



COMPLAINT INSTRUCTIONS FOR CGC CERTIFIED GUARDIANS

The purpose of this document is to provide direction on how to file a complaint against a certified guardian of the Center for Guardianship Certification (CGC). While this document does not encompass every possible scenario, it does provide general instructions that may be helpful as a Petitioner works to share pertinent information with CGC about their certificant(s).

1. Submission Requirements.

- a. Complaints, including all attachments/exhibits, may not exceed 100 pages.
- b. Complainants can request permission to exceed the page limit if it is considered vital to the complaint by sending a request to info@guardianshipcert.org.
- c. Complaints must be typed and handwritten complaints will not be accepted.

2. Jurisdiction.

CGC does not have the ability to remove a guardian from a case. Only the court has the authority to do so. Further, CGC does not have the authority to consider a complaint against a guardian who is not certified through the organization. To verify if the guardian is certified by CGC, the person issuing the complaint must visit the CGC website at www.guardianshipcert.org and utilize the “Find a Certified Guardian” feature to determine if the guardian is certified through CGC. If the guardian’s name does not appear in the search, they are not currently certified by CGC and a complaint cannot be considered. Further, CGC cannot address a complaint against a company or agency. We can only address complaints against individuals who are certified by CGC.

3. Content of the Complaint.

If the guardian’s name appears in the CGC website search as a current certificant, a complaint may be considered. To submit a complaint to CGC, the following items must be included:

- a. Your name, address, phone number and email address
- b. Name of the certified guardian, company name (if applicable), address, phone number, and email address
- c. The specific NGA Standard(s) of Practice and/or Ethical Principal(s) that you believe has been violated. Please note that the Ethical Principles and Standards of Practice are not always requirements and that each situation may dictate different behavior. Each situation will be considered when reviewing the complaint. The specific number reference within those two NGA documents should be included in the complaint. For instance, the complaint might state the following:

The certified guardian violated NGA Standard 2.III. by not clarifying with the court questions about the meaning of the order or directions from the court before taking action.

- d. The facts that demonstrate the criteria noted in “c” above was violated. This might be stated within the complaint as follows:

The certified guardian did not understand the court’s instruction regarding finding a least restrictive residential living situation. This was evidenced when the certified guardian placed “name of person” in a facility that limited their ability to come and go as they pleased. When questioned, the certified guardian responded that they did not understand that the court was directing them to put the person in a residence where they could roam about freely.

- e. Supporting documentation proving the allegations being made. This could be in the form of court documents/transcripts, reports from Adult Protective Services, letters from physicians or other professionals involved in the person’s care, court monitors, and others. This could be presented as follows:

Attached to this complaint is an email from the certified guardian that shows they did not understand the court’s instructions. Also attached is a letter from the person’s physician which notes the person does not have any incapacity that would require them to be placed in a strict residential setting.

4. Additional Considerations and Instructions.

- a. Complaints should be clear, thoughtful, and organized.
- b. Complaints should connect the facts directly to the alleged violation in a logical manner. Do not assume CGC will be able to do that for you.
- c. You may email the complaint, but any e-media sent will not be reviewed. Do not include any jump drives, disks or e-media with the complaint.
- d. Keep the complaint to the current situation and only reference experiences related to that complaint and the protected person. Using personal experiences when dealing with another situation, guardian, or protected person should not be incorporated into the complaint.
- e. The complaint must be limited to the specific behavior of the certified guardian within the context of your complaint. Including letters supporting your complaint from others who happen to have worked with the certified guardian cannot be considered. For instance, if an protected person is served by the same certified guardian and a family member of that protected person wants to share their experience, they should file a separate complaint and include their evidence of criteria violated.
- f. Phone calls to discuss a complaint, a decision of a PRB, a decision of an Appeals Board, or anything else related to a complaint or a decision cannot be answered by the staff.