4th Quarter Board Meeting - November 5, 2022 - Miami, FL





The Official Newsletter of the21Florida Association of Professional Process Servers

2nd Quarter Edition 2022

22nd Professional Beach Getaway August 19-21, 2022

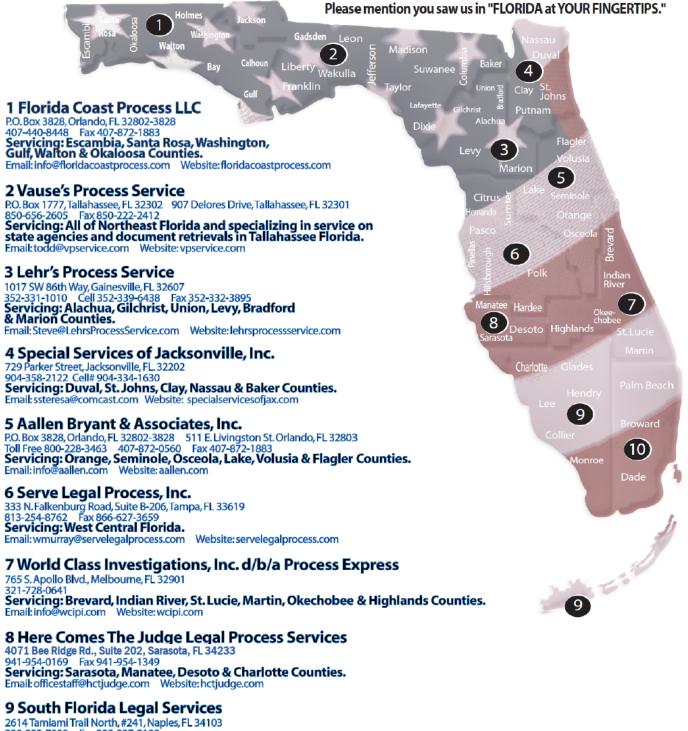
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2022-2023 Association Guide

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Winter Park (407) 679-1539 email: BobM@dbsinfo.com

Chris Yeoman AFPS, Vice President

Pembroke Pines (954) 270-4597 email: chris.yeoman@aol.com

Joe Osborne, Jr., Secretary

Sarasota (888) 360-5345 email: joe@360legal.net

Gretchen Randall AFPS. Treasurer

Hollywood (954) 944-3900 email: Gretchen@lri.us

Kevin Fedotov AFPS, Director Orlando

(407) 760-0880 email: FedotovK@yahoo.com

Desy Garcia, Director

Orlando, FL (407) 687-6179 email: DesyGarcia22@gmail.com

Michelle Howard AFPS, Director

Pinellas Park (888) 642-0130 email: Michelle@trgtlegal.com

Jennafer Segel, Director

Tampa (813) 251-9197 email: Jennafer.Segel@gmail.com

Tammy White, AFPS Director

Ft. Myers (239) 313-6740 email: Tammy@weservejustice.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

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: Michelle Howard, AFPS, Michelle@trgtlegal.com Vice Chair: Kevin Fedotov AFPS Members: Lance Randall, AFPS, Diana Wardwell, AFPS

Legislation

Chair: Chris Yeoman, AFPS chris.yeoman@aol.com Vice Chair: Diana Wardwell, AFPS Members: Russ Aloi, 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 Members: Desiree Garcia, Joshua Kes, Mercedes Randall Paralegal Liaison: Tammy White AFPS, ParalegalLiaison@fapps.org Alternate: Kevin Fedotov, AFPS

Secure Data Exchange and eSop

Chair: Bob Musser AFPS, BobM@dbsinfo.com

Technology

Chair: Desy Garcia, DesyGarcia22@gmail.com

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, Frank Carreras, Tammy White, AFPS

Website

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

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:

It was great to be meeting in person again at the MAY 2022 FAPPS Board Meeting; to be able to see friends and business associates not through a video link. You can get business done, but it just doesn't feel the same hugging a computer screen, or shaking a mouse instead of a hand.

We have shaken things up a bit since our last Board meeting. The Education Committee is now headed by Michelle Howard after Lance Randall stepped down after several years of success. I know the committee is in good hands with Michelle and I expect the committee to continue to grow in experience, reach, and reputation under her guidance. Our new technology chair is Desy Garcia who replaces John Shelley after many years. Desy is young, energetic, and entrenched in the technology industry, so my expectations are high there as well. And finally, we welcome Desy Garcia and Tammy White to the FAPPS Board along with the 7 members returning from last year.

We have a lot to report this quarter. You'll hear important news from the Legislative committee, the Education committee, the Process Server Appointment committee and more. We are entering what I call a "strategic inflection point" in the world that is private process service. The decisions we make today will have a direct impact on how prosperous we are tomorrow.

Later in the meeting, I lead a discussion on a very significant series of developments on Electronic Service. It is arriving, in bits and pieces, with fragmented methodology and inconsistent requirements. FAPPS needs to adopt a leadership position on this topic. We will not succeed in trying to stop every new bill that authorizes it. The efficiency gains are simply too big for government and big business to ignore. We need to make sure that the Disinterested third party, which has been a staple of Due Process for 700 years remains a mainstay. And we need to make sure that persons authorized to serve under Chapter 48 are used for all forms of service, in person or otherwise. The board reviewed this proposal and adopted it at the meeting. You can review the full document later in this publication.

