

Meeting Minutes
November 14, 2022



Certified Professional Guardianship and Conservatorship Board

Monday, November 14, 2022
Zoom Meeting
7:30 a.m. – 9:00 a.m.

MEETING MINUTES	
Members Present	Staff Present
Judge Diana Kiesel, Chair	Ms. Stacey Johnson
Judge Grant Blinn	Ms. Thai Kien
Judge Robert Lewis	Mr. Samar Malik
Ms. Kristina Hammond	Ms. Maureen Roberts
Dr. K. Penney Sanders	Ms. Sherri White
Mr. William Reeves	Ms. Kay King
Ms. Lisa Malpass	Ms. Rhonda Scott
Mr. Dan Smerken	Ms. Linda Vass
Ms. Anita Souza	
Judge Ferguson-Brown ¹	Members Absent
Ms. Susie Starrfield ²	Ms. Amanda Witthauer
	Ms. Melanie Maxwell

Guests – See last page

1. Meeting Called to Order

Judge Diana Kiesel called the November 14, 2022 Certified Professional Guardianship and Conservatorship Board meeting to order at 7:32 a.m.

2. Welcome, Roll Call & Approval of Minutes

Judge Kiesel welcomed all present.

Motion: A motion was made and seconded to approve the October 10, 2022 Board meeting minutes. The motion passed.

3. Chair’s Report

Judge Kiesel commended the work of the Regulations and the Standards of Practice committees. They’ve been very busy with addressing lots of issues.

Judge Kiesel announced the creation of a new bylaw committee which she will be chairing. This will be presented at the next long meeting (January 2023).

There will be another CEU offered at the next long meeting, please send any suggestions for long meeting presentations/topics to the Board.

¹ Judge Ferguson-Brown joined 7:51 a.m.

² Ms. Starrfield joined at 7:58 a.m.

4. Grievance Report

Staff reported (3) grievances were received during the month of October. To date, the Board dismissed (47) grievance received in 2022 as incomplete or for no jurisdiction, (37) grievances have been forwarded to the court and (1) grievance has been assigned to staff for investigation. A total (49) grievances are currently unresolved.

5. Regulations Committee

Board consideration of changes to Regulation 007 was tabled until the December Board Meeting. Judge Kiesel asked that any comments be sent to the Board for consideration.

6. Executive Session (Closed to Public)

7. Reconvene and Vote on Executive Session Discussion (Open to Public)

On behalf of the Applications Committee, Judge Robert Lewis presented the following applications for certification. The Application Committee abstained.

Motion: A motion was made and seconded to deny the application of Dawn Powers for lack of transferrable experience. The motion passed.

On behalf of the Standards of Practice Committee, Judge Grant Blinn presented the following grievances for Board action. Members of the Standards of Practice Committee abstained.

Motion: A motion was made and seconded to dismiss 2022-068 for no jurisdiction. The motion passed.

Motion: A motion was made and seconded to dismiss grievance 2022-069 for no jurisdiction. The motion passed.

Motion: A motion was made and seconded to forward complete grievance 2022-070 the Superior Court. The motion passed.

Motion: A motion was made and seconded to forward complete grievance 2022-071 to the Superior Court. The motion passed.

Motion: A motion was made and seconded to forward complete grievance 2022-072 to the Superior Court. The motion passed.

Motion: A motion was made and seconded to dismiss grievance 2022-035 following the court's finding. The motion passed.

Motion: A motion was made and seconded to dismiss grievance 2022-046 following the court's finding. The motion passed.

Motion: A motion was made and seconded to dismiss grievance 2022-057 following the court's finding. The motion passed.

Motion: A motion was made and seconded to amend the complaint for grievances 2019-028, 2019-031, and 2020-005 to include revocation under 509.3.1.C. The motion passed.

8. Wrap Up/Adjourn

With no other business to discuss, the November 14, 2022 CPGC Board meeting was adjourned at 8:50 a.m. Next Meeting Date: Monday, December 12, 2022 at 7:30 a.m. via Zoom.

