

# **Board of Legal Document Preparers**

Arizona State Courts Building  
1501 West Washington Street, Phoenix, Arizona 85007  
Conference Room 109  
Date: September 15, 2008  
Time: 10:00 a.m. – 2:00 p.m.

## **Approved Regular Meeting Minutes**

### **MEMBER ATTENDANCE:**

#### **Present:**

Andrew Saper  
Paul Friedman  
Les Krambeal

#### **Telephonically Present:**

Cynthia Felton  
Kristina Frederickson  
Debra Griffin  
Stephanie Dawn Gates Wolf

#### **Absent:**

Pat Taylor-Yarger

### **OTHER ATTENDEES**

#### **AOC Staff:**

Linda Grau  
Tony Posante  
Nina Preston  
Kimberly Siddall  
Nancy Swetnam  
Ruby Hernandez  
Karla Clanton

#### **Guests:**

Ken Rhodes

---

### **CALL TO ORDER**

*Called to Order By:* Andrew Saper

**Time:** 10:12 a.m.

---

**1) REVIEW AND APPROVAL OF MINUTES**

**1-A:** *Review , and approval of the Regular Session Minutes for the meeting of June 23, 2008.*

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

**Individuals Addressing the Board:** Linda Grau

**Discussion:** To defer June and July minutes to the October meeting.

**Motion:** Board moved to defer June 23, 2008, and July 21, 2008 regular session minutes the October meeting.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 08-163**

---

**2) REVIEW OF PENDING COMPLAINTS**

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

**07-L012:** *Vanessa Henderson and Arizona Legal Specialist LLC*

**08-L027:** *Vanessa Henderson and Arizona Legal Specialist LLC*

**Individuals Addressing the Board:** Nancy Swetnam

**Discussion:** Staff recommends the Board enter a finding that the violations are grounds for disciplinary action. Legal Counsel Nina Preston advised the Board to clarify if discipline for formal charges exists, and to enter separate motions if the allegations are to be consolidated.

**Motion:** Board moved to dismiss allegation #1, of complaint number 07-L012 and 08-L027, and recommend that grounds for formal discipline action exists against Mrs. Henderson and Arizona Legal Specialists in allegations #2 through #6 pursuant to ACJA §7-201

(H)(6)(a), (H)(6)(d), (H)(6)(j) and (H)(6)(k)(2) for acts of misconduct involving ACJA § 7-201 (F)(1), (F)(5)(a), ACJA § 7-208 (F)(2), (F)(3), (F)(5)(c)(1), (F)(6)(c), (J)(2)(c), (J)(2)(d), (J)(4)(b), and (j)(5)(a).

**Motion Proposals:** First Andrew Saper  
Second Paul Friedman

**Motion Results:** Pass **LDP 08-164**

**Individuals Addressing the Board:** Nancy Swetnam

**Discussion:** Staff recommends the Board find grounds for formal disciplinary actions against Mrs. Henderson and Arizona Legal Specialists, LLC in complaint number 08-L027, and previous complaint number 07-L012.

**Note:** Cindy Felton has joined telephonically.

**Time:** 10:15 a.m.

**Motion:** Board moved for grounds of disciplinary action with regards to complaint 08-L027 in allegations #2 and #3.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 08-165**

**Further Motion:** Board moved to consolidate complaint number 08-L027 with complaint number 07-L012.

**Motion Proposals:** First Les Krambeal  
Second Paul Friedman

**Motion Results:** Pass **LDP 08-166**

**Further Motion:** Board moved to adopt the recommendation of the Division Director with regards to consolidation of complaint number 07-L012, with complaint number 08-L027, to dismiss allegation #1, to proceed in the issuance of Notice of Formal Charges that Mrs. Henderson be suspended for not less than 1 year, a Cease and Desist Order be signed by Andrew Saper, that Mrs. Henderson undergo 10 additional hours of continuing education on Civil Procedure, and pay costs and civil penalties in accordance with the Notice of Formal charges in the consolidate complaints, and to dismiss allegations #2 through #6 in complaint number 07-L012, allegations #2 and #3 in complaint number 08-L027.

**Motion Proposals:** First Andrew Saper  
Second Paul Friedman

**Motion Results:** Pass **LDP 08-167**

**2-B: Review, discussion and possible action regarding non-certificate holder complaint number NC08-L024 involving former certificate holder James Nord:**

**Individuals Addressing the Board:** Nancy Swetnam

**Discussion:** Staff advised the Board Mr. Nord stated he did not receive the Cease and Desist Letter the Board sent on March 17, 2008, Staff recommended petitioning the Superior Court to issue a Cease and Desist Order.

