

BOARD OF LEGAL DOCUMENT PREPARERS

Meeting Agenda – Monday, January 28, 2019

Arizona Supreme Court -1501 West Washington Street

Phoenix, Arizona 85007 – 10:00 A.M. – 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 and/or to discuss records and information exempt by law or rule from public inspection, pursuant to the Arizona Code of Judicial Administration, Code Section 1-202(C).

CALL TO ORDER..... *Mary Carlton, Chair*

1) REVIEW AND APPROVAL OF MEETING MINUTES.....*Mary Carlton, Chair*

1-A: Review, discussion, and possible action regarding approval of the regular session minutes of the meeting of November 19, 2018.

2) PENDING COMPLAINTS.....*Division Staff*

2-A: Review, discussion and possible action regarding complaint numbers 18-L003 and 18-L005 involving certificate holders Shannon Trezza, and AZ Statewide Paralegal.

2-B: Review, discussion and possible action regarding complaint number 18-L006 involving certificate holder Maite Perez Martinez.

2-C: Review, discussion and possible action regarding complaint numbers 18-L007 and 18-L008 involving certificate holders Document Prep & Process Pros and Patricia Steward.

2-D: Review, discussion and possible action regarding complaint number 18-L009 involving certificate holder Sergio Diaz.

3) INITIAL CERTIFICATION AND ELIGIBILITY.....*Division Staff*

3-A: Review, discussion and possible action regarding the following applications for initial, individual, business entity legal document preparer certification:

1. Lindsay McWhorter
2. Standard Docs, LLC

3. Dynasty Legal Documents, LLC
4. Alison Hovanitz

- 5. Jack Utter
- 6. Denise Wolfe
- 7. Legal Eagle Preparation
- 8. Georgina Chavez
- 9. Steven Smith

4) RENEWAL CERTIFICATION APPLICATIONS.....*Division Staff*

4-A: Review, discussion and possible action regarding the following applications for renewal of individual and/or business entity legal document preparer certification:

- 1. Irene Mayer
- 2. Scottsdale Condominium Management, Inc.
- 3. Dawn Kaiser
- 4. TFC Ventures, Inc.
- 5. Julia Navarro

5) CERTIFICATION AND ELIGIBILITY.....*Division Staff*

5-A: Review, discussion, and possible action regarding request for Voluntary Surrender from Leslie Turnbull.

6) ADMINISTRATIVE ISSUES.....*Division Staff*

6-A: Information concerning establishment of the Task Force on Delivery of Legal Services.

CALL TO THE PUBLIC.....*Mary Carlton, Chair*

ADJOURN *Mary Carlton, Chair*

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1) REVIEW AND APPROVAL OF MEETING MINUTES

1-A: Review, discussion, and possible action regarding approval of the regular session minutes of the meeting of November 19, 2018.

A draft of the regular session minutes for the meeting of November 19, 2018, has been provided for the Board's review and consideration.

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2) PENDING COMPLAINTS

2-A: Review, discussion and possible action regarding complaint numbers 18-L003 and 18-L005 involving certificate holders Shannon Trezza, and AZ Statewide Paralegal.

On June 5, 2018, Division received a complaint from Santa Cruz County Superior Court alleging AZ Statewide Paralegal had placed a “stop payment” on a check they issued for filing fees for one of their clients. AZ Statewide acknowledged the action but claimed it was the clients’ fault because he had paid for services fraudulently. AZ Statewide instructed the court that it was their responsibility to collect directly from the consumer. Santa Cruz County disagreed claiming it was AZ Statewides responsibility to pay since they submitted the documents.

On November 19, 2018 the Board voted to accept the findings of the Probable Cause Evaluator and accepted staff’s recommendation to issue a censure to Shannon Trezza and AZ Statewide Paralegal placing both on probation for one year and requiring that the Santa Cruz County Clerk’s Office be reimbursed within 30 days plus any late fees, penalties and/or interest, and requiring compliance with all statutes, Court Rules and the ACJA.

On December 7, 2018, the Board filed the Notice of Formal Statement of Charges in both complaints with the Presiding Disciplinary Judge. Division records demonstrate certificate holders were served on December 20, 2018. On December 26, 2018, Trezza and AZ Statewide filed a response admitting the allegations in the Notice but requesting an alternative of informal discipline in the form of a Letter of Concern.

