

**Guardianship Certification Board (GCB)**  
**Board Meeting**  
**February 27,2007**  
**3:30 p.m.**  
**Tom C. Clark Building**  
**205 West 14<sup>th</sup> Street, Suite 600**  
**Austin, Texas**

I.	Roll Call		
II.	Administrative Director's Report		
III.	Legislative Update – 80 <sup>th</sup> Legislature, Regular Session.....	1	
IV.	Employment Issues – Director of Guardianship Certification Program* .....	8	
V.	Certification Exam		
	A.	Report on status of examination covering Texas law*.....10	
	B.	Consideration of whether to require applicants to take additional examination testing knowledge of guardianship issues in light of Rule VI(d)(1)	
VI.	Rulemaking Process to Address Statutory Amendments Made by 80 <sup>th</sup> Legislative Session.....	11	
VII.	Application Forms and Processes		
VIII.	Committee Assignments		
IX.	Public Comment		
X.	Schedule for Future Meetings		

\* This portion of the meeting may be closed pursuant to GCB’s Public Meetings Policy.

By: Uresti

S.B. No. 505

A BILL TO BE ENTITLED

AN ACT

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relating to access to criminal history record information by the Guardianship Certification Board.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter F, Chapter 411, Government Code, is amended by adding Section 411.1406 to read as follows:

Sec. 411.1406. ACCESS TO CRIMINAL HISTORY RECORD INFORMATION: GUARDIANSHIP CERTIFICATION BOARD. (a) In this section, "board" means the Guardianship Certification Board established under Chapter 111.

(b) The board is entitled to obtain from the department criminal history record information maintained by the department that relates to a person who is an applicant for or the holder of a certificate issued by the board.

(c) Criminal history record information obtained by the board under Subsection (b):

(1) may be used by the board for any purpose related to the issuance, denial, suspension, revocation, or renewal of a certificate issued by the board;

(2) may not be released or disclosed to any person except on court order or with the consent of the person who is the subject of the information; and

(3) shall be destroyed by the board after the information is used for the authorized purposes.



1           SECTION 2. This Act takes effect immediately if it receives  
2 a vote of two-thirds of all the members elected to each house, as  
3 provided by Section 39, Article III, Texas Constitution. If this  
4 Act does not receive the vote necessary for immediate effect, this  
5 Act takes effect September 1, 2007.

By: Uresti

S.B. No. 506

A BILL TO BE ENTITLED

AN ACT

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relating to provisional certification for certain guardians.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 111.016(b) and (d), Government Code, are amended to read as follows:

(b) The board shall:

(1) administer and enforce this chapter;

(2) develop and recommend proposed rules and procedures to the supreme court as necessary to implement this chapter;

(3) set the amount of each fee prescribed by Section 111.042, subject to the approval of the supreme court;

(4) establish the qualifications for obtaining:

(A) certification or recertification under Section 111.042; and

(B) provisional certification under Section 111.0421;

(5) issue certificates to:

(A) individuals who meet the certification requirements of Section 111.042; and

(B) individuals who meet the provisional certification requirements of Section 111.0421; and

(6) perform any other duty required by this chapter or other law.

1 (d) The board shall maintain:

2 (1) a complete record of each board proceeding; and

3 (2) a complete record of each certxfication, including  
4 a provisional certificate, issued, renewed, suspended, or revoked  
5 under this chapter [~~Section 111.042~~].

6 SECTION 2. Subchapter C, Chapter 111, Government Code, is  
7 amended by adding Section 111.0421 to read as follows:

8 Sec. 111.0421. PROVISIONAL CERTIFICATE. (a)  
9 Notwithstanding Section 111.042(a), the board may issue a  
10 provisional certificate to an individual who:

11 (1) does not meet the qualifications for obtaining  
12 certification under Section 111.042; and

13 (2) possesses the qualifications for provisional  
14 certification required by rules adopted by the supreme court.

15 (b) An individual who holds a provisional certificate may  
16 provide guardianship services in this state only under the  
17 supervisxon of an individual certified under Section 111.042.

