

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

June 23, 2008
12:00 p.m. – 1:00 p.m.

Approved Regular Session Minutes

MEMBER ATTENDANCE

Present:

Roland Steinle
Paul Friedman
Les Krambeal
Andrew Saper

Telephonically Present:

Cynthia Felton
Kristina Fredricksen
Debra Griffin
Virlynn Tinnell
Stephanie Gates Wolf

Absent:

Pat Taylor-Yarger
Carol Wells

OTHER ATTENDEES

AOC Staff:

Linda Grau
Karla Clanton
Nina Preston
Kimberly Siddall
Nancy Swetnam
Ruby Hernandez
Jenny Lubben
Minnie Samaniego
Evelyn Loza

Guests:

Dawn Fountain
Russell Ehlinger

CALL TO ORDER

Called to Order By: Judge Steinle

Time: 12:02 p.m.

1) **REVIEW AND APPROVAL OF MEETING MINUTES**

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

1-B: *Review and approval of the Regular Session Minutes for the meeting of April 21, 2008.*

1-C: *Review and approval of the Regular Session Minutes for the meeting of May 19, 2008.*

Individuals Addressing the Board: Linda Grau

Discussion: To defer January, April, and May minutes to the July meeting.

Motion: Board moved to defer review of the January 28, 2008, April 21, 2008 and May 19, 2008 to the July meeting.

Motion Proposals: First Judge Steinle
Second Paul Friedman

Motion Results: Pass **LDP 08-113**

2) **REVIEW OF PENDING COMPLAINTS**

2-A: *Review, discussion, and possible action regarding pending formal disciplinary action and possible Consent Agreement involving Richard Slatin and complaint numbers 04-L035 and 06-L078.*

Individuals Addressing the Board: Nancy Swetnam

Discussion: Ms. Swetnam asked the Board to vacate this agenda item as the matter was resolved at the last meeting. The approved Consent Agreement is pending Judge Steinle's signature.

2-B: Review, discussion, and possible action regarding Hearing Officer David Pennartz' Recommendation Report regarding Russell Ehlinger, Mtn Holiday, Inc, and complaint numbers 03-L004, 04-L020, 04-L076, 05-L003, and 05-L109.

Individuals Addressing the Board: Nancy Swetnam

Discussion: Ms. Swetnam recommended the Board suspend the legal document preparer certificates of Mr. Ehlinger and Mtn. Holiday for a period of no less than 180 days and issue a Cease and Desist Order for the period of suspension.

Motion: Board moved to adopt the Findings of Facts , Conclusion of Law of the Hearing Officer.

Motion Proposals:

First	Paul Friedman
Second	Judge Steinle
Recusals	Kristina Fredricksen

Motion Results: Pass **LDP 08-114**

Motion: Board moved to adopt the sanctions recommended by the Hearing Officer including the 180 day suspension of the certificates, issuance of the Cease and Desist Order for the period of the suspension, ordering Mr. Ehlinger to complete 5 additional hours of continuing education, impose a civil penalty in the amount of \$500 per found violation, and assess cost of the investigations and disciplinary proceedings.

Motion Proposals:

First	Judge Steinle
Second	Andrew Saper
Recusals	Kristina Fredricksen

Motion Results: Pass **LDP 08-115**

Motion: Board moved to authorize chair to sign Final Order.

Motion Proposals:

First	Judge Steinle
Second	Paul Friedman
Recusals	Kristina Fredricksen

Motion Results: Pass **LDP 08-116**

2-C: Review, discussion, and possible action regarding Hearing Officer Craig Tindall's Recommendation Report regarding Juile Haigh, Majestic's Paralegal Center and complaint numbers 05-L048 , 06-L112, and 07-L028.

Individuals Addressing the Board: Nancy Swetnam

Discussion: Ms. Swetnam recommended the Board adopt the Hearing Officer Findings of Facts and Conclusion of Law and to impose the proposed disciplinary sanctions. Ms. Swetnam also recommends the Board issue a Cease and Desist Order enjoining Haigh and Majestic's Paralegal Center from preparing legal documents for the period of the proposed suspension of certification.

