



## Arizona Supreme Court Fiduciary Board

Arizona State Courts Building  
1501 West Washington Street  
Phoenix, Arizona 85007-3222  
Conference Room 109

Date: January 13, 2011  
Time: 10:30 am – 2:30 pm

### Approved Regular Meeting Minutes

#### MEMBER ATTENDANCE:

##### Present:

Marlin “Kip” Anderson  
Pamela Johnston  
Diana L. Clarke  
Deborah Primock  
Shari Tomlinson  
Ted Evertsen  
Mary Jane Baumgarten

##### Telephonically Present:

##### Absent:

Sherry Reed  
Diana Corry

#### OTHER ATTENDEES

##### AOC Staff:

Nancy Swetnam  
Kandace French  
Nina Preston  
Alex Navarro  
Kim Siddall  
Susan Hunt  
Nathan Perry

##### Guests:

Heather Bull  
Eben Bull  
Jane Anne Geish

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**CALL TO ORDER**

**Called to Order By:** Marlin “Kip” Anderson

**Time:** 10:35 a.m.

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**1) REVIEW AND APPROVAL OF MINUTES**

**I-A:** *Review, discussion, and possible action regarding the regular session minutes of the meeting held on November 18, 2010*

**Individual Addressing the Board:** Marlin “Kip” Anderson

**Discussion:** None

**Motion:** Moved to approve the regular session minutes of the meeting on November 18, 2010.

**Motion Proposals:** First Pamela Johnston  
Second Deborah Primock  
Recusal Ted Evertsen

**Motion Results:** Pass

**I-B:** *Review, discussion, and possible action regarding the executive session minutes of the meeting held on November 18, 2010.*

**Individuals Addressing the Board:** Marlin “Kip” Anderson

**Discussion:** None

**Motion:** Moved to approve the executive session minutes of the meeting on November 18, 2010.

**Motion Proposals:** First Mary Jane Baumgarten  
Second Pamela Johnston  
Recusal Ted Evertsen

**Motion Results:** Pass

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**2) PENDING COMPLAINTS**

**2-A:** *Review, discussion and possible action regarding certificate holder complaints.*

**Individuals Addressing the Board:** Kandace French

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**Discussion:** There are no complaints for the Board's review in the month of January.

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**3) ADMINISTRATIVE ISSUES**

**3-A:** *Review, discussion, and possible action regarding the work performed by the Committee on Improving Judicial Oversight and Processing of Probate Court matters ("Probate Committee").*

**Individuals Addressing the Board:** Nancy Swetnam

**Discussion:** Nancy Swetnam provided a verbal report and some history regarding the progress of the work ongoing by this committee. It was mentioned the probate committee was contemplating allowing rule changes to permit fiduciaries to file legal documents without having to engage the services of an attorney.

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**4) INITIAL LICENSE APPLICATIONS**

**4A:** *Review, discussion, and possible action regarding the following pending applications for individual licensure:*

**Individuals Addressing the Board:** Alex Navarro

**Discussion:** The following applicants have submitted a complete application, demonstrating they meet the minimum eligibility requirements, and no information has been presented during the background check which is contrary to licensure being granted. It was recommended the Board grant initial licensure to the following applicants:

1. Goldman, Ronald J.
2. Grenier, Patricia M.
3. Schultz, Kathleen A.

**Motion:** Moved to accept recommendation and grant licensure to applicants Goldman, Grenier and Schultz.

**Motion Proposals:** First Pamela Johnston  
Second Deborah Primock

**Motion Results:** Pass

**Individuals Addressing the Board:** Alex Navarro

**Discussion:** The following applications remain incomplete pending receipt of fingerprint results, professional responsibility training, and/or additional information. It was recommended the following applicants be deferred to the March 10, 2011 meeting.

4. Bernardini, Janice L.
6. Landis, Roger A.
7. Noseworthy, Paul R.

**Motion:** Moved to defer the above applicants to the March 10, 2011 meeting.

**Motion Proposals:** First Shari Tomlinson  
Second Pamela Johnston

**Motion Results:** Pass

**Individuals Addressing the Board:** Alex Navarro

**Discussion:** The following applicant has submitted a complete application, demonstrating she meets the minimum eligibility requirements, and no information has been presented during the background check which is contrary to licensure being granted. It was recommended the Board grant initial licensure to applicant Connie S. Dohm.

5. Dohm, Connie S.

**Motion:** Moved to accept recommendation and grant licensure to applicant Connie S. Dohm.

**Motion Proposals:** First Shari Tomlinson  
Second Mary Jane Baumgarten

**Motion Results:** Pass

**4B:** *Review, discussion, and possible action regarding the following pending applications for business licensure:*

1. Estate Management Services, LLC (Daniel E. Bull)

**Individuals Addressing the Board:** Alex Navarro

**Discussion:** The above business applicant has submitted a complete application, demonstrating the business meets the minimum eligibility

requirements, and no information has been presented during the background check which is contrary to licensure being granted. It was recommended the Board grant initial business licensure to Estate Management Services, LLC (Daniel E. Bull).

**Motion:** Moved to grant initial business licensure to Estate Management Services, LLC (Daniel E. Bull).

**Motion Proposals:** First Shari Tomlinson  
Second Mary Jane Baumgarten  
Recusal Pamela Johnston

**Motion Results:** Pass

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## 5) RENEWAL LICENSE APPLICATIONS

**5A:** *Review, discussion, and possible action regarding the following pending applications for renewal of licensure:*

1. Frenette, Heather
2. Frenette, Peter
3. McCollum, Jennifer
4. Royal, Anita

**Individuals Addressing the Board:** Alex Navarro

**Discussion:** The above applications remain incomplete pending receipt of and/or additional information. It was recommended the above listed applicants be deferred to the March 10, 2011 Board meeting.

**Motion:** Moved to accept recommendation and defer the above applicants to the March 10, 2011 Board meeting.

**Motion Proposals:** First Pamela Johnston  
Second Diana Clarke

**Motion Results:** Pass

**5B:** *Review, discussion, and possible action regarding renewal of business entities:*

1. Pima County Public Fiduciary Office (Anita Royal)
2. The Sun Valley Group, Inc. (Peter Frenette)

**Individuals Addressing the Board:** Alex Navarro

**Discussion:** The above business applications remain incomplete pending receipt of background and/or additional information. It was recommended

the above listed business applicants be deferred to the March 10, 2011 meeting.

**Motion:** Moved to accept recommendation to defer above listed business applicants to the March 10, 2011 Board meeting.

**Motion Proposals:** First Diana Clarke  
Second Mary Jane Baumgarten

**Motion Results:** Pass

**5C:** *Review, discussion, and possible action regarding Inactive Status request received:*

1. Clarke, Diana L.

**Individuals Addressing the Board:** Alex Navarro

**Discussion:** Ms. Clarke was granted licensure on September 10, 2009 by the Fiduciary Board. On December 27, 2010, Ms. Clarke submitted a request for her license 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.

Ms. Clarke has confirmed she is not assigned to any case. It was recommended the Board accept Ms. Clarke's request to be placed on Inactive Status.

**Motion:** Moved to approve recommendation by the board and Ms. Clarke's request to be placed on Inactive Status.

**Motion Proposals:** First Shari Tomlinson  
Second Mary Jane Baumgarten  
Recusal Diana Clarke

**Motion Results:** Pass

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**CALL TO THE PUBLIC - None**

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**ADJOURNMENT**

**Motion:** Moved to adjourn.

**Motion Proposals:** First Shari Tomlinson  
Second Mary Jane Baumgarten

**Motion Results:** Pass

**Time:** 11:10 a.m.

Initials: SH

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