

## **Certified Guardians and Guardianship Programs**

### **Sanction Matrix**

Under Texas Government Code Section 153.004, the Judicial Branch Certification Commission (Commission) may reprimand, deny, revoke, suspend, or refuse to renew a certification, registration, or license of a regulated persons, including guardians and guardianship programs, certified by the Commission, for a violation of applicable statutes, rules, and ethical standards, and/or orders issued by the director or Commission. The Commission may place on probation a person whose certification, registration, or license is suspended and may require the person: (1) report regularly to the Commission on matters that are the basis of the probation; (2) limit practice to areas prescribed by the Commission; or (3) continue or review professional education until the person attains a degree of skill satisfactory to the Commission in those areas that are the basis for the probation. Per Texas Government Code Sections 153.051-.052, the Commission is also authorized to issue administrative penalties for such violations in the maximum amount of \$500. Each day a violation continues or occurs is a separate violation for purposes of imposing an administrative penalty.

The Sanctions Matrix provides general guidelines for the Guardianship Certification Complaint Review Committee (Committee) and the Commission for imposing sanctions and administrative penalties. The Commission and the Committee are not bound by the sanctions specified in this Sanctions Matrix. Upon a finding of mitigating or aggravating facts or circumstances, the Commission and Committee may deviate from these guidelines.

The sanction and/or administrative penalty may be based on:

- The seriousness of the violation, including the nature, circumstances, extent, and gravity of the violation;
- The threat to health or safety caused by the violation;
- Any previous violations;
- The amount necessary to deter a future violation;
- Whether the violator demonstrated good faith, including, when applicable, whether the violator made good faith efforts to correct the violation; and
- Any other matter that justice requires.

<b>Violation</b>	<b>Section</b>	<b>Suggested Sanction</b>
Failing to encourage the development or maintenance of maximum independence and self-reliance of the ward to the extent consistent with the ward's health and safety and financial circumstances, with the eventual goal, if possible, of self-sufficiency	Code of Ethics 1 <i>Ward's Independence and Self-Reliance Promoted</i>	6-month probated suspension and completion of a continuing education course in the basics of guardianship duties in addition to the continuing education requirements for recertification
Failing to exhibit the highest degree of loyalty and fidelity in the guardian's relations with the ward	Code of Ethics 2 <i>Fiduciary Relationship</i>	1-year suspension and completion of a continuing education course in the basics of guardianship duties in addition to the continuing education requirements for recertification
Failing to treat information relating to a ward under the guardian's care as confidential or disclosing confidential information about the ward in violation of the requirements of Code of Ethics 3	Code of Ethics 3 <i>Confidentiality</i>	6-month probated suspension and completion of 2 hours of continuing education in ethics in addition to the continuing education requirements for recertification
Failing to disclose information about the ward's condition to family and friends of the ward or to an appropriate government entity, when not inconsistent with the ward's direction and best interests, or to the extent necessary to respond to a complaint or investigation	Code of Ethics 3 <i>Confidentiality</i>	3-month probated suspension and completion of a continuing education course in the basics of guardianship duties in addition to the continuing education requirements for recertification
Failing to inform the ward's spouse, parents, siblings, and children about the ward's health and residence in accordance with Estates Code Section 1151.056, unless a court relieves the guardian of the duty per Estates Code Section 1151.056	Code of Ethics 3 <i>Confidentiality</i>	3-month probated suspension and completion of a continuing education course in the basics of guardianship duties in addition to the continuing education requirements for recertification

Failing to act in the best interest of the ward by making decisions on behalf of a ward without striving to act in accordance with known or ascertainable preferences of the ward, unless doing so would cause substantial harm to the ward's person or property	Code of Ethics 4 <i>Ward's Preferences Generally Respected</i>	6-month suspension and completion of a continuing education course in the basics of guardianship duties in addition to the continuing education requirements for recertification
Failing to regularly visit and, to the extent feasible, confer with the ward regarding decisions to be made in and on the ward's behalf consistent with the ward's best interest	Code of Ethics 4 <i>Ward's Preferences Generally Respected</i>	6-month suspension and completion of a continuing education course in the basics of guardianship duties in addition to the continuing education requirements for recertification
Failing to confer with family and friends of the ward concerning the ward's preferences, in violation of the ward's direction and best interests	Code of Ethics 4 <i>Ward's Preferences Generally Respected</i>	3-month probated suspension and completion of a continuing education course in the basics of guardianship duties in addition to the continuing education requirements for recertification
While guardian of the person, failing to make reasonable and informed decisions about the ward's residence, care, treatment, and services	Code of Ethics 5 <i>Duty of Competence</i>	1-year suspension, \$500 administrative penalty, and completion of a continuing education course in the basics of guardianship of the estate duties in addition to the continuing education requirements for recertification
While guardian of the estate, failing to take care of and manage the estate as a prudent person would manage the person's own property unless relevant law imposes a higher standard of care	Code of Ethics 5 <i>Duty of Competence</i>	1-year revocation, \$500 administrative penalty, and completion of a continuing education course in the basics of guardianship of the estate duties in addition to the continuing education requirements for recertification
Making decisions outside of the scope of authority granted to the guardian by law or court order	Code of Ethics 5 <i>Duty of Competence</i>	1-year revocation and \$500 administrative penalty

Failing to fulfill guardianship duties in accordance with the highest degree of loyalty and fidelity	Code of Ethics 6 <i>Adherence to Role as Fiduciary</i>	1-year revocation, \$500 administrative penalty, and completion of a continuing education course in the basics of guardianship of the estate duties in addition to the continuing education requirements for recertification
Failing to strive to select a residence for the ward that represents the least restrictive environment available, both practically and financially, without regard to the ward's preferences and wellbeing	Code of Ethics 7 <i>Less Restrictive Alternatives Preferred</i>	6-month suspension, \$500 administrative penalty, and completion of a continuing education course in the basics of guardianship of the estate duties in addition to the continuing education requirements for recertification
Failing to select care, treatment, and service options that represent the least restrictive form of intervention available, both practically and financially, in decisions concerning the ward's health, without regard to the ward's preferences and wellbeing	Code of Ethics 7 <i>Less Restrictive Alternatives Preferred</i>	6-month suspension and completion of a continuing education course in the basics of guardianship of the person duties in addition to the continuing education requirements for recertification
Failing to avoid conflicts of interest and refrain from personally engaging in transactions with the ward and the ward's estate and other forms of self-dealing, except in a manner authorized by law	Code of Ethics 8 <i>Avoidance of Conflicts of Interest and Self-Dealing</i>	1-year suspension, with 6 months probated, and 4 hours of continuing education in ethics in addition to the continuing education requirements for recertification
Failing to keep the court monitoring the guardianship apprised of the guardian's and ward's current residence or location and the condition of the ward's person and estate	Code of Ethics 9 <i>Responsibility to Keep Court Apprised of Condition of Ward's Person or Property.</i>	6-month suspension and \$500 administrative penalty

