

**Supreme Court Board of Legal Document Preparers**

Arizona State Courts Building  
1501 West Washington, Phoenix, AZ 85007  
Conference room 119A  
10:00 a.m. – 2:00 p.m.

February 26, 2007  
Approved Regular Session Minutes

**MEMBER ATTENDANCE**

**Members Present:**

Judge Roland Steinle  
Frank Costanzo  
Mary Ellen Carlton  
Vellia M. Pina  
Cynthia S. Felton  
Jeffrey Ward Sturm

**Telephonically Present:**

Virlynn Tinnell  
Carol L. Wells  
Dr. Roger Hartley  
Les Krambeal  
Kristina Fredericksen

**OTHER ATTENDEES**

**AOC Staff Present:**

Linda Grau  
Nina Preston  
Kimberly Siddall  
Kandace French  
Maryanne Baiza  
Rhonda Simmons  
Tony Posante  
Nancy Swetnam

**Guests:**

Gary Moser  
Joe Glennon

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**CALL TO ORDER**

***Called to Order By:***

Judge Roland Steinle, Chair

***Time:***

10:10 a.m.

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

***1-A: Regular Session Minutes for the meeting of December 18, 2006.***

***Individuals Addressing the Board:*** Judge Roland Steinle

**Discussion:** The Regular Session Minutes of December 18, 2006 were reviewed and discussed with technical amendments submitted by Mary Carlton.

**Motion:** Moved to adopt the Regular Session Minutes for the meeting of December 18, 2006 with technical amendments.

**Motion Proposals:** First Mary Carlton  
Second Vellia Pina  
Abstained Cynthia Felton, Ward Sturm

**Motion Results:** Pass LDP-07-30

***1-B: Regular and Executive Session Minutes for the meeting of January 29, 2007.***

**Individuals Addressing the Board:** Linda Grau

**Discussion:** Recommended that the Board defer consideration of the Regular Session and Executive Session Minutes of January 29, 2007, to the March meeting.

**Motion:** Moved to defer as recommended by staff to the meeting of March 26, 2007.

**Motion Proposals:** First Mary Carlton  
Second Virlynn Tinnell

**Motion Results:** Pass LDP-07-31

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**2) REVIEW OF PENDING COMPLAINTS**

**Agenda Item 2-B was taken out of order.**

**2-B:** *Review, discussion, and possible action regarding the following complaints:*

- 04-L006 – AAA Legal Services, Inc.
- 06-L102 – AAA Legal Services, Inc.
- 06-L119 – AAA Legal Services, Inc.

**Individuals Addressing the Board:** Nancy Swetnam

**Discussion:** The Board discussed the documents submitted to Board regarding the above three listed complaints involving AAA Legal Services, Inc.

Staff recommended on Complaint Number 04-L006 – AAA Legal Services, Inc. the Board accept the finding of the Probable Cause Evaluator that probable cause does not exist the alleged act(s) of misconduct occurred and dismiss this complaint.

**Motion:** Moved to dismiss Complaint Number 04-L006 as recommended.

**Motion Proposals:** First Judge Roland Steinle  
Second Cynthia Felton

**Motion Results:** Pass LDP-07-32

**Discussion:** Review of complaint number 06-L102 – AAA Legal Services, Inc. There has been a finding of probable cause by the Probable Cause Evaluator and it is recommended the Board enter a finding that grounds for informal disciplinary action exists pursuant to ACJA § 7-201 (H)(7) and issue a Letter of Concern to AAA Legal Services, Inc. and the business entities designated principal, Joseph Glennon pursuant to ACJA § 7-201 (H)(24)(a)(6)(a).

**Motion:** Moved to find grounds for informal discipline exists and to issue a Letter of Concern to AAA Legal Services, Inc. and Joseph Glennon.

