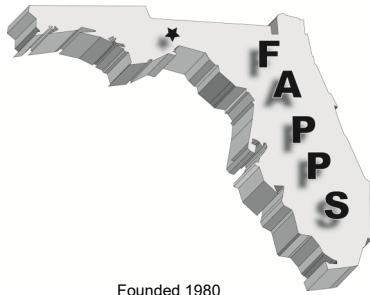


22nd Annual Professional Beach Getaway - August 18-20, 2023



Founded 1980

THE PAPER CHASE

The Official Newsletter of the
Florida Association of Professional Process Servers

1st Quarter Edition 2023

32nd Annual Conference
April 14-16, 2023
Safety Harbor Resort and Spa
105 N. Bayshore Dr., Safety Harbor, FL

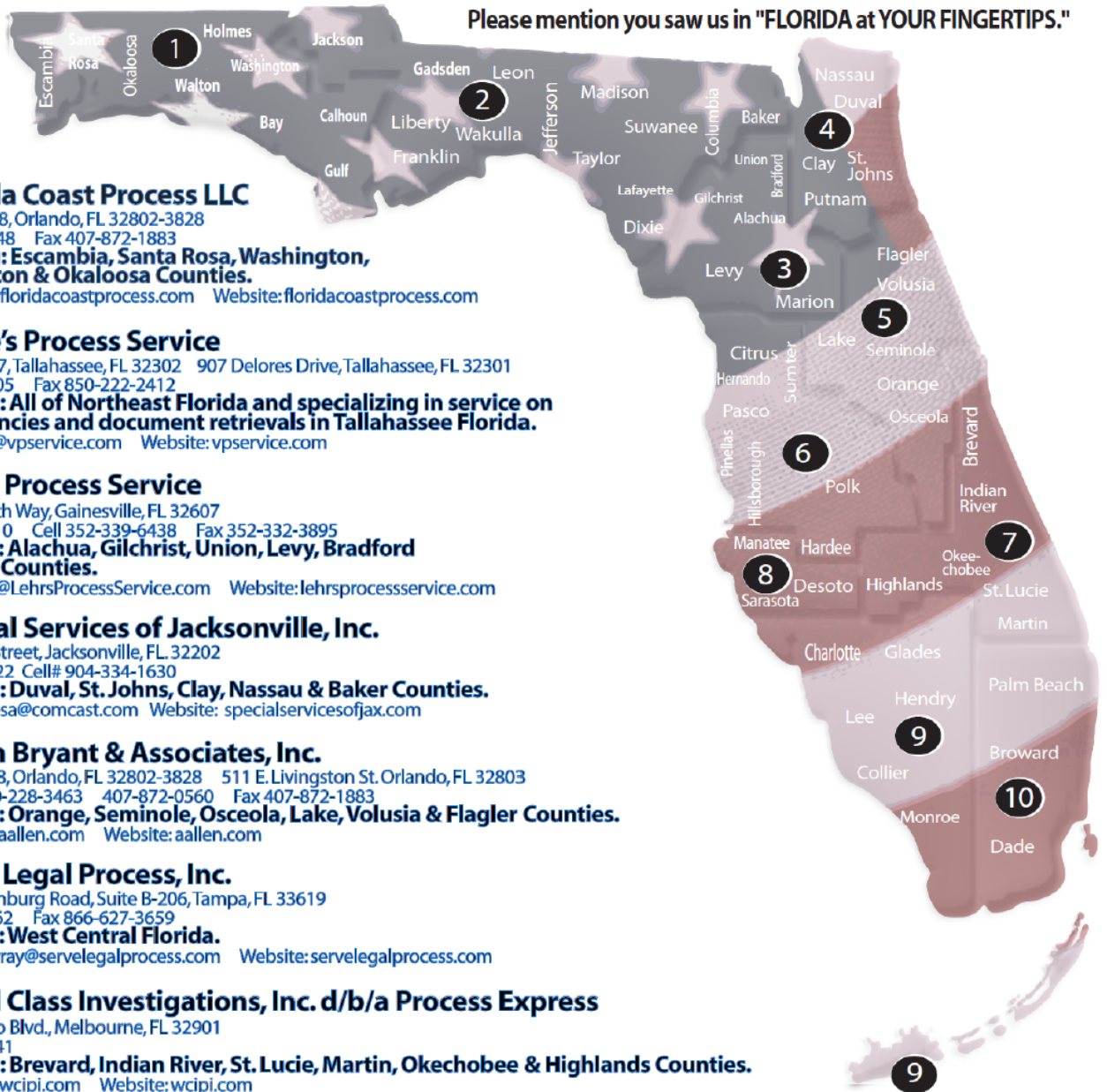


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2022-2023 Association Guide

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email: BobM@dbsinfo.com

Chris Yeoman AFPS, Vice President

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

Joe Osborne, Jr., Secretary

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email: joe@360legal.net

Gretchen Randall AFPS, Treasurer

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Kevin Fedotov AFPS, Director

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email: FedotovK@yahoo.com

Desy Garcia, Director

Orlando, FL
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email: DesyGarcia22@gmail.com

Michelle Howard AFPS, Director

Pinellas Park
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email: Michelle@trgtlegal.com

