



Board of Legal Document Preparers
Arizona State Courts Building
1501 West Washington Street, Phoenix, Arizona 85007
Conference Room 109

Date: May 21, 2012
Time: 10:00 A.M.

Approved Regular Meeting Minutes

MEMBER ATTENDANCE:

Present:

Les Krambeal
Paul Friedman
Mary Carlton
Pamela Milburn
Rebecca Nilsen

Telephonically Present:

Bonnie Matheson
Deborah Young
Deborah Colon-Mateo
Hon. Samuel J. Myers

Absent:

Andrew Saper
Debra Griffin

OTHER ATTENDEES

AOC Staff:

Nancy Swetnam
Linda Grau
Debbie MacDougall
Nina Preston
Kimberly Siddall
Rick Sczerbicki
Wendy Reiter

Guests:

Katherine Trojahn
Elizabeth Miller-Spann
Gary Spann
Gordon Owsley
Juan Gastelum
Cassandra Andrick
Shyla Colbert
Kevin Colbert
Patricia Premeau
Leonard Deehan
Brandon Hale
Ronda Fisk
Ryan Lind

CALL TO ORDER

Called to Order By: Les Krambeal

Time: 10:09 A.M.

1) REVIEW AND APPROVAL OF MEETING MINUTES

1-A: Review, discussion and possible action regarding approval of the regular session minutes of the meeting of March 26, 2012.

Individuals Addressing the Board: Les Krambeal

Discussion: None

Motion: Move to approve the regular session minutes of the March 26, 2012 meeting.

Motion Proposals: First Paul Friedman
Second Mary Carlton

Motion Results: Pass

1-B: Review, discussion and possible action regarding approval of the executive session minutes of the meeting of March 26, 2012.

Individuals Addressing the Board: Les Krambeal

Discussion: None

Motion: Move to approve the executive session minutes of the March 26, 2012 meeting.

Motion Proposals: First Mary Carlton
Second Paul Friedman

Motion Results: Pass

2) **REVIEW OF PENDING COMPLAINTS**

2-A: *Review, discussion and possible action regarding the following certificate holder complaints:*

Complaint Number 12-L010 –George Preston Parker

Individuals Addressing the Board: Nancy Swetnam

Discussion: On April 20, 2012, Probable Cause Evaluator, Mike Baumstark, entered the finding that probable cause does not exist in complaint number 12-L010.

Staff recommends that the Board accept the finding of the probable cause evaluator and dismiss complaint number 12-L010.

Motion: Move to accept the staff’s recommendation to dismiss Complaint number 12-L010 as per the probable cause evaluator’s findings.

Motion Proposals: First Paul Friedman
Second Mary Carlton

Motion Results: Pass

Complaint Number 12-L014 –George Preston Parker

Individuals Addressing the Board: Nancy Swetnam

Discussion: On April 20, 2012, Probable Cause Evaluator Baumstark entered a finding that probable cause does exist in complaint number 12-L014.

Staff recommends that the Board accept the finding of the probable cause evaluator and issue a Letter of Concern to the certificate holder.

Motion: Move to accept the staff’s recommendation to issue a Letter of Concern to the certificate holder.

Motion Proposals: First Paul Friedman
Second Mary Carlton

Motion Results: Pass

Complaint Number 09-L018 –Janneth Cardenas

Individuals Addressing the Board: Nancy Swetnam

Discussion: On March 15, 2012, Probable Cause Evaluator Baumstark entered a finding that probable cause does not exist as to Allegations 1 and 2 in complaint number 09-L018.
Staff recommends that the Board accept the finding of the Probable Cause Evaluator and dismiss complaint number 09-L018.

Motion: Move to accept the staff’s recommendation and dismiss complaint number 09-L018.

Motion Proposals: First Paul Friedman
Second Mary Carlton

Motion Results: Pass

Individuals Addressing the Board: Linda Grau

Linda Grau informed the Board that changes have been made to the format of the complaint reports that are being presented to the Board for review and consideration. This is the result of a new expedited backlog process aimed at the resolution of the backlog of outstanding cases. The Board is encouraged to raise any questions or concerns they may have as a result of these changes.

Complaint Number 05-L023 –Deborah Moldovan and Arizona Paralegal Services, Inc.

