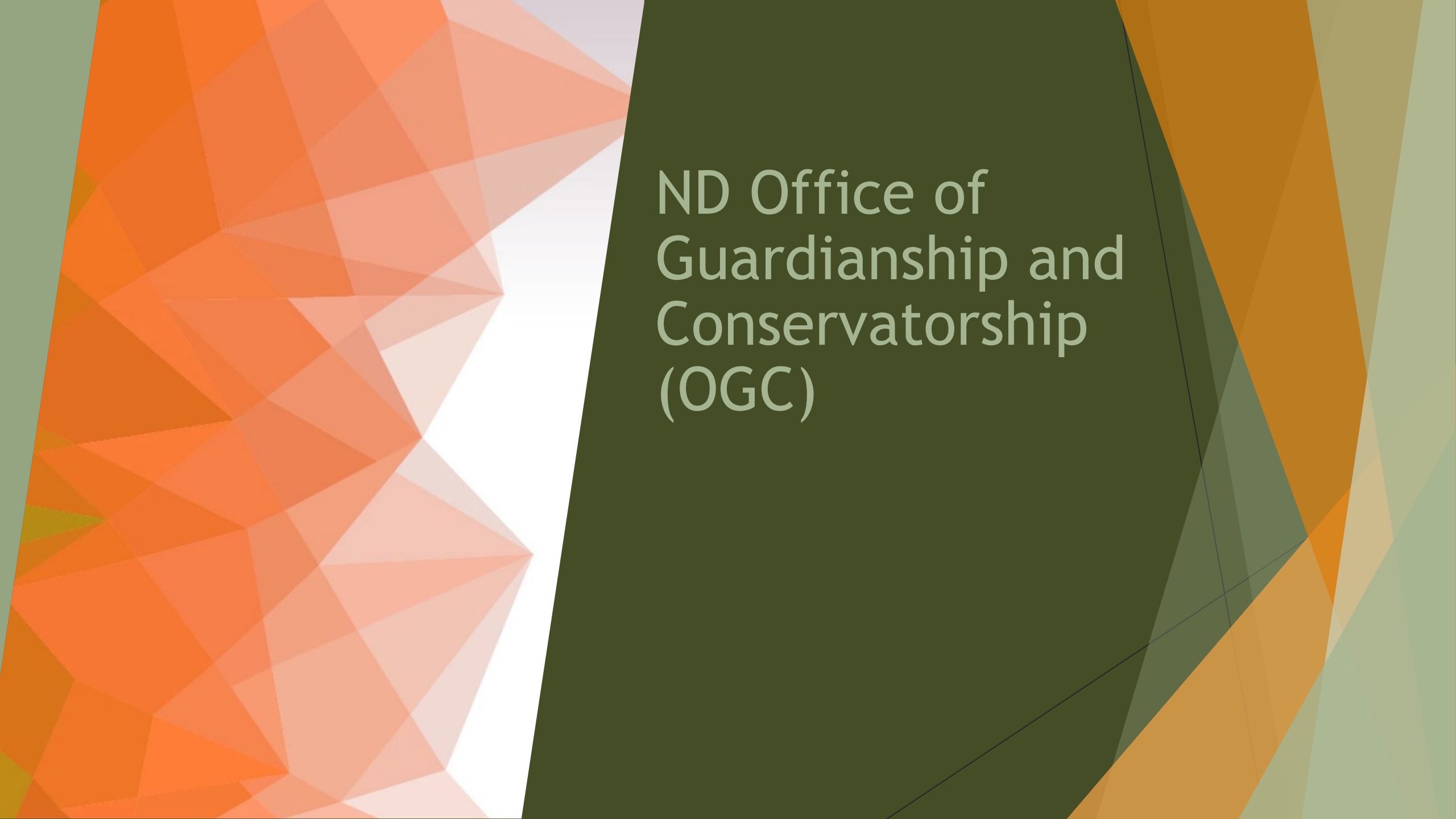




ND Office of Guardianship and Conservatorship (OGC)