Failing to seek modification of the terms of the guardianship or termination of the guardianship when appropriate to promote the independence and self-reliance of the ward	Code of Ethics 10	6-month suspension and completion of a continuing education course in the basics of guardianship of the person duties in addition to the continuing education requirements for recertification
Failing to settle and close the guardianship competently and without unnecessary delay upon termination of a guardianship	Code of Ethics 10 <i>Responsibility to Seek Modification or Termination of Guardianship</i>	6-month probated suspension and completion of a continuing education course in the basics of guardianship duties in addition to the continuing education requirements for recertification
Accepting a new appointment that substantially and adversely affects the guardian's ability to fulfill duties to any ward already under the guardian's care	Code of Ethics 11 <i>Responsibility to Manage Caseload</i>	6-month probated suspension and \$500 administrative penalty
Failing to take necessary steps to alert the court of the need for the appointment of a successor guardian when the guardian can no longer effectively perform the duties of the guardian to a ward under the guardian's care	Code of Ethics 11 <i>Responsibility to Manage Caseload</i>	1-year suspension and \$500 administrative penalty
Impermissibly delegating guardianship duties	Code of Ethics 12 <i>Duties to the Ward</i>	Reprimand to 1-year suspension and completion of a continuing education course in the basics of guardianship duties in addition to the continuing education requirements for recertification
Failing to be truthful to the Commission in all communications, including complaint investigations	Code of Ethics 13 <i>Duties to the Judicial Branch Certification Commission</i>	1-year suspension, 4 hours of continuing education in ethics in addition to the continuing education requirements for recertification
Failing to timely file accurate reports with the Commission	Code of Ethics 13 <i>Duties to the Judicial Branch Certification Commission</i>	Reprimand and \$250 administrative penalty

Failing to know or to act beyond the powers granted by the court	Minimum Standard 2(c) <i>Relationship with the Court</i>	1-year revocation and \$500 administrative penalty
Taking action based on a court order or directions without first clarifying with the court any questions about the meaning of the order or directions	Minimum Standard 2(d) <i>Relationship with the Court</i>	6-month suspension and completion of a continuing education course in the basics of guardianship duties in addition to the continuing education requirements for recertification
Failing to obtain court authorization for actions subject to court approval	Minimum Standard 2(e) <i>Relationship with the Court</i>	1-year revocation and \$500 administrative penalty
Failing to submit reports regarding the status of the guardianship to the court as ordered by the court or required by the Texas Estates Code, but not less than annually	Minimum Standard 2(f) <i>Relationship with the Court</i>	Reprimand and \$250 administrative penalty
Failing to follow applicable federal or Texas statutes, rules, and requirements for payments to the guardian from the ward's assets	Minimum Standard 2(g) <i>Relationship with the Court</i>	6-month suspension and completion of a continuing education course in the basics of guardianship duties in addition to the continuing education requirements for recertification
Failing to be truthful and candid with the court in all communications and/or legal proceedings	Minimum Standard 2(h) <i>Relationship with the Court</i>	1-year revocation, \$500 administrative penalty, and 4 hours of continuing education in addition to the continuing education requirements for recertification certification period
Failing to act in a professional manner and demonstrate respect for the court	Minimum Standard 2(i) <i>Relationship with the Court</i>	Reprimand and \$350 administrative penalty
Engaging in conduct that offends the dignity and decorum of any legal proceeding	Minimum Standard 2(j) <i>Relationship with the Court</i>	Reprimand and \$250 administrative penalty

Failing to maintain a professional relationship with the ward, including failing to treat the ward with respect, consideration, and recognition of the ward's dignity and individuality	Minimum Standard 3(a) <i>Relationship with the Ward</i>	6-month suspension and \$500 administrative penalty
Engaging in sexual relations with the ward	Minimum Standard 3(b) <i>Relationship with the Ward</i>	Permanent revocation and \$500 administrative penalty
Failing to keep the ward informed about the terms and limitations of guardianship, unless the right of the ward is limited by a court or otherwise restricted by law	Minimum Standard 3(c) <i>Relationship with the Ward</i>	3-month suspension and completion of a continuing education course in the basics of guardianship duties in addition to the continuing education requirements for recertification
Failing to provide the ward with contact information for the court, Commission, the Department of Family and Protective Services, Disability Rights Texas, and other state and local agencies and organizations, which provide resources on aging, disability, mental health, and intellectual and developmental disabilities, unless the right of the ward is limited by a court or otherwise restricted by law	Minimum Standard 3(d) <i>Relationship with the Ward</i>	3-month probated suspension and \$500 administrative penalty
Failing to maintain a professional relationship with the ward's family and the ward's friends	Minimum Standard 4(a) <i>Relationship with Family Members and Friends of the Ward</i>	3-month probated suspension and \$500 administrative penalty
Failing to recognize the value of family and friends to the quality of life of the ward when doing so benefits the ward	Minimum Standard 4(b) <i>Relationship with Family Members and Friends of the Ward</i>	6-month probated suspension and \$500 administrative penalty

Failing to assist the ward in maintaining or reestablishing relationships with family and friends, except when doing so would not be of benefit to the ward	Minimum Standard 4(c) <i>Relationship with Family Members and Friends of the Ward</i>	6-month probated suspension and \$500 administrative penalty
When disposing of the ward's assets, failing to notify family members and friends and give them the opportunity, with court approval and in compliance with the Texas Estates Code, to obtain assets (particularly those with sentimental value)	Minimum Standard 4(d) <i>Relationship with Family Members and Friends of the Ward</i>	6-month probated suspension and \$500 administrative penalty
Failing to make reasonable efforts to preserve property designated in the ward's will and other estate planning devices executed by the ward, unless, subject to the court's approval, the present needs of the ward are not covered by other property and have priority over preservation of designated property	Minimum Standard 4(e) <i>Relationship with Family Members and Friends of the Ward</i>	6-month probated suspension and completion of a continuing education course in the basics of guardianship duties in addition to the continuing education requirements for recertification
Failing to maintain communication with the ward's family and friends regarding significant occurrences that affect the ward when that communication would benefit the ward	Minimum Standard 4(f) <i>Relationship with Family Members and Friends of the Ward</i>	6-month probated suspension and \$350 administrative penalty



Failing to make reasonable efforts to notify the ward's spouse, parents, siblings, children (if known), if the ward is admitted in a medical facility for acute care for three days or longer; the ward's residence has changed; or the ward is staying at a location other than the ward's residence for longer than a week, unless the court relieves the guardian of the duty to do so in accordance with Section 1151.056 of the Estates Code	Minimum Standard 4(g) <i>Relationship with Family Members and Friends of the Ward</i>	6-month probated suspension and \$350 administrative penalty
Failing to keep immediate family members and friends advised of all pertinent medical issues when doing so would benefit the ward	Minimum Standard 4(h) <i>Relationship with Family Members and Friends of the Ward</i>	6-month probated suspension and \$350 administrative penalty
Failing to inform the ward's spouse, parents, siblings, and children if the ward dies and, in the event of the ward's death, of any funeral arrangements and the ward's final resting place, unless the court relieves the guardian of the duty to do so in accordance with Section 1151.056 Texas Estates Code	Minimum Standard 4(i) <i>Relationship with Family Members and Friends of the Ward</i>	1-year revocation and \$500 administrative penalty
Failing to be truthful and candid in all communications with the ward's family and friends, unless doing so would not be in the ward's best interest	Minimum Standard 4(j) <i>Relationship with Family Members and Friends of the Ward</i>	1-year suspension and 4 hours of continuing education in ethics in addition to the continuing education requirements for recertification
Failing to treat all professionals and service providers with courtesy and respect and failing to strive to enhance cooperation on behalf of the ward	Minimum Standard 5(a) <i>Relationship with Other Professionals and Providers of Service to the Ward</i>	Reprimand and \$250 administrative penalty

