



Board of Legal Document Preparers

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

Date: January 28, 2013
Time: 10:00 a.m.
Hearing Room 109

Approved Regular Meeting Minutes

MEMBER ATTENDANCE:

Present:

Mary Carlton
Paul Friedman
Becky Nilsen
Cheri Clark

Telephonically Present:

Pamela Milburn
Deborah Colon-Mateo
Deborah Young
Mary Jo Randall
Bonnie Matheson

Absent:

Debra Griffin
Judge Samuel Myers

OTHER ATTENDEES

AOC Staff:

Mark Wilson
Debbie MacDougall
Linda Grau
Nina Preston
Kimberly Siddall
Rick Sczerbicki
Pasquale Fontana
Anne Hunter
Wendy Reiter
Michelle Jackson

Guests:

Laura Cardinal
Craig Liming

CALL TO ORDER

Called to Order By:

Mary Carlton, Chair

Time: 10:02 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 November 26, 2012.

Discussion: None

Motion: Move to approve.

Motion Proposals: First Paul Friedman
Second Pamela Milburn

Motion Results: Pass

Recusal:

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

Discussion: None

Motion: Move to approve.

Motion Proposals: First Paul Friedman
Second Pamela Milburn

Motion Results: Pass

Recusal:

2) REVIEW OF PENDING COMPLAINTS

Individuals Addressing the Board:

Linda Grau

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

Complaint Number 07-L072-Dolores Dixon-Almada
Complaint Number 10-L041-Silviano Tanori
Complaint Number 11-L049-Joseph Glennon and AAA Legal Services
Complaint Number 11-1006-Dawn Fountain
Complaint Number 09-L036-Erica Kloner and GFA Wealth Design

Discussion: Complaint Number 07-L072 – Dolores Dixon-Almada

Motion: Move to close the complaint without further action.

Motion Proposals: First Paul Friedman
Second Pamela Milburn

Motion Results: Pass

Discussion: Complaint Number 10-L041 – Silviano Tanori

Motion: Move to dismiss the complaint.

Motion Proposals: First Paul Friedman
Second Pamela Milburn

Motion Results: Pass

Discussion: Complaint Number 11-L049- Joseph Glennon and AAA Legal Services

Motion: Move to dismiss the complaint.

Motion Proposals: First Paul Friedman
Second Pamela Milburn

Motion Results: Pass

Discussion: Complaint Number 11-L006 – Dawn Fountain

Motion: Move to issue a letter of concern.

Motion Proposals: First Paul Friedman
Second Pamela Milburn

Motion Results: Pass

Discussion: Complaint Number 09-L036 – Erica Kloner and GFA Wealth Design

Motion: Move to dismiss the complaint.

Motion Proposals: First Paul Friedman
Second Cheri Clark

Motion Results: Pass

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

Complaint Number 05-L046-Carol Aragon-Montgomery

Complaint Number 10-L045-Kenneth Singer

Complaint Number 11-L009-JoAnn Kramer

Discussion: Complaint Number 05-L046 – Carol Aragon Montgomery

Motion: Move to dismiss the complaint.

Motion Proposals: First Paul Friedman
Second Pamela Milburn

Motion Results: Pass

Discussion: Complaint Number 10-L045 – Kenneth Singer

Motion: Move to accept staff's recommendation to offer Singer an opportunity to resolve the formal disciplinary action by consent resolution.

Motion Proposals: First Paul Friedman
Second Pamela Milburn

Motion Results: Pass

Discussion: Complaint Number 11-L009- JoAnn Kramer

Motion: Move to dismiss the complaint.

Motion Proposals: First Paul Friedman
Second Cheri Clark

Motion Results: Pass

2-C: *Review, discussion and possible action regarding Certificate holder Sandra Coffman and complaint numbers: 11-L054, 11-L055, 11-L057,12-L013, 12-L025, 12-L038 and 12-L043.*

Discussion: *Complaint numbers: 11-L054, 11-L055, 11-L057, 12-L013, 12-L025, 12-L038 and 12-L043.*

Motion: Move to accept staff's recommendation to offer Coffman an opportunity to resolve the formal disciplinary action by consent resolution.