Discussion: On March 13, 2012, Probable Cause Evaluator Baumstark entered a finding that probable cause exists as to Allegations 1 and 2 in complaint number 05-L023.
Staff recommends that the Board accept the finding of the Probable Cause Evaluator and issue a Letter of Concern to the certificate holder.

Motion: Move to accept the staff’s recommendation and issue a Letter of Concern to certificate holder, Deborah Moldovan.

Motion Proposals: First Mary Carlton
Second Paul Friedman

Motion Results: Pass

Complaint Number 05-L118 –Wendy Schwingel

Individuals Addressing the Board: Linda Grau

Discussion: On March 13, 2012, Probable Cause Evaluator Baumstark entered a finding that probable cause does not exist as to Allegation 1 and does exist as to Allegation 2 in complaint number 05-L118. Staff recommends that the Board accept the finding of the Probable Cause Evaluator, dismiss Allegation 1, enter a finding that Schwingel did commit the alleged act of misconduct in Allegation 2 and dismiss the complaint.

Motion: Move to accept the staff's recommendation, enter a finding of misconduct in Allegation 2 and dismiss complaint number 05-L118.

Motion Proposals: First Pamela Milburn
Second Mary Carlton

Motion Results: Pass

Complaint Number 06-L007 –Laura Tebaqui-Soto

Individuals Addressing the Board: Linda Grau

Discussion: On March 13, 2012, Probable Cause Evaluator Baumstark entered a finding that probable cause does not exist as to Allegation 1 in complaint number 06-L007. Staff recommends that the Board accept the finding of the Probable Cause Evaluator and dismiss complaint number 06-L007.

Motion: Move to accept the staff's recommendation and dismiss complaint number 06-L007.

Motion Proposals: First Mary Carlton
Second Pamela Milburn

Motion Results: Pass

Complaint Number 06-L085 –Sumer Jennings

Individuals Addressing the Board: Linda Grau

Discussion: On March 13, 2012, Probable Cause Evaluator Baumstark entered a finding that probable cause exists as to Allegation 1 in complaint number 06-L085.

Staff recommends that the Board accept the finding of Probable Cause Evaluator Baumstark, enter a finding that grounds exist for informal disciplinary action pursuant to ACJA § 7-201(H)(6)(a) for an act of misconduct involving ACJA § 7-208(F)(1)(b), (F)(2) and Appendix A Code of Conduct Standard (5)(b) and issue a Letter of Concern to the certificate holder.

Motion: Move to accept the staff's recommendation, enter a finding that grounds exist for informal disciplinary action for an act of misconduct and issue a Letter of Concern to the certificate holder, Summer Jennings.

Motion Proposals: First Pamela Milburn
Second Mary Carlton

Motion Results: Pass

Complaint Number 06-L100 –Maurie Hall

Individuals Addressing the Board: Linda Grau

Discussion: On March 13, 2012, Probable Cause Evaluator Baumstark entered a finding that probable cause does not exist as to Allegations 1 and 3 and does exist as to Allegation 2 in complaint number 06-L100. Staff recommends the Board accept the finding of the Probable Cause Evaluator, dismiss Allegations 1 and 3, enter a finding that Hall committed the alleged act of misconduct in Allegation 2, enter a finding that grounds exist for informal disciplinary action pursuant to ACJA § 7-201(H)(6)(a) for an act of misconduct involving ACJA § 7-208(F)(2) and Appendix A Code of Conduct Standards (1)(d) and (2)(c) and issue a Letter of Concern to the certificate holder.

Motion: Move to accept the staff's recommendation, enter a finding that grounds exist for informal disciplinary action for an act of misconduct and issue a Letter of Concern to the certificate holder, Maurie Hall.

Motion Proposals: First Pamela Milburn
Second Rebecca Nilsen
Paul Friedman -Opposed

Motion Results: Pass

Complaint Number 08-L059 –Carol Gray

Individuals Addressing the Board: Linda Grau

Discussion: On March 13, 2012, Probable Cause Evaluator Baumstark entered a finding that probable cause does not exist as to Allegation 1 in complaint number 08-L059.
Staff recommends the Board accept the finding of the Probable Cause Evaluator and dismiss complaint number 08-L059.

Motion: Move to accept the staff's recommendation and dismiss complaint number 08-L059.

