

III. CERTIFICATION AND RE-CERTIFICATION

- (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.

VI. REQUIREMENTS FOR CERTIFICATION

- (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), 22.07 (deadly conduct), 22.08 (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; or
 - 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.
- (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, or settled a claim as described under Section VI(f)(1) or (2) above, the applicant must describe with particularity the circumstances and provide any related documentation requested by the Board.

VIII. BOARD DETERMINATION

If the applicant has complied with the application process, the Board shall grant certification, provisional certification, or recertification unless denial is made in accordance with Section IX. The Board may conduct further investigation or require additional information from the applicant or other sources. In appropriate circumstances, the Board may grant or deny certification, provisional certification, and re-certification based on the further information it receives.

§ 681. PERSONS DISQUALIFIED TO SERVE AS GUARDIANS. A person may not be appointed guardian if the person is:

- (1) a minor;
- (2) a person whose conduct is notoriously bad;
- (3) an incapacitated person;
- (4) a person who is a party or whose parent is a party to a

lawsuit concerning or affecting the welfare of the proposed ward, unless the court:

(A) determines that the lawsuit claim of the person who has applied to be appointed guardian is not in conflict with the lawsuit claim of the proposed ward; or

(B) appoints a guardian ad litem to represent the interests of the proposed ward throughout the litigation of the ward's lawsuit claim;

(5) a person indebted to the proposed ward unless the person pays the debt before appointment;

(6) a person asserting a claim adverse to the proposed ward or the proposed ward's property, real or personal;

(7) a person who, because of inexperience, lack of education, or other good reason, is incapable of properly and prudently managing and controlling the ward or the ward's estate;

(8) a person, institution, or corporation found unsuitable by the court;

(9) a person disqualified in a declaration made under Section 679 of this code; or

(10) a nonresident person who has not filed with the court the name of a resident agent to accept service of process in all actions or proceedings relating to the guardianship.

Added by Acts 1993, 73rd Leg., ch. 957, § 1, eff. Sept. 1, 1993.
Amended by Acts 1995, 74th Leg., ch. 1039, § 32, eff. Sept. 1, 1995.

OCCUPATIONS CODE

CHAPTER 53. CONSEQUENCES OF CRIMINAL CONVICTION

SUBCHAPTER A. GENERAL PROVISIONS

§ 53.001. APPLICABILITY OF CERTAIN DEFINITIONS. The definitions provided by Chapter 2001, Government Code, apply to this chapter.

Acts 1999, 76th Leg., ch. 388, § 1, eff. Sept. 1, 1999.

§ 53.002. APPLICABILITY OF CHAPTER. This chapter does not apply to:

- (1) the Supreme Court of Texas, a person licensed under the court's authority on behalf of the judicial department of government, or an applicant for a license issued under the court's authority on behalf of the judicial department of government;
- (2) a peace officer or an applicant for a license as a peace officer described by Article 2.12, Code of Criminal Procedure; or
- (3) a person who:
 - (A) is licensed by the Texas State Board of Medical Examiners, the Texas State Board of Pharmacy, the State Board of Dental Examiners, or the State Board of Veterinary Medical Examiners; and
 - (B) has been convicted of a felony under Chapter 481 or 483 or Section 485.033, Health and Safety Code.

Acts 1999, 76th Leg., ch. 388, § 1, eff. Sept. 1, 1999.

SUBCHAPTER B. INELIGIBILITY FOR LICENSE

§ 53.021. AUTHORITY TO REVOKE, SUSPEND, OR DENY LICENSE. (a) A licensing authority may suspend or revoke a license, disqualify a person from receiving a license, or deny to a person the opportunity to take a licensing examination on the grounds that the person has been convicted of a felony or misdemeanor that directly relates to the duties and responsibilities of the licensed occupation.

(b) A license holder's license shall be revoked on the license holder's imprisonment following a felony conviction,

felony community supervision revocation, revocation of parole, or revocation of mandatory supervision.

Acts 1999, 76th Leg., ch. 388, § 1, eff. Sept. 1, 1999.

§ 53.022. FACTORS IN DETERMINING WHETHER CONVICTION RELATES TO OCCUPATION. In determining whether a criminal conviction directly relates to an occupation, the licensing authority shall consider:

- (1) the nature and seriousness of the crime;
- (2) the relationship of the crime to the purposes for requiring a license to engage in the occupation;
- (3) the extent to which a license might offer an opportunity to engage in further criminal activity of the same type as that in which the person previously had been involved; and
- (4) the relationship of the crime to the ability, capacity, or fitness required to perform the duties and discharge the responsibilities of the licensed occupation.

