

Supreme Court Board of Legal Document Preparers

Arizona State Courts Building
1501 West Washington, Phoenix, AZ 85007
Conference Room 230
10:00 a.m. – 2:00 p.m.

July 17 2006

Approved Regular Session Meeting Minutes

Members Present:

Judge Roland Steinle
Mary Carlton
Dr. Roger Hartley
Les Krambeal
Vellia M. Piña
J. Ward Sturm
Nancy Swetnam

Members Absent:

Jacqui Velde
Frank Costanzo

Telephonically Present:

Virlynn Tinnell
Carol L. Wells

AOC Staff Present:

Linda Grau
Nina Preston
Kimberly Siddall
Brenda Dominguez
Kirk Smith
Kandace French

Guests

Jim Reid
Jan Rust
Stephen Trezza

CALL TO ORDER

The regular session was called to order by Judge Roland Steinle at 10:05 a.m.

Dr. Roger Hartley holds the proxy vote for Frank Costanzo.

2) ADMINISTRATIVE ISSUES (taken out of order)

2-A: Introduction and welcome to recently appointed Legal Document Preparer Board Member Les Krambeal of Tucson.

Les Krambeal was introduced and welcomed to the Board as a Legal Document Preparer Member.

1) REVIEW AND APPROVAL OF MEETING MINUTES

1-A: Regular and Executive Session Minutes for the meeting of June 12, 2006.

A **motion** was made by Nancy Swetnam to adopt the Regular Session Minutes for June 12, 2006 as amended. Mary Carlton seconded the motion. Motion passed. **LDP-06-225**

1-B: Regular and Executive Session Minutes for the meeting of June 26, 2006.

A **motion** was made by Nancy Swetnam to adopt the Regular Session Minutes for June 26, 2006 as amended. Dr. Roger Hartley seconded the motion. Motion passed. **LDP-06-226**

2) ADMINISTRATIVE ISSUES

2-B: Review and discussion regarding Board Member Policies and Procedures D(2).

Linda Grau requested and recommended the Board move to identify Jacqui Velde's recent absences from meetings as excused pursuant to the Board Member Policies and procedures.

A **motion** was made by J. Ward Sturm to identify Legal Document Preparer Board Member Jacqui Velde's absences as excused absences. Dr. Roger Hartley seconded the motion. Motion passed. **LDP-06-227**

3) CERTIFICATION AND ELIGIBILITY

3-A: Review and discussion regarding denial of initial individual certification to Charlene DeLucia and possible Consent Agreement.

Linda Grau informed the Board Charlene DeLucia has not, to date, taken the Legal Document Preparer Examination. Ms. Grau recommended the Board defer this matter until the September Board meeting.

A **motion** was made by Dr. Roger Hartley to defer consideration of denial of initial individual certification to Charlene DeLucia and a possible Consent Agreement until the September Board meeting. J. Ward Sturm seconded the motion. Mary Carlton opposed. Motion passed. **LDP-06-228**

3-B: Review of pending requests for continuing education credit approval.

The Board discussed and reviewed the following list of continuing education requests and Program staff recommendations:

1. "Application of Attachment Theory" presented by Coconino Coalition for Children and Youth in Flagstaff, AZ on 5/19/2005 - 3 hours requested --- Division staff recommends granting request.
2. "How to Legally Hold an Annual Meeting" presented by The Shaw Law Firm in Phoenix, AZ on 1/23/2006 – 3 hours requested --- Division staff recommends granting request.
3. "Child Support Enforcement in Arizona" presented by NALS of Tucson in Tucson, AZ on 1/26/2006 – 1 hour requested --- Division staff recommends granting request.

4. "Update of Court Rules, Procedures & Technology" presented by NALS of Tucson in Tucson, AZ on 2/23/2006 – 1 hour requested – Division staff recommends granting request.
5. "How to File for Dissolution of Marriage and Special Paternity in Pima County" presented by NALS of Tucson in Tucson, AZ on 3/16/2006 – 1 hour requested --- Division staff recommends granting request.
6. "Ethics for the CPA – Basic" presented Online by Smart Pros – 2 hours requested --- Division Staff recommends granting request.
7. "Computer Systems Aiding Decision Makers" presented Online by Smart Pros – 5 hours requested --- Division staff recommends granting request.
8. "Criminal Law" presented by NALS of Tucson in Tucson, AZ on 6/16/2006 – 1 hour requested --- Division staff recommends granting request.
9. "Ethics for Arizona CPAs" presented Online by Professional Education Services Ltd. - 4 requested --- Division staff recommends granting 4 hours of Ethics.
10. "Taxation of Divorced or Separated Individuals" presented Online by Smart Pros – 6 hours requested --- Division staff recommends granting 5 hours.
11. "Worker's Compensation" presented by NALS of Tucson in Tucson, AZ on 7/21/2005 – 1 hour requested --- Division staff recommends granting request.
12. "Practice Management – Taxation" presented by National Association of Tax Professionals in Ahwatukee, AZ on 9/15-17/2005 – 14 hours requested --- Division staff recommends granting 5 hours.
13. "Gear Up Business Entities" presented by ASPA in Phoenix, AZ on 9/21-22/2005 – 3 hour per day for a total of 6 hours requested --- Division staff recommends granting request.
14. "Service of Process" presented by NALS of Tucson in Tucson, AZ on 9/22/2005 – 1 hour requested --- Division staff recommends granting request.
15. "Nuts & Bolts of Bankruptcy 2005" presented by Russell Brown, Esq. in Tempe, AZ on 9/30/2005 – 5.5 hours requested --- Division staff recommends granting 5 hours.
- 15a. "Nuts & Bolts of Bankruptcy 2005" presented by Russell Brown, Esq. in Tempe, AZ on 10/1/2005 - 5 hours requested --- Division staff recommends granting 5 hours including 2 hours of Ethics.

16. "Fundamentals of Construction Contracts: Understanding the Issues" presented by Lorman in Phoenix, AZ on 10/6/2005 – 6.5 hours requested --- Division staff recommends granting 5 hours.
17. "Section 529 College Savings Plan" presented Online by eMind.com - 1.5 hours requested --- Division staff recommends granting request.
18. "Selling Away - Compliance with NASD Rule 3040" presented Online by eMind.com - 1.5 hours requested --- Division staff recommends granting request.
19. "Communications for Registered Representatives" presented Online by eMind.com - 1.5 hours requested --- Division staff recommends granting request.
20. "Outside Business Activities & Private Securities Transactions" presented Online by eMind.com - 1.5 hours requested --- Division staff recommends granting request.
21. "Personal Injury & Malpractice" presented by NALS of Tucson in Tucson, AZ on 10/20/2005 – 1 hour requested --- Division staff recommends granting request.
22. "Managing the Media" presented by the Community Association Institute in Phoenix, AZ on 10/20/2005 – 1.5 hours requested --- Division staff recommends granting 1.5 hours of Business Management Credit.
23. "Office of Foreign Assets Control" presented Online by eMind.com - 1.5 hours requested --- Division staff recommends granting request.
24. "Gear Up Taxation Seminar" presented by ASPA in Tucson, AZ on 11/2-3/2005 - 3 hours per day for a total of 6 hours requested --- Division staff recommends granting request.
25. "Filing Update" presented by NALS of Tucson in Tucson, AZ on 11/17/2005 – 1 hour requested --- Division staff recommends granting request.
26. "2005 Tax & Legal Seminar" presented by the Arizona Community Foundation & Jewish Community Foundation of Greater Phoenix in Scottsdale, AZ on 11/18/2005 – 4 hours requested --- Division staff recommends granting 3 hour for Tax credit.
27. "30 Hour Basic Family Mediation Training Program" presented by the Association for Conflict Resolution in Phoenix on 11/30-12/16/2005 - 32 hours requested --- Division staff recommends granting 5 hours including 1 hour of Ethics.
28. "Business e-file Programs Phone Forum" presented Telephonic by the IRS on 12/7/2005 – 1 hour requested --- Division staff recommends granting request.