Motion Proposals: First Pamela Milburn
Second Rebecca Nilsen

Motion Results: Pass

Complaint Number 05-L121 –Carol Gray

Individuals Addressing the Board: Linda Grau

Discussion: On April 2, 2012, Probable Cause Evaluator Baumstark entered a finding that probable cause does not exist in complaint number 05-L121.
Staff recommends that the Board accept the finding of the Probable Cause Evaluator and dismiss complaint number 05-L121.

Motion: Move to accept the staff's recommendation and dismiss complaint number 05-L121.

Motion Proposals: First Rebecca Nilsen
Second Pamela Milburn

Motion Results: Pass

Complaint Number 08-L058 –Jacqueline Velde

Individuals Addressing the Board: Linda Grau

Discussion: On April 2, 2012, Probable Cause Evaluator Baumstark entered a finding that probable cause does not exist as to Allegations 1 and 2 but does exist as to Allegation 3 in complaint number 08-L058.
Staff recommends that the Board accept the finding of the Probable Cause Evaluator and dismiss Allegations 1 and 2. Regarding Allegation 3, it is recommended the Board issue a Letter of Concern.

Motion: Move to accept staff's recommendation, dismiss Allegations 1 and 2 of complaint number 08-L058 and issue a Letter of Concern to

certificate holder, Jacqueline Velde concerning Allegation 3.

Motion Proposals: First Rebecca Nilsen
Second Mary Carlton
Recused Deborah Young

Motion Results: Pass

Complaint Number 08-L078 –Darlene Landgrave

Individuals Addressing the Board: Linda Grau

Discussion: On April 2, 2012, Probable Cause Evaluator Baumstark entered a finding that probable cause does not exist in complaint number 08-L078.
Staff recommends that the Board accept the finding of the Probable Cause Evaluator and dismiss complaint number 08-L078.

Motion: Move to accept the staff’s recommendation and dismiss complaint number 08-L078.

Motion Proposals: First Pamela Milburn
Second Rebecca Nilsen

Motion Results: Pass

Complaint Number 10-L035 –William Kelly

Individuals Addressing the Board: Linda Grau

Discussion: On April 2, 2012, Probable Cause Evaluator Baumstark entered a finding that probable cause does not exist as to Allegation 1 but does exist as to Allegation 2 in complaint number 10-L035.
Staff recommends that the Board accept the finding of the Probable Cause Evaluator, dismiss Allegation 1, and issue a Letter of Concern to certificate holder, William Kelly, with regards to Allegation 2 in complaint number 10-L035.

Motion: Move to accept the staff’s recommendation, dismiss Allegation 1 and issue a Letter of Concern regarding Allegation 2 to certificate holder, William Kelly.

Motion Proposals: First Mary Carlton
Second Pamela Milburn

Motion Results: Pass

Complaint Number 10-L052 –Darren Ortiz and Legal Awareness Arizona, LLC

Individuals Addressing the Board: Linda Grau

Discussion: On April 20, 2012, Probable Cause Evaluator Baumstark entered a finding that probable cause does exist in complaint number 10-L052.
Staff recommends that the Board enter a finding that grounds exist for formal disciplinary action, pursuant to Arizona Code of Judicial Administration (“ACJA”) § 7-201(H)(6)(a), (H)(6)(k)(2), (H)(6)(k)(3), (H)(6)(k)(4) and (H)(6)(k)(9) for acts of misconduct involving Arizona Supreme Court Rule 31(a)(2)(B)(2), ACJA § 7-201(F)(1), ACJA § 7-208(F)(2), (F)(6)(a), (F)(6)(b), (J)(1)(d), (J)(2)(b), (J)(2)(c), (J)(5)(a) and (J)(5)(c) and order the issuance of a Notice of Formal Statement of Charges involving Darren Ortiz and Legal Awareness Arizona, LLC.

Motion: Move to accept the staff’s recommendation, enter a finding that grounds exist for formal disciplinary action and order the issuance of a Notice of Formal Statement of Charges involving certificate holders, Darren Ortiz and Legal Awareness Arizona, LLC.

Motion Proposals: First Paul Friedman
Second Pamela Milburn

Motion Results: Pass

2-B: Review, discussion and possible action regarding complaint number 11-L034 involving certificate holder, Donna Vasquez.

