

# ASBPA UPDATE

Volume 03-2012

### New Board Member - Jeremy Watson, CPA, CVA

The Board would like to welcome our newest member to the Arkansas State Board of Public Accountancy, Jeremy Watson, CPA, CVA.

Jeremy is a partner of Jones & Company, LTD in Northeast Arkansas.

Jeremy is a resident of Jonesboro, graduated from ASU in 1999, obtained his CPA license in 2001, and became a CVA in 2008. He has worked in public accounting since 1999. He is a member of the ASCPA, AICPA, NACVA, and NEASCPA.

Board members are appointed by the Governor to serve 5-year terms, and are not eligible for reappointment for 5 years after the completion of their term.

### Online License Renewals Now Available

The online license renewals for Arkansas opened November 5th. If we have an email address for you on file, you should receive an email reminder notification. Please, make sure an email address is provided in the Mailing Address section of the online renewal in order to receive email notifications from the Board. The Board will issue notifications by email, only.

## Thank you for your service, Dale Coy, CPA

The Arkansas State Board of Public Accountancy would like to extend our appreciation to Dale Coy, CPA for his last five (5) years of service on the Board. Mr. Coy has been a dedicated member of the Board and the Board wishes him many years of successful business. Thank you, Mr. Coy!

## All Licensees Must Renew By December 31st

All licensees have until December 31st to renew their license without late fees being applied. Starting January 1, 2013, a late fee will be applied automatically to your renewal. You can renew online by going to our website at <a href="http://www.arkansas.gov/asbpa">www.arkansas.gov/asbpa</a>. If a licensee has not renewed by January 1,

2013, a late fee will be applied to the license renewals for each additional month the renewal is late. If the licensee has not renewed their license by March 31st, the license will be Lapsed.

We have had great success with renewals going "paperless!" Please keep in mind that paper forms will not be an option next year for the 2013 renewals.

#### DECEMBER 2012 ISSUE



Jeremy Watson, CPA, CVA

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## 2012 Quality Review Survey Results

The results from the 2012 are as follows:

Deceased	3	Acceptable	23	11.9%
Duplicate QR	1	Acceptable w/changes	70	36.1%
Exempt	121	Marginal	42	21.6%
No Reports	1,289	Substandard	59	30.4%
Still Pending	22	Total Reports Reviewed	194	100.0%
Reports	105			
No Response (Sent to Compliance)	<u>8</u>			
Total Licensees Surveyed	l 1,549			

### 2011 CPE Audit Results

The 2011 CPE Audit has been completed. The results are as follows:

Selected for 2011 CPE Audit = 303

Acceptable	97	32.01%
Acceptable w/changes	143	47.19%
Failed	34	11.22%
Failed, passed on appeal	<u>29</u>	9.57%
TOTAL AUDITS	303	100.00%

Board Meeting Schedule	Board Office Closed
January 10-11, 2013	In accordance with the holiday schedule adopted by the
April 26, 2013	State of Arkansas, the Board office will be closed on the
Meetings of the Board are open to the public, except under	following dates:
state law some portions may be closed to the public.	December 24-25 - Christmas Holiday
Unless otherwise noted, meetings are held at the Board	January 1, 2013 - New Year Holiday
office at 101 E Capitol, Suite 450, Little Rock, AR and begin	January 21, 2013 - MLK Holiday
at 9:00 a.m.	February 18, 2013 - President's Day

### 2012 Retired Licensees

The following licensees have retired in 2012 and are no longer practicing public accountancy:

GLEN W. CRONE	879	LEONARD G. WARDEN	3560
WILLIAM D. SPIVEY	978	PAUL STEMAC	4569
HAROLD ADAMS	990	JOANNE G. OLSZEWSKI	6237
C. MICHEL HAIGH	1060	LEATHA ANN PALCULICT	7048
O. CREED SPANN	1173	RICHARD L. SCHWARTZ	1721R
VIRGINIA C. GOSLIN	1980	HERSHEL F. OWENS	1999R
JAMES R. RIDGELL	2063	THOMAS A. GAY	2265R

It is important to note that all licensees who wish to retain their license, even in a retired status, must continue to renew each year with the Arkansas State Board of Public Accountancy. Inactive and Retired-Inactive licensees must sign an affidavit to not practice public accountancy, to include doing taxes or providing financial advice to the public.