Acts 1999, 76th Leg., ch. 388, § 1, eff. Sept. 1, 1999.

§ 53.023. ADDITIONAL FACTORS FOR LICENSING AUTHORITY TO CONSIDER. (a) In determining the fitness to perform the duties and discharge the responsibilities of the licensed occupation of a person who has been convicted of a crime, the licensing authority shall consider, in addition to the factors listed in Section 53.022:

- (1) the extent and nature of the person's past criminal activity;
- (2) the age of the person when the crime was committed;
- (3) the amount of time that has elapsed since the person's last criminal activity;
- (4) the conduct and work activity of the person before and after the criminal activity;
- (5) evidence of the person's rehabilitation or rehabilitative effort while incarcerated or after release; and
- (6) other evidence of the person's fitness, including letters of recommendation from:
 - (A) prosecutors and law enforcement and correctional officers who prosecuted, arrested, or had custodial responsibility for the person;
 - (B) the sheriff or chief of police in the community where the person resides; and
 - (C) any other person in contact with the convicted person.

(b) The applicant has the responsibility, to the extent possible, to obtain and provide to the licensing authority the recommendations of the prosecution, law enforcement, and

correctional authorities as required by Subsection (a)(6).

(c) In addition to fulfilling the requirements of Subsection (b), the applicant shall furnish proof in the form required by the licensing authority that the applicant has:

- (1) maintained a record of steady employment;
- (2) supported the applicant's dependents;
- (3) maintained a record of good conduct; and
- (4) paid all outstanding court costs, supervision fees, fines, and restitution ordered in any criminal case in which the applicant has been convicted.

Acts 1999, 76th Leg., ch. 388, § 1, eff. Sept. 1, 1999.

§ 53.024. PROCEEDINGS GOVERNED BY ADMINISTRATIVE PROCEDURE ACT. A proceeding before a licensing authority to establish factors required to be considered under this subchapter is governed by Chapter 2001, Government Code.

Acts 1999, 76th Leg., ch. 388, § 1, eff. Sept. 1, 1999.

§ 53.025. GUIDELINES. (a) Each licensing authority shall issue guidelines relating to the practice of the licensing authority under this chapter. The guidelines must state the reasons a particular crime is considered to relate to a particular license and any other criterion that affects the decisions of the licensing authority.

(b) A state licensing authority that issues guidelines under this section shall file the guidelines with the secretary of state for publication in the Texas Register.

(c) A local or county licensing authority that issues guidelines under this section shall post the guidelines at the courthouse for the county in which the licensing authority is located or publish the guidelines in a newspaper having countywide circulation in that county.

(d) Amendments to the guidelines, if any, shall be issued annually.

Acts 1999, 76th Leg., ch. 388, § 1, eff. Sept. 1, 1999.

SUBCHAPTER C. NOTICE AND REVIEW OF SUSPENSION, REVOCATION, OR DENIAL OF LICENSE

§ 53.051. NOTICE. A licensing authority that suspends or revokes a license or denies a person a license or the opportunity to be examined for a license because of the person's prior conviction of a crime and the relationship of the crime to the license shall

notify the person in writing of:

(1) the reason for the suspension, revocation, denial, or disqualification;

(2) the review procedure provided by Section 53.052; and

(3) the earliest date the person may appeal the action of the licensing authority.

Acts 1999, 76th Leg., ch. 388, § 1, eff. Sept. 1, 1999.

§ 53.052. JUDICIAL REVIEW. (a) A person whose license has been suspended or revoked or who has been denied a license or the opportunity to take an examination under Section 53.021 and who has exhausted the person's administrative appeals may file an action in the district court in the county in which the licensing authority is located for review of the evidence presented to the licensing authority and the decision of the licensing authority.

(b) The petition for an action under Subsection (a) must be filed not later than the 30th day after the date the licensing authority's decision is final and appealable.

Acts 1999, 76th Leg., ch. 388, § 1, eff. Sept. 1, 1999.

Lesley Ondrechen

From: Lesley Ondrechen
Sent: Friday, July 20, 2007 10:07 AM
To: Baerbel Cleveland
Cc: Katie Bond
Subject: FBI cannot process fingerprints

Hi Baerbel,

I received a notification from the FBI that "The quality of fingerprint characteristics is too low to be used" for an applicant for guardianship certification. I got the DPS report on the same individual.

