



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

Date: November 24, 2008  
Time: 10:00 a.m. - 2:00 p.m.

**Approved Regular Meeting Minutes**

**MEMBER ATTENDANCE:**

**Present:**

Paul Friedman  
Les Krambeal  
Andrew Saper  
Deborah A. Young  
Hon. Robert H. Oberbillig  
Kelley A. Dowdle

**Telephonically Present:**

Kristina Fredericksen  
Debra Griffin  
Stephanie Gates Wolf

**Absent:**

Cynthia Felton

**OTHER ATTENDEES**

**AOC Staff:**

Kandace French  
Linda Grau  
Nina Preston  
Nancy Swetnam  
Ruby Hernandez  
Karla Clanton

**Guests:**

W. Houser  
Beverly Hall

## CALL TO ORDER

*Called to Order By: Les Krambeal*

*Time: 10:03 a.m.*

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### 1) REVIEW AND APPROVAL OF MINUTES

*1-A: Review and approval of the regular session minutes for the meeting of October 20, 2008.*

*Individuals Addressing the Board:* Kandace French

*Discussion:* Minutes were not reviewed by the Board.

*Motion:* Board moved to defer October 20, 2008 minutes to December meeting.

*Motion Proposals:* First Paul Friedman  
Second Kristina Fredericksen

*Note: Stephanie Gates Wolf joined telephonic.*

*Time: 10:05 a.m.*

*Motion Results:* Pass **LDP 08-199**

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### 2) REVIEW OF PENDING COMPLAINTS

*2-A: Review, discussion, and possible action regarding the following certificate holder complaint number 04-L022 involving certificate holder Alicia Celis.*

*Individuals Addressing the Board:* Nancy Swetnam

*Discussion:* Agenda item was not viewed by the board.

*Motion:* Board moved to defer Agenda Item 2-A to the December meeting.

*Motion Proposals:* First Paul Friedman  
Second Andrew Saper

*Motion Results:* Pass **LDP 08-200**

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

**Complaint Number NC04-L194**  
**Complaint Number 05-L075**  
**Complaint Number NC08-L054**

**Individuals Addressing the Board:** Nancy Swetnam

**Discussion:** The complaints are considered confidential and will be referred in general terms. A notice of the dismissal has been sent to the complainant. A request for Board review was not received.

**Motion:** Board affirmed the Division Director dismissal of complaint number NC04-L194 with prejudice for lack of jurisdiction pursuant to Arizona Code of Judicial Administration § 7-201 (H)(2)(d)

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 08-201**

**Individuals Addressing the Board:** Nancy Swetnam

**Discussion:** This complaint is confidential and limited to information provided. A request for Board review was not received.

**Motion:** Board affirmed Acting Division Director Linda Grau's dismissal of complaint number NC05-L075 with prejudice for lack of jurisdiction pursuant Arizona Code of Judicial Administration § 7-201 (H)(2)(d).

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 08-202**

**Individuals Addressing the Board:** Nancy Swetnam

**Discussion:** This complaint is confidential and limited to information provided. A request for Board review was not received.

**Motion:** Board affirmed the Division Directors dismissal of complaint number NC08-L054 with prejudice for lack of jurisdiction pursuant Arizona Code of Judicial Administration § 7-201 (H)(2)(d).

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 08-203**

**2-C:** *Review, discussion, and possible action regarding the “Request for Payment Plan” received from suspended certificate holders Julie Haigh and Majestic Paralegal Center.*

**Individuals Addressing the Board:** Nancy Swetnam

**Discussion:** Discussion regarding the request and documents submitted by Julie Haigh and Majestic Paralegal Center.

**Motion:** Deny request for payment plan submitted by Julie Haigh and Majestic Paralegal Center.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Note:** *Debra Griffin joined the meeting telephonic.*  
**Time:** 10:19 a.m.