29. "Ethics in Mediation" presented by the Justice Court Mediation Program in Phoenix, AZ on 12/9/2005 – 1 hour requested --- Division staff recommends granting 1 hour for Ethics credit.
30. "Taxation and Technology" presented by Drake in Palm Springs, CA on 12/12-13/2005 – 11 hours requested --- Division staff recommends 5 hours be granted.
31. "Child Custody & Shared Parenting in AZ" presented by NBI in Phoenix, AZ on 12/21/2005 – 5 hours requested --- Division staff recommends granting 5 hours including 1 hour of Ethics.
32. "Top Federal Tax Issues for 2006: Module 1" presented Online by CCH – 5 hours requested --- Division staff recommends granting request.
33. "Top Federal Tax Issues for 2006: Module 2" presented Online by CCH – 8 hours requested --- Division staff recommends granting 5 hours.
34. "Top Federal Tax Issues for 2006: Module 3" presented Online by CCH – 4 hours requested --- Division staff recommends granting request.
35. "2005 Training Seminar - IRS Regulations" presented by Drake in Phoenix, AZ on 1/5/2006 – 8 hours requested --- Division staff recommends granting 5 hours.
36. "HOA Legal Trends" presented by The Shaw Law Firm in Phoenix, AZ on 2/27/2006 – 3 hours requested --- Division staff recommends granting request.
37. "Drafting LLD & LLP Agreements in AZ: Management, Member Status, Ethical Considerations and Transfers of Member Interest" presented Online by NBI, Inc - 2.75 including 1 hour Ethics requested --- Division staff recommends granting request.
38. "Arizona Victim's Rights, Forms, Documents & Compensation" presented by the Office of the Arizona Attorney General in Phoenix, AZ on 4/18/2006 – 3 hours requested --- Division staff recommends granting request.
39. "How to Legally Store Association Records & Legal Aspects of Common Area Tax Rules and Ethics" presented by The Shaw Law Firm in Phoenix, AZ on 4/24/2006 - 3 including 1 Ethics --- Division staff recommends granting request.
40. "Bad Faith Insurance Claims in America" presented by NBI in Phoenix, AZ on 4/24/2006 – 5 hours requested --- Division staff recommends granting 5 hours including 1 hour of Ethics.
41. "Revised Domestic Violence Forms" presented by the Arizona Supreme Court in Phoenix, AZ on 4/29/06 – 17.5 minutes requested --- Division staff recommends denial pursuant to Continuing Education Policy (D)(3)(a).

42. "Legal Terminology" presented by the Justice Court Administration in Phoenix, AZ on 4/29/2006 – 1 hour requested --- Division staff recommends granting request.
43. "Victim's Rights" presented by the Justice Court Administration in Phoenix, AZ on 4/29/2006 – 1 hour requested --- Division staff recommends granting request.
44. "Legal Research" presented by the Justice Court Administration in Phoenix, AZ on 4/29/2006 – 1 hour requested --- Division staff recommends granting request.
45. "Ethics for Detention Officers" presented by the Arizona Supreme Court in Phoenix, AZ on 5/1/2006 – 1 hour requested --- Division staff recommends granting request.
46. "Arizona Court System" presented by the Justice Court Administration in Phoenix, AZ on 5/1/2006 – 1 hour requested --- Division staff recommends granting request.
47. "Serving Aging America" presented by the National Society of Accountants in Las Vegas, NV on 5/27-28/2006 – 12 hours requested --- Division staff recommends granting 5 hours.
48. "Ethics: Practical Ethics" presented Online by DigiLearn – 2 hour of Ethics requested -- - Division staff recommends granting request.
49. "Religious Accommodations in the Workplace" presented Online by DigiLearn – 1 hour of Ethics requested --- Division staff recommends granting request.
50. "Conflicts of Interest: Fundamental Precepts" presented Online by DigiLearn – 1 hour of Ethics requested --- Division staff recommends granting request.
51. "Unauthorized Practice of Law" presented Online by DigiLearn - 1 hour of Ethics requested --- Division staff recommends granting request.
52. "Keeping Clients Satisfied" presented Online by DigiLearn - 4 hours of Ethics requested --- Division staff recommends granting request.
53. "Advanced Mediation Training Module #1 Ethics Issues & Confidentiality" presented by the Office of the Arizona Attorney General in Phoenix, AZ – 4 hours requested --- Division staff recommends granting 3.5 hours.
54. "Advanced Mediation Training Module #2 Impasse & Other Barriers to Resolution" presented by the Office of the Arizona Attorney General in Phoenix, AZ – 4 hours requested --- Division staff recommends granting 3.5 hours.
55. "Advance Mediation Training Module #3 Power Imbalances & Representation Issues" presented by the Office of the Arizona Attorney General in Phoenix, AZ – 4 hours requested --- Division staff recommends granting 3.5 hours.

56. "How to Buy, Sell or Merge Your Accounting Practice" presented by Professional Horizons, Inc. in Phoenix, AZ on 5/26/2005 – 4 hours requested --- Division staff recommends denial.
57. "Introduction to the Sarbanes-Oxley Act & Corporate Governance" presented Online by Smart Pros – 3 hours requested --- Division staff recommends denial.
58. "Securities Mandatory Annual Compliance Meeting" presented by Woodbury Financial Services in Tucson, AZ on 1/24/2006 – 4 hours requested --- Division staff recommends denial.
59. "Aggressive Defense of the Accused Impaired Driver" presented by the Arizona Attorneys for Criminal Justice in Tucson, AZ on 4/28-29/2006 – 11.25 hours requested --- Division staff recommends denial.
60. "Arizona's Design for Justice" presented by the Arizona Supreme Court in Phoenix, AZ on 4/29/2006 – 12 minutes requested --- Division staff recommends denial pursuant to Continuing Education Policy (D)(3)(a).
61. "The Probate Process from Start to Finish" presented by NBI in Phoenix, AZ on 5/15/2006 - 6.5 hours requested including 1 hour of Ethics --- Division staff recommends granting 5 hours including 1 hour of Ethics.
62. "Have You Lost that Research Feeling?" presented by the Arizona Association of Law Libraries in Glendale, AZ on 5/19/2006 – 5 hours requested --- Division staff recommends granting request.
63. "Divorce in a Nutshell" presented by the Maricopa County Association of Family Mediators in Phoenix, AZ on 5/30/2006 – 1 hour requested --- Division staff recommends granting request.
64. "Overview of Juvenile Justice Program" presented by the Maricopa County Superior Court in Phoenix, AZ on 6/14/2006 – 1 hour requested --- recommend granting request.
65. "Drafting Effective Wills & Trusts" presented by NBI in Phoenix, AZ on 6/23/2006 – 6 hours requested – Division staff recommends granting 1 hour of Ethics.
66. "Legal Roundtable Indemnity 2006" presented by the Arizona Builders' Alliance in Phoenix, AZ on 6/27/2006 - 1.5 hours requested --- Division staff recommends granting request.
- 66a. "Contract Killer Clauses" presented by the Arizona Builders' Alliance in Phoenix, AZ on 6/9/2006 – 3 hours requested --- Division staff recommends granting request.