Motion Proposals: First Paul Friedman
Second Becky Nilsen

Motion Results: Pass

Recusal: Pamela Milburn

2-D: *Review, discussion and possible action regarding certificate holder Elizabeth Moore and complaint numbers 06-L104, 07-L022, 07-L073, 11-L008, 11-L010 and 11-L019.*

Discussion: *Complaint numbers 06-L104, 07-L022, 07-L073, 11-L008, 11-L010 and 11-L019.*

Motion: Move to accept staff's recommendation as stated which includes issuing a letter requiring Moore to provide the Division with documentation of reimbursements being made to the consumers involved in the above-named cases.

Motion Proposals: First Paul Friedman
Second Becky Nilsen

Motion Results: Pass

2-E: *Review, discussion and possible action regarding the proposed Consent Agreement resolution of complaint number 10-L049 and Richard Dandis.*

Discussion: At the December meeting, the Board moved to extend a Consent Agreement resolution invitation to Richard Dandis regarding the formal disciplinary action in complaint number 10-L049.

Motion: Move to enter the agreement and authorize the Chair to sign the Consent Agreement on behalf of the full Board.

Motion Proposals: First Paul Friedman
Second Cheri Clark

Motion Results: Pass

2-F: *Review, discussion and possible action regarding the Superior Court in Maricopa County Special Action Judicial Review of the disciplinary action involving AAM, LLC.*

Discussion: On August 20, 2012, the Honorable Mark Brain entered a Minute Entry ruling regarding the Board's disciplinary action involving AAM, LLC. On October 24, 2012, Judge Brain signed the Judgment. On October 26, 2012, Judge Brain issued the clarifying Minute Entry.

Motion: Move to accept the proposed language in order to conform with the Judgment issued.

Motion Proposals: First Pamela Milburn
Second Becky Nilsen

Motion Results: Pass

Recusal: Paul Friedman

2-G: *Review, discussion and possible action regarding the proposed Consent Agreement resolution of complaint number 12-L007 and Dubravka Sinno.*

Discussion: At the December meeting, the Board moved to extend a Consent Agreement resolution invitation to Dubravka Sinno regarding the formal disciplinary action in complaint number 12-L007.

Motion: Move to enter the agreement and authorize the Chair to sign the Consent Agreement on behalf of the full Board.

Motion Proposals: First Paul Friedman
Second Becky Nilsen

Motion Results: Pass

3) ADMINISTRATIVE ISSUES

Individuals Addressing the Board: Division Staff

3-A: *Nomination and election of the 2013 Vice Chair for the Board of Legal Document Preparers.*

Discussion: Pamela Milburn volunteered to serve as vice chair.

Motion: Move to accept Pamela Milburn as vice chair.

Motion Proposals: First Paul Friedman
Second Mary Carlton
Motion Results: Pass

3-B: *Review, discussion and possible action regarding the certification renewal application deadline pursuant to Arizona Code of Administration § 7-201(G)(2).*

Discussion: Application. A certificate holder is responsible for applying for a renewal certificate. The certificate holder shall apply for renewal of certification on the form provided by division staff. The board shall set a deadline renewal application date, in advance of the expiration date, to allow a reasonable time frame for processing the renewal application.
Active certificates expire at midnight on June 30th of each odd numbered year.

Motion: **Move to approve the 2013-2015 renewal application deadline as June 9, 2013.**

Motion Proposals: First Paul Friedman
Second Bonnie Matheson
Motion Results: Pass
Recusal:

3-C: *Discussion regarding changing website passwords.*

Discussion: Staff informed the Board of the upcoming changes to the website passwords.

3-D: *Review, discussion and possible action regarding pending Petition to Amend Rule 31(d)(24) number R-13-0001.*

Motion: **Move to enter into executive session.**

Motion Proposals: First Paul Friedman
Second Mary Carlton
Motion Results: Pass

Return to public session.

Discussion: Move to appoint a subcommittee to have meet and prepare a response to the pending petition. Mary Carlton, Paul Friedman and Becky Nilsen volunteer to serve.

3-E: *Discussion regarding Administrative Order No. 2012-83.*

Discussion: Discussion regarding Administrative Order No. 2012-83 presented by Mark Wilson.