**Motion Proposals:** First Mary Carlton  
Second Judge Roland Steinle

**Motion Results:** Pass LDP-07-33

**Discussion:** Review of complaint number 06-L119 – AAA Legal Services, Inc. there was probable cause found that AAA Legal Services, Inc. engaged in the alleged act(s) of misconduct. It is recommended the Board enter a finding grounds for informal disciplinary action exists pursuant to ACJA § 7-201 (H)(7) and issue a Letter of Concern to AAA Legal Services, Inc. and the business entities designated principal, Joseph Glennon pursuant to ACJA § 7-201 (H)(24)(a)(6)(a).

**Motion:** Moved to find grounds for informal discipline exists and to issue a Letter of Concern to AAA Legal Services, Inc. and Joseph Glennon.

**Motion Proposals:** First Cynthia Felton  
Second Mary Carlton

**Motion Results:** Pass LDP-07-34

**2-C: Review of complaints dismissed by Division Director, pursuant to Arizona Code of Judicial Administration § 7-201 (D)(4)(a) and (H)(2)(b):**

**Complaint Number 07-L002**

**Complaint Number 07-L003**

**Complaint Number 07-L004**

**Individuals Addressing the Board:** Nancy Swetnam

**Discussion:** Ms. Swetnam provides that the three complaints listed are confidential and not a matter of public record pursuant to ACJA § 7-201.

All complaints have been dismissed by Division Director Nancy Swetnam pursuant to the authority that exists under ACJA § 7-201. Pursuant to ACJA § 7-201(H)(2)(d) it is required that the Board review the dismissal.

It is recommended the Board affirm the Division Director dismissals in Complaint Numbers 07-L002, 07-L003, and 07-L004.

**Motion:** **Complaint Number 07-L002:** Moved to affirm the Division Director's dismissal order.

**Motion Proposals:** First Frank Costanzo  
Second Judge Roland Steinle

**Motion Results:** Pass LDP-07-35

**Discussion:** **Complaint Number 07-L003:** Order was to dismiss due to the fact the alleged act(s) of misconduct fall outside the jurisdiction of the Arizona Supreme Court. Recommendation for the Board to affirm the dismissal order with prejudice and refer this complaint to the Arizona Department of Corrections.

**Motion:** Moved to affirm the Division Director's dismissal order.

**Motion Proposals:** First Frank Costanzo  
Second Judge Roland Steinle

**Motion Results:** Pass LDP-07-36

**Amended Motion:** Moved to affirm the Division Director's dismissal order with prejudice and refer the matter to the Department of Corrections.

**Motion Proposals:** First Frank Costanzo  
Second Cynthia Felton

**Motion Results:** Pass LDP-07-37

**Amended Motion:** Amended motion for **Complaint Number 07-L002:** *Moved to* affirms the Division Director's dismissal order with prejudice and refer the matter to the State Bar of Arizona.

**Motion Proposals:** First Ward Sturm  
Second Frank Costanzo

**Motion Results:** Pass LDP-07-38

**Discussion:** Complaint Number 07-L004: Order was to dismiss due to the fact the alleged act(s) of misconduct fall outside the jurisdiction of the Board. Recommendation for the Board to affirm the Division Director's dismissal order with prejudice and refer this complaint to the State Bar of Arizona.

**Motion:** Moved to affirm the Division Director's dismissal.

**Motion Proposals:** First Cynthia Felton  
Second Judge Steinle

**Motion Results:** Pass LDP-07-39

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### 3) CERTIFICATION AND ELIGIBILITY

#### **3-A: Interview with and possible action regarding applicant Gary Moser.**

**Individuals Addressing the Board:** Kimberly Siddall

**Discussion:** In January, the Board recommended Mr. Moser be invited to appear at this meeting to discuss the 22 cases listed on his application. Board was given this information for review. Mr. Moser was in attendance and discussed this matter with the Board and his educational background.

**Motion:** Moved to defer this matter for one month and request staff to research verification from correspondence school program regarding the credit hours and courses taken.