Bob Musser, AFPS President BobM@dbsinfo.com



VICE PRESIDENT'S REPORT

CHRIS YEOMAN AFPS, VICE PRESIDENT

Greetings fellow members,

It's not often I miss a board meeting in person, but this time I had a wedding/ family reunion I just could not miss. I thank those of you who have made the effort to be at the 2nd Quarter Meeting in Jacksonville, and look forward to seeing you all in August at the Professional Beach Getaway.

These past several months we have had some great lessons and realizations of just how close we are to a topic we have been discussing on and off the past few years, electronic service. As much as we hate the subject, we cannot ignore it. After recent bill proposals we have seen, we have come to the realization that it cannot be stopped, so we must be on the forefront to avoid being left behind. What I mean is that we must make sure that process servers are the parties who are effecting electronic services when they become deemed legal. Strengthening the language in Chapter 48 will be the best way to do this, reassuring that every initial service of process needs to be served by an authorized process server or sheriff.

Our membership support has never been so important. We all know there is strength in numbers and being able to represent the entire population of Florida process servers is a goal the board has always shared. Please continue to spread the word that FAPPS is the only organization representing your best interests, and we need your support. Special thanks to Tammy White and our team who recruited some new members recently at the NAPPS convention.

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

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ANNUAL MEMBERSHIP DIRECTORY

The annual membership directory is in production. Please go to the member search and review your listing at <u>www.fapps.org</u>.

Email all changes to administrator@fapps.org

Advertisements are still being accepted through 6/3/22

You do not have to login to confirm your information. All changes to your listing are handled through the administration office by email.

Thanks for your support of FAPPS!



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FAPPS MEETINGS AND EVENTS

Moy We invite

August 19-21, 2022 Professional Beach Getaway 3rd Quarter Board Meeting

The Shores Resort & Spa 2637 S Atlantic Ave, Daytona Beach Shores, FL 32118 November 5, 2022 9:00 a.m. 4th Quarter Board Meeting

> Cambria Resort and Spa 6570 NW 7th Street Miami, FL 33126

Spring 2023 32nd Annual Conference

Location and Date TBA

Meeting information available at <u>www.fapps.org</u>

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 July 15th & 16th, 2022 8:00 a.m.

Schedule and Registration: <u>www.fapps.org</u>

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

In Person Training

June 25, 2022 9:00 a.m. Safety Harbor Resort 105 N. Bayshore Dr., Safety Harbor, FL

September 9, 2022 8:30 a.m.

Continuing Education Class Indian River State College, BCIE 3209 Virginia Ave., Fort Pierce, FL

September 9-11, 2022

20 Hour New Process Server Education Indian River State College, BCIE 3209 Virginia Ave., Fort Pierce, FL

SECRETARY'S REPORT

JOE OSBORNE, JR.

From the Desk of the Secretary

Dear Fellow FAPPS members,

The minutes from the previous board meeting are up to date and are or will be published on the website including those from the annual meeting held on March 11-12, 2022.

- There has been 1 objection to membership received so far during the 2nd quarter of 2022, however, it was determined that the objection was not valid and it was subsequently withdrawn.
- All secretary records are updated and located on the FAPPS data storage server.

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

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 <u>fapps.securedocumenttrading.com</u> 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

ADMINISTRATOR'S REPORT

Diana Wardwell, AFPS

administrator@fapps.org

Dear Members,

Our annual conference was a success. It was an excellent opportunity for members to come together, learn, and network with one another. We had many new attendees and appreciate them taking the time to join us. We are a very diverse group of individuals and the roundtable sessions were the perfect opportunity for sharing ideas in each session. Sean Meenan lead a discussion on De-Escalation tips that was extremely informative, and I'd like to thanks to all our speakers and exhibitors who helped contribute to making this an outstanding event.

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

I am 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

Our current program offers applicants who apply now through July 31st the ability to pay prorated dues (50% off base membership). Their membership will expire at the end of the year and they will need to renew for 2023.

Members who refer Active or Associate Members are eligible for a \$25 discount for each person who is referred. The program has restarted for 2022 and you will receive this discount off your 2023 membership dues.

Attendees at our education classes are eligible for a free Supporting Membership or \$30 off Active or Associate Membership.

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

Over the next year, I will be working with the Website and Technology Committees to further enhance our offerings for membership. I'd like to see us pursue an easier application form and payment process on the website and work with our Webmaster to provide automatic notifications to members during our dues renewal process.

I was really excited by the energy and ideas I read in the other Committee Reports. I look forward to working with everyone to continue to pursue our goals.

Respectfully, Diana Wardwell, AFPS

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!

