

IN THE SUPREME COURT OF THE STATE OF ARIZONA

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In the Matter of:	)	
	)	
AMENDING ARIZONA CODE OF	)	Administrative Order
JUDICIAL ADMINISTRATION	)	<u>No. 2012 - 94</u>
§ 7-208: LEGAL DOCUMENT	)	(Rescinding Administrative
PREPARER	)	Order No. 2012-85)
	)	

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The Certification and Licensing Division (CLD) of the Administrative Office of the Courts (AOC) supervises the activities of Legal Document Preparers pursuant to, among other authority, Arizona Code of Judicial Administration (ACJA) § 7-208.

The Chief Justice, pursuant to Administrative Order No. 2012-85, amended ACJA § 7-208(F) to clarify, among other things, that Legal Document Preparers may not execute lien documents on behalf of homeowner associations, consistent with a previous court rule petition decision.

CLD has advised the Chief Justice that Administrative Order No. 2012-85 as currently drafted may unintentionally prohibit Legal Document Preparers from executing Preliminary 20-Day Notices pursuant to A.R.S. § 33-992.01 (“20-Day Notices”).

The amendment was meant to apply only to the execution of liens. Because the current wording of the amendment has caused unintended consequences, it is desirable to receive further comment before adopting the exact wording of any amendment.

Therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that:

1. To provide sufficient time for public comment, Administrative Order No. 2012-85 is hereby rescinded retroactively.
2. CLD shall solicit public comment regarding whether a Legal Document Preparers (a) should continue to be allowed to draft, execute, or serve 20-Day Notices, and (b) should be allowed to execute liens.
3. CLD shall promptly post and distribute this Administrative Order to the Board of Legal Document Preparers, certified Legal Document Preparers, the State Bar of Arizona, and on appropriate AOC websites. In addition, CLD shall concurrently provide notice

concerning the forum for providing public comment, how to access the forum, and that CLD is accepting public comment in written form through January 15, 2013 at 5:00 p.m.

Dated this 6th day of December, 2012.

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REBECCA WHITE BERCH  
Chief Justice