Motion: Board moved to adopt the Findings of Facts and Conclusions of the Law from the Hearing Officer.

Motion Proposals: First Judge Steinle
Second Paul Friedman
Recusals Virlynn Tinnell

Motion Results: Pass **LDP 08-117**

Motion: Board moved to adopt the proposed sanctions recommended by the Hearing Officer including suspension of the certifications, issuance of the Cease and Desist Order for the period of the suspension, Ms. Haigh to complete an additional 15 hours of continuing education, ordering reimbursement to consumers Lonnie G. Dillard, and the Estates of Mailn and Kispert, assess costs of the investigations and disciplinary proceedings, and impose civil penalties in the amount of \$250 per found violation.

Motion Proposals: First Judge Steinle
Second Paul Friedman
Recusals Virlynn Tinnell

Motion Results: Pass **LDP 08-118**

Motion: Board moved to authorize chair to sign the Final Order.

Motion Proposals: First Judge Steinle
Second Paul Friedman
Recusals Virlynn Tinnell

Motion Results: Pass **LDP 08-119**

2-D: Review, discussion and possible action pursuant to Arizona Code of Judicial Administration §7-201 (H)(11) regarding Deanne Vinsant, ABC Paralegal Services, Inc., and complaint numbers 06-L086, 07-L031, 07-L037, 07-L041, 07-L056, and 07-L065.

Individuals Addressing the Board: Nancy Swetnam

Discussion: Ms. Swetnam confirmed Ms. Vinsant and ABC Paralegal Services, Inc. were served and failed to file the required Answer. Ms. Swetnam recommended the Board adopt the Factual Allegations of Misconduct contained in the Notice as Findings of Fact, adopt the Formal Charges as the Conclusion of Law, and order the Proposed Disciplinary Sanctions.

Motion: Board moved to enter finding Ms. Vinsant and ABC Paralegal Services, Inc. are in default, adopt the factual allegations contained in the Notice of formal statement of charges as the Findings of Fact, adopt the formal charges as the Conclusion of Law.

Motion Proposals: First Paul Friedman
Second Andrew Saper
Recusals Judge Steinle

Motion Results: Pass **LDP 08-120**

Motion: Board moved to adopt the proposed Final Order including the revocation of Ms. Vinsant's individual certification, issuance of a Cease and Desist Order, order Ms. Vinsant to complete 20 additional hours of continuing education, assess costs of the investigations, and impose a civil penalty in the amount of \$250 per found violation.

Motion Proposals: First Paul Frideman
Second Andrew Saper
Recusals Judge Steinle

Motion Results: Pass **LDP 08-121**

Motion: Board moved to have Andrew Saper, Vice Chair sign the Final Order on behalf of the full Board.

Motion Proposals: First Paul Frideman
Second Kristina Fredricksen
Recusals Judge Steinle

Motion Results: Pass **LDP 08-122**

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

Complaint Number: 04-L057 – Robert Hall and RLH Group

Complaint Number: 04-L064 – Betty Ulibari

Complaint Number: 04-L075 – Tao Hguyen and T&J Legal Service Center

Individuals Addressing the Board: Nancy Swetnam

Discussion: Ms. Swetnam presented the finding of the Probable Cause Evaluator in complaint number 04-L057. Ms. Swetnam recommended the Board dismiss the complaint.

Motion: Board moved to dismiss complaint number 04-L057.

Motion Proposals: First Judge Steinle
Second Paul Friedman

Motion Results: Pass **LDP 08-123**

Discussion: Ms. Swetnam recommends the Board accept the findings of the Probable Cause Evaluator and dismiss Allegation 1 of complaint number 04-L064. Regarding Allegation 2, Ms. Swetnam recommended the Board enter a finding grounds for informal disciplinary action exist and issue a Letter of Concern.

Motion: Board moved to dismiss Allegation 1 of complaint number 04-L064.