Dana Denise Bloodsworth

Tri-County Process, LLC 288 Willow Green Drive Orange Park, FL 32073 Phone: (904) 813-2577

Silvia Castillo 2951 W. Somerset Rd. Avon Park, FL 33825 Phone: (917) 674-8364

Delmarie Reid

DC Process Servers, LLC 663 Parakett Ct. Kissimmee, FL 34759 Phone: (863) 537-0458

Susan V. Reynolds, Esq. De Novo Attorney Services, Inc. 5063 Sesame St. Palm Beach Gardens, FL 33418 Phone: (800) 846-9696

Gary "Ike" Willingham Willingham & Associates, LLC 6073 Strafford Oaks Drive Sebring, FL 33875 Phone: (863) 446-0846

William C. Boughman

Paladin Security Strategies 3904 29th Avenue S.W. Naples, FL 34117 Phone: (239) 601-1200

Russell Parker

3119 Caribbean Dr. Punta Gorda, FL 33950 Phone: (216) 210-3039

Cody Patton

Patton Enterprises, LLC P.O. Box 2384 Bentonville, AR 72712 Phone: (479) 544-7004

Benito Acevedo

Ace Civil Process 212 Hot Well Blvd. San Antonio, TX 78223 Phone: (210) 823-4099

Chad Barger Attorney's Certified Services 5080 California Avenue, Suite 425 Bakersfield, CA 93309 Phone: (661) 327-8022

James Brown

Jaybee Services Inc. DBA Peak Investigations 7035 Philips Highway, Suite 18 Jacksonville, FL 32216 Phone: (904) 800-4805

Tom Cassisa Capital Process Service 5916 S. Shore Drive Baton Rouge, LA 70817 Phone: (225) 756-2537

Shawn Condrey

Falcon Express Services, LLC 238 Mathis Ferry Rd, Suite 101 Mt. Pleasant, SC 29464 Phone: (843) 577-9696

Pamela Daniels Blubonnet Process Service 10358 CR 3101 Winona, TX 75792 Phone: (903) 372-2818

Robert Delacy D.M. Professional Services 501 Silverside Rd, Suite 72 Wilmington, DE 19809 Phone: (302) 792-0558



Wayne Engram WE Investigations Inc. P.O. Box 441142 Fort Washington, MD 20749 Phone: (888) 982-9878

Ronald R. Ezell

Specialized Attorney Services, Inc. 360 N. Court Ave. Tucson, AZ 85701 Phone: (520) 624-2466

Andy Garza

A-1 Houtex Civil Process 20300 Franz Rd., Suite 2-210 Katy, TX 77449 Phone: (281) 808-2616

Ronda Godard

ICU Investigations, LLC 250 N Red Cliffs Dr, Suite 4B-275 St. George, UT 84790 Phone: (435) 986-1200

Sandra Hodge

TriCounty Private Process Service, LLC 22655 Point Lookout Road Leonardtown, MD 20650 Phone: (240) 577-2874

McKenna Howe

Quick Gen, LLC 1904 Lasso Circle Columbia, MO 65201 Phone: (316) 207-2913

Jessica Jester Saucedo

We Deliver Legal Services, LLC 218 N Las Moras Street San Antonio, TX 78207 Phone: (210) 267-9946

CONTINUED NEXT PAGE

WELCOME NEW MEMBERS

Christopher Johnson

Jamaica Collection and Recovery Services Ltd. 56 Montgomery Avenue Kingston 10 Phone: (876) 908-2077

Wendy Kelley

Kelley Servers 2819 Neosho Heights Neosho, MO 64850 Phone: (417) 626-7368

Janet (Jan) Krusick

JK Professional Server and Services 5132 Tobermory Way Bradenton, FL 34211 Phone: (941) 225-5011

Tammy McClendon

M.T.M. Legal Services 1318 Callahan Street Amarillo, TX 79106 Phone: (806) 674-1983

Jill Miller

Persistent Process Servers, Inc 2702 Rainier Circle Witchita, KS 67215 Phone: (316) 308-7087

Lisa Ortiz

Quest Process Serving, Inc. 6971 SW 5 St. Pembroke Pines, FL 33023 Phone: (954) 765-9857

J.D. Padgett All Florida Process, LLC 8578 Thims Avenue Jacksonville, FL 32221 Phone: (904) 240-2542

Scott Pomeroy

Hole In One Process P.O. Box 144 Kemp, TX 75143 Phone: (214) 952-5280

Christy Ramlogan

7121 SW 9th Street Pembroke Pines, FL 33023 Phone: (954) 639-2342

Destinee Serdinia

Howdy & Aloha Process 9116 Sailfish Drive Boerne, TX 78006 Phone: (210) 379-4226

Steven Smith

Smith Process Services 1908 Blackbush Drive Royse City, TX 75189 Phone: (469) 580-6888

Lawrence Yellon

Intercounty Judicial Services, LLC 6851 Jericho Tpke, Suite 180 Syosset, NY 11791 Phone: (516) 248-8270

Brian Zavodnick

Process Plus Legal Services LLS 2800 Turnpike Drive, Suite 1 Hatboro, PA 19040 Phone: (215) 443-8081

Supporting Members:

Queila Delgado Angel Taylor Lisa Grassmuck Naomi Stevenson



Sean Segel, Chair Tampaempire@gmail.com (813) 251-9197

Dear Members,

The A&G Committee has not received any enforceable complaints since our last meeting. One complaint was received regarding the ethical actions of an active member. After a full review of the complaint and discussion amongst the committee members it was agreed the complaint lacked merit. The complainant was informed, and no further action was taken. The committee has not received any additional complaints.

