



Board of Confidential Intermediary
Arizona State Courts Building
1501 West Washington Street, Phoenix, Arizona 85007
Conference Room 109

Date: December 18, 2008
Time: 10:00 a.m. - 12:00 p.m.

Approved Regular Meeting Minutes

MEMBER ATTENDANCE:

Present:

Victoria I. Mikoch
Teri Thomson-Taylor
Shelia M. Tickle

Telephonically Present:

Peggy Bartel
Shelly Clifford
Stephen Kopp
Alice Ernst
Edward J. Ryan

Absent:

Dr. Kimberly Carroll
Darlee Maylen
Dr. James W. Foltz

OTHER ATTENDEES

AOC Staff:

Jenny Lubben
Kimberly Siddall
Linda Grau
Nina Preston
Karla Clanton
Evelyn Loza

Guests:

Diane Stubbs
Anna Jensen
Susan R. Hogan
Susan G. Thomas

CALL TO ORDER

Called to Order By:

Shelia M. Tickle

Time:

10:00 a.m.

1) REVIEW AND APPROVAL OF MEETING MINUTES

1-A: Review and approval of the Regular Session Minutes for the meeting of January 24, 2008.

Individuals Addressing the Board: Shelia M. Tickle

Discussion: None.

Motion: Approve the Regular Session Minutes for January 24, 2008.

Motion Proposals: First Teri Thomson-Taylor
Second Victoria I. Mikoch

Motion Results: Pass **CI 08-0012**

1-B: Review and approval of the Regular Session Minutes for the meeting of April 24, 2008.

Individuals Addressing the Board: Shelia M. Tickle

Discussion: Technical changes to correct spelling of Teri Thomson-Taylor.

Motion: Approve minutes for the April 24, 2008 meeting with technical changes.

Motion Proposals: First Teri Thomson-Taylor
Second Victoria I. Mikoch

Motion Results: Pass **CI 08-0013**

1-C: Review and approval of the Regular Session Minutes for the meeting of July 24, 2008

Individuals Addressing the Board: Shelia M. Tickle

Discussion: Technical changes to correct spelling of Teri Thomson-Taylor.

Motion: Approve minutes for the July 24, 2008 meeting with technical changes.

Motion Proposals: First Teri Thomson-Taylor
Second Edward J. Ryan

Motion Results: Pass **CI 08-0014**

2) REVIEW OF RENEWAL CERTIFICATION APPLICATIONS

2-A: Applicants for Renewal of Standard Certification

Individuals Addressing the Board: Karla Clanton

Discussion: The following certificate holders submitted complete applications for renewal of certification and staff recommended the Board grant renewal certification.

Motion: Moved to grant standard certification to the following individuals:

Hillary Kaminsky
Kristen Hamilton
Anne Jensen
Diane Stubbs
Alice Ernst

Motion Proposals: First Shelly Clifford
Second Teri Thomson-Taylor

Motion Results: Pass **CI 08-0015**
Recusal Alice Ernst

Motion: Moved to grant standard certification to the following individuals:

Margaret Dewey
Mavis Gaffney
Cecile Marshall
Diana (Jungclaus)Young
Marilyn Pollard

Motion Proposals: First Teri Thomson-Taylor
Second Victoria I. Mikoch

Motion Results: Pass **CI 08-0016**

Motion: Moved to grant standard certification to the following individuals:

Judith Friddle
Judith Starbuck
Stephen Kopp
Judy Schubert
Sara (Jennings) Boyle

Motion Proposals: First Shelly Clifford
Second Victoria I. Mikoch

Motion Results: Pass **CI 08-0017**
Recusal Stephen Kopp

Motion: Moved to grant standard certification to the following individuals:

Shelley Savage
Laura Kaiblinger
Elaine Lambert-Williams
Victoria Mikoch
Shelly Clifford

Motion Proposals: First Teri Thomson-Taylor
Second Edward J. Ryan

Motion Results: Pass **CI 08-0018**
Recusal Shelly Clifford and Victoria Mikoch

Motion: Moved to grant standard certification to the following individuals:

Joyce Schmidt
Andrea McCulley
Jeannette Casselman
George Gonzales
Carol Jerred

Motion Proposals: First Shelly Clifford
Second Victoria I. Mikoch

Motion Results: Pass **CI 08-0019**

Motion: Moved to grant standard certification to the following individuals:

Raymond Baxter
Nancy Daley
Joan Moreaux

Further Discussion: Ms. Mikoch advised staff the correct spelling of applicant Nancy Daley is incorrect should be Nance Daley. Staff noted the change.

Motion Proposals: First Victoria I. Mikoch
Second Alice Ernst

Motion Results: Pass **CI 08-0020**

Individual Addressing the Board: Karla Clanton, Linda Grau

Discussion: Sandra Murphy sent in her renewal application for processing however staff noted that she checked “no” in the box indicating her CE credits were not completed. Ms. Murphy advised staff that she

would complete the required hours by October 31, 2008. Staff followed up with Ms. Murphy while processing her renewal application and on December 4, 2008, Ms. Murphy indicating she did not complete her CE credits by October 31st, as promised and was still short ten hours. Staff recommended the Board consider two possible options. First, the Board could deny renewal of certification pursuant to ACJA 7-201(E)(2)(c)(1). Second, the Board could offer Ms. Murphy a Consent Agreement to renewal requiring Ms. Murphy to pay a \$50.00 delinquent CE fee and to complete the delinquent ten hours by March of 2009.

