



Board of Legal Document Preparers
Arizona State Courts Building
1501 West Washington Street, Phoenix, Arizona 85007
Conference Room 109

Date: December 15, 2008
Time: 12:00 p.m. – 1:00 p.m.

Approved Regular Meeting Minutes

MEMBER ATTENDANCE:

Present:

Les Krambeal
Andrew Saper
Kelly Dowdle

Telephonically Present:

Cynthia Felton
Kristina Fredericksen
Paul Friedman
Stephanie Gates Wolf
Debra A. Young

Absent:

Debra Griffin
Hon. Robert H. Oberbillig

OTHER ATTENDEES

AOC Staff:

Kandace French
Linda Grau
Tony Posante
Karla Clanton
Nina Preston
Ruby Hernandez

Guests:

Daniel M. Linguiti
Dean Funk
Edith Funk

CALL TO ORDER

Called to Order By: Les Krambeal

Time: 12:04 p.m.

1) REVIEW AND APPROVAL OF MEETING MINUTES

1-A: *Review and approval of the regular session minutes for the meeting of October 20, 2008.*

Individuals Addressing the Board: Les Krambeal

Discussion: Discussion regarding changes or corrections to the minutes of October 20, 2008.

Motion: Board moved to approve minutes for the October 20, 2008 regular session meeting.

Motion Proposals: First Andrew Saper
Second Cindy Felton

Motion Results: Pass **LDP 08-212**

1-B: *Review and approval of the regular session minutes for the meeting of November 24, 2008.*

Individuals Addressing the Board: Les Krambeal

Discussion: None.

Motion: Board moved to defer November 24, 2008 minutes to the February, 2009 meeting.

Motion Proposals: First Cindy Felton
Second Andrew Saper

Motion Results: Pass **LDP 08-213**

2) REVIEW OF PENDING COMPLAINTS

2-A: Review, discussion, and possible action regarding the following non-certificate holder complaints:

NC07-L081 Rebecca Bornstein
NC08-L037 Kateri Jordan
NC05-L211 Allen Vanderwey and American Living Trust Services, LLC
NC04-L206 Nancy Williams & Associates
NC05-L135 Nohemy Rocha
NC05-L209 Ann Messerer
NC08-L060 Sherie Last Name Unknown- Craigslist
NC08-L062 Melissa Klapper
NC05-L185 We Fix Ugly Child Support Orders
NC08-L031 Christin Oldewurtel
NC05-L110 Shaaron Miller – Just Child Support
NC04-L097 AZ-Legaltech.com
NC05-L164 Janice Buzzelle
NC06-L028 Bill Kinney
NC04-L205 ALS Legal
NC05-L163 Lance Cole
NC04-L088 Ella Wood
NC05-L125 Tim Berry and the Tax Academy, LLC
NC07-L042 Ruben Mejia
NC07-L051 Preliminary Notice Company
NC08-L012 Dawn Fountain
NC08-L036 Dawn Fountain
NC05-L178 Jacek Zakrzewski
NC04-L203 Ron Strawn
NC06-L091 Naturalization & Immigration Fotos

Individuals Addressing the Board: Linda Grau

Discussion: Staff explained to the board the non-certificate holder complaints would be addressed in groups due to the large number of complaints before the Board. The names listed in Group 1 have been contacted by staff. Each individual or business has provided written documentation stating they do not prepare legal documents. Staff recommended the complaints be closed.

Note: Kelly Dowdle has joined the meeting.

Time: 12:05 p.m.

