



Board of Legal Document Preparers

Arizona State Courts Building
 1501 West Washington Street
 Phoenix, Arizona 85007

September 25, 2017
 Time: 10:00 a.m.
 Hearing Room 109

Regular Meeting Minutes

MEMBER ATTENDANCE:

Present:

Telephonically Present:

Absent:

Mary Carlton, Chair	Pamela Milburn	Hon. Michael Herrod
Becky Nilsen	Mary Jo Randall	Cheri Clark
Paul Friedman	Deborah Colon-Mateo	
	Jerry Thomas	

OTHER ATTENDEES:

AOC Staff:

Guests:

Mark Wilson	Christine Gart
Michelle Martinez	Scott Rogers
Hal White	Carlos Galindo
Wil Castro	Maria Galindo
Bill MacIntyre	A. Cobb
Brianna Farmer	Arlene Rheinfelder
	Carla Lief

CALL TO ORDER

Called to Order By:

Mary Carlton, Chair

Time: 10:00 a.m.

1) REVIEW AND APPROVAL OF MEETING MINUTES

Individuals Addressing the Board:

Mary Carlton, Chair

1-A: Review, discussion, and possible action regarding approval of the regular session minutes of the meeting of July 17, 2017.

Discussion: None.

Motion: Consideration of and motion to accept the regular session minutes of the July 17, 2017 meeting.

Motion Proposals: First Paul Friedman
Second Becky Nilsen

Motion Results: Pass

2) PENDING COMPLAINTS

Individuals Addressing the Board:

Michelle Martinez

2-A: Review, discussion and possible action regarding the Division Director dismissal of complaint number 17-L004.

Discussion: It is recommended the Board affirm the dismissal.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Paul Friedman
Second Becky Nilsen

Motion Results: Pass

Individuals Addressing the Board:

Bill MacIntyre

2-B: Review, discussion and possible action regarding complaint number 15-L016 involving certificate holder Carlos Galindo.

Discussion: Given Mr. Galindo's failure to reach terms of a proposed consent agreement with staff, staff recommends that the Board accept the findings of the Probable Cause Evaluator that probable cause exists and suspend Mr. Galindo's certification for 30 days.

In addition, Staff recommends that any action on Mr. Galindo's application to renew his certification be deferred until the expiration of his suspension.

Remarks from Carlos Galindo.

Motion: Consideration of and motion to reject staff's recommendation and instruct staff to discuss a possible consent agreement with Mr. Galindo which gives consideration to his stated need to hire trainees and other certified LDPs.

Motion Proposals: First Mary Carlton
Second Becky Nilsen

Motion Results: Pass

Individuals Addressing the Board:

Bill MacIntyre

2-C: Review, discussion and possible action regarding complaint numbers 16-L028/16-L029 involving certificate holders Marwan Sadeddin and Advanced Legal Services.

Discussion: Staff recommends that the Board accept the determination of the Probable Cause Evaluator and dismiss complaint numbers 16-L028 and 16-L029.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Paul Friedman
Second Becky Nilsen

Motion Results: Pass

Individuals Addressing the Board:

Bill MacIntyre

2-D: Review, discussion and possible action regarding complaint numbers 17-L005/17-L006 involving certificate holders Jill Smith and Titan Lien Services.

Discussion: Staff recommends the Board accept the determination of the Probable Cause Evaluator and dismiss complaint numbers 17-L005 and 17-L006.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Paul Friedman
Second Becky Nilsen

Motion Results: Pass

Individuals Addressing the Board:

Bill MacIntyre

2-E: Review, discussion and possible action regarding complaint numbers 17-L011/17-L012 involving certificate holders Sophie Frisbie and AAM, LLC.