### 2012 Inactive Licensees

The following licensees have chosen to go inactive in 2012 and are no longer practicing public accountancy:

MICHAEL D. WILKINSON	1220	DURWARD LANCE JONES	5164
BEVERLY THWING HARRELL	2725	GINA GRACE EDWARDS	5233
K. RICK TURNER	2729	ROBERT MARK STORY	5459
RICHARD C. MUSE	2748	R. ALAN BRIANS	5643
JAMES L. COUNTS	2758	TERRI DAWN SCHICHTL	5899
CURTIS L. BOWMAN	2889	LARRY EUGENE BENCICK	6157
KATHLEEN O. SMITH	2949	MATTHEW W. ANDERSON	6404
STEVEN W. ALLEN	3006R	KENNETH L. BERKEMEYER	6950
JAMES C. MCCASTLAIN	3325	TODD HAYNES BROGDON	7011
DAVID L. JORDAN	3508	DEE ANN PORTER	7100
KERRI SUE CLOUD	3616	AMY WAY SAHELY	7325
DONNA L. HIGHTOWER	3639	SHERRI D. BUCKMAN	7342
ANTHONY E. STONE	3688	ROBERT B. GREEN	7405
KEITH L. GRAYSON	4482R	MELISSA KAY BURR	7435
TONI L. HINRICHS	4679	RICHELLE LEIGH COX	7483
TIMOTHY BLAIR MCDOUGLE	4682	SUSAN J. MORROW	7509
MIRA DAWN JERRY	4812	REBECCA DEEN BURKS	8425
LARRY E. TEMPLETON	4861	ERIN LEIGH WINBERRY	8576
TAMMY L. SEEDS	4961	BRADLEY COMBS WOOD	8615
DARRYL A. SPENCER	4982R	XIANBIN GAO	8704
RONNY D. BEDFORD	5083	JAMIE ANN RUSSELL	8715
JOHN P. BOGNER	5132	TIFFANY AMY DARK	8726
TAMELA BRACEWELL	5134	LUKE EDWARD PEARSON	8988
CINDY L. COPE	5141		

## New Individual Licenses to Practice in 2012

The following are new active LTP licensees to Arkansas for 2012:

### Individuals

ANDREW J. KELLY	067	DOTTIE L. LLOYD	7242	LAURA ELIZABETH DEEM	8925
JOE MAX BARRON	1020	JILL CABE HILL	7293	JERI ROCHELLE DUNN	8926
HAROLD W. MAJORS	1435	CHARLES BEN ROBINSON	7414	KATHERINE JO DUNN	8927
TOMMY W. RICHARDSON	2275	TIMOTHY NEIL MORGAN	7422R	JAMES ALTON EASON	8928
JOHN W. HAIRSTON	2641	KATIE CHANDLER	7552	ANITA MICHELLE ETTEHAD	8929
PHILLIP E. YOUNG	2733	JOHN BERNARD FRAZER	7857	LUCAS JAY FINCH	8930
CALVIN B. JARRETT	2790	TRENT ALAN FULMER	8323	DEVONA M. FLANIGAN	8931
THOMAS E. MURRY	2936	YAN SUN CHEN	8892	LAURA C GANANN-WISE	8932
SHARREL A. BECKSTROM	3154	MORRIS WADE COTHRAN	8893	NADINE F. GRADY	8933
CHARLES J. HARDER	3171	CHAD ALLEN GRAHAM	8894	DANIEL LUCAS GRAHAM	8934
BRENDA GAY GEURIN	3210	WILLIAM MATTHEW JONES	8895	BRANDON MICHAEL GRICE	8935
CANDACE TERRY NELSON	3331	ZACHARY BRANDON KING	8896	ANGELA L. HARRIS	8936
TERRY L. WILLIAMS	3376	ALBERT CLARK MCDOUGAL	8897	CHAD LEON HARWOOD	8937
JAMES R. DODD	3569r	JORGE LUIS PEREZ	8898	THOMAS JENNINGS HAUSKEY	8938
JEFFERY M. FRUECHTING	3629	CHRISTOPHER WALTER ROBERTSON	8899	CRISTIANE CLERIA SANTOS HILARIO	8939
KAREN CROMMETT HINES	3934	DREW BENJAMIN SMITH	8900	JOHN BRADLEY HOWARD	8940
ROBERT M. PORTER	3999	RANDALL ELTON STONE	8901	ERIC WESLEY HOYT	8941
SUSAN FRANCES WHITE	4183	STEVEN ANDREW WICKMAN	8902	KIMBERLY DAWN HULSEY	8942
DAVID WAYNE STOBAUGH	4290	TRACY LYNN ANDERSON	8903R	SHAWNA N. JEFFREY	8943
JALYNN THOMAS	4426	LAURA ASHLEY FEHR	8904R	ROBERT ANTHONY JETTON	8944
KAREN ANNETTE BOLIN	4501	DEBRA LAINE FEUERBACHER	8905R	VANESSA MICHELLE JOHNSON	8945
JOSE RAFAEL ARJONA	4755R	KIMBERLEY KATHLEEN GORDON	8906R	MELISAH CAROL JORDAN	8946
ANGELA KAY ELKINS DAVIS	5019	LONA SKELTON NOONAN	8907R	MICHAEL SHANE KIDD	8947
DAWN ANNETTE CARLTON	5137	REBECCA MARIE RILEY	8908R	TRACY JO KIRKLEY-SMITH	8948
LYNNE EDWARDS GIRDNER	5145	JOHNNA ELIZABETH STAUDINGER	8909R	RICHARD CODY MATTHEWS	8949
REBECCA WOLFE WEAVER	5210	CLAY GREGORY BECKWITH	8910	DAVID THOMAS MCCHRISTIAN	8950
GWENDILYN G. ELMORE	5421	MATTHEW JACOB DERAMUS	8911	KAREN CONRAD MOORE	8951
JAMES WESLEY VOLBERDING	5507R	JENNY ELIZABETH DEMUTH	8912R	KENNETH DOYLE MULLINAX	8952
KAREN ANNE BRUNETTI	5609	AMANDA NICOLE ARMER	8913	RYAN CASEY MYERS	8953
THOMAS JEFFERSON SIMS	5660R	STACY ALLISON BAKER	8914	ANDRIY S. NAGAY	8954
JEFFREY LEE CANTRELL	5693	MEAGAN REBECCA BATES	8915	JODY MARLENA NATIONS	8955
JILL MAUREEN ALLEMAN	5778R	RICHARD BRUCE BEAUCHAMP JR.	8916	SARAH BETH NORRIS	8956
STACY OWENS THOMPSON	6344	CLAYTON P BELKNAP	8917	KIMBERLY ANN OVERSTREET	8957
TAMARA LEIGH HOOKS	6464	CHRISTOPHER E. BELL	8918	JAMES BRIAN PETTY	8958
JESSE SCHALK	6608	TYLER MCKEAN BOSS	8919	ASHLEY CARA PRIEST	8959
ASHLEY MARVIN MARTIN	6669	JENNIFER M. BRIDGES	8920	BRICE CHRISTOPHER PRIESTLEY	8960
ERIC WAYNE HARRIS	6708	JESSICA S. BROWN	8921	HEATHER RENEE PRUITT	8961
JASON BRANT FOWLER	6956	COLLINS ELLIOTT COOK	8922	VENKATESH RAMANAN	8962
JEFFREY L. BUTCHER	7107	PATRICK W. DEAKINS	8923	SHAWN MICHAEL RICHARDSON	8963
MELANIE ANNE RADCLIFF	7145	COLIN THOMAS DEAN	8924	ZACHARY DAVIS RILEY	8964