18 (c) The supreme court may adopt rules and procedures for  
19 issuing a provisional certificate under this section that, at a  
20 minimum, must:

21 (1) ensure compliance with the standards adopted under  
22 Section 111.041; and

23 (2) provide that the board establishes qualifications  
24 for obtaining and maintaining the certification.

25 SECTION 3. Section 697B, Texas Probate Code, is amended by  
26 adding Subsection (e) to read as follows:

27 (e) In this section, "certified" includes holding a

1 provisional certificate under Section 111.0421, Government Code.

2           SECTION 4. This Act takes effect immediately if it receives  
3 a vote of two-thirds of all the members elected to each house, as  
4 provided by Section 39, Article III, Texas Constitution. If this  
5 Act does not receive the vote necessary for immediate effect, this  
6 Act takes effect September 1, 2007.

By: Uresti

S.B. No. 507

A BILL TO BE ENTITLED

1 AN ACT

2 relating to reimbursement of members of the Guardianship  
3 Certification Board for certain expenses.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 111.011(g), Government Code, is amended  
6 to read as follows:

(g) The members of the board serve for staggered six-year  
8 terms, with the terms of one-third of the members expiring on  
9 February 1 of each odd-numbered year. Board members serve without  
10 [are not entitled to receive] compensation but are entitled to [or]  
11 reimbursement for travel expenses and other actual and necessary  
12 expenses incurred in the performance of official board duties, as  
13 provided by the General Appropriations Act.

14 SECTION 2. Section 111.012(b), Government Code, is amended  
15 to read as follows:

16 (b) Notwithstanding any other law, the Office of Court  
17 Administration shall:

18 (1) provide administrative assistance, services, and  
19 materials to the board, including budget planning and purchasing;

20 (2) accept, deposit, and disburse money made available  
21 to the board;

22 (3) pay the salaries and benefits of the director;

23 (4) reimburse the travel expenses and other actual and  
24 necessary expenses of the director incurred in the performance of a

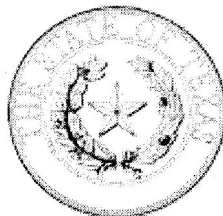
1 function of the board, as provided by the General Appropriations  
2 Act; ~~and~~

3 (5) reimburse the travel expenses and other actual and  
4 necessary expenses of board members incurred in the performance of  
5 official board duties, as provided by the General Appropriations  
6 Act; and

7 (6) provide the board with adequate computer equipment  
8 and support.

9 SECTION 3. This Act takes effect September 1, 2007.





## OFFICE OF COURT ADMINISTRATION

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

<http://www.courts.state.tx.us/oca/>

CARL REYNOLDS  
Administrative Director

### JOB VACANCY NOTICE

<b>Posting Date:</b> February 22, 2007	<b>Closing Date:</b> March 8, 2007
<b>Job Listing Identification Number:</b> OCA-212-07-17	<b>State Classification Number and Step:</b> B13/1574
<b>State Job Title:</b> Program Specialist V	<b>FLSA Status:</b> Exempt
<b>Agency Job Title:</b> Guardianship Certification Program Director	<b>Location:</b> Austin, Texas
<b>Monthly Salary Range:</b> \$4,500 - \$5,500	<b>Type of Job:</b> Full Time
<b>Remarks:</b> See below.	<b>Travel Required:</b> Y (7%)

**Job Description:** Performs advanced (senior-level) program management work, performing the daily operations and activities of the certification program of the Guardianship Certification Board. Work involves planning, developing, implementing, and serving as primary staff for a major agency program, assisting the Board, and interacting with potential and current licensees and the public, in accordance with Government Code Chapter 111. Works under limited supervision with extensive latitude for the use of initiative and independent judgment.

#### Essential Job Functions:

- o Plans, implements, and serves as staff for new guardianship certification program in accordance with state law and board rules and policies.
- o Plans, implements, and serves as staff for program for regulation of licensed guardians in accordance with state law and board rules and policies.
- o Provides technical assistance and serves as primary staff for board activities and meetings, including planning, posting, recording, training, and documentation.
- o Assists board with strategic planning and with development and reporting of performance measures.
- o Provides technical assistance for application and examination process for guardianship certification.
- o Serves as information resource about guardianship certification program.
- o Plans, develops, implements, coordinates, monitors, and evaluates program forms, policies, procedures, and rules.
- o Represents the program at meetings, hearings, trials, conferences, and seminars or on boards, panels, and committees.

