

Supreme Court Board of Legal Document Preparers

Arizona State Courts Building
1501 West Washington, Phoenix, AZ 85007
Conference Room 230
10:00 a.m. – 2:00 p.m.

March 20, 2006

Approved Regular Session Meeting Minutes

Members Present:

Judge Roland J. Steinle
Mary Carlton
Frank Costanzo
Dr. Roger Hartley
Vellia M. Piña
Donald F. Steward
J. Ward Sturm
Nancy Swetnam
Carol L. Wells

Telephonically Present:

Virlynn Tinnell

Members Absent:

Jacqui Velde

AOC Staff Present:

Linda Grau
Nina Preston
Kimberly Siddall
J.R. Rittenhouse
Brenda Dominguez
Christina Soto
Kandace French

Guest(s):

Ivan Kobey
Joseph Glennon

CALL TO ORDER

The regular session was called to order by Judge Roland Steinle at 10:09 a.m.

Donald Steward holds the proxy vote for Jacqui Velde.

REVIEW OF CERTIFICATION APPLICATIONS (request to take agenda item out of order)

- *Board interview with initial individual certification applicant Ivan Kobey and business entity applicant Kobey, LLC.*

In response to the Board's invitation, Mr. Kobey attended the meeting and answered questions regarding his professional experience, application disclosure issues related to his pending individual and business entity application for Kobey, LLC., and past professional licensure disciplinary actions taken against Mr. Kobey.

The Board inquired about the nature of Mr. Kobey's work since being sanctioned. Mr. Kobey stated he became a real estate broker for Kobey, LLC, a real estate company he owns, does some asset strategies work, is a real estate agent and has an insurance license.

Mr. Kobey denied any complaints or any actions having been taken against his real estate or insurance licenses.

Mr. Kobey was asked to outline the kind of documents he does for the public. As to the type of document preparation service he provides, Mr. Kobey reported he prepares limited liability company and professional limited liability company formation documents, Subchapter S documents, and charitable remainder trusts. Mr. Kobey stated as a real estate broker he is responsible for supervision of transactions and for brokerage firm properties and takes his responsibilities very seriously. Mr. Kobey reported involvement in developing real estate courses since the 1980's, including development and presentation of an ethics class, which is accepted for credit by several professional boards, including the Arizona Association of Realtors.

Mr. Kobey was asked to address how the past professional discipline related to legal document preparation. Mr. Kobey acknowledged being barred from the New York Stock Exchange for a period of ten years because he sold a strategy he should have known the firm wasn't prepared to supervise. Mr. Kobey acknowledged applying for and being denied a license as a registered representative/advisor in Arizona.

The Board and Mr. Kobey discussed matters related to his involvement in civil litigations, past professional experience, and the unauthorized practice of law. Mr. Kobey stated he is currently an educator in real estate and works with the Real Estate Board. Dr. Roger Hartley asked if any of Mr. Kobey's students became his clients. Mr. Kobey stated yes, mostly for tax consultation. Mary Carlton asked Mr. Kobey if he has acted as the Statutory Agent for any of his LLC customers. Mr. Kobey stated he does occasionally act as the Statutory Agent, but does not charge the consumer for providing this service. The interview concluded and Mr. Kobey left the meeting.

REVIEW AND APPROVAL OF MEETING MINUTES

- *Review and discussion regarding Board motions and order numbers LDP-06-069, LDP-06-070, and LDP-06-071 involving initiation of certificate holder complaints pursuant to Arizona Code of Judicial Administration § 7-208 (H)(2)(b), with respect to Arizona Code of Judicial Administration § 7-208 (H)(1)(d).*

Linda Grau stated motions and order numbers LDP-06-069, LDP-06-070, LDP-06-071, and LDP-06-072 involving initiation of certificate holder complaints discussed at the February Board meeting are confidential pursuant to ACJA § 7-208 (H)(1)(d). Ms. Grau recommended the Board order the regular session minutes regarding these complaints be transferred to the executive session minutes and the motions and orders made during the regular session be redacted to be consistent with ACJA § 7-208 (H)(1)(d).