On December 28, 2018, Judge O’Neil issued an Order finding Shannon Trezza and AZ Statewide Paralegal LLC have admitted all allegations and forwarding the matter to the Board with a recommendation the Board consider the alternative recommendation provided in the response and enter such sanction the Board considers appropriate.

Staff recommends the Board enter a Final Order issuing a censure to Shannon Trezza and AZ Statewide Paralegal with probation for one year requiring compliance with all statutes, Court Rules and the ACJA. Staff notes Trezza and AZ Statewide Paralegal have demonstrated that the Santa Cruz County Clerk’s Office has been reimbursed in full.

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2) PENDING COMPLAINTS

2-B: Review, discussion and possible action regarding complaint number 18-L006 involving certificate holder Maite Perez Martinez.

Division received a complaint from attorney Eric Bjdovet Esq., who reported that Legal Document Preparer Maite Perez-Martinez had prepared immigration documents that should not have been prepared and had given incorrect legal advice to his new client after having been declined for adjusted immigrant status.

In 2015, Bidovet's client applied for and was approved for a U-Visa issued by the Department of Homeland Security with the assistance of a local immigration attorney Ruben Reyes Esq. The name of the client in the reports is redacted as she was a victim of domestic violence, which is one of the criteria needed in order to obtain a U-Visa to remain in the country and aid in the prosecution of a crime.

The client desired to obtain adjusted status in order to visit her elderly relatives in Mexico who are in declining health and was referred through a friend to legal document preparer Maite Perez-Martinez, owner of MP Legal Document Preparation, to determine if she could help obtain adjusted status to cross the border and then return to the U.S.

Upon the client meeting with Maite Perez-Martinez in the fall months of 2016, she explained her situation, in that she had entered the country without inspection, but was a current U-Visa holder. In addition, the client told Maite Perez-Martinez she would like to apply for adjusted status as she had adult children over 21 years of age here in the U.S., both of which are citizens.

Maite Perez-Martinez told the client that despite coming into the country without inspection, due to her currently holding a U-Visa, she was, in fact, eligible for and could apply for adjusted status through a Petition for Alien Relative (Federal Form I-130) and an (I-485 form) which is an Application to Register as a Permanent Residence/Adjusted Status.

Per Federal Rules of U.S. Citizenship and Immigrations Services, which is a component of the Department of Homeland Security, the information given to the client is incorrect and, in fact, a U-Visa does NOT grant the holder immigration status or a benefit. Homeland Security requires a form I-131 form "Application for Travel" to be filed for someone in the client's situation.

The client subsequently paid \$750.00 for the I-130 and I-485 forms to be completed. Maite Perez-Martinez assured the client "everything would be OK" and upon completion, mailed in the forms concurrently. A filing fee in the amount of \$1,490.00 was mailed to the government which was also paid by the client. Approximately 5 months later, the client received a denial from Homeland Security stating she was ineligible for adjusted status after having spent \$2,240.00 total for the document prep and government fees.

Upon receipt of the denial, the client and her adult daughter went to Maite Perez-Martinez's office to recover her file after meeting with attorney Eric Bvdojet and being told they had been given incorrect information. After a brief argument regarding what Maite had initially told the client regarding her eligibility for adjusted status, Perez-Martinez gave them the file and they left.

In Division's interview with Maite Perez-Martinez, she advised that her clientele was primarily those in need of having immigration forms completed and confirmed the complainant had been referred to her by a mutual friend.

Perez-Martinez related that she was told by the client that she had entered the country without inspection, lived with her adult children who were citizens, and possessed a U-Visa. Division asked Perez-Martinez if she asked to see the U-Visa to verify the client truly had one and she said she did not. She then proceeded to tell the client that despite having entered the country without inspection she was eligible for adjusted status because she was a U-Visa holder.

Perez-Martinez confirmed she prepared the I-130 Petition for Alien Relative and the I-485 Application to Register for Permanent Resident/Adjusted Status. Perez-Martinez further confirmed the complainant paid \$750.00 for her services and the filing fees that are required by the government of \$1,490.00.

Division asked Perez-Martinez if she recalled the client and her daughter coming to her office and complaining that she was a scam and wanted the file back. Perez-Martinez said she did recall that and denied she was scamming people for money by giving bad information or advice.

Perez-Martinez also recalled that they told her a complaint would be filed against her, which ultimately was sent to the Division.