- o Coordinates with agency legal counsel and executive management regarding program needs.
- o Performs related work as assigned.

**Minimum Qualifications:**

- Graduation from an accredited four-year college or university (additional experience in program planning, implementation, and technical administration may be substituted for education on a two-year for one-year basis).
- Two years experience in program planning, implementation, and technical administration.

**Required Skills:**

- o Excellent organizational skills
- o Excellent oral and written communication skills
- o Proficiency in standard word processing and spreadsheet office software

**Working Conditions:**

- 8:00a.m. to 5:00 p.m. workday (Flex-time schedule with approval)
- Operates standard office equipment and software
- Requires ability to sit for long periods of time
- Requires travel up to 7% of the time with occasional overnight stays

**Remarks:** OCA and the Guardianship Certification Board will employ the director of the Board in accordance with the provisions of Government Code Section 111.021.

**Interview Place and Time:** Send **completed** State Job Application Form to Human Resources, Office of Court Administration, 205 W. 14th Street, Suite 600, Tom C. Clark Building, Austin, Texas 78710, phone (512) 463-1639 or fax (512) 936-7563. State applications are available on the Internet at [WorkinTexas.com](http://WorkinTexas.com). Resumes may accompany applications but will not be accepted in lieu of a completed application. Interviews of qualified applicants who have sent in a completed state application will be scheduled following a screening of applications.

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**The Office of Court Administration is an Equal Opportunity Employer and does not discriminate on the basis of race, national origin, sex, religion, age or disability in employment or the provision of services.**

**In compliance with the Americans with Disabilities Act, any request for reasonable accommodations needed during the application process should be communicated by the applicant to Kate Oehlers, the Office of Court Administration's Human Resources Manager, at (512) 936-1611.**

Guardianship Certification Board  
Exam Schedule

March 24, 2007  
9:30 a.m. Registration  
10:00 a.m. – 12:00 p.m.

Tarrant County College – NE Campus  
828 Harwood Road  
Hurst, TX 76054

TBA

El Paso

April 11, 2007  
1:30 p.m. Registration  
2:00 p.m. – 4:00 p.m.

Waco Convention Center  
100 Washington Avenue  
Waco, TX 76701

April 28, 2007  
9:30 a.m. Registration  
10:00 a.m. – 12:00 p.m.

Crowne Plaza Hotel  
111 Pecan Street East  
San Antonio, TX 78205

May 5, 2007  
9:30 a.m. Registration  
10:00 a.m. – 12:00 p.m.

Abilene Christian University  
1600 Campus Court  
McGlothlin Campus Center, Hilton Room  
Abilene, TX 79699

May 18, 2007  
9:30 AM Registration  
10:00 AM – 12:00 PM

University of Phoenix  
7900 North Sam Houston Parkway  
Houston, TX 77064

June 29, 2007  
9:30 a.m. Registration  
10:00 a.m. – 12:00 p.m.

Lubbock Christian University  
5601 19<sup>th</sup> Street, Baker Conference Center  
Lubbock. TX 79407

July 20, 2007  
9:30 a.m. Registration  
10:00 a.m. – 12:00 p.m.

University of Phoenix  
10801-2 North MoPac  
Austin, TX 78759

October 6, 2007  
3:00 p.m. Registration  
3:30 p.m. – 5:30 p.m.

Crowne Plaza Hotel  
111 Pecan Street East  
San Antonio, TX 78205

### Proposed Timeline for Addressing Statutory Amendments

- 02/27/07 Board considers proposed timeline.
- 03/1/07 – Board Committee and stakeholders develop proposed rule amendments.  
05/17/07
- 5/18/07 Board considers proposed rule amendments and whether to publish them for comment.
- 5/28/07 Last day of 80<sup>th</sup> Legislature Regular Session.
- 6/1/07 Comments due.
- 6/5/07 or Board meets by telephone to consider comments and proposed rule  
6/6/07 amendments.
- 6/8/07 Send proposed amendments to Supreme Court for approval.
- 6/11/07, Supreme Court Administrative Conferences  
6/18/07,  
6/25/07