**Motion Proposals:** First Mary Carlton  
Second Ward Sturm  
Opposed Les Krambeal, Frank Costanzo

**Motion Results:** Pass LDP-07-40

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#### **Agenda Item 2-A was taken out of order.**

#### **2-A: Review, discussion, and possible action regarding settlement of formal disciplinary action in complaint number 05-L020 involving certificate holder Paul Brown.**

**Individuals Addressing the Board:** Nancy Swetnam

**Discussion:** Review of certificate holder Paul Brown's formal disciplinary action. Mr. Brown was served with Notice of Formal Charges, following entry of findings of probable cause and grounds for formal disciplinary action. On February 23, 2007 Mr. Brown had a hearing and an informal settlement conference. Board was given correspondence in their packets along with the copy of the Notice of Formal Charges for review. Assistant Attorney General Jeffery Dollins and Mr. Brown's attorney, Lawrence Slater

has requested the Board consider resolving this matter through a Consent Agreement to include the following provisions:

- a) Mr. Brown and his business entity to be in compliance with ACJA §§ 7-201 and 7-208 by a date to be established by the Board;
- b) Mr. Brown be required to complete 5 additional hours of continuing education;
- c) Mr. Brown to be the subject of Board ordered probation for a period of time to be determined by the Board;
- d) Mr. Brown to be assessed the proposed costs and civil penalties; and,
- e) Mr. Brown to be assessed an \$850.00 in civil penalties reflective of the business entity certification application fees he would have incurred had been in compliance with the business entity certification requirement.

Staff recommends the Board discuss entering in a Consent Agreement to resolve this matter; and whether it will accept Mr. Brown's offer to settle this matter.

**Motion:** Moved to grant authority to the assigned Attorney General to continue the discipline hearing up to 30 days to explore whether a Consent Agreement is applicable in this matter.

**Motion Proposals:** First Judge Roland Steinle  
Second Mary Carlton

**Motion Results:** Pass LDP-07-41

**2<sup>nd</sup> Motion:** Moved that the assigned Attorney General and/or lawyer for the respondent represent to the Board a Consent Agreement signed by the respondent, if this matter will be considered at the next Board meeting.

**Motion Proposals:** First Judge Roland Steinle  
Second Mary Carlton

**Motion Results:** Pass LDP-07-42

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**Agenda Item 3-C was taken out of order.**

**3-C: Review of pending requests for continuing education credit approval.**

**Individuals Addressing the Board:** Kandace French

**Discussion:** Board reviewed the pending requests for continuing education credit approval and staff recommendations for each event.

**Motion:** Moved to approved the continuing education credits as recommended by staff.

**Motion Proposals:** First Cynthia Felton  
Second Mary Carlton

**Motion Results:** Pass LDP-07-43

**3-D: Review, discussion, and possible action regarding request of potential applicant Lynn Sorce regarding eligibility for certification.**

**Individuals Addressing the Board:** Kimberly Siddall

**Discussion:** The Board discussed Ms. Sorce's letter requesting the Board predetermine whether she is eligible for certification. It is recommended the Board decline making a predetermination on Ms. Sorce's eligibility prior to her submitting an application.

**Motion:** Moved to deny making a predetermination on Ms. Sorce's eligibility for certification.

**Motion Proposals:** First Judge Roland Steinle  
Second Cynthia Felton

**Motion Results:** Pass LDP-07-44

**3-E: Review, discussion, and possible action regarding proposed Findings of Facts and Conclusions of Law involving Barbara Morejon and Immigration Assistance Center, LLC regarding denial of renewal of certification.**

**Individuals Addressing the Board:** Linda Grau

**Discussion:** Ms. Grau reviewed that at January's meeting the Board rejected the Hearing Officer's proposed Findings of Facts and Conclusions of Law and Recommendation Report and requested staff prepare and review at this meeting alternative Findings of Facts and Conclusions of Law. At this time staff has been unable to complete this task and recommended this be deferred to the March meeting.

