

Guardianship and Conservatorship Program Regulations

703 Annual Certification Fee and GR 23(e) Disclosure

703.1 Schedule of Fees. The Board shall determine a schedule of fees for annual certification and other processing as may be required. All fees shall be published annually by the Board in the Fees and Filing Requirements Table at www.courts.wa.gov/programs_orgs/guardian. Every certified professional guardian and conservator (CPGC) and Certified Professional Guardian and Conservator Agency (Agency) shall pay one annual fee, based on the state fiscal year (July 1 – June 30), through the Administrative Office of the Courts (AOC). Failure to pay the required fees shall subject the CPGC or Agency to revocation of existing certification or denial of an application for certification.

703.2 Annual Certification Fee and GR 23(e) Disclosure

703.2.1 Every CPGC and Agency must pay an annual certification fee, which must be paid to the AOC by August 1 each year. Every certified guardian and conservator and agency must also submit a GR 23(e) Disclosure by this date.

703.2.2 The Board may establish a tiered annual certification fee structure based on guardian and conservators and agencies' exemption from requiring Errors and Omissions Insurance, as described in 704.3. 703.2.3. The annual fee for individuals on inactive status is one-half the full annual fee. In accordance with the state fiscal year, it is due annually on August 1.

703.2.3 Failure to pay the annual certification fee and submit the GR 23(e) Disclosure by August 1 will subject the certified guardian and conservator or agency to a late fee as identified in the Fees and Filing Requirements Table.

703.3 Failure to Pay the Annual Certification Fee and File the Required GR 23 (e) Disclosure

703.3.1 Failure to pay the required annual certification fee and late fee and submit the required GR 23 (e) Disclosure by October 1 shall subject the CPGC or Agency to revocation of certification by the Board.

703.3.2 To effect such decertification, the Board shall send a written notice of non-compliance to the CPGC or Agency by certified mail, directed to the CPGC's or Agency's last known address as maintained on the records of the Administrative Office of the Courts. The notice shall advise the CPGC or Agency of the pendency of decertification for failure to pay the required annual certification fee and late fee and submit the required declaration. The notice shall further advise the CPGC or Agency that if the CPGC or Agency believes that an administrative error has been made and that the CPGC or Agency is not in default on the obligation to submit the annual certification fee and late fee and the required declaration, the CPGC or Agency may file a petition requesting an administrative hearing. The petition shall set forth in detail the facts supporting the CPGC's or Agency's claim that an administrative error has been made by the Board and must be signed under penalty of perjury. The CPGC or Agency must file the petition within ten calendar days of notice of the pendency of decertification.

703.3.3 If a petition is filed, the Chair of the Board shall appoint a three-member Review Panel to conduct a hearing on the petition. In the sole discretion of the Review Panel, the hearing may be held by telephone. The Review Panel shall make written findings and a recommendation as to whether the petition should be granted. The findings and recommendation of the Review Panel shall be filed with the Board and served by first-class mail on the CPGC or Agency.

703.3.4 The Board shall review the decision of the Review Panel and shall make a decision approving or denying the petition. If the petition is denied, then the Board shall decertify the CPGC or Agency. The members of the Review Panel shall not participate in the decision of the Board. A copy of the Board's order shall be sent by certified mail to the CPGC or Agency. Any such order shall be final.