

Supreme Court Board of Fiduciary
Arizona State Courts Building
1501 West Washington, Phoenix, AZ 85007
Conference room 119A
Time: 10:00 a.m.

January 11, 2007
Regular Session Minutes

MEMBER ATTENDANCE

Present:

Pamela Johnston
Dean Fink
Diana Clarke
Mary Carlton
Kip Anderson
Barbara Howes
Shari Tomlinson
Robin Fuller
Melissa King
Stacey Johnson
Kymberlei Putz

OTHER ATTENDEES

AOC Staff:

Linda Grau
Kandace French
Kimberly Siddall
Kitty Boots
Nancy Swetman
J.R. Rittenhouse
Mike Hise
Dara Fonseth
Alex Navarro
Lisa Porter

Guests: None

CALL TO ORDER

Called to Order By:
Time: 10:15 a.m.

Shari Tomlinson, Chair

1) Administrative Issues

1-A: Introduction of Fiduciary Board Members and Certification and Licensing Division Staff

Individuals Addressing the Board: Linda Grau

Discussion: Board Member introductions followed by Linda Grau introducing staff.

Motion: No action requested or taken

1-B: Discussion regarding and approval of the 2007 Fiduciary Board Meeting schedule.

Individuals Addressing the Board: Linda Grau

Discussion: Shari Tomlinson referred the Board to list of proposed meeting dates prepared by Division staff. Linda Grau provided the Board with a Division master calendar and recommended the Board identify and discuss any scheduling conflicts and available alternative meeting dates.

Motion: Adopt the recommended schedule of 2007 Fiduciary Board Meetings with all meetings to begin at 10 a.m. and conclude at 2 p.m. except for the meetings scheduled on April 12th, May 10th, and September 13th, with these meeting to begin at 12 noon and conclude at 4 p.m.

Motion Proposals: First Mary Carlton
Second Dean Fink

Motion Results: Pass Carries

1-C: Demonstration of meeting materials website access.

Individuals Addressing the Board Linda Grau, Kandace French

Discussion: Linda Grau reported meeting materials would be posted electronically to the internet on a secured Board website in advance of each meeting. Kandace French demonstrated the process of accessing the website and provided the Board members with login and password information.

Linda Grau reiterated the critical elements of maintaining confidentially as required by law or court rule. Kandace French demonstrated the second level of access security assigned to confidential documents posted to the secured website.

Motion: No action requested or taken

1-D: Nominations for and election of a Vice Chair.

Individuals Addressing the Board Linda Grau

Discussion: Linda Grau directed the Board's attention to ACJA § 7-201 (I)(3)(b). Linda Grau recommended verbal nominations for Vice Chair in a form of a motion and all nomination be tabled and elections be conducted by anonymous written ballots. Linda Grau answered questions and shared board member term lengths. Shari Tomlinson opened for Vice Chair nominations.

Nominations: Stacey Johnson
Melissa King

Members voted by anonymous written ballot to elect Melissa King as Vice Chair.

Motion: Melissa King to serve as Vice Chair for the Fiduciary Board for a one year term.

Motion Proposals: First Diana Clarke
Second Commissioner Dean Fink

Motion Results: Pass Carries

2) Certification and Eligibility

2-A: Review of pending applications for Standard certification.

Individuals Addressing the Board Linda Grau

Discussion: Shari Tomlinson mentioned there are no application ready for Board review at this time. Linda Grau informed members there would be applications at next board meeting for review and entry of certification determination.

Motion: No action requested or taken

3) Review of Pending Complaints

3-A: Review of complaints dismissed by Division Director, pursuant to ACJA 7-201 (D)(4)(a) and (H)(2)(b).

Individuals Addressing the Board Linda Grau

Discussion: Linda Grau reported the complaints identified on the agenda were dismissed by the Certification and Licensing Division Director, Nancy Swetnam, on January 2, 2007, pursuant to ACJA § 7-201 and explained the complainant were still within their allowable time to request Board review of the complaint. Linda Grau requested the Board defer consideration of these dismissals to the February meeting. Linda Grau noted ACJA § 7-201 provides these matters and the related documentation are confidential pursuant to court rule. Board discussion continued.

Motion: To defer review of and action regarding the three complaints, as recommended by staff recommendation to request review February Board meeting.

Motion Proposals: First Mary Carlton
Second Barbara Howes
Recusals Melissa King, Commissioner Dean Fink

Motion Results: Pass Carries

3-B: Update regarding status of pending complaints.

Individuals Addressing the Board Linda Grau, Nancy Swetnam

Discussion: Linda Grau provided an overview of the status of currently pending complaints. Nancy Swetman addressed the board to provide background information regarding fiduciary complaints and actions.

Motion: No action requested or taken

CALL TO THE PUBLIC

By: Shari Tomlinson, Chair

No response received.

ADJOURNMENT

Motion: Motion to adjourn the meeting.

Motion Proposals: First Kimberly Putz
Second Mary Carlton

Motion Results: Carries

Time: 11:00 a.m.