Jennafer Segel, Director

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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
Members: Lance Randall, AFPS, Diana Wardwell, 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: Margie Zawacki AFPS margiez@hctjudge.com
Vice Chair: Tammy White AFPS
Members: Diana Wardwell AFPS, , Joe Osborne, Jr., 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:

Welcome to the first newsletter of 2023! It seems surreal to me to use "2023" in the present tense. As a kid growing up reading, dates like 2001 (A Space Odyssey) were "way out in the future". The Martian Chronicles was in 2005, Blade Runner was in 2019. Hey, at least we still have The Fifth Element and Star Trek lying before us. I said this at the last meeting, and time has proven that I was correct: We have entered what I call a "strategic inflection point" in the world that is private process service. The decisions FAPPS makes this year will have a direct impact on how prosperous we are in the coming years. FAPPS and several members have filed a lawsuit against the Department of Financial Services to compel them to alter their portal to comply with Chapter 48 regarding who can serve original process. Our attorneys have met with them, and they are not going to oppose a Motion for Summary Judgement. That hearing that I was originally led to believe would happen in late January or early February, is still not set yet. The DFS answered our interrogatories on January 6, 2023. The attorneys are reviewing this week and we expect to file the Motion for Summary Judgment very soon. Then there is a mandatory 40 day waiting period, then we get a calendar slot. We will let you know when we know more.

At the spring meeting in 2022 we wrote and passed a white paper on what constitutes valid Electronic Service. I have forwarded that paper to NAPPS for publication, we have published it in The Paper Chase, and I'm pointing to it as we argue with entities like the Department of Financial Services.

We have nothing new on the relationship with the Portal subcommittee of the Technology committee of the Florida Courts Association. Diana and I have attended two in-person meetings now. They are treating us as valued contributors on the role of process servers in the FL courts system. Their long term goal is to have process servers or the process server agencies handle the Efilings of Proofs of Service. We have given them feedback on improvements they need to make to the API to allow process servers to submit batches of Proofs in an efficient manner.

I know I say this every single time, but it's true: 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!

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

VICE PRESIDENT'S REPORT

CHRIS YEOMAN AFPS, VICE PRESIDENT

Happy New Year,

Hope this update finds you, your staff, and families happy and healthy in 2023. By now you are getting acquainted with the changes in Chapter 48 brought about last year by the Florida Bar. Some of these changes will take some time to get used to. Their motive for making these changes was to make services to different types of business entities more uniform. They wanted to make sure the registered agent is always the first party attempted and the end result is not service on an employee without a corporate title. Unfortunately, following these new rules may slow some services down as we may have to hunt for corporate officers or members and managers, etc. but the end result will be solid services. I encourage you to use good notes on affidavits to advise the courts of the efforts used as you go through a corporate chain. Proving your diligence and documenting a registered agents non compliance will become necessary elements of a comprehensive affidavit.

There is a positive change FAPPS is responsible for; service on municipals like cities and counties now can be legally made to parties other than a mayor or commissioner. Previously in many cases we were forced to serve an attorney or designated employee even though the statute did not allow for this.

We will continue to work on several fronts to both improve our industry and guarantee the requirement of our necessary services in the future.

I encourage you to get involved in FAPPS and attend our annual convention this year taking place April 14-16, 2023 in Safety Harbor, FL. Make your reservations now if you haven't yet as we expect a great turnout. There is always networking, education and some relation at the same time. Hope to see you there.

Finally, I would encourage you to spread the FAPPS word and encourage others to join. It has never been more important to stay informed, educated and part of the only Florida organization that is representing you and your industry. So many nonmember process servers had no idea these changes were coming about until they arrived.

Hope to see you in April.

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

FAPPS is running a membership contest!




Refer a NEW member to FAPPS and be entered in our contest for a free room night at the Annual Conference April 14-16, 2023 at the Safety Harbor Resort & Spa.

The promotion began August 30, 2022 and ends March 1, 2023.

The Member with the most applicant referrals will be the WINNER of the free room night. Referrals must be new members.

Member application is available at: www.FAPPS.org

Let's get your name added to the list of referring members today!



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22nd Professional Beach Getaway August 18-20, 2023

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

- * Networking
- * Meeting
- * Education

*We had such a great time in 2022
we are going back in 2023!*

FAPPS MEETINGS AND EVENTS

You are invited

April 14-16, 2023
32nd Annual Conference

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

November 2023
4th Quarter Board Meeting
Location TBA

February 11, 2023 10:00 a.m.
1st Quarter Board Meeting

Meeting via Zoom
[Register to Attend](#)

August 18-20, 2023 9:00 a.m.
Professional Beach Getaway
3rd Quarter Board Meeting

The Shores Resort & Spa
Daytona Beach Shores, FL

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
February 3-4, 2023 8:00 a.m.-4:00 p.m.

Schedule and Registration: www.fapps.org

In Person Training

April 3, 2023 8:30 a.m.
September 8, 2023 8:30 a.m.
Continuing Education Class
Indian River State College, BCIE
3209 Virginia Ave., Fort Pierce, FL

September 8-10, 2023
20 Hour New Process Server Education
Indian River State College, BCIE
3209 Virginia Ave., Fort Pierce, FL

September/October 2023 - Date TBA
Continuing Education Class
West Palm Beach, FL

SECRETARY'S REPORT

JOE OSBORNE , JR.