Individuals Addressing the Board: Linda Grau

Discussion: On February 17, 2012, the Board filed the attached Notice of Formal Statement of Charges in complaint number 11-L034 involving Donna Vasquez. Division records reflect Vasquez was served on March 6, 2012. ACJA § 7-201(H)(11) provides: “The certificate holder shall file an answer to the formal statement of charges within fifteen days after the date the statement is served, unless otherwise ordered by the board for good cause.” Ms. Vasquez did not file the requisite Answer or request a hearing. Staff recommends that the Board adopt the Formal Charges contained in the Notice of Formal Statement of Charges as the Conclusions of Law and authorize the Chair to sign the Final Order

on behalf of the full Board.

Motion: Move to accept the staff's recommendation, adopt the Formal Charges contained in the Notice of Formal Statement of Charges as the Conclusions of Law and authorize the Chair to sign the Final Order on behalf of the full Board.

Motion Proposals: First Paul Friedman
Second Mary Carlton

Motion Results: Pass

2-C: Review, discussion and possible action regarding Hearing Officer Jonathan Schwartz' Report and Recommendation filed in complaint numbers 09-L094 and 10-L026 involving AAM, LLC.

Individuals Addressing the Board: Linda Grau

Discussion: Staff recommends that the Board enter executive session to receive advice of counsel in this matter.

Motion: Move to enter executive session to receive advice of counsel on the matter.

Motion Proposals: First Mary Carlton
Second Pamela Milburn
Recused Bonnie Matheson and Paul Friedman
Abstained Paul Friedman

Motion Results: Pass

Board Entered Executive Session:
10:45 A.M.

Return to Regular Session:
11:07 A.M.

Individuals Addressing the Board: Nina Preston

Discussion: Mary Carlton recommends that Board's counsel, Nina Preston, addresses each issue in the Hearing Officer's Report and that the Board vote to either approve or reject the changes to the document. Nina Preston presents recommended amendments and modifications to the Hearing Officer's Report.

Motion: Move to approve the recommendations of counsel concerning the Hearing Officer's Report in complaint numbers 09-L094 and 10-

L026 involving AAM, LLC.

Motion Proposals: First Mary Carlton
Second Pamela Milburn
Recused Bonnie Matheson and Paul Friedman
Abstained Paul Friedman

Motion Results: Pass

2-D: Review, discussion and possible action regarding the following complaints dismissed by the Division Director pursuant to Arizona Code of Judicial Administration § 7-201(D)(4)(a) and (H)(2)(a):

Complaint Number 12-L009

Individuals Addressing the Board: Linda Grau

Discussion: On March 12, 2012, Division Director Nancy Swetnam dismissed complaint number 12-L009 with prejudice for lack of jurisdiction and referred to the matter to an entity which may have jurisdiction. Notice of the dismissal was forwarded to the complainant on March 26, 2012, along with notice of the complainant's right to request Board review of the Division Director's dismissal. To date, no request for review has been received from the complainant. Staff recommends that the Board affirm the dismissal.

Motion: Move to accept the staff's recommendation and affirm dismissal of complaint number 12-L009.

Motion Proposals: First Mary Carlton
Second Rebecca Nilsen

Motion Results: Pass

Complaint Number 11-L035

Individuals Addressing the Board: Linda Grau

Discussion: On April 3, 2012, Division Director Swetnam dismissed complaint number 11-L035 with prejudice. Notice of the dismissal was forwarded to the complainant on April 6, 2012, along with notice of the complainant's right to request Board review of the Division Director's dismissal. To date, no request for review has been received from the complainant. Staff recommends that the Board affirm the dismissal.

Motion: Move to accept the staff's recommendation and affirm dismissal of complaint number 11-L035.

Motion Proposals: First Paul Friedman
Second Mary Carlton

Motion Results: Pass

2-E: Review, discussion and possible action regarding non-certificate holder complaint number NC11-L046 involving Amelia Vieyra.

Individuals Addressing the Board: Linda Grau

Discussion: On September 30, 2011, the Division received this complaint forwarded by the State Bar of Arizona from the Honorable Lawrence C. Kenworthy ("Judge Kenworthy") regarding Vieyra providing legal document preparation services without certification, after a Petitioner gave testimony in court that Vieyra assisted in the preparation of a Petition for Appointment of Guardian(s) of Minor(s) ("Petition"). Judge Kenworthy provided a copy of the Petition. The Petitioner confirmed Vieyra charged \$70.00 to prepare the Petition. Division records reflect that Vieyra has never applied for or been granted certification. On March 7, 2012, Vieyra submitted a written response to the complaint indicating she was not aware of the certification requirement and promising to obtain certification in the near future. Staff recommends that the Board issue a Cease and Desist Letter to Vieyra and close complaint number NC11-L046.

