

Frequently Asked Questions CPG Careers

Where do I apply to become a Certified Professional Guardian?

To become a Certified Professional Guardian you apply on the Washington State Guardianship portal website at the following link:

<https://www.courts.wa.gov/guardianportal/cpg/application/index.cfm?fa=application.step1&t=g>.

What qualifications are required to become a Certified Professional Guardian?

To qualify for certification as a professional guardian, an individual applicant must:

- A. be at least 18 years of age;
- B. be of sound mind;
- C. have no felony or misdemeanor convictions involving moral turpitude;
- D. possess a degree from an accredited institution;
- E. have the required number of years of transferable experience; and
- F. demonstrate financial responsibility (all applicants are required to provide a FICO credit score and credit report).

An applicant with an associate's degree must have at least four full years' experience working in a discipline pertinent to the provision of guardianship services. An applicant with a baccalaureate degree must have at least two full years' experience working in a discipline pertinent to the provision of guardianship services. An applicant with a Masters, J.D., Ph.D., or equivalent advanced degree must have at least one full year experience working in a discipline pertinent to the provision of guardianship services. The experience must include decision-making or the use of independent judgment on behalf of others in the area of legal, financial, social services or healthcare or other disciplines pertinent to the provision of guardianship services.

What FICO credit score satisfies board certification requirements?

Certified Professional Guardian applicants are required to demonstrate that they meet specific certification requirements, including financial responsibility. In assessing financial responsibility, the Certified Professional Guardianship Board (CPGB) considers an Applicant's FICO credit score and credit report.

A FICO score of 700 or higher, meets the financial responsibility requirement. A FICO score below 650 fails to meet the financial responsibility requirement and the application will be denied. If a FICO score is between 650 and 699, the CPGB will

review the credit report and the applicant's explanation concerning their credit history to determine if the financial responsibility requirement has been met.

How does a new Certified Professional Guardian get appointed?

Because a Certified Professional Guardian (CPG) wants to be hired, he or she can approach getting guardianship appointments like a job search. He or she can send a letter of introduction, resume and a copy of their Certificate of Certification to all Title 11 Guardians at litem on the Title 11 Guardian ad Litem Registry, Elder Law Attorneys, and other Guardian's serving in the counties where they would like to serve. CPGs may also advertise their services on the web and in appropriate publications. CPGs should always be honest about their knowledge base and capabilities.

A certified professional guardian or certified professional guardian agency may include a business name in contact information and promotional materials concerning the provision of guardianship services if the materials also include the name of the CPG or CPG agency.

A certified professional guardian or certified professional guardian agency shall not make a false or misleading communication about the guardian or the guardian's services. Communication is false or misleading if it contains a material misrepresentation of fact or law, omits a fact necessary to make the communication considered as a whole not materially misleading. Materials should not include an offer to file guardianship petitions.

HOW IS A GUARDIAN PAID?

A Guardian is entitled to reasonable compensation for services provided for the benefit of the incapacitated person. Family members who serve as the court-appointed guardian often do so without compensation. A professional guardian is not a relative of the incapacitated person and receives financial compensation to carry out the statutory responsibilities given by the court.

Reasonable compensation depends on the types of service being provided. The court will review the compensation paid to the guardian in the periodic report filed by the guardian.

The guardian has a duty to conserve the estate of the incapacitated person. Accordingly, decisions to provide services and incur fees shall be made in such a way as to reflect this duty. Services requiring a minimal degree of training, skill and experience should be billed accordingly.

According to standards of practice for professional guardians, all compensation for the services and expenses of the guardian should be documented, reasonable in amount, and incurred for the incapacitated person's welfare. The guardian should not pay or advance himself/herself fees or expenses from any source except as approved by the court. The guardian should review each of the following factors in determining the reasonableness of his/her fee: (a) the necessity of the service, (b) the time required, (c) the degree of skill and experience required to perform the service, and (d) the cost of any reasonable alternative.

When requesting court approval, the guardian should disclose all compensation, fees, and expenses requested, charged, or received in a guardianship case to the court and parties entitled to notice. The guardian should maintain contemporaneous time and billings records for services which shall state: (a) date and time spent, (b) service performed, (c) the identity and job classification of the person performing the service, (d) expenses incurred, and (e) subject matter of conferences, staffing, or telephone calls of significant duration.

The duties of a guardian to an incapacitated person are not conditioned upon the person's ability to compensate the guardian.

If the guardian is also an attorney, billings shall be in accordance with RCW 11.92.180.

Often professional guardians bill in established increments – 6 or 15 min. Most bill for the services provided and travel. The services provided often include the following:

- paying bills;
- applying for services;
- responding to phone calls, and e-mails from family, friends, neighbors and other professionals;
- completing reports;
- attending care conferences; and more.

Professional guardians may receive payment in the following manner:

Private Pay: A guardian may be paid from the estate (income, assets, savings, investments,) of the incapacitated person when funds are available. The Court may approve an hourly fee and/or a monthly fee.

Medicaid. For Incapacitated Persons who are on Medicaid, guardians are required to provide notice of a fee request to the Home and Community Services (HCS) Regional Administrator or designee. HCS has the opportunity to object to the request at a hearing. After the court has reviewed and approved the fees, they send an order to Department of Social and Health Services (DSHS) to adjust the client's participation. The amount of money the client pays for his/her cost of care is then reduced by the

monthly amount the court directed. This allows the client to use his/her income to pay the guardianship fees (by law, guardianship fees cannot be paid directly by the state, except when a public guardian provides services).