In summary, Perez-Martinez stated she did not offer any type of legal advice, nor did she practice law without a license, however, she was under the impression as a legal document preparer that despite one entering the country without inspection and holding a U-Visa this was "all encompassing" and therefore allowed an immigrant to forward the Application for Alien Status and a Petition for Adjusted Status Through A Relative as she had done for the client.

Allegation 1: Complainant alleged Legal Document Preparer, Maite Perez-Martinez, practiced law without a license by giving a legal opinion that with a U-Visa a Petition for Alien Relative form as well as an Application for Adjusted Status could be filed regardless of one having entered the country illegally and without inspection. Division determined through interviews and document review that LDP Maite Perez-Martinez did not practice law without a license as alleged by the complainant.

Allegation 2: Complainant alleged Maite Perez-Martinez prepared and sent in immigration documents that should not have been prepared. The client had no chance of gaining approval of her requested change of immigration status from the U.S. Department of Homeland Security. Furthermore, Maite-Perez-Martinez prepared and sent in an immigration form (I-130) and marked in the affirmative on the I-485 form on page (5) that the client could understand and read the

English language. This is incorrect as Division had to use an interpreter twice during the investigation while interviewing the complainant. The client cannot read or understand the English language. Division determined through interviews and document review that LDP Maite Perez-Martinez failed to practice competently, completed and sent in the incorrect immigration forms, and gave misleading information to the client.

Recommendation:

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Maite Perez-Martinez and MP Legal Services, LLC have not committed the alleged act(s) of misconduct as detailed in Allegation 1 of the Investigation Summary and Allegation Analysis Report in complaint number 18-L006 and dismiss Allegation 1.

It is further recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Maite Perez-Martinez and MP Legal Services, LLC have committed the alleged act(s) of misconduct as detailed in Allegation 2 of the Investigation Summary and Allegation Analysis Report in complaint number 18-L006 and enter a finding grounds for formal disciplinary action exists pursuant to ACJA § 7-201(H)(6) for act(s) of misconduct involving ACJA § §7-201(H)(6)(k)(7); 7-201(H)(6)(k)(8) and 7-208 (J)(1)(d) preparing immigration documents which were inappropriate and providing misleading information.

It is further recommended the Board issue a Censure to Maite Perez-Martinez and MP Legal Services, LLC.

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2) PENDING COMPLAINTS

2-C: Review, discussion and possible action regarding complaint numbers 18-L007 and 18-L008 involving certificate holders Document Prep & Process Pros and Patricia Steward.

On July 31, 2018, Complainant made an appointment to utilize the LDP services of Document Prep & Process Pros Inc. Complainant requested assistance with amending documents inclusive of a quit claim deed and two Articles of Amendments for two LLC's to be placed into the name of her trust. An LDP trainee completed these documents for Complainant and Complainant claimed that during the time she was with the LDP trainee in a conference room of the office, she was threatened and intimidated by the LDP trainee as he demanded she sign the documents without allowing her to review them before signing. There are no witnesses and the LDP trainee adamantly denied the allegations.

During this investigation, Division became aware the Designated Principal of Document Prep & Process Pros, and LDP Ms. Patricia Steward, was not fulfilling her required duties of supervising her two LDP trainees. Division's investigation has revealed that Ms. Steward, through her own statements, after a nine to ten month period beginning in October of 2016, has not been at the office on a consistent basis over a two-year period to supervise, review and/or approve documents prepared by the trainee's, nor did she have a contingency plan in place for the LDP trainees to be supervised in her absence. Instead, Ms. Steward relied on her trainees to notify her when they believed they needed additional assistance or supervision. Ms. Steward offered, in summary, that her interpretation of the ACJA and her responsibilities was markedly different and gave her discretion to have less oversight of the trainee's as their proficiency level increased and believed she was complying with ACJA § 7-208. She began this lower level of oversight nine to ten months after the trainees began their "employment".

Recommendation:

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Patricia Steward and Document Prep & Process Pro Inc. have not committed the alleged act(s) of misconduct as detailed in Allegation 1 of the Investigation Summary and Allegation Analysis Report in complaint numbers 18-L007 and 18-L008.

It is recommended that the Board dismiss Allegation 1.

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Patricia Steward and Document Prep & Process Pro Inc. have committed the alleged act(s) of misconduct as detailed in Allegation 2 of the Investigation Summary and Allegation Analysis Report in complaint numbers 18-L007 and 18-L008.