### Individuals - continued

RYAN ALEXANDER SAWYER	8965	DEREK MARTIN KEATHLEY	9007
DAWN LAURICE SIMMONS	8966	KRISTY LEE KLAIS LAMB	9008
MENDY M. SMITH	8967	LESLIE MICHELLE LETSCH	9009
SARAH B. SOUTHARD	8968	HOLLY LARAY LONGING	9010
JOHN PAUL SPECK	8969	GEORGIA ANN MCNABB	9011
HYONSUK AN VANDERPLUYM	8970	MEREDITH MORGAN MOSER	9012
CHAD ANTHONY WARE	8971	DREW B. RITCHEY	9013
EMIL JAMES WHITE	8972	JAMES ALAN ROGERS	9014
CRYSTAL L. WILLIS	8973	BENJAMIN DAVID RUSS	9015
LESLIE ANNE WINTON	8974	AARON SHANEYFELT	9016
MARY ANN BIRDLEBOUGH	8975R	AUSTIN BLAKE SMITH	9017
CHRISTINA ROSE BRUCE	8976R	ALLISON BLAKELEY CHAUMONT	9018R
SUSAN DAWN BURKS	8977R	BRADLEY DEAN FORSBERG	9019R
JENNIFER LYNN DAUGHETEE	8978R	CHRISTINA LOUISE MCCLENNING	9020R
CHARLES MATTHEW FLURRY	8979R	DAVID ANDREW WINKLER	9021R
LESLIE KAY HAYS	8980	LAURA ALLISON AKIN	9022
PAUL CAMPBELL SPIKES	8981	JOHN BARRETT BELEW	9023
SAMUEL T. BUSHEY	8982	NICHOLAS GUY BERTIN	9024
CHRISTOPHER LEE ELTON	8983	ANDREW L. GRAVES	9025
DEATRA RIEKE HARE	8984	SHANNON NICOLE GRISE	9026
KATHARYN RACHEL HOPE	8985	JAMES ANTHONY GROTJOHN	9027
ASHLEY MARIE JONES	8986	ANGELA MARIE HOOVER	9028
RACHEL ELIZABETH KLEMMER	8987	TYLER DONOVAN KENNON	9029
LAUREN MARIE ROBINSON	8989	SIDNEY ALISE STEWART	9030
AMBER DAWN WHITT	8990	KEVIN W. WHITE	9031
JOHN RICHARD WILMOTH	8991	MARK ROBERT DRAUGHON	9032R
AMANDA DAWN WYATT	8992	RYAN BOTHA	9033
CHARLES K. ATKINSON	8993	LANDON NICHOLAS BOYKIN	9034
JOHN C. CHENEY	8994	TYLER JOE EMERSON	9035
WILLIAM CODY JONES	8995	NICKLAUS P FREYALDENHOVEN	9036
MICAH RHAEANN KNOX	8996	ADAM B. JONES	9037
KELLY JO MILLWOOD	8997	MATTHEW KIRKPATRICK	9038
MICHELLE E MORRIS	8998	WHITNEY TAYLOR KOENIGSEDER	9039
RANDA LEIGH WILLIAMS	8999	REBECCA CHRISTINE MILLER	9040
MARK RANDAL ALDER	9000	WILLIAM PUCKETT	9041
KRISTI MICHELLE ANDERSON	9001	CHARLES AARON REED	9042
KARI GAYNELL EATON	9002	JOHNNIE LARONE SAMPSON	9043
RU ANN ELLIOTT	9003	SARAHBETH VASGAARD	9044
STEVEN CARL ETCHISON	9004	REBECCA P. BOSS	9045R
JAYE PAUL GASAWAY	9005	KARL EDWARD HERTEL	9046R
CHRISTOPHER M JAMES	9006		

The following firms became licensed in Arkansas in 2012:

DIAMOND LAKES CPA SERVICES	169LC
WILLIAMS & MORRIS ACCOUNTING & TAX SERVICE, LLC	170LC
TERRY L. MERCING, CPA, PLLC	171LC
RIKARD & NEAL CPAS, PLLC	172LC
HENDERSON & HILL, LLC	173LC
DREW A. VANWINKLE, CPA, PLLC	174LC
BUNCH & LANIER, CPAS, LLC	175LC
LONG CPA & CONSULTING, PLLC	176LC
PLANTE & MORAN, PLLC	177LC
JAMES DYKHOUSE, CPA	5SP
JACK MOORE, CPA	6SP
PHBV PARTNERS LLP	79LP
MCILROY, KEEN & COMPANY LLP	80LP
DANA F. COLE & COMPANY, LLP	81LP

#### **Firms**

BAKER TILLY VIRCHOW KRAUSE, LLP	82LP
DEBRA THOMPSON CPA PA	840C
BERBERICH TRAHAN & CO., P.A.	841C
LATTIMORE BLACK MORGAN & CAIN, PC	842C
HINKLE & COMPANY, PC	843C
VICKY L. ROSS, CPA, P.A.	844C
PEARSON ACCOUNTING INC.	845C
ANDREW PIERI CPA, P.C.	846C
BOTTOM LINE TAX & ACCOUNTING SERVICES, INC.	847C
ERIC J. SCISM PROFESSIONAL ASSOCIATION	848C
MATTHEW T. BAXTER, CPA, P.A.	849C
COHNREZNICK LLP	84LP
TEAFF & DRAUGHON, CPA'S PA	850C

### Registration of Firms

Please remember to register your firm with the Board, according to Ark. Code Ann. § 17-12-401-404. All entities that are engaged in the practice of public accountancy or that offer professional services and use the title "CPA" or "CPA firm" should be registered with the Board. Additionally, if you have an entity that has Accountancy in its title or list of services, please contact the Board to discuss your registration requirements.

### Arkansas State Board of Public Accountancy Participating in National CPA Database

In an effort to increase the level of service for its constituents, the Arkansas State Board of Public Accountancy has elected to participate in CPAverify.

**What is CPAverify?** CPAverify is a national database of CPAs, developed in joint effort with state boards of accountancy and the National Association of State Boards (NASBA). It was designed as an outward-facing version of an internal CPA database that has been in operation by NASBA for many years and only available for use by authorized State Board personnel.

In its initial launch in October 2011, CPAverify included licensee data for 22 states. Additional states are being added until all 55 U.S. CPA licensing jurisdictions are included.

**How does it work?** The Arkansas State Board of Public Accountancy populates the database with official regulatory CPA data on a regular schedule. In most cases, NASBA receives this data from state boards on a daily basis.

**How can CPAverify benefit me?** CPAverify is an online reporting tool providing individuals and organizations with a centralized way to conveniently and reliably research the official license status of a CPA across multiple states without the need for conducting a search of each state board website individually. It is free to the public, and very easy to use.

To learn more about CPAverify or to conduct your own search, visit <u>www.CPAverify.org</u>.



CPAverify is a free, CPA lookup tool populated by data sent directly from state boards of accountancy to a centralized database, and is the first step in offering a national database of licensed CPAs.

# **Proposed Board Rule Changes**

The Board is proposing several changes to its rules. A copy of the rules changes can be found at the link below:

### http://www.arkansas.gov/asbpa/proposed\_rules.html

If you have any comments about these proposed changes, please e-mail them to the Board's Executive Director - <u>james.corley@arkansas.gov</u>. There will be a public hearing held on April 26, 2013 for anyone who would like to address the board about any of the proposed changes.

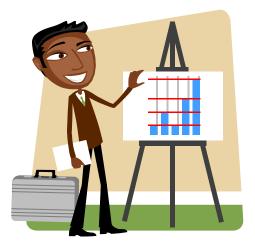
# Arkansas

# CPA Exam Performance Summary: 2012 Q-3

	<u>Sectio</u>	<u>n Performance</u>	
First Time Re-Exam	<u>Sections</u> 181 165	<u>Score</u> 72.7 68.8	<u>% Pass</u> 50.3% 34.6%
AUD BEC FAR REG	98 76 88 84	70.2 73.8 72.4 67.4	30.6% 56.6% 52.3% 34.5%