Motion: Move to accept the staff's recommendation, issue a Cease and Desist Letter and close complaint number NC11-L046.

Motion Proposals: First Paul Friedman
Second Mary Carlton

Motion Results: Pass

2-F: Review, discussion and possible action regarding former certificate holder National Future Benefits and non-certificate holder complaint number NC12-L022.

Individuals Addressing the Board: Linda Grau

Discussion: The Board previously entered a Final Order in complaint number 09-L035 involving National Future Benefits (“NFB”). The order included the voluntary surrender of the business entity’s certification.

On May 3, 2012, the Division received a complaint from a consumer regarding direct mail advertisements he received from National Future Benefits. Documentation provided by the complainant advertises document preparation services offered by National Future Benefits.

Staff recommends that the Board order and authorize the Chair to sign a letter on behalf of the full Board (to be forwarded to NFB and their attorney) requesting the business entity cease and desist from offering document preparation services until such time as the business entity holds active certification.

Motion: Move to accept staff’s recommendation to sign a letter on behalf of the full Board (to be forwarded to NFB and their attorney) requesting the business entity cease and desist from offering document preparation services, until such time as the business entity holds active certification.

Motion Proposals: First Paul Friedman
Second Mary Carlton

Motion Results: Pass

2-G: *Report regarding the ruling issued by the Honorable Maria Del Mar Verdin in Superior Court in Maricopa County case number LC2011-000731-001 DT as to the Petition for Special Action and Request for Injunctive Relief filed by certificate holder, Carla Lief, involving the Board’s disciplinary Final Order in complaint numbers 04-L039 and 07-L027.*

Individuals Addressing the Board: Linda Grau

Discussion: In the May 3, 2012 Minute Entry issued by Judge Verdin, the ruling denied Ms. Lief’s Petition for Special Action and granted the Board’s Motion for Summary Judgment.
No action by the Board is necessary.

2-H: *Report regarding the ruling issued by the Honorable John Ditsworth in Superior Court in Maricopa County case number CV2010-082380 regarding the Petition for Special Action filed by former certificate holder, Kenneth Volk, involving the Board disciplinary Final Order in complaint numbers 06-L079, 06-L098, 06-L118 and 07-L011.*

Individuals Addressing the Board: Linda Grau

Discussion: In the April 26, 2012 Minute Entry issued by Judge Ditsworth, the ruling affirmed the Board's Final Order to revoke Mr. Volk's legal document preparation certification.
No action by the Board is necessary.

3) ADMINISTRATIVE ISSUES

3-A: Report regarding State Bar of Arizona Unauthorized Practice of Law Committee Advisory Committee Opinion 12-01.

Individuals Addressing the Board: Debbie MacDougall

Discussion: The report regarding State Bar of Arizona Unauthorized Practice of Law Committee Advisory Committee Opinion 12-01 was provided to the Board for informational purposes only.
No action by the Board is being sought.

4) INITIAL CERTIFICATION APPLICATIONS

4-A: Review, discussion and possible action regarding the following pending applications for the 2011-2013 standard certification period.

1. ***Kendra Crandall***
2. ***Amber Ridenhour***
3. ***Rebakah Chapman***
4. ***Michael Parham***
5. ***Julie Haigh***
6. ***Katherine Trojahn***
7. ***Elizabeth A. Miller-Spann***
8. ***Christian Soto***
9. ***Jessica Leadingham***
10. ***June Pelletier***
11. ***Lawrence Castrovinci***
12. ***Ronda Stump***
13. ***Cassandra Andrick***
14. ***Concepcion Zambrano***
15. ***Kenneth Lindow***
16. ***Mia Olmos-Garcia***
17. ***Robyn McCraw***
18. ***Sandra Munier***
19. ***Sharon Kuller***
20. ***Legal Document Solutions, LLC (Ana Dabbs)***
21. ***Life Planning Group, LLC (Warner Lewis III)***

Individuals Addressing the Board: Kimberly Siddall

Discussion: Item #1 – Kendra Crandall
Staff recommends that the Board grant initial standard certification to applicant Crandall.