Motion Proposals: First Judge Steinle
Second Virlynn Tinnell

Motion Results: Pass **LDP 08-124**

Motion: Board moved to enter a finding ground for informal disciplinary action does exist as to Allegation 2 of complaint number 04-L064 and issues a Letter of Concern.

Motion Proposals: First Judge Steinle
Second Paul Friedman

Motion Results: Pass **LDP 08-125**

Discussion: Ms. Swetnam recommended the board dismiss Allegation 1. Regarding Allegation 2, Ms. Swetnam recommended the Board enter a finding that grounds for informal disciplinary action exists and issues a Letter of Concern.

Motion: Board moved to dismiss Allegation 1 of complaint number 04-L075.

Motion Proposals: First Judge Steinle
Second Paul Friedman

Motion Results: Pass **LDP 08-126**

Motion: Board moved to adopt the recommendation grounds for informal disciplinary action does exist to Allegation 2 and issues a Letter of Concern for complaint number 04-L075.

Motion Proposals: First Judge Steinle
Second Paul Friedman

Motion Results: Pass **LDP 08-127**

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

Complaint Number: NC07-L059 – Joe Banner

Complaint Number: NC06-L068 – Lari Bridgeford

Complaint Number: NC07-L066 – JurDoc, LLC

Complaint Number: NC07-L021 – Johnson and Associates

Complaint Number: NC07-L069 – Michael K. Hawkins

Complaint Number: NC06-L037 – Harry Gale

Complaint Number: NC08-L022 – Arizona Divorce Online

Complaint Number: NC08-L024 – James Nord

Complaint Number: NC07-L043 – Salicido Accounting

Complaint Number: NC07-L044 – RCS Preliminary Lien Services, LLC

Complaint Number: NC08-L025 – Jeremy Reidy

Complaint Number: NC08-L020 – Patricia Milino/Document Diva

Individuals Addressing the Board: Nancy Swetnam

Discussion: Ms. Swetnam provided the Board with the status of the above referenced non-certificate holder complaints.

Motion: Board moved to close the following non-certificate holder complaints.

Joe Banner

Lari Bridgeford

JurDoc, LLC

Johnson and Associates

Michael K. Hawkins

Motion Proposals: First Judge Steinle
Second Paul Friedman

Motion Results: Pass **LDP 08-128**

Motion: Board moved to close the following non-certificate holder complaints.

Harry Gale
Arizona Divorce Online

Motion Proposals: First Judge Steinle
Second Paul Friedman

Motion Results: Pass **LDP 08-129**

Motion: Board moved for James Nord complaint number NC08-L024 to appear before the Board at the July meeting to address the allegations Mr. Nord is providing legal document preparation services without certification.

Motion Proposals: First Paul Friedman
Second Judge Steinle

Motion Results: Pass **LDP 08-130**

Motion: Board moved to issue a Cease and Desist Letter to Salicido Accounting and close compliant number NC07-L043.

Motion Proposals: First Paul Friedman
Second Judge Steinle

Motion Results: Pass **LDP 08-131**

Motion: Board moved to petition the Superior Court for a Cease and Desist Order against Patricia Milino and the Document Diva pursuant to Arizona Code of Judicial Administration regarding complaint number NC08-L020.

Motion Proposals: First Paul Friedman
Second Judge Steinle

Motion Results: Pass **LDP 08-132**

Motion: Board moved to issue a Cease and Desist Letter to RCS Preliminary Lien Service, LLC regarding complaint number NC07-L044.

Motion Proposals: First Virlynn Tinnell
Second Andrew Saper

Motion Results: Pass **LDP 08-133**

Motion: Board moved to for Jeremy Reidy complaint number NC08-L025 to appear before the Board at the July meeting to address the allegation he is providing legal document preparation services without certification.

Motion Proposals: First Paul Friedman
Second Andrew Saper

Motion Results: Pass **LDP 08-134**

3 REVIEW OF CERIFICATION APPLICATIONS

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

Edith J. Funk
Deborah A. Posey
Josephine Mack
Georgi Willis
Lisa Canedy
Lorianne Elizade
Salina Faaborg
Juana Wall
Catharine Longman
Loray Bassani
Dawn Fountain
Paralegal Pros Legal Services (Kristen Rhoad)
Preliminary Notice Company, LLC (Juana Wall)

Individuals Addressing the Board: Kimberly Siddall

Discussion: Ms. Siddall recommended the Board grant standard certification to applicant Edith J. Funk.