Motion: Board moved to accept the staff recommendation and close the complaints against the following non-certificate holders:

NC07-L081 Rebecca Bornstein
NC08-L037 Kateri Jordan

NC05-L211 Allen Vanderwey and American Living Trust Services, LLC
NC04-L206 Nancy Williams & Associates LLC
NC05-L135 Nohemy Rocha
NC05-L209 Ann Messerer
NC08-L060 Sherie Last Name Unknown- Craigslist
NC08-L062 Melissa Klapper
NC05-L185 We Fix Ugly Child Support Orders

Motion Proposals: First Andrew Saper
Second Kelly Dowdle

Motion Results: Pass **LDP 08-214**

Individuals Addressing the Board: Linda Grau

Discussion: Staff explained Group 2 is a list of non-certificate holder complaints in which staff attempted to reach these individuals and business entity staff. Contact was unsuccessful by U.S. mail. Subsequent attempts to locate the subjects were unsuccessful. No evidence is available confirming the subjects are currently providing document preparation services. If contrary information is received a new complaint will be presented to the Board with a recommendation for formal action. Staff recommended the following non-certificate holder's complaints be closed.

NC08-L031 Christin Oldewurtel
NC05-L110 Shaaron Miller – Just Child Support
NC04-L097 AZ-Legaltech.com
NC05-L164 Janice Buzzelle
NC06-L028 Bill Kinney
NC04-L205 ALS Legal
NC05-L163 Lance Cole
NC04-L088 Ella Wood

Motion: Board moved to accept the staff recommendation and close the complaints against the following non-certificate holders:

NC08-L031 Christin Oldewurtel
NC05-L110 Shaaron Miller – Just Child Support
NC04-L097 AZ-Legaltech.com
NC05-L164 Janice Buzzelle
NC06-L028 Bill Kinney
NC04-L205 ALS Legal
NC05-L163 Lance Cole
NC04-L088 Ella Wood

Motion Proposals: First Andrew Saper

Second Kelly Dowdle

Motion Results: Pass **LDP 08-215**

Individuals Addressing the Board: Linda Grau

NC05-L125 Tim Berry and the Tax Academy, LLC

Discussion: Staff explained to the board that records indicate Division Staff did contact Mr. Berry and provided him with a Notice of Certification Requirements. There is no evidence to indicate Mr. Berry and The Tax Academy, LLC are preparing legal documents. Staff recommended this non-certification complaint be dismissed.

Motion: Board moved to dismiss the complaint against non-certificate holders NC05-L125 Tim Berry and The Tax Academy, LLC.

Motion Proposals: First Andrew Saper
Second Kelly Dowdle

Motion Results: Pass **LDP 08-216**

Individuals Addressing the Board: Linda Grau

NC07-L042 Ruben Mejia

Discussion: Staff explained this agenda item was included in the material for the meeting of November 24, 2008 but not listed on the agenda of that meeting. It is brought back to the Board for its consideration. The Arizona State Bar closed its concurrent investigation on this matter after issuing a Cease and Desist Letter to Mr. Mejia involving matters in which the Board does not have jurisdiction. Specifically, the Arizona State Bar addressed preparation of immigration related documents. Staff recommended this complaint be dismissed.

Motion: Board moved to accept the staff's recommendation to dismiss complaint number NC07-L042 Ruben Mejia.

Motion Proposals: First Andrew Saper
Second Kelly Dowdle

Motion Results: Pass **LDP 08-217**

Individuals Addressing the Board: Linda Grau

Discussion: Staff explained that the next 3 non-certificate holders submitted applications for certification. Staff confirmed these individuals and

entities now hold active certification and recommend dismissing these complaints for the following:

NC07-L051 Preliminary Notice Company
NC08-L012 Dawn Fountain
NC08-L036 Dawn Fountain

Motion: Board moved to accept the staff recommendation and dismiss the following non-certificate holder complaints:

NC07-L051 Preliminary Notice Company
NC08-L012 Dawn Fountain
NC08-L036 Dawn Fountain

Motion Proposals: First Andrew Saper
Second Kelly Dowdle

Motion Results: Pass **LDP 08-218**

Individuals Addressing the Board: Linda Grau

Discussion: Staff explained the next 2 complaints were received from the Arizona State Bar during the denial hearing proceedings, and have verified there are no additional pending complaints. Staff recommended closing the following complaints:

NC05-L178 Jacek Zakrzewski
NC04-L203 Ron Strawn

Motion: Board moved to accept the staff recommendation and close the following non-certificate holder complaints:

NC05-L178 Jacek Zakrzewski
NC04-L203 Ron Strawn

Motion Proposals: First Andrew Saper
Second Kelly Dowdle

Motion Results: Pass **LDP 08-219**

Individuals Addressing the Board: Linda Grau

Discussion: The following business entity provides document preparation services in the area of immigration, in which the Board does not hold jurisdiction. Staff recommended the Board close this complaint and direct staff to refer the complaint to the State Bar of Arizona.

NC06-L091 Naturalization & Immigration Fotos

Motion: Dismiss the following complaint number NC06-L091 Naturalization & Immigration Fotos and direct staff to refer the complaint to the State Bar of Arizona.

Motion Proposals: First Andrew Saper
Second Cindy Felton

Motion Results: Pass **LDP 08-220**

2-B: Review, discussion, and possible action regarding the following certificate holder complaint number 04-L022 involving certificate holder Alicia Celis.

Individuals Addressing the Board: Linda Grau

Discussion: The following complaint was referred to the Probable Cause Evaluator Mike Baumstark who found probable cause does not exist as to allegations 1 & 2, and does exist as to allegation 3. Staff recommended the Board issue a Letter of Concern.

Motion: Board moved to accept the findings of the Probable Cause Evaluator and dismiss allegations 1 & 2 and find probable cause does exist in allegation number 3 in complaint 04-L022 for failure to include her name, title and certification number on documents. The certificate holder acknowledged preparing in case number S1400D0200400267. The Board shall issue a Letter of Concern to Ms. Celis pursuant ACJA § 7-208 (F)(3).

Motion Proposals: First Andrew Saper
Second Kelly Dowdle

Motion Results: Pass **LDP 08-221**

2-C: Report regarding Superior Court in Maricopa County case number CR2006-031057 involving Gary Karpin.

Individuals Addressing the Board: Linda Grau

Discussion: Staff discussed Gary Karpin and provided this agenda item for information purposes only. Contact was made with Mr. Karpin in 2004 to provide information regarding certification requirement in part based on advertisements that identified the business entity as having staff that were certified paralegals as well as Superior Court certified individuals. Discussion regarding what would constitute Superior Court certification to which none are known. There was

also later referred to the Arizona State Bar. Mr. Karpin was ultimately charged with multiple counts of theft and one count of fraudulent schemes and artifices. The matter was referred to the Maricopa Attorney's Office, which went to trial and the Jury entered a guilty verdict to numerous counts. On November 21, 2008, the Honorable Warren Granville sentenced Mr. Karpin to the Department of Corrections and probation to follow.

Board asked if the individuals filing these complaints on Mr. Karpin were notified of the status of his trial and results. Staff advised the complaints were originally from staff's proactive inquiry in 2003 & 2004.

2-D: Update regarding non-certificate holder complaint number NC08-L041 involving Kristin Rhoad.

Individuals Addressing the Board: Linda Grau

Discussion: It was erroneously believed Ms. Rhodes was invited to the November meeting by staff. However, she was not sent the proper correspondence. Staff recommended the Board defer consideration of certification to allow Ms. Rhodes to view results of the examination and for staff to process any possible future application. If for some reason Ms. Rhoads fails to complete the application staff will return to the Board with an alternative recommendation regarding the complaint.

Motion: Board moved to defer to the certification to Ms. Rhodes until the results of the testing is received.

Motion Proposals: First Andrew Saper
Second Kelly Dowdle

Motion Results: Pass **LDP 08-222**

3) CERTIFICATION AND ELIGIBILITY

3-A: Interview and possible action with Dean and Edith Funk regarding business application of Joyce's Services Corporation.