It is further recommended the Board enter a finding grounds for formal disciplinary action exists pursuant to Arizona Code of Judicial Administration (“ACJA”) § 7-201(H)(6) and for act(s) of misconduct involving ACJA §§ 7-208 (F)(5)(b) and 7-208(F)(5)(c)(4) for failing to or improperly supervising trainees and for allowing her certification number to be placed on documents that were prepared without her supervision.

It is further recommended the Board issue a Censure to Ms. Steward.

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2) PENDING COMPLAINTS

2-D: Review, discussion and possible action regarding complaint number 18-L009 involving certificate holder Sergio Diaz.

Complainant alleged that certified Legal Document Preparer, Sergio Diaz, had Facebook postings which contained phrases such as “Diaz-Herrera Law Firm,” “Immigration Professional” and “Nuestro Proximo Abogado” (English translation is “Soon-to-be immigration lawyer”). Complainant provided screenshots of the statements. Complainant believed the advertising was misleading.

Division confirmed that the screenshots were from Mr. Diaz’s social media account and did include the phrases. Division subsequently conducted an independent internet search for Mr. Diaz and noted his “Facebook” site currently no longer contains any such references.

In a subsequent interview with Mr. Diaz, he admits the earlier verbiage and says he removed it all after the complaint was filed. Diaz acknowledged the “Diaz-Herrera Law Firm” post claiming it was only meant to show his friends and clients what his future business would be named.

Recommendation:

This matter was presented to the Probable Cause Evaluator who determined probable cause exists that Sergio Diaz violated ACJA § 7-208(J)(5)(c). It is recommended that the Board accept the determination of the Probable Cause Evaluator.

It is further recommended the Board censure Sergio Diaz and place Sergio Diaz on probation for the period of six months with the following probation terms: (i) within seven days cause all communication and advertising to fully comply with ACJA § 7-208(J)(5)(c); (ii) in writing notify to each new client, both English and Spanish, that he is not a lawyer and may not provide legal advice and have the client acknowledge in writing the receipt of the notice, and (iii) at the request of the Division, provide evidence satisfactory to the Division of compliance with the terms of probation.

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3) INITIAL CERTIFICATION AND ELIGIBILITY

3-A: *Review, discussion and possible action regarding the following applications for initial individual and business entity legal document preparer certification and business entity exemption requests:*

The following applicants have applied for initial individual and business entity legal document preparer certification. The applicants have successfully passed the program examination where applicable and have submitted complete applications demonstrating that they meet the minimum education and experience requirements.

The Division recommends approval of initial legal document preparer certification for the following applicants:

1. Lindsay McWhorter
2. Standard Docs, LLC

3. Dynasty Legal Documents, LLC applied for business legal document preparer certification. Melissa Moy is listed as the designated principal. Dynasty Legal Documents, LLC has also applied for a business entity exemption. The company is in good standing with the Arizona Corporation Commission and has no other legal document preparers or trainees listed on the application.

Staff recommends approval of initial legal document preparer certification for Dynasty Legal Documents, LLC and recommends approval of a Business Entity Exemption for the business.

4. Alison Hovanitz applied for initial individual legal document preparer certification. The applicant successfully passed the program examination and has submitted a complete application demonstrating that she meets the minimum education and experience requirements. Ms. Hovanitz holds a Juris Doctorate degree from Northern Illinois University and is a retired member of the Illinois State Bar.

Division recommends approval of initial legal document preparer certification for Alison Hovanitz with the following cautionary language:

On January 28, 2019, the Board of Legal Document Preparers granted your application for certification. In doing so, the Board instructed Staff to caution you concerning the terms of ACJA § 7-208(J)(5)(c) which prohibits the use of the terms JD, Esq. law office or other similar terms.

5. Jack Utter applied for initial individual legal document preparer certification. The applicant successfully passed the program examination and has submitted a complete application demonstrating that he meets the minimum education and experience requirements. Mr. Utter

disclosed a 1991 dissolution of marriage as well as an ongoing civil case filed in 2016 with the Apache County Superior Court in which he is listed as the plaintiff regarding a 2015 wrongful work termination. Mr. Utter stated that his 2015 work termination was related to an ongoing disagreement within the organization concerning its work structure, accountability and legality. Mr. Utter also holds a Juris Doctorate degree from Concord Law School.