**Note: Debra Griffin has joined telephonically**  
**Time: 10:39 a.m.**

**Motion:** Board moved to have the Superior Court issue a Cease and Desist Order to Mr. Nord pursuant to ACJA § 7-201 (E)(6) and ACJA § 7-208 (E)(1).

**Motion Proposals:** First Les Krambeal  
Second Paul Friedman

**Motion Results:** Pass **LDP 08-168**

**2-C: Review, discussion and possible action regarding the Division Director dismissal of complaint number NC08-L038:**

**Individuals Addressing the Board:** Nancy Swetnam

**Discussion:** Staff advised the Board to affirm the dismissal of the complaint by the Division Director.

**Motion:** Board moved for dismiss complaint number NC08-L038 pursuant ACJA § 7-201 (H)(1)(g)(3).

**Motion Proposals:** First Cindy Felton  
Second Les Krambeal

**Motion Results:** Pass **LDP 08-169**

---

### 3) REVIEW OF CERTIFICATION APPLICATIONS

**3-A: Review, and discussion regarding the request of Jace Cunningham a.k.a. Jace Gaston for reinstatement of her revoked license:**

**Individuals Addressing the Board:** Karla Clanton

**Discussion:** Staff advised the Board to defer reinstatement to the October meeting to determine if Mrs. Cunningham has been in compliance with the stipulations of the Cease and Desist Order.

**Motion:** Board moved to defer Agenda Item 3-A to the October meeting.

**Motion Proposals:** First Paul Friedman  
Second Les Krambeal

**Motion Results:** Pass **LDP 08-170**

**3-B: Review, and discussion and possible action regarding pending applications 2007-2009 Standard certifications**

*Legalezeusa, LLC (Dan Fore)*  
*Paralegal Consultants, Inc. (Loray Bassani)*  
*Nannette Jones*  
*Jennette Heath*  
*Michelle Buckley*  
*Michelle Heartsong*  
*Vicki Morgan*  
*Kellie Dicarlo*  
*Arizona Legal Document Services, LLC (Kellie DiCarlo)*  
*Amy Swain*  
*Carefree Document Services, LLC (Amy Swain)*  
*Florence Paralegal Services, LLC (Elizabeth Freeman)*  
*Dawn Fountain*  
*Asset Research Services, Inc (Cheryl Thurman)*  
*Samantha Whittle*  
*Jeannie Collins*  
*Susan Rhodes*  
*Lifeline Estate Services, LLC (Susan Rhodes)*  
*Jill Zimmerman*

*Louise Kioski*  
*Josephine Mack*  
*Leslie Billings:*

**Individuals Addressing the Board:** Karla Clanton

**Discussion:** Staff advised the Board to grant certification to applicants 1 through 12, and number 14.

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

***Legalezeusa, LLC (Dan Fore)***  
***Paralegal Consultants, Inc (Loray Bassani)***  
***Nannette Jones***  
***Jennette Heath***  
***Michelle Buckley***  
***Michelle Heartsong***  
***Vicki Morgan***  
***Kellie DiCarlo***  
***Arizona Legal Document Services, LLC (Kellie DiCarlo)***  
***Amy Swain***  
***Carefree Document Services, LLC (Amy Swain)***  
***Florence Paralegal Services, LLC (Elizabeth Freeman)***  
***Asset Research Services, Inc (Cheryl Thurman)***

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 08-171**

**Individuals Addressing the Board:** Karla Clanton

***Applicant: Dawn Fountain:***

**Discussion:** Staff advised the Board to grant certification provided she use cautionary language sent in e-mails.

**Motion:** Board moved to defer certification to applicant Dawn Fountain for review of the documentation pertaining to items e-mailed to the State Bar from Staff, to the October meeting:.

**Motion Proposals:** First Les Krambeal  
Second Andrew Saper

**Motion Results:** Pass **LDP 08-172**

**Individuals Addressing the Board:** Karla Clanton

**Discussion:** Staff advised the Board the applications of the following entities or individuals are complete. It is recommendation to grant certification to business entity or individual applicant:

*Samantha Whittle*  
*Jeannie Collins*  
*Susan Rhodes*  
*Lifeline Estate Services, LLC (Susan Rhodes)*  
*Jill Zimmerman*

**Motion:** Board moved to grant certification to the following business entity or individual applicant:

*Samantha Whittle*  
*Jeannie Collins*  
*Susan Rhodes*  
*Lifeline Estate Services, LLC (Susan Rhodes)*  
*Jill Zimmerman*

**Motion Proposals:** First Paul Friedman  
Second Les Krambeal

**Motion Results:** Pass **LDP 08-173**

**Individuals Addressing the Board:** Karla Clanton

*Applicant Louise Kioski*

**Discussion:** Staff advised the Board to defer certification of applicant Louise Kioski to allow staff to obtain necessary application documentation or information.