Failing to develop and stay current with the services, providers, facilities, and community resources to ensure that the ward receives high-quality services from the most appropriate provider	Minimum Standard 5(b) <i>Relationship with Other Professionals and Providers of Service to the Ward</i>	\$250 administrative penalty and completion of a continuing education course in the basics of guardianship duties in addition to the continuing education requirements for recertification
Failing to coordinate and monitor services needed by the ward to ensure that the ward is receiving the appropriate care and treatment	Minimum Standard 5(c) <i>Relationship with Other Professionals and Providers of Service to the Ward</i>	6-month probated suspension and completion of a continuing education course in the basics of guardianship duties in addition to the continuing education requirements for recertification
Providing direct services to the ward for compensation without a written contract approved by the court, which authorizes the provision of such services	Minimum Standard 5(c) <i>Relationship with Other Professionals and Providers of Service to the Ward</i>	1-year probated suspension and completion of 4 hours of continuing education course in addition to the continuing education requirements for recertification
Failing to engage the services of professionals (such as attorneys, accountants, stockbrokers, real estate agents, doctors) as necessary to appropriately meet the needs of the ward and in compliance with the Texas Estates Code	Minimum Standard 5(d) <i>Relationship with Other Professionals and Providers of Service to the Ward</i>	6-month probated suspension and completion of a continuing education course in the basics of guardianship duties in addition to the continuing education requirements for recertification
Failing to avoid even the appearance of a conflict of interest or impropriety when dealing with the needs of the ward.	Minimum Standard 5(e) <i>Relationship with Other Professionals and Providers of Service to the Ward</i>	6-month probated suspension and 4 hours of continuing education in ethics in addition to the continuing education requirements for recertification
Failing to be truthful and candid in all communications with professionals and service providers	Minimum Standard 5(f) <i>Relationship with Other Professionals and Providers of Service to the Ward</i>	6-month suspension and 4 hours of continuing education in addition to the continuing education requirements for recertification
Failing to act in a professional manner with professionals and service providers	Minimum Standard 5(g) <i>Relationship with Other Professionals and Providers of Service to the Ward</i>	Reprimand and \$250 administrative penalty

Failing to enable the ward to exercise the ward's right to make informed consent decisions to the greatest extent of the ward's capacity and ability.	Minimum Standard 6(a) <i>Informed Consent</i>	6-month suspension and completion of a continuing education course in the basics of guardianship duties in addition to the continuing education requirements for recertification
Failing to annually explain the rights of the ward listed in Section 1151.351, Texas Estates Code, in the ward's native language, or preferred mode of communication, and in a manner accessible to the ward, unless this right of the ward is limited by a court or otherwise restricted by law	Minimum Standard 6(a) <i>Informed Consent</i>	Reprimand and \$500 administrative penalty
Failing to provide the ward a copy of the guardianship order, letters of guardianship, contact information for the court that issued the letters, contact information for the Commission, and other entities required by Section 1151.351 of the Texas Estates Code, unless this right of the ward is limited by a court or otherwise restricted by law	Minimum Standard 6(b) <i>Informed Consent</i>	Reprimand and \$500 administrative penalty
Failing, while standing in the place of the ward who lacks capacity, to access the same information that would have been given to the ward if the ward had capacity in order to make informed substituted judgments on behalf of the ward	Minimum Standard 6(c) <i>Informed Consent</i>	6-month probated suspension and \$500 administrative penalty

Failing to make a good faith effort to determine whether the ward has previously stated any preferences before making any decisions on the ward's behalf and then follow these preferences unless doing so would adversely affect the ward or the ward's estate	Minimum Standard 6(d) <i>Informed Consent</i>	6-month probated suspension and \$500 administrative penalty
Failing to make decisions that are contrary to the known preferences of the ward when following the ward's wishes would adversely affect the ward	Minimum Standard 6(e) <i>Informed Consent</i>	1-year suspension and \$500 administrative penalty
Failing to make an informed decision based on the principle of informed consent	Minimum Standard 7(a) <i>Standards for Decision-Making</i>	1-year suspension and \$500 administrative penalty
Using substituted judgment when following the ward's wishes causes substantial harm to the ward or when the guardian cannot establish the ward's prior wishes	Minimum Standard 7(b)(3) <i>Standards for Decision-Making</i>	1-year suspension and \$500 administrative penalty
Failing to consider the least intrusive, most normalizing, and least restrictive course of action possible to provide for the needs of the ward, in violation of the ward's best interest	Minimum Standard 7(c)(2) <i>Standards for Decision-Making</i>	6-month suspension, \$500 administrative penalty, and completion of a continuing education course in the basics of guardianship duties in addition to the continuing education requirements for recertification
Causing substantial harm to the ward in violation of the ward's best interest by following the ward's wishes or when the guardian is unable to establish the ward's prior or current wishes	Minimum Standard 7(c)(3) <i>Standards for Decision-Making</i>	1-year revocation, \$500 administrative penalty, and completion of a continuing education course in the basics of guardianship duties in addition to the continuing education requirements for recertification

Failing to consider the ward's current and previously expressed wishes.	Minimum Standard 7(c)(3) <i>Standards for Decision-Making</i>	6-month suspension, \$500 administrative penalty, and completion of a continuing education course in the basics of guardianship duties in addition to the continuing education requirements for recertification
Failing to carefully evaluate the alternatives that are available and choose the one that best meets the needs of the ward and which place the least restrictions on his or her freedom, rights, and ability to control his or her environment	Minimum Standard 8(a) <i>Least Restrictive Alternative</i>	6-month probated suspension and completion of a continuing education course in the basics of guardianship duties in addition to the continuing education requirements for recertification
Failing to weigh the risks and benefits and develop a balance between maximizing the independence and self-determination of the ward and maintaining the ward's protection and safety when determining the least restrictive alternative available for the ward	Minimum Standard 8(b) <i>Least Restrictive Alternative</i>	6-month probated suspension and completion of a continuing education course in the basics of guardianship duties in addition to the continuing education requirements for recertification
Failing to become familiar with the available options for residence, care, medical treatment, vocational training, and education when determining the least restrictive alternative available for the ward	Minimum Standard 8(c)(1) <i>Least Restrictive Alternative</i>	6-month probated suspension and completion of a continuing education course in the basics of guardianship duties in addition to the continuing education requirements for recertification
Failing to make a good faith effort to know the ward's preferences when determining the least restrictive alternative available for the ward	Minimum Standard 8(c)(2) <i>Least Restrictive Alternative</i>	6-month probated suspension and completion of a continuing education course in the basics of guardianship duties in addition to the continuing education requirements for recertification

Failing to consider assessments of the ward's needs as determined by specialists.	Minimum Standard 8(c)(3) <i>Least Restrictive Alternative</i>	6-month probated suspension and completion of a continuing education course in the basics of guardianship duties in addition to the continuing education requirements for recertification
Failing to provide the ward with every opportunity to exercise those rights that the ward might be capable of exercising as they relate to the care of the ward's person	Minimum Standard 9(a) <i>Self-Determination of the Ward</i>	6-month probated suspension and completion of a continuing education course in the basics of guardianship duties in addition to the continuing education requirements for recertification
Failing to encourage the development or maintenance of maximum self-reliance and independence of the ward	Minimum Standard 9(b) <i>Self-Determination of the Ward</i>	6-month probated suspension and completion of a continuing education course in the basics of guardianship duties in addition to the continuing education requirements for recertification
Failing to advocate for individualized planning and the least restrictive alternative on behalf of the ward	Minimum Standard 9(c) <i>Self-Determination of the Ward</i>	6-month probated suspension and completion of a continuing education course in the basics of guardianship duties in addition to the continuing education requirements for recertification
Failing to make a good faith effort to determine the extent to which the ward identifies with a particular ethnic, religious, gender, sexual orientation or identity, cultural, and personal values and to make decisions consistent with these values	Minimum Standard 10 <i>Duties Regarding Diversity and Personal Preference of the Ward</i>	6-month probated suspension and completion of a continuing education course in the basics of guardianship duties of the person in addition to the continuing education requirements for recertification
Failing to keep the affairs of the ward confidential, subject to state and federal law	Minimum Standard 11(a) <i>Confidentiality</i>	6-month probated suspension and completion of a continuing education course in the basics of guardianship duties in addition to the continuing education requirements for recertification