Division recommends approval of initial legal document preparer certification for Jack Utter with the following cautionary language:

On January 28, 2019, the Board of Legal Document Preparers granted your application for certification. In doing so, the Board instructed Staff to caution you concerning the terms of ACJA §7-208(J)(5)(c) which prohibits the use of the terms JD, Esq. law office or other similar terms.

6. Denise Wolfe applied for initial individual legal document preparer certification. The applicant successfully passed the program examination and has submitted a complete application demonstrating that she meets the minimum education and experience requirements. Ms. Wolfe disclosed a 2005 dissolution of marriage, a 2011 bankruptcy that contained no adversarial proceedings and a 2016 D.U.I. that resulted in a misdemeanor conviction. Ms. Wolfe failed to disclose a 1998 petition for a dissolution of marriage. Ms. Wolfe stated that she had forgotten about it and it had slipped her mind and apologized for the omission.

Division recommends approval of initial legal document preparer certification for Denise Wolfe with the standard non-disclosure language.

7. Legal Eagle Preparation applied for business legal document preparer certification. Karen Nogle is listed as the designated principal. Legal Eagle Preparation has also applied for a business entity exemption. The company is in good standing with the Arizona Corporation Commission and has no other legal document preparers or trainees listed on the application. Legal Eagle Preparation failed to disclose several civil cases on this application that had been previously disclosed to the Board in a prior application. Ms. Nogle stated that she failed to disclose the cases due to misreading the question and reiterated that all matters have been previously disclosed to the Board in her individual initial application.

Division recommends approval of initial business legal document preparer certification for Legal Eagle Preparation with the standard non-disclosure language and recommends approval of the business entity exemption.

8. Georgina Chavez applied for initial individual legal document preparer certification. The applicant successfully passed the program examination and has submitted a complete application.

The Division does not believe Ms. Chavez has met the minimum educational and experience requirements as set forth in the Arizona Code of Judicial Administration (ACJA) § 7-208. Ms. Chavez's educational background consists of having a bachelor's degree. Pursuant to ACJA § 7-208(E)(3)(b)(6)(a), an applicant who possesses a bachelor's degree should also possess a

minimum of one year of law-related experience in one, or a combination of the following situations:

- (i) Under the supervision of a licensed attorney;
- (ii) Providing services in preparation of legal documents prior to July 1, 2003;
- (iii) Under the supervision of a certified legal document preparer after July 1, 2003; or
- (iv) As a court employee;

Ms. Chavez has failed to provide to Division staff proof that she has at least a minimum of one year of law related experience that would satisfy the code requirement. Ms. Chavez did work at the Arizona Supreme Court as a Deputy Clerk II for approximately six months and in such capacity as a court employee. Ms. Chavez's other work experience is related to courtroom/deputy clerk while being employed by the Clerk of the Superior Court. A courtroom clerk is not a Superior Court employee and therefore this experience would not satisfy the Code experience requirements.

Division recommends denial of initial individual legal document preparer certification for Georgina Chavez pursuant to ACJA 7-201(E)(2)(c)(1), for failure to meet the minimum eligibility requirements for certification as mandated in ACJA 7-208(E).

9. Steven Smith applied for initial legal document preparer certification. The applicant successfully passed the program examination and has submitted a complete application demonstrating that he meets the minimum education and experience requirements. Mr. Smith disclosed two 2017 civil cases that were filed in the superior court. The first one was a legal name change and, in the second one, he is listed as a defendant regarding an ongoing tenant issue with allegations of breaching a contract. Mr. Smith also disclosed a 2018 Order of Protection in which he was listed as a defendant. Mr. Smith violated the Order of Protection on three separate occasions and was arrested and charged with the misdemeanor offense of failure to comply with a court order. On June 26, 2018, Mr. Smith pled guilty to the offense and entered into a diversion program. Mr. Smith also disclosed two work terminations that occurred in 2006 and 2011. In the first one, Mr. Smith stated he worked at Pita Jungle and was terminated when money was missing from the establishment. Mr. Smith denied all claims associated with the theft. Mr. Smith stated he was not provided an explanation for his second work termination from Phillips Law Group.

Mr. Smith also disclosed two State Bar disciplinary matters as a result of his practice when he was a licensed member of the Arizona State Bar. In 2015 Mr. Smith was suspended for 30 days by the Presiding Disciplinary Judge for filing a petition for dissolution knowing his client did not meet the jurisdictional requirement for filing in Arizona. Mr. Smith was granted reinstatement shortly thereafter.