**Note:** *Member Kelley Dowdle arrived.*  
**Time:** 10:20 a.m.

**Further Discussion:** Discussion regarding drafting an order detailing the reasons the Board denied the request for payment plan and authorize the Board chair to sign the Order on behalf of the full Board.

**Motion:** Request staff to draft an order to identify reasons for denying request for certification to applicant Julie Haigh and have the Board chair sign on behalf of the full Board.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 08-204**

**2-D:** *Review, discussion, and possible action regarding Superior Court in Maricopa County Special Action case number LC2008-00494-001 involving certificate holders Russell Ehlinger and Mtn. Holiday, Inc.*

**Individuals Addressing the Board:** Linda Grau

**Discussion:** Staff advised the Board of the Honorable Andrew Klein’s ruling in the Special Action and Motion for Stay was denied on August 11, 2008. Also the Minute Entry entered by Honorable Klein on October 23, 2008 affirmed the Board’s Final Order. Division records reflect to date; Mr. Ehlinger and Mtn. Holiday, Inc. have not remitted the assessed costs and imposed fines ordered by the

Board. It is recommended that the board direct staff to prepare a letter to Mr. Ehlinger and Mtn. Holiday, Inc. regarding outstanding fees and costs.

**Motion:** Direct staff prepare a letter to Mr. Ehlinger and Business entity Mtn. Holiday acknowledging the special action ruling and request the assess costs, and imposed fines be remitted within 60 days of Judge Klein's order.

**Motion Proposals:**

|         |                       |
|---------|-----------------------|
| First   | Paul Friedman         |
| Second  | Andrew Saper          |
| Recusal | Kristina Fredericksen |

**Motion Results:** Pass      **LDP 08-205**

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### **3) REVIEW OF CERTIFICATION APPLICATIONS**

**3-A:** *Review, discussion, and possible action regarding pending applications for 2007-2009 initial Standard certification.*

*Louise Kioski  
Keith Reed  
Amy Villarreal-Orantez  
Vivian Gallagher  
Fresh Start Women's Foundation (Edna Gomez-Green)  
East Valley Estate Planning, LLC (Catharine Longman)  
George Mortensen  
Michele Gilley  
Dubravka Sinno  
Mark Larkin  
Patricia Flores  
Jeanne Malys  
Joy Hoeffler  
Joyce's Services Corporation (Edith Funk)*

**Individuals Addressing the Board:** Karla Clanton

**Discussion:** The following applicants demonstrated they have meet minimum eligibility standard qualification and applications for certification are complete.

*Louise Kioski  
Keith Reed  
Amy Villarreal-Orantez  
Vivian Gallagher*

**Motion:** Board moved to grant certification to the following applicants:

*Louise Kioski*  
*Keith Reed*  
*Amy Villarreal-Orantez*  
*Vivian Gallagher*

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 08-206**

**Individuals Addressing the Board:** Karla Clanton

**Discussion:** The following applications remain incomplete pending background review or receipt of additional information and/or fingerprint results.

*Fresh Start Women's Foundation (Edna Gomez-Green)*  
*East Valley Estate Planning, LLC (Catharine Longman)*  
*George Mortensen*  
*Michele Gilley*  
*Dubravka Sinno*  
*Mark Larkin*  
*Patricia Flores*  
*Jeanne Malys*  
*Joy Hoeffler*

**Motion:** Defer decision regarding certification to the following applicants to the December meeting to allow staff to obtain remaining information required to make a determination regarding certification.

*Fresh Start Women's Foundation (Edna Gomez-Green)*  
*East Valley Estate Planning, LLC (Catharine Longman)*  
*George Mortensen*  
*Michele Gilley*  
*Dubravka Sinno*  
*Mark Larkin*  
*Patricia Flores*  
*Jeanne Malys*  
*Joy Hoeffler*

**Motion Proposals:** First Andrew Saper  
Second Paul Friedman

**Motion Results:** Pass **LDP 08-207**

**Individuals Addressing the Board:** Karla Clanton

***Joyce's Services Corporation (Edith Funk)***

***Discussion:*** Discussion regarding Mr. Funk's involvement in the corporation and his prior criminal history. Staff recommended Mr. and Mrs. Funk be invited to the next meeting to provide further information on the Mr. Funk's felony conviction and discuss Mr. Funk's involvement in the business and determine if there are issues that would be contrary to granting the certification for the business.