Discussion: Staff recommends that the Board accept the determination of the Probable Cause Evaluator and dismiss complaint numbers 17-L011 and 17-L012.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Becky Nilsen
Second Deborah Colon-Mateo

Motion Results: Pass

3) COMPLAINTS HELD IN ABEYANCE

Individuals Addressing the Board:

Mark Wilson

3-A: Review, discussion and possible action regarding the following complaint numbers for which the certificate holders have not submitted renewal applications:

1. Rhonda Carder – Complaint No. 16-L031

Discussion: Carter did not file an application to renew her certification and her certification has expired. Staff recommends the complaint be held in abeyance.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Paul Friedman
Second Becky Nilsen

Motion Results: Pass

2. Penny Burley – Complaint Nos. 16-L013/16-L014, 16-L015/16-L016, 16-L021/16-L022 and 16-L024/16-L025

Discussion: Penny Burley and That Paralegal Place have not applied to renew their certifications and, therefore, the certifications have expired. Staff recommends that these complaints be held in abeyance.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Mary Carlton
Second Becky Nilsen

Motion Results: Pass

4) INITIAL CERTIFICATION AND ELIGIBILITY

Individuals Addressing the Board:

Wil Castro

4-A: *Review, discussion and possible action regarding the following applications for initial, individual, business entity legal document preparer certification and business entity exemption requests:*

1. *Jacqueline Reynolds*
2. *Myshia Carter*
3. *Annick Rodarte*
5. *Delta Document Services, LLC*

Discussion: The Division recommends approval of initial legal document preparer certification for the above applicants.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Mary Carlton
Second Paul Friedman

Motion Results: Pass

Individuals Addressing the Board:

Wil Castro

4. *BCG Legal, LLC*
6. *Access Legal Document Preparation, LLC*
7. *Kramer Legacy Documents, LLC*

Discussion: The Division recommends approval of initial legal document preparer certification for the above applicants and approval of business entity exemption requests for numbers 6 and 7.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Paul Friedman
Second Becky Nilsen

Motion Results: Pass

Individuals Addressing the Board:

Hal White

8. *Gary Lindsay*

Discussion: Staff recommends Mr. Lindsay for certification as a certified legal document preparer with cautionary language concerning the prohibition on providing legal advice

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Paul Friedman
Second Becky Nilsen

Motion Results: Pass

Individuals Addressing the Board:

Hal White

9. *Steven Johnson*

Discussion: Staff recommends approval of Mr. Johnson's application for certification with cautionary language concerning the prohibition on providing legal advice.

Motion: Defer to next meeting.

Motion Proposals: First Becky Nilsen
Second Mary Carlton

Motion Results: Pass

Individuals Addressing the Board:

Wil Castro

10. *Robert Merrill*

Discussion: Division recommends that initial LDP certification be granted to Robert Merrill.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Paul Friedman
Second Becky Nilsen
Motion Results: Pass

Individuals Addressing the Board: Wil Castro

11. Amelia Schaefer

Discussion: Division recommends that initial LDP certification be granted to Amelia Schaefer.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Paul Friedman
Second Becky Nilsen
Motion Results: Pass

Individuals Addressing the Board: Wil Castro

12. Carla Lief

Discussion: Staff's recommendation is to deny Ms. Lief initial individual certification pursuant to ACJA § 7-201(E)(2)(c)(2)(b)(xi).

Remarks from Carla Lief her attorney.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Paul Friedman
Second Deborah Colon-Mateo
Motion Results: Pass

5) CERTIFICATION AND ELIGIBILITY

Individuals Addressing the Board: Hal White

5-A: *Review, discussion and possible action regarding request for waiver of continuing education requirements from certificate holder Christi Weedon.*

Discussion: Staff recommends that Ms. Weedon be allowed to extend her completion of 20 hours of CE required for the 2015-2017 renewal period to the 2017-2019

renewal period. The 20 hours will be in addition to the required hours for the 2017-2019 renewal period. Delinquent CE fee is waived.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Paul Friedman
Second Becky Nilsen

Motion Results: Pass

6) ADMINISTRATIVE ISSUES

Individuals Addressing the Board: Michelle Martinez

6-A: Update regarding proposed Code changes concerning continuing education and certification issues.

Discussion: Summary of public comments to proposed changes to ACJA § 7-208 will be provided at the November meeting.

Individuals Addressing the Board: Michelle Martinez

6-B: Review, discussion and possible action regarding the establishment of the 2018 Board meeting schedule.

Discussion: It is recommended the 2018 meeting calendar be set as follows:

January 22, 2018
March 26, 2018
May 21, 2018
July 16, 2018
September 24, 2018
November 19, 2018

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Paul Friedman
Second Becky Nilsen

Motion Results: Pass

CALL TO PUBLIC

ADJOURN

Motion: Motion to adjourn.

Motion Proposals: First Mary Carlton
Second Becky Nilsen

Motion Results: Pass

Time: 11:05 pm