



# FIDUCIARY BOARD

Arizona State Courts Building  
1501 West Washington Street, Phoenix, Arizona 85007  
Hearing Room 109

**March 8, 2018**  
**10:30 a.m.**

## **Draft Regular Meeting Minutes**

### **MEMBER ATTENDANCE:**

#### **Present:**

Deborah Primock  
Elaine Acosta Sweet  
Gary Kreमारिक

#### **Telephonically Present:**

Catherine Robbins  
Emily Kile  
Leonard Montanaro  
Honorable Jay M. Polk  
Diana M. Corry

#### **Absent:**

Teresa Lancaster

### **OTHER ATTENDEES:**

#### **AOC Staff:**

Mark Wilson  
Michelle Martinez  
Wil Castro  
Hal White  
William MacIntyre  
Arnita Oliver  
Jennifer Ashley

#### **Guests:**

Jenni Goldman  
Bernice Yost

---

**CALL TO ORDER**

**Deborah Primock, Chair**

*Called to Order By:* Deborah Primock, Chair

*Time:* 10:30 a.m.

---

**1) REVIEW AND APPROVAL OF MINUTES:**

**1-A:** *Review, discussion and possible action regarding the regular session minutes of the interim meeting held on January 11, 2018.*

*Individual Addressing the Board:* Deborah Primock

*Discussion:* None

*Motion:* Consideration of and motion to accept the minutes of the interim meeting held on January 11, 2018

*Motion Proposals:* First Gary L. Kremerik  
Second Elaine Acosta Sweet

*Motion Results:* Pass

---

**2) PENDING COMPLAINTS:**

**2-A:** *Review, discussion and possible action regarding complaint number 18-0001 involving licensee, Katrice Thompson.*

*Individual Addressing the Board:* William MacIntyre

*Discussion:* It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding that Katrice Thompson has committed the alleged act of misconduct as detailed in the preliminary Investigation Summary and Allegation Analysis Report in complaint number 18-0001.

Furthermore, it is recommended that the Board make a finding that the public health, safety or welfare is at risk which requires emergency suspension of the license. As described set forth in the Investigation Summary, among other things, Thompson misappropriated funds from a ward in her care.

It is further recommended the Board issue an emergency summary suspension.

**Motion:** Consideration of and motion to accept Staff's recommendation

**Motion Proposals:** First Elaine Acosta Sweet  
Second Hon. Jay M. Polk

**Motion Results:** Pass

**2-B: Review, discussion and possible action regarding complaint numbers 17-0005 and 17-0006, involving licensees, Fiduciary Solutions, LLC and Mario Martinez.**

**Individual Addressing the Board:** William MacIntyre

**Discussion:** It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Mario Martinez has not committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint numbers 17-0005/0006.

It is further recommended the Board dismiss complaint numbers 17-0005/0006.

**Motion:** Consideration of and motion to accept staff's recommendation and dismiss complaint numbers 17-0005/0006. .

**Motion Proposals:** First Elaine Acosta Sweet  
Second Emily Kile

**Motion Results:** Pass

---

### 3) INITIAL LICENSURE AND ELIGIBILITY:

**3-A: Review, discussion and possible action regarding the following applications for initial individual and business licensure:**

**Individual Addressing the Board:** Wil Castro

**Discussion:** The Division recommends approval of initial fiduciary licensure for the following applicants:

1. Joshua Cuffe
2. Charles Latherow

**Motion:** Consideration of and motion to accept staff's recommendation.

**Motion Proposals:** First Emily Kile  
Second Hon. Jay M. Polk

**Motion Results:** Pass

**Discussion:** Division recommends that initial fiduciary licensure be granted to Stephanie McCoy.

**Motion:** Consideration of and motion to accept staff's recommendation

**Motion Proposals:** First Gary Krcmarik  
Second Emily Kile

**Motion Results:** Pass

---

**4) LICENSURE AND ELIGIBILITY:**

**4-A: *Review, discussion and possible action regarding request for placement on Inactive Status from licensed fiduciary, Judy Nicholson.***

**Individual Addressing the Board:** Wil Castro

**Discussion:** Staff recommends that the Board accept the request and place Judy Nicholson, License number 20726, on Inactive Status with the original CE Remedial Actions to remain in effect.

**Motion:** Consideration of and motion to accept staff's recommendation

**Motion Proposals:** First Elaine Acosta Sweet  
Second Gary L. Krcmarik

**Motion Results:** Pass

---

**5) ADMINISTRATIVE ISSUES:**

**5-A: *Review, discussion and possible action regarding the certification renewal application deadline pursuant to Arizona Code of Judicial Administration § 7-201 (G)(2)***

**Individual Addressing the Board:** Hal White

**Discussion:** Staff recommends the Board establish the 2018-2020 renewal application deadline as May 31, 2018. The renewal period will open on April 1, 2018. An additional \$50 fee will be charged for applications received after April 30, 2018.

**Motion:** Consideration of and motion to accept staff's recommendation as to the deadline and renewal application period, but reject recommendation to charge an additional fee for applications received after April 30, 2018.

**Motion Proposals:** First Emily Kile  
Second Elaine Acosta Sweet

**Motion Results:** Pass

**5-B: Review, discussion and possible action concerning random audits of continuing education compliance for renewal.**

**Individual Addressing the Board:** Hal White

**Discussion:** It is recommended the Board request staff to audit 10% of the renewal applicants in the Fiduciary pool for continuing education compliance.

**Motion:** Consideration of and motion to accept staff's recommendation.

**Motion Proposals:** First Emily Kile  
Second Gary Krcmirk

**Motion Results:** Pass

---

## CALL TO THE PUBLIC

**Individuals Addressing the Board:** None

---

## ADJOURNMENT

**Motion:** Move to adjourn.

**Motion Proposals:** First Elaine Acosta Sweet  
Second Gary Krcmarik

**Motion Results:** Pass

**Time:** 10:47 AM

Initials: AO