Sean Segel, Committee Chair

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



Members,

Our 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 <u>www.FAPPS.org</u>

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. At the recent FAPPS Annual Meeting, the Officers were reelected unopposed, and we added Desy and Tammy to our board along with 3 returning directors.

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

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Advertise in all four editions of the association newsletter "The Paper Chase" and receive a 10% discount

- Black and white advertising is available for payment twice a year (June 15th or December 1st).
- Color advertising locations (inside front cover, inside back cover and back cover) are only sold once a year starting on September 16th and are on a first come, first paid basis payable by December 1st. Advertise in all 4 editions and receive a 10% discount.
- Single edition advertising is also welcome

In addition, the newsletter is published on our website in full color in our Member Only section

Book your advertising now by completing the form and submitting your ad and payment

Banner Advertising, Annual Directory, Convention Program, and Convention Sponsorship also available for sale. Contact Diana Wardwell, Administrator for full details



It was great seeing new faces at the board meeting in Jacksonville. As we head into the 2nd half of 2022, we have many changes to our board, and I am excited to what we accomplish.

As a committee we are tasked with an overhaul of our educational materials since we have new legislation that takes effect July 1, 2022, and possibly January 2023. Kevin, Diana, and I have been discussing many topics and creating step by step policy and procedure manuals to ensure we are consistent with all aspects of the program.

Last year we were selected as one of the educators to teach a class in the Fifth Circuit, the court adminstrator and her staff attended the class and provided us with some great feedback, we have been invited to come back again this year. If you are in an area that would benefit from the FAPPS Educational Program please let us know.

As we head into "education season" please visit the education page to view and register for a class. <u>https://www.fapps.org/afpscourseschedule.aspx</u> (Please check with your licensing authority to verify they will accept our program for your renewal) We are currently approved in the 8th, 9th, 10th 15th, 19th and 20th circuits

We have an in-person class scheduled June 25, 2022 at Safety Harbor Spa in Pinellas county, this would be a great opportunity for those who are in an area that does not require annual continuing education to hear about the new changes coming that will impact how we serve process.

Classes are open to all process servers throughout the state as well as for your staff. We believe educating your office staff is key, it helps with communication not only with your servers but with your clients. This year will be the year you all will want to stay connected and informed to learn how the changes to statutes impact the way we serve. We are in the planning stages for how we will present the new statutes and the practical application to ensure your services are effectuated properly. Keep your eyes open for the announcements coming late this year.

We look forward to sharing our passion and knowledge with you!

Michelle Howard AFPS, Committee Chair 813-492-2500 (office) 727-542-1975 (cell) Michelle@TRGTLegal.com





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Learning from Serving

An Educational Forum

Submitted by Dr. Denny Howley

Accept the Job or Not?



As a PROFESIONAL, whenever you receive documents to be served, you REVIEW the packet to insure they are complete. You also must UNDERSTAND the documents sufficiently to be able to explain the documents to the person being served. In the following example, our Server understood what the client wanted, but was at a loss as to how he might explain the documents to the person served – IF he chose to serve the papers as received.

The Situation

Three sets of documents were received from an out-of-state Process Serving business. Two were for corporation restaurants and the third was for the "owner" of the two corporations. Corporation # 1 listed an LLC d/b/a as the "Shrimper Special". Corporation # 2 listed no d/b/a only the restaurant corporation name. All three, including the individual serve, were to take place at the business property.

The address was in downtown Key West. Upon arrival, the Server found a "Food Truck" in an off the main street lot with assorted "picnic type sitting tables". The sign stated this as the "Shrimper Special", but they had never heard of the restaurants listed in the two corporation documents. The lady in the "food truck", was the cook who took orders and passed food to the customers through the order/pick-up truck window. She said she recognized the "owner's" name, but he was there only "periodically" and did not live in Key West. She also noted there were several others who took turns "operating" the "Shrimper Special".

<u>Problem</u>

The Server called the client, after checking the Florida Division of Corporation. He carefully explained the "food truck" issue and his search, noting he found no name or d/b/a in the Division of Corporation Records for the "Shrimper Special". He did, however, find a listing of both corporation restaurants, their Registered Agent and the "owner" as an officer in both corporations at a distant location on the Florida mainland.

The client thanked the Server for his "finds" in the Florida Division of Corporation Records, but still wanted the corporations and individual/ "owner" served at the "Principal Address" listed on the Florida Department of Corporations website, the "Shrimper Special" location. He emphasized that the services would be in keeping with Process Serving practices in his state. The Server stated that he was very uncomfortable with all three serves and told his client that both the corporations and the individual serves should be redirected to the address noted on the Florida Division of Corporation Records. The client finally agreed, grudgingly, and copies of the records were sent to him.