A **motion** was made by Judge Roland Steinle to order the regular session minutes regarding LDP-06-069, LDP-06-070, LDP-06-071, and LDP-06-072 involving initiation of certificate holder complaints be transferred to the Executive Session Minutes and the related motions be modified in Regular Session Minutes so as to

conform with ACJA § 7-208(H)(1)(d). Mary Carlton seconded the motion. Motion passed. **LDP-06-074**

- *Regular and Executive Session Minutes for the meeting of February 27, 2006.*

Linda Grau requested the Board defer review of the Regular and Executive Session meeting minutes of February 27, 2006 to the April Board meeting to afford staff the opportunity to complete the redactions.

A **motion** was made by Judge Roland Steinle to defer consideration of the Regular and Executive Session Minutes for February 27, 2006 to April Board meeting. Donald Steward seconded the motion. Motion passed. **LDP-06-075**

ADMINISTRATIVE ISSUES

- *Review and discussion regarding proposed revisions of Arizona Code of Judicial Administration §§ 7-201 and 7-208.*

Linda Grau reported at the February meeting the Board asked for additional information about the origin of the recommendation to revise ACJA § 7-208 (F)(3) as follows:

Identification. Beginning July 1, 2003, a certified legal document preparer shall include the legal document preparer=s name, the title AArizona Certified Legal Document Preparer@ or the abbreviation AAZCLDP,@ and the legal document preparer=s certificate number on all documents prepared by the legal document preparer ~~that are filed in an Arizona court or tribunal.~~ A legal document preparer providing services on behalf of a certified business entity shall also include the business entity name and certificate number on all documents prepared. The legal document preparer shall also provide their name, title and certificate number upon request.

Ms. Grau reported the additional language has been proposed to serve several purposes. First, adding the “identification” requirement to all documents prepared by an AZCLDP will assist consumers in having ready recall of who they received assistance from in the preparation of the documents. Second, the addition of the “identification” to all legal documents prepared by certified LDPs will assist the Program and other agencies in determining when non-certified individuals and entities are providing services without the required certification. Currently, non-court documents referred for investigation cannot be readily identified as having been prepared by a certified or non-certified individual or entity. Additionally, in many instances, documents being prepared for filing with non-judicial agencies often become part of the court record later. Non-court documents have been presented to the LDP Program for investigation and determining the preparer is burdensome and generally dependant on the preparer’s admission of involvement. Ms. Grau addressed prior disciplinary orders issued by the Board involving now revoked certificate holders who, in one instance used a Power of Attorney received from a customer to receive and cash an \$11,000 check made payable to the consumer. In the second matter,

the now revoked certificate holder recorded a Quit Claim Deed taking possession of a consumers' residential home. The lack of an "identification" requirement on non-court documents expands the opportunity for rectifying currently unrecognizable conflict of interest issues, especially when the underlying documents involve property. Having the identification requirement assists consumers, document preparers, judicial and non-judicial agencies, and the CLD Investigations Unit to properly identify document origins.

Nina Preston joined the meeting at 10:47 a.m.

Don Steward addressed concerns about the proposed expansion of the "identification" requirement to include all documents preparer by a certified LDP. Mr. Steward expressed concerns consumer did not want an LDP name and number on certain documents, such as letters, contracts, and demand packages, because the consumers did not want the adverse party to be aware they were receiving legal services through an LDP. Further, Mr. Steward queried if the non-court agencies would accept documents with the LDP identification included. Program staff will explore this issue and make a later report to the Board of its findings. Mr. Steward indicated these documents, when completed by attorneys, are not required to have the attorney's name and bar number on them, therefore, the LDP name and number should not be required.

The Board reviewed and discussed the Public Comment received from Joseph Glennon, President, of the Arizona Association of Independent Paralegals ("AAIP"), submitted on behalf of the AAIP. The Board discussed the AAIP's opposition to the proposal to strike the qualifying restrictions applied to public members of the board. Nancy Swetnam and JR Rittenhouse addressed the need for flexibility and provided additional information about the Board member appointment process. The AIP provided suggested language for modifying the proposed change. Dr. Roger Hartley noted the alternative language proposed by the AAIP would prevent him from continuing to serve as a Board member.

The AAIP requested a justification for the proposed increase in fees. Nancy Swetnam indicated information about LDP Program expenses and revenues would be offered at the April meeting for review.