This was discussed by the Board at its meeting on May 18; you and Margie Kyser participated by phone for the discussion. Margie made the comment that the FBI was more selective on prints. If prints are rejected twice, then a CJIS search is done. Can you give me an explanation of how prints that DPS can process are rejected by the FBI? Is there anything in writing that you could provide me so I can give it to the Board? Also, I believe that CJIS is a name search. Does the Board, or DPS, or the applicant, have to request this search, or is it automatically done after the fingerprints are rejected twice?

I'm asking because the Board is meeting on Friday, July 27. Consideration of a waiver of the FBI fingerprint search for this individual is on the agenda. The Board will probably ask the questions that I'm asking, and I'm trying to have the answers before they meet. If necessary, could you be available by phone as a resource for the Board during next Friday's meeting?

Thank you for your help.

Lesley Martin Ondrechen
Director, Guardianship Certification Program Office of Court Administration
512/475-2873
lesley.ondrechen@courts.state.tx.us

Lesley Ondrechen

From: Cleveland, Baerbel [Baerbel.Cleveland@txdps.state.tx.us]
Sent: Friday, July 20, 2007 11:23 AM
To: Lesley Ondrechen
Cc: Katie Bond
Subject: FW: CJIS Name Search Request-Contributor Instructions

Lesley,

Above are the instructions for the Name search request to the FBI.

Per our phone conversation, you will need 2 FBI rejections before you can submit a name search request to them. The FBI is a little more stringent on the prints and will reject an applicant, where DPS will approve the applicant. Once an applicant is rejected at DPS level, we do not submit the prints to the FBI, and the applicant will need to be reprinted by IBT at no charge. If DPS passes the prints and the FBI rejects the first set, then the applicant will also need to be reprinted by IBT at no charge until we can either get a clear from the FBI or another rejection.

If you have any other questions, please feel free to contact me. I will be available next Friday around 11:30 just in case you need to call me for your Board meeting.

Thank you,
Baerbel Cleveland
Section Supervisor
Access & Dissemination Bureau
Crime Records Service
512-424-2023

From: Molloy, Patricia
Sent: Wednesday, April 11, 2007 11:26 AM
To: Yolanda.Guerrero-Goodman@ci.austin.tx.us
Cc: Cleveland, Baerbel
Subject: FW: CJIS Name Search Request-Contributor Instructions

Dear Contributor,

Please be advised that the procedure for submitting Name Search Requests has changed. You must now fax FBI Name Search Request Forms directly to the FBI rather than sending them to DPS to forward to them. The FBI will fax the results directly back to you. Attached are instructions and a copy of the required CJIS Name Search Request Form that you must use. The Fax number for the FBI Name Search Unit is 304-625-5102 . The contact phone number is 304-625-9450 . On occasion, the FBI may send you a faxed response stating that multiple candidates were found, please submit another fingerprint card. Be sure that the same ORI is used on this card as was on the original submission. You must mail the new set of prints, along with a copy of the FBI response sheet and your original name search request to:

FBI Name Search Unit -SAT II
1000 Custer Hollow Rd.
Clarksburg, W.VA. 26306

An FBI name search request can only be submitted after the FBI has rejected the fingerprints twice. You will need to track these rejects and initiate the name search process. The FBI allows 1 year for the second fingerprint submission between the 1st and 2nd reject. FBI allows only 90 days for a name search request to be submitted after the second fingerprint

7/20/2007

reject. If you exceed these time requirements the fingerprint process must be started anew. If you would like an e-mailed copy of the form and instructions you can e-mail me at patricia.molloy@txdps.state.tx.us . Please feel free to call me if you have any questions regarding these new procedures.

Regards,

Pat Molloy

Fingerprint Section Supervisor
TX. Dept. of Public Safety
512-424-2153

CJIS NAME SEARCH REQUEST FORM

Please complete the attached form to request a name check. Please be advised that an individual's fingerprints must be rejected twice for technical issues prior to requesting a name check.

ORI of State/Federal/Regulatory Agency: _____

Your agency's Point of Contact (POC) for the response: _____

Phone number of POC: _____

Fax number of POC: _____

Address of requesting agency: _____

Please fax or mail my response to this request.