**Motion:** Board moved to defer consideration of certification of Louise Kioski to the October meeting.

**Motion Proposals:** First Paul Friedman  
Second Les Krambeal

**Motion Results:** Pass **LDP 08-174**

**Individuals Addressing the Board:** Karla Clanton

*Josephine Mack*

**Discussion:** Staff provided the Board with the status of the application of Josephine Mack and staff's attempts to obtain information and eligibility documentation. Staff advised the Board to deny certification of Josephine Mack for failure to respond to staff inquiries or furnish requested information.

**Motion:** Board moved to defer certification to applicant Josephine Mack

pursuant ACJA § 7-201 (E)(2)(c)(2)(b)(xvi) for failing to respond or furnish information to division staff or the Board when the information is legally requested and is in the applicant's control or is reasonably available to the applicant and pertains to certification inquiries and ACJA § 7-201 (E)(2)(c)(1) for the applicant failing to meet the qualifications or eligibility requirements at the time of the application or not submitting a completed application with all deficiencies corrected recommended by staff.

**Motion Proposals:** First Les Krambeal  
Second Paul Friedman

**Motion Results:** Pass **LDP 08-175**

**Note: Board entered into Executive Session.**  
**Time: 10:56 a.m.**

**Note: Board returned to Regular Session.**  
**Time: 11:03 a.m.**

**Individuals Addressing the Board:** Karla Clanton

***Leslie Billings***

**Discussion:** Staff provided the Board with the status of the application of Leslie Billings and the information obtained by staff in the application process.

**Motion:** Board moved to deny certification pursuant to ACJA § 7-201(E)(2)(c)(2)(b)(ii) for committing any act constituting material misrepresentation, omission, fraud, dishonesty or corruption in business or financial matters and ACJA § 201(E)(2)(c)(2)(b)(viii) for having a termination, suspension, probation or any other disciplinary action regarding past employment if the underlying conduct is relevant to the certification sought.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 08-176**

**3-C: Review, and discussion and possible action regarding pending applications for Business Entity Exemption for the following applicants:**

***Paralegal Consultants, Inc. (Loray Bassani)***  
***Carefree Document Services, LLC (Amy Swain)***

**Individuals Addressing the Board:** Karla Clanton

**Discussion:** Staff provided the necessary information to the Board and recommended the Board grant Business Entity Exemption.

**Motion:** Board moved to grant Business Entity Exemption to the following business entities:

***Paralegal Consultants, Inc. (Loray Bassani).  
Carefree Document Services, LLC (Amy Swain)***

**Motion Proposals:** First Les Krambeal  
Second Paul Friedman

**Motion Results:** Pass **LDP 08-177**

**3-D:** *Review, discussion, and possible action regarding Inactive Status request received from certified legal document preparer Carmen Burnett, certification number 80983.*

**Individuals Addressing the Board:** Karla Clanton

**Discussion:** Staff provided the board with the necessary information regarding the request for inactive status and recommended the Board accept the applicant's request for inactive status

**Motion:** Move to grant inactive status to Carmen Burnett, certification number 80983.

**Motion Proposals:** First Cindy Felton  
Second Stephanie Dawn Gates Wolf

**Motion Results:** Pass **LDP 08-178**

---

#### **4) CERTIFICATION AND ELIGIBILITY**

**4-A:** *Review, discussion and possible action regarding Hearing Officer Andrew Marshall's Order Re: Findings of Fact Conclusions of Law and Recommendations regarding the denial of certification of applicant Mary Flynn.*

**Individuals Addressing the Board:** Karla Clanton

**Discussion:** Staff recommended accepting the findings recommended by

Hearing Officer Andrew Marshall's Order.

***Motion:*** Board moved to accept and affirm denial of applicant Mary Flynn as recommended by Hearing Officer Andrew Marshall's Order Re: Finding of Fact Conclusions of Law and Recommendations regarding the denial of certification of applicant Mary Flynn.

***Motion Proposals:*** First Paul Friedman  
Second Andrew Saper

***Motion Results:*** Pass **LDP 08-179**

---

## **CALL TO THE PUBLIC**

***Individuals Addressing the Board:*** Andrew Saper

***Discussion:*** None.

---

## **ADJOURNMENT**

***Motion:*** Adjourn the meeting.

***Motion Proposals:*** First Andrew Saper  
Second Cynthia Felton

***Motion Results:*** Pass **LDP 08-180**

***Time:*** 11:10 a.m.

**rh**

**Y:\Boards, Committees, Commissions\MINUTES TEMPLATE FOR ALL BOARDS\Template Regular Session.doc**