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June 7, 2022

Certified Professional Guardian Board
c/o Administrative Office of the Courts
PO Box 41170
Olympia WA 98504

Re: Comments on Proposed Regulation 708

Dear CPG Board:

Thank you for the opportunity to comment on the changes to Regulation 708. It appears the changes are primarily to make the regulation comply with new UGA terms. My comments are more about the rule itself, than your changes.

I wonder why the Board is proposing to change the name of the regulation from Voluntary Surrender of Certification (which seems very clear) to Retirement or Resignation and Termination of Certification. If the goal is to make sure the CPGC understands they are giving up their certification, perhaps the name of the regulation could be "Request for Termination of Certification".

The process to stop being a CPGC is fairly complicated if one follows the regulation. The CPGC must: (1) notify the Board in writing of their intent to retire/resign or request termination; (2) create an affidavit or declaration to comply with the rules; and (3) within 60 days of the initial written notice, file the affidavit or declaration with the Board.

The CPGC could, alternatively, give up all of their cases and not notify the Board of their intent to retire/resign. The Board would eventually decertify the CPGC for failure to complete education requirements or failure to pay annual recertification fees.

I think the process to retire or resign should be streamlined so that CPGCs will opt to complete the process and not leave it up to the Board to eventually decertify them. As an example, the WSBA has a one page fillable form if an attorney wishes to resign. I think this form could be a model for the Board. (See attached).

Very truly yours,



DEBORAH JAMESON

Encl: WSBA Form
Suggested changes to 708
Proposed form for CPGCs to Request Termination

Guardianship and Conservatorship Program Regulations

708 ~~Voluntary Surrender~~Retirement or Resignation and Request for Termination of Certification

708.1 ~~Prior to retirement or resignation from practice, A~~ CPGC or Agency ~~may voluntarily surrender certification by shall~~ complete a Request for Termination of Certification, notifying the Board, in writing, of the date of their intended ~~resignation or retirement and request that their CPGC certification be terminated~~ the surrender is to be effective and by complying with the requirements of this regulation. In order for the termination of certification to be approved, the CPGC or Agency must meet all requirements defined in Sections 708.1 and 708.2. Staff of the AOC staff is are authorized to grant ~~voluntarily surrender status termination to of~~ a CPGC's (or Agency's) certification that qualify under meet these Regulations. AOC ~~s~~Staff ~~denials to voluntarily surrender status request must be of termination of the CPGC's (or Agency's) certification will be reviewed and approved for approval~~ by the Certification and Application Committee.

708.2 The ~~surrender of request for termination of~~ certification shall ~~not~~ be effective ~~until when~~ the CPGC or Agency has met the following requirements:

~~708.2.1~~ Complied with all statutory and court-ordered requirements for discharge from responsibilities as a guardian or conservator in each case in which the CPGC or Agency has been appointed, ~~with the exception that a guardian and conservator who is not a member of the individual's family and who charges fees for carrying out the duties of court-appointed guardian or conservator may retain guardianship and/or conservatorship over two individuals in compliance with the definition of "Professional guardian or conservator."~~ RCW 11.130.010 (26);

~~708.2.2~~ Filed with the Board an affidavit or declaration signed under penalty of perjury stating:

~~708.2.2.1~~ Compliance with these requirements.

~~708.2.2.2~~ The address where communications may be directed to the former CPGC or Agency, and acknowledging a requirement to keep their address current with the AOC for 36 months following surrender the termination of certification.

~~708.2.2.3~~ That after surrender the termination of certification, the former CPGC or Agency shall not accept any new clients or engage in work as a CPGC or Agency unless recertified following the rules and regulations applicable to new applicants comply with

~~the definition of “Professional guardian or conservator”. — RCW
11.130.010 (26)~~

~~708.2.3 The CPGC or Agency shall file the affidavit or declaration
required by this regulation within sixty (60) calendar days of the date of
the written notice to the Board of the intent to retire or resign and
surrender request termination of their CPGC or Agency certification.~~

708.3 Failure to file ~~the affidavit or declaration required by this regulation~~a
Request for Termination of Certification or failure to comply with other
statutory or court-ordered requirements regarding discharge from
responsibilities as a guardian or conservator shall subject the CPGC or
Agency to revocation of certification.

708.4 The CPGC or Agency may revoke the notice of intent to ~~surrender~~
terminate their certification by notifying the Board in writing.

VOLUNTARY RESIGNATION FROM MEMBERSHIP IN THE WSBA

I, _____, hereby declare my intention to voluntarily resign from the Washington State Bar Association.

I certify that there is no disciplinary investigation or proceeding pending against me and that I have no personal knowledge that the filing of a grievance of substance is imminent.¹

I acknowledge that, upon acceptance of this resignation, my license to practice law in the State of Washington will be immediately terminated and that should I ever wish to practice law again in this state, it may be necessary for me to qualify for and successfully pass the Washington State Bar Examination.

Dated this _____ day of _____, 20_____, at _____.
(City, State)

License # _____ Signature _____

Please provide a mailing address to which the WSBA can send notification of acceptance or rejection of your resignation. Contact information may also be updated online by visiting **myWSBA** at the following address: <http://www.mywsba.org>. A member shall not be considered resigned from the Association until confirmed in writing.

Address: _____

City, State, Zip _____

¹ If there is a disciplinary investigation or proceeding then pending against the member, or if the member had knowledge that the filing of a grievance of substance against such member was imminent, resignation is permitted only under the provisions of the Rules for Enforcement of Lawyer Conduct.



**CERTIFIED PROFESSIONAL GUARDIANSHIP
AND CONSERVATORSHIP BOARD**

REQUEST FOR TERMINATION OF CERTIFICATION

I, _____, request termination of my certification as a Certified Professional Guardian/Conservator.

I certify that there is no disciplinary investigation or proceeding pending against me and that I have no personal knowledge that the filing of a grievance of substance is imminent.

I certify that I have complied with all statutory and court-ordered requirements for discharge from my responsibilities as a guardian/conservator in each case in which I have been appointed in compliance with the definition of "Professional Guardian or Conservator" in RCW 11.130.010(26).

I acknowledge that, upon acceptance of this resignation, my certification as a professional guardian/conservator in the State of Washington will be immediately terminated and that should I ever wish to become a certified professional guardian/conservator again in this state, it would be necessary for me to re-apply for certification.

Dated this _____ day of _____, 20____, at _____
(City, State)

CPGC # _____ Signature _____

Please provide a mailing address to which the AOC can send notification of acceptance or rejection of your resignation. Resignation is not effective until confirmed in writing by the Administrative Office of the Courts.

Address: _____

City, State, Zip _____