

**Arizona Supreme Court
Board of Legal Document Preparers**
Arizona State Courts Building
1501 West Washington, Phoenix, AZ 85007
Conference Room 230
Time 10:00 a.m.

Monday February 25, 2008
Approved Regular Session Minutes

MEMBER ATTENDANCE

Present:

Paul Friedman
Debra Griffin
Andrew Saper
Judge Roland J. Steinle

Telephonically Present:

Cynthia Felton
Kristina Fredericksen
Les Krambeal
Virlynn Tinnell
Carol Wells
Stephanie Gates Wolf

Absent:

Pat Taylor-Yarger

OTHER ATTENDEES

AOC Staff:

Kandace French
Linda Grau
Nina Preston
Kimberly Siddall
Nancy Swetnam
Jenny Lubben
Ruby Hernandez

Guests:

Diana Camacho
Richard Staton
Linda Devine
Mark Harrison
Carolyn Ochs
Sherrene Caley

CALL TO ORDER

Called to Order By: Judge Steinle, Chair

Time: 10:02 a.m.

1) REVIEW AND APPROVAL OF MEETING MINUTES

1-A: *Review of the Regular Session Minutes for the meeting of January 28, 2008.*

1-B: *Review of the Regular and Executive Session Minutes for the meeting of February 25, 2008.*

Individuals Addressing the Board: Linda Grau

Discussion: Staff expect the draft of minutes be available for Board review at the next meeting.

Motion: To defer minutes to March meeting.

Motion Proposals: First: Paul Friedman
Second: Andrew Saper

Motion Results: Pass **LDP 08--041**

2) REVIEW OF PENDING COMPLAINTS

2-A: *Formal Interview with certified legal document preparer Richard Slatin and possible action regarding complaint numbers 04-L035 and 06-L078.*

Individuals Addressing the Board: Linda Grau

Discussion: Board discussed discipline action against Mr. Slatin, on December 17, 2007. Attending the formal interview is Mr. Slatin, and his attorney Mr. Mark Harrison. Mr. Harrison asked to address the Board with a statement. The Board asked questions of Slatin. Mr. Friedman questioned the mediator charge.

Motion: Move to enter Executive Session.

Motion Proposals: First: Judge Steinle
Second: Paul Friedman

Motion Results: Pass **LDP 08-042**

Moved to Executive Session #1

Start: 10:27 a.m.

End: 10:55 a.m.

Motion: Defer the matter to March meeting, and direct staff to meet with Mr. Harrison to come to an agreement on Letter of Concern. Will Consider a motion to dismiss at the next meeting.

Motion Results: Pass **LDP 08-043**

Motion Proposals: First: Judge Steinle
Second: Virlynn Tinnell

Motion Results: Pass **LDP 08-044**

2-B: ***Review, discussion and possible action regarding Hearing Officer Frederick Berry's recommendation report involving Dacoma Stevenson and complaint numbers 04-L052, 05-L024, 05-L076, and 06-L114.***

Individuals Addressing the Board: Nancy Swetnam

Discussion: None

Motion: The Board adopt finding of Facts, and Conclusion of Law and Recommendation the Hearing Officer.

Motion Proposals: First: Judge Steinle
Second: Paul Friedman

Motion Results: Pass **LDP 08-045**

Motion: The Board further moved to adopt the proposed order of revocation as proposed by the Hearing Officer.

Motion Proposals: First: Judge Steinle
Second: Paul Friedman

Motion Results: Pass **LDP 08-046**

Motion: The Board further moved to issue a Cease and Desist Order along with the proposed revocation order consistent with prior findings.

Motion Proposals: First: Judge Steinle
Second: Paul Friedman

Motion Results: Pass **LDP 08-047**

Motion: The Board authorized Judge Steinle to sign the proposed Cease, and Desist order.

Motion Proposals: First: Judge Steinle
Second: Paul Friedman

Motion Results: Pass **LDP 08-048**

2-C: *Report and possible action regarding complaint dismissed by Division Director pursuant to Arizona Code of Judicial Administration § 7-201 (D) (4)(a) and (H)(2)(b):*

Complaint Number NC08-L002

Individuals Addressing the Board: Nancy Swetnam

Discussion: The Director dismiss this complaint pursuant to ACJA § 7-201 to dismiss complaints that are confidential, with prejudice for lack of jurisdiction or without merit.

Motion: The Board dismissed moved complaint number NC08-L00.

Motion Proposals: First: Judge Steinle
Second: Paul Friedman

Motion Results: Pass **LDP 08-049**

3) CERTIFICATION AND ELIGIBILITY

3-A: *Interview with and possible action regarding applicant Linda Devine.*

Individuals Addressing the Board: Kimberly Siddall

Discussion: The Board asked questions of applicant Devine concerning eligibility, and candor.

Motion: The Board moved to deny application for Ms. Devine for lack of legal experience and failure to expose of actions. ACJA 7-201 (E)(2)(c)(1) and ACJA 7-201 (E)(c)(2)(b)(1).

Motion Proposals: First: Les Krambeal
Second: Virlynn Tinnell

Individuals Addressing the Board: Counsel Nina Preston and Linda Grau in reference to ACJA 7-208(E)(3)(B)(6) standard eligibility.

Amended Motion Proposals: The Board agreed to amend ACJA 7-208(E)(3)(B)(6).
Board conducted roll call of member votes. All members approved the motion.
Judge Steinle is recused.

Motion Proposals: First: Les Krambeal
Second: Andrew Saper

Motion Results: Pass **LDP 08-050**
Recusals: Judge Steinle

(Taken out of order)

2) REVIEW OF PENDING COMPLAINTS

2-A: *Formal Interview with certified legal document preparer Richard Slatin and possible action regarding complaint numbers 04-L035 and 06-L078.*

Individuals Addressing the Board: Mark Harrison attorney and Richard Slatin.