Who We Are

OPERATIONS COMMITTEE

Legislative Assembly Member	Senator Bob Paulson
Legislative Assembly Member	Representative Kathy Frelich
Court Appointee	Leslie Bakken Oliver
Court Appointee	Cheryl Bergian
SBAND Appointee	Matthew Kirschenmann
Governor Appointee	Megan Merkel
Governor Appointee	Judy Vetter-Pfeiffer

OGC OFFICE STAFF

Executive Director	Rachel Sinness
Legal Director (Investigative Counsel)	Tracy Laaveg
Case Manager (Monitor)	Anne-Kristen Partlow
Case Manager (Monitor)	Nicole Cook
Fiscal Officer (Accounts Analyst)	Deyan Junker
Executive Assistant (Admin. Assistant)	Susan Kiemele

What We Do



PROTECTION



FUNDING



EDUCATION & TRAINING



OVERSIGHT



DISCIPLINE

P R O T E C T I O N

(Proposed) Administrative Rules and NGA standards require guardians and conservators to adhere to specific guidelines.



Guardians and conservators will need to be licensed and on an approved roster before they are able to accept guardianship clients.



The OGC accepts reports and court referrals of alleged guardian/conservator wrongdoing, such as financial exploitation or endangering the protected person's wellbeing.



The OGC thoroughly investigates the allegations to make appropriate recommendations to the referring court or to the OGC Review Board.

P R O T E C T I O N

Client Advocacy

1. Preserve individual's dignity
2. Create safe, secure environment
3. Understand needs, values + goals
4. Support growth + achievement of goals
5. Select least restrictive alternatives
6. Maximize independence
7. Seek termination or limitation of guardianship, if capacity regained

Medical

8. Beneficence
9. Non-Malevolence
10. Best Interest
11. Substituted judgment
12. Informed consent
13. Justice

Business + Financial

14. Detailed accounting
15. No commingling of funds
16. No financial benefit to conservator
17. No estate planning nor asset sales without court approval

All 3 Categories

18. Comply with laws + court orders
19. Involve individual in decisions
20. Strict confidentiality
21. Documented support for every decision



Ethical Principles



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Current
Rule 59

Under ND Supreme Court Administrative Rule 59, Guardians must:

1. Complete online guardianship training
2. Complete a criminal history record check
3. Submit a sworn statement regarding prior or current investigations for theft, fraud, abuse, neglect, or exploitation
4. Be Accredited or Certified (Professional Guardians)
5. Not be adjudicated guilty of criminal convictions involving assault, exploitation, fraud, neglect

FUNDING

Types of funding available for guardianships:

PASS (ND Public Administrator Support Services)

Federal and State

- Guardianship and Conservatorship Support Fund

Corporate Guardian providing services to clients with Developmental Disability

Guardianship Establishment

- Adult/Aging
- Developmental Disability

EDUCATION AND TRAINING

EDUCATION

- ▶ One-sheets
- ▶ Brochures
- ▶ Webinars
- ▶ Podcast?

www.OGC.ND.gov: coming soon!

TRAINING

- ▶ Conference presentations
- ▶ CLEs and CEUs
- ▶ Public “classes” with law enforcement, residential care facilities, medical facilities, court personnel, and other agencies
- ▶ ND Courts Guardianship Training

EDUCATION AND TRAINING:

OGC Outreach and Education

Date	Event	Outreach/Education
March 05, 2026	Alzheimer's Association ND	OGC intro/Alternatives to Guardianship
March 26, 2026	GAND and Guardian Meeting	OGC intro/PASS funding
April 14, 2026	Boards Review Task Force	Present to BRTF re: Review Board and Operations Committee
May 01, 2026	WDALA Conference for legal professionals	OGC intro/Alternatives to Guardianship
May 5-7, 2026	ND Public Health Conf.	OGC intro/networking with other agencies, educational sessions for case managers

EDUCATION AND TRAINING:

OGC Outreach and Education

Date	Event	Outreach/Education
May 13, 2026	Clerk of Court Conference	Introduction to the OGC
May 20, 2026	GAPS Board of Directors	Introduction to the OGC
June 1, 2026	Administrative Rules Public Hearing	Administrative Rules Public Hearing
June 15, 2026	Emergency Commission Meeting	Request for additional BCI agent
June 18, 2026	APS Meeting	Introduction to the OGC
June 23, 2026	ADRL and Family Guardians	Duties of the OGC and networking
June 25, 2026	GAND Meeting	Updates on the OGC