67. "Protective Orders and AZTEC" presented by the Arizona Judicial Staff Conference in Flagstaff, AZ on 7/19-21/2006 - 3.5 hours requested --- Division staff recommends granting request.
68. "Key Elements of Customer Service in the Courts" presented by the Arizona Judicial Staff Conference in Flagstaff, AZ on 7/19-21/2006 - 3.5 hours requested --- Division staff recommends granting request.
69. "Victim's Rights" presented by the Arizona Judicial Staff Conference in Flagstaff, AZ on 7/19-21/2006 - 3.5 hours requested --- Division staff recommends granting request.
70. "Diversity in Arizona's Courts" presented by the Arizona Judicial Staff Conference in Flagstaff, AZ on 7/19-21/2006 - 3.5 hours requested --- Division staff recommends granting request.
71. "Ethics for Official and Ad Hoc Court Interpreters" presented by the Arizona Judicial Staff Conference in Flagstaff, AZ on 7/19-21/2006 - 3.5 hours requested --- Division staff recommends granting 3.5 hour of Ethics.
72. "Generational Divide and the Impact on the Courts" presented by the Arizona Judicial Staff Conference in Flagstaff, AZ on 7/19-21/2006 - 3.5 hours requested --- Division staff recommends granting request.
73. "What's New - Legislative Updates and the 2005-2010 Strategic Agenda for Arizona's Courts" presented by the Arizona Judicial Staff Conference in Flagstaff, AZ on 7/19-21/2006 - 3.5 hours requested --- Division staff recommends granting 3.0 hours.
74. "Urban and Rural Perspective of Security in the Courthouse" presented by the Arizona Judicial Staff Conference in Flagstaff, AZ on 7/19-21/2006 - 3.5 hours requested --- Division staff recommends denial.
75. "DUI Case Processing" presented by the Arizona Judicial Staff Conference in Flagstaff, AZ on 7/19-21/2006 - 3.5 hours requested --- Division staff recommends granting 3.0 hours.
76. "Managing Change: Lessons Learned from Successful Implementation of Organizational Change" presented by the Arizona Judicial Staff Conference in Flagstaff, AZ on 7/19-21/2006 - 3.5 hours requested --- Division staff recommends granting request.
77. "Improving Team Performance: Leveraging the Power of Your Team" presented by the Arizona Judicial Staff Conference in Flagstaff, AZ on 7/19-21/2006 - 3.5 hours requested --- Division staff recommends granting 3 hours.

78. "Ethics Jeopardy: What is a Canon?" presented by the Arizona Judicial Staff Conference in Flagstaff, AZ on 7/19-21/2006 - 3.5 hours requested --- Division staff recommends granting 3.5 hours of Ethics.
79. "Code of Conduct - Ethics in the Judiciary" presented by the Arizona Judicial Staff Conference in Flagstaff, AZ on 7/19-21/2006 - 3.5 hours requested --- Division staff recommends granting 3.5 hours of Ethics.
80. "Good to Great: Spotlight on "Specialty Courts" in Arizona" presented by the Arizona Judicial Staff Conference in Flagstaff, AZ on 7/19-21/2006 - 3.5 hours requested --- Division staff recommends granting 3.0 hours.
81. "Being Prepared: Pandemic & its Effects on the Courts" presented by the Arizona Judicial Staff Conference in Flagstaff, AZ on 7/19-21/2006 - 3.5 hours requested --- Division staff recommends granting 3 hours.
82. "PC Upgrading, Repair & Maintenance" presented by the Coconino County Community College in Flagstaff, AZ on 8/10-11/2006 – 10 hours requested --- Division staff recommends granting 5 hours.
83. "Taxing Topics" presented by Back to Basics in Tucson, AZ on 10/5/2006 - 1.25 hours requested --- Division staff recommends granting 1.25 hours of Tax credit.
84. "Net Operating Loss" presented by Back to Basics in Tucson, AZ on 10/5/2006 - 1.25 hours requested --- Division staff recommends granting 1.25 hours of Tax credit.
85. "Why My Return was Examined" presented by Back to Basics in Tucson, AZ on 10/5/2006 - 1.25 hours requested --- Division staff recommends granting 1.25 hours of Tax credit.
86. "Residential Rental Property" presented by Back to Basics in Tucson, AZ on 10/5/2006 - 1.25 hours requested --- Division staff recommends granting 1.25 hours for Tax credit.
87. "Like-Kind Exchange" presented by Back to Basics in Tucson, AZ on 10/5/2006 - 1.25 hours requested --- Division staff recommends granting 1.25 hours for Tax credit.
88. "The Law of Community Associations in Arizona Overview" presented by Ekmark & Ekmark, LLC in Phoenix, AZ – 8 hours requested --- Division staff recommends granting 5 hours.
89. "Integral Leadership & Growth Seminar" presented by the Association of Unity Churches in Sun City, AZ on 5/5-6/2006 - 10 hours including Ethics requested --- Division staff recommends denial.

A **motion** was made by J. Ward Sturm to deny Continuing Education credit for number 74. Judge Roland Steinle seconded the motion. Motion passed. **LDP-06-229**

A **motion** was made by Dr. Roger Hartley to approve Continuing Education as recommended by Program staff for numbers 71, 78 and 79. Mary Carlton seconded the motion. Motion passed. **LDP-06-230**

A **motion** was made by Dr. Roger Hartley to approve Continuing Education as recommended by Program staff for numbers 67 through 81, with the exception of numbers 71, 74, 78 and 79. Mary Carlton seconded the motion. Motion passed. **LDP-06-231**

A **motion** was made by Nancy Swetnam to approve Continuing Education credit as recommended by Program staff for number 64 for 1 hour of credit, to add number 66a for 3 hours of credit, and approve 61 through 88, with the exception of 71, 74, 78 and 79. Mary Carlton seconded the motion. Motion passed. **LDP-06-232**

A **motion** was made by Mary Carlton to deny Continuing Education credit for number 89. J. Ward Sturm seconded the motion. Motion passed. **LDP-06-233**

A **motion** was made by Nancy Swetnam to deny Continuing Education credit for numbers 56 through 60. Mary Carlton seconded the motion. Motion passed. **LDP-06-234**

A **motion** was made by Nancy Swetnam to add number 15a and approve for 5 hours including 2 hours of Ethic credit, approve number 22 for 1.5 hours for Business requirement, approve number 27 for 5 hours including 1 hour of Ethic credit and deny number 41, as recommended by Program staff for Continuing Education credit. Mary Carlton seconded the motion. Motion passed. **LDP-06-235**

A **motion** was made by Judge Roland Steinle to approve Continuing Education credit as recommended by Program staff for numbers 1 through 55, with the exception of number 41. Dr. Roger Hartley seconded the motion. Motion passed. **LDP-06-236**

5) REVIEW OF CERTIFICATION APPLICATIONS (taken out of order)

5-B: Review of pending applications for renewal to Standard certification.

Jan Rust

Nancy Swetnam recused from the discussion regarding Jan Rust.

Jan Rust appeared before the Board and answered questions regarding her application for renewal to Standard certification.

A **motion** was made by Dr. Roger Hartley to enter into Executive Session to discuss confidential information and for the Board to receive advice from legal counsel. J. Ward Sturm seconded the motion. Motion passed. **LDP-06-237**. Nancy Swetnam recused.

EXECUTIVE SESSION #1 STARTED - 10:43 a.m.

Nancy Swetnam recused and left the meeting at 10:43 a.m. along with the public guests.

EXECUTIVE SESSION #1 ENDED - 10:55 a.m.

Nancy Swetnam and the public guest returned to the meeting at 10:55 a.m.

4) REVIEW OF PENDING COMPLAINTS

4-A: Review and discussion regarding Program complaint numbers 03-L002 and 04-L047.

03-L002

Division staff recommended the Board enter a finding of probable cause in complaint number 03-L002 and issue a Letter of Concern to the certificate holder.

A **motion** was made by Judge Roland Steinle to enter a finding probable cause exists in complaint number 03-L002 and request Program staff to prepare the necessary paper work to commence disciplinary action, pursuant to ACJA § 7-208 (H)(1)(a)(1) and (H)(1)(a)(2). Mary Carlton seconded the motion. Nancy Swetnam recused. Motion passed. **LDP-06-238**

A **motion** was made by Judge Roland Steinle to issue a Letter of Concern to Erin Fagan, certificate number 80358, for violation of Pima County Local Rule 8.4(g), ACJA § 7-208 (E)(3)(c)(1), (F)(2), (F)(3) and Appendix A Code of Conduct Standards (2)(c) and (5)(a). Mary Carlton seconded the motion. Nancy Swetnam recused. Motion passed. **LDP-06-239**

04-L047

Division staff recommended the Board enter a finding of probable cause in complaint number 04-L047 and find the certificate holders subject to disciplinary action.

