



Board of Legal Document Preparers
Arizona State Courts Building
1501 West Washington Street, Phoenix, Arizona 85007
Conference Room 109

Date: May 18, 2015
Time: 10:00 a.m.

Approved Regular Meeting Minutes

MEMBER ATTENDANCE:

Present:

Mary Carlton
Becky Nilsen
Cheri Clark

Telephonically Present:

Honorable Michael Herrod
Deborah Colon-Mateo
Pamela Milburn
Bonnie Matheson

Absent:

Paul Friedman
Mary Jo Randall

OTHER ATTENDEES

AOC Staff:

Debbie MacDougall
Mark Wilson
Anne Hunter
Kimberly Siddall
Hal White
Pasquale Fontana
Wendy Reiter
Michelle Jackson

Guests:

Donald Steward
Shannon Balk
Viviana Arriola
Maribel Nava

CALL TO ORDER

Called to Order By: Mary Carlton

Time: 10:00 a.m.

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 March 23, 2015.*

Individual Addressing the Board: Mary Carlton

Motion: Move to approve regular session minutes of the March 23, 2015 meeting.

Motion Proposals: First Rebecca Nilsen
Second Cheri Clark

Motion Results: Pass

2) REVIEW OF PENDING COMPLAINTS

Individual Addressing the Board: Hal White

2-A: *Review, discussion and possible action regarding complaint number 14-L022 concerning Georgiana Aguilar; and review, discussion and possible action regarding initial application for legal document preparer business entity certification concerning business entity AZ Legal Documents by JoJo, LLC (Georgiana Aguilar, Designated Principal).*

Discussion: It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Georgiana Aguilar has not committed the alleged act(s) of misconduct as detailed in Allegations 1 and 3 of the Investigation Summary and Allegation Analysis Report in complaint number 14-L022.

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Georgiana Aguilar has

committed the alleged act(s) of misconduct as detailed in Allegation 2 of the Investigation Summary and Allegation Analysis Report in complaint number 14-L022.

It is recommended that Board enter a finding grounds for informal disciplinary action exists pursuant to Arizona Code of Judicial Administration (“ACJA”) § 7-201(H)(6)(a) for act(s) of misconduct involving violations of ACJA §§ 7-208(J)(1)(a) and (J)(2)(c).

It is further recommended the Board dismiss Allegations 1 and 3 and issue a Letter of Concern regarding Allegation 2.

Motion: Move to accept the findings and issue a Letter of Concern.

Motion Proposals: First Rebecca Nilsen
Second Cheri Clark

Motion Results: Pass

2-B: *Review, discussion and possible action regarding complaint number 14-L041 concerning Dennis Lawrence; and review, discussion and possible action regarding a renewal application for Dennis Lawrence.*

Discussion: It is recommended the Board accept the findings of the Probable Cause Evaluator and enter a finding Dennis Lawrence has committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 14-L041.

It is recommended the Board enter a finding grounds for formal action exists pursuant to Arizona Code of Judicial Administration (“ACJA”) §§ 7-201(H)(6)(a); 7-201(H)(6)(k)(3), (7), (9), (10); 7-201(H)(6)(j); 7-201(E)(c)(2)(ii), (ix) and (xiii); 7-208(J)(1)(a) and (d); 7-208(J)(4)(a); 7-208(J)(5)(a), (b), and (c) for act(s) of misconduct involving: (i) Lawrence engaged in the unauthorized practice of law and to be in violation of the Minnesota Consumer Fraud Act and the Minnesota Uniform Deceptive Trade Practices Act. Lawrence was found, joint and severally liable for civil penalties in the amount of \$1,549,030.00, (ii) Lawrence represented to Hile and Mrs. Echenique that he was a lawyer; (iii) Lawrence made errors on the documents prepared for Hile and Mrs. Echenique; (iv) Lawrence failed to properly use the required identification on legal documents he prepared.

Aggravating factors: Pursuant to ACJA § 7-201(H)(22) staff has identified the following aggravating factors:

- (i) Dishonest motive
- (ii) Selfish motive
- (iii) Multiple offenses
- (iv) Substantial experience in the profession

Mitigating factors: Pursuant to ACJA § 7-201(H)(22) staff has identified the following mitigating factors: None

It is recommended the Board revoke Dennis Lawrence's certification. In addition, it is recommended that staff hold in abeyance any other complaint against Dennis Lawrence until further action of the Board or until such time as Dennis Lawrence applies for recertification.

