

# BOARD OF LEGAL DOCUMENT PREPARERS

## Meeting Agenda – Monday, May 18, 2015

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

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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).

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**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 March 23, 2015.*

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

*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).*

*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.*

*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.*

*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.*

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

*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

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

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.

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)

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

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

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

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

6) **PENDING COMPLAINTS REGARDING NON-CERTIFIED INDIVIDUALS.....** *Division Staff*

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

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

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

8) **ADMINISTRATIVE ISSUES.....***Division Staff*

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

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

**ADJOURN .....***Mary Carlton, Chair*

**BOARD OF LEGAL DOCUMENT PREPARERS**  
**Agenda Summary - Monday, May 18, 2015**

**1) REVIEW AND APPROVAL OF MINUTES**

*1-A: Review, discussion, and possible action regarding approval of the regular session minutes of the meeting of March 23, 2015.*

A draft of the regular session minutes for the meeting of March 23, 2015, is attached for the Board's review and consideration.

# BOARD OF LEGAL DOCUMENT PREPARERS

## Meeting Agenda – Monday, May 18, 2015

### 2) PENDING COMPLAINTS

*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).*

On July 7, 2014, the Division received a written complaint against Ms. Aguilar containing three allegations:

1. Complainant alleges Aguilar, after ending her employment, engaged in unprofessional conduct by removing and taking with her client files and documentation belonging to the agency.
2. Complainant alleges Aguilar, after ending her employment, erased scheduled client appointments from agency calendars.
3. Complainant alleges Aguilar violated ACJA §7-208(2)(b) and (c) by making disparaging remarks about an attorney.

Upon completion of the investigation, the Investigation Summary was forwarded to Probable Cause Evaluator, Mike Baumstark. On April 18, 2015, Probable Cause Evaluator Baumstark entered a finding probable cause does not exist as to Allegations 1 and 3 and probable cause does exist as to Allegation 2.

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.

Regarding the business entity, AZ Legal Documents By JoJo, LLC (Georgiana Aguilar), Ms. Aguilar submitted an application for legal document preparer business entity certification on October 2, 2014. The application was deferred pending investigation of the allegations set forth in complaint number 14-L022. No items of concern relevant to the certification of the business were identified in a review of the application itself and no previous complaints history was found in an examination of division records. In light of the recommendation regarding the resolution of complaint 14-L022, staff's recommendation as to the application for business entity certification is that the Board grant initial certification to AZ Legal Documents By JoJo, LLC.

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### 2) PENDING COMPLAINTS

*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.*

On October 22, 2014, the Division received a written complaint against Mr. Lawrence containing three allegations:

1. Lawrence and Legal-Ease, LLC engaged in the unauthorized practice of law and violated the Minnesota Consumer Protection Fraud Act and the Minnesota Uniform Deceptive Trade Practices Act.
2. Lawrence misrepresented himself as an attorney.
3. Lawrence failed to provide an accurate and complete document.

The investigation into this matter yielded the additional complaint

4. Lawrence did not use the required identification on legal documents he prepared, in violation of § 7-208(F)(3).

Upon conclusion of the investigation, the Investigation Summary was forwarded to Probable Cause Evaluator, Mike Baumstark. On May 11, 2015, Probable Cause Evaluator Baumstark entered a finding that probable cause exists as to Allegations 1, 2, 3 and 4.

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 further 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.

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.

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### 2) PENDING COMPLAINTS

*2-C: Review, discussion and possible action regarding complaint number 14-L001 concerning William Kelly; Review, discussion and possible action regarding William Kelly's renewal of standard certification.*

On January 7, 2014, the Division received a written complaint against Mr. William Kelly with one allegation:

1. Complainants alleged Mr. Kelly incorrectly prepared their bankruptcy documents.

The matter was investigated and on April 1, 2015 Probable Cause Evaluator Mike Baumstark found no probable cause as to allegation 1.

#### **Recommendation:**

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.

#### **Renewal Application:**

William Kelly has submitted an application for renewal of standard certification. The application is complete, no information has been presented during a background review which is contrary to standard certification being granted and the certificate holder has demonstrated he meets the minimum eligibility requirements for standard certification. It is recommended the renewal of William Kelly's standard certification be granted.

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### 2) PENDING COMPLAINTS

*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.*

This matter was brought before the Board on January 26, 2015. At that meeting the Division presented the findings of the investigation and that on December 3, 2014, Probable Cause Evaluator, Mike Baumstark entered a finding that probable cause exists as to the allegation.

The Division 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.

Donald Steward was present and addressed the Board. Discussion was held and the Board determined that further investigation was warranted.

The subsequent investigation did not yield any additional findings.

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.