Recap of Motions:

MOTION SUMMARY		STATUS
Motion:	A motion was made and seconded to approve the minutes of the October 10, 2022 Board meeting.	Passed
Motion:	A motion was made and seconded to deny the application of Dawn Powers for lack of transferrable experience.	Passed
Motion:	A motion was made and seconded to dismiss grievance 2022-068 for no jurisdiction.	Passed
Motion:	A motion was made and seconded to dismiss grievance 2022-069 for no jurisdiction.	Passed
Motion:	A motion was made and seconded to forward complete grievance 2022-070 to the Superior Court.	Passed
Motion:	A motion was made and seconded to forward complete grievance 2022-071 to the Superior Court.	Passed
Motion:	A motion was made and seconded to forward complete grievance 2022-072 to the Superior Court.	Passed
Motion:	A motion was made and seconded to dismiss grievance 2022-035 following a prior referral to superior court.	Passed
Motion:	A motion was made and seconded to dismiss grievance 2022-046 following a prior referral to superior court.	Passed
Motion:	A motion was made and seconded to dismiss grievance 2022-057 following a prior referral to superior court.	Passed
Motion:	A motion was made and seconded to amend the complaint for grievances 2019-028, 2019-031, and 2020-005.	Passed

Guests:

Samantha Hellwig (AAG)
 Bruce Buckles
 Sarah Tremblay
 Katlyn Balsam
 Chris Neil
 Denise Meador

Brenda Morales
 Deborah Jameson
 Glenda Voller
 Puget Sound Guardians
 509 768 8934

Certified Professional Guardianship and Conservatorship Board
2023 Meeting Calendar

Certified Professional Guardianship and Conservatorship Board 2023 Meeting Calendar

Monday, January 9, 2023	Zoom Meeting	9:00 am – 2:00 pm
Monday, February 13, 2023	Zoom Meeting	7:30 am – 9:00 am
Monday, March 13, 2023	Zoom Meeting	7:30 am – 9:00 am
Monday, April 10, 2023 <i>Annual Planning Meeting</i>	Zoom Meeting	9:00 am – 2:00 pm
Monday, May 8, 2023	Zoom Meeting	7:30 am – 9:00 am
Monday, June 12, 2023	Zoom Meeting	9:00 am – 2:00 pm
Monday, July 10, 2023	Zoom Meeting	7:30 am – 9:00 am
Monday, August 14, 2023	Zoom Meeting	7:30 am – 9:00 am
Monday, September 11, 2023	Zoom Meeting	7:30 am – 9:00 am
Monday, October 9, 2023	Zoom Meeting	9:00 am – 2:00 pm
Monday, November 13, 2023	Zoom Meeting	7:30 am – 9:00 am
Monday, December 11, 2023	Zoom Meeting	7:30 am – 9:00 am

Certified Professional Guardianship and Conservatorship Board meetings are open to the public.

For information regarding teleconference meetings, please contact Kathy Bowman at 360.704.5543 or email Kathy.Bowman@courts.wa.gov

Updated 11/08/2022

Grievance Review
November 2022

**Certified Professional Guardians and Conservators
Grievance Status
November 31, 2022**

New Grievances Received in November 2022:	2
2022 Grievances Dismissed by Board on November 14, 2022:	5
2022 Grievances Forwarded to Superior Court on November 14, 2022:	3

Total 2022 Grievances Received:	72
Total 2022 Grievances Forwarded to Superior Court:	40
Total 2022 Grievances Pending CRC Review	1
Total 2022 Grievances Pending Staff Investigation	1
Total 2022 Grievances Dismissed: (No Jurisdiction, Insufficient Grievance, or Following Court Review)	51

Please note that the numbers reported in this section will not necessarily be equal to the total number of grievances received; this is due to the timing of when new grievances are received and in process of review by the Board.

Active CPGCs: 262

Pre-2022 Grievance Status – November 2022	2021	2020	2019	2018	2017	2016	Total
Grievances Resolved this Month:		1	1				2
Grievances Remaining Requiring Investigation*:	19	0	0	0	0	0	19

Pre-2022 Grievances Pending*	2021	2020	2019	2018	2017	2016	Total
Voluntary Surrender/Litigation:							
Conflicts Review Committee:							0
ARD:							0
Forward to Court:						1	1
Complaint/Hearing/Revocation:		1	2				3
Administrative Decertification:							0
Total Pending:	0	1	2	0	0	1	4

[*Grievances in Pending status are not counted as Grievances Requiring Investigation.