A **motion** was made by Judge Roland Steinle to enter a finding probable cause exists in complaint number 04-L047. Dr. Roger Hartley seconded the motion. Nancy Swetnam recused. Motion passed. **LDP-06-239**

A **motion** was made by Judge Roland Steinle to find Mohammed Riyadh and MSB Riyadh Legal Consultants, LLC subject to disciplinary action pursuant to ACJA § 7-208 (H)(1)(a)(1), (H)(1)(a)(2), (H)(1)(a)(4) and (H)(1)(a)(8) and request Program staff draft the Notice of Formal Charges and Right to Hearing, pursuant to ACJA § 7-208(H)(6)(b). Dr. Roger Hartley seconded the motion. Nancy Swetnam recused. Motion passed. **LDP-06-240**

A **motion** was made by Judge Roland Steinle to consolidate 04-L047 with pending complaint number 05-L072 regarding Mohammed Riyad and MSB Riyad Legal Consultants, LLC. Mary Carlton seconded the motion. Nancy Swetnam recused. Motion passed. **LDP-06-241**
Division staff recommended the Board authorize Judge Steinle to review and sign the drafted Notice of Formal Charges on behalf of the full Board.

A **motion** was made by Mary Carlton to authorize Judge Roland Steinle to sign the draft of the Notice of Formal Charges on behalf of the full Board against Mohammed Riyad and MSB Riyad Legal Consultants, LLC. Dr. Roger Hartley seconded the motion. Nancy Swetnam recused. Motion passed. **LDP-06-242**

4-B: Review and discussion of Hearing Officer Stephen Leshner's Recommendation Report regarding former certificate holders Allan Sobol and Quick and Legal Paralegal Services, certificate number 80272 and 80271, and complaint numbers 04-L063, 05-L049, and 05-L052.

The Board reviewed and discussed Hearing Officer Stephen Leshner's Recommendation Report and post hearing pleadings filed by Allan Sobol and the Attorney General's Office. Division staff recommended the Board deny Allan Sobol's motion to vacate the Hearing Officer's report and recommendation and enter a Final Order in the pending complaints.

A **motion** was made by Judge Roland Steinle to deny the motion filed by Allan Sobol and Quick and Legal Paralegal Services to vacate Hearing Officer Stephen Leshner's Findings of Facts, Conclusions of Law and Recommendations. J. Ward Sturm seconded the motion. Nancy Swetnam recused. Motion passed. **LDP-06-243**

04-L063

A **motion** was made by Judge Roland Steinle to adopt Hearing Officer Stephen Leshner's Findings of Fact and Conclusions of Law in the matter of Allan Sobol and Quick and Legal Paralegal Services regarding complaint number 04-L063 including a finding of violation of ACJA § 7-208 Appendix A Code of Conduct Standards (1)(a), (1)(b), (2)(c), (5)(a) and (5)(b). J. Ward Sturm seconded the motion. Nancy Swetnam recused. Motion passed. **LDP-06-244**

05-L049

A **motion** was made by Judge Roland Steinle finding no violation occurred and dismissed complaint number 05-L049 against Allan Sobol and Quick and Legal Paralegal Services, pursuant to the recommendation made by Hearing Officer Stephen Leshner. Dr. Roger Hartley seconded the motion. Nancy Swetnam recused. Motion passed. **LDP-06-245**

05-L052

A **motion** was made by Judge Roland Steinle finding Allan Sobol and Quick and Legal Paralegal Services violated ACJA § 7-208 Appendix A Code of Conduct Standards (1)(a),

(1)(d) and (2)(c). Mary Carlton seconded the motion. Nancy Swetnam recused. Motion passed. **LDP-06-246**

04-L063

A **motion** was made by Dr. Roger Hartley to impose a fine of \$1,000 aggregate in regards to complaint number 04-L063 against Allan Sobol and Quick and Legal Paralegal Services. J. Ward Sturm seconded the motion. Nancy Swetnam recused. Motion passed. **LDP-06-247**

05-L052

A **motion** was made by Dr. Roger Hartley to impose a fine of \$1,000 aggregate in regards to complaint number 05-L052 against Allan Sobol and Quick and Legal Paralegal Services. Virlynn Tinnell seconded the motion. Nancy Swetnam recused. Motion passed. **LDP-06-248**

04-L063 and 05-L052

A **motion** was made by Judge Roland Steinle to defer the amount of restitution for complaint numbers 04-L063 and 05-L052 and require the consumers submit to the Board an Affidavit supporting the request for restitution for the September Board meeting. Mary Carlton seconded the motion. Nancy Swetnam recused. Motion passed. **LDP-06-249**

A **motion** was made by Judge Roland Steinle to request Program staff to access costs incurred during the investigation and related proceeding in complaint numbers 04-L063 and 05-L052 against Allan Sobol and Quick and Legal Paralegal Services. Mary Carlton seconded the motion. Nancy Swetnam recused. Motion passed. **LDP-06-250**

A **motion** was made by Mary Carlton to authorize Judge Roland Steinle to sign the Final Order on behalf of the full Board against Allan Sobol and Quick and Legal Paralegal Services. Dr. Roger Hartley seconded the motion. Nancy Swetnam recused. Motion passed. **LDP-06-251**

4-C: Review and discussion of the draft of Notice of Formal Charges ordered by the Board in complaint numbers 06-L025 and 06-L046 against Richard French and Equal Access to the Law, LLC, certificate numbers 80700 and 80852.

06-L025 and 06-L046

As previously requested by the Board, Division staff presented the Board with a draft of the proposed Notice of Formal Charges and recommended the Board authorize Judge Steinle to sign the document on behalf of the full Board and recommended consideration of Mr. French's individual and renewal applications be deferred until such time as the Board enters a Final Order on the pending disciplinary action.

The Board reviewed and discussed the draft of the Notice of Formal Charges and Right to Hearing document involving Richard French and Equal Access to the Law, LLC related to complaint numbers 06-L025 and 06-L046.

A **motion** was made by Dr. Roger Hartley to authorize Judge Roland Steinle to sign the Notice of Formal Charges and Right to Hearing on behalf of the full Board involving Richard French and Equal Access to the Law, LLC. Mary Carlton seconded the motion. Nancy Swetnam recused. Motion passed. **LDP-06-252**

Division staff recommended the Board specify Mr. French's individual and business entity renewal certifications remain active if the Board defers consideration of the applications until after the resolution of the pending discipline.

A **motion** was made by Dr. Roger Hartley to defer consideration of the renewal application of Richard French and Equal Access to the Law, LLC until the Board enters a Final Order on complaints 06-L025 and 06-L046, and both initial certificates, numbers 80700 and 80852, shall remain active during the administrative disciplinary proceedings. Mary Carlton seconded the motion. Nancy Swetnam recused. Motion passed. **LDP-06-252**

4-D: Review and discussion regarding Superior Court Petition for Cease and Desist Order against James Reid and Curtis Management, LLC.

Division staff advised the Board has previously received and approved a recommendation from staff to seek a Superior Court Petition for Cease and Desist order against Mr. Reid and Curtis Management, LLC for preparing documents without the required certification and with full knowledge of the certification requirement. The Board discussed and considered a request by James Reid for reconsideration of a Cease and Desist Order against Mr. Reid and Curtis Management, LLC. Mr. Reid reported in the request for reinstatement that he is currently working under the supervision of an attorney. The Board reviewed a letter from the attorney Bowman who provided Mr. Reid's documents were being reviewed by Mr. Bowman. Staff noted the information provided by attorney Bowman did not suggest he was providing services to the parties Mr. Reid was preparing documents for as their representative counsel. The Board discussed whether the State Bar of Arizona has had the opportunity to review Mr. Bowman's letter and determine whether Mr. Bowman's action are consistent with court rules. Division staff reported the State Bar had referred the complaint regarding Mr. Reid and Curtis Management to the Program as the matter relates to document preparation and a former certificate holder.

A **motion** was made by Judge Roland Steinle to enter into Executive Session to discuss confidential information and to receive advice from legal counsel. J. Ward Sturm seconded the motion. Motion passed. **LDP-06-253**

Public guest left the meeting at 11:34 a.m.

EXECUTIVE SESSION #2 STARTED - 11:34 a.m.