From the Desk of the Secretary

Dear Fellow FAPPS Members,

I hope everyone enjoyed a safe and happy Holiday Season. Well it is a new year and hopefully another great year in FAPPS. As a reminder, if you are interested in submitting a proposed by-law amendment the process is as follows:

Article X - BYLAW AMENDMENTS

Section 1 Proposed Bylaw amendments may be submitted by active members and must be submitted to the secretary sixty days prior to the date of the annual meeting and published to the membership not less than thirty days prior to the annual meeting. (Amended March 23, 2013).

Therefore, proposed by-law amendments must be submitted to Joe Osborne, Jr., FAPPS Secretary at joe@360legal.net no later than February 14, 2023 at 5:00 p.m EST.

The final list of all submissions that will be voted on at the annual conference April 15, 2023 at 3:20 p.m. will be published under the 32nd Annual Conference Meeting links at <http://www.fapps.org/meetings.aspx>. This information will also be forwarded in a separate member email on March 16, 2023.

If you have any questions or concerns, please feel free let me know

Respectfully,

Joe Osborne, Jr.
Secretary
joe@360legal.net

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ADMINISTRATOR'S REPORT

Diana Wardwell, AFPS

administrator@fapps.org

Dear Members,

THANK YOU to the members and fellow process servers from the Miami area that attended the 4th Quarter Meeting and Education Session. It was great to see everyone. The meeting was productive and the education session was very informative.

Over the past quarter, the FAPPS administration office remains extremely active 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.

Our meeting locations have been finalized, the contracts signed, and the information published to the membership. All education classes have been scheduled through 2022 and into the first quarter of 2023. I have participated in the creation of PowerPoint presentations for SB1062 and the Paralegal CLE. I had the pleasure of presenting the Paralegal CLE with Tammy White on August 24, 2022.

We have made strides in continuing to modernize our processes to meet the significant increase in inquiries regarding education and general information requests. With the assistance of Desy Garcia, I created an account with Formstack. New forms have been created for Membership, Advertising, and Meeting/Event RSVP. The feedback so far has been great. We will stand ready to create and utilize new forms anywhere needed.

The FAPPS 32nd Annual Convention is April 14-16, 2023. All convention information has been published on our website and on our social media pages. This includes a new easy to use form for registration! We are already seeing the hotel rooms fill up and registration forms submitted. I encourage you to make your reservation at the hotel ASAP to ensure you are able to join us to be a part of what's happening in our profession and hear the significant updates from the Board and Committees over this past year.

I am excited to share that Desy Garcia has joined forces with me and will be creating our future newsletters. I can't thank her enough for her dedication and support to FAPPS and look forward to working with her to continue to provide consistent quality information to the membership.

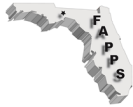
I was really excited by the energy and ideas I read in the other Committee Reports. I look forward to working with everyone to continue to pursue our goals.

Respectfully,
Diana Wardwell, AFPS

2022 Status Update **Membership Numbers**

2022 December Membership

| | |
|--------------------|-----|
| Active | 234 |
| Associate | 80 |
| Supporting | 31 |
| Pending Applicants | 4 |
| Total | 349 |



A&G (Arbitration & Grievance)

Sean Segel, Chair

Tampaempire@gmail.com (813) 251-9197

Dear Members,

The A&G committee received an informal complaint regarding the delay of a return of service. We called the party in question and they confirmed what the complainant accused. We advised them to produce the return of service immediately to avoid any further action from FAPPS. We advised the complainant if they did not receive the return within a week's time to file a formal complaint. A formal complaint has yet to be received and this issue is considered closed and resolved. There is one formal complaint that is still in process and a report will be provided upon conclusion of the process.

In addition, we received numerous unaccepted complaints that could not be acted on as they were not unethical or unprofessional; such as, knocking too loudly, entering gated communities, etc.

If you feel a member is not acting according to the FAPPS codes of ethics please feel free to contact I or one of the committee members to discuss.

Sean Segel
Committee Chair

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

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Charles Goldberg -561-317-1708 or 561-627-5377

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!



Angela Gleason

Gleason Investigations, LLC
2112 SW 34th Street
P.O. Box 379
Gainesville, FL 32608
Phone: (386) 627-8222

Christopher Johnson

Kingston Litigation Support - Process Servers
1600 NW 34th Terrace
Lauderhill, FL 33311
Phone: (239) 933-7510

David Dunham

Nature Coast Legal Services, LLC
103 W. Dampier St.
Inverness, FL 34450
Phone: (352) 613-3180

Jerry Hostutler

Eagle Eyes Solutions Group, Inc.
373 West Alfred Street
Tavares, FL 32778
Phone: (352) 508-9190

Supporting Members:

Mikhael Goldgisser
Raquel Bradley
Tanja Coffee



it's time to
**RENEW YOUR
MEMBERSHIP**

Changes to your listing? Email: Administrator@fapps.org
Payment can be mailed or use any credit card at www.fapps.org



Annual Conference Activities Amy Boyd AFPS, Chair

Boydspstatus@gmail.com (772) 460-6679

FAPPS ANNUAL CONVENTION APRIL 14-16, 2023

New Year – New Location – New Changes – New Names

A weekend with Education, Networking and lots of fun.