Donald Steward and Document Resource Center, LLC have pending renewal applications. Steward failed to disclose a transcript judgment in the amount of \$3,000.00 involving consumer debt. This judgment stemmed from a justice court action regarding a consumer debt that was disclosed on his 2011 renewal application. The justice court action went to mediation and Steward was required to make payments, however, he was unable to complete the payment schedule and therefore, a transcript judgment was entered. Steward stated that he answered the question in good faith and at no time was he attempting to conceal any information.

It is recommended to grant renewal of certification to Donald Steward and Document Resource Center, LLC with additional non-disclosure language.

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### 3) INITIAL CERTIFICATION AND ELIGIBILITY

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

*The following applicants have submitted applications for initial certification. In the opinion of staff, the applications are complete and no information has been presented during the background which is contrary to certification being granted. The applicants have demonstrated they meet the minimum eligibility requirements for certification. Due to the proximity of the submission of the applications to the expiration of 2013-2015 legal document preparer certification period the applicants have asked that the full fee amount paid be applied to the 2015-2017 certification period. It is recommended initial certification be granted to the following individuals or entities with an effective date of July 1, 2015:*

1. Lucia Loya-Newell
2. Cheryl Gillispie
3. Service First Company Formations, LLC (Cheryl Gillispie)
4. Gregory Jones

*Division Staff has processed the following applications for initial certification which are being submitted to the Board for additional review and consideration. In the event the recommendation is to grant with additional non-disclosure language, the following language would be used:*

*The Board of Legal Document Preparers ("Board") has concluded its review of your application and determined you have satisfied the eligibility requirements for certification. Although the Board is granting you certification, the Board members have concerns regarding the failure to disclose <insert failure of disclosure>. Lack of diligence is not a quality embraced by the Board or your colleagues in the profession, and may jeopardize your success. The Board and the Division place the highest priority on honesty and candor. Your failure to disclose information on future applications may result in denial of your renewal of certification or disciplinary action.*

5. Brianne Roberts – On her application for certification, Ms. Roberts disclosed a 2005 termination from employment. Per the applicant, the termination resulted from violation of office policy regarding the unauthorized use of a company computer and failure to secure the office properly when leaving it unattended. Staff contacted the employer who stated that they had no record of the applicant's employment due to their records retention policy and therefore could not provide any information regarding the termination. Ms. Roberts' explanation of the circumstances that lead to the termination indicated that the issues were essentially a failure to follow office policy which she denies. Ms. Roberts did fail to disclose a 2007 civil suit filed against her by the Employee Development Department of California for overpayment of unemployment benefits which was dismissed. Per Ms. Roberts she did not disclose the matter

because she believed it had been filed erroneously. Roberts provided that the Employee Development Department attempted to claim that in 1999 they overpaid her benefits and that they failed to produce any evidence of that claim when requested but went forward with a default judgment anyway which was granted. Per Roberts, she appealed and the judgment was overturned on the basis that the claim fell outside of the statute of limitations and that the department had failed to provide evidence of the claim. The court record although incomplete is not inconsistent with the applicant's explanation. Staff considered the applicant's termination and based on the information available found that there were no issues material to certification indicated. Although staff found Ms. Roberts' explanation for her decision not to disclose the civil suit to be reasonable, staff believes the Board should address the applicant's lack of candor. Ms. Roberts has also requested that the effective date of her certification be deferred until the 2015-2017 certification period. Therefore, staff recommends that the Board grant initial certification to Brianne Roberts with an effective date of July 1, 2015 and include the above language regarding the nondisclosure of the civil litigation in her certification letter.

6. Linda Grau – Applicant disclosed being named in numerous civil actions filed against the Arizona Supreme Court, the Board of Legal Document Preparers and the State Bar of Arizona. Applicant also disclosed three actions wherein she was the plaintiff and one case wherein she was the debtor. These disclosed actions are included with her attached file for Board review. In addition she disclosed being a defendant in a landlord-tenant dispute. Finally, applicant disclosed being terminated from employment with the Arizona Supreme Court and received a letter of reprimand with Adult Probation. It is recommended to grant initial certification effective July 1, 2015.
7. Rebecca Stinson – Applicant disclosed being a plaintiff in an action. Applicant failed to disclose a 2009 bankruptcy. She indicated that when she was completing the lawsuit section of the application, she did not think that bankruptcy pertained to what was requested by the question (applicant had the previous application which did not list specific types of filings) and that she knew the bankruptcy would be disclosed in the background check and believed that to be sufficient. Applicant stated her failure to disclose was not intended to be deceitful in any manner. Both actions are included in the attached file for Board review. Staff reviewed both actions and in the opinion of staff, these actions revealed no fraud or misrepresentation or adversarial actions. It is recommended to grant initial certification and include the non-disclosure language.

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### 3) INITIAL CERTIFICATION AND ELIGIBILITY

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

At the March meeting, the Board reviewed the pending certification application for Susan Getzen. The Board deferred consideration of the application and invited Ms. Getzen to attend the May meeting for an interview regarding her failure to disclose the civil litigation on her initial application as well as any other questions the Board may have regarding the application.