Failing to respect the ward's privacy and dignity, especially when the disclosure of information is necessary	Minimum Standard 11(b) <i>Confidentiality</i>	6-month probated suspension and \$500 administrative penalty
Failing to limit the disclosure of information to what is necessary and relevant to the issue being addressed in the best interest of the ward	Minimum Standard 11(c) <i>Confidentiality</i>	Reprimand and completion of a continuing education course in the basics of guardianship duties of the person in addition to the continuing education requirements for recertification
Authorizing moving the ward to a more restrictive environment without evaluating other medical and health care options and without making an independent determination that the move is the least restrictive alternative at the time, fulfills the current needs of the ward, and serves the overall best interest of the ward, unless the order of appointment provides otherwise	Minimum Standard 12(a)(1) <i>Duties of the Guardian of the Person</i>	6-month suspension and completion of a continuing education course in the basics of guardianship duties of the person in addition to the continuing education requirements for recertification
Basing a decision to place a ward in an involuntary or long-term placement in an institutional setting without considering minimizing the risk of substantial harm to the ward, obtaining the most appropriate placement possible, and securing the best treatment for the ward, unless the order of appointment provides otherwise	Minimum Standard 12(a)(2) <i>Duties of the Guardian of the Person</i>	1-year revocation and completion of a continuing education course in the basics of guardianship duties of the person in addition to the continuing education requirements for recertification
Failing to ensure that provision is made for the support, care, comfort, health, and maintenance of the ward	Minimum Standard 12(b) <i>Duties of the Guardian of the Person</i>	1-year revocation and completion of a continuing education course in the basics of guardianship duties of the person in addition to the continuing education requirements for recertification

Failing to make reasonable efforts to secure for the ward medical, psychological, therapeutic, and social services, training, education, and social and vocational opportunities that are appropriate and that will maximize the ward's potential for self-reliance and independence	Minimum Standard 12(c) <i>Duties of the Guardian of the Person</i>	1-year probated suspension and completion of a continuing education course in the basics of guardianship duties of the person in addition to the continuing education requirements for recertification
Failing to seek specific judicial authority when the dissolution of a marriage or another extraordinary circumstance is being addressed	Minimum Standard 12(d) <i>Duties of the Guardian of the Person</i>	6-month revocation and completion of a continuing education course in the basics of guardianship duties of the person in addition to the continuing education requirements for recertification
Failing to file with the court, on a timely basis but not less often than annually, all reports required by the Texas Estates Code or as ordered by the court	Minimum Standard 12(e) <i>Duties of the Guardian of the Person</i>	6-month probated suspension and \$250 administrative penalty
Failing to petition the court for modification or termination of the guardianship when the ward's capacity is partially or completely restored	Minimum Standard 12(f) <i>Duties of the Guardian of the Person</i>	5-year revocation, \$500 administrative penalty, and completion of a continuing education course in the basics of guardianship duties of the guardian of the person in addition to the continuing education requirements for recertification
Failing to address all issues of the ward that require immediate action after appointment as guardian of the person	Minimum Standard 13(a)(1) <i>Guardian of the Person: Initial and Ongoing Responsibilities</i>	6-month suspension and completion of a continuing education course in the basics of guardianship duties of the person in addition to the continuing education requirements for recertification



Failing to meet with the ward as soon after the appointment as guardian of the person as is feasible	Minimum Standard 13(a)(2) <i>Guardian of the Person: Initial and Ongoing Responsibilities</i>	Reprimand and a \$500 administrative penalty
Failing to communicate to the ward the role of the guardian at the guardian's first meeting with the ward, to the extent possible given the ward's capacity to comprehend and communicate	Minimum Standard 13(a)(2)(A) <i>Guardian of the Person: Initial and Ongoing Responsibilities</i>	6-month probated suspension and completion of a continuing education course in the basics of guardianship duties of the guardian of the person in addition to the continuing education requirements for recertification
Failing to explain the rights retained by the ward at the guardian's first meeting with the ward, to the extent possible given the ward's capacity to comprehend and communicate	Minimum Standard 13(a)(2)(B) <i>Guardian of the Person: Initial and Ongoing Responsibilities</i>	6-month probated suspension and completion of a continuing education course in the basics of guardianship duties of the guardian of the person in addition to the continuing education requirements for recertification
Failing to deliver a copy of the guardianship order, letters of guardianship, a copy of the Bill of Rights for Wards, Subchapter H, Chapter 1151, Texas Estates Code, and contact information for the court that issued the order and letters at the first meeting with the ward, unless this right of the ward is limited by a court or otherwise restricted by law	Minimum Standard 13(a)(2)(C) <i>Guardian of the Person: Initial and Ongoing Responsibilities</i>	Reprimand and \$350 administrative penalty
Failing to provide the ward contact information for regulatory agencies and resource organizations as required by Section 1151.351, Texas Estates Code at the first meeting with the ward, unless this right of the ward is limited by a court or otherwise restricted by law	Minimum Standard 13(a)(2)(D) <i>Guardian of the Person: Initial and Ongoing Responsibilities</i>	Reprimand and \$350 administrative penalty

Failing to assess the ward's physical and social situation, the ward's educational, vocational, and recreational needs, the ward's preferences, and the support systems available to the ward	Minimum Standard 13(a)(2)(E) <i>Guardian of the Person: Initial and Ongoing Responsibilities</i>	6-month probated suspension and completion of a continuing education course in the basics of guardianship duties of the guardian of the person in addition to the continuing education requirements for recertification
Failing to attempt to gather any missing necessary information regarding the ward	Minimum Standard 13(a)(2)(F) <i>Guardian of the Person: Initial and Ongoing Responsibilities</i>	Reprimand and completion of a continuing education course in the basics of guardianship duties of the person in addition to the continuing education requirements for recertification
Failing to notify relevant agencies and individuals of the appointment of a guardian by providing them a letter of guardianship	Minimum Standard 13(a)(3) <i>Guardian of the Person: Initial and Ongoing Responsibilities</i>	Reprimand
Failing to obtain all public benefits for which the ward is eligible and are appropriate to the ward's best interest and maintain documentation of all efforts to do so	Minimum Standard 13(b) <i>Guardian of the Person: Initial and Ongoing Responsibilities</i>	3-month probated suspension and completion of a continuing education course in the basics of guardianship duties of the person in addition to the continuing education requirements for recertification
Failing to establish and maintain contact with the guardian of the estate or other fiduciary of the ward, where appropriate, and get advance written authorization for expenditures for which the guardian will seek reimbursement or failing to obtain an order from the court to expend funds on behalf of the wards to the extent permitted by Section 1151.0525 of the Estates Code	Minimum Standard 13(c) <i>Guardian of the Person: Initial and Ongoing Responsibilities</i>	3-month suspension, \$500 administrative penalty, and completion of a continuing education course in the basics of guardianship duties of the person in addition to the continuing education requirements for recertification,