EXECUTIVE SESSION #2 ENDED - 11:49 a.m.

4-D: Review and discussion regarding Superior Court Petition for Cease and Desist Order against James Reid and Curtis Management, LLC.

James Reid was present at the Board meeting. Judge Roland Steinle explained to Mr. Reid his request for the Board to reverse its earlier order to file a Petition for Cease and Desist Order in the Superior Court was going to be addressed by the Board today and that the Board will be referring the matter of Mr. Bowman's involvement supervising Mr. Reid to the State Bar of Arizona. After the matter is addressed by the State Bar, the Board will schedule a hearing for Mr. Reid but will not consider the request for reconsideration in the interim. Mr. Reid requested clarification on what authority he has to provide services. The Board noted Mr. Reid and Curtis Management were not certified. Mr. Reid asked if he should cease and desist even under the supervision of an attorney and the Board directed him to advise his attorney the Board would be referring the matter to State Bar and Mr. Bowman may be receiving a letter from the State Bar. Mr. Reid expressed a desire to be in compliance with the court rules and certification requirements. Mr. Reid was directed to seek advice of counsel regarding legal questions he has pertaining to possible future consequences.

A **motion** was made by Judge Roland Steinle to forward the various correspondences from Mr. Reid and attorney Bowman to the State Bar of Arizona for review and specifically request the State Bar respond to the following: Can an attorney supervise a paralegal in actions in which the attorney does not represent the consumer? Do the actions in this matter constitute supervision under the Supreme Court regulations of a paralegal? Can a lawyer, after the fact, review documents and does that constitute adequate supervision of a paralegal? Mary Carlton seconded the motion. Motion passed. **LDP-06-254**

A **motion** was made by Judge Roland Steinle requesting Division staff draft a letter to the State Bar of Arizona regarding the matter concerning James Reid and Curtis Management, LLC and the supervisory actions of attorney Bowman and to authorize Judge Roland Steinle to sign the letter on behalf of the full Board. Mary Carlton seconded the motion. Motion passed. **LDP-06-255**

BREAK STARTED – 12:00 p.m.

BREAK ENDED – 12:20 p.m.

4-E: Review and discussion regarding Superior Court Cease and Desist Order against Lafayette Moses and Just Us Paralegals.

Linda Grau informed the Board numerous complaints have been received from the State Bar of Arizona involving Lafayette Moses and Just Us Paralegals. Ms. Grau recommends the Board stay their Order of May 15, 2006, motion number LDP-06-153, until such time as the State Bar of Arizona has had an opportunity to determine whether they will be filing a similar Superior Court action.

A **motion** was made by Judge Roland Steinle to stay the Board's Order of filing of a Petition for Cease and Desist Order, motion number LDP-06-153 of May 15, 2006, involving

Lafayette Moses and Just Us Paralegals until the State Bar of Arizona Superior Court Cease and Desist Order action is filed, and further for Program staff to return to the Board this issue once the State Bar's action has been filed with a recommendation to reverse the Board's Order and to close the related non-certificate holder complaints. Mary Carlton seconded the motion. Motion passed. **LDP-06-256**

4-F: Review and discussion regarding Non-Compliance Report.

Judge Roland Steinle asked the Board to refer to the certificate holders named in the Non-Compliance Report as number 1 and number 2. Staff recommended the Board initiate complaints against the named certificate holders pursuant to ACJA § 7-208 (H)(2)(b).

A **motion** was made by Judge Roland Steinle to initiate a complaint against certificate holders numbers 1 and 2 as named in the Non-Compliance Report, pursuant to ACJA § 7-208 (H)(2)(b). Dr. Roger Hartley seconded the motion. Nancy Swetnam recused. Motion passed. **LDP-06-257**

Regarding the complaint involving certificate holder number 1 in the Non-Compliance Report, Linda Grau advised the Board of a conflict of interest in the matter and noted she will not be participating in the processing of the complaint in any capacity.

4-G: Review and discussion regarding non-certificate holder complaint numbers NC-030, NC-035, NC-045, NC-046, NC06-L044, NC06-L051, NC06-L054, NC06-L055, NC06-L069, NC06-L070, NC06-L074, NC06-L083, NC06-L084, NC-112, NC-145, NC-49, NC-226, NC-237, NC-248, NC-249, NC-250, NC-255, NC-256, NC-263, NC-267, NC-273, NC-274, NC-280, NC-281, NC-282, NC-284, NC-288, NC-289, NC-293, NC-294, NC-295, NC-299, NC-300, NC-301, NC-302, NC-303, NC-304, NC-305, NC-306, NC-308, NC-309, NC-311, NC-316, NC-322, NC-323, NC-327, NC-349, NC-383, and NC-389.

Division staff has attempted to reach the following individuals and business entities via U.S. Mail at the address provided with the referral. Upon receipt of return mail, additional attempts to locate these individuals and entities have been unsuccessful. Division staff recommends the Board close these non-certificate holder complaints:

NC-030	<i>Williams Paralegal Specialist</i>
NC-046	<i>Sunbelt Phorms</i>
NC-145	<i>Joseph Banner</i>
NC-267	<i>Legal Assistant-Document Preparation</i>
NC-288	<i>Miriam Ocampo/M & Servicios de Inmigracion</i>
NC-294	<i>Legal Aid Paralegal Specialist</i>

The following individuals and business entities have provided written statements reporting they are not in the business of preparing legal documents for the public or non-represented consumers. Should future information be presented to the Program which is contrary to the

written statements, Division staff will return to the Board with a request for formal action. Division staff recommends the Board close the following non-certificate holder complaints:

NC-035 *Affordable Paralegal Services/Elizabeth Gregory*
NC-045 *Kathie Davis*
NC-226 *L M Paralegal Svcs. Inc.*
NC-248 *Kathryn Durand/Dennis Digregorio*
NC-273 *Legal Expense Plans.com*
NC-293 *Lawyer's Edge Paralegal Services, LLC/Allison Boyd*
NC-295 *Legal Specialists/Stan Cusumano*
NC-299 *Axberg, Heartburg Willis, ChFC, CLU*
NC-300 *Deborah Beratta/American Senior Koncepts, Inc.*
NC-301 *Arizona Estate Planners, Inc.*
NC-302 *A.C.G. & Associates/Annette Grover*
NC-304 *Freelance Paralegal/Anne L. Lang*
NC-306 *The UPS Store/Harry & Maria Saxen*
NC-309 *Certified Retirement Planning/Todd Cederstrom*
NC-316 *Legal Expense Plans.com*
NC-389 *Divorce Source, Inc. aka 3 Stepdivorce*
NC06-L051 *Flores Income Tax/Ramona Flores*
NC06-L054 *ProlegalDocs*
NC06-L044 *Lowy Tax Planning & Accounting*
NC06-L069 *Norma's Title*
NC06-L070 *Sonora Title/Juan Reyes*

The following individuals and business entities have submitted applications for certification subsequent to receipt of the non-certificate holder complaint and Division staff has confirmed these individuals/businesses now hold active certification or are attorneys who have been admitted to the practice of law in Arizona. Division staff recommended the Board close the following non-certificate holder complaints:

NC-237 *Ken Volk*
NC-281 *Di Anne Wentzloff/Alternative Legal Service*
NC-284 *Jesse' Document Services*
NC-303 *Asset Research Svcs./Cheryl Thurman*
NC-308 *Anjum Malone/Capital Strategies Group, LLC*
NC-322 *Barbara, Barton Stevens/Legal Document Store*
NC-323 *Ethan Frey/Legal Breeze*

The non-certificate holder complaint documentation and, in some cases, the responses of the subjects provide evidence the following individuals and business entities are providing document preparation services without certification. Division staff recommended the Board direct staff to work with the Attorney General's Office to petition the Superior Court for Cease and Desist Orders against the following individuals/business entities pursuant to ACJA § 7-208(H)(1)(c):

NC06-L083 Anna Garcia
NC06-L084 Anna Garcia
NC-256 Tim Berry/The Tax Academy
NC-249 Georgia A. Morrison-Vasquez