Accept the Job or Not - Continued Next Page

"Accept the Job or Not" Continued

Discussion

Our Server was very aware that he served "at the pleasure" of his Sheriff. He also realized that Key West is tourist/vacation destination and some business' use PMB, virtual offices and other "spins" to circumvent the Florida Department of Corporations requirements for business and Registered Agent locations.

As a PROFESSIONAL, our server felt his was the right decision. He was unwilling to risk his standing with the Sheriff because a client "said" it was O.K. in his state. And on the "thinking level" it was questionable, at best. The big question, would the plaintiffs have been properly notified of the lawsuit as is their Constitutional (U.S. + Fl.) right and as outlined in Chapter 48 of the Florida Statues. I think not.

The material for **ACCEPT THE JOB OR NOT** was provided by Dr. Denny Howley, 305 294 5568 serving Key West, Capital of the Conch Republic. The example shows once again the that the Process Serving business is a thinking **business** U

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 "critters" Shadow, Pepper and Will.

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: <u>DennyHowley@bellsouth.net</u>

Florida Association of Professional Process Servers 21st Professional Beach Getaway August 19-21, 2022

The Shores Resort and Spa 2637 S. Atlantic Avenue, Daytona Beach Shores, FL

Networking * Meeting * Education



Don't wait until the last minute - book your room ASAP - deadline 7/19/22



Dear Members,

As most of you are aware, our legislative committee chairs and members have been busier than ever the last 8 months. Between the bill we submitted ourselves Senate Bill 750, and the Florida Bar proposed HB 545, we spent a immense amount of time working out details, and negotiations to mitigate damage it could have caused to our industry. When all seemed said and done, we discovered another senate bill 959, which in it's origination, had nothing to do with service of process.

When we became aware of this bill, in it's amended form, it had already passed the house and senate and stood ready for the Governor's signature. How did this go through unnoticed everyone asked? Because the usual methods of notification failed us. Our NAPPS legiscan service did not pick up on the significance of this bill because the service of process on the Chief Financial Officer section came later as an amendment. Attempts by our legislative committee, President and others to halt this bill were quickly answered that there was no chance. This portion of legislation was submitted by the office of the Chief Financial Officer themselves, and any objections to it were noted, but not answered. The CFO was instituting efficiency and modernization of an electronic portal that has been is use for several years, only now it will become the sole method of service of process acceptance.

So where do we go from here? We work on strengthening Chapter 48 to insure any method of service of process is still required to be effected by someone authorized to serve process. We work to eliminate a plaintiff's attorney or pro se litigant from the ability to serve their own documents. We all have discussed for some time that electronic service is a viable threat to our industry, and we must work to stay ahead of the changes before they are presented, to keep the roll of the third party authorized process server significant. 48.021 clearly states who is authorized to serve process in the state of Florida, yet this new legislation somehow bypasses this. The CFO is just one example of an institution initiating modernization to their procedures, becoming a paperless society, even using the technology to reduce manpower. These are changes we will continue to be confronted with, and we need to invoke legislative change to keep our significance in the role of due process.

We are committed to working towards change this next session, and will begin discussions on how this should be drafted, campaigned, and supported in the next few weeks and will be presenting our plan by the next board meeting.

We requested a budget of \$2500.00 to cover costs of travel we know will likely be necessary during the next legislative session to meet with officials, attend meetings, or any other events the President or board deems necessary. Respectfully submitted,

Chris Yeoman FAPPS Vice President, Legislative Chair, VAPS Vice Chair cellphone 954-270-4597





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FAPPS Best Practices on E-Service Adopted May 21, 2022

Electronic Service of Process (E-Service)

Personal service, defined as "delivery of the papers to the designated recipient", has been widely accepted for hundreds of years as the method of service most likely to result in actual notice to the named party. Nevertheless, this Board recognizes that E-Service is likely to be accepted on an expanding basis due to efficiencies gained by government agencies and big business alike. Therefore, the following is the official position of the Florida Association of Professional Process Servers (FAPPS) on E-Service:

- Chapter 48 Should and Does Apply to all Service of Process. FL Statutes, Chapter 48.021 specifies that "All process shall be served"... by the Sheriff, a Special Process Server, or a Certified Process Server. It does not say "All paper process", or "All process except mailings and Electronic Service of Process". It also states that a process server must be disinterested in any process he or she serves. Therefore it is clear that E-Service must be done by a disinterested third party authorized by Chapter 48.
 - An employee or clerk working directly for a law firm is not a disinterested third party.
 - The Plaintiff or the Plaintiff's Attorney is not a disinterested third party.

2. Legitimate and Defensible Methods for Electronic Service are Paramount to Due Process

A key component of due process is that a defendant be made aware of legal actions against them before a court has jurisdiction over them. Traditional service of process guarantees that the individual or entity has been served and has been informed of the contents of the matter. E-Service MUST meet this same standard. The legal system must be able to ascertain positively that the individual or entity received the process.

Email, texts, and social media messaging systems are not legitimate methods of E-Service. They do not assure that the communication was:

- Received by the correct person or by a person at all
- Delivered to the correct person, versus another individual with access to that account
- Considered a "real" communication versus discarded/ignored as spam
- Email is a "store and forward" "best efforts" communication system. A very large percentage of all email is considered spam and not delivered at all.