Subject of Name Check

Transaction Control Number's (TCN) of subject's fingerprint submission:

1). IFCS _____

2). IFCS _____

Name: _____ Alias: _____
(Last, First Middle)

Date of Birth: _____ Place of Birth: _____

Sex: _ Race: _ Height: ___ Weight: ___ Eyes: _____ Hair: _____

Social Security Number: _____ Miscellaneous Number: _____

State Identification Number: _____ OCA: _____

*** Please note that highlighted fields are required for name check searches.**

**Office of Court Administration
Travel Expense Reimbursement Process
Board Members, Committee Members, Judicial Officers**

1. Complete and sign and OCA Travel Expense Information form.
2. Attach required receipts (see At A Glance document for board members)
3. Submit the completed and signed Travel Expense Information form and required receipts to:

Office of Court Administration
ATTN: Travel Coordinator
205 W. 14th Street, Suite 600
Austin, TX 78701

4. The designated staff person at OCA will complete a State of Texas travel voucher based on your Travel Expense Information form, return it to you for your signature, and then process the signed voucher for payment.

NOTE: To expedite your payment, you may complete a State of Texas travel voucher without submitting the OCA Travel Expense Information form. Please work with your appropriate committee contact person to obtain instructions for completing the State of Texas travel voucher.

If you have questions, please call OCA at (512)463-1625 and ask for the Travel Coordinator.

**OFFICE OF COURT ADMINISTRATION
TRAVEL EXPENSE INFORMATION – BOARD MEMBERS**

205 West 14th Street • P.O. Box 12066 • Austin, Texas 78711-2066 • 512/463-1625 • 512/463-1648 FAX

NAME:		SOCIAL SECURITY NUMBER:		
MAILING ADDRESS		CITY:	STATE:	ZIP:
PURPOSE OF TRAVEL				
Date Departed HQ:	Time:	Date Returned HQ:	Time:	
TRANSPORTATION:	FROM	TO	MILES	AMOUNT
PERSONAL CAR/PLANE <i>(mileage must comply with Official Statewide Mileage Guide)</i>				
		<i>Total</i>		
		<i>@ \$0.445 per mile</i>		
COMMERCIAL AIRLINE, CAR RENTAL, AND TAXI <i>(attach original receipt for airline and car rental)</i>				
			SUBTOTAL OF TRANSPORTATION	
MEALS AND LODGING:				
Date	Meals	Lodging (Attach Receipts)-Room Charges Only		Total Meals & Lodging
			SUBTOTAL OF MEALS AND LODGING	
OTHER EXPENSES:				
Hotel Occupancy Taxes – State – 6%				
Hotel Occupancy Taxes – Local & Misc				
Parking: (list locations and amounts)				
Other (specify, e.g., toll roads, rental car gasoline, telephone charges) (attach original receipts for rental car gasoline)				
			SUBTOTAL OF OTHER EXPENSES	
			GRAND TOTAL	

CERTIFICATION : I certify that the above described expense information is true, correct, and unreimbursed.

Signature

Date

Return this completed form and receipts to the Office of Court Administration at the address listed above.

**Office of Court Administration
At a Glance - Allowable Travel Costs
Board Members, Committee Members, Judicial Officers, and
the Chief Administrative Officer of a State Agency**

When traveling on official state business, OCA board members, committee members and judicial officers are entitled to reimbursement for the following:

Type of Expense	Special Provisions	Original Receipt Required
Public Transportation, Taxi fare	None	No
Public Transportation, Airfare	Use state contracts, unless not available	Yes
Public Transportation, Rental Car	Use state contracts, unless not available	Yes
Mileage	FY 2006-07 reimbursement rate = \$0.445 per mile	No
Meals and Lodging <i>Note: Limits on lodging rates do not include hotel taxes (see Incidental Expenses, below)</i>	<p>Board and committee members may be reimbursed for <u>actual</u> meals and lodging charges up to \$121 per day for in-state travel, with no restriction on the distribution of charges between meals and lodging.*</p> <p>Judicial officers and the Chief Administrator of a State Agency may be reimbursed for <u>actual</u> meal charges up to \$72 per day and actual lodging charges up to \$170 per day for in-state travel.**</p> <p>Out-of-state travel rates may vary. If you need to know these rates, please call OCA's Finance and Operations Division at (512) 463-1625.</p> <p>Members of the Task Force on Indigent Defense may be reimbursed for <u>actual</u> meals and lodging for in-state or out-of-state travel, without restriction on the amount.</p> <p>Under Texas law, gratuities and alcoholic beverages may not be reimbursed.</p>	<p>Meals – No</p> <p>Lodging - Yes</p> <p>Receipts must show the address for the lodging establishment; indicate payment; and show a zero balance due.</p>
Parking	None	No
Incidental Expenses	Hotel Taxes Rental Car Gasoline Toll Road Charges	Yes Yes No
Meals, Non-overnight Travel <i>(aka Partial Per Diem)</i>	<p>When OCA travel does not include an overnight stay, the following limits apply to meal charges:</p> <p>Judicial officers may be reimbursed for actual meal charges up to \$72 per day.*</p> <p>Board and committee members may be reimbursed for actual meal charges up to \$121 per day.**</p> <p>Members of the Task Force on Indigent Defense may be reimbursed for the actual cost of meals, without restriction on the amount.</p> <p>Under Texas law, gratuities and alcoholic beverages may not be reimbursed.</p> <p>Meals reimbursed under this provision are treated as compensation for tax purposes; therefore, reimbursement requests must be processed on a travel form, separate from other expenses for which reimbursement is requested. The appropriate withholding and social security taxes will be deducted from the reimbursement amount.</p>	No

* In accordance with the 79th Legislature, General Appropriations Act, Art. IX, Section 5.07.

** 79th Legislature, General Appropriations Act, Art. IX, Section 4.04.

Excerpt from Senate Bill 505

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.

§ 111.015. GROUNDS FOR REMOVAL FROM BOARD. (a) It is a ground for removal from the board that a member:

(1) does not have at the time of appointment the qualifications required by Section 111.011;

(2) does not maintain during service on the board the qualifications required by Section 111.011;

(3) is ineligible for membership under Section 111.013 or 111.014;

(4) cannot, because of illness or disability, discharge the member's duties for a substantial part of the member's term; or

(5) is absent from more than half of the regularly scheduled board meetings that the member is eligible to attend during a calendar year without an excuse approved by a majority vote of the board.

(b) The validity of an action of the board is not affected by the fact that it is taken when a ground for removal of a board member exists.

(c) If the director has knowledge that a potential ground for removal exists, the director shall notify the presiding officer of the board of the potential ground. The presiding officer shall then notify the chief justice of the supreme court that a potential ground for removal exists. If the potential ground for removal involves the presiding officer, the director shall notify the next highest ranking officer of the board, who shall then notify the chief justice of the supreme court that a potential ground for removal exists.

Added by Acts 2005, 79th Leg., ch. 268, § 3.24, eff. Sept. 1, 2005.

VII. REQUIREMENTS FOR RE-CERTIFICATION

To be eligible for re-certification, the certified guardian must pay all required fees, apply within the required time, and meet the following requirements:

- (a) The certified guardian must comply with subsections (e), (f), and (g) of Section VI (relating to Requirements for Certification) of these rules.
- (b) Continuing Education. During each two year certification period, the certified guardian must complete at least six hours per year of continuing education and guardianship training by completing a course that has been approved by the Board under Section XIII (relating to Approval of Continuing Education). The six hours shall include a minimum of one hour of ethics. The above two-year continuing education requirement must also include a minimum of one hour of legislative update.
 - 1) Continuing education must be earned to satisfy the requirements prior to the expiration of the certificate. The certified guardian must list on the application for re-certification the dates, locations, sponsors, number of regular credits and number of ethics credits earned for sufficient continuing education courses to satisfy this requirement. Nothing herein shall be deemed to waive late fees under Section V.
 - 2) A certified guardian may carry forward for the following year's requirement up to two hours of continuing education earned in excess of the minimum six hours, but ethics hours may not be carried forward.
 - 3) The certified guardian must obtain documentation of attendance or completion of a continuing education activity from the sponsoring entity and submit the documentation to the Board along with the certified guardian's application for re-certification.
 - 4) A certified guardian may also earn continuing education credit by speaking at a seminar, teaching a course or authoring a book or article and obtaining approval for this activity under Section XIII (relating to Approval of Continuing Education).