The non-certificate holder complaint documentation and, in some cases, the responses of the subjects provide evidence the following individuals and business entities are providing legal services that extend beyond the authorities of a certified legal document preparer. Division staff recommended the Board refer these to the State Bar of Arizona for review and possible investigation:

NC-274-Joel Geremia Jr.
NC-282-Alden Enterprises
NC-383-LawDepot

The non-certificate holder complaint documentation and the response of the subject provided evidence the following business entity is providing immigration preparation services which exceed the Board's jurisdiction. Division staff recommended the Board refer this matter to the State Bar of Arizona and close this complaint:

NC06-L074 Immigration Multiples Servicios/Francisco Gadoy

The State Bar of Arizona having already taken formal action against the following non-certificate holders, division staff recommended the Board close the following complaints:

NC-149 Cooper Frai Legal Services/Diane Cooper
NC-280 Gulzhan Fedoseeva
NC-289 Herald & Herald Legal Services

At the June 26, 2003 meeting, the Board took disciplinary action to revoke Mr. Bojorquez' expired initial individual certification. Further, the Board had previously denied Mr. Bojorquez' second application for Initial individual certification, which he submitted subsequent to being contacted about the following non-certificate holder complaints. Mr. Bojorquez did not request a hearing on the denial of the second application. Program staff recommended the Board close the following complaints:

NC-305 In-Corp America, LLC/Thomas Bojorquez
NC-327 In-Corp America, LLC/Thomas Bojorquez

The following complaint asserted allegations regarding matters unrelated to legal document preparation. Division staff recommended the Board close this complaint and referred it to the Arizona State Board of Technical Registration:

NC-311 Carlos Cosajay

After many unanswered attempts of division staff to reach the following individuals by regarding pending non-certificate holder complaints, it is recommended the Board invite them to attend the September Board meeting to respond to the complaints:

NC-112 *Bonnie Huffman*
NC-349 *Bonnie Huffman*
NC-250 *Jerry Williams/Williams and Assoc. & Paralegal Services*
NC-255 *Laura Marshall*
NC-263 *Richard Starks/Desert Crest Financial Services LLC*
NC06-L055 *Robert Voss*

A **motion** was made by Judge Roland Steinle to adopt Program staff's recommendation to invite the above listed non-certificate holders to attend the September 18, 2006 Board meeting to respond to complaints. Dr. Rodger Hartley seconded the motion. Mary Carlton recused from NC-256. Motion passed. **LDP-06-258**

5) REVIEW OF CERTIFICATION APPLICATIONS

5-A: Review of pending applications for Standard certification.

Kimberly Siddall reported the following applicants have submitted applications for Standard certification. The applications are complete, no information has been presented during the background which is contrary to certification being granted. The applicants have demonstrated they meet the minimum eligibility requirements for certification. Ms. Siddall recommended Standard certification be granted to the following individuals or entities for the 2006-07 certificate period:

Shannon Trezza
Diana Escojido
Andrea Parisi
Marla De La Torre
Jenny Sieles
Rochelle Hoekstra
Victoria Cegla
Brad Matheny
Alejandro Zalazar
Suzette M. Brown, PC (Suzette M. Brown)
Kathy Knight
Cynthia Bowman
Jeffery Esslinger

A **motion** was made by Judge Roland Steinle to grant Standard Certification to the above listed applicants for the 2006-2007 certification period. Mary Carlton seconded the motion. Motion passed. **LDP-06-259**

Kimberly Siddall reported the following business entity application for Standard certification has been received and processed. There has been a simultaneous request for Business Entity Exemption and for reimbursement of the business entity application fee. Ms. Siddall recommended the Board discuss entering a Consent Agreement to certify under specified conditions and defer consideration of this application until the September Board meeting.

AMcN Group, LLC (Marica L. Nolan-Malsack)

A **motion** was made by Judge Roland Steinle to defer consideration of business entity application and exemption request for AMcN Group, LLC until the September Board meeting and request Division staff pursue a Consent Agreement. Mary Carlton seconded the motion. Motion passed. **LDP-06-260**

Kimberly Siddall reported the following applications remain incomplete or pending the receipt of background review results. Ms. Siddall recommended the applications be deferred to the September Board meeting:

Steele Larson Anderson, LLC (Thomas L. Steele)
Residential Asset Management Company, LLC (Kristina Cervone)
Ashley Renee Enterprises Corp (G. Preston Parker)

A **motion** was made by Judge Roland Steinle to defer consideration of the above listed applicants for Standard certification until the September Board meeting. J. Ward Sturm seconded the motion. Motion passed. **LDP-06-261**

Kimberly Siddall reported the following applicants remain pending to permit the applicants the opportunity to participate in the LDP examination. Ms. Siddall recommended the Board request Program staff contact these applicants, in writing, and set a deadline for them to participate in the examination no later than August 11, 2006. It is further recommended the Board defer consideration of these applications until the September Board meeting:

Brittney N. Mendez
Amalia Alvarez-Vieyra
Joel F. Velarde

A **motion** was made by Nancy Swetnam to defer consideration for Standard certification to the above listed applicants until the September Board meeting and request Program staff contact the applicants, in writing, and set a deadline for participation in the LDP Examination no later than August 11, 2006. Dr. Roger Hartley seconded the motion. Motion passed. **LDP-06-262**

The following applications were received and processed for Board review and consideration:

Joelle Sammetinger

Kimberly Siddall recommended the Board discuss entering into a Consent Agreement requiring Joelle Sammetinger to pay \$600.00 for the initial certification fee she would have paid for the 2004-05 and 2005-06 certification periods, and require Ms. Sammetinger to complete 20 hours of continuing education, in addition to the 10 hours of CE required for the 2006-2007 certification period. Ms. Siddall further recommended the Board defer consideration of this application until the September Board meeting.

A **motion** was made by Nancy Swetnam to defer consideration of Standard certification for Joelle Sammetinger until the September Board meeting and request Program staff pursue a Consent Agreement with the applicant to include paying \$600.00 for 2004-05 and 2005-06 certification periods and complete an additional 20 hours of continuing education within 60 days of the Consent Agreement. Dr. Roger Hartley seconded the motion. Motion passed. **LDP-06-263**

Melissa Gray

Kimberly Siddall recommended the Board discuss entering into a Consent Agreement requiring Melissa Gray to pay \$600.00 for the initial certification fee she would have paid for the 2004-05 and 2005-06 certification periods, and require Ms. Gray to complete 20 hours of continuing education, in addition to the 10 hours of CE required for the 2006-2007 certification period. Ms. Siddall further recommended the Board defer consideration of this application until the September Board meeting.

A **motion** was made by Nancy Swetnam to defer consideration of Standard certification for Melissa Gray until the September Board meeting and request Program staff pursue a Consent Agreement with the applicant to include paying \$600.00 for 2004-05 and 2005-06 certification periods and complete an additional 20 hours of continuing education within 60 days of the Consent Agreement. Dr. Roger Hartley seconded the motion. Motion passed. **LDP-06-264**

American Living Trust Services, LLC (Dennis Lawrence)

Kimberly Siddall reported to the Board Allen VanderWey, who is the Manager of American Living Trust Services, LLC, answered “yes” to several of the background questions. Ms. Siddall recommended the Board defer consideration of this application until the September Board meeting and direct Program staff to obtain and compile documentation regarding Mr. VanderWey Series 7 license and the injunction action filed by the IRS.

A **motion** was made by Mary Carlton to defer consideration of the business entity application for American Living Trust Services, LLC until the September Board meeting and request Program staff obtain and compile documentation regarding Mr. VanderWey Series 7 license and the injunction action filed by the IRS. Dr. Roger Hartley seconded the motion. Motion passed. **LDP-06-265**

Martha Borga

Kimberly Siddall recommended the Board deny Standard certification to Martha Borge, pursuant to ACJA § 7-208(E)(5)(b)(1)(a) the applicant does not meet the requirements for certification based on ACJA § 7-208(E)(3)(a)(5)(a) lacks a minimum of two years of law related experience under the supervision of a licensed attorney, or providing services in preparation of legal documents prior to July 1, 2003, or under the supervision of certified legal document preparer after July 1, 2003, or as a court employee.

