

**Supreme Court Board of Certified Reporters
Arizona State Courts Building
1501 West Washington, Phoenix, AZ 85007
Conference room CLD1
12:00 p.m. – 1:00 p.m.**

**March 12, 2007
Telephonic Board Meeting
Approved Regular Session Minutes**

MEMBER ATTENDANCE

Present:

Judge Lawrence Winthrop

Telephonically Present:

Sandra Markham
Patricia Seguin
Jean Lea, Acting Chair
Kathleen Montalvo
Allen Sonntag
Terri Faust

Absent:

None

OTHER ATTENDEES

Rhonda Simmons
Nancy Swetnam
Linda Grau
Nina Preston
Doris Leonard

CALL TO ORDER

Called to Order by:

Acting Chair Jean Lea

Time:

12:05 pm

1) **CERTIFICATION AND ELIGIBILITY**

1-A: Applicant for Initial Standard Certification

Michael Haley

Individual Addressing the Board: Kandace French

Discussion: *Ms. French advised the Board applicant failed to prepare and file transcripts as ordered by the court. Staff recommended the Board invite Mr. Haley to the April 9, 2007 meeting to discuss the letter received from Mr. Haley.*

Motion: Invitation is extended to Mr. Haley to be present at the April 9, 2007 meeting.

Motion Proposals: First Judge Lawrence Winthrop
Second Kathy Montalvo

Motion Results: Carried **BCCR-07-031**

2) **REVIEW OF PENDING COMPLAINTS**

2-A: Review, discussion and possible action regarding pending formal disciplinary action involving certificate holder Royce Conner and complaint numbers 04-C004 and 05-C014.

Individual Addressing the Board: Kandace French

Discussion: Ms. French reminded the Board on December 12, 2005, the Board ordered Notice of Formal Charges prepared and served to Royce Conner in complaint numbers 04-C004 and 05-C014. The Board's order included a provision for Division staff to initiate consent negotiations with Conner for the purpose of resolving the complaints. To date, the Notice of Formal Charges has not been filed or served to Conner.

The recently adopted amendments to ACJA §§ 7-201 and 7-206, include a provision [ACJA § 7-201 (H)(8)] which provides the Board with the option to invite a certificate holder to participate in a Formal Interview before filing of Notice of Formal Charges in matters where the Board has determined grounds for formal disciplinary action exists.

It was recommended the Board invite Conner to participate in a Formal Interview to be scheduled in conjunction with the April meeting.

Motion: Royce Conner be invited to a Formal Interview and that Staff prepare proposed Consent Agreement to include fines, etc.

Motion Proposals: First Sandra Markham
Second Judge Winthrop

Motion Results: Carried **BCCR-07-032**

2-B: Review, discussion and possible action regarding pending formal disciplinary action involving certificate holder Donald Thacker and complaint numbers 05-C004, 05-C008 and 05-C015.

Individual Addressing the Board: Nancy Swetnam

Discussion: In light of Donald Thacker no longer holding active certification and having left the state of Arizona, Staff recommended the Board vacate the portion of the December 12, 2005 order referencing a possible consent resolution and request Staff proceed with the filing and service of Notice of Formal Charges to Mr. Thacker.

Motion: Board vacate that portion of the Order and requested Staff proceed with the filing and service of Notice of Formal Charges to Donald Thacker.

Motion Proposals: First Judge Lawrence Winthrop
Second Allen Sonntag

Motion Results: Carries **BCCR-07-033**

2-C: Discussion and possible action with respect to the Special Action filed by Diane Laur

Individual Addressing the Board: Kandace French

Discussion: Legal counsel, Nina Preston, presents the status of the action filed by Diane Laur. There is discussion regarding the status of the drafted Findings of Fact and Conclusions of Law.

Motion: Approve the Findings of Fact and Conclusions of Law as drafted by Nina Preston, legal counsel, subject to final approval of the Attorney General's Office and, if approved, enter signature by Sandra Markham.

Motion Proposals: First Judge Lawrence Winthrop
Second Allen Sonntag

Motion Results: Carries **BCCR-07-034**

CALL TO THE PUBLIC None

ADJOURNMENT

Motion: Meeting adjourned

Motion Proposals: First Judge Lawrence Winthrop
Second Allen Sonntag

Motion Results: Carried **BCCR-07-035**

Meeting Adjourned: 12:24 pm

/del