

Meeting Minutes
December 11, 2023



Certified Professional Guardianship and Conservatorship Board

Monday, December 11, 2023

Zoom Meeting

7:30 a.m. – 9:00 a.m.

MEETING MINUTES

Members Present

Judge Robert Lewis, Chair
Judge Grant Blinn
Judge Cadine Ferguson-Brown
Commissioner Solomon Kim
Ms. Lynda Clark
Mr. William Reeves
Dr. K. Penney Sanders
Mr. Dan Smerken
Ms. Susie Starrfield
Dr. Anita Souza

Guests – See last page

Staff Present

Ms. Stacey Johnson
Ms. Kathy Bowman
Ms. Thai Kien
Ms. Kay King
Mr. Samar Malik
Ms. Maureen Roberts
Ms. Rhonda Scott
Ms. Sherri White

Members Absent

Ms. Kristina Hammond
Ms. Melanie Maxwell

1. Meeting Called to Order

Judge Robert Lewis called the December 11, 2023 Certified Professional Guardianship and Conservatorship Board meeting to order at 7:32 a.m.

2. Welcome, Roll Call & Approval of Minutes

Judge Lewis welcomed all present.

Motion: It was moved and seconded to approve the November 13, 2023 minutes. The motion passed.

3. Executive Session (Closed to Public)

4. Reconvene (Open to Public)

5. Chair's Report

Judge Lewis reported that the Board is still waiting on a nominee from WSBA to fill the vacant position.

6. Grievance Report

Ms. Scott reported four (4) new grievances were received during the month of November. The Board dismissed eleven (11) grievances and forwarded one(1) grievance to Superior Court. A total of twenty-two (22) grievances were unresolved at the time of the report. Currently, there are two hundred fifty (250) active CPGCs.

7. Regulations Committee

Motion: It was moved and seconded to adopt the proposed changes to Regulations 708 and 507.3. The motion passed.

8. Vote on Executive Session Discussion

On behalf of the Applications Committee, Ms. Susie Starrfield presented the following applications for certification.

Motion: It was moved and seconded to approve Joel Soter's application for certification with transferable skills in financial and social services. Ms. Clark abstained. The motion passed.

Motion: It was moved and seconded to approve Claudia Turney's application for certification with transferable skills in financial. The motion passed.

Motion: It was moved and seconded to administratively decertify Maija Druffel for failure to comply with annual certification requirements of GR23. The motion passed.

Motion: It was moved and seconded to administratively decertify Albert Williams for failure to comply with annual certification requirements of GR23. The motion passed.

Motion: It was moved and seconded to administratively decertify South Sound Alternatives for failure to comply with annual certification requirements of GR23. The motion passed.

On behalf of the Education Committee, Mr. Smerken presented the following request for consideration.

Motion: It was moved and seconded to administratively decertify Stewart Wallin for failure to comply with continuing education reporting requirements. The motion passed.

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

Motion: It was moved and seconded to dismiss grievance 2023-047 following court review. The motion passed.

Motion: It was moved and seconded to dismiss grievance 2023-052 following court review. The motion passed.

Motion: It was moved and seconded to forward grievance 2023-058 to Superior Court. Mr. Smerken abstained. The motion passed.

Motion: It was moved and seconded to forward grievance 2023-059 to Superior Court. The motion passed.

Motion: It was moved and seconded to dismiss grievance 2023-060 as incomplete. The motion passed.

Motion: It was moved and seconded to forward grievance 2023-061 to Superior Court. The motion passed.

Motion: It was moved and seconded to forward grievance 2023-062 to Superior Court. The motion passed.

Motion: It was moved and seconded to forward grievance 2023-063 to Superior Court. The motion passed.

Motion: It was moved and seconded to forward grievance 2023-064 to Superior Court. The motion passed.

Motion: It was moved and seconded to dismiss grievance 2023-065 as incomplete. Judge Lewis and Judge Ferguson-Brown opposed. The motion passed.

9. Wrap Up/Adjourn

With no other business to discuss, Judge Lewis adjourned the December 11, 2023 CPGC Board meeting at 8:34 a.m. The next Board meeting will take place via Zoom on January 8, 2023 beginning at 9:00 a.m.

