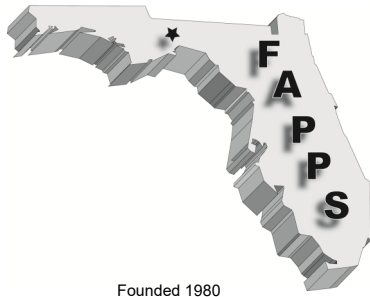


Annual Convention - March 11-13, 2022



Founded 1980

THE PAPER CHASE

The Official Newsletter of the
Florida Association of Professional Process Servers

3rd Quarter Edition 2021

**4th Quarter Board Meeting
November 13, 2021 9:00 a.m.
Safety Harbor Resort, Safety Harbor, FL**

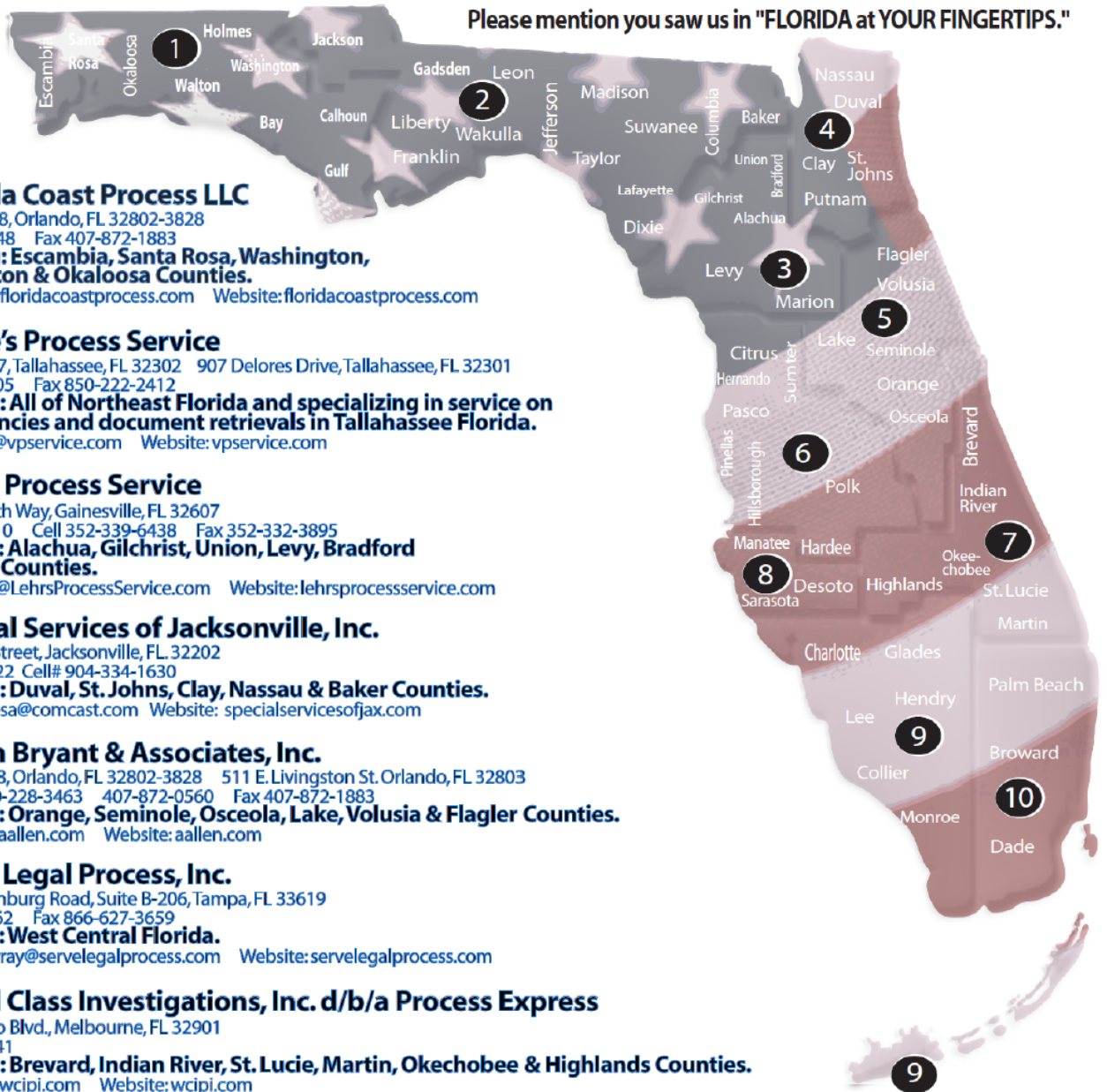


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Servicing: Charlotte, Lee, Collier, Monroe, Hendry & Glades Counties.
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10 Process Services, Inc.

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Toll Free 800-527-6401 954-474-4867 Fax 954-452-7313
Servicing: Broward, Dade & Palm Beach Counties. Same day service of CT Corporation.
Email: office@dealpsi.com Website: dealpsi.com



2021-2022 Association Guide

Board of Directors

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email: BobM@dbsinfo.com

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Gretchen Randall AFPS, Treasurer

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Kevin Fedotov AFPS, Director

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Michelle Howard AFPS, Director

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Jennafer Segel, Director

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email: Jennafer.Segel@gmail.com

Administration & Membership: Diana Wardwell, AFPS

Email: administrator@fapps.org
P.O. Box 72
Melbourne, FL 32902 -0072
(321) 952-0820 (877) 38-FAPPS Tollfree

Committees

Annual Conference Activities

Chair: Amy Boyd, boydsprostatus@gmail.com
Vice Chair: Brooke LaPlant

Arbitration & Grievance (A&G)

Chair: Sean Segel, tampaempire@gmail.com
Vice Chair: Jennafer Segel
Members: Janet Deal, Diana Wardwell, Don Seward

Elections

Chair: Bob Musser AFPS, BobM@dbsinfo.com
Vice Chair: Diana Wardwell, Lance Randall

FAPPS Distinguished Service Award (FDSA)

Chair: Bob Musser AFPS, BobM@dbsinfo.com
Members: Lance Randall, Diana Wardwell, Margie Zawacki

Formal Education (AFPS)

Chair: Lance Randall AFPS, Lance110205@gmail.com
Vice Chair: Kevin Fedotov AFPS
Member: Diana Wardwell, AFPS, Michelle Howard AFPS

Legislation

Chair: Chris Yeoman, AFPS chris.yeoman@aol.com
Vice Chair: Diana Wardwell, AFPS
Members: Russ Aloï, Chris Compton, AFPS, Mike Compton, Janet Deal, Michelle Howard, AFPS, Michael Nolan, Lance Randall, AFPS, Rick Wendling

Process Server Appointment (PSAC)

Chair: Melody Bulso AFPS melody.bulso@provest.us
Vice Chair: Margie Zawacki AFPS
Members: Diana Wardwell AFPS, Tammy White AFPS, Kevin Fedotov, AFPS