Motion: Move to accept the staff’s recommendation and grant initial standard certification to applicant Crandall.

Motion Proposals: First Pamela Milburn
Second Rebecca Nilsen

Motion Results: Pass

Discussion: Item #2 – Amber Ridenhour
Staff recommends that the Board grant standard certification to applicant Ridenhour and include language specifying that non-disclosure on future applications may result in denial of renewal or disciplinary action.

Motion: Move to accept the staff’s recommendation, grant standard certification to applicant Ridenhour and include language specifying that non-disclosure on future applications may result in denial of renewal or disciplinary action.

Motion Proposals: First Paul Friedman
Second Mary Carlton

Motion Results: Pass

Discussion: Items #3 and #4 – Rebekah Chapman and Michael Parham
Staff recommends that the Board grant initial standard certification to applicants Chapman and Parham.

Motion: Move to accept the staff’s recommendation and grant initial standard certification to applicants Chapman and Parham.

Motion Proposals: First Mary Carlton
Second Pamela Milburn

Motion Results: Pass

Discussion: Item #5 – Julie Haigh
Staff recommends that the Board grant standard certification to applicant Haigh, given the amount of time since the denial of her reinstatement, this current application and her detailed statement.

In the alternative, the Board may pursuant to ACJA § 7-201 (E)(1)(a)(10) request that Ms. Haigh attend the July 16, 2012 Board meeting for an informal interview.

Motion: Move to accept the staff's recommendation and request that Ms. Haigh attend the July 16, 2012 Board meeting for an informal interview.

Motion Proposals: First Paul Friedman
Second Mary Carlton

Motion Results: Pass

Discussion: Item #6 – Katherine Trojahn
Applicant disclosed that she had been convicted of a 9/13/01 possession of controlled substance, completed diversion and the case was dismissed on 10/10/03.
Staff recommends that the Board grant initial standard certification based on the length of time since the conviction and that no additional information was presented during the background investigation.

Motion: Move to accept staff's recommendation and grant initial standard certification to applicant Trojahn.

Motion Proposals: First Paul Friedman
Second Mary Carlton

Motion Results: Pass

Discussion: Item #7 - Elizabeth Miller-Spann
Staff recommends that the Board grant initial standard certification.

Motion: Move to accept staff's recommendation and grant initial standard certification to applicant Miller-Spann.

Motion Proposals: First Mary Carlton
Second Paul Friedman
Recused Rebecca Nilsen

Motion Results: Pass

Discussion: Items # 8, 11, 12, 14, 15, 16 – Christian Soto, Lawrence Castrovinci, Ronda Stump, Concepcion Zambrano, Kenneth Lindow, and Mia Olmos-Garcia.
Staff recommends deferment of consideration to the July 16, 2012 meeting.

Motion: Move to accept the staff's recommendation and defer consideration of applications to the July 16, 2012 meeting.

Motion Proposals: First Mary Carlton
Second Paul Friedman

Motion Results: Pass

Discussion: Items # 9, 10, 17, 19, 20, 21 - Jessica Leadingham, June Pelletier, Robyn McCraw, Sharon Kuller, Legal Document Solutions, LLC, and Life Planning Group, LLC.
Staff recommends that the Board grant initial standard certification.

Motion: Move to accept the staff's recommendation to grant initial standard certification to applicants Leadingham, Pelletier, McCraw, Kuller, Legal Document Solutions, LLC, and Life Planning Group, LLC.

Motion Proposals: First Rebecca Nilsen
Second Pamela Milburn

Motion Results: Pass

Discussion: Item # 13 – Cassandra Andrick
Applicant disclosed being involved in 8 civil actions, five of the actions stemming from utility bills, apartment judgments, and medical bills. The other 3 actions, the applicant is unsure of the action but is working on contacting the creditors and working out a solution. Applicant also disclosed being convicted of a 1990 shoplifting and states that the fine was paid.
Staff recommends that the Board grant initial standard certification.

Motion: Move to accept the staff's recommendation and grant initial standard certification to applicant Andrick.

Motion Proposals: First Paul Friedman
Second Mary Carlton
Opposed Deborah Colon-Mateo

Motion Results: Pass

Discussion: Item # 18 – Sandra Munier
Applicant disclosed being involved in two actions regarding credit cards. The actions have been dismissed. Applicant received her Juris Doctor degree from Western State University in 1995 and was admitted to California State Bar.
Staff recommends that the Board grant standard certification and

require the applicant to submit an affidavit stating she understands and will comply with the provisions of Arizona Code of Judicial Administration 7-201 and 7-208 and Supreme Court Rule 31 regarding the unauthorized practice of law and use of “JD” designation.

