

FIDUCIARY BOARD

Meeting Agenda – March 9, 2023

Arizona Supreme Court -1501 West Washington Street
Phoenix, Arizona 85007 - 10:30 A.M. Zoom/Conference Room 109
General Inquiries Call: 602-452-3378 (Certification and Licensing Division Line)
Members of the public may attend meeting in person.

For any item listed on the agenda, the Board may vote to go into Executive Session for advice of counsel (under ACJA Sec. 1-202(C)(5)(c)) or for discussion or consideration of records or matters made confidential or privileged by statute, court rule, or the Arizona Code of Judicial Administration (under ACJA Sec. 1-202(C)(5)(b)).

CALL TO ORDER.....Deborah Primock, Chair

1) REVIEW AND APPROVAL OF MINUTES.....Deborah Primock, Chair

1-A: Review, discussion, and possible action regarding the regular session minutes of the meeting held on January 12, 2023.

2) INITIAL LICENSURE AND ELIGIBILITY.....Division Staff

2-A: Review, discussion, and possible action regarding the following applications for initial individual and/or business licensure:

1. Patrick McDermott

3) RENEWAL LICENSURE AND APPLICATIONS.....Division Staff

3-A: Review, discussion, and possible action regarding the following applications for renewal of 2020-2022 individual licensure:

1. Lina Garcia
2. Julee Pierson

3-B: Review, discussion, and possible action regarding the following applications for renewal of 2022-2024 individual and/or business entity licensure:

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| 1. Assurance Fiduciary and Financial Service, PLLC | 10. Linda Hamilton |
| 2. Shannon Bennett | 11. John Harris |
| 3. Leigh Bernstein | 12. Susan Henley |
| 4. Lori Braddock | 13. Rochelle Hoekstra |
| 5. Heather Bull | 14. Sarah Holcomb |
| 6. Elizabeth Crosby | 15. Sabrina Lamb |
| 7. Scott Ferris | 16. Shelice Millett |
| 8. Taylor Galas | 17. Stubler Fiduciary Services, LLC |
| 9. Lina Garcia | 18. Thomas Peterson |
| | 19. Julee Pierson |

4) LICENSURE AND ELIGIBILITY.....Division Staff

4-A: *Review, discussion, and possible action regarding voluntary surrender request received from the following license holder:*

1. The Division recommends the Board accept the request and place Nicole A. Surran, license number 20857, on voluntary surrender status.

5) ADMINISTRATIVE ITEMS.....Division Staff

5-A: *Review, discussion, and possible action regarding changes to ACJA §7-201 regarding complainants.*

6) PENDING COMPLAINTS.....Division Staff

6-A: *Update regarding pending complaints.*

6-B: *Review, discussion, and possible action regarding Complaint No. 20-0003 involving license holder Patricia Flores.*

6-C: *Review, discussion, and possible action regarding Complaint No. 18-0061 involving license holder Diane Prescott.*

6-D: *Review, discussion, and possible action regarding Complaint Nos. 20-0011, 20-0012, 21-0012 involving license holders East Valley Fiduciary Services, Inc., and Michael Bogle.*

6-E: *Review, discussion, and possible action regarding Complaint Nos. 20-0013, 20-0014, 22-0051 & 22-0052 involving license holders Jane Ann Geisler and Managed Protective Services.*

6-F: *Review, discussion, and possible action regarding Complaint No. 21-0009 involving license holder Nicole Corona.*

CALL TO THE PUBLIC..... Deborah Primock, Chair

ADJOURN.....Deborah Primock, Chair

Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Division at 602-452-3378 or TDD 602-452-3534. A person requesting an accommodation should make the request as early as possible to allow time to arrange the requested accommodation.

FIDUCIARY BOARD
Agenda Summary – March 9, 2023

6) PENDING COMPLAINTS

6-A: *Update regarding pending complaints.*

As of March 1, 2023, there are 34* open complaints.

**The total known open complaints numbers do not include complaint numbers 20-0011/20-0012/21-0012 which are before the Board today. The total open complaints number represent complaints under investigation.*

FIDUCIARY COMPLAINTS

COURTOOLS MEASURE 4

AGE OF PENDING CASELOAD

Shaded Areas Represent Cases within Time Standard of 22 Months

Age (Months)	Number Cases	Percent
0-4	10	29.4%
5-9	7	20.6%
10-14	7	20.6%
15-19	5	14.7%
20-22	4	11.8%
23-35	1	2.9%
36-40	0	0%
Over 40	0	0%
Total	34	100%

Previous complaint chart presented at the January 12, 2023, Board meeting:

Age (Months)	Number Cases	Percent
0-4	3	11.1%
5-9	8	29.6%
10-14	12	44.4%
15-19	3	11.1%
20-22	1	3.7%
23-35	2	7.4%
36-40	0	0%
Over 40	0	0%
Total	27	≈100%

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 7: Administrative Office of the Courts
Chapter 2: Certification and Licensing Programs
Section 7-201: General Requirements

A. through G. [No changes]

H. Complaints, Investigations, Disciplinary Actions, Proceedings and Certification and Disciplinary Hearings.

1. Complaints: Filing and General Provisions.

a. to d. [No Changes]

- e. Standing of Complainant. A complainant does not have standing regarding any proceedings and is not a party to any proceedings. ~~The complainant may, upon request to division staff, receive notice of any public proceeding concerning the complaint or any consent agreements.~~ The complainant submits to the jurisdiction of the supreme court's certification and licensing division for all purposes relating to the proceedings.
- (1) The complainant shall keep division staff informed of any changes of mailing address, telephone number or email address during the investigation and any disciplinary proceedings.
 - (2) Division staff shall ~~forward any~~provide correspondence or notice to the complainant by United States mail to the last address of record with division staff unless the complainant authorizes another form of contact, such as electronic mail.
 - (3) To the extent practicable, Division~~division~~ staff shall provide the complainant with the following information:
 - (a) A written acknowledgement of the receipt of the complaint;
 - (b) A copy of the letter sent to the certificate holder requiring a response to the alleged acts of misconduct or violations and the initial response by the certificate holder, within ~~twenty~~20 days of receipt of the certificate holder's initial response;
 - (c) Notice, ~~if the complainant has requested notice,~~ of any public proceeding concerning the complaint or any consent agreement and a copy of the complaint materials being submitted to the board;
 - (d) Notice of the final disposition of each allegation; and
 - (e) Notice of the dismissal of the complaint within ~~ten~~10 days of the determination by the division director, if applicable, pursuant to subsection (H)(2)(b).
 - (4) Division staff shall inform the board regarding staff compliance with this subsection. Failure by division staff to provide the complainant with information as required by this subsection shall not affect the ultimate disposition of any allegations of acts of misconduct or violations by the certificate holder.

(5) The complainant may file a request for review by the board of the division director's dismissal of the complaint, within ~~ten~~10 days of the date of the notice of dismissal pursuant to subsection (H)(2)(e).

(H)(1)(f) to End. [No Changes.]