Promotion & Growth (P&G) and Member Benefits

Chair: Kevin Fedotov, AFPS Promotioncommittee@fapps.org
Vice Chair: Diana Wardwell, AFPS
Members: Melody Bulso AFPS, Chris Compton AFPS, Desiree Garcia, Chris Yeoman, AFPS
Paralegal Liaison: Tammy White AFPS, ParalegalLiaison@fapps.org
Alternate: Kevin Fedotov, AFPS

Secure Data Exchange and eSop

Chair: Bob Musser AFPS, BobM@dbsinfo.com
Vice Chair: John Shelley, AFPS

Technology

Chair: John Shelley, AFPS john@caffinecode.biz
Vice Chair: Chris Compton AFPS, Bob Musser, AFPS

Violence Against Process Servers (VAPS)

Chair: Michelle Howard AFPS, Michelle@trgtlegal.com
Vice Chair: Chris Yeoman, AFPS
Member: Bonnie Moore AFPS, Becky Gaston, Lance Randall AFPS, Tammy White, AFPS

Website

Chair: Diana Wardwell AFPS, administrator@fapps.org
Webmaster: Bob Musser AFPS, bobm@dbsinfo.com
Member: Chris Tilley

Newsletter Submissions: Submissions to the Paper Chase are highly encouraged. The preferred method of submission is electronic via email to administrator@fapps.org in Microsoft Word—though plain text format is fine. Articles will be edited for style, grammar, and length, if necessary. Spelling will be checked but it would be a good idea if the author checked this prior to submission. Advertisements must be camera ready. Electronic submissions are strongly encouraged. All of the relevant information regarding advertisement submissions—including sizes available, ad rates, and deadlines are on the advertising form.

The Fine Print: The Paper Chase is published quarterly by the Florida Association of Professional Process Servers, Inc. (FAPPS) a not-for-profit Florida corporation, for the benefit of the members. FAPPS assumes no responsibility for the accuracy of any article printed herein, nor do the articles necessary reflect the policies or opinions of FAPPS unless specifically noted. The articles are not to be construed as legal or accounting advice—those with such needs should consult the appropriate professionals. The editor reserves the right to edit any article for content, grammar, length, and style.

PRESIDENT'S REPORT

BOB MUSSER AFPS, PRESIDENT

Members,

I hope your 2021 is continuing to improve! As prohibitions on serving certain types of papers expire, and Florida in particular seems to be getting back to normal, I see more businesses recovering their numbers of papers served per month. I know that Florida's vaccination rates are still climbing, and as a result our levels of new patients are still declining.

I continue to be impressed by our Education Committee. They are taking what was once a dream, of making FAPPS the face of Process Server Education in Florida, to a convincing reality. The Legislative committee has met several times to prepare potential improvements to Chapter 48 for our members, and our Leg Chair will have a full report on that status. Our "behind the scenes" committees such as the Secretary, Treasurer, Admin, Violence, and Website have just kept things moving with little fanfare and no complaints.

As always, the Association could really use your help. Every single one of you has competitors, allies, independent contractors, office staff, or others that should be members of FAPPS, but are not. You have the relationships with these people to steer them in the right direction. A personal conversation or even a text or email from you would do so much more than a "sales letter" from one of us.

We have membership levels starting so inexpensive that money is not a valid objection. Your office staff and contractors can be supporting members for only \$30 a year! Show them the Member Benefits summary at <https://fapps.org/MemberBenefits> but also stress that the main benefit is supporting the only state organization working to keep private process servers in FL in business!

Our next in-person meeting will be at Safety Harbor Resort and Spa in Safety Harbor November 13, 2021. Elsewhere in this meeting booklet you'll find dates and specifics.

Bob Musser, AFPS
President
BobM@dbsinfo.com
(321) 679-1539



VICE PRESIDENT'S REPORT

CHRIS YEOMAN AFPS, VICE PRESIDENT

Dear Members,

I hope this report finds you, your families and staff in good health during this difficult time. The past 18 months or so have been life and lifestyle changing for everyone. In the beginning we were all stunned to find out businesses, schools and other public establishments may have to be shut down for a 2 week quarantine to allow the virus to extinguish and not be spread. We all gasped, "how can we stay home and shut down everything for two weeks?". Here we are a year and a half later, and virus variants are spreading faster than ever. Two weeks doesn't sound too bad anymore.

Our business requires that we come in direct contact constantly with people we do or do not know. We knock at people's door when they aren't expecting anyone. We sometimes wake people up in the morning, encounter them in their driveway, or at their mailbox, etc. We can't always expect them to be prepared for us, so we must be prepared for them. Take consideration for people that are less at ease being face to face with someone they don't know or expect. Use extra distance, cover your face, and be courteous. These added steps can hopefully keep you safe while working, and keep tensions at a minimum.

The Supreme Court recently struck down the Biden administration's 60 day extension of the eviction moratorium which was announced on August 3. This should cause a considerable amount of filings and services in the near future, which will likely last a while due to an anticipated back log of the court system. I always encourage that you exercise empathy

when serving eviction and foreclosure notices, because we just never know the story behind the case, or the reason behind the defendants situation. Often the recipient is asking for advice or guidance, use caution when informing them of the contents not to provide any legal advice, as we are not authorized to do so.

Finally, if you or your office are e-filing returns of service or any document through the state courts eportal, please take time to review the Florida Supreme Courts amendment to rule 2.420, regarding the filing of confidential information. This rule was passed in January 2021, and became effective July 31, 2021. The ruling now places the responsibility of the filing of this confidential information in the hands of the filer, not the clerk. The filer must take proper steps to protect this information which includes, but is not limited to social security numbers, dates of birth, etc. We have included a flyer regarding this change on Page 26 or you can visit <https://www.flclerks.com/page/ConfidentialRuleChange> for an instructional video and more information.

Remember, your FAPPS team are always working for our members and our industry as a whole. Please consider joining a committee to get involved, contribute to the success of our profession and stay active in the only state organization protecting, promoting professionalism and education in our industry.

Please stay safe!

Chris Yeoman AFPS, Vice President
Legislative Chair
(954) 270-4597 cell

TPC



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FAPPS MEETINGS AND EVENTS

You are invited

November 13, 2021
9:00 a.m.

4th Quarter Board Meeting

Safety Harbor Resort
105 N. Bayshore Dr.
Safety Harbor, FL

March 11-13, 2022
31st Annual Conference

Embassy Suites
8978 International Drive
Orlando, FL 32819

May 2022 9:00 a.m.
2nd Quarter Board Meeting

Location TBA

August 2022
Professional Beach Getaway
3rd Quarter Board Meeting

Location TBA

Meeting information available at
www.fapps.org

EDUCATION CLASS SCHEDULE



**Florida Association of
Professional Process Servers**

Process Server Education and AFPS Accreditation

Online Education

Continuing Education Classes

Classes are being scheduled continuously
See website for updated class dates

16 Hour New Process Server Classes

November 5th & 6th, 2021 8:00 a.m.
January 14th & 15th, 2022 8:00 a.m.

