

Allegation 3: Failed to provide accountings to estate heirs.

Allegation 4: Failed to timely settle the estate.

The Division's investigation found other areas of concern and included two additional allegations:

Allegation 5: Failed to provide a written response to the complaint within 30 days and failed to submit a request for an extension of time to provide a written response.

Allegation 6: Failed to fully cooperate with the Division's investigation.

On or about September 2, 2023, the Arizona Supreme Court, Certification and Licensing Division ("Division") received a written complaint from Debbora Childress against Respondent. The complaint was assigned Complaint Number 23-0035. The complaint included four allegations:

Allegation 1: Failed to make timely distributions to estate beneficiaries.

Allegation 2: Failed to timely close the estate.

Allegation 3: Failed to timely communicate with estate beneficiaries.

Upon completion of its investigations and the determination of probable cause in Complaint Number 23-0027 and Complaint Number 23-0035, the Division forwarded its investigation summaries, determination by the probable cause evaluator, and the Division Director's written recommendations for the appropriate disposition of the complaints to the Board for consideration at its September 12, 2024, meeting. The Division's recommendation to the Board was the same in both matters: the Board should suspend Respondent's individual fiduciary license for six months; require a compliance audit of Respondent's fiduciary practice during the suspension period; and, in the event that Respondent's license is reinstated following suspension, require that Respondent's suspension be followed by 12-months of probation.

On September 12, 2024, the Board adopted the Division’s recommendations in both matters but stipulated that the probationary periods in Complaint Number 23-0027 and Complaint Number 23-0035 would run concurrently with each other and with the 12-month probationary period previously ordered in Complaint Nos. 21-0045 and 21-0046.

On September 18, 2024, Respondent’s counsel contacted the Certification and Licensing Division Director, Aaron Nash, to propose the voluntary surrender of Respondent’s individual fiduciary license in lieu of suspension in Complaint Nos. 23-0027 and 23-0035 to resolve all pending complaints.

JURISDICTION

Respondent acknowledges that the Board has jurisdiction over Complaint Nos. 21-0045, 21-0046, 23-0027, 23-0035, 23-0063, 24-0028, and 24-0029 under Arizona Code of Judicial Administration (“ACJA”) § 7-201(H) and ACJA §7-202.

CONSENT AGREEMENT AUTHORITY

The Board has the authority to resolve complaints by consent order or other negotiated settlement under ACJA § 7-201(H)(24)(a)(6)(c). The terms of a consent agreement may include the voluntary license surrender as authorized by ACJA § 7-201(E)(7)(b).

The Parties agree that it is in their best interests, the administration of justice, and the preservation of judicial and administrative resources that Complaint Nos. 23-0027, 23-0035, 23-0063, 24-0028, and 24-0029, be resolved by consent of the Parties according to the terms and conditions set forth in this Consent Agreement.

TERMS AND CONDITIONS

1. The Parties agree to resolve Complaint Nos. 23-007, 23-0035, 23-0063, 24-0028, and 24-0029 (“Complaints”), on the following terms and conditions:

- a. Respondent recognizes there is risk of adverse findings if she takes any of the Complaints to hearing and doing so would require considerable time and expense. By waiving her right to a hearing and entering into this Consent Agreement, Respondent does not admit to the misconduct alleged in any of the Complaints or asserted in any investigation summaries, determinations of probable cause, Division Director's written recommendations, and any final board decision and order.
- b. Respondent agrees that by signing this Consent Agreement, she is voluntarily surrendering her individual fiduciary license. The Board's approval of this Consent Agreement will include its acceptance of the voluntary surrender of her license under ACJA § 7-201(E)(7)(c) to take automatic effect at 5:00 p.m. MST on March 14, 2025, unless the Board specifies a later effective date in its order approving this Consent Agreement and imposing its terms.
- c. Respondent will not apply or reapply for any fiduciary licensure at any time after the March 14, 2025 effective date of Respondent's license surrender or such later effective date specified by the Board for Respondent's license surrender.
- d. Respondent will not hold herself out verbally, in writing, or otherwise, as a Fiduciary Board licensed fiduciary after the March 14, 2025 effective date of Respondent's license surrender or such later effective date specified by the Board for Respondent's license surrender.
- e. Respondent has provided to the Fiduciary Program a statement, certified by Respondent under penalty of perjury, listing every matter in which she is currently serving in a fiduciary capacity and its status; the specific steps remaining before each matter can be closed; the estimated amount of time to complete those steps; the assigned judge and case number, where applicable; and contact information