XIII. APPROVAL OF CONTINUING EDUCATION

- (a) A continuing education activity must be an organized program of learning dealing with matters that are directly related to the guardianship profession, the services guardians provide, and the legal process involved in guardianship proceedings. A continuing education activity should increase participants' understanding of the Texas judicial system, the responsibilities of a certified guardian and the certified guardian's impact on the judicial process and the public. In this Section XIII, the term "certified guardian" includes a provisionally-certified guardian.
- (b) Subject to the requirements contained in Section VII(b) (relating to Requirements for Re-Certification), continuing education activities should include one or more of the following subjects:
 - 1) guardianships;
 - 2) trust administration;
 - 3) powers of attorney;
 - 4) mental or physical health or geriatric health;
 - 5) ethics for guardians, including cooperation with lawyers, judges and fellow guardians and courtesy to all litigants;
 - 6) Texas statutes, rules and case law relevant to the guardianship profession;

- 7) the role and responsibilities of the certified guardian under the Texas Probate Code, rules adopted by the Supreme Court relating to guardianship certification and the Minimum Standards for the Provision of Guardianship Services adopted by the Board; and
 - 8) management issues, including financial planning and accounting.
- (c) The following do not qualify as continuing education activities under these rules:
- 1) attendance or participation at professional or association business meetings, general sessions or policy making sessions;
 - 2) service on a committee or council or as an officer in a professional organization;
 - 3) activities completed to satisfy the requirements of a disciplinary action; and
 - 4) any activity completed as ordered by a judicial officer.
- (d) The Board will publish on its web site a list of courses that are approved by the Board as continuing education activities. Any such activities that are used by a certified guardian to satisfy the requirements of Section VII(b) must meet the requirements of subsections (a) and (b) above.
- (e) Continuing education activities conducted by entities that have not been approved by the Board may be approved by the Board upon written request for approval made by a certified guardian.
- 1) The request for approval must be made on a form provided by the Board and must include a sample brochure or course outline that describes the content of the program, identifies the presenters, indicates the time devoted to each subject and the date and location of the program.
 - 2) The request for approval will be reviewed and approved or denied by the Director. A certified guardian may appeal the Director's denial of a request for approval by submitting a written appeal to the Board within fifteen (15) days of notification of the denial.
 - 3) The Board shall review the denial at its next regularly scheduled meeting. The requesting guardian must be notified of the Board's decision not less than fifteen (15) days after the Board's decision.
- (f) A certified guardian may request up to six hours of continuing education credit during each 2-year certification period for teaching courses, speaking at seminars, or authoring books or articles related to the subject matter specified in Section XIII(b). The certified guardian must submit an application for teaching credit on a form provided by the Board. Credit for preparation and presentation may be provided on the basis of hour-for-hour credit for each hour spent preparing the article or book or making the presentation.

**MANDATORY CLE REPORTING FORM
PARALEGAL DIVISION
ACTIVE AND ASSOCIATE MEMBERS ONLY**

For the reporting year June 1, 2006 – May 31, 2007

Renewing **Active and Associate** members must complete 6 hours of substantive Continuing Legal Education by May 31, 2007 to be eligible to renew for the 2007-2008 membership year. Substantive continuing legal education completed during any membership year in excess of the minimum six (6) hour requirement for such period may be applied to the following membership year's requirement. The carryover provision applies to one (1) year only. Members are allowed no more than two (2) hours of self-study during each membership year. Use the form below to report appropriate CLE hours to the Paralegal Division.

Self-Study: Members are allowed to claim up to 2 hours of self-study credit during each fiscal year.

Date	Sponsor (PD, local association, SBOT, etc.)	Topic/ Speaker Location	Attendance Certificate Rec'd?		Credit Types (TBLS, NALA, NFPA, SBOT)	Hours
			Yes	No		
3-22-07	Paralegal Division	D4 Spring CLE Seminar Austin	✓			4.0
3-7-07 4-12-07	UT School of Law (in-house program)	ESSENTIAL Employment Law (2006) Short Course	✓			6.5
Self-Study CLE (maximum 2 hours can be claimed)						2.0
Total						12.5

Any amendment or alteration to this form, or failure to sign it in the presence of a notary, will result in disqualification from membership in the Paralegal Division at the time the amendment or alteration is discovered. By signing below you are certifying you have completely and truthfully provided information on this form and that you agree to abide by the provisions of the PD Bylaws, Standing Rules, and Code of Ethics and Professional Responsibility.