In this New year at a New location for our convention. New changes to our industry and statutes. And let's not forget the New faces to our membership and industry personnel.

Lets Start with Friday Morning with a Golf Event and then an Informative Afternoon Meeting. To be followed with Registration and an evening Happy Hour and Buffet. And don't forget FAPPS' Annual Friday night Bingo and Poker games.

Saturdays kicks off with our early morning Board meeting with current FAPPS Officers/Directors and all attendees. A Lunch break prepares you for informative roundtable discussions, Bylaw amendments and Association elections.

Saturday night is the 'Margaritaville' themed banquet. Full of Fun, Awards and Music. This Truly is a must do event for all Process Servers alike. Stay informed, connected and fresh! Make your arrangements early.

Amy Boyd, AFPS
Annual Conference Activities Chair

TPC

2023 Convention Sponsors & Exhibitors

- **Interested in Advertising or Sponsoring?**
- **Interested in attending as a Vendor?**
- **Do you know of a Vendor or Service Provider that would be interested in our Convention?**

**Email administrator@fapps.org
or call (321) 952-0820**



Elections

Bob Musser, Chair

BobM@dbsinfo.com

(407) 679-1539

Members,

We are now in the Nominations Window for the FAPPS Election cycle of 2023! From now until April 5th at 5:00 pm EST, you can and should think about who you want for Directors for the year. The Officers will be starting the second year of their two year term. Just check with the person you want to nominate, and then drop an email to BobM@dbsinfo.com – and please include the email of the person you are nominating since you’ll likely have it handy. 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.

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

TPC



FDSA (FAPPS Distinguished Service Award)

Bob Musser, Chair

BobM@dbsinfo.com

(407) 679-1539

Dear Members,

Congratulations once again to our 2022 recipient, Dr. Denny Howley. We were able to present it at the August board meeting and he got 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. Due to budget constraints, this committee is going to be doing some of its work virtually for the first time. We will give you a summary of how well or poorly that worked out at the 2023 annual meeting.

Bob Musser
FDSA Chair
BobM@dbsinfo.com
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Formal Education

Michelle Howard AFPS, Chair
Michelle@TRGTLegal.com (813) 492-2500

HAPPY NEW YEAR!

Hope all of you had a wonderful holiday season. As we begin 2023 our education team has been hard at work updating the new materials for all classes and have spent endless hours working diligently to ensure we provide our profession with the most accurate information to assist our profession.

In 2022 we had close to 500 attendees between our in-person, online classes, and the webinars for the new statutes.

As we move into 2023 and the new changes take effect, we will be analyzing all feedback we get from the courts, our clients and our fellow process servers pertaining to motion to quash and other legal opinion for the new laws.

The education team will assist the legislative team with suggestions on what we feel needs to be addressed in the 2023 legislative session which begins March 7, 2023 and runs through to May 5, 2023.

We emailed members 2 guides, one created by the Florida Bar, this gives a detailed flow chart on how to serve each business entities and the other is the guide our Education Team has created with a bullet point outline on each statute.

Our 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. Keep your eyes open for the 2023 class schedule as our classes have been filing up quickly.

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

TPC

Learning from Serving

An Educational Forum

Submitted by Dr. Denny Howley

**Visiting the Archives
The Paper Chase
2012-2013**



To Trespass or Not to Trespass

Situation:

Our FAPPS PROFESSIONAL received an eviction action for an individual living in a rural area. Specific instructions dictated that it had to be served to the occupant. When our Server arrived at the designated address she discovered the road leading into some fifty (50) acres of property was protected by a fence and locked gate. To make matters more challenging there was no call box by the gate or any device, like a bell, that would have elicited a response from anyone at home. Furthermore, the house was not visible from the gate.

Situational Reevaluation

After concluding that this Serve was a bit more complicated than initially surmised, our diligent Server reviewed once again the documentation to be served. The Serve was a “family Affair”. The brother, owner of the property, wanted to evict his brother – occupant, who had been unresponsive to previous brotherly urgings to vacate the property. Our Server called the client to advise him of the situation and ask for a phone number of the occupant brother, the remise brother’s schedule, or other information to enable her to complete the Serve.

Subsequently, the Client’s Lawyer called our Server directly and gave her the “code” to the gate, which turned out to be the combination of a master lock on the front gate. She thanked him for the information, but explained to the lawyer that if she entered the property without an invitation from the occupant, she would be trespassing. Such an uninvited move on her part, she noted to the Client’s Lawyer in the safety of his office, could create a potentially dangerous situation for her.

The Client’s Lawyer Says GO !

Furthermore, our concerned Server mentioned to the Client’s Lawyer, if the brother occupant perceived the Server’s entry into “his property” as threatening, there was the possibility that he might produce a firearm or other device to “protect himself”. The Client’s Lawyer seemed oblivious to our Server’s concerns, stressing that the brother-owner-plaintiff was “the” property owner, not his brother occupant. The Lawyer reiterated that the “brother-property-owner-plaintiff” was giving the Server permission to enter the property, therefore it could not be considered trespassing. She should, he urged, unlock the gate, open the gate, enter the property, go down the driveway to the house and serve the occupant brother !!