Failing to develop and monitor a written guardianship plan setting forth short-term and long-term goals for meeting the ward's needs that are addressed in the guardianship order	Minimum Standard 13(d) <i>Guardian of the Person: Initial and Ongoing Responsibilities</i>	Reprimand and completion of a continuing education course in the basics of guardianship duties of the person in addition to the continuing education requirements for recertification
Failing to use a multidisciplinary approach to address medical, psychiatric, social, vocational, educational, training, residential, and recreational needs of the ward as applicable and appropriate	Minimum Standard 13(d)(1) <i>Guardian of the Person: Initial and Ongoing Responsibilities</i>	Reprimand and completion of a continuing education course in the basics of guardianship duties of the person in addition to the continuing education requirements for recertification
Failing to address whether the ward's finances and budget are in line with the services the ward needs and are flexible enough to deal with the changing status of the ward or failing to note when the resources are insufficient to meet the needs of the ward	Minimum Standard 13(d)(2) <i>Guardian of the Person: Initial and Ongoing Responsibilities</i>	Reprimand and completion of a continuing education course in the basics of guardianship duties of the person in addition to the continuing education requirements for recertification
Failing note wherever the resources available are insufficient to meet the ward's identified needs	Minimum Standard 13(d)(2) <i>Guardian of the Person: Initial and Ongoing Responsibilities</i>	Reprimand, \$500 administrative penalty, and completion of a continuing education course in the basics of guardianship duties of the person in addition to the continuing education requirements for recertification
Failing to immediately or as soon as possible address short-term goals	Minimum Standard 13(d)(2) <i>Guardian of the Person: Initial and Ongoing Responsibilities</i>	Reprimand and \$350 administrative penalty
Failing to monitor long-term goals	Minimum Standard 13(d)(2) <i>Guardian of the Person: Initial and Ongoing Responsibilities</i>	Reprimand and \$350 administrative penalty
Failing to annually update a written guardianship plan.	Minimum Standard 13(d)(4) <i>Guardian of the Person: Initial and Ongoing Responsibilities</i>	Reprimand and \$350 administrative penalty
Failing to maintain a separate file for each ward	Minimum Standard 13(e) <i>Guardian of the Person: Initial and Ongoing Responsibilities</i>	Reprimand and \$250 administrative penalty

Failing to include in a ward's file information required by Minimum Standard 13(e)	Minimum Standard 13(e)(1)-(13) <i>Guardian of the Person: Initial and Ongoing Responsibilities</i>	Reprimand and \$250 administrative penalty
Failing to visit the ward not less often than monthly, consistent with the requirements of Minimum Standard 13(f)(1) to 13(f)(7), unless otherwise ordered by the court	Minimum Standard 13(f)(1) to (7) <i>Guardian of the Person: Initial and Ongoing Responsibilities</i>	6-month probated suspension and \$350 administrative penalty
Failing to promote, monitor, and maintain the ward's health and wellbeing	Minimum Standard 14(a) <i>Decision-Making About Medical Treatment</i>	1-year suspension and \$500 administrative penalty
Failing to ensure that all reasonably available medical care necessary for the ward is provided	Minimum Standard 14(b) <i>Decision-Making About Medical Treatment</i>	1-year suspension and \$500 administrative penalty
Failing to make a good faith effort to determine whether the ward, before becoming incapacitated, executed any advance directives, such as a living will, a durable power of attorney, or any other specific written or oral declaration of intent or on finding such documents, failing to consider the ward's wishes in the decision-making process.	Minimum Standard 14(c) <i>Decision-Making About Medical Treatment</i>	3-month probated suspension and \$350 administrative penalty
Failing to make decisions about withholding or withdrawing medical treatment in accordance Minimum Standard 14(a)-(c) unless restricted by court order appointing the guardian	Minimum Standard 14(d) <i>Decision-Making About Medical Treatment</i>	5-year revocation and \$500 administrative penalty
Failing to explore treatment options in medical interventions posing a significant risk to the ward, subject to available local and financial resources	Minimum Standard 14(e) <i>Decision-Making About Medical Treatment</i>	5-year revocation and \$500 administrative penalty

Failing to avoid even the appearance of impropriety when dealing with the needs of the ward	Minimum Standard 15(a) <i>Conflict of Interest: Ancillary and Support Services</i>	Reprimand and \$350 administrative penalty
Failing to immediately disclose in writing to the court the existence and nature of the conflict of interest, if the guardian becomes aware or is made aware that a conflict of interest exists in the guardian's relationship with a ward	Minimum Standard 15(b) <i>Conflict of Interest: Ancillary and Support Services</i>	6-month probated suspension, \$500 administrative penalty, and completion of 4 hours of continuing education in ethics in addition to the continuing education requirements for recertification
Directly providing housing, medical, or other direct services to the ward, unless authorized by court order, or the guardian is the Health and Human Services Commission or a guardianship program.	Minimum Standard 15(c) <i>Conflict of Interest: Ancillary and Support Services</i>	6-month suspension, \$500 administrative penalty, and completion of 4 hours of continuing education in ethics in addition to the continuing education requirements for recertification
Providing all necessary services to the ward directly rather than coordinating and assuring the provision of all necessary services	Minimum Standard 15(c)(1) <i>Conflict of Interest: Ancillary and Support Services</i>	6-month suspension, \$500 administrative penalty, and completion of 4 hours of continuing education in ethics in addition to the continuing education requirements for recertification
Failing to be independent from all service providers, such that the guardian is not free to challenge inappropriate or poorly delivered services and to advocate vigorously on behalf of the ward	Minimum Standard 15(c)(2) <i>Conflict of Interest: Ancillary and Support Services</i>	6-month probated suspension, \$500 administrative penalty, and completion of 4 hours of continuing education in ethics in addition to the continuing education requirements for recertification

Employing friends or family to provide services for a profit or fee to the ward, unless no alternative is available and the guardian discloses the arrangement to the court in writing	Minimum Standard 15(d) <i>Conflict of Interest: Ancillary and Support Services</i>	6-month probated suspension, \$500 administrative penalty, and completion of 4 hours of continuing education in ethics in addition to the continuing education requirements for recertification
Soliciting or accepting incentives from service providers	Minimum Standard 15(e) <i>Conflict of Interest: Ancillary and Support Services</i>	Reprimand and completion of 4 hours of continuing education in ethics in addition to the continuing education requirements for recertification
Failing to select ancillary or support providers that best meet the needs of the ward	Minimum Standard 15(f) <i>Conflict of Interest: Ancillary and Support Services</i>	3-month probated suspension and \$350 administrative penalty
Failing to maintain and manage the ward's estate as a prudent person would manage the person's own property consistent with a fiduciary's duties and responsibilities set forth in the Texas Estates Code	Minimum Standard 16(a) <i>Duties of the Guardian of the Estate</i>	1-year revocation and completion of a continuing education course in the basics of guardianship duties of the estate in addition to the continuing education requirements for recertification
Failing to supervise all income and disbursements of the estate in accordance with the Texas Estates Code	Minimum Standard 16(b) <i>Duties of the Guardian of the Estate</i>	6-month suspension and completion of a continuing education course in the basics of guardianship duties of the estate in addition to the continuing education requirements for recertification
Failing to manage the estate only for the benefit of the ward	Minimum Standard 16(c) <i>Duties of the Guardian of the Estate</i>	6-month suspension and completion of 4 hours of continuing education in ethics in addition to the continuing education requirements for recertification
Failing to safeguard estate assets by keeping accurate records of all transactions and be able to fully account for all the assets in the estate	Minimum Standard 16(d) <i>Duties of the Guardian of the Estate</i>	6-month suspension and completion of a continuing education course in the basics of guardianship duties of the estate in addition to the continuing education requirements for recertification

