



Supreme Court

STATE OF ARIZONA

CERTIFICATION AND LICENSING DIVISION

1501 W. Washington Street, Suite 104

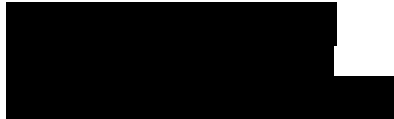
Phoenix, Arizona 85007-3222

602-452-3378

January 4, 2023

VIA MAIL AND EMAIL

Diane Prescott



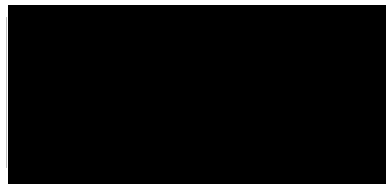
RE: Consent Agreement Issued - Complaint Number FID-NFC-18-0061

Dear Diane Prescott:

On November 20, 2022, the Fiduciary Board ("Board"), pursuant to the Arizona Code of Judicial Administration ("ACJA") § 7-201(H)(25), issued the enclosed Consent Agreement in the above-referenced complaint number. Proof of compliance with the terms of the agreement is now due and can be submitted my mail or by email to complaints@courts.az.gov.

The Consent Agreement is a matter of public record and available for public inspection. If you have questions, contact the Division by email to pfp@courts.az.gov or by phone to 602-452-3378.

Sincerely,



Aaron Nash, Director
Certification and Licensing Division

cc: Gary B. Strickland
Encl: Consent Agreement signed 11/20/2022

1 pleading filed coincident therewith, Respondent filed her request for a Hearing in
2 compliance with the provisions of ACJA §7-201(H)(12) and (13).
3

4 A hearing is presently scheduled to convene on December 15, 2022.

5 **JURISDICTION**

6 Respondent acknowledges that the Board possesses jurisdiction over Complaint
7 NO: FID-NFC-18-0061 under the authority of ACJA §7-201(H).
8

9 **FACTUAL ALLEGATIONS OF MISCONDUCT DISPUTED**

10 The Fiduciary Board has made several factual allegations of misconduct as
11 delineated in its Notice of Formal Statement of Charges. Respondent disputes the claims
12 and the accuracy of statements of underlying facts asserted in the Formal Statement of
13 Charges.
14

15 **CONSENT ORDER AUTHORITY**

16 The Fiduciary Board's authority to resolve the pending complaint subsists in
17 ACJA §7-201(H)(24)(a)(6)(c). Included within that authority is the resolution of the
18 complaint through terms that include the voluntary surrender of the license as authorized
19 by ACJA §7-201(E)(7)(b).

20 The Board and Respondent and respective Counsel agree that in the interest of
21 protecting the public, the administration of justice, the preservation of judicial and
22 administrative resources, and in compliance with statutes and governing regulations,
23 Complaint No. 18-0061 may be resolved upon consent and an appropriate order be issued
24 upon Board approval.

25 **TERMS AND CONDITIONS**

26 The Parties hereby resolve the pending complaint on the following terms and
27 conditions:
28

1 1. Respondent will withdraw her request for a hearing and will waive her right
2 to a hearing of the facts and law asserted in the complaint and Formal Statement of
3 Charges.

4 2. Albeit Respondent recognizes there is risk to taking the complaint to
5 hearing, by waiving her right to a hearing Respondent does not admit to the misconduct
6 asserted in the Formal Statement of Charges.

7 3. In consideration for the Consent Agreement, Respondent hereby agrees to
8 voluntarily surrender her license upon Board approval of this resolution.

9 4. Respondent agrees not to reapply for further Board certification at any time
10 hereafter.

11 5. Respondent agrees not to hold herself out orally, in writing, or otherwise, as
12 a Fiduciary Board license holder.

13 6. With respect to any current/pending matter in which Respondent is acting
14 in the capacity of a personal representative or trustee, Respondent agrees:

15 a) Respondent will take all legal and necessary action to close the Yavapai County
16 Superior Court probate case number V1300PB20228-0006 as required by A.R.S. § 14-
17 3933. Respondent will notify the Fiduciary Program when she has filed the closing
18 statement at the conclusion of the A.R.S. § 14-3801 claims period;

19 b) by November 10, 2022, Respondent will take all legal and necessary steps for
20 the transfer and appointment of successor trustees in any remaining matters in which
21 Respondent is currently acting as a trustee. Respondent agrees to assist the beneficiaries,
22 Court, and successor trustee in effectuating the transfer of said trusts to the successor
23 trustee.

24 7. Respondent agrees not to serve as an agent under a power of attorney in any
25 capacity unless related to the principal by blood, adoption or marriage, nor as a trustee in
26 any capacity unless related to the principal by blood, adoption or marriage.
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RECEIVED NOV 23 2022

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8. Complaint No. 18-0061 will be recorded as resolved through negotiation and settlement under ACJA § 7-201(H)(24)(a)(6)(c).

Dated this ___ day of _____, 2022

[Redacted Signature]

11/20/22

Deborah Primock, Chair
Fiduciary Board

[Redacted Signature]

Diane Prescott
Respondent