State law gives DSHS the ability to set the maximum amount of fees it will allow for guardians and attorneys. In the Washington Administrative Code (WAC) DSHS sets the maximum amount as \$175/month for guardians and \$600 for costs and attorney fees over a three year period. To pay guardians for occasionally performing “extraordinary” services, the WAC gives the court discretion to award “just and reasonable” fees for more than the \$175.

Public Guardianship Program: Public guardians are paid under contract with the Office of Public Guardianship. They are paid a flat monthly rate per appointment.

Pro Bono: Sometimes individuals needing guardianships do not fit into any of the categories above and are unable to pay. In these cases, professional guardians sometimes agree to accept an appointment with no expectation of receiving payment.

How much can a CPG expect to make?

The income of a certified professional guardian is based on several factors: (1) number of appointments; (2) caseload mix of private pay, Medicaid, pro-bono and alternatives to guardianship; (3) expertise; and (4) number of hours the CPG is willing to work.

Can a CPG expect to get full-time work?

If a CPG develops and maintains a reputation for providing exceptional service, full-time work is possible. Most CPGs do not obtain certification and immediately have a full caseload. With some exceptions, it takes time to build a practice. The goal is to accept only work you are qualified to perform. Don’t over promise or overreach. Hone your skills over time. Accepting more cases than you can professionally serve exposes you, and most importantly the persons you serve to unnecessary and unreasonable risk.

What are the different ways you can operate as a CPG? (e.g. sole practitioner, work at an agency)

Providing guardianship services is a business. Thus, a CPG operates much like any other business. Possible business structures include sole practitioner, professional agency, Partnership, Limited Liability Corporation (LLC), and Limited Liability Partnership. A CPG can also be an employee of one of the structures listed above. There are larger agencies, typically in urban or suburban settings that employ

specialists (case management, financial, property management) who will employ CPG's to perform guardianship tasks.

What are the typical start-up costs for a new CPG? How much is insurance annually?

Start-up cost can be great or small depending on your current situation and your wishes. You can start small and work from home using items you probably own, or you can go bigger and open an office with all the bells and whistles. A range of start-up costs is provided below:

Capital Costs (one-time start-up costs)	
Technology <i>Computer, Printer, Software, Smartphone</i>	0 to 5000
Furniture	0 to 3000
Ongoing Expense (annual)	
Fiduciary Insurance	3000 to 4000
Office Space	0 to 2000
Utilities	500 to 1200
Phone, Internet	100 to 300
Continuing Education	400 to 1200
Recertification	250 to 350
Auto/Fuel	Variable
Other Insurance (building, auto)	Variable

What is a Title 11 Guardian ad Litem (GAL)?

A GAL is a person who is qualified and accepted onto a list at the county superior court and who is appointed by the court to investigate the necessity and alternatives for appointment of a guardian in a case where a petition for guardianship has been filed. The GAL makes a recommendation to the court about the need for guardianship or alternatives and the suitability of the proposed guardian.

How do you become a GAL?

RCW 11.88.090(4)(a) requires each county to develop and maintain a registry of persons who are willing and qualified to serve as Guardians ad Litem in guardianship matters. To be eligible for a Guardian ad Litem Registry a person must present a written statement outlining his or her background and qualifications. This statement referred to as a “Statement of Qualifications” must include, but is not limited to, the following information:

- (A) Level of formal education;
- (B) Training related to the GAL’s duties;
- (C) Number of years’ experience as a GAL;
- (D) Number of appointments as a GAL and the county or counties of appointment;
- (E) Criminal history means a list of a defendant’s prior convictions and juvenile adjudications, whether in this state, in federal court, or elsewhere.
- (F) Evidence of the GAL’s knowledge, training, and experience in each of the following: needs of impaired elderly people, physical disabilities, mental illness, developmental disabilities, and other areas relevant to the needs of incapacitated persons, legal procedures, and the requirements of Chapters 11.88 and 11.92 RCW.

The Statement of Qualifications must also include the names of any counties in which the person was removed from a Guardian ad Litem Registry pursuant to a grievance action, and the name of the court and the case number of any case in which the court has removed the person for cause.

A GAL must also complete the model training developed by DSHS.

For more information, click on the following hyperlink:

http://www.courts.wa.gov/committee/?fa=committee.home&committee_id=105

Can an individual serve as a Guardian ad litem and a Certified Professional Guardian?

Yes, but care should be taken to avoid actual and potential conflicts of interest. A GAL should never serve as both the GAL and the CPG in the same guardianship.

How does being a CPG in an urban area differ from in a rural area?

More social services and medical resources are available in urban and suburban areas as compared to rural areas. In some ways the ability to assist an individual in a guardianship is greater. That said, there may be more of a sense of community in rural areas and residents may be more willing to get involved and provide assistance. There are probably fewer opportunities to obtain guardianship appointments in rural areas and clients are probably separated by more distance; therefore, one's ability to earn a living will be impacted.

Can I get a more explicit explanation of this part of the CPG experience requirement:

“XX years of experience working in a discipline pertinent to the provision of guardianship services. Experience must include decision making or the use of independent judgment for the benefit of others in at least one of the following areas law, finance, social service and health care.”

When reviewing applications and determining if an application satisfies the requirement above, the Board will try to determine if the applicant has developed skills in the performance of current or past positions that are transferable to the provision of guardianship services. An application should describe the type, scope and impact of decisions made. For example, decisions about what to wear or eat will be seen as not as significant as decisions about investments and residential choices.

What credit score satisfies board CPG certification requirements?

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