4) INITIAL CERTIFICATION APPLICATIONS

Individuals Addressing the Board:

Kimberly Siddall

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

Scott Smithson, Jr.

Janice Tellez

Christian Soto

Eugenia Benavente

Arizona CLDP, LLC (Denisa Kaporaus)

Michael Pierce

James Carter

Patricia Rockwell

Alan DiSomma

Payson Legal Document Preparers (Alan DiSomma)

Michael Dugger

Dovan Associates, Inc (Donna Vangury)

. Arizona Family Law Center, LLC (Georgianna Aguilar)

Katherine MacDonald

Wendy Whitehair

Deisy Perez

Jennifer Cabble

Stefanie Montgomery Jochums

Monica Valenzuela

Discussion: *Scott Smithson, Jr.*
Janice Tellez
Christian Soto
Eugenia Benavente
Arizona CLDP, LLC (Denisa Kaporaus)

Motion: Move to grant certification.

Motion Proposals: First Paul Friedman
Second Becky Nilsen

Motion Results: Pass

Discussion: *Michael Pierce*

Motion: Move to grant initial standard certification and include language regarding non-disclosure on future applications may result in denial of renewal or disciplinary action.

Motion Proposals: First Paul Friedman
Second Becky Nilsen

Motion Results: Pass

Discussion: *James Carter*

Motion: Move to defer until the March meeting.

Motion Proposals: First Paul Friedman
Second Becky Nilsen

Motion Results: Pass

Discussion: *Patricia Rockwell*

Motion: Move to invite Ms. Rockwell to the next scheduled meeting for an informal interview regarding the civil actions, criminal actions, and any other information pertaining to her application.

Motion Proposals: First Paul Friedman
Second Becky Nilsen

Motion Results: Pass

Discussion: *Alan Disomma and Payson Legal Document Preparers*

Motion: Move to deny certification.

Motion Proposals: First Deborah Colon-Mateo
Second Paul Friedman

Motion Results: Pass

Discussion: *Michael Dugger*

Motion: Move to accept withdrawal of application.

Motion Proposals: First Deborah Colon-Mateo
Second Paul Friedman

Motion Results: Pass

Discussion: *Dovan Associates, Inc. (Donna Vangury)*

Motion: Move to defer until next meeting.

Motion Proposals: First Paul Friedman
Second Becky Nilsen

Motion Results: Pass

Discussion: *Arizona Family Law Center, LLC*

Motion: Move to grant initial standard certification and include language regarding non-disclosure on future applications may result in denial of renewal or disciplinary action.

Motion Proposals: First Paul Friedman
Second Deborah Colon-Mateo

Motion Results: Pass

Discussion: *Katherine MacDonald*
Wendy Whitehair

Motion: **Move to go into executive session.**

Motion Proposals: First Paul Friedman
Second Becky Nilsen

Motion Results: Pass

Return to public session.

Discussion: *Katherine MacDonald*

Motion: Move to grant initial standard certification.

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

Discussion: Wendy Whitehair

Motion: Move to grant initial standard certification and include language regarding non-disclosure on future applications may result in denial of renewal or disciplinary action.

Motion Proposals: First Paul Friedman
Second Becky Nilsen
Motion Results: Pass
Abstain Bonnie Matheson and Pamela Milburn

Discussion: Jennifer Cabble

Motion: Move to invite Ms. Cabble to the next scheduled meeting for an informal interview.

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

Discussion: Deisy Perez
Stefanie Montgomery-Jochums
Monica Valenzuela

Motion: Move to defer until next meeting.

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

4-B: Review of Business Entity Exemption Requests for the 2011-2013 initial certification period.

Discussion: Arizona CLDP, LLC (Denise Kaporaus)
A+ Mail and Business Center, Inc. (Teri Parcels)

Motion: Move to grant business entity exemption.

CALL TO THE PUBLIC

Mary Carlton, Chair

Laura Cardinal and Craig Liming

ADJOURNMENT

Mary Carlton, Chair

Motion: Move to adjourn.

Motion Proposals: First Paul Friedman
Second Becky Nilsen

Motion Results: Pass

Time: 11:49 a.m.