A **motion** was made by Dr. Roger Hartley to deny Standard certification to Martha Borge, pursuant to ACJA § 7-208 (E)(5)(b)(1)(a) for not meeting the requirements for certification based on ACJA § 7-208 (E)(3)(a)(5)(a) for lack of a minimum of two years of law related experience under the supervision of a licensed attorney, or providing services in preparation of legal documents prior to July 1, 2003, or under the supervision of certified legal document preparer after July 1, 2003, or as a court employee. J. Ward Sturm seconded the motion. Motion passed. **LDP-06-266**

Eddie W. Taylor
Statewide Document Preparation (Eddie W. Taylor)

Kimberly Siddall reported Program staff has requested additional information from Eddie W. Taylor and to date has only received a partial response to a request made on March 7, 2006. Mr. Taylor was given the opportunity to convert his Initial applications for consideration for Standard certification, but has failed to participate in the LDP Examination and, therefore, does not qualify for Standard certification. Ms. Siddall recommended the Board deem both applications incomplete and deny certification to Mr. Taylor and Statewide Document Preparation, pursuant to ACJA § 7-208(E)(5)(b)(1)(b) the applicant has not submitted the applicable documents and fees based on ACJA § 7-208(E)(3)(b)(1).

A **motion** was made by Nancy Swetnam to deny certification due to applications being incomplete for Eddie W. Taylor and Statewide Document Preparation, pursuant to ACJA § 7-208 (E)(5)(b)(1)(b) the applicant has not submitted the applicable documents and fees based on ACJA § 7-208 (E)(3)(b)(1). Mary Carlton seconded the motion. Motion passed. **LDP-06-267**

LIMITED CALL TO THE PUBLIC

Stephen Trezza
Tucson Professional Document Preparation LLC (Stephen Trezza)

Stephen Trezza appeared in front of the Board and answered questions pertaining to his application for certification. Mr. Trezza, an attorney admitted to the practice of law in Arizona, informed the Board he is seeking certification because he is currently under a non-compete clause with a law firm in Pima County with which he was previously associated.

Nancy Swetnam requested it be stated on the record if the Board grants Mr. Trezza certification as a legal document preparer is not a statement by the Board as to whether Mr. Trezza providing document preparation services violates the non-compete clause.

Linda Grau recommended Standard certification be granted to Mr. Trezza and his business entity and Mr. Trezza to sign an Affidavit acknowledging he understands and agrees to comply with the provisions of Rule 31 and ACJA § 7-208, including the Appendix A Code of Conduct Appendix A in § 7-208 and (F)(1).

A **motion** was made by Judge Roland Steinle to grant Standard certification to Stephen Trezza and Tucson Professional Document Preparation, LLC. Mary Carlton seconded the motion. Motion passed. **LDP-06-268**

A **motion** was made by Judge Roland Steinle to request staff draft an Affidavit for Stephen Trezza to sign acknowledging the authorized authorities of a certified legal document preparer does not include various provisions the authority to practice law in Arizona and acknowledging Mr. Trezza understands the provisions, authorities and limitations regarding certified legal document preparers contained in ACJA § 7-208 and Rule 31. Mary Carlton seconded the motion. Motion passed. **LDP-06-269**

5-B: Review of pending applications for renewal to Standard certification.

Kimberly Siddall reported the following certificate holders have submitted applications for renewal to Standard certification. The certificate holders are not qualified to apply for renewal to Standard certification, because they failed the LDP Examination. Linda Grau noted if an individual is denied for failure to pass the examination they do not have a right hearing on that denial. Ms. Siddall recommended denial for renewal to Standard certification, pursuant to ACJA § 7-208 (E)(5)(b)(1)(a) for failure to meet the eligibility requirements for standard certification, specifically failing to pass the examination:

Rosa Bagnod De Gastelum
Rosa Guzman
John Hasslacher
Rosa Montoya
Alma Ortiz

A **motion** was made by Judge Roland Steinle to deny renewal to Standard Certification to the above listed applicants, pursuant to § 7-208(E)(5)(b)(1)(a) for failure to meet the eligibility requirements for Standard certification, specifically for not having passed the LDP Examination. Vellia M. Piña recused from numbers 30, 32 and 33. Mary Carlton seconded the motion. Motion passed. **LDP-06-270**

Kimberly Siddall reported the following certificate holders have submitted applications for renewal to Standard certification. The applications are complete, no information has been presented during the background which is contrary to Standard certification being granted and the certificate holders have demonstrated they meet the minimum eligibility requirements for Standard certification. Ms. Siddall recommended renewal to Standard certification be granted to the following individuals and entities:

Lauri-Beth Anderson
Paul Brown
Wallace Buckley
Deborah Burt
Victor Calvario
Dan Davis
Ank-Kim Doan Pickell
Barbara French
Tauqir Jilani
Lynn Johnson
Dawn Kaiser
Cherie Koch
Michael Law
Armida Mitchell
Brian Moltz
George Preston Parker
Sherry Pietilainen
Michael Roberson
Maria Rodriguez
Andrew Saper
Betty Ulibarri
Susan Vasquez
James Weathersby
A1 Legal Services, LLC (Ank-Kim Doan Pickell)
Alianza Latina/United/Unidos Int'l. (Victor Calvario)
Andrew M. Saper, L.L.C. (Andrew Saper)
Associated Asset Management, Inc. (Salina McCarthy)
A-Z Estate and Document Service, LLC (Michelle Blair)
Complete Office Support LLC (James Weathersby)
Cornerstone Properties, Inc. (Michael Roberson)
Davidson Financial Services, LLC (Bruce Davidson)
Economidis Mediation Services, L.L.C. (Gregory Economdis)
Financial Strategies, Inc. (Michael Anderson)
Griffin Paralegal Services, LLC (Debra Griffin)
James L. Bruce Enterprises, Inc. (James Bruce)
Jemasi Inc. (Maria Gil)
Joann Palmer Paraprofessional LLC (Joann Palmer)
Katherine J. Kredit Enterprises, Inc (Katherine J. Kredit)
Law & Reed CPA's PC (Michael Law)
Montes Multiple Services, LLC (Alicia Celis)
Moon Valley Legal Services, Inc. (Karla Motsenbocker)
Nancy L. Anderson LLC (Nancy Anderson)
Preston Parker CPA PC (George Preston Parker)
Salmon & Associates Business Consulting, LLC (Phillip Salmon)
The Lien Group, LLC (Eugenia "Jeanne" Lien)
Building Industry Credit Association (Andrea V. Parisi)

Richard Rochford

A **motion** was made by Nancy Swetnam to grant renewal to Standard certification for the 2006-2007 certification period to the above listed individual and business entity applicants. Mary Carlton seconded the motion. Motion passed. **LDP-06-271**

Kimberly Siddall reported the following certificate holders have demonstrated they have completed the continuing education requirement and meet all other eligibility requirements to renew to Standard certification. However, they completed the required hours after the April 30, 2006 Board Continuing Education Policy deadline. No information has been presented during the background review which is contrary to Standard certification being granted and the certificate holders have otherwise demonstrated they meet the minimum eligibility requirements for Standard certification. Therefore, Ms. Siddall recommended the following certificate holders be granted renewal to Standard certification and pursuant to the Board Continuing Education Policy, be assessed a delinquent CE compliance fee of \$25.00 to be remitted no later than August 11, 2006:

Ryan Gibson
Janneth Cardenas

A **motion** was made by Dr. Roger Hartley to grant renewal to Standard certification for the 2006-2007 certification period to the above listed applicants with the condition of receiving payment of the \$25.00 delinquent continuing education compliance fee no later than August 11, 2006. Judge Roland Steinle seconded the motion. Motion passed. **LDP-06-272**