Continued Next Page

To Trespass or Not to Trespass Continued

To Agree or Not to Agree

Despite the irate Client's Lawyer's continued "guidance", our-carefully-evaluating Server stood her ground, reiterating – several times to the closed-eared Lawyer her serious reservations of entering the property uninvited. Finally, realizing he could not browbeat our FAPPS PROFESSIONAL into ignoring her own best judgement, the Lawyer told her when the brother-occupant would leave the property to take his kids to school. The next morning, as the brother-occupant opened his gate with his kids in tow to take them to school, our Server was waiting. She handed him the documents for eviction. The defendant-brother-occupant quietly accepted the documents, which he obviously had been expecting.

Comment

Would the Server have been trespassing had she followed the "guidance" from the irritated and irritating Lawyer? But that is not the issue!! Our Server was a FAPPS PROFESSIONAL. She was on the ground. The Lawyer was not. She had experience and knew of "situations" involving evictions. Therefore she had no interest in becoming either a "statistic" or of getting into a touchy confrontational situation with an individual who did not wish to be evicted. Our Server used her best judgement based on experience and the situation she perceived on the ground and she stuck to it!!

The material for this article "To Trespass or Not to Trespass" was provided by Amy Boyd, Boyd's Process Service 772-460-6679. Thanks Amy for this thought provoking situation and the good example why Servers MUST always be thinking.

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 three "critters" Shadow, Pepper and Will.

A Professional NEVER Stops Learning

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

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



Florida Association of Professional Process Servers

32nd Annual Convention April 14-16, 2023



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

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Online Registration: www.fapps.org/meetings.aspx

Hotel Reservation: www.safetyharborspa.com - GroupCode: **39Q7GM**

Convention Registration: www.FAPPS.org

**FLORIDA ASSOCIATION OF PROFESSIONAL PROCESS SERVERS
32nd Annual Convention, Safety Harbor, FL - April 14-16, 2023**

Conference Schedule of Events

Friday, April 14, 2023

| <u>Time</u> | <u>Event</u> | <u>Location</u> |
|-------------------|---|--------------------------------|
| 7:30 am | Golf Event | TBA |
| 3:00 pm – 3:30 pm | Bag Stuffing (no other time will be allotted) | Conference Center Lobby |
| 3:30 pm – 8:00 pm | Registration | Conference Center Lobby |
| 2:30 pm – 8:30 pm | Exhibitor Set-up & Display | Conference Center Lobby |
| 4:30 pm – 6:00 pm | Annual Meeting | Bayshore A+B |

Call to Order

Pledge of Allegiance – Joe Osborne, Jr.
Introduction of Board – Self Introductions
Acknowledgement of Honored Guests – Bob Musser
Acknowledgement of Sponsors & Exhibitors – Diana Wardwell
Introduction of Members in attendance – Self Introductions
Adoption of the Agenda – Bob Musser

Reports

Vice President's Report – Chris Yeoman
Secretary's Report – Joe Osborne
Treasurer's Report – Gretchen Randall
Arbitration and Grievance Committee (A&G) – Sean Segel
Election Committee – Bob Musser
Formal Education Committee (AFPS) – Michelle Howard
Promotion & Growth/Member Benefits Committee – Kevin Fedotov
Paralegal Association Liaison – Tammy White
Process Server Appointment (PSAC) – Margie Zawacki
Technology Committee – Desy Garcia
Website Committee – Bob Musser

Unfinished Business

Recess

| | | |
|-------------------|--------------------------|---|
| 6:30 pm – 8:30 pm | Welcome Reception | Convention Center Lobby/Bayshore C |
| 8:00 pm | Bingo | Ampitheather |
| 8:00 pm | Poker Tournament | Bayshore A |

Schedule is Tentative and Subject to Change

Saturday, April 15, 2023

| <u>Time</u> | <u>Event</u> | <u>Location</u> |
|--------------------|-------------------------------|--------------------------------|
| 8:00 am – 4:00 pm | Exhibitors on Display | Convention Center Lobby |
| 8:00 am – 1:00 pm | Registration | Convention Center Lobby |
| 9:00 am – 10:15 am | Annual Meeting Resumes | Bayshore A+B |

Reconvene

Pledge of Allegiance – Joe Osborne, Jr.
 Introduction of Board – Self Introductions
 Acknowledgement of Honored Guests – Bob Musser
 Acknowledgement of Sponsors & Exhibitors – Diana Wardwell
 Introduction of Members in attendance – Self Introductions

Reports (continued)

Annual Conference Activities Committee – Amy Boyd
 FAPPS Distinguished Service Award Committee - Bob Musser
 Violence Against Process Servers Committee (VAPS) – Michelle Howard
 Legislative Report – Chris Yeoman
 Administrator’s Report – Diana Wardwell
 President’s Report – Bob Musser