EDUCATION AND TRAINING:

OGC Outreach and Education

Date	Event	Outreach/Education
July 14, 2026	Long Term Care Ombudsmen	Introduction to the OGC
July 22, 2026	Legal Services of ND	Introduction to the OGC
August 4, 2026	Meeting with P&A Leadership	Coordinating services
August 5, 2026	North Dakota Association of Counties	Introduction to the OGC
August 5, 2026	Long Term Care Association	Introduction to the OGC
August 11, 2026	ND State Council on DD	Guardianship Overview
August 12, 2026	Lunch & Learn with ND District Court Judges	Intro and updates on the OGC

EDUCATION AND TRAINING:

OGC Outreach and Education

Date	Event	Outreach/Education
Oct. 1, 2026	State Bar Association of ND Family Law Seminar	Introduction and updates to the OGC
Oct. 22, 2026	North Dakota Hospital Association	Guardianship overview and working with guardians
Dec. 3, 2026	Real Property, Probate & Trust Law Seminar	Introduction to the OGC

OVERSIGHT



(Proposed) Administrative Rules require adherence to ethical standards



Licensing



Investigation of court referrals and other allegations



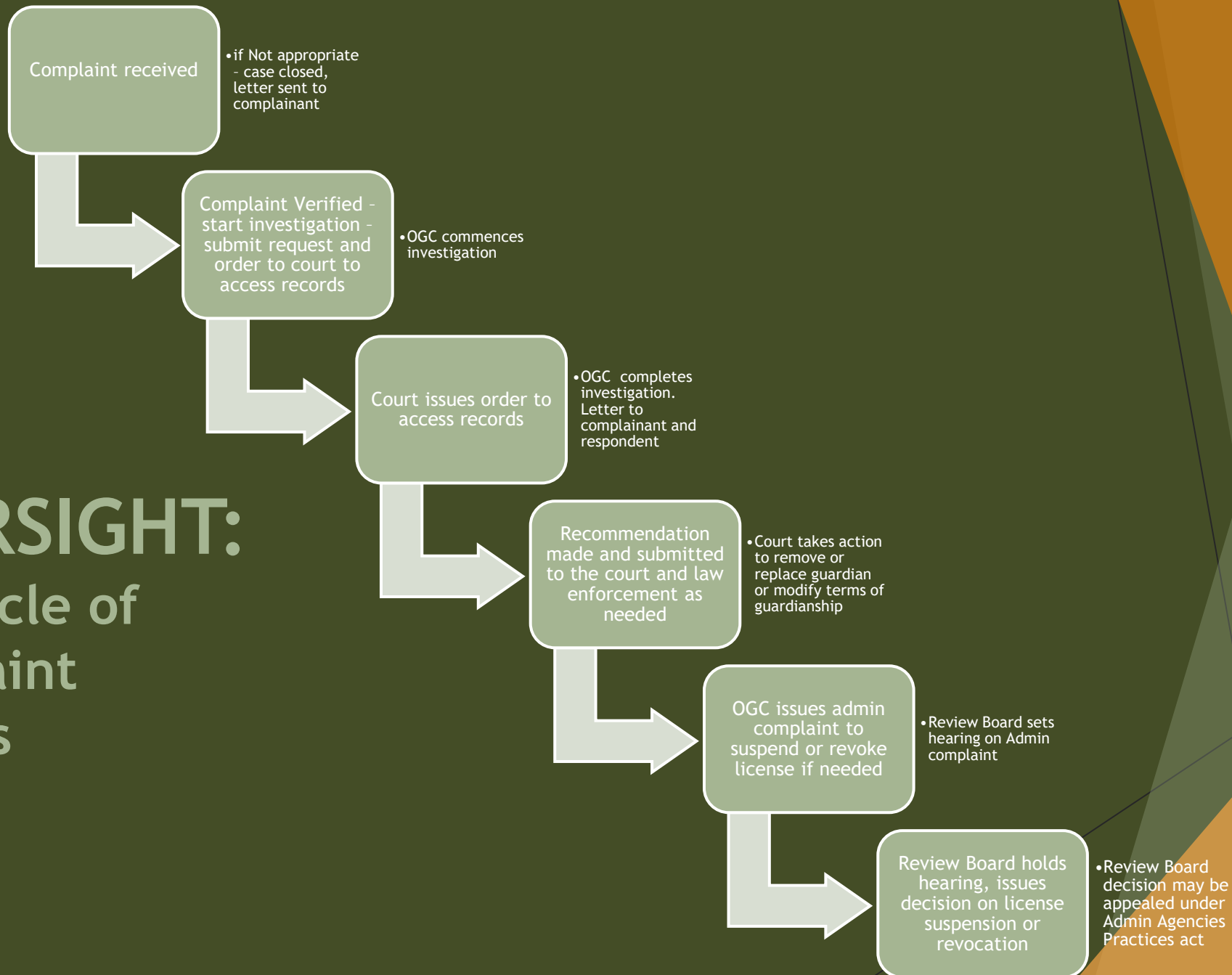
Annual/spontaneous monitoring of each professional guardianship agency