E-Service Best Practices Continued

All of these methods would be extremely difficult to defend as valid service and could easily be challenged by defendants for the reasons noted above.

These methods of communication may be used to notify a recipient that new information is available at an E-Service portal, but should not be used as the actual method of E-Service.

3. Components of a Valid Electronic Service of Process Platform

Valid E-Service should have stringent technical requirements to gather information regarding when, where, and how the electronic documents were received, viewed, and accepted, including:

- Date and Time the Recipient
 - Logged into the E-Service platform
 - Viewed or downloaded the documents
- Actual Documents Delivered
- The IP address of the person being served
- Verification of the identity of the person being served
- The disinterested third party's name and any license numbers
- Positive Authentication of the person authorized to serve process
- Any "waiver of service" signed

In addition, valid E-Service should use a platform that stores these electronic details securely for a specified amount of time, to ensure those details are available and unassailable during any attempt to quash the service.

TPC

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



Dear Members,

The FAPPS Distinguished Service Award Committee did a presentation at the Annual Meeting Awards dinner. For the first time, the award went to a member who was unable to attend, Dr. Denny Howley. Hopefully, he is at this board meeting and will get the recognition in person that he so richly deserves. Going forward, 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





P&G/Member Benefits Kevin Fedotov AFPS, Chair fedotovk@yahoo.com (407) 627-8222

Howdy everyone!

We are fresh off the plane back from the NAPPS Conference and I just wanted to say how proud I am of this association. FAPPS is by far one of the most organized, diligent, and dedicated associations in this nation. Our members are fearless, tireless, and loyal beyond a reasonable doubt. I want to thank every single one of you who contributes to our cause, and those who silently support us with your membership. The P&G Committee currently consists of Tammy White, Desy Garcia, Mercedes Randall, Josh Kes, and Kevin Fedotov, but we are always looking for someone to donate their time. Here are the updates from our committee:

Facebook Group Page, Desy Garcia

In the last quarter, there has been steady activity in our Group. The group has increased by 23 members and counting. We currently have a total of 218 members. My goal for this new quarter is to increase the number of members and make more engaging posts. I would like for our group to be as interactive as the other popular ones such as NAPPS, TPSA, Process Server Nation, Process Server Chatterbox, etc. We would also like to request a budget so we can target paralegals and process servers online and drive them towards our Facebook page.

PAF, Tammy White

We are being told that PAF is hoping to have an in person annual meeting but that nothing has been solidified to the date of this report. We are still in contact with Asha and Michelle, however, they advised that our new contact will be Sherry Webber, 1st Vice President for PAF for this upcoming conference. Michelle Ridge stated that she would email Ms. Webber and ask her to reach out to us as soon as possible to discuss. The new president of PAF is now: Kristina M. Schiraldi and we will be speaking with her as well.

NAPPS Liaison, Tammy White

We had a great success at the NAPPS Conference last week. We signed up 22 new members, bringing in \$1500 in application fees. We were also video taped and put on the MAPPS Facebook page. There were also several people who were interested and stated that they were going to sign up online. We had a lot of interest about our association with people discussing how well we are doing. There was also discussion about us attending MAPPS annual conference and having them attending ours.

OCBA Law Week 5k 2023, Mercedes Randall, Desy Garcia, Josh Kes

While the date has not been set, we intend in participating in the Orange County Bar Association's Annual Law Week 5k. In 2022 the race brought had close to 200 participants and hundreds more spectators and vendors that are all a part of the legal community. We intend on using this opportunity to have a small vendor table to promote our association.

Be sure to follow and share 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



Hello All,

The PSA Committee welcomes Joe Osborne as our newest committee member. Joe has hit the ground running and is a great asset to your PSA Committee.

Brief Recap: Your PSA Committee created introductory letters directed to Sheriffs and Chief Judges last year. Recently, we worked with the National Association of Process Servers securing a letter of recommendation for FAPPS and a copy of the GA Study of costs associated with process serving. Both of these items are in our binder and ready for mailing to key decision makers in target areas without a private process server program or a limited program.

Currently the committee is gathering our materials and saving them to shared folder where any committee members can access the program outline at a moments notice. We each will have a physical binder in our possession and will print the program materials to bring to any type of meeting with sheriffs or judges.

PSA Committee is asking for a 2K budget this year to cover printing, mailing and travel costs. We expect some travel to meet with contacts who have voiced their desire to bring awareness to FAPPS creating a private process server program in their area. Additional expenses may include mileage, hotel, food and beverage for networking events and meetings.