Failing to keep estate money separate from the guardian's personal money	Minimum Standard 16(e) <i>Duties of the Guardian of the Estate</i>	6-month suspension and completion of 4 hours of continuing education in ethics in addition to the continuing education requirements for recertification
Failing to keep the money of individual estates separate	Minimum Standard 16(f) <i>Duties of the Guardian of the Estate</i>	6-month suspension and \$500 administrative penalty
Failing to make claims against others on behalf of the estate as deemed in the best interest of the ward	Minimum Standard 16(g) <i>Duties of the Guardian of the Estate</i>	6-month suspension and completion of a continuing education course in the basics of guardianship duties of the estate in addition to the continuing education requirements for recertification
Failing to defend against actions that would result in a loss of estate assets in compliance with the Texas Estates Code	Minimum Standard 16(g) <i>Duties of the Guardian of the Estate</i>	6-month suspension and completion of a continuing education course in the basics of guardianship duties of the estate in addition to the continuing education requirements for recertification
Failing to employ prudent accounting procedures when managing the estate	Minimum Standard 16(h) <i>Duties of the Guardian of the Estate</i>	6-month suspension and completion of a continuing education course in the basics of guardianship duties of the estate in addition to the continuing education requirements for recertification
Failing to determine if a will exists	Minimum Standard 16(i) <i>Duties of the Guardian of the Estate</i>	3-month probated suspension and \$500 administrative penalty
Failing to address all issues of the estate that require immediate action	Minimum Standard 17(a)(1) <i>Duties of the Guardian of the Estate</i>	3-month probated suspension and completion of a continuing education course in the basics of guardianship duties of the estate in addition to the continuing education requirements for recertification

Failing to meet with the ward as soon after the appointment is feasible	Minimum Standard 17(a)(2) <i>Duties of the Guardian of the Estate</i>	Reprimand and a \$500 administrative penalty
At the first meeting, failing to do any of the following: (1) communicate to the ward the role of the guardian at the first meeting with the ward; (2) outline the rights retained by the ward and the grievance procedures available at the first meeting with the ward; (3) assess the previously and currently expressed wishes of the ward and evaluate them based on current acuity; or (4) attempt to gather from the ward any necessary information regarding the estate	Minimum Standard 17(a)(2)(A)-(D) <i>Duties of the Guardian of the Estate</i>	Reprimand and completion of a continuing education course in the basics of guardianship duties of the guardian of the estate in addition to the continuing education requirements for recertification
Failing to prepare a financial plan and budget that correspond with the care plan for the ward	Minimum Standard 17(b) <i>Duties of the Guardian of the Estate</i>	6-month probated suspension and completion of a continuing education course in the basics of guardianship duties of the guardian of the estate in addition to the continuing education requirements for recertification
As guardian of the estate and guardian of the person (if one exists) or other health care decision-maker, failing to communicate regularly and coordinate efforts with regard to the care and financial plans of the ward, as well as other events that might affect the ward	Minimum Standard 17(b) <i>Duties of the Guardian of the Estate</i>	Reprimand and \$350 administrative penalty



Failing to post and maintain a bond with surety sufficient for the protection of the estate, unless the guardian is exempt from bond by law	Minimum Standard 17(c) <i>Duties of the Guardian of the Estate</i>	3-month suspension and \$500 administrative penalty
Failing to obtain all public benefits for which the ward is eligible	Minimum Standard 17(d) <i>Duties of the Guardian of the Estate</i>	3-month probated suspension and \$500 administrative penalty
Failing to thoroughly document the management of the estate	Minimum Standard 17(e) <i>Duties of the Guardian of the Estate</i>	Reprimand and completion of a continuing education course in the basics of guardianship duties of the guardian of the estate in addition to the continuing education requirements for recertification
Failing to carry out any and all duties required by statute or regulation	Minimum Standard 17(e) <i>Duties of the Guardian of the Estate</i>	6-month suspension and completion of a continuing education course in the basics of guardianship duties of the guardian of the estate in addition to the continuing education requirements for recertification
Failing to prepare an inventory of the ward's property in compliance with the Texas Estates Code and as otherwise ordered by the court	Minimum Standard 17(f) <i>Duties of the Guardian of the Estate</i>	3-month probated suspension and completion of a continuing education course in the basics of guardianship duties of the guardian of the estate in addition to the continuing education requirements for recertification
Failing to include in an accounting sufficient information to clearly describe all significant transactions affecting administration during the accounting period in compliance with the Texas Estates Code and as otherwise ordered by the court.	Minimum Standard 17(g) <i>Duties of the Guardian of the Estate</i>	Reprimand and completion of a continuing education course in the basics of guardianship duties of the guardian of the estate in addition to the continuing education requirements for recertification

Failing to prepare accounting that are complete, accurate, and understandable	Minimum Standard 17(g) <i>Duties of the Guardian of the Estate</i>	6-month probated suspension and completion of a continuing education course in the basics of guardianship duties of the guardian of the estate in addition to the continuing education requirements for recertification
Failing to oversee the disposition of the ward's assets to qualify the ward for any public benefits program	Minimum Standard 17(h) <i>Duties of the Guardian of the Estate</i>	6-month suspension and \$500 administrative penalty
Failing to facilitate the appropriate closing of the estate and submit a final accounting to the court on the termination of the guardianship or the death of the ward	Minimum Standard 17(i) <i>Duties of the Guardian of the Estate</i>	3-month probated suspension and \$500 administrative penalty
Failing to monitor the personal trust account of the institution-based ward	Minimum Standard 17(j) <i>Duties of the Guardian of the Estate</i>	3-month suspension and completion of a continuing education course in the basics of guardianship duties of the guardian of the estate in addition to the continuing education requirements for recertification
Failing to open a burial account and make funeral arrangements for the ward, when appropriate	Minimum Standard 17(k) <i>Duties of the Guardian of the Estate</i>	Reprimand and \$350 administrative penalty
Selling, encumbering, conveying, or otherwise transferring property of the ward, or an interest in that property, without judicial authority	Minimum Standard 18(a) <i>Property Management</i>	1-year revocation, \$500 administrative penalty, and completion of a continuing education course in the basics of guardianship duties of the guardian of the estate in addition to the continuing education requirements for recertification

Failing to obtain an independent appraisal of real and personal property whenever ordered by the court	Minimum Standard 18(b) <i>Property Management</i>	6-month suspension and \$500 administrative penalty
Failing to provide for insurance coverage, as appropriate, for property in the estate	Minimum Standard 18(c) <i>Property Management</i>	1-month probated suspension and \$500 administrative penalty
Failing to avoid even the appearance of a conflict of interest or impropriety when dealing with the needs of the ward	Minimum Standard 19(a) <i>Conflict of Interest: Estate, Financial, and Business Services</i>	Reprimand, \$350 administrative penalty, and completion of 4 hours of continuing education in addition to the continuing education requirements for recertification
Failing to immediately disclose in writing to the court the existence and nature of the conflict of interest, if the guardian becomes aware or is made aware that a conflict of interest exists in the guardian's relationship with the ward	Minimum Standard 19(b) <i>Conflict of Interest: Estate, Financial, and Business Services</i>	6-month suspension, \$500 administrative penalty, and completion of 4 hours of continuing education in ethics in addition to the continuing education requirements for recertification
Commingling personal or program funds with the funds of the ward	Minimum Standard 19(c) <i>Conflict of Interest: Estate, Financial, and Business Services</i>	1-year suspension, \$500 administrative penalty, and completion of 4 hours of continuing education in ethics in addition to the continuing education requirements for recertification
Selling, encumbering, conveying, or otherwise transferring the ward's real or personal property or any interest in that property to the guardian of the estate, a spouse, a coworker, an employee, a member of the board of the agency or corporate guardian, an agent, or an attorney, or any corporation or trust in which the guardian has a substantial beneficial interest	Minimum Standard 19(d) <i>Conflict of Interest: Estate, Financial, and Business Services</i>	1-year revocation, \$500 administrative penalty, and completion of 4 hours of continuing education in ethics in addition to the continuing education requirements for recertification