***Motion:*** Defer a decision regarding certification of the following applicant and invite applicants to the December meeting.

***Joyce's Services Corporation (Edith Funk)***

***Motion Proposals:*** First Paul Friedman  
Second Andrew Saper

***Motion Results:*** Pass **LDP 08-208**

***3-B: Review, discussion, and possible action regarding pending applications for Business Entity Exemption requests:***

***Joyce's Services Corporation (Edith Funk)***  
***East Valley Estate Planning, LLC (Catharine Longman)***

***Individuals Addressing the Board:*** Karla Clanton

***Discussion:*** Staff recommended to the Board to defer to the next meeting pending receipt of additional information.

***Motion:*** Defer a decision regarding Business Entity Exemption to the December meeting

***Joyce's Services Corporation (Edith Funk)***  
***East Valley Estate Planning, LLC (Catharine Longman)***

***Motion Proposals:*** First Paul Friedman  
Second Andrew Saper

***Motion Results:*** Pass **LDP 08-209**

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**4) ADMINISTRATIVE ISSUES**

***4-A: Review, discussion and possible action regarding the 2009 Board of Legal Document Preparers meeting schedule.***

***Individuals Addressing the Board:*** Linda Grau

**Discussion:** Discussion regarding the current state budget shortage and costs related to monthly meetings of the Board. Staff recommended the Board consider amending the 2009 meeting schedules to every other month. Discussion regarding the Chair's ability to call an emergency meeting if necessary.

**Motion:** Amended the Board's meeting schedule for 2009 to the following dates:

February 23, 2009  
April 27, 2009  
June 22, 2009  
July 27, 2009  
October 26, 2009  
December 21, 2009

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 08-209**

**4-B: Introduction of new Board members**

**Individuals Addressing the Board:** Kandace French

**Discussion:** On October 29, 2008, Chief Justice Ruth V. McGregor signed Administrative Order No. 2008-81 appointing board member Les Krambeal as the Chair of the Board of Legal Document Preparers through June 30, 2009. The following members have been appointed to the vacant seats:

**Honorable Robert H. Oberbillig-** Judicial Officer Member

**Kelley A. Dowdle-** Certified Legal Document Preparer Member

**Deborah A. Young-** Clerk of the Superior Court Member Coconino County

**Note: No motion taken**

**4-C: Review, discussion, and possible action regarding the nomination and election of the 2009 Vice Chair.**

**Individuals Addressing the Board:** Kandace French

**Discussion:** Staff recommended the Board to nominate a vice chair from among the appointed members to serve for a specified term. Les Krambeal nominated Andrew Saper.

**Motion:** Appoint Andrew Saper as vice chair of the Board of Legal Document Preparers through December 31, 2009.



***Motion Proposal:*** First  
Second

***Motion Results:*** Pass                      **LDP 08-210**

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## **CALL TO THE PUBLIC**

***Individuals Addressing the Board:*** Les Krambeal

***Discussion:*** Ms. Beverly Hall addressed the issue of attorneys not being educated on the role of the Legal Document Preparers process in preparing documents. Kandace French stated the public comment will be considered however the procedure for the Board to discuss or consider the issue requires it be posted as an agenda item on the Board's agenda. No action was taken.

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## **ADJOURNMENT**

***Motion:*** Adjourn the meeting.

***Motion Proposals:*** First                      Andrew Saper  
Second                      Paul Friedman

***Motion Results:*** Pass                      **LDP 08-211**

***Time:*** 10:50 a.m.

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