Resolution of Pre-2022 Grievances – November 2022	2021	2020	2019	2018	2017	2016	Total
Dismissal – No Jurisdiction							0
Dismissal – No Actionable Conduct		1	1				2
Dismissal - Administrative							0
Dismissal – Insufficient Grievance							0
Advisory Letter 507.1							0
ARD - Admonishment							0
ARD - Reprimand							0
ARD - Suspension							0
Terminated – Voluntary Surrender							0
Terminated – Administrative Decertification							0
Terminated – Decertification							0
TOTAL PRE-2022 GRIEVANCES RESOLVED IN NOVEMBER	0	1	1	0	0	0	2

Resolution of Pre-2022 Grievances – 2022	2021	2020	2019	2018	2017	2016	Total
Total Grievances Received by Year	95	80	77	85	104	104	545
Dismissal – No Jurisdiction	9	21	15	22	30	20	117
Dismissal – No Actionable Conduct	56	44	41	52	60	55	308
Dismissal – Miscellaneous		1					1
Dismissal – Insufficient Grievance	7	6	5	3	1	2	24
Dismissal – UGA Court Referral		3					3
Advisory Letter 507.1		2	5	3	2	4	16
ARD - Admonishment							0
ARD – Reprimand		1		1	1	4	7
ARD - Suspension							0
Termination – Administrative Decertification	4	1	3	1	1	3	13
Termination – Voluntary Surrender			1	2	8	15	26
Termination – Decertification			5	1	1		7
Total Pre-2022 Grievances Resolved:	76	79	75	85	104	103	522

Guardians/Agencies with Multiple Grievances

November 2022

ID	Year Cert.	Unresolved Grievances	Year(s) Grievances Received
A	2015	3	2021 (1), 2022 (2)
B	2009	2	2021 (2)
C	2016	10	2021 (4), 2022 (7)
D	2014	2	2021 (2)
E	2011	3	2021 (3)
F	2007	4	2019 (2), 2020 (1), 2022 (1)
G	2011	2	2021 (1), 2022 (1)
H	2001	3	2022 (3)
I	2006	2	2021 (2)
J	2011	4	2022 (4)
		35	

Of the 44 currently unresolved grievances, 35 involve 10 Certified Professional Guardians/Conservators or Agencies with 2 or more grievances.

Regulations Committee
Proposal for Consideration of Publication for Notice and Comment
Regulation 007

Guardianship and Conservatorship Program Regulations

007 Board Meetings

007.1 The Board shall hold meetings as determined to be necessary by the Chair. The Board, its members, committees, and any action taken to further the Board's purpose, including but not limited to holding meetings, are not subject to chapter 42.30 RCW, the Open Public Meetings Act. Nothing in these regulations should be construed to imply that the Board is subject to the Open Public Meetings Act. The following guidelines should not impede the Board's ability to fulfill its obligations and duties as defined in these regulations.

007.2 Meetings of the Board will be open to the public except for executive sessions. The Board may meet in executive session for the following: application and certification matters, disciplinary matters, enforcement actions, litigation, potential litigation, and other attorney-client privileged communications. The Board may also meet in executive session for any other matter that is deemed privileged or confidential. The decision to deem a matter privileged or confidential shall be by vote of a quorum of the Board.

007.3 The Board shall publish the date and time of its regular meetings on the AOC guardianship portal website. The Board shall publish the date and time of its regular meetings at least thirty (30) days in advance. In the event of changes due to emergent circumstances, the Board shall provide notice as soon as reasonably practicable. A public comment session will occur at the Board's January, April, June and October meetings. The public may submit written comments to the Board at any time. The Board shall promulgate regulations regarding notice and comment requirements for regulations adoption, amendment and repeal that provide for stakeholder notice and comment.

007.4 Before convening in executive session, the meeting chair shall publicly inform the public that it is initiating a meeting that excludes the public, and the time when that executive session will conclude. The meeting chair may extend the executive session by informing the public of the adjusted timeframe.