In July 2017 Mr. Smith was sanctioned with an interim suspension by the Presiding Disciplinary Judge due to several complaints that ultimately led to his disbarment in August 4, 2017. The State Bar's motion for suspension stated that "respondent has engaged in conduct the continuation of which will result in substantial harm, loss or damage to the public, the legal profession or the administration of justice." Some of the allegations included but are not limited

to, “willful refusal to attend court hearings, predatory billing, client abandonment, and misappropriation of client funds.” Furthermore, the Arizona State Bar stated that Mr. Smith “failed to advise clients of his prior suspension, lied to the State Bar during reinstatement proceedings, failed to provide information to the State Bar during an investigation, provided false information to the State Bar during an investigation, and utilized high school students and non-lawyer staff to answer consumers’ legal questions on AVVO.” Mr. Smith did not contest the allegations and consented to his disbarment.

Mr. Smith failed to disclose six prior matters that he was involved in, to include two criminal matters. In 2003 Mr. Smith pled guilty to a misdemeanor offense of reckless driving. In 2004 Mr. Smith was charged with driving with a suspended license and for failure to appear. Mr. Smith entered a guilty plea for driving with a suspended license. Mr. Smith stated that he failed to disclose both offenses because he either forgot about them or incorrectly thought they were irrelevant and were related to traffic offenses.

Mr. Smith was listed as a defendant in three justice court cases involving unpaid debts that were filed in 2003, 2016, and 2018. These matters were not initially disclosed in his application and Mr. Smith confirmed involvement in all three cases and stated that it was his mistake and the cases should have been listed in his application if he would have been in the right mindset when he filled it out. Mr. Smith also failed to disclose a 2015 Injunction of harassment that was filed in the Maricopa County Superior Court in which he was listed as a defendant. The plaintiff stated she had discovered Mr. Smith acting in an unethical manner with his clients and was harming their trust accounts. The plaintiff reported Mr. Smith’s legal conduct to the State Bar. The plaintiff stated that her email account was being hacked by Mr. Smith as it had changed and had his contact information. The plaintiff also claimed that she was in fear for her safety because Mr. Smith was walking around the office with a gun and had multiple guns within the firm. Mr. Smith stated that the gun allegations were false but did admit to accessing the email to what he claims was a work email that was provided to her by him when she undertook employment at his firm. Mr. Smith stated that this matter did go to a hearing which he lost, and the injunction remains in effect. Mr. Smith stated that he is already fighting an uphill battle with regard to his disbarment and “he would not be hiding relatively smaller items in his application” and “he might have rushed through this application.”

Mr. Smith acknowledged his past behavior of not complying with court rules and orders and stated that he lived most of his life thinking the rules did not apply to him and that he was above the rules and felt he didn’t need to follow them. Mr. Smith stated that he was still in a “depression state” when he violated the Order of Protection and did not get out of it until the summer of 2018. Mr. Smith stated that he was going through trauma and devastation and he “was forced to change.” Mr. Smith stated again that he was not going to take any risk or break any rules because he would never want to go through another traumatic experience. Mr. Smith stated that he has spent a lot of time self-reflecting, reading and undergoing therapy since his disbarment so that he could learn to not make those mistakes again.

Based on the foregoing, Division recommends denial of initial individual legal document preparer certification for Steven Smith for violations of the following ACJA provisions:

ACJA § 7-201(E)(2)(c)(2)(b): The applicant or an officer, director, partner, member, trustee, or manager of the applicant:

- (iii) Has conduct showing the applicant or an officer, director, partner, member, trustee, or manager of the applicant is incompetent or a source of injury and loss to the public;
- (vi) Has a denial, revocation, suspension or any disciplinary action of any professional or occupational license or certificate;
- (vii) Has a censure, probation or any other disciplinary action of any professional or occupational license or certificate by other licensing or regulatory entities if the underlying conduct is relevant to the certification sought;
- (ix) Has been found civilly liable in an action involving misrepresentation, material omission, fraud, misrepresentation, theft or conversion;
- (xii) Has violated any order of a court judicial officer, administrative tribunal or the board
- (xv) Failed to disclose information on the certification application subsequently revealed through the background check.

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4) RENEWAL CERTIFICATION APPLICATIONS

4-A: Review, discussion and possible action regarding the following applications for renewal of business entity and/or individual legal document preparer certification:

1. Irene Mayer
2. Scottsdale Condominium Management, Inc

Irene Mayer applied for renewal of legal document preparer individual and business entity renewal certification as designated principal for Scottsdale Condominium Management, Inc. The applications are complete, and no information has been presented during the background review which is contrary to renewal of standard certification being granted and the certificate holders have demonstrated they meet the minimum eligibility requirements for renewal of standard certification.