#### Background:

Applicant failed to disclose being involved in 2 civil actions. These cases involve two separate actions for deficiencies related to Home Equity Credit Line given by Plaintiff Charles Schwab Bank NA. The first complaint involved a line of credit in the amount of \$259,171.42, after the foreclosure of the home, the excess fees were transferred to Maricopa County Treasurer. The Court then ordered the release of the balance owed Charles Schwab Bank. The case was dismissed. The second complaint involved a line of credit in the amount of \$144,515.48. The proceeds from the foreclosure on the second property were sufficient to cover only the primary lender. The action went to mediation and a settlement was entered wherein the applicant will make monthly payments over the next 15 years. Applicant stated that she misinterpreted the question to pertain solely to actions specifically associated with professional duties and/or professional conduct issues. Applicant also states that she will be more thorough going forward with respect to such matters and she has taken corrective action to ensure that such inattention will not occur in the future (i.e. will read the questions more carefully and not think in an employment sense, but think in a more global sense). These actions were regarding residential property loan defaults and there does not appear to be any acts of fraud or misrepresentation alleged in these actions.

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### 3) INITIAL CERTIFICATION AND ELIGIBILITY

*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.*

At the March meeting, the Board reviewed the pending certification applications for Shannon Balk and All About You Legal Doc Prep, LLC. The Board deferred consideration of the applications and invited Ms. Balk to attend the May meeting for an interview regarding her failure to disclose the bankruptcy filing on her initial application as well as any other questions the Board may have regarding the application.

Background:

Applicant disclosed two divorce proceedings but failed to disclose a bankruptcy filed in 1997. Applicant stated it was a misunderstanding as she thought the application requested Arizona case history and she didn't think to include the case from the Federal Bankruptcy Court (i.e. her bankruptcy case was filed in Colorado). Staff reviewed the bankruptcy and determined no adversarial complaints were filed.

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**3) INITIAL CERTIFICATION AND ELIGIBILITY**

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

*It is recommended the following Business Entity Exemptions be granted:*

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)

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4) **RENEWAL CERTIFICATION APPLICATIONS**

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

# BOARD OF LEGAL DOCUMENT PREPARERS

## Agenda Summary - Monday, May 18, 2015

### 5) CERTIFICATION AND ELIGIBILITY

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

Ms. Myrehn was granted certification on July 21, 2014. On May 1, 2015, Ms. Myrehn submitted a request for her certification to be placed on inactive status.

Ms. Sinno was granted certification on February 23, 2009 and Anthem Paralegal Services, LLC was granted certification on November 26, 2012. On April 29, 2015, Ms. Sinno submitted a request for her individual and business certification to be placed on inactive status.

Mr. Anderson was granted certification on October 20, 2003 and Rider Levett Bucknall LTD was granted certification on November 17, 2003. On May 12, 2015, Mr. Anderson submitted a request for his individual and business certification to be placed on inactive status.

ACJA § 7-201 (E)(8)(a) reads:

*A certificate holder may transfer to inactive status, upon written request to the board. Upon recommendation of division staff the board may accept the transfer of the certificate holder to inactive status and division staff shall note in the certification database the certificate holder in on inactive status, in good standing. The inactive certificate holder shall not engage in the practice of the profession or occupation of certification pro bono or for a fee or other compensation while on inactive status and shall not present themselves as a certificate holder.*

Staff has confirmed there are no pending complaints filed against any of the above certificate holders.

**It is recommended the Board accept the requests and place Jessie Myrehn, Julian Anderson, Rider Levett Bucknall LTD, Dubravka Sinno, and Anthem Paralegal Services, LLC on inactive status.**

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**6) PENDING COMPLAINTS REGARDING NON-CERTIFIED INDIVIDUALS**

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

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

**Jack D. Mafara, Jr.** – On November 24, 2014, the Division received a complaint against Mr. Mafara. The complaint indicates that Mr. Mafara is conducting legal document preparation without being certified to do so. Division records indicate that Mr. Mafara has never held LDP certification and preliminary investigation has revealed current advertising by Mr. Mafara which includes “paralegal services.” Division staff recommends the issuance of an initial cease and desist letter.

**Sue Myers** – On April 21, 2015, the Division received a complaint against Ms. Myers. The complaint indicates and includes supporting documentation to suggest that Ms. Myers accepted payment for the preparation of legal documents without being certified to do so. Division records indicate that Ms. Myers has never held LDP certification. Division staff recommends the issuance of an initial cease and desist letter.

# **BOARD OF LEGAL DOCUMENT PREPARERS**

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

Division staff will provide information at the Board meeting.

**BOARD OF LEGAL DOCUMENT PREPARERS**  
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**8) ADMINISTRATIVE ISSUES**

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

Staff will provide an update to the Board.