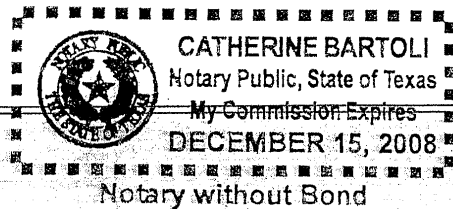
L.M. Ondrichen
Signature of PD Member

#24054382

Date: May 14, 2007

SUBSCRIBED and SWORN TO before me, on this the 14th day of May, 2007.

Catherine Bartoli
Notary Public in and for the State of Texas



HAVE YOU COMPLETED THE FOLLOWING?

- All appropriate CLE listed on form
- Number of CLE Hours listed next to each credit
- CLE hours totaled
- CLE Reporting Form signed by member
- Membership Number entered on form
- CLE Reporting Form signed by notary

NOTE: CLE MUST BE LISTED ON THE FORM. ANY ATTACHMENTS TO THIS FORM WILL BE DESTROYED.



Contents

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- Support the work of TGA

TGA is an affiliate of the National Guardianship Association, Inc.

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16th Annual Conference
April 11-13, 2007

Highlights: Presentations by Chief Miles, El Paso Police Department and Joanne Woodruff, Bexar County DA's office.

The conference will be held at the Hilton in Downtown Waco, Texas.

Registration will open at 8:00 AM on Wednesday, 04/11/07 for the Pre-conference incentives and again on Thursday, 04/12/2007 at 8:00 AM for the conference. Conference will begin at 8:30 AM. Plan to attend the Welcome Reception and Dinner on Thursday evening. On Friday morning, nine breakout sessions will be available and the conference will wind up on Friday afternoon.

CEU and CLE certification will be available. The Registered Guardian exam and Texas exam review will be Wednesday. The Registered Guardian and Texas specific exam will also be offered. See registration form for more information.

Conference Schedule

Wednesday, 04/11/07

Pre-conference Intensives

- 8:00-8:30 Registration**
- 8:30-11:30** "Grief: Is there any topic more universally understood in the abstract and less understood in our reality? This interactive workshop will focus on the grief experience of guardians who dare to enter relationship with others and expose themselves to loss and bereavement. Learn tools to help yourself and others and to do the work of grieving."
- 11:30-1:30** Working lunch for Guardianship Programs; otherwise, on your own
- 1:30-3:30** Crisis Management

Other Activities on 4/11/2007

- 8:00-12:00 Registered Guardian and Texas exam review
- 1:30-2:00 Registration for RG exam and/or Texas specific exam
- 4:00-5:00 Probate Court Investigators meeting

Thursday, April 12, 2007

- 7:30-8:30** Breakfast Buffet provided by TGA
- 8:00-8:30** Registration

- 8:30-9:00** Welcome
Donna Buagh, President and Conference Co-Chair
Judge Jim Lewis, McLennan County Judge
Tim McGinnis, DADS Guardianship Director
Carl Reynolds, Guardianship Certification Board, OCA
Terry Hammond, Executor Director, National Guardianship Association
- 9:00-10:30** Elder Abuse: Recognition, Investigation, and Prosecution
Terry Hammond, JD
Chief Richard Wiles, El Paso Police Department
Joanne Woodruff, JD, Bexar County DA Office
- 10:30-10:45** Break
- 10:45-12:00** Elder Abuse (continued)
- 12:00-1:30** Lunch on your own
- 1:30-3:00** Breakout Sessions:
1. Advanced Directives: Alex Jones, JD, DADS Guardianship Program
2. Advocating for your client's best interest: Garth Corbett, JD, Advocacy Inc.
3. Ethics Panel: Judge Mike Wood, Harris County, Darlene Smith JD, Meghan Hutchinson, LMSW, and Ramona Brush, BSW
- 3:15-4:45** Breakout Sessions:
1. Guardianship Monitoring, Modification and Removal: Judge Patrick Ferchill, Tarrant County, Denise Buchan, LCSW, Phillip Mitchell, JD
2. Person Centered Planning: Dr. Jim Ellor, Baylor University
3. Community Resources for Placement: Renee Wheeler, DADS
- 6:00** Reception and Dinner provided by TGA