The AAIP supported the continuing education reporting requirement be converted to the audit model utilized by the Fiduciary Program and the State Bar of Arizona. Staff is currently working towards proposal amendments in this area.

The AAIP Public Comment provides strenuous opposition to division staff accessing personal credit report information during the renewal application review process. Ms. Siddall and Ms. Rittenhouse provided information to the Board regarding the information these reports provide. Ms. Grau noted legislation was moving forward to the Governor regarding authority to fingerprint court licensees and contractors. As currently written, this legislation, if signed by the Governor, would authorize fingerprint background reviews for LDP applicants.

The AAIP notes opposition to the acceptance of anonymous complaints and the proposed revision which would make dismissed complaints, particularly those being proposed to be dismissed by the division director, open for public inspection.

The Board discussed the protection of the public and the potential for multiple complaints to be filed against a certificate holder.

Virlynn Tinnell left the meeting telephonically at 11:06 a.m.

CERTIFICATION AND ELIGIBILITY

- *Review and discussion of report regarding LDP Examination results and publication of the report.*

Linda Grau provided the statistical information requested by the Board during the February meeting, regarding the number of legal document preparers who were involved in multiple participations of the exam. No action was recommended or taken.

Linda Grau left the meeting at 11:20 a.m.

- *Report and recommendations regarding Continuing Education course credit requests.*

Kandace French reported the following requests for continuing education credit have been received by the Legal Document Preparer Program for Board review and consideration:

1. "The Basics of Special Needs Trusts" presented by the Stetson University College of Law online on 2/16/06 – 7.5 hours requested.

Program staff recommended the course "The Basics of Special Needs Trusts" be approved for 5 credit hours.

2. "Appellate Practice Tips from Experts" presented by the American Bar Association online on 3/13/06 – 1.5 hours requested.
3. "Advising Fiduciary Representatives – Death and Taxes May Not Be Avoidable But Compensatory & Punitive Damages Are" presented by the Prescott Estate Planning Council in Prescott on 2/22/06 – 1 hour requested.

Program staff recommended courses 2 and 3 be approved for the requested credit.

4. "Developing & Operating Planned Communities and Condominiums in AZ" presented by the National Business Institute in Phoenix, Arizona on 3/7/06 – 6 hours requested.

Program staff recommended the course "Developing & Operating Planned Communities and Condominiums in AZ" be approved for 5 credit hours.

5. "Transitioning from Developer Control" presented by Ekmark & Ekmark, LLC in various locations and dates during 2006 in Arizona – 1.5 hours requested.
6. "CC&R Enforcement" presented by Ekmark & Ekmark, LLC in various locations and dates during 2006 in Arizona – 1.5 hours requested.
7. "The Collection of Delinquent Assessments" presented by Ekmark & Ekmark, LLC in various locations and dates during 2006 in Arizona – 1.5 hours requested.
8. "Construction Defect Traps" presented by Ekmark & Ekmark, LLC in various locations and dates during 2006 in Arizona – 1.5 hours requested.
9. "Can Your Fine Policy Withstand Legal Scrutiny" presented by Ekmark & Ekmark, LLC in various locations and dates during 2006 in Arizona – 1.5 hours requested.
10. "Holding Legal Annual Meetings" presented by Ekmark & Ekmark, LLC in various locations and dates during 2006 in Arizona – 1.5 hours requested.
11. "New Legislation Pertaining to Homeowners Associations" presented by Ekmark & Ekmark, LLC in various locations and dates during 2006 in Arizona – 1.5 hours requested.
12. "Is the Board of Directors Holding Proper Meetings?" presented by Ekmark & Ekmark, LLC in various locations and dates during 2006 in Arizona – 1.5 hours requested.

Program staff recommended courses 5 through 12 be approved for the requested credit.

13. "The Law of Community Associations in Arizona Overview" presented by Ekmark & Ekmark, LLC in Phoenix, Arizona on 3/20/06 – 8 hours requested.

Program staff recommended the course "The Law of Community Associations in Arizona Overview" be approved for 5 credit hours.