for each client she is serving. Respondent's statement is attached as Exhibit A and incorporated in this Consent Agreement. Respondent affirms that this statement is true and complete.

f. With respect to any open matter listed in Exhibit A in which Respondent serves in the capacity of conservator, guardian, personal representative, or trustee, no later than the March 14, 2025 effective date of the Board's acceptance of Respondent's license surrender, or such later date specified by the Board in its order approving this Consent Agreement and imposing its terms, Respondent will:

- 1) File closing statements in all open Superior Court probate cases in which a closing statement is eligible for filing under A.R.S. § 14-3933.
- 2) Take all legal and necessary steps for the transfer and appointment of successor trustees in all open superior court probate cases in which a closing statement is not eligible for filing under A.R.S. § 14-3933, or in which it has been less than a year since the filing of a closing statement and a personal representative appointment has not been terminated under A.R.S. § 14-3933(B).
- 3) Take all legal and necessary steps for the transfer and appointment of successor fiduciaries in any remaining matters in which Respondent is currently acting as conservator, guardian, personal representative, trustee or agent under Powers of Attorney and assist the principals of Powers of Attorney, beneficiaries, court, successor guardians, conservators, personal representatives and/or successor fiduciaries in effectuating the transfer of said cases to all successors.
- 4) Relinquish all estate assets in her possession and control.

- 5) Within 30 days of the Board's approval of this Consent Decree,
 - A) File a notice with the court in each pending case listed in Exhibit A that the Respondent will no longer be a licensed fiduciary effective March 14, 2025, or such later effective date specified by the Board under this Consent Agreement. In each notice, Respondent must advise the court as to the case status, including the status of any efforts to transfer the matter to a successor fiduciary, and that the appointment of a successor fiduciary must be approved by the effective date.
 - B) Provide written notice to the client in every other matter listed in Exhibit A that the Respondent will no longer be a licensed fiduciary effective March 14, 2025, or such later effective date specified by the Board, under this Consent Agreement. In each notice, Respondent must advise the client of the need to take specified action by the effective date.
 - 6) Within 30 days of the Board's approval of this Consent Decree, provide the Fiduciary Program with a copy of each notice filed or provided in compliance with Section 1(f)(5)(A) or (B) and a certification, under penalty of perjury, that she has no estate assets in her possession and control.
- g. After the March 14, 2025 effective date of Respondent's license surrender or such later effective date specified by the Board for Respondent's license surrender, Respondent will not serve as an agent under a power of attorney in any capacity unless related to the principal by blood, adoption, or marriage, or as a trustee in any capacity unless related to the principal by blood, adoption, or marriage.

3. All other pending complaints, Complaint Nos. 23-0063, 24-0028, and 24-0029 against Respondent will be administratively closed for lack of jurisdiction as of the March 14, 2025 effective date of Respondent's license surrender or such later effective date specified by the Board for Respondent's license surrender.
4. Respondent's existing probation and pending audit and continuing education requirement in Complaint Nos. 21-0045 and 21-0046 will be terminated as of the March 14, 2025 effective date of Respondent's license surrender or such later effective date specified by the Board for Respondent's license surrender.
5. If Respondent fails to comply with any terms of this Consent Agreement, the Board reserves the right to exercise all available remedies.

PATRICIA FLORES
Individual Fiduciary License No. [REDACTED]

[REDACTED]

Patricia Flores

12/16/2024
Date

ARIZONA SUPREME COURT
Fiduciary Board

[REDACTED]

Hon. Jennifer Perkins, Chair

1/9/2025

Date