# CPA Exam Performance Summary: 2011

	Section	<u>n Performance</u>	
	Sections_	Score	<u>% Pass</u>
First Time	614	69.7	46.1%
Re-Exam	473	69.2	36.4%
AUD BEC	296 239	71.4 69.7	44.9% 41.8%
FAR	248	68.3	41.1%
REG	304	68.5	39.5%
	20.		02.070



## Successful CPA Exam Candidates

### July—August 2012

First Name	Middle Name	Last Name	<u>City</u>	<u>State</u>	Zip Code
Lacee	Kee	Badders	Austin	AR	72007
Cassie	M.	Daniel	Rosston	AR	71858
Elena	D.	Diffily	Little Rock	AR	72211
Tyler	J.	Emerson	Springdale	AR	72762
Nicklaus	Ρ.	Freyaldenhoven	Fayetteville	AR	72701
Tiffany	Ν.	Howton	Jonesboro	AR	72404
Adam	В.	Jones	Alexander	AR	72002
Asselya		Kaliyeva	Conway	AR	72034
Sarah	M.	Kemper	Conway	AR	72034
Whitney	Т.	Koenigseder	Fayetteville	AR	72703
Emily	J.	Morgan	Mountain Home	AR	72653
Micah		Osborne	Little Rock	AR	72212
William		Puckett	Little Rock	AR	72212
Charles	Α.	Reed	Hensley	AR	72065
Chester	Ν.	Snodgrass	Lincoln	AR	72744
Andrew	J.	Terry	Little Rock	AR	72211
Bryce		Tritt	Dallas	AR	75201
Andrew	V.	Vaden	Benton	AR	72019
Sarabeth		Vasgaard	Fayetteville	AR	72704
Jeffery	R.	Zern	Little Rock	AR	72223

### Congratulations to our most recent successful CPA Exam candidates.



### After You Pass the CPA Exam.....

It is important to understand that you **CANNOT** use the term **Certified Public Accountant** or the designation of **CPA**, after you pass the CPA Exam. According to Arkansas law, you cannot use the CPA designation or use the term Certified Public Accountant until you have been licensed by the Arkansas State Board of Public Accountancy. Many individuals believe that once they pass the Exam, they can call themselves a CPA—this is not accurate.

After you pass all four (4) parts of the CPA Exam (AUD, BEC, FAR, REG), your scores must first be audited by the Board. You will be notified in writing once your scores have been validated. You will be mailed a confirmation letter with instructions regarding how to apply for licensure with the state of Arkansas. This process may take a few weeks, but we will get this information to you as quickly as we can.

## Engagement Letters: An Essential Risk Management Tool

As the accounting profession takes on more roles in order to remain competitive, lawsuits now delve into a wider range of issues. Although legal actions were once largely generated by tax and audit work, such actions also derive from compilation and review, write-up, and management advisory services.

Many lawsuits involving CPAs are the result of a communication breakdown (or "expectation gap") between the CPA and the client. In many situations, the client's understanding of the scope of services to be performed and how the work product will be utilized may be quite different from the CPA's understanding of these issues.

Although engagement letters are not required legally, they are strongly encouraged. A properly drafted engagement letter can serve as a helpful risk-management tool by establishing a legal framework for a working relationship with a client.

While the engagement letter itself may vary with the level of service or type of engagement to be provided, common provisions in most engagement letters include the following:

- Identification of client;
- Description of the engagement and its limitations;
- Timing of the work and staffing of the engagement;
- Client information and responsibilities;
- Designation of the party to work with the CPA;
- Identification of intended users of the CPA's work product;
- Fees and payments;
- Withdrawing from and/or terminating the engagement;
- Responding to discovery requests, subpoenas, and outside inquiries;
- Alternative dispute resolution as a means of resolving disputes;
- Where applicable, disclosures recommended or required by the AICPA; and
- Client signature.

#### **Identification of Client**

A properly drafted engagement letter should identify who will receive the CPA's services. The CPA may be working for an individual, a group, an entity, or a portion of an entity. For example, if the CPA's client is a corporation that has subsidiaries or other corporate affiliations, it may be necessary to identify the entities to be included in the engagement.