Motion: Move to accept the staff’s recommendation, grant initial standard certification to applicant Munier and require the applicant to submit an affidavit stating that she understands and will comply with the provisions of Arizona Code of Judicial Administration 7-201 and 7-208 and Supreme Court Rule 31 regarding the unauthorized practice of law and use of “JD” designation.

Motion Proposals: First Paul Friedman
Second Mary Carlton

Motion Results: Pass

5) CERTIFICATION AND ELIGIBILITY

5-A: *Review, discussion and possible action regarding application for reinstatement after suspension submitted by Darren Ortiz and business entity Legal Awareness Arizona, LLC.*

Individuals Addressing the Board: Kimberly Siddall

Discussion: Staff recommends that the Board defer this reinstatement application until the July meeting to determine if Mr. Ortiz will request a hearing regarding the disciplinary action.

Motion: Move to accept the staff’s recommendation and defer the reinstatement application until the July meeting.

Motion Proposals: First Paul Friedman
Second Mary Carlton

Motion Results: Pass

5-B: *Review, discussion, and possible actions regarding the request for waiver of continuing education (CE) requirement for certificate holder Sherrene L. Caley.*

Individuals Addressing the Board: Kimberly Siddall

Discussion: Staff recommends that the Board determine whether the request

should be considered a special circumstance pursuant to ACJA § 7-208(L)(9)(c)(2) that would warrant an extension or waiver of CE credits and that the Board grant the waiver of continuing education for the 2011 certification year due to her stated circumstance.

Motion: Move to grant a 60 day extension from today's date for the ten hours of continuing education for the 2011 period.

Motion Proposals: First Paul Friedman
Second Mary Carlton

Motion Results: Pass

5-C: Review, discussion and possible action regarding Hearing Officer Jonathan Schwartz's Recommendation Report involving the denial of initial certification application submitted by Leonard W. Deehan.

Individuals Addressing the Board: Kimberly Siddall

Discussion: Staff recommends that the Board enter into executive session to receive the advice of counsel on this matter.

Motion: Move to enter Executive Session to receive the advice of counsel.

Motion Proposals: First Mary Carlton
Second Pamela Milburn

Motion Results: Pass

Board Entered Executive Session:
11:44 A.M.

Return to Regular Session:
11:51 A.M.

Motion: Move to accept the findings of the Hearing Officer and recommend certification for applicant Deehan.

Motion Proposals: First Mary Carlton
Second Deborah Colon-Mateo
Abstained Bonnie Matheson,
Pamela Milburn
Opposed Paul Friedman

Motion Results: Pass

5-D: Review, discussion and possible action regarding Hearing Officer Jonathan Schwartz's Recommendation Report involving the denial of initial certification application submitted by Gerald Zukerman.

Individuals Addressing the Board: Kimberly Siddall

Discussion: Hearing Officer Schwartz recommends the Board affirm its previous denial.
Staff recommends the Board adopt the Hearing Officer's recommendation.

Motion: Move to affirm the Board's previous denial.

Motion Proposals: First Mary Carlton
Second Paul Friedman

Motion Results: Pass

5-E: Review, discussion, and possible action regarding Voluntary Surrender request received from certified business, Parker Egan CPAs, PLLC.

Individuals Addressing the Board: Kimberly Siddall

Discussion: Division records confirm that there are no pending complaints against Parker Egan CPAs, PLLC.
Staff recommends that the Board accept the voluntary surrender request made by Parker Egan CPAs, PLLC.

Motion: Move to accept the staff's recommendation that the Board accept the voluntary surrender request.

Motion Proposals: First Mary Carlton
Second Paul Friedman

Motion Results: Pass

CALL TO THE PUBLIC

Individuals Addressing the Board: Linda Grau

Discussion: Today is Les Krambeal's last Board meeting.
The Division would like to thank Les Krambeal for his many years of dedicated service.

ADJOURNMENT

Motion: Move to adjourn the meeting.

Motion Proposals: First Paul Friedman
Second Mary Carlton

Motion Results: Pass

Time: 11:56 A.M.