New Business

| | | |
|---------------------|---|--|
| 10:25 am – 11:25 am | Education Session: “Business Protection in a Data Driven World” Speaker: Bob Musser, AFPS | Bayshore A+B |
| 11:35 am – 12:00 pm | Exhibitor Presentations | Bayshore A+B |
| 12:00 pm – 1:15 pm | Luncheon | Convention Center Buffet Room |
| 1:15 pm – 2:00 pm | Education Session: “Trespass – What is considered Trespassing; the do’s and don’ts” Speaker: Michelle Howard, AFPS | Bayshore A+B |
| 2:05 pm – 3:10 pm | Education Session: Roundtable Discussions “Marketing” – Desy Garcia “Preparing for the Serve” – Dr. Denny Howley “Safety When Serving” “Skip Tracing for Service of Process” – Juan Morales | Bayshore A+B |
| | Annual Meeting Continues | Bayshore A+B |
| 3:20 pm | Elections, ByLaw Amendments Committee Acknowledgements | Bayshore A+B Bayshore A+B |
| 6:00 pm – 7:00 pm | Reception | History Hall |
| 6:45 pm – 11:00 pm | Evening Banquet 32nd Annual Conference Theme Dinner Introduction of 2023-2024 Board of Directors, Awards Presentations, Raffles – Dinner Served 7:15pm Theme – Welcome to Margaritaville! – DJ – Music – Dancing | Athena Room |

Sunday, April 16, 2023

| | | |
|-------------------|---|---------------------|
| 9:00 am – 1:00 pm | Continuing Education Course & AFPS Point of Contact: Diana Wardwell, Administrator | Ampitheather |
|-------------------|---|---------------------|

Schedule is Tentative and Subject to Change

FAPPS ANNUAL CONVENTION ACTIVITIES



FAPPS Golf

Friday, April 14, 2023 7:30 a.m.
Interested in Playing?
Email Admin@fapps.org for details

Friday, April 14, 2023 8:00 p.m.
Poker Tournament & Bingo
\$25/\$10



Raffles * 50/50 Drawing - Bring Your Raffle and Promotional Items



FAPPS Election Nomination cycle
for 2023 runs until
April 5th at 5:00 pm EST.

See page 13 for full details.

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regarding the Annual
Convention at

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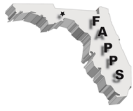
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Legislation

Chris Yeoman AFPS, Chair

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

Dear Members,

Happy 2023 to everyone. By now you have been digging your feet into learning and following the changes to Chapter 48 that were passed by the Florida Bar group last year. It's clear that their intentions are to have the registered agent for any business entity as the first option for service. This is a procedure that will not likely change, however we are working on some other changes that make this process a little less restrictive. As with any legislative efforts, they are time consuming and slow moving. We are aware of this and will remain steadfast in our efforts. I have continued to work with many members of the legislative and education committees, as well as our lobbyist and his team to put forth a solid bill proposal for the 2023 legislative session. We will keep you posted on the progress. I appreciate all those who have stepped up to volunteer their time, experience and knowledge to this effort. I hope to see a great turnout at the convention in April where we can discuss the progress of our proposal.

Stay safe!

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

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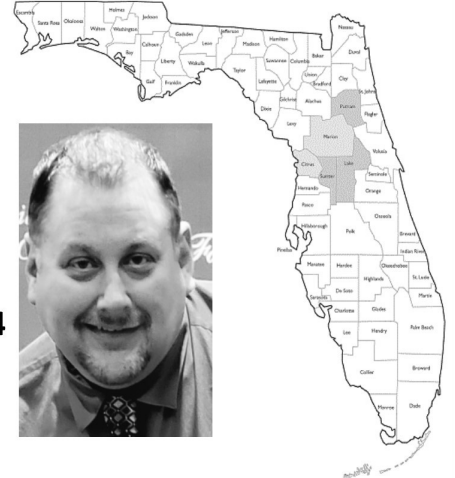
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Using Your Smarts

Situation:

Our Server received Divorced Papers and a Writ of Habeas Corpus from a New York Attorney to be served on a RUSH basis. The wife who had previously lived in New York, had emptied the Family Joint Bank Account and fled to Florida. The initial address provided was in Hallandale Beach, but our Server recognized it was a bad address before making an attempt and so informed his lawyer client.

The Attorney then provided a second address in Pompano Beach and a physical description of the “Joint Account Draining Woman”. He also stated that her parents owned a restaurant in Hollywood. As a PROFESSIONAL, our Server decided to do a bit of preliminary background work and looked up the woman on Facebook. There, he obtained a photo of the woman, as well as one of her child...both of which he saved on his Smart Phone. He was also able to locate the name and address of the restaurant which the parents owned.

Research Pays Off

Initially our Server went to the Pompano Beach address, where he met the brother who claimed his sister did not live there, adding that he had no idea where she could be found. Next stop was the parent’s restaurant in Hollywood, where our Server strolled down the boardwalk in front of the restaurant. Lo and behold, there was the “Joint Account Draining Woman” on the boardwalk in front of her parents’ establishment. Not only was she there, but she looked exactly as she did in the Facebook picture and was wearing the same top she had worn when the photo was taken.

HI !

Our ever polite FAPPS Server called out the Plaintiff’s name as he approached and she turned. As our Server explained who he was, he showed her his identification and explained the documentation he was serving her. She immediately denied she was the Plaintiff, a denial that evaporated when our Server showed her the Facebook picture he had captured on his Smart Phone. The none-to-happy New York “escapee” accepted the documents, ending what could have been a very difficult serve.