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

Be Well, Process Server Appointment Committee

Committee Chair: Melody Bulso Vice Chair: Margie Zawacki Committee Members: Bob Musser, AFPS, Joe Osborne, AFPS, Tammy White, AFPS, Diana Wardwell, AFPS



The Secure Document Trading Service, which is now 7 years old (First launched in 2015!) is a working platform, has support from 5 vendors. Process Master, Process Server's Toolbox, Paper Tracker, Tristar WinServe, and Loyal Dog all 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

The SDTS is likely to play a major role in the success of process servers in the coming years. My company, DreamBuilt Software built it in 2015 to fill a need that NAPPS saw. The fear was that as Electronic Filing became a bigger thing, that many NAPPS members were going to be on the outside looking in with no financially viable way to transfer data and documents in a secure manner. I expected Email to be used less, and a true Secure method of moving data and documents to be used more than it has so far. I see the next few years as an even bigger threat, as Electronic Service finally starts making significant inroads into our world.

Bob Musser AFPS, Chair

TPC

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First, I would like to thank President Bob Musser for this assignment. My goal as your new Technology Chair is to implement changes that will have a positive and significant impact on the association and its members. I would also like to extend a thank you to John Shelley as he has been the committee chair all of these years and has been keeping an eye on the Florida Courts EFiling Authorities for us.

The Florida Courts E-Filing Authority held its board meeting on May 5, 2022. I was unable to attend the WebEx meeting due to personal reasons, but I was able to go through all of their documents and gather information to report.

Portal Progress Report April 2022

April E-Filing Stats

Recipients	Number
Submissions to Trial Court	1,711,328
Submissions to Department of Corrections	606
Submissions to District Courts of Appeal	11,186
Submissions to Florida Supreme Court	334
Submissions to Bureau of Vital Statistics	774
Submissions to RMC, CFRC. SFRC	451
Total E-Filing Submissions**	1,724,679
Total Individual Documents Submitted	2,490,870
Total Number of Pages	12,608,076

**March 2022 had the previous highest number of monthly submissions at 1,932,622

Category	Number
Average Submissions per Weekday	83,745
Highest Volume Day: April 19, 2022	91,909
Peak # of Filing in 1 Hour: 3:00 P.M.	9,412
New Case Initiation	87,796
Portal Accounts	452,933
E-service Emails	1,863,575

Record for Average Submissions per Weekday was June 2021 with 88,131 Record for Highest Volume Day was Dec. 2, 2021, at 104,641 Submissions Record for Peak Filing Hour (3:00 PM) was June 2021 at 10,171 Submissions Record for New Case Initiation was May 2021 at 123,476 New Cases Submitted Record for E-service Emails was June 2021 at 2,047,119 E-service Emails Sent

Active Portal Users by Filer Role in April

Filer Role	# of Accts	# of Submissions	% of Submissions
Attorneys	87,434	1,303,154	75.6%
Judicial Circuit Filers	1,642	298,520	17.3%
Process Servers	2,337	30,069	1.7%
Self-Represented Litigants	323,939	14,582	0.9%
Law Enforcement	2,582	17,910	1.%
Mediator/Arbitrator	1,672	4,373	0.3%
Mental Health Professional	1,975	7,880	0.5%

As you can see from these numbers, the utilization of E-Service in the Portal is very low which makes me happy to report that.

The Florida Courts E-Filing Authority is having its annual meeting of the authority board and members in conjunction with FCCC Summer Conference on June 6, 2022. Is this something the board would like me to attend? I do not recall if Fapps had a presence for such a conference in the past.

Lastly, as I take on this new role, I would like to request the board to consider combining both the Website and Technology committees as one. Although keeping up with the Florida E-Filing Authority is important, I will continue to do so as John Shelley did, I believe so is our online ranking and presence. I've taken the time to navigate through the website and there is a lot of room for improvement and efficiency that should be implemented: blog posts, update links, the membership application process, etc. This past weekend, I had the opportunity to talk with Michael Kern at the NAPPS Conference. As you all know he was the Technology Chair for NAPPS for several years and he had a lot of accomplishments that I believe I can learn from and implement into our Association. When I asked for his advice, his first words were "work on the FAPPS website."

My goal is to bring traffic to our website. If anyone is looking for a Florida Process Server, I want our website to be the first resource rather than NAPPS, or at least get as close to that as possible.

It is an honor to chair this committee and look forward to working with this board and accomplishing great things.

Respectfully,

Desy Garcia Director and Technology Committee Chair Hello SUMMER, a time of year we have a love hate relationship with the weather. It was great seeing so many new faces at the board meeting last month in Jacksonville. It was a very productive meeting, and I am excited to see what we will accomplish with our new board.

We have no new cases to report.

The Pinellas County case is scheduled for another mandatory pre-trial June 29, 2022. His attorney requested a mental evaluation on the defendant and the judge advised to ensure it is completed prior to the next court date.

DASH CAMS

As process servers there are many standard "tag lines" we hear from law enforcement, one of the most popular is IT IS A CIVIL MATTER. This is the most frustrating statement as most law enforcement officers do not know our role and how our duties apply to the laws and statutes. The second being HE SAID SHE SAID, and this is equally frustrating. The VAPS committee has come up with tools to assist while you are interacting with law enforcement, we have printed rack cards raising awareness with law enforcement explaining our roles and our protections. Regarding, he said she said, one of the most valuable investments you can make to protect yourself is utilizing dash cams to record your services. Several servers have advised me they use 2-3 dash cams (one for driver side, passenger side and one rear facing) this will provide solid evidence of someone's actions if you must contact law enforcement. Amazon has great deals on HD Dash Cams. Reminder, we as civilians have no statutory protection from the use of a body cam.