Kimberly Siddall reported the following individuals have not responded to the Board's June 12 or June 26, 2006 request for additional information. Therefore, Ms. Siddall recommended the Board defer consideration of these applications until such time as the certificate holders provide their continuing education documentation or demonstrate they have completed the ten hour requirement. It is further recommended the Board request staff notify these certificate holders, in writing, to remedy all shortfalls no later than 5:00 p.m. on August 11th and to note the next Board meeting is September 18, 2006 and their applications will be reviewed at that time:

Michael James
Charlotte Hargreaves
Tracy Stanfield
Cheryl Thurman
Tina Wickland
Darla Winters

A **motion** was made by Judge Roland Steinle to defer consideration of the above listed applications until the September 18, 2006 Board meeting and request Program staff notify the certificate holders, in writing, to remedy all shortfalls no later than 5:00 p.m. on August 11, 2006. Mary Carlton seconded the motion. Motion passed. **LDP-06-273**

The following business entities submitted applications for renewal to Standard certification. The identified business entity designated principals have not yet completed requirements for Standard certification. It is recommended the Board defer consideration of these applications to the September 18th meeting and require the business entities to submit a qualified alternative designated principal no later than 5:00 p.m. August 11, 2006:

Hasslacher Tax & Financial, LLC (John Hasslacher)
Caprenos Inc. (Cynthia Wood)

A **motion** was made by Judge Roland Steinle to defer consideration of the above listed applicants until the September 18, 2006 Board meeting and require the business entities to submit a qualified alternative designated principal no later than 5:00 p.m. August 11, 2006. Mary Carlton seconded the motion. Motion passed. **LDP-06-274**

Kimberly Siddall reported the following business entity has submitted an application for renewal to Standard certification and has provided a current Certificate of Good Standing. Ms. Siddall recommended the following business entity be granted renewal to Standard certification:

Western Estate Services (Michael Fischer)

A **motion** was made by Judge Roland Steinle to grant renewal to Standard certification for the 2006-2007 certification period to business entity Western Estate Services. Mary Carlton seconded the motion. Motion passed. **LDP-06-275**

Kimberly Siddall reported the following certificate holder submitted applications for renewal to Standard certification. The certificate holders failed to disclose a civil action which is filed against a former customer who filed a complaint for slander. Ms. Siddall recommended the Board defer entering a certification determination until the September 18, 2006 Board meeting and invite Ms. Morejon to appear at the meeting to provide information regarding her failure to disclose.

Barbara Morejon
Immigration Assistance Center, LLC (Barbara Morejon)

A **motion** was made by Nancy Swetnam to defer certification determination until the September 18, 2006 Board meeting for the above listed applicants and to invite Barbara Morejon to attend the September meeting to clarify her failure to disclose information on her individual renewal application. Mary Carlton seconded the motion. Motion passed. **LDP-06-276**

Jan Rust

Jan Rust appeared earlier in the Board meeting and answered questions regarding her renewal to Standard certification.

Linda Grau recommended the Board deny renewal to Standard certification for Jan Rust, pursuant to ACJA § 7-208 (E)(5)(b)(1)(c).

A **motion** was made by Judge Roland Steinle to deny renewal to Standard certification to Jan Rust, pursuant to ACJA § 7-208 (E)(5)(b)(1)(c). Virlynn Tinnell seconded the motion. Motion passed. **LDP-06-277**

Kimberly Siddall reported the following business entities have submitted an application for renewal to Standard certification. The applications are complete, no information has been presented during the background review which is contrary to Standard certification being granted. The business entities have demonstrated they meet the minimum eligibility requirements for Standard certification. Ms. Siddall recommended Standard certification be granted to the following business entities:

Advanced Legal Services, LLC (Marwan Sadeddin)
Cautela Corporation (Marley Beard)
Desert Hills Paralegal Services, Inc. (Jennifer Di Gerolami)
Esslinger Enterprises, LLC Db a Deed Resource (Michele Esslinger)
R & R Property Management, LLC (Besty Ross-Retchin)
Reliable Solutions, Inc. (Billye Wilda)
Today's Legal Choice, L.L.C. (Guadalupe Salinas)

A **motion** was made by Judge Roland Steinle to grant renewal to Standard certification for the 2006-2007 certification period to the above listed business entity applicants. Mary Carlton seconded the motion. Motion passed. **LDP-06-278**

5-C: Review of Business Entity Exemption and Exemption Extension Requests for the 2006-07 certificate period.

Kimberly Siddall recommended the following Business Entity Exemption Extensions be granted for the 2006-2007 certification period:

Advanced Legal Services, LLC (Marwan Sadeddin)
Andrew M. Saper, L.L.C. (Andrew Saper)
A-Z Estate and Document Service, LLC (Michelle Blair)
Cautela Corporation (Marley Beard)
Complete Office Support LLC (James Weathersby)
Davidson Financial Services, LLC (Bruce Davidson)
Desert Hills Paralegal Services, Inc. (Jennifer Di Gerolami)
Economidis Mediation Services, L.L.C. (Gregory Economdis)
Financial Strategies, Inc. (Michael Anderson)
Griffin Paralegal Services, LLC (Debra Griffin)
James L. Bruce Enterprises, Inc. (James Bruce)
Joann Palmer Paraprofessional LLC (Joann Palmer)
Katherine J. Kredit Enterprises, Inc. (Katherine J. Kredit)
Moon Valley Legal Services, Inc. (Karla Motsenbocker)

Nancy L. Anderson LLC (Nancy Anderson)
R & R Property Management, LLC (Besty Ross-Retchin)
Reliable Solutions, Inc. (Billye Wilda)
Salmon & Associates Business Consulting, LLC (Phillip Salmon)
The Lien Group, LLC (Eugenia "Jeanne" Lien)
Today's Legal Choice, L.L.C. (Guadalupe Salinas)

A **motion** was made by Judge Roland Steinle to grant Business Entity Exemption Extensions to the above listed business entities for the 2006-2007 certificate period. Mary Carlton seconded the motion. Motion passed. **LDP-06-279**

Kimberly Siddall reported Esslinger Enterprises, LLC DBA Deed Resource no longer qualifies for Business Entity Exemption Extension. Ms. Siddall recommends denial of the Extension and require the business entity to pay the additional fee.

Esslinger Enterprises, LLC DBA Deed Resource (Michele Esslinger)

A **motion** was made by Judge Roland Steinle to deny Business Entity Exemption Extension for Esslinger Enterprises, LLC DBA Deed Resource and require the business entity to pay the additional fee. Mary Carlton seconded the motion. Motion passed. **LDP-06-280**

Kimberly Siddall recommended the following Business Entity Exemption be granted for the 2006-2007 certification period:

Valley Wide Legal Documents, LLC (Karen Cooley)

A **motion** was made by Nancy Swetnam to grant Business Entity Exemptions to Valley Wide Legal Documents, LLC for the 2006-2007 certificate period. Mary Carlton seconded the motion. Motion passed. **LDP-06-281**

Kimberly Siddall recommended the following Business Entity Exemption be deferred along with the pending application for the 2006-2007 certification period:

AMcN Group, LLC (Marcia Nolan-Malsack)

A **motion** was made by Judge Roland Steinle to defer consideration for Business Entity Exemption and the pending business entity application for AMcN Group, LLC until the September Board meeting. Mary Carlton seconded the motion. Motion passed. **LDP-06-282**

1) REVIEW AND APPROVAL OF MEETING MINUTES (revisited)

1-A: Regular and Executive Session Minutes for the meeting of June 12, 2006.

A **motion** was made by Judge Roland Steinle to adopt the Executive Session Minutes for June 12, 2006. Mary Carlton seconded the motion. Motion passed. **LDP-06-283**

1-B: Regular and Executive Session Minutes for the meeting of June 26, 2006.

A **motion** was made by Judge Roland Steinle to adopt the Executive Session Minutes for June 26, 2006. Mary Carlton seconded the motion. Motion passed. **LDP-06-284**

CALL TO THE PUBLIC

There was no response.

ADJOURN

A **motion** was made by Nancy Swetnam to adjourn. Dr. Roger Hartley seconded the motion. Motion passed. **LDP-06-285**

Meeting adjourned at 1:10 p.m.

/bld