COVID UPDATE: The 19th Circuit is currently allowing new and renewal servers to attend FAPPS online classes

Schedule and Registration: www.fapps.org

In Person Training

April, 2022 8:30 a.m.

Continuing Education Class
Indian River State College, BCIE
Main Campus - Fort Pierce
Building Y, Room 102

September 9-11, 2022

20 Hour New Process Server Education
Indian River State College, BCIE
Main Campus - Fort Pierce
Building Y, Room 102

SECRETARY'S REPORT

JOE OSBORNE , JR.

From the Desk of the Secretary

Dear Fellow FAPPS members,

As required by Article VIII Section 7 of our by-laws the below you will find: (a). a description of the Motion or amendment, (b). the result of the vote and (c). the final wording of the order or amendment if passed that were made at quarterly board meeting held May 15, 2021:

- ⇒ Joe Osborne made a motion to accept the agenda as presented. Seconded by Michelle Howard. There was no discussion. The motion carried.
- ⇒ Joe Osborne made a motion to adjourn the meeting. Seconded by Michelle Howard. The motion carried unanimously.

On a final note, the FAPPS 4th Quarter Board Meeting will be held on November 13, 2021 at the Safety Harbor Resort in Safety Harbor, FL. I hope to see you there!

As always it is a pleasure to serve this association and if you ever have any questions or concerns, please feel free contact me at (888) 360-5345 or by email at joe@360legal.net

Respectfully,

Joe Osborne, Jr.
Secretary

TPC



4th Quarter Board Meeting

November 13, 2021 9:00 am

Safety Harbor Resort and Spa
105 N. Bayshore Dr., Safety Harbor, FL

The group will meet for dinner Friday evening
prior to the board meeting Saturday.

Please email administrator@fapps.org to RSVP if you
plan to join the dinner and meeting to ensure we
have a seat saved for you!

ADMINISTRATOR'S REPORT

Diana Wardwell, AFPS

administrator@fapps.org

Dear Members,

The 20th Professional Beach Getaway was a huge success! We had a great turnout, a productive meeting, an excellent presentation by Michelle Howard on body cams, a fun afternoon Cornhole Tournament, and lots of opportunity for everyone to network. We are really excited about our next event which will be the Convention in March. Don't forget to book your room and register to join us in Orlando at the Embassy Suites.

The FAPPS administration office has been extremely active all year with continuous inquiries regarding membership, how to find servers, and information on our education program.

I am extremely pleased to see this growth and the interest that has been shown by our new members that have not only joined FAPPS, but are regularly attending our meetings. It's great to meet new members and process servers and see these individuals actively participating in our association.

***You ask where you can help FAPPS grow?
Bring members to FAPPS and take advantage of our membership programs***

Changes to our profession are emerging, especially now because of the pandemic. It is vital that we stay engaged and vigilant looking for potential rule changes and legislation that could limit our ability to serve as the trusted disinterested third party in the judicial process. It is essential we maintain a strong membership base in order to meet these challenges.

There are several promotions available: The first will benefit you and the applicant.

- Applicants who apply by the 1st of September through the end of the year pay full dues but are eligible for up to 15 months of membership for the price of 12 as their membership will not expire until December 31, 2022.

*Each active or associate member you refer gives you a
\$25 discount off your 2022 membership dues (up to a free membership).*

This promotion runs through October 31, 2021 and then will re-start for 2023 membership on November 1, 2021.

- The next promotion offers each education class attendee a free Supporting membership or \$30 off Active or Associate membership.

Active and Associate Membership provides applicants with the most benefits. Supporting membership is perfect for process servers who may contract with multiple agencies and do not want to solicit independent work on their own. It is also a great resource for process server's support staff to help them stay current with any new rules and changes in our profession.

Our education program is growing! Look for our schedule of upcoming classes for both new and renewing process servers at www.fapps.org.

Respectfully,
Diana Wardwell, AFPS

Membership Report

October 1, 2021

Active	236
Associate	75
Supporting	37
Pending Applicant	3
Total	351

Welcome New Members

Applicants are published the first day of each month at www.fapps.org and through email notification. Applicants automatically become a member the first day of the following month, pending no objection. Thank you for your support of FAPPS!



Dennis R. Fox
P.O. Box 5817
Hudson, FL 34674
Phone: (727) 743-4135

Robert R. Gleason
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250 Palm Coast Pkwy NE, Suite
607-194
Palm Coast, FL 32137
Phone: (386) 627-8222

Erica Hetherington
Hetherington Services, LLC
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Venice, FL 34293
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Brian B. Ricks
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New York, NY 10022
Phone: (212) 203-8001
Fax: (800) 296-0115

Palmer Roux
All-Pro Process Service
809 Aberdeen Road #9151
Hampton, VA 23670
Phone: (757) 600-6342

Isaac Santiago
Global Protection Agency, LLC
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Phone: (833) 987-2343

Ronald Bertheim
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Phone: (978) 685-0093

Lance Zeifman
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Ronald Daley
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Orlando, FL 32878
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Hector Ramos
TRGT Legal
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Phone: (888) 642-0130

Steven Peter Foster
Patriot Process Service
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Kissimmee, FL 34746
Phone: (407) 491-5514

Jose Miranda
APS Consultants, Inc. dba
American Protections Services &
Investigations
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Phone: (407) 250-5663

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Phone: (407) 698-6268
Fax: (407) 512-6127

Laurynn Vaughn
Vaughn Services, LLC
P.O. Box 580422
Kissimmee, FL 34758
Phone: (407) 995-9203

Supporting Members:

Monica Campos
Kareece St. George
Nicki St. Louis
Lisa Clardy
Joy L. Parker
Bradley Smith

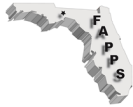
Member Information

- Member Listings can be updated continuously throughout the year. Email all updates to: administrator@fapps.org
- Email administrator@fapps.org to receive a link to set up your login and password to access the Member Only section of benefits & resources.
- Claim your free listing at fapps.securedocumenttrading.com to send and receive documents securely. This a FREE service for FAPPS Members. Need more information about how it works? Give us a call and we will walk you through the setup.
- Advertise your services with FAPPS (info at www.fapps.org)
- Attend an Education Class to obtain your AFPS Designation. Clerical staff of members are also welcome to attend for a reduced fee.
- Attend meetings to network and build your connections with other members

A graphic with a blue background and white text. At the top, there are icons for a smartphone, a telephone, a computer mouse, and a house. Below the icons, the word "UPDATE" is written in large, white, bold letters, and "CONTACT INFORMATION" is written in smaller, white, bold letters below it. At the bottom, the text "Email updates to Administrator@fapps.org" is written in white.

UPDATE
CONTACT INFORMATION

Email updates to
Administrator@fapps.org



Dear Members,

It was great seeing everyone at the Professional Beach Getaway!

For a quick overview, the Arbitration and Grievance Committee has received a total of two written complaints and one verbal since May.