It is further recommended that staff hold in abeyance any other complaint against Dennis Lawrence until further action of the Board or until such time as Dennis Lawrence reapplies for recertification.

Motion: Move to revoke certification and hold any other complaints for future certification.

Motion Proposals: First Rebecca Nilsen
Second Cheri Clark

Motion Results: Pass

Motion: Regarding Dennis Lawrence's application to renew his certification as a legal document preparer, in light of the circumstances described, the Division recommends the Board deny Dennis Lawrence's application to renew his certification for the reasons described above.

Move to deny renewal of certification.

Motion Proposals: First Mary Carlton
Second Rebecca Nilsen

Motion Results: Pass

2-C: *Review, discussion and possible action regarding complaint number 14-L001 concerning William Kelly; and review, discussion and possible action regarding a renewal application for William Kelly.*

Discussion: It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding William Kelly has not committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 14-L001.

It is further recommended the Board dismiss complaint number 14-L001.

Motion: Move to dismiss complaint.

Motion Proposals: First Mary Carlton
Second Rebecca Nilsen

Motion Results: Pass

Motion: Move to grant renewal certification.

Motion Proposals: First Mary Carlton
Second Rebecca Nilsen

Motion Results: Pass

2-D: *Review, discussion and possible action regarding complaint number 13-L035 regarding Donald Steward; and review, discussion and possible action regarding renewal applications for Donald Steward and Document Resource Center, LLC.*

Discussion: It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding the allegation is substantiated as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 13-L035.

It is recommended the Board enter a finding grounds for informal disciplinary action exists pursuant to Arizona Code of Judicial Administration (“ACJA”) § 7-201(H)(6)(k)(3) for acts of misconduct involving ACJA §§ 7-208(F)(1)(b) and 7-208 (J)(5)(a) by providing legal advice by assisting a client with legal research.

It is further recommended the Board issue a Letter of Concern.

Motion: Move to accept staff’s recommendation and issue a Letter of Concern.

Motion Proposals: First Rebecca Nilsen
Second Deborah Colon-Mateo

Motion: Move to grant renewal certification for Donald Steward and Document Resource Center, LLC.

Motion Proposals: First Mary Carlton
Second Rebecca Nilsen

3) CERTIFICATION AND ELIGIBILITY

Individual Addressing the Board:

Wendy Reiter

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

1. *Lucia Loya-Newell*
2. *Cheryl Gillispie*
3. *Service First Company Formations, LLC (Cheryl Gillispie)*
4. *Gregory Jones*
5. *Brianne Roberts*
6. *Linda Grau*
7. *Rebecca Stinson*

Discussion: Lucia Loya-Newell

Motion: Move to grant initial certification.

Motion Proposals: First Rebecca Nilsen
Second Cheri Clark

Motion Results: Pass

Discussion: Cheryl Gillispie

Motion: Move to grant initial certification.

Motion Proposals: First Rebecca Nilsen
Second Cheri Clark

Motion Results: Pass

Discussion: Service First Company Formations, LLC (Cheryl Gillispie)

Motion: Move to grant initial certification.

Motion Proposals: First Rebecca Nilsen
Second Cheri Clark

Motion Results: Pass

Discussion: Gregory Jones

Motion: Move to grant initial certification.

Motion Proposals: First Rebecca Nilsen
Second Cheri Clark

Motion Results: Pass

Discussion: Brianne Roberts

Motion: Move to invite applicant in for an interview.

Motion Proposals: First Mary Carlton
Second Cheri Clark

Motion Results: Pass

Discussion: Linda Grau

Motion: Move to grant initial certification.

Motion Proposals: First Mary Carlton
Second Pamela Milburn
Recused Rebecca Nilsen

Motion Results: Pass

Discussion: Rebecca Stinson

Motion: Move to grant initial certification and include non-disclosure language.

Motion Proposals: First Rebecca Nilsen
Second Mary Carlton

Motion Results: Pass

3-B: *Interview, discussion and possible action regarding the initial individual application for Susan Getzen.*

Discussion: Susan Getzen interview.

Motion: Move to grant certification with non-disclosure language.

Motion Proposals: First Rebecca Nilsen
Second Mary Carlton

Motion Results: Pass

3-C: Interview, discussion and possible action regarding the initial individual and business applications for Shannon Balk and All About You Legal Doc Prep, LLC.