Friday, April 13, 2007

- 9:00-10:30** Breakout Sessions:
1. Medicaid in Texas: Elisa Rainey, JD
2. Proposed Jurisdictional Legislation: Terry Hammond, JD, Executive Director, NGA
3. Holistic Guardianship Practices: Tracey Kelley, LMSW
- 10:45-12:15** Breakout Sessions:
1. Legislative Update: Glenn Karisch, JD, presented by Charmayne Moody, JD
2. Ethics: Rosetta Williams, DADS
3. Poly-pharmaceuticals (Drug interactions): Dr. Jim Patton, Baylor University
- 12:30-1:30** Lunch provided by TGA
- 1:30-3:30** "Guarding the Guardian": Jim Douglas, LPC
- 3:30** Closing Remarks



National Guardianship Association
 174 Crestview Drive
 Bellefonte, PA 16823-8516



NGA 2007 Conference on Guardianship

Our San Antonio Schedule At-a-Glance

Saturday, October 6

7:00 am - 5:00 pm Registration Desk Open
 8:30 am - 3:30 pm Pre Conference Intensives
The Fundamentals of Guardianship
NGA Legal Review
Geroloscence-Transitional Health Issues
 8:30 am - 3:00 pm NGA RG Review Course
 8:30 am - 3:00 pm NGA/Texas RG Review Course
 9:00 am - 4:00 pm Master Guardian Exam
 Noon - 5:00 pm NGN Meeting
 3:30 pm - 6:30 pm Registered Guardian Exams
 5:30 pm - 6:30 pm NGA Board of Directors Meeting
 7:00 pm - 8:30 pm Conference Welcome Reception

Sunday, October 7

7:00 am - 5:00 pm Registration Desk Open
 7:00 am - 8:45 am Continental Breakfast
 9:00 am - 10:00 am Keynote Presentation:
Are We Having Fun Yet?
 Bruce Christopher
 10:00 am - 10:30 am Break/Visit with Exhibitors
 10:30 am - 11:45 am Breakout Sessions
Guardianship Practices, Challenges, Issues
Judges Panel
Welfare of Elderly Wards in Florida
 Noon - 1:45 pm Awards Luncheon/Annual Meeting
 2:00 pm - 3:15 pm Breakout Sessions
Guardianship Monitoring
Planning for Adults with Cognitive Disabilities
Are You A Good Case Manager?
 3:15 pm - 3:45 pm Break/Visit with Exhibitors
 3:45 pm - 5:00 pm Breakout Sessions
Investment Horror Stories
Team Approach to Guardianship
Elders, Dementia and Role of Litigation
 5:00 pm - 6:30 pm Reception with Exhibitors
 6:30 pm Optional Dine Around or
 Evening on Your Own

Monday, October 8

7:00 am - 5:00 pm Registration Desk Open
 7:00 am - 8:30 am Continental Breakfast with Exhibitors
 7:00 am - 8:30 am New Member Breakfast
 7:00 am - 8:30 am State Affiliates Breakfast
 8:30 am - 10:00 am Breakout Sessions
Principal of Least Restrictive Alternative
How Certification Increases Your Odds
Home Equity Use as a Financial Resource
 10:00 am - 10:30 am Break/Visit with Exhibitors
 10:30 am - Noon Featured Speaker
Guardianship in the Press
 Lee Hancock, Dallas Morning News
 Noon - 1:00 pm Lunch with Presentation
A Probate Judge's View
 Hon. Polly Jackson Spencer
 1:00 pm - 1:45 pm Dessert with Exhibitors
 2:00 pm - 3:15 pm Breakout Sessions
Using Community Partnerships
Promising Practices for AARP/ABA Study
Voting Rights
 3:15 pm - 3:45 pm Break
 3:45 pm - 5:00 pm Breakout Sessions
Managing Conflict through Mediation
Wards and Consensual Sex
The Mentally Ill and Criminal Justice
 6:00 pm - 10:00 pm Reception and Banquet
(Sponsored by Prudent Investors Network)
 Live Auction & Live Music

Tuesday, October 9

7:00 am - 9:00 am Registration Desk Open
 8:00 am - 9:00 am Continental Breakfast
 9:00 am - 10:30 am Workshop by Dr. Robert Fine
Improving Care at the End of Life
 10:30 am - 10:45 am Break
 10:45 am - Noon Dr. Fine's Workshop Continues
 Noon Conference Concludes
 Lunch is on Your Own

IMPORTANT DATES TO REMEMBER

- ★ September 1 - Early Bird Registration Discount Ends
- ★ September 1 - Last Day to Reserve a Room at the Group Discount Rate at the Crowne Plaza Riverwalk Hotel
- ★ September 28 - Last Day to Receive a Refund for Cancellation of Registration