One complaint was between two active members regarding nonpayment of a service. Evidence regarding the situation was provided by both parties and reviewed. After a review of the situation and a few discussions with both parties the complaint was considered valid. The Respondent was advised payment must be made to the Complainant to avoid any disruption to their membership. The Respondent complied and no further action from the A&G committee was required. As a reminder, the FAPPS Code of Ethics states, "each member shall agree to promptly pay for

services rendered on behalf of another process server unless other specific arrangements have been made."

The other complaints received were from nonmembers complaining about the manner of service. These complaints did not hold any merit and did not break any ethical standards held by FAPPS. The A&G Committee could not move forward on either of these complaints.

If anyone feels a member may be in violation of the FAPPS Code of Ethics or Bylaws, please contact me or any committee member to discuss.

Sean Segel,
Committee Chair

Chair: Sean Segel
Vice Chair: Jennafer Segel
Members: Janet Deal, Diana Wardwell, Don Seward

Florida Association of Professional Process Servers 31st Annual Conference

March 11-13, 2022

Embassy Suites, 8978 International Drive, Orlando, FL



www.FAPPS.org



Annual Conference Activities Amy Boyd AFPS, Chair

Boydspstatus@gmail.com (772) 460-6679

Our 2022 convention is scheduled to be held at the same location as 2020's convention. We will be excited to have an in-person convention and bring back the fun favorites. We are always open to new ideas and educational opportunities. If you have recommendations, please email them to Diana at administrator@fapps.org

In the meantime, we invite you to attend our upcoming meetings and events.

Amy Boyd, AFPS
Annual Conference Activities Chair

TPC



Elections

Bob Musser, Chair

BobM@dbsinfo.com (407) 679-1539

Members,

FAPPS Elections run very smoothly compared to every other system I've seen at the State and National level. We contemplate no changes unless someone has some excellent suggestions. For detailed information on how our Election Cycle works, please see Section 1 of the Policy and Procedure manual. It's under the Publications Tab on www.FAPPS.org.

If you have any interest in serving FAPPS as an Officer or Director, start laying the groundwork now! Talk to a current director! Call or email me for advice! Volunteer for a committee that you have an interest or expertise in. The entire board will be up for election at the Annual Meeting in the Spring of 2022.

Bob Musser
FAPPS President
Elections Chair
BobM@dbsinfo.com
www.fapps.org

MEMBERSHIP 2022 DUES RENEWAL REMINDER

It's that time of year! Mail your dues or pay online at www.fapps.org by December 31, 2021. Email any changes to your listing to: administrator@fapps.org



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Facsimile 407.838.3460 www.LRAinsurance.com



Formal Education

Lance Randall AFPS, Chair

Lance110205@gmail.com (954) 214-8263

Dear Members,

It was great to see everyone at our 20th Professional Beach Getaway. FAPPS Education Committee is also celebrating several important milestones.

In 2010, FAPPS began a formal education program. This program initially was only accepted by a few jurisdictions but was available to all process servers to learn more about serving process. FAPPS Members who attended the class were titled Accredited FAPPS Process Servers "AFPS". AFPS Members are those who have chosen to go above and beyond what is required for education in their jurisdiction. They have attended and passed a course specifically created by this association to better educate those in our profession. Our program has grown significantly over the years and is now accepted in seven circuits. In addition, we are the exclusive education providers in the 15th and 19th Judicial Circuits.

Just one year ago we began offering online education due to the pandemic. The attendance at our classes have been growing with each class and we continue to offer new classes as needed to meet the demand.

These classes have been very popular and the attendees have gone out of their way to share feedback. The main comments have been regarding the quality of the education and the ease in which they were able to complete their education virtually.

In the later part of summer and into the fall will be our busiest as we teach classes for the 15th Circuit, which only licenses once a year. We also conducted in person education at Indian River State College in September. In addition, our Instructor team met during the Indian River classes in Ft. Pierce for annual training review to keep their teaching skills sharp.

The 19th Judicial Circuit has approved our online New Process Server and Continuing Education classes as we continue to navigate our way through the pandemic. Process Servers are able to attend the classes in person at the college **or** by registering with FAPPS for an online class.

It is our goal to assist process servers with quality consistent education and the ability to take a single education class annually, if they are licensed in multiple jurisdictions. Our classes are open for all process servers nationwide and members can register their clerical staff. We continue to reach out to jurisdictions that have yet to approve our class to introduce them to our program.

As we continue our outreach to the various jurisdictions around the state we ask for your assistance. If you have a local contact that you have a good relationship with, reach out to myself or one of the members of our committee. Your connection may help add another county to the list of approved jurisdictions.

If you have any questions, you are welcome to contact me.

Respectfully submitted,

Lance Randall, AFPS
Chair

Vice Chair: Kevin Fedotov, AFPS

Members: Diana Wardwell, AFPS, Michelle Howard, AFPS

**19th Judicial Circuit
process servers are
approved to attend
FAPPS online
education classes
(new and renewal)**

See full schedule:

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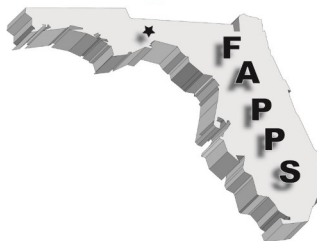
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3rd Quarter Board Meeting/Professional Beach Getaway



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20th Professional Beach Getaway





FAPPS IS YOUR'S....USE IT!!!

What do you mean mine? I joined to get my name and business listed in the Directory, on the FAPPS internet site, and to get the newsletter...which I read IF I nothing else to do. FAPPS is just another business organization, so what do you mean mine?

Well how about this. You spend years in school, did you learn or did you just “veggy out”? What about those classes, and activities and social aspects of school? Did those experiences open your mind? Did you “grow” from those varied experiences? Did all of that help you become who you are today?

“ Minds are like a parachute, they only function when opened”

Growing and learning is a life-long experience, especially in the ever-changing world of business.

“ The Mind is a Terrible Thing to Waste.”

But learning and growing opportunities abound – IF you keep your eyes open to the opportunities. FAPPS is a learning, growing “Academy”, if it is used. That growth, individually and business wise, can occur through contact with others, or by volunteering for the many “helping-hand” things that are available in committees, or for the Board Meeting or the Convention. We are basically an “all-Volunteer” organization. We could not function without folks like you volunteering to help. In the process; you will not only grow yourself, but your business as well.

A long long long time – like almost 25 years ago... I could not even spell P r o c e s s S e r v e r. I still can't spell, but I learned the Process Serving Business by going to meetings, asking questions and listening to others. In 1997, I organized the **Process Servers Cooperative of the Florida Keys (PSCFK)**, with almost 20 servers covering the 130 mile long Florida Keys. Several hurricanes ago I down sized and now serve ONLY Key West, Capital of the Conch Republic with my “side-kick” Beverly. Sometimes Shadow and Pepper and SWAT Team candidates go along as well.