Recommendations to District Court or OGC Review Board

OVERSIGHT:

Life Cycle of Complaint Process



DISCIPLINE

- ▶ Removal of License
- ▶ Recommend removal or replacement of guardian
- ▶ Referral to BCI for further investigation of alleged criminal activity
- ▶ Recommend other action (e.g., additional training)

DISCIPLINE: Review Board

GAND Appointee	Audrey Uhrich
Court Appointee	Sargianna Wutzke
P&A Appointee	Brad Peterson
SBAND Appointee	Jesse Maier
SBAND Appointee	Bruce Romanick
Governor Appointee	Kylie Oversen
Governor Appointee	Crystal Pound

Current Stats (Referrals/Investigations)

Referrals for Investigation (since April 1, 2026)

Court	Agency	Public (families or residential facilities)	Protected Person
22	18	2	1
			Total: 43

Referrals from OGC to BCI for further investigation

9

Current Stats (Funding - since April 1, 2026)

Number of Professional Agencies Providing G/C Services	Number of Guardianships Funded Through PASS	Number of Guardianships Approved for GEFs	Number of Guardianships Funded Through DD Corporate Contract
9	518	46+ *(35 Adult/Aging, 11 DD)	561+

Problem/ scenario	Refer to OGC?	Notes
Substandard Health condition or living conditions	YES	If a guardian has been appointed, OGC can step in to see if guardian needs support, but limited staffing may necessitate involvement by other agencies, such as APS or social services.
Generalized complaints about guardian/ conservator	YES	Identify what specific law or standard was allegedly violated, then report to OGC. Note that if no specific standard is implicated, OGC cannot assist, but OGC can report to BCI if there are suspicions of criminal activity by the guardian.
Concerns about spending money	YES	Identify what specific law or standard was allegedly violated and provide proof that the violation occurred. Remember, the guardian and conservator cannot prevent the protected person from making bad decisions (e.g., protected people can still maintain bad habits if not posing an extreme risk to self or others). In addition, OGC can refer cases to BCI if suspected criminal activity is present.
Failing to provide annual reports	YES– but can also refer to the court	Review court’s most recent order to determine if reports have been submitted in a timely fashion and who should have access to them. Request access from the court if desired. The court can refer the case to OGC if deemed appropriate.
Guardian is confused or needs assistance	YES	OGC can provide training and assistance (but OGC will not do the work of the guardian or conservator).
Guardian wants to resign	NO	Guardian should file resignation with the court. The court has the ultimate authority over a guardian.
Need funding to establish a new guardianship or conservatorship	YES	File Guardianship Establishment Funds (GEF) form – don’t forget the necessary medical report.

QUESTIONS?

- ▶ Rachel Sinness, Executive Director raesinness@nd.gov
Tracy Laaveg, Legal Director laavegtracy@nd.gov
- ▶ Office of Guardianship and Conservatorship
Phone: 701-328-3010
Website COMING SOON: www.OGC.nd.gov
Email: OGC@nd.gov