#### **Description and Limitations of Work to Be Performed**

The engagement letter should indicate what services are to be rendered. In general, the CPA should outline the procedures to be performed and any reports to be issued. In so doing, the engagement letter can help guard against the client developing unreasonable expectations about the nature and the scope of the services to be provided.

#### **Timing of Work and Staffing of Engagement**

This section of the engagement letter varies by the type of engagement and indicates when the engagement will begin and end. For example, an audit engagement may contain a provision indicating the date fieldwork will begin and end and possibly an expected date of delivery of the audit report. A tax engagement may contain a provision indicating any known filing deadlines and the parties' understanding concerning the use of extensions should the information not be received by the CPA to timely prepare the return.

Some CPA firms may indicate who will be staffing the engagement. This provision may prove helpful, for example, where a client expects to work with certain employees of the CPA firm.

#### **Client Information and Responsibilities**

In most engagements, the client is required to collect certain information and provide certain records to the CPA. If this information is necessary for the CPA to complete the engagement, these client responsibilities, and any applicable deadlines for the completion of work by the client, should be described.

For example, a tax engagement would normally contain a provision indicating it is the client's responsibility to sign and file tax returns prepared by the CPA, along with an explanation of the consequences of the client's failure to sign and file such returns.

#### Designation of the Party to Work with the CPA

Some engagement letters request the client to designate the party to work with the CPA. This provision can help the CPA avoid situations in which conflicting requests or instructions are received from more than one of the client's employees.

#### Identification of Intended Users of the CPA's Work Product

In some jurisdictions, a CPA can limit or avoid liability to third parties by identifying in the engagement letter the intended users of the work product. In addition to identifying these users, this provision often contains language prohibiting the client from distributing the CPA's work product to any party other than these users.

In deciding whether the engagement letter should contain this provision, competent legal counsel should be consulted. This is especially true for jurisdictions which have privity standards for establishing auditor negligence.

#### **Fees and Payments**

An engagement letter can help avoid fee disputes before the work begins. This section of the letter details how and when the client will be billed. It may describe the amount of retainer (if any); how the fee will be computed; when payment will become due; the client's obligation to pay promptly; and the CPA's rights should the client fail to give prompt payment.

In some cases, the CPA may charge interest for late payments. In more extreme cases, it may be necessary for the CPA to suspend work or cancel the engagement for fees not paid.

#### Withdrawing From or Terminating the Engagement

At times, it may be necessary for the CPA to withdraw from the engagement. The engagement letter should outline the conditions that might lead to the CPA's withdrawal and the procedures the CPA will follow in case of withdrawal.

Examples of situations in which the CPA's withdrawal from the engagement may be required include issues of conflict of interest; management ethics or integrity; or the CPA's real or apparent lack of independence.

This section should also discuss policies and procedures related to the termination of the engagement including return of client files; preparation of the final bill; work paper retention; and date of termination of services.

#### **Responding to Discovery Requests, Subpoenas, and Outside Inquiries**

Occasionally, a CPA may receive a discovery request, subpoena, or outside inquiry. While several states have established a CPA/client privilege with respect to communications, most states do not have such a privilege.

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Moreover, there is no federal CPA/client privilege with the specific exception relating to tax planning. This section of the engagement letter can help avoid future misunderstandings between the client and the CPA regarding whether, and to what extent, the CPA may be required to respond to such requests.

#### **Alternative Dispute Resolution**

Alternative dispute resolution (ADR) refers to methods of resolving disputes outside of the courtroom. One of these methods is known as arbitration.

In arbitration, the opposing parties select one or more arbitrators who decide the outcome of the dispute. In most cases, the decision of the arbitrator cannot be appealed. Typically, the pre-arbitration discovery process is limited, and third parties are not bound by the arbitrator's decision.

Another method of resolving disputes outside of a court of law is mediation. During mediation, a mediator attempts to find the "common ground" that exists between the opposing parties that may lead to a mutually agreed-upon settlement. In the event the mediation is not successful, the parties, if they so desire, may litigate their dispute.