Ideas are like fertilizer. We need them to grow as individuals. We need them to grow our business, The expertise and experience in our membership is awesome, and is available for the asking. Membership in FAPPS gives you that solid foundation for personal and business growth, BUT you have to use it. **BE ALL YOU CAN BE! Get Involved!**

(* I “boiled” down the original article, which was a bit verbose, but extracted the essential points. Remember the “credit line” below is from 2004.)

Go for it gang, FAPPS is YOURS – Use it !!!

A Professional NEVER stops Learning

**Dr. Denny Howley is coordinator of the Process Cooperative of the Florida Keys (PSCFK), which covers all 822 named islands of the 130 mile long Florida Keys with almost 20 servers. Denny operates CADCORP, a Private Investigative Agency as well as Scuba Dive Management Systems (SDMS), which does customer service checks on the area dive boats. In addition he is a NAUI and PADI Scuba Dive Instructor at the Florida Keys Community College. Denny lives and operates his business' from Key West, Capital of the Conch Republic.*

Body Cams

Submitted by:
Michelle Howard
Director, VAPS Chair



During our Professional Beach Getaway board meeting we discussed the usage of Body Cams and process servers. Below is a recap of the presentation that includes Florida Statutes and penalties associated with violating someone's rights for privacy.

The hottest topic recently has been body cams and where FAPPS as an association stand. First and foremost, FAPPS does not take a stance to recommend or deter a process server from wearing a body cam. Our suggestion is to get with the agency that regulates your license for their policies and recommendations.

Statutes for recordings and penalties:

Body cams for all law enforcement agencies are regulated under FS 943 – specifically 943.1718, this statute outlines how agencies must use and store body cams and body cam footage.

FS 119.021 – specifically addresses storage of public records which includes body cam footage (law enforcement)

*FS 810.14 (b) Secretly observes another person's intimate areas in which **the person has a reasonable expectation of privacy, when the other person is located in a public or private dwelling, structure, or conveyance.** As used in this paragraph, the term "intimate area" means any portion of a person's body or undergarments that is covered by clothing and intended to be protected from public view.*

(2) A person who violates this section commits a misdemeanor of the first degree for the first violation, punishable as provided in s. 775.082 or s. 775.083.

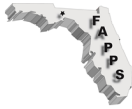
(3) A person who violates this section and who has been previously convicted or adjudicated delinquent two or more times of any violation of this section commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

FS 810.145 – Addresses expectation of privacy and recording.

*810.014 (C) "Place and time when a person has a **reasonable expectation of privacy**" means a place and time when a reasonable person would believe that he or she could fully disrobe in privacy, without being concerned that the person's undressing was being viewed, recorded, or broadcasted by another, including, **but not limited to, the interior of a residential dwelling, bathroom, changing room, fitting room, dressing room, or tanning booth.***

*FS 934.03 Interception and disclosure of wire, oral or electronic communications prohibited – **This requires 2 party consent to record an individual – excluding public places***

In conclusion: There is no protection for process servers recording individuals, the statutes only dictate the protections for law enforcement agencies. We had a discussion as to how approaching an individual while wearing a body cam and they may perceive the process server as a law enforcement officer. Law enforcement officers are mainly the only profession that utilizes such recording devices and the potential for a negative encounter that may lead to violence. Not to mention the civil liability for a process server. As always, we want every process server to be safe, there are other methods of recording (without audio) such as dashcams. We strongly urge you to consult with your employer or your attorney if photographing and or videotaping would be appropriate given the circumstances for each individual case.



FDSA (FAPPS Distinguished Service Award)

Bob Musser, Chair

BobM@dbsinfo.com

(407) 679-1539

Dear Members,

The FAPPS Distinguished Service Award Committee met at the August board meeting in 2020 and is done for the 2020 and 2021 cycle. The committee has decided to hold off on any presentation until our 2022 Annual Meeting. But if you, as members of FAPPS, have suggestions for the committee to consider, please send me an email with the name, and a brief summary of their experience or their attributes that would make them a fitting recipient this year or at some time in the future. I will forward your email to the committee prior to our next meeting.

Bob Musser, AFPS
FDSA Chair
BobM@dbsinfo.com
www.fapps.org

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Learning from Serving

An Educational Forum

Submitted by Dr. Denny Howley

Hiding or Break-In??

Situation:

It was around 9:00 pm, and this hopefully, would be our Server's last serve for the day and likely the last attempt for serving this document since the "service deadline" was fast approaching. The service neighborhood was very-well-to-do, with large mansions, most of which were gated with long "monitored" driveways. Fortunately his service property was not gated, but the 100 meter driveway to the home was long, dark and twisting through shrubbery and trees.

On four previous attempts, no one had been home at the property, although one car had been parked in the garage. Nonetheless our conscientious Server had left, at the front door readily visible, a professionally printed note requesting the Defendant contact him as soon as possible. He had not been contacted previously. On this attempt lights were on in the house and there were three cars clearly visible in the garage.

An Easy Serve – Right?

Our ever Professional Process Server had his trusty heavy duty flash light, which would shine an orb of light over 600 meters. And, just before exiting his vehicle, he took a date/time photo of the house, garage and surrounded area. He went to the front door, knocked and rang the doorbell several times, to no avail. He then moved to the side of the building, to see if there were any other lights or possibly a TV on. He was more than surprised to find the sliding glass door on the side of the house had been shattered, completely exposing the dining room to the elements. There was broken glass from the smashed sliding door scattered on the deck and grass nearby.



No lights were on in the dining room, nor did our Server note any movement inside the home. So he shouted his purpose for being there, clearly noting his Certified Process Server Credentials. Then he moved cautiously back to the front of the house. As he approached the front door he saw a male figure at the top of the staircase shutting off the interior lights. Now the building was totally black. The Server continued to knock on the door and urge the occupants to come to the door.

Intruder or Avoider?

Our Server had seen, near the shattered porch sliding door, a dustpan, broom and half-filled five (5) gallon bucket with small shards of glass. The issue remained - he did not know who was on the stairs shutting off the lights, an avoider or a home intruder who might have cleared up some of the glass to make easy access into the dining room. No one would come to the door despite his insistent knocking and calling. So, deciding the best part of valor was to use common sense. He called 911.

Our diligent Server identified himself to the Dispatcher, explained that he was attempting to serve court documents, gave his location and described the possible break-in situation. He was instructed to remain at the location and get into his vehicle, which he promptly did. In less than (10) minutes four (4) Chevy Tahoe trucks bearing State Trooper decals roared up the driveway. As the officers exited their vehicles, with a K-9 in tow, they donned heavy protective Teflon vests. They also retrieved long rifles from the trunk of their vehicles. A State Trooper Supervisor pulled up behind the line of his Trooper's cars moments later.

“Hiding or Break-In?” Continued

The Supervisor asked for the Server’s identification, asked him to quickly summarize the situation and to show him where the smashed sliding glass door was. With several Officers leading the way, weapons at the ready and flash lights on, they loudly announced their presence. Almost immediately, lights began to come on all over the property. A man with family in tow appeared spouting verbal abuse at the “intrusion”. The homeowner quickly identified himself to the State Trooper Supervisor and stated that the sliding glass door had been broken by a clumsy gardener. Once the “intruder mystery” had been cleared up the Supervisor introduced our Server to the angry homeowner. He was then served. Under the gaze of the State Trooper Supervisors, other Officers and the Avoider’s family, our avoider through gritted teeth and with considerable embarrassment, said to our Server “Thanks for your concern for my safety”.