**Motion:** Moved to defer as recommended by staff.

**Motion Proposals:** First Judge Roland Steinle  
Second Mary Carlton

**Motion Results:** Pass LDP-07-45

**3-F: Review, discussion and possible action regarding request to retake the LDP Examination submitted by Blanca Cornejo.**

**Individuals Addressing the Board:** Kimberly Siddall

**Discussion:** Review of Blanca Cornejo's request to retake the LDP Examination. It is recommended the Board grant Ms. Cornejo's request.

**Motion:** Moved to grant Ms. Cornejo's request to retake the LDP Examination as recommended by staff.

**Motion Proposals:** First Frank Costanzo  
Second Mary Carlton

**Motion Results:** Pass LDP-07-46

**3-G: Review, discussion, and possible action regarding Consent Agreement to certify applicant Alfred Madrid.**

**Individuals Addressing the Board:** Linda Grau and Kimberly Siddall

**Discussion:** The Board previously reviewed, approved, and authorized Judge Steinle to sign a Consent Agreement authorizing Mr. Madrid to be certified. Ms. Grau discussed issues relating to concerns that were addressed in the AAA Legal Services complaints that the Board issued a Letter of Concern regarding Mr. Madrid as a trainee or identified as a trainee for AAA Legal Services, which he did not qualify as a trainee based on educational experience and professional experience in the legal services area. It was also discovered Mr. Madrid did not have a high school diploma or GED.

It is recommended the Board defer consideration of the Consent Agreement and the certification application to next month's meeting. Mr. Madrid has begun the process of obtaining his GED.

**Motion:** Moved to defer action on this agenda item for 60 days and if place this item back on the agenda earlier if Mr. Madrid receives his GED prior to the 60 days.

**Motion Proposals:** First Judge Roland Steinle  
Second Mary Carlton

**Motion Results:** Pass LDP-07-47

**3-H: Review, discussion, and possible action regarding the continuing education requirement for individuals who became certified after January 1, 2007 and are seeking 2007-09 renewal.**

**Individuals Addressing the Board:** Linda Grau

**Discussion:** Discussion on the process of implementing the recently adopted changes to ACJA §§ 7-201 and 7-208 and the related administrative orders. The Board previously authorized the Continuing Education policy since the beginning of the program to include a CE pro-ration of 5 hours (including 1 hour of Ethics) for any individual applicants who became certified after January 1<sup>st</sup> of each year. Staff recommends the Board discuss and consider the viability and possibility of authorizing a mid-certificate period pro-ration requirement of 5 hours of CE, including 1 hour of Ethics, for applicants who are



granted individual certification after January 1, 2007 for the remainder of the 2006-07 certificate period.

**Motion:** Moved to approve staff's recommendation.

**Motion Proposals:** First Virlynn Tinnell  
Second Ward Sturm

**Motion Results:** Pass LDP-07-48

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#### **4) REVIEW OF CERTIFICATION APPLICATIONS**

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

- 1. Amanda J. Beren**
- 2. Richard J. Getzen**
- 3. Strategic Points Document Preparation, PLLC (Lisa K. Tonge)**
- 4. The Getzen Group, Inc (Richard J. Getzen)**
- 5. Jerry Thomas**
- 6. John Dawson**
- 7. Amanda L. Murray**
- 8. Salvador Contreras**

*Les Krambeal left the meeting telephonically at 10:47 a.m.*

*Les Krambeal appeared telephonically at 10:48 a.m.*

**Individuals Addressing the Board:** Kimberly Siddall

**Discussion:** It is recommended granting Standard certification to the following individuals for the remainder of the 2006-07 certificate period.