14. "Identity Theft" presented by the NALS Yavapai County in Prescott, Arizona on 1/10/06 – 5 hours requested.
15. "Family Law" presented by the Arizona Association of Family and Council Courts in Sedona, Arizona on 2/3/06 – 1.5 hours requested.
16. "Never Married Custody Cases" presented by the Arizona Association of Family and Council Courts in Sedona, Arizona on 2/3/06 – 1.5 hours requested.

17. “Parental Insightfulness” presented by the Arizona Association of Family and Council Courts in Sedona, Arizona on 2/3/06 – 1.5 hours requested.

Program staff recommended courses 14 through 17 be approved for the requested credit.

18. “New Provider Orientation (Child Custody Evaluator)” presented by the Superior Court of Maricopa County in Phoenix, Arizona on 1/6/06 – 6.5 hours requested.

Program staff recommended the course “New Provider Orientation (Child Custody Evaluator)” be approved for 5 credit hours.

19. “Interpreting, Enforcing & Amending Homeowners Association Documents” presented by Ekmark & Ekmark, LLC in Phoenix, Arizona on 4/21/06 – 5 hours requested.

20. “Effective Management of Homeowners Associations” presented by Ekmark & Ekmark, LLC in Phoenix, Arizona on 4/10/06 – 5 hours requested.

21. A certificate holder submitted a faculty credit request for her having taught the Fall 2005 “Legal Computer Applications” course offered at Coconino Community College in Flagstaff, Arizona – Requested 5 hours of faculty credit.

Program staff recommended courses 19 through 21 be approved for the requested credit.

22. The same certificate holder who requested faculty credit for number 21 submitted a faculty credit request for her having taught the Fall 2005 “Civil Tort I (Faculty)” course offered at Coconino Community College in Flagstaff, Arizona – Requested 5 hours of faculty credit.

23. The same certificate holder who requested faculty credit for number 21 and 22 submitted a faculty credit request for her having taught the Fall 2005 “Legal Research & Writing II (Faculty)” course offered at Coconino Community College in Flagstaff, Arizona – Requested 5 hours of faculty credit.

Program staff recommended the Board deny additional faculty credit for numbers 22 and 23, based on whether the Board grants faculty credit, as recommended, for number 21. Program staff recommended the total number of number of hours of faculty credit not exceed more than the Continuing Education Policy credit allowance of 50% of the ten hour requirement.

24. “Conflict Mediation” presented by South Mountain Community College in Phoenix, Arizona from 3/27 – 3/31/06 – 5 hours requested.

25. “Legal Aspects of Wills & Trusts” presented by the Arizona School of Real Estate in Scottsdale, Arizona on 4/13/06 – 3 hours requested.

Program staff recommended courses 24 and 25 be approved for the requested credit.

26. “Jump Start Program for New Law Students” presented by the Thomas M. Colley Law School in Michigan on 4/22/06 – 2 hours requested.

Program staff recommended denial of “Jump Start Program for New Law Students” because it is an orientation presentation.

A **motion** was made by Judge Roland Steinle to approve continuing education as recommended for numbers 1 through 21, 24 and 25. Dr. Roger Hartley seconded the motion. Motion passed. **LDP-06-076**

A **motion** was made by Judge Roland Steinle to deny course numbers 22, 23 and 26 for continuing education credit. Dr. Roger Hartley seconded the motion. Motion passed. **LDP-06-077**

- *Review and discussion regarding voluntary surrender request of AZCLDP number 80710, Deborah Gilman.*
- *Review and discussion regarding voluntary surrender request of AZCLDP number 80251, Marilyn Monda.*

A **motion** was made by Dr. Roger Hartley to defer consideration of voluntary surrender requests of AZCLPD number 80710, Deborah Gilman and AZCLDP number 80251, Marilyn Monda to the April Board meeting. Mary Carlton seconded the motion. Nancy Swetnam recused. Motion passed. **LDP-06-078**

A **motion** was made by Judge Roland Steinle to move for Notice of Formal Charges to be filed against Deborah Gilman, AZCLDP number 80710. Dr. Roger Hartley seconded the motion. Nancy Swetnam recused. Motion passed. **LDP-06-079**