Individuals Addressing the Board: Karla Clanton

Discussion: The board invited Mr. and Mrs. Funk to attend the December meeting to provide additional information on matters revealed on the application and background check regarding Dean Funk's

felony conviction. Mr. and Mrs. Funk are present. The Board questioned Mr. Funk. The Board expressed concern regarding Mr. Funk's role in the business, the documents used by the business and Mrs. Funk's absence from the business office.

Motion: The Board moved to defer this matter to the next regular meeting and requested Joyce's Services Corporation provide all blank forms and agreements prepared in their place of business to present to the Board in advance of the February meeting and allow for further review of the application and Mr. and Mrs. Funk's role in the business.

Motion Proposals: First Cindy Felton
Second Kelly Dowdle

Motion Results: Pass **LDP 08-223**

3-B: Review, discussion, and possible action regarding pending applications for 2008-2009 initial Standard certification.

Individuals Addressing the Board: Karla Clanton

Discussion: Staff advised the Board the following business entity has demonstrated it met the minimum eligibility requirements and recommended standard certification be granted.

East Valley Estate Planning, LLC

Motion: The Board moved to grant business entity standard certification to East Valley Estate Planning, LLC. (Catharine Longman).

Motion Proposals: First Andrew Saper
Second Kelly Dowdle

Motion Results: Pass **LDP 08-224**

Individuals Addressing the Board: Karla Clanton

Discussion: Staff advised the Board the following applications are complete and the applicants have demonstrated minimum requirements for certification and recommended granting certification to the following applicants:

***Joy Hoeffler
Patricia Flores
Jeanne Malys***

Motion: The Board moved to grant certification to the following applicants:

***Joy Hoeffler
Patricia Flores
Jeanne Malys***

Motion Proposals: First Andrew Saper
Second Kelly Dowdle

Motion Results: Pass **LDP 08-225**

Individuals Addressing the Board: Karla Clanton

Discussion: Staff advised the Board the following applications remain incomplete pending background review or receipt of additional information and recommend the Board defer the applications to the February meeting:

***Fresh Start Women's Foundation (Edna Gomez-Green)
George Mortensen
Michele Gilley
Ada Chavira
Carrie Montoya
Pamela Hofmann
Mark Larkin
Dubravka Sinno***

Motion: The Board moved to defer consideration of the following applications to the February meeting:

***Fresh Start Women's Foundation (Edna Gomez-Green)
George Mortensen
Michele Gilley
Ada Chavira
Carrie Montoya
Pamela Hofmann
Mark Larkin
Dubravka Sinno***

Motion Proposals: First Andrew Saper
Second Kelly Dowdle

Motion Results: Pass **LDP 08-226**

3-C: Review, discussion, and possible action regarding pending applications for Business Entity Exemption requests.

East Valley Estate Planning, LLC (Catharine Longman)
Joyce's Services Corporation (Edith Funk)

Individuals Addressing the Board: Karla Clanton

Discussion: Discussion regarding Business Entity Exemption for Valley Estate Planning, LLC.

Valley Estate Planning, LLC, (Catharine Longman)

Motion: Business Entity Exemption to grant East Valley Estate Planning, LLC (Catharine Longman).

Motion Proposals: First Andrew Saper
Second Kelly Dowdle

Motion Results: Pass **LDP 08-227**

Individuals Addressing the Board: Karla Clanton

Discussion: Discussion regarding the status of the application for Joyce's Services Corporation (Edith Funk).

Motion: Defer consideration of the Business Entity Exemption Request of Joyce's Services Corporation (Edith Funk) as the application for certification of the business has been deferred to the next meeting.

Motion Proposals: First Andrew Saper
Second Kelly Dowdle

Motion Results: Pass **LDP 08-228**

CALL TO THE PUBLIC

Individuals Addressing the Board: Les Krambeal

Discussion: None.

ADJOURNMENT

Motion: Adjourn the meeting.

Motion Proposals: First Andrew Saper
Second Cindy Felton

Motion Results: Pass **LDP 08-229**

Time: 12:50 p.m.