Motion: Board moved to grant standard certification to applicant Edith J. Funk.

Motion Proposals: First Les Krambeal
Second Andrew Saper

Motion Results: Pass **LDP 08-135**

Discussion: Ms. Siddall recommended the applicants referenced below be deferred to July meeting.

Deborah A. Posey
Josephine Mack
Lorianne Elizalde
Paralegal Pros Legal Service (Kristen Rhoad)
Dawn Fountain

Motion: Board moved to defer applicants for July meeting.

Motion Proposals: First Judge Steinle
Second Paul Friedman

Motion Results: Pass **LDP 08-136**

Discussion: Ms. Siddall recommended the applicants referenced below be granted standard certification:

Lisa Canedy
Salina Faaborg
Loray Bassani

Motion: Board moved to grant standard certification to applicants.

Motion Proposals: First Virlynn Tinnell
Second Andrew Saper

Motion Results: Pass **LDP 08-137**

Discussion: Ms. Siddall provided the Board with information relative to the application for certification regarding Juana Wall.

Motion: Board moved to grant standard certification to applicant Juana Wall.

Motion Proposals: First Judge Steinle
Second Virlynn Tinnell

Motion Results: Pass **LDP 08-138**

Discussion: Ms. Siddall recommended standard certification be granted to Catharine Longman and recommended the applicant be required to submit an Affidavit stating she understands and will comply with provisions ACJA § 7-201 & 7-208 and Supreme Court Rule 31 regarding the unauthorized practice of law.

Motion: Board moved to grant standard certification and require applicant to submit an Affidavit.

Motion Proposals: First Paul Friedman
Second Andrew Saper

Motion Results: Pass **LDP 08-139**

Discussion: Ms. Siddall provided information regarding the business applicant Preliminary Notice Company, LLC (Juana Wall). Ms. Siddall recommended standard certification be granted.

Motion: Board moved to grant Standard certification.

Motion Proposals: First Judge Steinle
Second Andre Saper

Motion Results: Pass **LDP 08-140**

Discussion: Ms. Siddall recommends the Board invite Georgi Ana Willis to the July meeting.

Motion: Board moved to invite applicant to July meeting to discuss the pending application.

Motion Proposals: First Paul Friedman
Second Judge Steinle

Motion Results: Pass **LDP 08-141**

3) REVIEW OF CERTIFICATION APPLICATIONS

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

Preliminary Notice Company, LLC (Juana Wall)

Individuals Addressing the Board: Kimberly Siddall

Discussion: Ms. Siddall recommended the Board grant the Business Entity Exemption status to Preliminary Notice Company, LLC.

Motion: Board moved to grant the Business Entity Exemption Preliminary Notice Company, LLC.

Motion Proposals: First Judge Steinle
Second Paul Friedman

Motion Results: Pass **LDP 08-142**

4) **ADMINISTRATIVE ISSUES**

4-B: Discussion regarding the status of recruitment of board members for vacating positions.

Individuals Addressing the Board: Linda Grau

Discussion: Ms. Grau noted this was the last scheduled meeting for Judge Steinle, Virlynn Tinnell, and Carol Wells. Ms. Grau expressed appreciation for their service and dedication. Ms. Grau reported Division staff has conducted a recruitment for appointment candidates for the present vacancies. Division staff continue to work through the processing the received application to the Chief Justice. Staff hopes appointments of new members will occur before the September meeting.

CALL TO THE PUBLIC

Individuals Addressing the Board: No Response.

ADJOURNMENT

Motion: Adjourn the meeting.

Motion Proposals: First Judge Steinle
Second Virlynn Tinnell

Motion Results: Pass **LDP 08-143**

Time: 12:58 p.m.

EL