Comment:

The dilemma for our Server was he had no solid “unquashable” name for his serve. He did not know if the “light-turner-offer” was the defendant or a visitor. Three cars, when before there had only been one, strongly suggested family...or maybe friends who were using the property. But would “friends” turn off the lights and hide? Logical odds were, especially since our Server had dropped notices to the Defendant on previous attempts, was that the defendant was playing “hide-and-seek”. He also seems to reflect his low opinion of Process Servers...“catch-me-if-you-can”...ha ha ha.

No doubt our PROFESSIONAL HIGHLY EXPERIENCED Server ran all of this through his mind. He was tired, this was his last serve of the night and possible the last serve for this case, but he was also pissed...like having someone stick a finger in your eye pissed. Ahh the broken sliding door. Why not play the Good Samaritan. If “Mr. Hotshot... you can’t touch me” wanted to play games so be it. There is no doubt the State Trooper Supervisor figured out the scenario and relished “twisting” our avoiders tail a bit by “persuading” “Mr. Almighty” to thank the Good Samaritan Process Server for his neighborly concern.

*The material for this article “Hiding or Break-In” was provided by **Conner O’Rourke, O’Rourke Investigative Associates, Wilmington, Delaware, (302) 427-3600**. Conner is a LONG time Associate FAPPS Member and is a Private Investigator, does Skip tracing along with his Process Serving activities.*

A Professional NEVER Stops Learning

*Dr. Denny has been writing articles for FAPPS and NAPPS for OVER twenty years.
He owns and operates Dr. Denny Howley d/b/a serving process
in Key West - ONLY (33040, 33041, 33045) Capital of the Conch Republic.
He has been in the business of serving process since 1997.
Denny lives in Key West with his wife Beverly and two “critters” Shadow and Pepper*

Share your serving stories! You can share a full article or a synopsis of the service and Dr. Denny will help you create the article. Email: DennyHowley@bellsouth.net



P&G/Member Benefits

Kevin Fedotov AFPS, Chair
fedotovk@yahoo.com (407) 627-8222

Dear FAPPS Members,

It was a great pleasure seeing everyone back in person at the 20th FAPPS Professional Beach Getaway & 2021 3rd Quarter Board Meeting and we are looking forward to seeing you again in a few weeks at our 4th Quarter Board Meeting on Nov. 13, at the lovely Safety Harbor Resort.

As always, our goal as a committee is to increase our membership & retention rates, and we believe we are the best at doing this in person. Our FAPPS Facebook Group Page continues to grow in membership, please be sure to share the page with others in the industry.

The Committee is still very interested in attending your networking events around the state of Florida and are constantly looking for a new way to promote FAPPS. Whether we're in front of lawyers, paralegals, process servers or other professionals - we want to be there! Please let us know of any events or local Bar Association happenings in your area by contacting the chair of the Promotion & Growth Committee, Kevin at FedotovK@yahoo.com

Our Education Committee members are also constantly promoting the association and reaching out to those prospective members in Florida during our Continuing and New Server Education Courses. We also recognize that there are still quite a bit of jurisdictions you may be serving process in that do not accept our Education Classes, and we want personally thank those of you who share the importance of being a FAPPS member with the other licensing authorities.

A great way to better your business is by having the office staff take one of our 4 Hour Education classes. Not only will the staff be educated in the proper forms of service but they also receive a FREE FAPPS Supporting Member listing on our page. This is a great way to increase our

membership and ensure your business produces quality service of process and affidavits of service. Visit our Education Page or contact the Administrator for the next available class date.

Be sure to follow our Facebook group page "Florida Association of Professional Process Servers" for updates on legislature, Zoom Happy Hour and Educational Mastermind events, and other news in our industry.

As always, it is a pleasure to serve you [no pun intended] and if you have any questions please do not hesitate to contact us.

Kevin Fedotov, AFPS
Director and Chair
FedotovK@yahoo.com, (407) 627-8222

Vice Chair: Diana Wardwell
dwardwell@wcpil.com
Members: Melody Bulso, Chris Compton,
Desiree Garcia, Chris Yeoman, Tammy White

Visit our Member Only Resource Section

<http://www.fapps.org>

Email administrator@fapps.org for an email to be sent to you for your first time login instructions.

Forward information, resources, or suggestions to be included to:
administrator@fapps.org



Legislation

Chris Yeoman AFPS, Chair

Chris.Yeoman@aol.com (954) 274-1337

Dear Members,

The FAPPS Legislative Committee will continue to work with our Lobbyist to again present our bill from last year.

Last year's bill, SB 1420 was presented to the Florida Senate after being sponsored by Senator Ana Maria Rodriguez, and was unfortunately left to die in committee after other issues mostly COVID-19 related occupied the allotted time. This bill had several parts, but some focused on service of registered agents at a home address, service at private mailboxes, and service on state agencies or school boards.

We will continue to monitor other legislation in Florida and other states that effect our industry. Your FAPPS committees are always working hard for you, but we always are looking for additional members and participants, and we encourage you to join a committee or become active in your association in some way.

Chris Yeoman AFPS,
FAPPS Vice President
Legislative Chair
Cellphone 954-270-4597



PSAC (Process Server Appointment) **Melody Bulso AFPS, Chair**

Melody.Bulso@Provest.us (813) 877-2844x2036

Hello All,

The committee has not had much change since the annual meeting. We are still poised to send letters to decision makers in a few key areas.

If you would like to get involved, please reach out to mbulso@provest.us. We are looking for you!

Be Well,
Process Server Appointment Committee

Committee Chair: Melody Bulso, AFPS
Vice Chair: Margie Zawacki, AFPS
Committee Members: Kevin Fedotov, AFPS,
Tammy White, AFPS, Diana Wardwell, AFPS



Secure Data Exchange **Bob Musser, Chair**

BobM@dbsinfo.com (407) 679-1539

The Secure Document Trading Service, which is now 6 years old (First launched in 2015!) is a working platform, with support from 4 vendors. Jason Tallman out of New York, with Process Master software is now actively working on adding support for the SDTS. Process Server's Toolbox, Paper Tracker, Tristar WinServe, and Loyal Dog all already support import of jobs from the web version of SDTS directly into their software.

If you have not taken the time to fill out your FAPPS profile (no cost, and gets you additional exposure and work through the FAPPS website), come talk to me, or read more about it at <https://Fapps.SecureDocumentTrading.com>

Bob Musser AFPS, Chair

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Technology

John Shelley, Chair

John@caffeinecode.biz (813) 431-0674

We are still attending all of the Florida Courts E-Filing Authority meetings via WebEx.

