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**CERTIFIED PROFESSIONAL GUARDIAN BOARD**

In the Matter of the Notice of )  
Noncompliance with Application )  
Regulation 117 (Insurance) of: )  
KATHLEEN JONES, )  
CPG No. 10569, )  
Respondent. )

AGREEMENT REGARDING  
DISCIPLINE FOR NONCOMPLIANCE  
WITH APPLICATION REGULATION  
117 (INSURANCE)

The parties, Kathleen Jones, CPG No. 10569, a certified professional guardian,  
and the Certified Professional Guardian Board (Board) enter into this Agreement  
Regarding Discipline (Agreement) pursuant to Application Regulation (AR) 117.7 and  
the Board's Disciplinary Regulations for Certified Professional Guardians. Ms. Jones  
failed to file a declaration regarding her compliance with the errors and omissions  
insurance requirement pursuant to AR 117.5.1, resulting in this noncompliance  
proceeding before the Board. This Agreement is a resolution of this proceeding and  
shall become effective after all parties have signed the Agreement.

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2 **I. STATEMENT OF FACTS**

3 **A.** On July 9, 2007, Kathleen Jones was certified as a professional guardian  
4 pursuant to General Rule of Court (GR) 23, and was so certified at all times relevant to  
5 this matter.

6 **B.** On or about March 21, 2008, the Board issued a Notice of Noncompliance  
7 with Application Regulation 117 and Notice of Right to File Petition for Administrative  
8 Hearing (Notice) to Ms. Jones based on her failure to file a declaration with the Board in  
9 compliance with AR 117. On March 24, 2008, Ms. Jones acknowledged receipt of the  
10 Notice sent via certified mail.

11 **C.** On March 31, 2008, Ms. Jones filed with the Board a Declaration of  
12 Required Errors & Omissions Insurance – Regulation 117, declaring she met the  
13 exemption contained in AR 117.3.  
14

15 **II. VIOLATIONS**

16 Certified professional guardians and certified professional guardian agencies are  
17 required to maintain a minimum of \$500,000 of errors and omissions insurance which  
18 covers the acts of the guardian or agency unless exempted or waived by the regulation.  
19 AR 117.2. By January 31 each year, every guardian and agency shall file with the  
20 Board a declaration signed under penalty of perjury on a form approved by the Board  
21 stating that the guardian or agency either maintains a policy of errors and omissions  
22 insurance, that the guardian or agency is exempt, or has been granted a waiver by the  
23 Board. AR 117.5.1. Failure to comply with AR 117 may subject the guardian or agency  
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2 to disciplinary sanctions. AR 117.7.1. Based on the facts stated above, Ms. Jones has  
3 violated AR 117.5.1.

4 **III. PRIOR RECORD OF DISCIPLINE**

5 Kathleen Jones, CPG No. 10569, has no prior record of discipline with the Board.

6 **IV. DISCIPLINARY SANCTIONS IMPOSED BY THE BOARD**

7 The Board recognizes as mitigating factors: that upon receiving the Notice from  
8 the Board, Ms. Jones filed a declaration of exemption from the errors and omissions  
9 insurance; that Ms. Jones meets the requirements for exemption set forth in AR 117.3;  
10 and that Ms. Jones was certified in July, 2007, and January 31, 2008, was the first due  
11 date for filing the declaration of errors and omissions insurance pursuant to AR 117.5.1.

12 Based on the type of violation in this matter and the mitigating factors set forth  
13 above, an appropriate disciplinary sanction is reimbursement of the costs of this  
14 disciplinary proceeding. Kathleen Jones is required to reimburse the Board fifty dollars  
15 (\$50.00) for the costs of this disciplinary proceeding.

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17 **V. VIOLATION OF AGREEMENT**

18 Failure to comply with the terms of this Agreement shall constitute additional  
19 grounds for discipline pursuant to DR 514.4. In the event of an alleged breach of this  
20 Agreement, the Board shall provide notice to the certified professional guardian of the  
21 substance of the breach, and the certified professional guardian shall have 30 days to  
22 respond to the allegations of the breach. If the Board finds that the Agreement has  
23 been breached, the Board may pursue disciplinary action against the certified  
24 professional guardian or agency for violation of the Agreement.  
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2 This Agreement is binding as a statement of all known facts relating to the  
3 conduct of Kathleen Jones, CPG No. 10569, but any additional existing acts may be  
4 proven in any subsequent disciplinary proceedings.

5 **VI. NOTICE**

6 This Agreement shall be retained by the AOC in the certified professional  
7 guardian's disciplinary file. This Agreement shall be open to public access and  
8 disclosure. Notice of the discipline imposed shall be sent to all superior courts pursuant  
9 to DR 514.3.2.

10 **VII. ENTIRE AGREEMENT**

11 This Agreement comprises the entire agreement of the parties with respect to the  
12 matters covered herein, and no other agreement, statement, or promise made by any  
13 party which is not included herein shall be binding or valid. This Agreement may be  
14 modified or amended only by a written amendment signed by all parties.  
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16 **VIII. SEVERABILITY**

17 The provisions of this Agreement are intended to be severable. If any term or  
18 provision of this Agreement is illegal or invalid for any reason, the remainder of the  
19 Agreement will not be affected.

20 **IX. LAWS GOVERNING**

21 This Agreement shall be governed by the laws of the State of Washington, and  
22 any question arising from the Agreement shall be construed or determined according to  
23 such law. This Agreement is a public record and is subject to public disclosure or  
24 release.  
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