Please utilize a great FREE resource to assist you with knowing if an address you are attempting may have a report of violence or other incidents, visit

<u>www.ErinsList.com</u>, you can enter an address to see if there has been a report filed against this address or you may enter and address and make a free report of an incident that occurred at a specific address. Dream Built provided a great article about Erin's List last year. You can access the article at https://www.dbsinfo.com/Articles/Erins-List--Use-It

If you would like copies of the rack cards for law enforcement Officers as well as the Safety Guide for Reporting a Violent Act, please email <u>Michelle@TRGTLegal.com</u> with your name and mailing address and we will get these sent to you. Please share this newsletter with your fellow process servers as we want ALL servers to be protected.

Desy Garcia, our newly elected Director has volunteered to be the liaison for central Florida for the VAPS committee.

If you encounter a violent act against you, submit a report via <u>https://www.fapps.org/ViolenceReport</u> You may also reach out to the VAPS Liaison in your area for additional support: Central Florida – Desy Garcia – email: <u>desygarcia22@gmail.com</u> Southwest Florida – Tammy White - email: <u>Tammy@weservejustice.com</u> North east Florida – Chris Compton – email: <u>Chris@ProcessAmerica.com</u> South Florida – Frank Carreras – email: <u>FXCarreras@yahoo.com</u> West Coast of Florida – Michelle Howard – email: <u>Michelle@TRGTLegal.com</u>

Please stay safe!

Michelle Howard AFPS, Director Committee Chair – Violence Against Process Servers 727-542-1975 (cell)



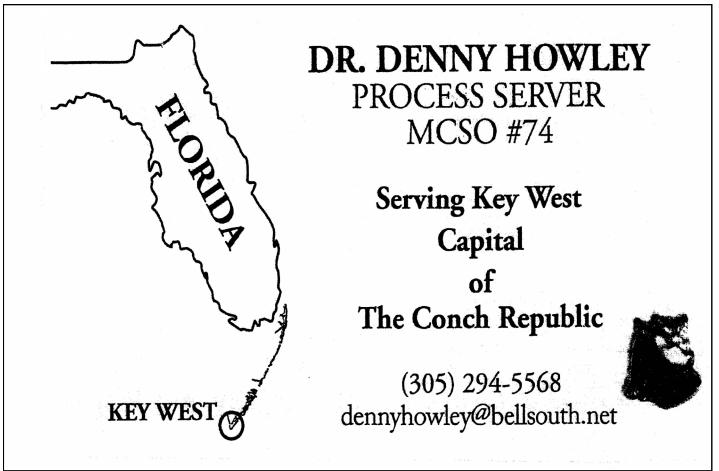
The FAPPS website is full featured, a complete source of information on all things FAPPS, and a frequently used tool for finding private process servers across Florida and the entire nation. Many thanks to Diana Wardwell for her constant review, and to the committee chairs who send us content for the areas for which they are responsible. The FAPPS server is a private, secure, replicated and backed up place for the Administrator, Secretary, Education, 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. We use an Uptime monitor which shows we are over "4 Nines" available (99.99%). That means that the FAPPS Website and membership database are online and available almost always, and don't miss more than 52 minutes a year. We are trying to achieve 5 Nines this year, which means less than 6 minutes of downtime.

Bob Musser, Webmaster

The website is reviewed and updated on an ongoing basis to ensure our information is current. 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.

Diana Wardwell, Chair



ADV			

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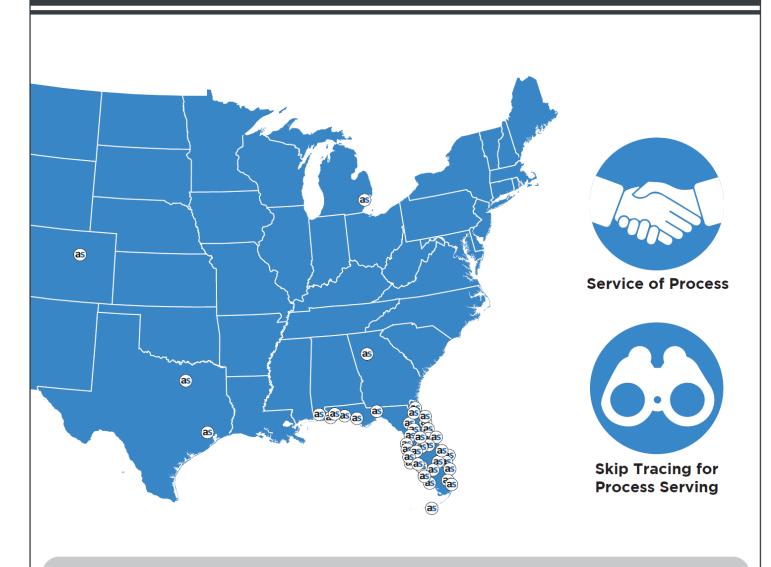
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