A **motion** was made by Judge Roland Steinle to move for Notice of Formal Charges to be filed against Marilyn Monda, AZCLDP number 80251. Dr. Roger Hartley seconded the motion. Nancy Swetnam recused. Motion passed. **LDP-06-080**

REVIEW OF PENDING COMPLAINTS

- *Review and discussion regarding non-certificate holder complaint NC-376, NC-377, and NC-381 regarding James Reid and Curtis Management and Consulting, LLC.*

A **motion** was made by J. Ward Sturm to defer consideration of non-certificate holder complaint NC-376, NC-377, and NC-381 regarding James Reid and Curtis

Management and Consulting, LLC to the April Board meeting to allow Program staff additional time to receive information from Mr. Reid and Curtis Management and Consulting, LLC. Dr. Roger Hartley seconded the motion. Motion passed. **LDP-06-081**

EXECUTIVE SESSION STARTED - 11:28 A.M.

A **motion** was made by Dr. Roger Hartley to enter into Executive Session to discuss confidential information. Donald Steward seconded the motion. Motion passed. **LDP-06-082**

Linda Grau rejoined the meeting telephonically at 11:34 a.m.

EXECUTIVE SESSION ENDED - 11:42 A.M.

REVIEW OF PENDING COMPLAINTS (revisited)

- *Review and discussion regarding certificate holder non-compliance issues and possible Board initiation of complaints pursuant to Arizona Code of Judicial Administration § 7-208 (H)(2)(b).*

A **motion** was made by Judge Roland Steinle to initiate a complaint against the individual listed first on the Non-Compliance Report on March 20, 2006, pursuant to ACJA § 7-208 (H)(2)(b), alleging failure to maintain and observe the highest standards of integrity in all professional dealings as required by ACJA § 7-208 Appendix A Code of Conduct Standard (2)(c). Dr. Roger Hartley seconded the motion. Nancy Swetnam recused. Motion passed. **LDP-06-083**

A **motion** was made by Judge Roland Steinle to initiate a complaint against the individual listed second on the Non-Compliance Report on March 20, 2006, pursuant to ACJA § 7-208 (H)(2)(b), alleging failure to participate in the Legal Document Preparer examination as required by ACJA § 7-208 (E)(4)(a). Mary Carlton seconded the motion. Frank Costanzo opposed. Nancy Swetnam recused. Motion passed. **LDP-06-084**

A **motion** was made by Judge Roland Steinle to initiate a complaint against the individual listed third on the Non-Compliance Report on March 20, 2006, pursuant to ACJA § 7-208 (H)(2)(b), alleging failure to participate in the Legal Document Preparer examination as required by ACJA § 7-208 (E)(4)(a). Donald Steward seconded the motion. Nancy Swetnam recused. Motion passed. **LDP-06-085**

CERTIFICATION AND ELIGIBILITY (revisited)

- *Review and discussion regarding Arizona Code of Judicial Administration § 7-208 (E)(4)(b)(3)(c) and request from certificate holder Sandra Coffman for permission to participate in the LDP Examination.*

The Board reviewed and discussed Ms. Coffman's examination results and her request for a fourth opportunity to participate in the examination.

A **motion** was made by Judge Roland Steinle to grant permission to Sandra Coffman to participate in a fourth administration of the LDP Examination. Donald Steward seconded the motion. Nancy Swetnam opposed. Motion passed. **LDP-06-086**

REVIEW OF PENDING COMPLAINTS (revisited)

- *Review and discussion of pending Notice of Formal Charges against C.E. Claims and Services, LLC, certificate number 80085, involving LDP Program complaint number 04-L004.*

Linda Grau advised the Board C.E. Claims and Services, LLC was in default on the previously ordered, filed, and served Notice of Formal Charges. Ms. Grau recommended the Board authorize staff to pursue a Consent Agreement to resolve the pending complaint.

A **motion** was made by Frank Costanzo to authorize Program staff to pursue a Consent Agreement with C.E. Claims and Services, LLC, certificate number 80085, in an attempt to resolve LDP Program complaint number 04-L007. Judge Roland Steinle seconded the motion. Nancy Swetnam recused. Motion passed. **LDP-06-087**

- *Review and discussion regarding LDP Program complaint number 04-L048.*

Linda Grau reported at the February meeting the Board deferred consideration of the complaint and requested further investigation regarding whether a violation of Rule 31 occurred, and to provide a recommendation whether the Board or the State Bar should handle the matter. Ms. Grau reported having contacted the State Bar UPL Office and being advised the Bar would likely defer taking any action on this complaint, given the already pending actions involving the certificate holder.