May E-Filing submissions was 1,697,582

March 2021 had the highest number of monthly submissions to date at 1,802,630

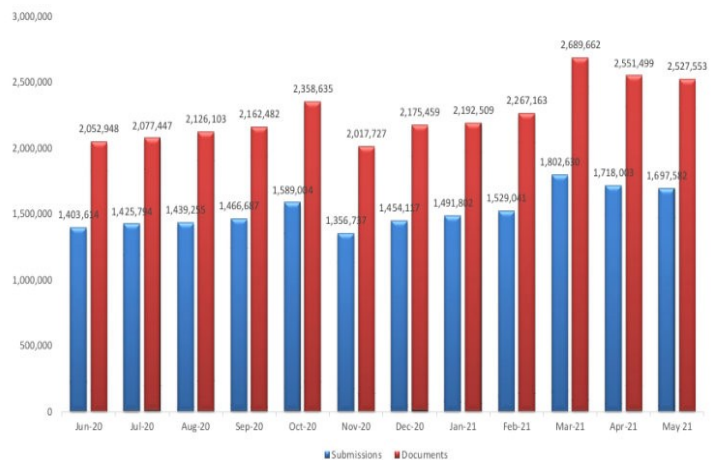
Self-Represented Litigant Submissions are Still Relatively Flat at 0.6% - 0.8% of submissions for 2020-2021.

If you have any news, questions or concerns feel free to get in contact with me anytime at john@caffeinecode.biz

Thanks John

Member: Christopher Compton
Committee Chair: John Shelley

Year at a Glance



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HERE'S WHAT LEGAL STAFF NEED TO KNOW

About The Changes
To Rule 2.420

INSTEAD OF CLERKS OF COURT, FILERS ARE NOW SOLELY RESPONSIBLE FOR REVIEWING AND IDENTIFYING CONFIDENTIAL INFORMATION

Based on a recent Florida Supreme Court amendment to Florida Rule of Judicial Administration 2.420 regarding access to court records, **“the clerk of court shall not be required to designate and maintain information as confidential unless the filer follows the notice procedures,”** in most circuit civil, county civil and small claims court documents.

Effective July 1, 2021, filers will be solely responsible for ensuring any confidential information contained in court records filed with the Clerk is appropriately redacted or identified for redaction in these kinds of cases.

Please review the changes to this rule and make sure that you and your staff are fully familiar with this rule change.



LEARN MORE AT

www.FLClerks.com/ConfidentialRuleChange

LEARN ABOUT THE CHANGES TO COURT FILINGS...

Changes To Rule 2.420 Impact How Filers Handle

CONFIDENTIAL DOCUMENTS



HERE'S WHAT LEGAL STAFF NEED TO KNOW

About The Changes
To Rule 2.420

EFFECTIVE JULY 1, 2021



Clerks are no longer required to review and remove confidential information from court filings for small claims, county civil, and most circuit civil court cases unless notified by a filer



Filers are now responsible for identifying confidential information contained in these court records and ensuring it is appropriately redacted



Confidential information in a court record may be at risk for public release if it is not appropriately identified or redacted by the filer



CONFIDENTIAL

LEARN ABOUT THE CHANGES TO RULE 2.420

HERE'S WHAT IT MEANS FOR FILING COURT DOCUMENTS WITH CONFIDENTIAL INFORMATION

THE BACKGROUND OF RULE 2.420

Rule 2.420 outlines 23 types of information that are automatically confidential in court records such as Social Security numbers, certain health records, bank account numbers, addresses of domestic violence victims, and juvenile records.

With the rule change, filers are now solely responsible for identifying information that falls under those exemptions and notifying Clerks when they file court records through the statewide e-filing portal or in-person at a Clerk's office.

Previously, Clerks were required to independently review all filed records to further identify and redact confidential information protected by the rule. According to the amendment, Clerks are no longer required to perform this review and are only obligated to protect information in civil and small claims cases when notified by filers, by court order, or when the case itself is confidential under law.

WHO SHOULD BE AWARE OF THE CHANGES

CHANGES APPLY TO:

- ▶ Small Claims Cases
- ▶ County Court Civil Cases
- ▶ Most Circuit Court Civil Cases

CHANGES DO NOT APPLY TO:

- ▶ Family Law Cases
- ▶ Domestic Violence Cases
- ▶ Cases Stemming from Sexual Abuse
- ▶ Risk Protection Orders
- ▶ Mental Health Cases
- ▶ Jimmy Ryce Civil Commitments
- ▶ Medical Malpractice Cases

THE '23' TYPES OF CONFIDENTIAL INFORMATION

Effective July 1, 2021, **filers are required to file a Notice of Confidential Information** identifying the precise locations and confidentiality provisions that apply to the identified information based on the the 23 items listed in Rule 2.420, including:

- ▶ Dependency
- ▶ Adoption Files
- ▶ Social Security Numbers, Bank Accounts, Charge, Debit & Credit Card Numbers
- ▶ HIV
- ▶ Sexually Transmissible Diseases
- ▶ Birth and Death Records
- ▶ Pregnancy Termination by Minor
- ▶ Baker Act Records
- ▶ Substance Abuse Records
- ▶ Clinical Records
- ▶ Estate Inventories and Accountings
- ▶ Domestic Violence (Victim's Address)
- ▶ Child Abuse & Sexual Offenses
- ▶ Gestational Surrogacy
- ▶ Guardianship
- ▶ Grand Jury Records
- ▶ Family Services for Children
- ▶ Juvenile Delinquency
- ▶ Tuberculosis
- ▶ Presentence Investigation Reports
- ▶ Forensic Behavioral Health Evaluations
- ▶ Drug Court Reports
- ▶ Domestic Violence (Identifying Information)

LEARN MORE AT

www.FLClerks.com/ConfidentialRuleChange



Dear Members,

Well summer is just about over (according to the calendar...LOL), heading into the final months of 2021 we should all be so proud that we have survived the past 19 months. Please remember that safety is always a priority whether it is professionally or personally we want everyone to be safe and respectful to others while we are still navigating the uncertainty of all that is happening in our society.

As many of you know we have had an uptick in violent acts in the past few months, even more reason for you to be safe and aware of your surroundings at all times.

Updates for violent acts:

- Martin County – Process server pushed down a flight of stairs and had his windshield smashed – the MCSO was not filing charges; the process server was going to request the matter be reviewed by the State Attorney’s office – we are awaiting an update on this case.
- Pinellas County- Process server violently attacked required medical attention where he received numerous stitches in his face and head, the subject has been arrested and the SAO is charging him with Aggravated Felony Battery – subject’s arraignment on this case is scheduled for 9/27/2021 – if you are interested in following this case – Pinellas County 21-06929CF – This defendant has a history of violence and assault.

