

# **Certified Professional Guardian Board**

## **Meeting Minutes**

July 22, 2009  
Teleconference

### **CHAIR**

Judge Kimberley Prochnau

### **MEMBERS PRESENT**

Robin Balsam  
Gary Beagle  
Ree Ah Bloedow  
Dr. Ruth Craven  
Nancy Dapper  
John Jardine  
Chris Neil  
Winsor Schmidt  
Comm. Joseph Valente  
Sharon York

### **MEMBERS ABSENT**

Judge M. Karlynn Haberly  
Lori Petersen  
Judge Chris Wickham

### **VISITORS**

Chad Standifer, AAG

### **STAFF**

Sharon Eckholm  
Deborah Jameson  
Sylvia Nelson

### **CALL TO ORDER**

Judge Prochnau called the teleconference meeting to order at 8:00 a.m.

### **BOARD BUSINESS**

#### **(1) Approval of Minutes**

A motion was made and seconded to approve the minutes as presented for the Board

meetings held on June 19 and 20, 2009. The motion passed<sup>1</sup>.

## **(2) Applications for Certification**

A motion was passed for conditional approval\* of each of the following applications for certification as a professional guardian:

Kathleen M. Aldrich  
Kristyan R. Calhoun  
Michael T. Meegan

*\* Conditional approval is granted pending successful completion of the mandatory training and absent any intervening disqualifying events.*

## **(3) Voluntary Surrender of Certification and Inactive Status**

A motion was passed approving the following requests for voluntary surrender of certification and request for inactive status.

### Voluntary Surrender of Certification

Kaye Clinch  
Cynthia Doolin  
Bonnie Hurd  
Kathleen J. Jones  
Celinda Matthews  
Mary A. Schleer  
Courtney Sime  
Connie Woodyard

### Inactive Status

Ann M. Ficca

## **(4) Appeals from Denial of Certification**

The Board took the following action on appeals from denial of certification:

*Regarding the Appeal from Denial of Certification of Paul L. Calabro, a motion was made to adopt the Findings of Fact, Conclusions of Law and Recommendation of the Appeals Panel, dated June 29, 2009, to conditionally approve\* Mr. Calabro's application for certification as a professional guardian. The motion passed. Robin Balsam abstained.*

*Regarding the Appeal from Denial of Certification of Mary S. Morris, a motion was made to adopt the Findings of Fact, Conclusions of Law and Recommendation of the Appeals Panel, dated June 29, 2009, to conditionally approve\* Ms. Morris' application for certification as a professional guardian. The motion passed.*

*Regarding the Appeal from Denial of Certification of David D. Beseler, a motion was made to adopt the Findings of Fact, Conclusions of Law and Recommendation of the Appeals Panel, dated June 29, 2009, to conditionally approve\* Mr. Beseler's application for certification as a professional guardian. The motion passed.*

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<sup>1</sup> Except in the event of a tie vote, the Chair does not vote on any motions before the Board.

*Regarding the Appeal from Denial of Certification of Wayne J. Houston, a motion was made to adopt the Findings of Fact, Conclusions of Law and Recommendation of the Appeals Panel, dated June 29, 2009, to conditionally approve\* Mr. Houston's application for certification as a professional guardian. The motion passed.*

*\* Conditional approval is granted pending successful completion of the mandatory training and absent any intervening disqualifying events.*

## **EXECUTIVE SESSION**

The Board adjourned to executive session to consider an appeal of denial of certification.

## **OPEN SESSION**

The Board reconvened in open session and took the following action:

*Regarding the Appeal from Denial of Certification of Sari Spieler, a motion was made to adopt the Findings of Fact, Conclusions of Law and Recommendation of the Appeals Panel, dated June 29, 2009, to affirm the denial of Ms. Spieler's application for certification with the modification that the last sentence in Finding of Fact 1.4 be removed. The motion passed.*

### **(5) Presentation of Agreement Regarding Discipline**

*In the Matter of Fiduciary Services Foundation, CPGA NO. 5135 and Owen Wales, CPG No. 5314, CPGB No. 2005-009, Assistant Attorney General Chad Standifer presented the Agreement Regarding Discipline in resolution of the disciplinary proceeding. The allegations in this matter included that the guardian had breached its fiduciary duty to the incapacitated person by failing to make complete and accurate disclosures of expenditures, by failing to view or inspect the home that the incapacitated person rented prior to the incapacitated person's move into the home, and by failing to obtain court permission prior to making a gift. The proposed Agreement Regarding Discipline would resolve this matter with findings of violations of the standards of practice and imposition of sanctions of a letter of reprimand against CPG Owen Wales, and a letter of admonishment against CPGA Fiduciary Services Foundation. The Board will consider the proposed resolution in executive session.*

### **(6) Chair Report**

Judge Prochnau reported that the Board will recognize the conclusions of the terms of Board members Judge Haberly and Lori Petersen at the September Board meeting and plans to honor them at that meeting for their contributions to the Board. Judge Prochnau expects that the Supreme Court will appoint one new Board member and that that board member will be a judicial officer. However, due to the limitation in GR 23 restricting practicing guardian Board membership to one-third, the Supreme Court will not be able to reappoint Ms. Peterson or appoint another practicing professional guardian to the Board.

A proposed 2010 Board meeting calendar will be circulated at the August meeting which in light of budget constraints will likely reflect a reduction in the number of in-person

meetings, but it is hoped that the budget will allow at least one meeting to be held on the east side of the state. In addition, the Board will continue its efforts to involve persons knowledgeable and interested in the professional guardian field, including CPGs on work groups and ad hoc committees and will make special efforts to request volunteers from Eastern and Central Washington. Judge Prochnau also reported that she has been working with staff on proposals for education sessions on guardianship issues for the 2010 Spring Judicial Conference, including a proposal with a professional guardian as suggested presenter.

### **EXECUTIVE SESSION**

The Board adjourned to executive session to consider the proposed Agreement Regarding Discipline.

### **OPEN SESSION**

The Board reconvened in open session and took the following action:  
*In the Matter of Fiduciary Services Foundation, CPGA NO. 5135 and Owen Wales, CPG No. 5314, CPGB No. 2005-009*, it was moved and seconded to adopt the Agreement Regarding Discipline as presented.

### **ADJOURN**

Judge Prochnau adjourned the meeting at approximately 8:50 a.m.

Respectfully submitted,

Judge Prochnau  
Sharon Eckholm

Board Approved: August 10, 2009