Selling or otherwise conveying to the ward property from any of the parties noted in Minimum Standard 19(d)	Minimum Standard 19(e) <i>Conflict of Interest: Estate, Financial, and Business Services</i>	1-year revocation, \$500 administrative penalty, and completion of 4 hours of continuing education in ethics in addition to the continuing education requirements for recertification
Loaning, giving, or using ward's income or assets to support or benefit other individuals directly or indirectly unless specific prior court approval is obtained	Minimum Standard 19(f) <i>Conflict of Interest: Estate, Financial, and Business Services</i>	1-year revocation, \$500 administrative penalty, and completion of 4 hours of continuing education in ethics in addition to the continuing education requirements for recertification
Borrowing funds from the ward, unless there is prior notice of the proposed transaction to interested persons and others as directed by the court	Minimum Standard 19(g) <i>Conflict of Interest: Estate, Financial, and Business Services</i>	1-year revocation, \$500 administrative penalty, and completion of 4 hours of continuing education in ethics in addition to the continuing education requirements for recertification
Lending funds to the ward, unless there is prior notice of the proposed transaction to interested persons and others as directed by the court	Minimum Standard 19(g) <i>Conflict of Interest: Estate, Financial, and Business Services</i>	3-month probated suspension, \$350 administrative penalty, and completion of 4 hours of continuing education in ethics in addition to the continuing education requirements for recertification
Profiting from any transactions made on behalf of the ward's estate at the expense of the estate, unless authorized to do so by the court	Minimum Standard 19(h) <i>Conflict of Interest: Estate, Financial, and Business Services</i>	1-year revocation, \$500 administrative penalty, and completion of 4 hours of continuing education in ethics in addition to the continuing education requirements for recertification
Failing to seek modification or termination of the guardianship when it appears that the ward has developed or regained capacity in areas in which he or she was found incapacitated by the court	Minimum Standard 20(a) <i>Modification and Termination of the Guardianship</i>	5-year revocation, \$500 administrative penalty, and completion of a continuing education course in the basics of guardianship duties of the guardian of the person in addition to the continuing education requirements for recertification

Failing to seek modification or termination of the guardianship when it appears that less restrictive alternatives exist	Minimum Standard 20(b) <i>Modification and Termination of the Guardianship</i>	5-year revocation, \$500 administrative penalty, and completion of a continuing education course in the basics of guardianship duties of the guardian of the person in addition to the continuing education requirements for recertification
Failing to seek modification or termination of the guardianship when the ward expresses the desire to challenge the necessity of all or part of the guardianship	Minimum Standard 20(c) <i>Modification and Termination of the Guardianship</i>	5-year revocation, \$500 administrative penalty, and completion of a continuing education course in the basics of guardianship duties of the guardian of the person in addition to the continuing education requirements for recertification
Failing to seek termination of the guardianship when the ward has died	Minimum Standard 20(d) <i>Modification and Termination of the Guardianship</i>	3-month probated suspension and \$500 administrative penalty
Failing to limit the guardianship caseload to a size that allows the guardian to act in accordance with the requirements of Minimum Standard 21(a)	Minimum Standard 21(a) <i>Management of Multiple Guardianship Cases</i>	3-month probated suspension and \$500 administrative penalty
Failing to decline to accept additional appointments if to do so would substantially and adversely impair the guardian's ability to fulfill duties to wards already under the guardian's care	Minimum Standard 21(a) <i>Management of Multiple Guardianship Cases</i>	3-month probated suspension and \$500 administrative penalty
Failing to consider any of the matters in Minimum Standard 21(b)(1)-(6) when the guardian develops and maintains an appropriately sized caseload	Minimum Standard 21(b)(1)-(6) <i>Management of Multiple Guardianship Cases</i>	Reprimand and \$350 administrative penalty

Failing to report to the Commission's Compliance Department, as an individual certified or provisionally certified guardian, when that person has 40 or more wards assigned or appointed wards at any time.	Minimum Standard 21(c) <i>Management of Multiple Guardianship Cases</i>	Reprimand and \$350 administrative penalty
Failing to make a good faith effort to provide quality in the services the guardian delivers and to develop a quality assurance program to that end	Minimum Standard 22 <i>Quality Assurance</i>	\$500 administrative penalty and 1-year probated suspension, completion of a continuing education course in the basics of guardianship duties in addition to the continuing education requirements for recertification
Performing work requiring certification, registration, or a license under the Act with an expired certification.	Rule 3.2(a) <i>Renewal Applications</i>	1-year probated suspension and \$500 administrative penalty
Failing to respond to requests for information from the Commission or Director or failing to respond to the Commission within the time prescribed.	Rule 3.11(b) <i>Responsibilities of Regulated Persons</i>	Reprimand
Failing to provide the Commission with the contact information in Rule 3.11(c) within 30 days of the change.	Rule 3.11(c) <i>Responsibilities of Regulated Persons</i>	Reprimand
Failing to report a conviction for any felony or misdemeanor or a deferred adjudication to the Commission within 14 days after receiving a conviction or after being placed on a deferred adjudication of any offense	Rule 3.11(d) <i>Responsibilities of Regulated Persons</i>  Rule 7.3(b)(1) <i>Responsibilities of Certified Guardians; Reporting Requirements</i>	Reprimand to permanent revocation and \$350 administrative penalty to \$500 administrative penalty

Providing guardianship services while uncertified in violation of Rule 7.2(a)	Rule 7.2(a) <i>Requirement of Certification</i>  Texas Gov't Code Section 155.102 <i>Certification Required for Certain Guardians</i>	1-year probated suspension and \$500 administrative penalty
Failing to immediately notify the Commission and all courts in which the guardian is serving as required by Rule 7.3(b)	Rule 7.3(b) <i>Responsibilities of Certified Guardians; Reporting Requirements</i>	1-year revocation and \$500 administrative penalty
Failing to include the certified guardian's certification number on each document prepared by or on behalf of a certified guardian that is filed with the court	Rule 7.3(d) <i>Responsibilities of Certified Guardians; Reporting Requirements</i>	Reprimand
Failing, as a guardianship program, to file the information required under Rule 7.3(e) with the Commission not later than January 31 of each year	Rule 7.3(e) <i>Responsibilities of Certified Guardians; Reporting Requirements</i>	Reprimand and \$350 administrative penalty
Failing, as private professional guardian, to file the information required under Rule 7.3(f) with the Commission not later than January 31 of each year	Rule 7.3(f) <i>Responsibilities of Certified Guardians; Reporting Requirements</i>	Reprimand and \$350 administrative penalty
As a provisionally certified guardian, providing guardianship services in the State without the supervision of a certified guardian supervisor	Rule 7.4(c)(1) <i>Responsibilities of Provisionally Certified Guardians</i>	1-year suspension and \$500 administrative penalty

As a provisionally certified guardian, failing to notify the Commission and all courts in which the provisionally certified guardian is serving if: the provisionally certified guardian obtains a different supervisor or is without a supervisor	Rule 7.4(c)(3)(A) <i>Responsibilities of Provisionally Certified Guardians</i>	Reprimand and \$350 administrative penalty
As a provisionally certified guardian, failing to notify the Commission and all courts in which the provisionally certified guardian is serving if: the provisionally certified guardian is indicted for, formally charged with, adjudged guilty of, or enters a plea of no contest in return for a grant of deferred adjudication with respect to any felony or misdemeanor offense	Rule 7.4(c)(3)(B) <i>Responsibilities of Provisionally Certified Guardians</i>	Reprimand to 1-year revocation and \$350 to \$500 administrative penalty
As a provisionally certified guardian, failing to notify the Commission and all courts in which the provisionally certified guardian is serving if any proceeding listed in Rule 7.2(b)(7) is initiated	Rule 7.4(c)(3)(C) <i>Responsibilities of Provisionally Certified Guardians</i>	Reprimand to 1-year revocation and \$350 to \$500 administrative penalty
As a provisionally certified guardian, failing to notify the Commission and all courts in which the provisionally certified guardian is serving if events or circumstances would require any changes to the attestation required by Rule 7.2(b)(7)	Rule 7.4(c)(3)(D) <i>Responsibilities of Provisionally Certified Guardians</i>	1-year revocation and \$500 administrative penalty



As a provisionally certified guardian, failing to notify the Commission and all courts in which the provisionally certified guardian is serving if the provisionally certified guardian is removed as a guardian under Chapter 1203 of the Estates Code.	Rule 7.4(c)(3)(E) <i>Responsibilities of Provisionally Certified Guardians</i>	Reprimand to permanent revocation and \$250 administrative penalty to \$500 administrative penalty
As a provisionally certified guardian, failing to include the provisionally certified guardian's certification number and the name and certification number of the supervisor on documents filed with the court	Rule 7.4(c)(4) <i>Responsibilities of Provisionally Certified Guardians</i>	\$150 administrative penalty
As a supervisor to a provisionally certified guardian, failing to assume primary responsibility for guiding the provisionally certified guardian's work, generally and directly, as necessary, and failing to properly supervise the quality of the provisionally certified guardian's work	Rule 7.4(d)(1)(A) <i>Responsibilities of Provisionally Certified Guardians</i>	6-month probated suspension and \$500 administrative penalty
As a supervisor to a provisionally certified guardian, failing to meet with each provisionally certified guardian at least once every two weeks, with at least one of these meetings being face-to-face each month	Rule 7.4(d)(1)(B) <i>Responsibilities of Provisionally Certified Guardians</i>	1-month probated suspension and \$500 administrative penalty
As a supervisor to a provisionally certified guardian, failing to assist the provisionally certified guardian in activities to the extent that the supervisor considers it necessary and appropriate	Rule 7.4(d)(1)(C) <i>Responsibilities of Provisionally Certified Guardians</i>	1-month probated suspension and \$500 administrative penalty

As a supervisor to a provisionally certified guardian, failing to ensure that the provisionally certified guardian is familiar with the provisions of these rules and the <i>Code of Ethics and Minimum Standards for Guardianship Services</i>	Rule 7.4(d)(1)(D) <i>Responsibilities of Provisionally Certified Guardians</i>	6-month probated suspension and \$500 administrative penalty
As a supervisor to a provisionally certified guardian, failing to monitor the provisionally certified guardian's compliance with Commission rules and the <i>Code of Ethics and Minimum Standards for Guardianship Services</i>	Rule 7.4(d)(1)(E) <i>Responsibilities of Provisionally Certified Guardians</i>	6-month probated suspension and \$500 administrative penalty
As a supervisor to a provisionally certified guardian, supervising more provisionally certified guardians than a reasonably prudent supervisor operating under substantially similar circumstances would supervise at one time	Rule 7.4(d)(2) <i>Responsibilities of Provisionally Certified Guardians</i>	1-month probated suspension and \$500 administrative penalty
As a supervisor to a provisionally certified guardian, continuing to work as a supervisor when the person's certification is expired, revoked, suspended, or voluntarily surrendered and/or failing to notify all provisionally certified guardians under that person's supervision that the person may not continue as a supervisor	Rule 7.4(d)(3) <i>Responsibilities of Provisionally Certified Guardians</i>	6-month probated suspension and \$500 administrative penalty
As a supervisor to a provisionally certified guardian, failing to immediately notify the Commission, or cause notice to be sent to the Commission, if the supervisor ceases to supervise a provisionally certified guardian	Rule 7.4(d)(4) <i>Responsibilities of Provisionally Certified Guardians</i>	3-month probated suspension and \$500 administrative penalty

As a supervisor to a provisionally certified guardian, being related within the second degree by affinity (marriage) or within the third degree by consanguinity (blood or adoption) to a person whom he or she is supervising	Rule 7.4(d)(5)(A) <i>Responsibilities of Provisionally Certified Guardians</i>	Reprimand and \$500 administrative penalty
As a supervisor to a provisionally certified guardian, being an employee of or under the employment supervision of a person whom he or she is supervising	Rule 7.4(d)(5)(B) <i>Responsibilities of Provisionally Certified Guardians</i>	6-month probated suspension and \$500 administrative penalty
As a supervisor to a provisionally certified guardian, stating, representing, or implying that the provisionally certified guardian is a certified guardian.	Rule 7.4(f) <i>Responsibilities of Provisionally Certified Guardians</i>	6-month suspension, completion of 4 hours of continuing education in ethics in addition to the continuing education requirements for recertification
Failing to immediately provide written notice to each court in which the guardian has been appointed upon expiration of a provisionally certified guardian's certification	Rule 7.4(g)(2) <i>Responsibilities of Provisionally Certified Guardians</i>	Reprimand and \$500 administrative penalty
As a guardianship program, offering or rendering guardianship services and related services as a guardianship program while unregistered by the Commission as a guardianship program	Rule 7.8(a) <i>Registration of Guardianship Programs</i>  Texas Government Code Section 155.253 <i>Registration Required for Guardianship Programs</i>	1-year refuse to renew and approve registration and a \$500 administrative penalty, if the program is unregistered at the time the Commission considers the case.  1-year probated suspension and \$500 administrative penalty, if the program is registered at the time the Commission considers the case

As a guardianship program, failing to ensure that guardianship services rendered by a guardianship program are performed by a certified guardian in good standing, a provisionally certified guardian in good standing, or a volunteer under the supervision of a certified guardian in good standing	Rule 7.8(c) <i>Registration of Guardianship Programs</i>	6-month suspension and \$500 administrative penalty
Failing to renew the registration certificate on or before its expiration.	Rule 7.8(d) <i>Registration of Guardianship Programs</i>	Reprimand and \$350 administrative penalty
As a guardianship program, failing to timely file an annual report required by Section 155.105 of the Government Code	Rule 7.8(f) <i>Registration of Guardianship Programs</i>	Reprimand and \$350 administrative penalty
As a guardianship program, failing to update the Commission by January 31 of each year of the matters listed in Rule 7.8(b)	Rule 7.8(f) <i>Registration of Guardianship Programs</i>	Reprimand and \$350 administrative penalty
As a guardianship program, failing to immediately cease applying for or accepting appointment as a guardian upon the conditions listed in Rule 7.9(a)	Rule 7.9(a) <i>Successor Guardians; Continuity of Guardianship Services</i>	1-year refuse to renew and approve registration and a \$500 administrative penalty, if the program is unregistered at the time the Commission considers the case.  1-year revocation and \$500 administrative penalty, if the program is registered at the time the Commission considers the case
As a guardianship program, failing to provide timely written notice to the courts and the Commission regarding any interruption of the legal authority of the guardianship program to provide guardianship services	Rule 7.9(c) <i>Successor Guardians; Continuity of Guardianship Services</i>	6-month revocation and \$500 administrative penalty

Failure, as a private professional guardian or a person who plans to represent a ward as a guardian on behalf of a private professional guardian, to submit information necessary to monitor the person's compliance with applicable standards under Texas Government Code Section 155.101 or with the certification requirements of Section 155.102.	Texas Government Code Section 155.104 <i>Information from Private Professional Guardians</i>	3-month probated suspension and \$500 administrative penalty
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