Discussion: Shannon Balk is present. Move to grant certification with non-disclosure language.

Motion:

Motion Proposals: First Rebecca Nilsen
Second Mary Carlton

Motion Results: Pass

3-D: Review, discussion and possible action regarding the following Business Entity Exemption Requests for the 2015-2017 certification period:

1. *All About You Legal Doc Prep, LLC (Shannon Balk)*
2. *AZ Legal Documents by JoJo, LLC (Georgiana Aguilar)*
3. *Service First Company Formations, LLC (Cheryl Gillispie)*

Discussion: All About You Legal Doc Prep, LLC (Shannon Balk)

Motion: Move to grant Business Entity Exemption for 2015-2017.

Motion Proposals: First Mary Carlton
Second Rebecca Nilsen

Motion Results: Pass

Discussion: AZ Legal Documents by JoJo, LLC (Georgiana Aguilar)

Motion: Move to grant Business Entity Exemption for 2015-2017.

Motion Proposals: First Mary Carlton
Second Rebecca Nilsen

Motion Results: Pass

Discussion: Service First Company Formations, LLC (Cheryl Gillispie)

Motion: Move to grant Business Entity Exemption for 2015-2017.

Motion Proposals: First Mary Carlton
Second Rebecca Nilsen

Motion Results: Pass

4) **RENEWAL CERTIFICATION APPLICATIONS**

There are no applications for the board to consider at this time.

5) **CERTIFICATION AND ELIGIBILITY**

Individual Addressing the Board: Kimberly Siddall

5-A: Review, discussion, and possible action regarding request for placement on Inactive Status received from the following certified legal document preparers:

1. *Jessie L. Myrehn*
2. *Julian A. Anderson*
3. *Rider Levett Bucknall LTD*
4. *Dubravka Sinno*
5. *Anthem Paralegal Services, LLC*

Discussion: Jessie L. Myrehn

Motion: Move to grant placement on inactive status.

Motion Proposals: First Mary Carlton
Second Cheri Clark

Motion Results: Pass

Discussion: Julian A. Anderson

Motion: Move to grant placement on inactive status.

Motion Proposals: First Mary Carlton
Second Cheri Clark

Motion Results: Pass

Discussion: Rider Levett Bucknall LTD

Motion: Move to grant placement on inactive status.

Motion Proposals: First Mary Carlton
Second Cheri Clark

Motion Results: Pass

Discussion: Dubravka Sinno

Motion: Move to grant placement on inactive status.

Motion Proposals: First Mary Carlton
Second Cheri Clark

Motion Results: Pass

Discussion: Anthem Paralegal Services, LLC

Motion: Move to grant placement on inactive status.

Motion Proposals: First Mary Carlton
Second Cheri Clark

Motion Results: Pass

6) PENDING COMPLAINTS REGARDING NON-CERTIFIED INDIVIDUALS

Individual Addressing the Board:

Mark Wilson

6-A: Review, discussion and possible action regarding complaints concerning the following non-certified individuals:

1. Jack D. Mafara, Jr.
2. Sue Myers

Discussion: Jack D. Mafara, Jr.

Motion: Move to grant staff permission to issue letter.

Motion Proposals: First Mary Carlton
Second Rebecca Nilsen
Recusal Pamela Milburn

Motion Results: Pass

Discussion: Sue Meyers

Motion: Move to grant staff permission to issue letter.

Motion Proposals: First Mary Carlton
Second Rebecca Nilsen

Motion Results: Pass

**7) REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING
STAFF RECOMMENDATION TO DISMISS COMPLAINT NO. 10-L031.**

Individual Addressing the Board: Mark Wilson

Discussion: Complaint number 10-L031

Motion: Move to dismiss complaint 10-L031.

Motion Proposals: First Mary Carlton
Second Rebecca Nilsen

Motion Results: Pass

8) ADMINISTRATIVE ISSUES

Individual Addressing the Board: Anne Hunter

8-A: *Update, discussion and possible action regarding an LDP mentoring program.*

Discussion: Defer this agenda item to the July meeting.

CALL TO THE PUBLIC

Individuals Addressing the Board: Mary Carlton

Discussion: None

ADJOURNMENT

Motion: Adjourn the meeting.

Motion Proposals: First Mary Carlton
Second Cheri Clark

Motion Results: Pass

Time: 11:05 a.m.