Ms. Grau reported the investigation of this complaint revealed, as to the Board's inquiry regarding a possible Rule 31 violation, both the consumer complainant and the subject acknowledge that the LDP prepared the documents after July 1, 2003 without the supervision of an attorney and prior to his being granted certification. Ms. Grau noted the Board did not have the opportunity to review this complaint at the time it processed the application for certification because the complaint was not filed until four weeks after the effective date of certification. Ms. Grau noted Investigations Unit staff have been unable to locate the complainant or the individual the complainant identified as having knowledge of the alleged misconduct.

A **motion** was made by Judge Roland Steinle to dismiss complaint number 04-L048 without prejudice and to reinstitute the complaint if contact is made in the future with the complainant. Donald Steward seconded the motion. Nancy Swetnam recused. Motion passed. **LDP-06-088**

- *Review and discussion regarding processing of pending Consent Agreement considerations in LDP Program complaint number 05-L028 involving Glen Hadley, certificate number 80196 (expired).*

The Board previously entered a finding of probable cause and directed staff to pursue a possible consent agreement with Mr. Hadley regarding this complaint, in an attempt to preserve any possible restitution for the consumer, should found violations ultimately be entered. As advised by counsel in other similar instances, Mr. Hadley would have a right to hearing on any action which could involve financial orders being entered. Linda Grau recommended the Board direct staff to prepare a Notice of Formal Charges and Right to Hearing and to pursue a possible Consent Agreement to resolve the complaint.

A **motion** was made by Judge Roland Steinle to authorize Program staff to prepare a Notice of Formal Charges and Right to Hearing and to pursue a Consent Agreement in an attempt to resolve LDP Program complaint number 05-L028. Mary Carlton seconded the motion. Nancy Swetnam recused. Motion passed. **LDP-06-089**

- *Review and discussion regarding pending formal charges in LDP Program complaint numbers 04-L063, 05-L007, 05-L027, 05-L049, and 05-L052 against revoked, former certificate holders Allan Sobol and Quick and Legal Paralegal Services.*

Previously, the Board entered a finding of probable cause and ordered notice of formal charges in all five complaint numbers. Linda Grau provided the Board with a copy of the revised draft of Notice of Formal Charges and Right to Hearing. Per the Board's direction and instruction at the February meeting, the revised draft strikes language regarding complaint numbers 05-L007 and 05-L027. The Board reviewed the draft and discussed the potential level of harm to the public contained in the alleged misconduct involved in complaint numbers 05-L007 and 05-L027. Ms. Grau reported the alleged misconduct contained in 05-L007, a complaint initiated by the Board, alleges Mr. Sobol committed material misrepresentations on his individual and Quick and Legal Paralegal Services business entity applications. Ms. Grau stated the alleged misconduct contained in 05-L027 involved Mr. Sobol having written a non-sufficient funds to a court reporting firm in securing the transcript of an unrelated LPD Program disciplinary hearing. Ms. Grau reported a related civil action taken by the court reporting firm resulted in the Justice Court entering an order on behalf of the court reporting firm.

A **motion** was made by Frank Costanzo to adopt the draft of Notice of Formal Charges and Right to Hearing in complaint numbers 04-L063, 05-L049, and 05-L052 against revoked, former certificate holders Allan Sobol and Quick and Legal Paralegal Services and dismissing complaint numbers 05-L007 and 05-L027. Mary Carlton seconded the motion. Nancy Swetnam recused. Motion passed. **LDP-06-090**

A **motion** was made by Mary Carlton to authorize the Board's Chair to sign the final draft of Notice of Formal Charges and Right to Hearing in complaint numbers 04-L063, 05-L049, and 05-L052 against revoked, former certificate holders Allan Sobol

and Quick and Legal Paralegal Services. Dr. Roger Hartley seconded the motion. Nancy Swetnam recused. Motion passed. **LDP-06-091**