Discussion: Mark Harrison attorney for Mr. Slatin advised client has begun continued education requirements, would amend his postcard, and will not refer himself as a mediator unless he is the mediator in the case, and Board consider letter of concern.

Motion: The Board agrees to defer this matter to have the staff meet with Mr. Harrison, and Mr. Slatin in attempt to work out language agreeable for a letter of concern to discuss at next meeting.

Motion Proposals: First: Judge Steinle
Second: Virlynn Tinnell

Motion Results: The Board voted by name, all agreed on motion.

Pass **LDP 08-051**

3-B: Interview with and possible action regarding applicant Sherrene Caley.

Individuals Addressing the Board: Kimberly Siddall

Discussion: Board discussed the bookings of the DUI charges with Ms. Caley
Judge Steinle discussed rebooking to be sometimes problematic.
Mr. Krembeal asked for recommendation from staff.

Motion: The Board granted certification to Ms. Caley.

Motion Proposals: First: Les Krambeal
Second: Andrew Saper

Motion Results: Pass **LDP 08-052**

3-C: Interview with and possible action regarding applicant Diana Camacho.

Individuals Addressing the Board: Kimberly Siddall

Discussion: The Board discussed non-disclosure of the civil action issue with
Ms. Camacho. Board asked staff for a recommendation.

Motion: The Board granted the certification of Ms. Camacho.

Motion Proposals: First Virlynn Tinnell
Second Judge Steinle

Motion Results: Pass **LDP 08-053**

3-D: Interview with and possible action regarding applicant Estate Preservation Services

Individuals Addressing the Board: Kimberly Siddall

Discussion: To defer the interview until their next meeting.

Motion: Defer to the April meeting.

Motion Proposals: First Judge Steinle
Second Virlynn Tinnell

Motion Results: Pass **LDP 08-054**

3-E: *Review, discussion, and possible action regarding request from a previous certified legal document preparer Salina Faaborg.*

Individuals Addressing the Board: Kimberly Siddall

Discussion: The procedure of voluntary surrender of certification versus revocation and reinstatement of certification.

Motion: The Board deny request to reinstate her certification after voluntary surrender was accepted, and directing to Ms. Faaborg to apply for certification.

Motion Proposals: First: Judge Steinle
Second: Cindy Felton

Motion Results: Pass **LDP 08-055**

4) REVIEW OF CERTIFICATION APPLICATIONS

4-A: *Review, discussion, and possible action regarding pending applications for 2007-2009 initial Standard certification.*

Individuals Addressing the Board: Kimberly Siddall

Discussion: Approval of the certification of Erica Shankle.

Motion: Approve certification to Erica Shankle.

Motion Proposals: First: Cindy Felton
Second: Virlynn Tinnell.

Motion Results: Pass **LDP 08-056**
Recusals: Judge Steinle

Discussion: Defer certification of the following applicants to the March Meeting.

Joel Dylong
Victoria Pizzata
Mary Flynn
Christine Jerome
Susan Roff-Fuquay
David Anderson
Frederick Warren
Wayne Tayor
Legal Cowboy, LLC (Wayne Taylor)

Motion: Defer certification to next meeting to allow time for completion of certification applications.

Motion Proposals: First: Virlynn Tinnell
Second: Cindy Felton.

Motion Results: Pass **LDP 08-057**
Recusals: Les Krambeal on Victoria Pizzata

Discussion: Granting certification to Nina Rische.

Motion: Grant certification to Nina Rische.

Motion Proposals: First: Judge Steinle
Second: Cindy Felton

Motion Results: Pass **LDP 08-058**

Discussion: Judge Steinle to sign Consent Agreement and Granting certification to Lindsay E. Cline.

Motion: The Board moved to have Judge Steinle sign the Consent Agreement and grant certification to Lindsay E. Cline.

Motion Proposals: First: Paul Friedman
Second: Cindy Felton

Motion Results: Pass **LDP 08-059**

Discussion: Withdrawl of the business application of Balvina Loera of C.A. Leasing & Property Management.

Motion: The Board withdraw the business application to Balvina Loera of C.A. Leasing & Property Management, Inc.

Motion Proposals: First: Virlynn Tinnell
Second: Judge Steinle

Motion Results: Pass **LDP 08-060**

Discussion: Requesting Legal advice regarding Daniel Gray's certification reinstatement.

Motion: To move into Executive Session.

Motion Proposals: First: Cindy Felton
Second; Paul Friedman

Motion Results: Pass **LDP 08-061**

Moved to Executive Session #2

Start 11:15 a.m.

End 11:22 a.m.

Discussion: Discussed requirement of continuing Education for Mr. Gray and advice of Council.

Motion: The Board moved to defer Mr. Gray's certification until next April meeting.

Motion Proposals: First Paul Friedman
Judge Steinle

Motion Results: Pass **LDP 08-062**

4-B: ***Review, discussion, and possible action regarding pending applications for Business Entity Exemption requests.***

Legal Cowboy, LLC (Wayne Taylor)

Individuals Addressing the Board: Kimberly Siddall

Discussion: The Board defer to the April meeting.

Motion: The Board moved to defer Legal Cowboy, LLC (Wayne Taylor) to April meeting.

Motion Proposals: First Judge Steinle
Second Paul Friedman

Motion Results: Pass **LDP 08-063**

CALL TO THE PUBLIC

Individuals Addressing the Board: Judge Steinle

Discussion: No public appeared.

ADJOURNMENT

Motion: Adjourn the meeting.

Motion Proposals: First: Judge Steinle
Second: Paul Friedman

Motion Results: Pass **LDP 08-064**

Time: 11:23a.m.

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