

Meeting Minutes

April 8, 2024



Certified Professional Guardianship and Conservatorship Board

Monday, April 8, 2024

Zoom Meeting

9:00 a.m. – 1:00 p.m.

MEETING MINUTES

Members Present

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

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

Commissioner Soloman Kim
Ms. Melanie Maxwell

Guests – See last page

1. Meeting Called to Order

Judge Robert Lewis called the April 8, 2024 Certified Professional Guardianship and Conservatorship (CPGC) Board meeting to order at 9:02 a.m.

2. Welcome, Roll Call & Approval of Minutes

Judge Lewis welcomed all present.

Motion: It was moved and seconded to approve the March 13, 2024 minutes as written.
The motion passed.

3. Chair's Report

Judge Lewis asked Board members and support staff to introduce themselves.

4. Public Comment Period

Deborah Jameson summarized changes to the Uniform Guardianship, Conservatorship and Other Protective Arrangement act that will be effective June 6, 2024.

5. Committee Presentations and Overview of Board Authority

As a review and introduction for new members, each of the Board committees presented on their functions. Slides are available on request.

Ms. King presented an overview of the Board's governing authority including Washington State Court Rules General Rule 23 and General Rule 31.1. The presentation also provided an overview of the Board's Bylaws, Regulations, Communication Plan, and Recusal Policy, as well as provisions applicable to the Board of the Uniform Guardianship, Conservatorship and Other Protective Arrangements Act.

Ms. Minogue asked about advisory opinions, which the AAG will follow up with later.

On behalf of the Application Committee, the Chair, Ms. Starrfield presented in regards to the CPGC applications process.

Committee Chair, Ms. Hammond presented on behalf of the Education Committee. In response to a question on who can apply for CEU credit, Ms. Hammond reminded everyone that either the sponsoring program or attendees can request CEU credit for a program.

Committee Chair, Mr. Smerken presented on behalf of the Regulations Committee, describing the Board's regulations adoption process.

Ms. Scott presented on behalf of the Standards of Practice Committee (SOPC) as to the grievance review process.

6. Annual Report

Ms. Scott presented the Certified Professional Guardianship and Conservatorship Board's Annual Report for 2023, which is available on the website.

7. Grievance Report

Ms. Scott presented the March grievance report. Last month, the Board received eight new grievances. There are a total of 29 unresolved grievances. Currently, there are 251 active CPGCs.

8. Executive Session (Closed to Public)

9. Reconvene (Open to Public)

10. Vote on Executive Session Discussion

On behalf of the Application Committee, Ms. Starrfield presented the following applications for Board action:

- Motion: It was moved and seconded to deny Ariane Chenard's application for certification for lack of transferable skills and decision-making or the use of independent judgement for the benefit of others. The motion passed.
- Motion: It was moved and seconded to deny Jennifer Corona's application for certification for lack of requisite years' experience working in a discipline pertinent to the provision of guardianship and conservatorship services.. The motion passed.
- Motion: It was moved and seconded to conditionally approve Rebecca Hawkins' application for certification, conditioned on the successful completion of the UW program, with transferrable skills in social services and financial. The motion passed.

On behalf of the Standards of Practice Committee, Judge Blinn presented the following grievances for Board action. Mr. Smerken recused regarding grievances 2024-016, 2024-018, 2024-019.

- Motion: It was moved and seconded to forward grievance 2024-016 to Superior Court as a complete grievance. Mr. Smerken recused. The motion passed.
- Motion: It was moved and seconded to forward grievance 2024-017 to Superior Court as a complete grievance. The motion passed.
- Motion: It was moved and seconded to forward grievance 2024-018 to Superior Court as a complete grievance. Mr. Smerken recused. The motion passed.
- Motion: It was moved and seconded to forward grievance 2024-019 to Superior Court as a complete grievance. Mr. Smerken recused. The motion passed.
- Motion: It was moved and seconded to forward grievance 2024-020 to Superior Court as a complete grievance. The motion passed.
- Motion: It was moved and seconded to dismiss grievance 2024-021 for lack of jurisdiction. The motion passed.
- Motion: It was moved and seconded to dismiss grievance 2024-022 as incomplete. The motion passed.
- Motion: It was moved and seconded to investigate grievance 2023-031 following court review. The motion passed.
- Motion: It was moved and seconded to dismiss grievance 2023-046 following court review. The motion passed.
- Motion: It was moved and seconded to dismiss grievance 2023-055 following court review. Ms. Minogue abstained. The motion passed.
- Motion: It was moved and seconded to investigate grievance 2024-007 following court review. The motion passed.