COMMENT:

The material for this article, “Using Your Smarts” was provided by Bruce Goldner, Legal Ease Process Service 954-667-3783. Thanks Bruce on proving once again that Process serving is a thinking person’s “game” and a little “homework” can save time and result in a successful serve as was demonstrated here.

A Professional NEVER Stops Learning

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 three “critters” Shadow, Pepper and Will.

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2023 MEMBER REFERRAL

The Member Referral Program provides members with a \$25 discount for each active or associate member they refer to FAPPS; up to a free membership.

Our program has restarted for 2023-2024! Share member applications with your associates and enter your name in the "referred by" line or send them our new link for applying: www.FAPPS.org to help build our membership and receive credit toward your 2024 membership dues.

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

Members who refer Active or Associate Members are eligible for a \$25 discount for each person who is referred. The program has restarted for 2023 and you will receive this discount off your 2024 membership dues.

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



P&G/Member Benefits

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

Howdy everyone and welcome to our final meeting of 2022! Here are the updates from our committee:

Facebook, Desy Garcia

Our main FAPPS Facebook Page currently has 920 members, reaching 557 members of the audience in the last 28 days with 166 post with user engagements. The page is growing slowly but steadily with 10 new followers in the last month.

The Group page currently has a total of 261 members, which is up 25 new members since the last report and is quickly growing. There have been 19 new membership requests since September 2nd which is a 58% increase from the previous period.

The allotted Facebook Ad money have not yet been utilized and will be spent promoting the Annual meeting.

PAF, Tammy White

There are no major updates with the Paralegal Association, they are still considering coming to our Annual Meeting next year to conducted a presentation that was originally scheduled the year the Covid pandemic happened.

NAPPS, Kevin Fedotov

After NAPPS annual meeting we had a lot of excitement and motivation to start meeting as committee heads via Zoom to discuss what's working and to have a mentoring program. The goal was to pass around ideas and promote each other's associations to foster growth. I have followed up with the NAPPS Administrator two times and have not heard back. I will continue to push this idea and will update you when I hear back.

Upcoming Events

OCBA Breakfast of Champions -**THURSDAY, NOVEMBER 17, 2022 (VIRTUAL)**

OCBA YOUNG LAWYERS SECTION ANNUAL GOLF TOURNAMENT - Omni Orlando Resort
JANUARY 20TH, 2023 7AM

OCBA Law Week 5k 2023 - **SATURDAY, MARCH 25, 2023 AT 7 AM – 12 PM**

PAF Conference - TBD (Sept?)

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.

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.

Kevin Fedotov, AFPS
Director and Chair

TPC



PSAC (Process Server Appointment) Margie Zawacki AFPS, Chair

PSA@fapps.org (941) 954-0169

Dear Member:

I hope this finds that you all had a safe and happy holiday and are looking forward to 2023. I know that I am. I was asked to Chair this Committee because Melody Bulso had to step away for personal reasons.

When I created this Committee many years ago it was my hope that we could get Process Serving Programs in every County in the State. We realize that it will be an uphill battle in some of the Counties that do not have a program but we will give it our best effort moving forward to get this accomplished.

We are aware that there is a shortage of Process Servers in the Duval County area because the Sheriff has decided NOT to appoint any more individuals to serve process. We are looking into this and I have sent emails out to the known Process Servers in that area asking for their feedback as to how they would like us to handle this situation moving forward, if anything. We have had a few comments come in from those Servers and the consensus is that they would like for us to do something. We do know that there is a new Sheriff in town and hopefully we can get him to start appointing process servers again. As of this writing the committee is putting together a letter for the President to review and then send to the new Sheriff. Stay tuned for any further developments.

In closing, please keep in mind we are always looking for help and/or suggestions in how we can get Process Serving Programs in all counties that don't have one. If you would like to join this Committee or have any comments please email us at PSA@Fapps.org. I look forward to hearing from you.

