



**Certified Professional Guardianship and Conservatorship Board
Regulations Committee**

Tuesday, March 26, 2024

Zoom Meeting

8:00 am – 9:00 am

Meeting Minutes

Members Present

Mr. Dan Smerken, Chair
Judge Cadine Ferguson-Brown*
Mr. William Reeves

Members Absent

Ms. Camille Minogue

Guests

Dr. K. Penney Sanders

Staff

Ms. Kay King

1. Meeting Called to Order and Roll Call

The meeting was called to order at 8:00 am.

2. Minutes from February 27, 2024 Meeting

The minutes from the meeting of February 27, 2024 were approved.

3. Scope of the Board's Authority

The Committee discussed the issue of the Board's authority after a CPGC no longer retains certification. It was noted that GR 23 is the authority that governs the Board's authority and jurisdiction over professional guardianship and conservatorship practice. GR 23 sets forth the following "(b) Jurisdiction. All professional guardians and conservators who practice in the state of Washington are subject to these rules and regulations. Jurisdiction shall continue whether or not the professional guardian and conservator retains certification under this rule, and regardless of the professional guardian's and conservator's residence." The question was raised whether there

**Judge Ferguson-Brown joined the meeting at 8:19 am*

should be a statute of limitations after retirement. The Committee discussed that due to the vulnerable status of individuals subject to guardianship and conservatorship, sometimes issues such as financial fraud or exploitation are discovered some time after the fact. The Disciplinary Regulations address the practical limitations regarding investigating or considering discipline after the passage of time. Regulation 501.5 states “No statute of limitation or other time limitation restricts filing a grievance or bringing a proceeding under these rules, but the passage of time since an act of misconduct occurred may be considered in determining what if any action or sanction is warranted.”

The Committee noted that any such incidences appear to be very rare, based on recent Board experience. Since GR 23 is a Supreme Court General Rule, the Supreme Court would have to determine whether any change in the Board’s jurisdiction was appropriate.

The Committee’s next meeting date will be April 23, 2024 at 8 am via Zoom.

The meeting adjourned at 9:05 am.