

# 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.

**April 8, 2004**

## Approved Emergency Meeting Minutes

### Members Present:

Judge Roland J. Steinle, III, Chair  
Susan C. Vasquez  
Donald F. Steward  
J. Ward Sturm  
Margaret J. Kleinman  
Vellia M. Pina  
Nancy Swetnam  
Mary Carlton

### AOC Staff Present:

Linda Grau  
Nina Preston

### Guests:

Ilene Lashinsky  
Renee Sandler Shamblin

### AOC Staff Present by Phone:

Lauren Hargrave

### Members Present by Phone:

Virlynn Tinnell  
Dr. Roger E. Hartley  
Carol L. Wells  
Mary Carlton

### Call to Order

The meeting was called to order by Judge Roland Steinle, III at 12:00 p.m.

Judge Roland Steinle reported the emergency meeting is being held to determine if the Board will issue an emergency suspension pursuant to ACJA §7-208 (H)(5)(c). The Board discussed if an emergency circumstance exists requiring the Board to suspend certification of the certificate holder pending a final determination of the related disciplinary matter.

The Board discussed if the circumstances rise to the level of an emergency suspension and reviewed multiple documents provided to them by Program Staff. The Board discussed the current actions taking place in the Bankruptcy Court and if the Board's action will be used in the Bankruptcy adversarial action. The Board noted the certificate holder only withdrew her involvement in a fee for signature and use of AZCLDP number business arrangement with non-certified individuals when payment checks she received began to be returned for insufficient funds. The Board discussed its duty to protect the public and if there was any evidence the certificate holder has stopped preparing all documents, or whether she has stopped preparing Bankruptcy documents. Ms. Grau confirmed notice of the emergency meeting was sent to the certificate holder on March

30, 2004. Additionally, Ms. Grau confirmed the certificate holder was informed she could attend the meeting. The certificate holder did not respond to the letter and did not appear for the emergency meeting. The Board agreed the public was harmed by the certificate holder. The certificate holder received money for placing her signature and AZCLDP number on bankruptcy petitions she did not prepare, enabling non-certified individuals to violate United States District Court, District of Arizona Bankruptcy Court General Rule 89. Further, when the certificate holder began to receive notices from the Court regarding the documents being incomplete or containing errors, she took no action. As a result, a vast majority of the petitions were dismissed, leaving the public without remedy. The Board discussed the aggravating factor regarding when the inequity first came to the certificate holder's attention she did not take any action, showing not only poor judgment, but endangering the public. The U.S. Trustee's Adversarial Complaint exhibits show an ongoing pattern of the certificate holder engaging in this conduct.

A **motion** was made by Judge Roland Steinle and seconded by Donald F. Steward that pursuant to (H)(5)(c), to suspend the certificate of Cassandra Bruce pending final outcome of the related disciplinary matter, based upon a finding by the Board that the public safety and welfare supports emergency summary suspension action. Motion passed. A majority of the members of the full Board voted in favor. Nancy Swetnam Recused. **LDP-04-098**

The Board directed Ms. Grau to draft the Emergency Summary Suspension Order for Judge Roland Steinle's signature. The Order, pursuant to the Code, will be presented by process server to the certificate holder. The emergency summary suspension will go into effect on the date the Order is signed by Judge Steinle. Once the Emergency Summary Suspension Order is in effect, the Presiding Judges in each county will be notified. ACJA §7-208 (H)(5)(c) establishes a twenty day time line for disciplinary proceedings to be instituted. This time line will begin from the date the Order is served to the certificate holder. If a hearing is not requested by the certificate holder, a Notice of Findings is issued.

### **Adjournment**

A **motion** was made by Judge Roland Steinle and seconded by Donald F. Steward to adjourn. Motion passed. **LDP-04-099**

The emergency meeting of the Board of Legal Document Preparers adjourned at 12:18 p.m.