- 1. Amanda J. Beren**
- 2. Richard Getzen**
- 4. The Getzen Group, Inc. (Richard Getzen)**
- 5. Jerry Thomas**

**Motion:** Moved to grant applicants 1, 2, 4, 5 Standard certification for the remainder of 2006-07 certificate period.

**Motion Proposals:** First Judge Roland Steinle  
Second Mary Carlton

**Motion Results:** Pass LDP-07-49

**Discussion:** It is recommended by staff that these applications be deferred to the March meeting as additional information requested has not yet been received.

**3. Strategic Points Document Preparation, PLLC (Lisa K. Tonge)**  
**6. John Dawson**

**Motion:** Moved to defer consideration of these applications to the march meeting as recommended.

**Motion Proposals:** First Judge Roland Steinle  
Second Mary Carlton

**Motion Results:** Pass LDP-07-50

**Discussion:** It is recommended the Board grant certification and require Ms. Murray to submit an Affidavit stating she understands and will comply with the provisions of ACJA § 7-208 and Supreme Court Rule 31 regarding the unauthorized practice of law and use of the “JD” designation.

**7. Amanda L. Murray**

**Motion:** Moved to grant Standard certification to Amanda Murray as recommended and require she submit an affidavit stating she understands and will comply with the provisions of ACJA § 7-208 and Supreme Court Rule 31 regarding the unauthorized practice of law and use of the “JD” designation.

**Motion Proposals:** First Frank Costanzo  
Second Judge Roland Steinle

**Motion Results:** Pass LDP-07-51

**Discussion:** Staff reviewed that additional applicant information has not been received for the following applicant. Requests were made on October 18, November 14, 2006 and January 16, 2007. It was found that Mr. Contreras was called to active duty and is currently in Afghanistan. It is recommended the Board deny the application pursuant to ACJA § 7-208 (E)(3)(a) for not furnishing fingerprint card and pursuant to ACJA § 7-201 (E)(2)(c)(1) for not submitting a complete application with all deficiencies corrected.

**8. Salvador Contreras**

**Motion:** Moved to stay the application pursuant to the Soldiers and Sailor’s Relief Act and for application to remain on file until 60 days from when applicant returns to complete any application process.

**Motion Proposals:** First Judge Roland Steinle

Second Ward Sturm

**Motion Results:** Pass LDP-07-52

**4-B: Review, discussion, and possible action regarding Business Entity Exemption Request submitted for applicant Strategic Points Document Preparation, PLLC (Lisa K. Tonge).**

**Individuals Addressing the Board:** Kimberly Siddall

**Discussion:** Staff recommended this request for Business Entity Exemption be deferred to the March meeting along with the pending application.

**Motion:** Moved to deferred consideration of the Business Entity Exemption Request for Strategic Points Document Preparation, PLLC until the March meeting as recommended.

**Motion Proposals:** First Mary Carlton  
Second Judge Roland Steinle

**Motion Results:** Pass LDP-07-53

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**Agenda Item 3-B was taken out of order.**

**3-B: Interview with and possible action regarding applicant Joanne Ingram.**

**Individuals Addressing the Board:** Kimberly Siddall

**Discussion:** Review that the Board, at the January 26, 2007 meeting, requested Ms. Ingram to appear at today's meeting to discuss the failure to disclose being a party in several civil actions. It is recommended the Board defer consideration and request Ms. Ingram appear at the March meeting.

**Motion:** Moved to invite Ms. Ingram to appear at the March meeting no later than 11:00 a.m. to address the Board regarding her application.

**Motion Proposals:** First Mary Carlton  
Second Judge Roland Steinle

**Motion Results:** Pass LDP-07-54

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**CALL TO THE PUBLIC**

Judge Roland Steinle

**Individuals Addressing the Board:** None.

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**ADJOURNMENT**

Judge Roland Steinle

***Motion Proposals:*** First Cynthia Felton  
Second Mary Carlton

***Motion Results:*** Pass LDP-07-55

***Time:*** 10:55 a.m.