Recap of Motions:

MOTION SUMMARY		STATUS
Motion:	It was moved and seconded to approve the November 13, 2023 minutes.	Passed
Motion	It was moved and seconded to adopt the proposed changes to Regulations 708 and 507.3.	Passed
Motion:	It was moved and seconded to approve Joel Soter's application for certification. Ms. Clark abstained.	Passed
Motion:	It was moved and seconded to approve Claudia Turney's application for certification.	Passed
Motion:	It was moved and seconded to administratively decertify Maija Druffel for failure to comply with annual certification requirements of GR23.	Passed
Motion:	It was moved and seconded to administratively decertify Albert Williams for failure to comply with annual certification requirements of GR23.	Passed
Motion:	It was moved and seconded to administratively decertify South Sound Alternatives for failure to comply with annual certification requirements of GR23.	Passed
Motion:	It was moved and seconded to administratively decertify Stewart Wallin for failure to comply with continuing education reporting requirements.	Passed
Motion:	It was moved and seconded to dismiss grievance 2023-047 following court review.	Passed
Motion:	It was moved and seconded to dismiss grievance 2023-052 following court review.	Passed
Motion:	It was moved and seconded to forward grievance 2023-058 to Superior Court. Mr. Smerken abstained.	Passed
Motion:	It was moved and seconded to forward grievance 2023-059 to Superior Court.	Passed
Motion:	It was moved and seconded to dismiss grievance 2023-060 as incomplete.	Passed
Motion:	It was moved and seconded to forward grievance 2023-061 to Superior Court.	Passed
Motion:	It was moved and seconded to forward grievance 2023-062 to Superior Court.	Passed
Motion:	It was moved and seconded to forward grievance 2023-063 to Superior Court.	Passed
Motion:	It was moved and seconded to forward grievance 2023-064 to Superior Court.	Passed

Motion:	It was moved and seconded to dismiss grievance 2023-065 as incomplete. Judge Lewis and Judge Ferguson-Brown opposed.	Passed
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Guests:

Samantha Hellwig, AAG
Stephen Manning, AAG
Tracy Bauhs
Katlyn Balsam

Deborah Jameson
Karen Newland, Puget Sound Guardians
Sarah Tremblay
Glenda Voller

DRAFT

Grievance Report
December, 2023

**Certified Professional Guardian and Conservator
Grievance Status
December 2023**

New Grievances Received in December 2023:	8
2023 Grievances Dismissed by Board on December 11, 2023:	4
2023 Grievances Forwarded to Superior Court on December 11, 2023:	6

Grievances (UGA)	2022	2023
Total Grievances Received:	75	69
Total Grievances Dismissed: No Jurisdiction, Insufficient Grievance	30	21
Total Grievances Forwarded to Superior Court:	40	42
Total Grievances Dismissed Following Court Review:	39	24
Total Grievances Dismissed Following Investigation:	5	1
Total Grievances Open Pending CRC Review:	0	1
Total Grievances Open Pending Investigation:	1	1

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: 249

Grievances Pre-UGA

Pre-UGA Grievance Status	2021
Grievances Resolved this Month:	0
Total Grievances Requiring Investigation:	1

Resolution of Pre-UGA Grievances	2021
Total Grievances Received by Year	95
Dismissal No Jurisdiction	9
Dismissal No Actionable Conduct	70
Dismissal Insufficient Grievance	7
Dismissal Administrative	1
Advisory Letter	3
Termination – Administrative Decertification	4
Total 2021 Grievances Resolved:	94

Guardians/Conservators or Agencies with Multiple Grievances December 2023

ID	Year Certified	2023	2022	2021	total OPEN
A	2012	3	0	0	3
B	2016	3	0	0	3
C	2017	2	0	0	2
D	2022	3	0	0	3
E	2007	3	0	0	3
					14

At the time of this report, 14 of the 24 unresolved grievances involved 5 Certified Professional Guardians/Conservators or Agencies with 2 or more grievances.

CPGC Board
Survey Results Report

CPCG Board Survey Results

Rational: The CPCG Board has had a recent influx of new members and there is a need to identify knowledge deficiencies.