New Violent Cases:

- Hernando County- The process server was chased by the subject with a large kitchen knife while repeatedly chanting “I am going to kill you”. The subject was arrested, and the SAO is charging him with Aggravated Assault with a deadly weapon and Resisting and Officer with Violence. His next court date is 9/20/2021. The process server has advised that they want him prosecuted to the full extent. If you are interested in following this case – Hernando County 272021CF001295CFAXMX (unfortunately they do not make all documents viewable for public review) This defendant does not appear to have a violent history, just several traffic violations.
- Brevard – A process server was harassed during a service where a gentleman approached her vehicle and made threatening statements and tried to keep the server from leaving the property, subject also claimed the process server backed into him and struck him with her vehicle while she was trying to get away. She did contact the police but did not stay in the area to finalize a report or file a formal complaint against the defendant.

As you see the VAPS committee has been busy. It is important to remember to report **all** cases of violence not only to local law enforcement but to the VAPS committee. Please submit any acts of violence on the FAPPS website <https://www.fapps.org/ViolenceReport>, a member from the committee will follow up and provide general assistance with your case.

VAPS Report continued next page

We want all members to have a familiar face in your area to assist with following your case, we have liaisons in the following areas:

Northwest Florida (Tallahassee – Panhandle area) Chris Compton phone: 850-877-9809
Chris@ProcessAmerica.com

Southwest Florida (Lee and Collier area) Tammy White phone: 239-313-6740
tammy@weservejustice.com

West Central Florida (Greater Tampa Bay area – including Polk, Pasco, Hillsborough, Pinellas, Sarasota, Manatee, Hernando, Citrus and Sumter counties) Michelle Howard phone: 727-542-1975
Michelle@TRGTLegal.com

At this time all other counties will be followed by Michelle Howard, we are seeking members to assist as liaisons in Central Florida (Orlando area), Northeast Florida (Jacksonville area), South Florida (Miami Dade Broward, Palm Beach etc.). If interested please reach out to Michelle Howard or Diana Wardell, Administrator.

Many of you attended the Professional Beach Getaway where we had a presentation regarding body cams. This was a great success. If anyone is interested in the data from this presentation please email, Michelle@TRGTLegal.com.

At this meeting we introduced a Process Servers Assault Guide, if you are interested in receiving a copy of this hand-out to carry with you please email Michelle@TRGTLegal.com with your mailing address and we can get these out as soon as possible.

As a reminder, FAPPS offers classes via Zoom on a regular basis for process servers to maintain their license as well as establish as a new process server. There are many jurisdictions that do not have a program or require continuing education. I strongly recommend everyone attending at least one refresher class a year, this is where we share ideas and offer suggestions for safety and best practices. To sign up for an upcoming class please view the educational schedule <https://www.fapps.org/afpscourschedule.aspx>

We look forward to seeing you at the next board meeting November 13, 2021 at the Safety Harbor Spa and Resort in Safety Harbor, FL .

Michelle Howard
Director, Committee Chair for Violence Against Process Servers
Michelle@TRGTLegal.com Office: 813-492-2500 Cell: 727-542-1975

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Website/FAPPS Server

Diana Wardwell, Chair
Bob Musser, Webmaster

The FAPPS website is full featured, a complete source of information on all things FAPPS, and a frequently used tool for finding private process servers across Florida and the entire nation. Many thanks to Diana Wardwell for her constant review, and to the committee chairs who send us content for the areas for which they are responsible.

The FAPPS server is a private, secure, replicated and backed up place for the Administrator, Secretary, and other committee chairs to store information that belongs to FAPPS. We no longer have to move files and data from person to person after each election.

Bob Musser, Webmaster

The website is reviewed and updated quarterly. We are always open to suggestions for content and information to share. These suggestions can be emailed to administrator@fapps.org. The Member Only section contains additional resources. In order to access this area of the website you will need to create a login. This can be accomplished by emailing me first so I can forward you a link. Special thanks to DreamBuilt Software for maintaining and updating our website.

Diana Wardwell, Chair

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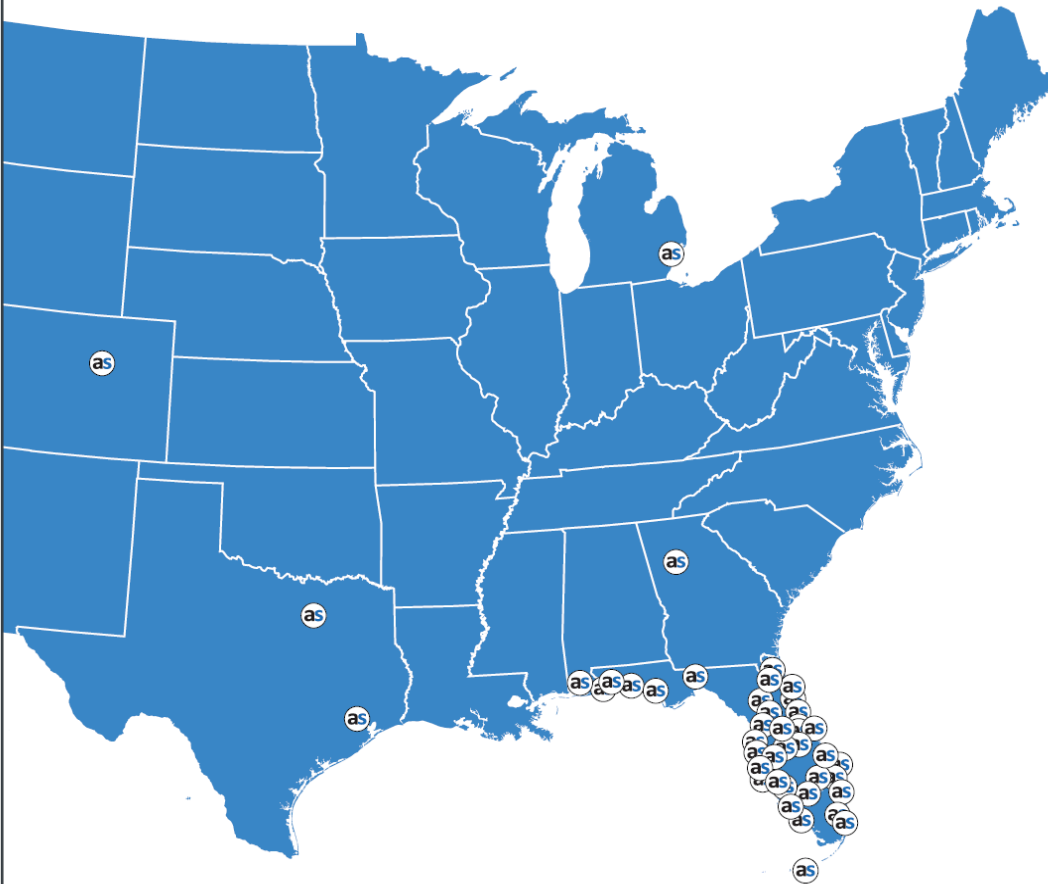
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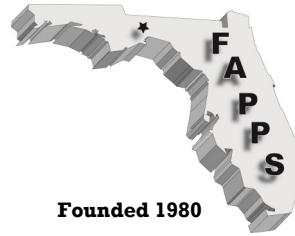
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