Before inserting a provision in the engagement letter regarding ADR, a CPA should consult with legal counsel regarding the provision's enforceability.

In addition, inserting a provision concerning alternative dispute resolution in an engagement letter may have insurance coverage implications. For example, while some insurers encourage the use of mediation, under some policies the use of an arbitration clause may limit or void the CPA's professional liability insurance coverage for any claims that are arbitrated.

#### **Disclosures Recommended or Required by the AICPA**

The AICPA recommends the inclusion in an engagement letter of certain disclosures for certain types of engagements. These disclosures may be incorporated into, or have an effect upon, other provisions of the engagement letter.

#### **Client Signature**

This section should request the client sign and return an executed copy of the engagement letter to the CPA. It should provide that if the client does not agree that the engagement letter accurately reflects the agreement of the parties to the engagement, the client will promptly notify the CPA.

If the client does not return a signed engagement letter, the CPA may send a certified letter indicating that, unless otherwise notified, the CPA will assume the client agrees to the terms of the engagement letter or the CPA may recuse himself or herself from the engagement. In any event, the most effective engagement letter is one signed by the client before the CPA begins the engagement.

#### (Reprinted from the Activity Review, No. 7-2012, with permission from the NC State Board of CPA Examiners).

## 2012 Board Disciplinary Actions

The following licenses have been revoked by the Arkansas State Board of Public Accountancy in 2012:

James M. Blew 1635 - Junction, TX Don R. Harrison 8197R - Springdale, AR Susan L. Meyers 3142 - Scottsdale AZ Judy Plum Moore 3134R - Atlanta, TX Joseph Frank Gallo 8682R - Rogers, AR William David Rothwell 4413 - Hot Springs, AR Gini L. Vanness, P.A. 625C - Springdale, AR Lamar F. Baker 2232 - Shreveport, LA Gerald E. Fischer 1229 - Harrison, AR Gerald E. Fischer CPA LTD 215C - Harrison, AR

### Help Us Identify the Unauthorized Practice of Public Accountancy

#### Help Us Identify the Unauthorized Practice of Public Accountancy and Other Violations

If you suspect someone in your community of holding out as a CPA without a valid license, please contact the Board's office and provide us with as much information as possible so we can investigate. We are also interested in finding out about other Board rules or Law violations that you may be made aware of.

With limited staff and resources, we need your help to ensure compliance with our statutes and to ensure that the public interest is protected.

# New Employee - April Murphy

April Murphy joined the staff of the Arkansas State Board of Public Accountancy on Nov 19th, 2012. She comes to us with a background in sales, marketing and technical savvy.

April enjoys reading, collecting books, watching classic films and crafting, and she has a deep appreciation for art and photography. A longtime resident of North Little Rock, April has also lived as far south as Fordyce, Ar and as far north as Fayetteville.

She enjoys learning about the history of Arkansas and touring historic sites. She is a Board licensed Cosmetologist and has a daughter named London. April looks forward to working with us and helping out in any way she can.

Welcome to the staff of the Board, April.



April Murphy

## State Board of Accountancy Board **Members**



Gene Cogbill, CPA President Texarkana Term: 2008 - 2013



Dr. Mike Moore, CPA Secretary Conway Term: 2009 — 2014



Karen Garrett, CPA Treasurer Little Rock Term: 2010 — 2015



Wade Turner, CPA Searcy Term: 2011 — 2016



Jeremy Watson, CPA, CVA Jonesboro Term: 2012 - 2017







Lloyd Franklin, CFE Consumer Advocate Term: 2008 — 2012

Bill Millager, MBA Rogers Consumer Advocate Term: 2008 - 2013

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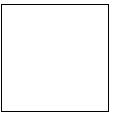


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# Moving? Please Notify the Board Office of Your New Address

The rules and regulations <u>require</u> all licensees to notify the ASBPA of all such changes by sending a change of address form to the office . Please include a street address to facilitate any express mail deliveries.

Employer		License#
Old Address:	New Address:	
hone:	Email:	
enature:		Date: