



## **New Mexico Guardianship Certification What Are the Requirements to Become Certified?**

There is a lot of confusion about what is required to become certified to practice as a guardian or conservator in New Mexico. The purpose of this article is to attempt to clarify some of the confusion and answer some questions that are commonly received.

**Who must be certified?** An individual or entity who may be appointed as a professional guardian or conservator. A “professional guardian or conservator” is defined as an individual or entity that serves as guardian or conservator for more than two individuals who are not related to the guardian or conservator by marriage, adoption, or third degree of blood or affinity.

**When must I become certified?** Proof of certification must be submitted to the court not later than the first to occur of the following:

1. 90 days after the filing of the order of appointment; or
2. The filing of the initial report or initial inventory required.

**What if our agency is appointed guardian, but we had to hire a new person to serve as guardian and that person isn't certified?** Nobody is permitted to perform the duties of a guardian or conservator until such time as that individual is certified. They may perform other duties outside of guardianship until they are appointed, but they may not serve as guardian or conservator until they are certified.

**How do we address the interim period between when someone is hired and when they can serve as guardian?** It is strongly recommended that you either hire someone who is already certified or have that individual begin the process of becoming certified as soon as you offer them a position. They may not serve as guardian or conservator until such time as they are certified.

**How long does it take to become certified?** The answer is “it depends”. There are numerous requirements to having the application approved. They include: CEUs awarded for taking a guardian-related course; successful background check; having no felonies on record; attestation to the requirements outlined in the Rules & Regulations; payment of the application and exam fee, and successfully passing the 100-question multiple choice exam. If any one of these areas requires more research or verification, or you do not pass the exam, the process will take longer. All applications are processed within 45 business days of the application being received.

**What are the CEU requirements for applicants?** The applicant must have enough guardianship-related CEUs for their application to be approved. CEUs must be guardianship-related and must have been obtained within the previous two years prior to the application date. CEUs are based upon education. Following is a chart that should be helpful:

<b><u>Education</u></b>	<b><u>CEUs required</u></b>
High School Diploma or GED	30
Licensure or Certification in a guardianship-related field of study (i.e. CFP, CPA, CMC, etc.)	20
Two-year Degree in a guardianship-related field of study (i.e. nursing, social work, accounting, etc.)	10
Four-year (or higher) Degree in a guardianship-related field of study (i.e. law, medicine, finance, business, etc.)	10

A listing of approved fields of study can be found here → <https://guardianshipcert.org/wp-content/uploads/2024/01/ACCEPTABLE-DEGREES-CERTIFICATIONS-and-COURSEWORK.pdf>

**What are considered acceptable CEUs?**

The knowledge acquired must meet one or more of the core competencies for guardianship. The core competencies can be found here → <https://guardianshipcert.org/wp-content/uploads/2023/03/NCG-CORE-COMPETENCIES.pdf> Continuing education units can be obtained by attending courses offered at a junior college, university, state bar association, National Guardianship Association, state guardianship association, or other seminars or training courses related to guardianship. Proof of CEUs obtained must be submitted and should include the title and date of the course, the course provider, the number of hours the course was held, and the location of the course. If a certificate of attendance is awarded, that should be submitted with the application. One (1) contact hour or one (1) course credit hour = 1 CEU

**What is involved with the background check?** Not only does the background check verify no felonies are on your record, it also verifies your social security number, name, and educational background. Depending upon how long it takes for a local municipality to respond to the company requesting the background check, this process can take as few as 7 and up to 30 business days.

**Why is certification so important?**

By agreeing to serve as a guardian or conservator, you are taking on a wonderful and rewarding responsibility for the life of another person. To properly assist that person with their day-to-day needs and decisions (personal and/or financial), you must be able to prove you have the knowledge and ability to perform that function. This may be one of the most important positions you hold. Further, the court system takes guardianship very seriously and will not appoint someone who isn't qualified to serve in this capacity. Certification proves you have the knowledge to serve another person as their guardian or conservator.

We hope this article has been helpful. If you need additional information, you can reach out to the Center for Guardianship Certification ([certification@guardianshipcert.org](mailto:certification@guardianshipcert.org)) or the New Mexico Guardianship Association ([NMGMeeting@gmail.com](mailto:NMGMeeting@gmail.com)).