance of those hours.

9. 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.

10. 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, or conversion?

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

11. 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, or conversion on your part?

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

12. 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 re-certification application is true and correct. I further certify that I completed the continuing education hours listed on this re-certification application. 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 renewal fee (and the late fee, if applicable) submitted with this application is non-refundable. I understand that if my certification is renewed, 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 (or \$100.00 if the \$75.00 late fee applies), 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.

Faxed or e-mailed applications are not acceptable.

TEXAS GUARDIANSHIP CERTIFICATION BOARD
INSTRUCTION SHEET FOR RE-CERTIFICATION APPLICATION FORM

1. To qualify for re-certification, you must comply with Rule VI(e), (f) and (g) of the Rules Governing Guardianship Certification; see questions 9, 10, 11 and 12 on the Re-Certification Application Form. Even if the information was disclosed and considered during your initial application process, you must report it as part of the re-certification process.
2. In addition, you must complete six hours of continuing education during *each* year of the certification period, including one hour of ethics *each* year and one hour of legislative update for the two-year certification period. A maximum of two hours may be carried forward from one year to the next, but ethics hours cannot carry forward. Continuing education must be participatory, and must be on the list of Board-approved courses in order to claim credit for it. Go to www.courts.state.tx.us/gcb/edu.asp for a list of approved activities.

Attendance at a continuing education activity must be verified to claim credit. Attach a certificate of attendance, verification of attendance form, or other document to prove you completed the activity. This is particularly important if you are claiming ethics or legislative update hours that were earned during a "break-out" session at a seminar, conference, etc. that offered multiple concurrent sessions.

Continuing education hours may be earned for teaching, speaking or writing. Attach a copy of your Request for Approval of Continuing Education Credit for Teaching, Speaking or Writing, signed by the Guardianship Certification Program Director, as verification for these hours.

Continuing education hours may be earned during your entire two-year certification period. If you have not completed sufficient hours before your application for re-certification should be filed (see item 6), but you are scheduled to do so, please indicate that on the application. Submit the required course information and verification as soon as you complete the required hours.

2. Complete the Re-Certification Application Form. Be sure to provide complete information. Your application must be notarized.

3. 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. 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.LIenrollment.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 from the Board's website 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 #9), 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

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

Your application should be filed no more than ninety (90) days before your current certification expires. You may apply for re-certification up to 90 days after your current certification expires. If you apply less than 90 days before or up to 90 days after your certification expiration date, you must pay a late fee of \$75 **in addition to** the \$25 application fee. Applications for re-certification received by the Board more than 90 days past your certification expiration date will be denied. You must begin the certification process anew.

7. Upon receipt, Board staff will review your application. You will be notified if any required information or documentation is missing. The Board reserves the right to request further information from you during the re-certification process.
8. You will be notified when your application for re-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 re-certification as set forth in Rule IX, Rules Governing Guardianship Certification.
9. Re-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.



TEXAS GUARDIANSHIP CERTIFICATION BOARD

205 WEST 14TH STREET, SUITE 600 • TOM C. CLARK BUILDING • AUSTIN, TEXAS 78701
P. O. BOX 12066 • AUSTIN, TEXAS 78711-2066
512/463-1625 • FAX 512/463-1648

CHAIR
JUDGE GLADYS BURWELL, Galveston
VICE CHAIR
LEAH COHEN, Austin

PROGRAM DIRECTOR
LESLEY MARTIN ONDRECHEN

[date/120 days before expiration]

[name and address]

Re: Re-Certification
Certification Number [], expires on expiration date]

Dear [title and last name]:

Your certification by the Texas Guardianship Certification Board will expire as noted above. This letter concerning the re-certification process is being sent as a courtesy reminder, and no other reminders will be sent.

Your application for re-certification should be filed at least ninety days before your certification expires. An application fee of \$25.00 is required. To avoid payment of a late fee, your application must be received by Board staff on or before [90 day date].

You may apply for re-certification up to ninety days after your certification expires. If your application is received by Board staff after [90 day date] but before [90 days after], you must pay a late fee of \$75.00 in addition to the application fee.

If your application for re-certification is received more than ninety days after your certification expires (that is, after [90 days after date]), your application for re-certification will be denied. You must begin the certification process anew.

Please refer to the Rules Governing Guardianship Certification, the re-certification application form and instructions for complete information on what is required to re-certify. These are available on the Board's website, www.courts.state.tx.us/gcb.

It is your responsibility to re-certify and to ensure your application form and accompanying documents are submitted timely. If you have any questions about the re-certification process, please contact me. My direct telephone number is 512/475-2873, and my e-mail address is lesley.ondrechen@courts.state.tx.us.

Sincerely,

Lesley Martin Ondrechen
Director, Guardianship Certification Program