REVIEW OF CERTIFICATION APPLICATIONS

- *Board interview with initial individual certification applicant Ivan Kobey and business entity applicant Kobey, LLC.*

A **motion** was made by Dr. Roger Hartley to deny business entity and initial certification for Ivan Kobey and Kobey, LLC pursuant to ACJA § 7-208 (E)(5)(b)(1)(a), for failure to meet the minimum eligibility requirements,; ACJA § 7-208 (E)(4)(a) by failing to comply with supreme court rules governing legal document preparers; ACJA § 7-208 (E)(5)(b)(1)(c) for failing to disclose prior professional discipline, as illustrated by the Illinois Censure Order, during the application process; and ACJA § 7-208 (E)(5)(b)(1)(g) for having been found civilly liable in the action of the New York Stock Exchange which barred Mr. Kobey from engaging in professional activities for a period of ten years. J. Ward Sturm seconded the motion. Motion passed. **LDP-06-092**

- *Review of pending applications and business entity exemption requests.*

Kimberly Siddall reported the following applications remain incomplete or pending the receipt of background review results. It is recommended these applications be deferred to the April meeting:

We the People of Mesa, AZ, Inc. (Karen Strauss)
Brittney N. Mendez
Eddie W. Taylor
Statewide Document Preparation (Eddie W. Taylor)

A **motion** was made by Nancy Swetnam to defer consideration of the above listed applicants for initial certification to the April Board meeting. Judge Roland Steinle seconded the motion. Motion passed. **LDP-06-093**

Kimberly Siddall reported the following applicants have submitted applications for initial certification. The applications are complete; no information has been presented during the background which is contrary to certification being granted. The applicants have demonstrated they meet or exceed the minimum eligibility requirements for certification. Ms. Siddall recommended initial certification be granted to the following:

Certified Estate Administration Services, LLC (Ranae P. Settle)
Carla A. Gould
Corinne V. Guthrie
Lenny M. Tasa-Bennett
Anjum J. Malone

Thomas L. Steele

A **motion** was made by Nancy Swetnam to grant initial certification to the above listed applicants. Donald Steward seconded the motion. Motion passed. **LDP-06-094**

BUSINESS ENTITY EXEMPTION REQUESTS:

Kimberly Siddall recommended the following Business Entity Exemption be granted for the remainder of the 2005 – 2006 certificate period:

Certified Estate Administration Services, LLC (Ranae P. Settle)

A **motion** was made by Judge Roland Steinle to grant Business Entity Exemption to Certified Estate Administration Services, LLC. Dr. Roger Hartley seconded the motion. Motion passed. **LDP-06-095**

We the People of Mesa, AZ, Inc. (Karen (Strauss))

A **motion** was made by Judge Roland Steinle to defer consideration for initial certification for We the People of Mesa, AZ, Inc. to the April Board meeting. Mary Carlton seconded the motion. Motion passed. **LDP-06-096**

REVIEW OF PENDING APPLICATIONS (revisited)

Yared B. Mekonnen

J. Ward Strum reported to the Board he has received no response to phone messages and emails left for the public relations officer at the Ethiopian embassy in Washington, D.C. regarding the accreditation status of the Addis Ababa University. Kimberly Siddall informed the Board the State Bar of California reported Mr. Mekonnen's application for admission to the California Bar is not available. Dr. Roger Hartley agreed to make an inquiry to the University of Arizona Admissions department regarding any guidelines the University applies in making graduate admission determinations. Dr. Hartley agreed to report back to the Board at the April meeting.

A **motion** was made by Donald Steward to defer certification determination for Yared B. Mekonnen for initial certification until the April Board meeting. J. Ward Sturm seconded the motion. Motion passed. **LDP-06-097**

CALL TO THE PUBLIC

Joseph Glennon asked if the Board had reviewed the letter he submitted on behalf of the AAIP regarding the proposed changes to §§ 7-201 and 7-208. Mr. Glennon was informed this matter had been covered during the Board meeting and more information about the Board's review would be reflected in the meeting minutes.

ADJOURN

A **motion** was made by Mary Carlton to adjourn. Donald Steward seconded the motion. Motion passed. **LDP-06-098**

Meeting adjourned at 12:18 p.m.

/bld