Purpose: To gather information about baseline knowledge of CPCG board members in areas of board role, purpose, and expectations of stakeholders.

Launch Date: November 9, 2023

Number of completed surveys: 6 **Responses rate:** 50% **Mode:** Google Surveys **Anonymous**

Questions:

How knowledgeable do you feel about the following:	Response Choices:
1. The perceptions held by Stakeholders* about the Board 2. Stakeholder expectations of the Board 3. Your role as a Board member 4. The purpose of the Board	<ul style="list-style-type: none"> • Minimal Knowledge • Basic Knowledge • Adequate Knowledge • Very Knowledgeable
5. Your time in service to the board	<ul style="list-style-type: none"> • 1st Term • 2nd Term
*Stakeholder refers to a broad range of individuals and organizations that are affiliated with the board. Some examples include citizenry, organizations that represent specific constituencies, Professional Guardians, and the members of the Supreme Court that appointed board members.	

Results:

Question #1 N=6	Question #2 N=6	Question #3 N=6	Question #4 N=6	Question #5 N=5**
Minimal Knowledge-33%	Minimal Knowledge-50%	Minimal Knowledge-0%	Minimal Knowledge-0%	1 st Term=80% 2 nd Term= 20%
Basic Knowledge-50%	Basic Knowledge-33%	Basic Knowledge-50%	Basic Knowledge-50%	
Adequate Knowledge-17%	Adequate Knowledge-17%	Adequate Knowledge-17%	Adequate Knowledge-17%	
Very Knowledgeable-0%	Very Knowledgeable-0%	Very Knowledgeable-33%	Very Knowledgeable-33%	
Next steps: Evaluate and update the on-boarding process for new board members. Provide additional training regarding scope, role, and expectations of all board members. Support opportunities to engage stakeholders.				

Request for Advisory Opinion
On Guardianship

Bowman, Kathy

From: Johnson, Stacey
Sent: Friday, December 1, 2023 8:56 AM
To: Bowman, Kathy
Cc: White, Sherri; Scott, Rhonda; King, Kay
Subject: FW: Committee on Professional Ethics/Request for Advisory Opinion on Guardianship

Hello,

Please add this item to the January public agenda.

Stacey Johnson

Manager | Office of Guardianship and Elder Services

Administrative Office of the Courts

P: 360.705.5302 **F:** 360.956.5700

Stacey.Johnson@courts.wa.gov

www.courts.wa.gov



From: JANICE WANG <jwang110@comcast.net>
Sent: Tuesday, November 14, 2023 1:27 PM
To: robert.lewis@clark.wa.gov; Johnson, Stacey <Stacey.Johnson@courts.wa.gov>
Subject: Committee on Professional Ethics/Request for Advisory Opinion on Guardianship

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Dear Judge Lewis:

As I discussed earlier today with Stacey's assistant, Cherie, I am the chair of a subcommittee of the WSBA Committee on Professional Ethics (CPE) that is considering a request for an Advisory Opinion. An inquiry has been made as follows (edited for anonymization purposes):

"May a lawyer who represents a residential care or nursing home facility in seeking a guardianship for a resident, communicate with a proposed CPG during the guardianship proceeding as to the respondent's medical, financial, written and oral statements, and thereafter may the lawyer represent the court-appointed CPG?" It is our understanding that the requestor is concerned with the small number of guardianship lawyers in the county at issue.

Before we begin the drafting process, our subcommittee is interested in the CPG&C Board's input on the potential conflicts of interest. I understand your committee regularly meets on the second Monday of the month, the next meeting being the December meeting. If you could place this item on the CPG&C Board's agenda, and let me know your committee members' initial impressions, we would appreciate that input. If we may have some of your thoughts by the end of November -- so that we would have some comments from stakeholders prior to the next meeting of the CPE on December 8 - - that would be very helpful. Once the CPE decides on a direction on how to draft an advisory opinion, and thereafter approve a draft, we would circulate the draft to interested stakeholders for discussion.

Best regards & have a wonderful Thanksgiving -- Janice Sue Wang, WSBA #19104