11. Wrap Up/Adjourn

With no other business to discuss, Judge Lewis adjourned the April 8, 2024 CPGC Board meeting at 12:04 p.m. The next Board meeting will take place via Zoom on May 13, 2024 beginning at 7:30 a.m.

Recap of Motions:

MOTION SUMMARY		STATUS
Motion	It was moved and seconded to approve the March 13, 2024 minutes.	Passed
Motion	It was moved and seconded to deny Ariane Chenard's application for certification for lack of transferable skills and decision-making or the use of independent judgement for the benefit of others..	Passed
Motion	It was moved and seconded to deny Jennifer Corona's application for certification for lack of requisite years' experience working in a discipline pertinent to the provision of guardianship and conservatorship services..	Passed

Motion	It was moved and seconded to conditionally approve Rebecca Hawkins' application for certification, conditioned on the successful completion of the UW program, with transferable skills in social services and financial.	Passed
Motion	It was moved and seconded to forward grievance 2024-016 to Superior Court as a complete grievance.	Passed
Motion	It was moved and seconded to forward grievance 2024-017 to Superior Court as a complete grievance.	Passed
Motion	It was moved and seconded to forward grievance 2024-018 to Superior Court as a complete grievance.	Passed
Motion	It was moved and seconded to forward grievance 2024-019 to Superior Court as a complete grievance.	Passed
Motion	It was moved and seconded to forward grievance 2024-020 to Superior Court as a complete grievance.	Passed
Motion	It was moved and seconded to dismiss grievance 2024-021 for lack of jurisdiction	Passed
Motion	It was moved and seconded to dismiss grievance 2024-022 as incomplete.	Passed
Motion	It was moved and seconded to investigate grievance 2023-031 following court review.	Passed
Motion	It was moved and seconded to dismiss grievance 2023-046 following court review.	Passed
Motion	It was moved and seconded to dismiss grievance 2023-055 following court review.	Passed
Motion	It was moved and seconded to investigate grievance 2024-007 following court review.	Passed

Guests:

Samantha Hellwig, AAG

Katlyn Balsam

Deborah Jameson

Brenda Morales

Puget Sound Guardians, Karen Newland

Chris Neil

Heather Sutor

Sarah Tremblay

Glenda Voller

Grievance Report

April, 2024

**Certified Professional Guardian and Conservator
Grievance Status
April 2024**

Activity during April 2024	
New Grievances Received in April 2024:	2
Grievances Dismissed by Board:	4
Grievances Forwarded to Superior Court:	5
Grievances Determined for Investigation:	2

Grievances (UGA)	2022	2023	2024
Total Grievances Received	75	69	23
Dismissed: No Jurisdiction, Insufficient Grievance	30	22	5
Forwarded to Superior Court	39	46	17
Dismissed Following Court Review	39	36	1
Dismissed Following Investigation	5	4	0
Open Pending CRC Review	0	0	0
Open Pending Investigation	1	3	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 and Conservators, or Agencies with Multiple Open Grievances

ID	Year Certified	2024	2023	Total OPEN
A	2012	2	2	4
B	2009	4	0	4
C	2017	2	0	2
D	2022	2	0	2
E	2023	2	0	2
F	2011	2	0	2
				16

At the time of this report, 16 of the 26 unresolved grievances involve six Certified Professional Guardians/Conservators or Agencies with two or more grievances.

Public Comment



5727 Baker Way NW Suite 200
Gig Harbor WA 98332
Toll Free 1-877-460-5880
Fax 253-265-3043

April 30, 2024

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

via email only to: guardianshipprogram@courts.wa.gov

Re: Court Orders on Grievances.

Dear CPGC Board:

At the CPGC Board meeting on Monday, April 8, 2024, the Standards of Practice Committee made a presentation on grievances. A question was raised about the Board's review of Superior Court orders that come back on grievances. The discussion seemed to suggest that the CPGC Board might, at times, disagree with the Superior Court's handling of the grievance and that, on occasion, there could be a need to correct an obvious "legal error" made by the court in their order. The Board discussed how this was an area of concern, and that they should look into it.

At that same meeting, you discussed GR 23, which states the CPGC Board (a) is not an appeal mechanism for Superior Court decisions and (b) does not replicate the Superior Court's oversight of the case. Accordingly, there is no opportunity for the CPGC Board to "correct" a court's order on a grievance.

RCW 11.130.670 states: (a) the Board must "accept as facts any finding of fact contained in" a court order and "must act consistently" with those facts¹; and (b) the court has authority to enforce the Board's standards of practice "to the extent those standards are related to statutory or fiduciary duties of guardians and conservators".²

Thank you for your consideration of this issue.

Very Truly Yours,

WAPG Board of Directors

cc: WAPG BOD
WAPG Members

¹ RCW 11.130.670(1)(b)

² RCW 11.130.670(4)