Motion: Moved to enter into the Consent Agreement requiring Ms. Murphy complete the ten CE hours by March 2009 and pay the \$50.00 delinquency fee.

Motion Proposals: First Shelly Clifford
Second Alice Ernst

Motion Results: Pass **CI 08-0021**

Further Discussion: Ms. Grau recommended the Board authorize the Board Chair to sign the Consent Agreement with a date specific for Ms. Murphy to complete the 10 CE credits.

Amended Motion: Board moved to authorize the Chair to sign the Consent Agreement with Ms. Murphy to complete the delinquent CE within 90 days from acceptance of agreement.

Motion Proposals: First Teri Thomson-Taylor
Second Shelly Clifford

Motion Results: Pass **CI 08-0022**

2-B: *Review, discussion, an possible action regarding Voluntary Surrender request received from certified confidential intermediary Rae (Gibson) Reynolds, certification number 30337.*

Individual Addressing the Board: Karla Clanton

Discussion: Ms. Reynolds submitted a request to voluntarily surrender her certificate. Ms. Reynolds is in good standing. Therefore, staff recommends the Board accept the request for voluntary surrender.

Motion: Accept voluntary surrender of certification for Rae (Gibson) Reynolds.

Motion Proposals: First Teri Thomson-Taylor
Second Alice Ernst

Motion Results: Pass **CI 08-0023**

3) CERTIFICATION AND ELIGIBILITY

3-A: *Review, discussion and possible action regarding Hearing Officer Neal C. Taylor's Recommendation Report involving the denial of certification renewal to Gary Moss.*

Individuals Addressing the Board: Jenny Lubben, Nina Preston

Discussion: The Board reviewed and considered the Hearing Officer's Proposed Findings of Fact, Conclusions of Law and Recommendations report. Staff noted the Hearing Officer recommends the Board affirm the earlier denial of Mr. Moss' renewal application. The Board discussed the options for handling the Hearing Officer's report and resolving the issue of the denial.

Motion: Moved to accept the Hearing Officer's Proposed Findings of Fact, Conclusions of Law and Recommendation report and to affirm the earlier denial of certification.

Motion Proposals: First Shelly Clifford
Second Alice Ernst

Motion Results: Pass **CI 08-0024**

3) ADMINISTRATIVE MATTERS

3-B: *Review, discussion and possible action regarding the proposed board meeting schedule for 2009.*

Individuals Addressing the Board: Jenny Lubben, Linda Grau

Discussion: The Board previously approved the 2009 meeting schedule. Staff requested out-of-county Board members consider attending meetings telephonically. The Certification and Licensing Division is making every effort to reduce costs in order to meet the challenges presented by the current fiscal crisis.

Motion: No action taken.

Individual Addressing the Board: Jenny Lubben

3) ADMINISTRATIVE ISSUES

3-C: Review discussion and possible action regarding the Board's recommendation to the Chief Justice pertaining to the appointment of new Board members.

Individuals Addressing the Board: Jenny Lubben

Discussion: The Board membership terms of Clerk of the Court Member Darlee Maylen and Certified Confidential Intermediaries Victoria Mikoch and Shelly Clifford and Public Member Edward Ryan expire on December 31, 2008. Ms. Maylen and Ms. Clifford are not seeking reappointment. Ms. Mikoch and Mr. Ryan are seeking reappointment for another three-year term. The Board was provided information about the candidates for appointment. Staff asked Board to review and discuss the candidates for appointment and make recommendations to the Chief Justice.

Motion: Board recommended the Chief Justice appoint of applicant Judith Schubert for the Confidential Intermediary seat.

Motion Proposals: First Victoria Mikoch
Second Shelly Clifford

Motion Results: Pass **CI 08-0025**

Motion: Board recommended the Chief Justice appoint applicant Toni L. Hellon for the Clerk of the Court seat.

Motion Proposals: First Stephen Kopp
Second Edward J. Ryan

Motion Results: Pass **CI 08-0026**

CALL TO THE PUBLIC

Individuals Addressing the Board: Susan Hogan

Discussion: Ms. Hogan, a recently certified CI introduced herself to the Board and expressed her excitement at attending the meeting, noting she hoped to be a part of the Board when qualified in five years.

Individuals Addressing the Board: Susan G. Thomas

Discussion: Ms. Thomas introduced herself to the Board and also hoped someday she will be part of the Board.

ADJOURNMENT

Motion: Adjourn the meeting.

Motion Proposals: First Teri Thomson-Taylor
Second Edward J. Ryan

Motion Results: Pass **CI 08-0027**

Time: 10:41 a.m.

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