It is recommended renewal of individual and business entity certification be granted to Irene Mayer and Scottsdale Condominium Management, Inc.

3. Dawn Kaiser applied for renewal of legal document preparer certification. The applicant submitted a complete application and the applicant's background has been investigated for the renewal period.

Ms. Kaiser answered "Yes" on her renewal application to the background information questions. Kaiser submitted an affidavit regarding a civil complaint, not relevant to the renewal period. Division's investigation discovered an undisclosed bankruptcy, there were no adversary complaints.

Ms. Kaiser said, "I thought I had told Division, and am sorry that I forgot."

It is recommended renewal of standard certification be granted to Dawn Kaiser with non-disclosure language.

4. TFC Ventures, Inc. applied for business renewal. The company's principal is Lori Kort. Ms. Kort had a business member with a divorce which was not disclosed. The business member was added to help wind down the business, which has been accomplished. The business member was removed at Ms. Kort's request. The business assets and property were sold effective September 1, 2017.

It is recommended renewal of the business certification be granted for TFC Ventures, Inc. from July 1, 2017. It is further recommended granting withdrawal of TFC Ventures, Inc. as a certified business effective September 1, 2017.

5. Julia Navarro applied for legal document preparer (LDP) renewal certification. The applicant has submitted a complete renewal application and the applicant's background has been investigated for the renewal period.

Ms. Navarro answered "Yes" on her renewal application indicating the applicant had completed the required continuing education (CE) in the Applicant Continuing Education Affidavit. Ms. Navarro was audited for CE. When the applicant produced their CE, Navarro was deficient 5 hours in reporting period 1.

To set a history, Ms. Navarro:

- Was originally certified on November 24, 2014
- Renewed for the July 1, 2015 thru June 30, 2017 renewal period
- Board granted renewal for the 2015-2017 renewal period on March 28, 2016
- Was not audited for CE in her 2015-2017 renewal
- Renewed for the July 1, 2017 thru June 30, 2019 renewal period
- Answered "Yes" that she had completed CE on the 2017-2019 renewal application
- When audited, was 5 hours deficient on reporting period 1 (May 1, 2015 thru April 30, 2016). Made up her CE deficiency May, 2018.
- Answered questions regarding her first renewal and original certification at the September 24, 2018 board meeting.

Division recommends that renewal LDP certification be granted to Julia Navarro with CE Remedial Actions.

Continuing Education Remedial Actions

- *The applicant will pay a \$50 CE late fee (Check or MO payable to the Arizona Supreme Court).*
- *The applicant will make up their deficient CE within 90 days after CE Remedial Actions are approved by the Board. The applicant will submit deficient CE to Division for approval/compliance with remedial actions. In this case the Board has approved your late CE submission and your deficient CE is complete and approved by the Board.*
- *The applicant will submit their CE annually for the next renewal period. Their CE is due on or before:*

*May 30, 2018 for the May 1, 2017 thru April 30, 2018 reporting period.
May 30, 2019 for the May 1, 2018 thru April 30, 2019 reporting period.*

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5) LICENSURE AND ELIGIBILITY

5-A: Review, discussion, and possible action regarding the voluntary surrender of licensure received from Leslie Turnbull.

Leslie Turnbull was granted licensure on November 23, 2015. On December 18, 2018, the Division received Ms. Turnbull's request to voluntarily surrender her license.

ACJA § 7-201(E)(7) reads:

A certificate holder in good standing may surrender their certificate to the board. However, the surrender of the certificate is not valid until accepted by the board. The board or division staff may require additional information reasonably necessary to determine if the certificate holder has violated any provision of the statutes, court rules and this section or the applicable section of the ACJA. The surrender does not prevent the commencement of subsequent discipline proceedings for any conduct of the surrendered certificate holder occurring prior to the surrender.

Division records indicate that there are no pending complaints against Ms. Turnbull's license.

It is recommended the Board accept the request of Leslie Turnbull to voluntarily surrender her individual legal document preparer license.

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6) ADMINISTRATIVE ISSUES

6-A: Information concerning establishment of the Task Force on Delivery of Legal Services.

Staff will provide information at the meeting.