Sincerely,
Margaret L. Zawacki

TPC



Secure Data Exchange Bob Musser, Chair

BobM@dbsinfo.com (407) 679-1539

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, Chair

TPC



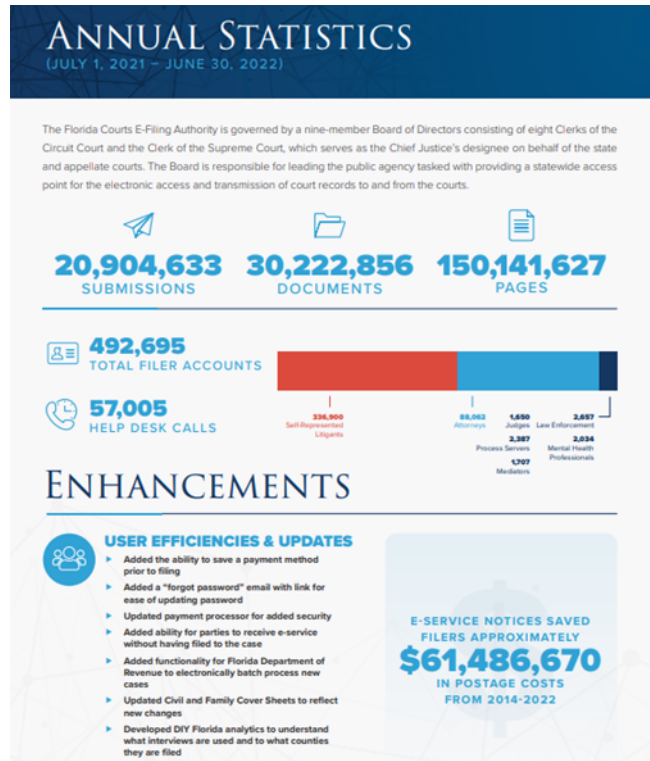
Dear fellow members,

Happy New Year! 2022 was a very exciting year with a lot of things going on in our association. It went by so quickly but a lot happened as well. As a technology committee chair, I made it my goal to help this association become more efficient with the use of technology and so far I'm happy with what we've accomplished. A new registration form for our conference coming up in April is ready for our members to use and register. The goal was to make registration for members and exhibitors as simple and efficient as possible. I am truly happy with the tasks I've been able to achieve so far and I hope that all of you members are too as well.

There is not much to report from the meeting that Florida Courts E-filing Authority had on December 12th. However, here is the annual statistics of all the case filings that were submitted for the year.

My goal for the new year is to keep improving our association with the use of technology and to service our members in any way I can. As always if you have any questions for me, do not hesitate in reaching out.

Respectfully,
Desy Garcia
Board Director
Technology Committee Chair
DesyGarcia22@gmail.com



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FAPPS Legislative Fund

Over the past several months, your FAPPS Board and specifically your Legislative committee has been working with members in the Second Circuit, primarily Mike Nolan and James Kady, to get the Chief Financial Officer (CFO) of the Department of Financial Services (DFS) to enforce the provisions in Chapter 48 of the FL Statutes regarding who can serve initial process. They have been allowing anyone acting on behalf of the Plaintiff to serve the CFO when the CFO is the named agent for service of process on insurers and other entities outlined in 48.151. They are not restricting their Electronic Service portal to people authorized by Chapter 48. They understand the law, but have stated that, absent a lawsuit, they are not changing their website or procedures.

FAPPS has petitioned NAPPS for a grant from the NAPPS Legislative Fund for this effort. Lance, Gretchen, Diana, Chris, and myself worked on an

application and a cover letter. On Saturday, 8/13/2022, we were awarded \$17,382, the maximum allowed. FAPPS has pledged \$5000 from our general fund as well. As soon as we can get the paperwork signed, we are going to file or join a lawsuit to compel the CFO to follow the rules of Chapter 48.

The money we have committed now is not going to be enough. At the last board meeting, the Board voted to establish a separate Legislative fund and ask members and supporters for donations. If you can help FAPPS in this fight, the payback could be immeasurable. If we can compel one government agency to follow the rules already in place, and only allow Sheriffs, Certified, and Special Process Servers to serve through their portal, we have established a precedent.

You can contribute to this important cause by sending a check payable to FAPPS; P.O. Box 72, Melbourne, FL 32902. You can use PayPal at (paypal@fapps.org). Another option is

this form:

https://fapps.formstack.com/forms/legislative_fund or by contacting us at (321) 952-0820 to contribute by credit card over the phone.

These donations are NOT tax deductible, they are for Legislative purposes only.

I strongly believe that FAPPS needs your help, this fund is crucial. My company contributed to the fund yesterday when we opened the account. Other leaders in FAPPS and members, namely Kevin Fedotov, Diana Wardwell, Frank Carreras, Cher Averill, Dennis Fox, Jay Bowen, Richard Mateo, and Shelly Huffman did as well. I hope many of you will help support this fund – it is crucial to our ability to affect FAPPS' future in a positive way.

Bob Musser
FAPPS President
BobM@dbsinfo.com



HAPPY NEW YEAR!

The 4th quarter of 2022 was active, we had 2 cases in south Florida reported,

Case 1 – After the process server completed service and was walking back to their vehicle the occupant of the home followed and sprayed the server with a fire extinguisher, MDPD responded, and the subject was arrested for assault and battery. We are awaiting further updates from the server as to the progression of the case and we will update for the 2nd quarter meeting.

Case 2 involved a firearm – the process server arrived at a residential property and made contact with a male, while he was at the door knocking (no answer) a vehicle pulled in and a2 subjects exited and aske the server who he was and what he was doing, once the server identified himself he was asked to leave the property and if he did not he was going to get shot, the process sever remained on property trying to explain he had a legal purpose for being there the subject followed the server to his vehicle as the server was attempting to take photos of the subject following him. The server was able to get to his vehicle where the subject then tried to open the rear door while he was attempting to back out and the subject was still yelling for the process server to leave. The process server then observed the subject walk to his truck and pull out what was identified by the process server as an AR 15. When the female who was with the subject who pulled the gun was interviewed, she advised she heard the subject ask the process server a dozen times to leave and he did not. The subject was arrested for aggravated assault with a firearm without intent to kill and obstruction of justice with violence, we are awaiting an update on the case and will provide further updates in the next quarter meeting.

We want everyone to be aware of their surroundings at all times while serving and make sure you have as many tools to help de-escalate any possible situations. Reach out and network with investigators, former law enforcement officers who can advise great techniques to assist with keeping you safe.

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 Michelle@TRGTLegal.com 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.

If you encounter a violent act against you, submit a report via <https://www.fapps.org/ViolenceReport>

You may also reach out to the VAPS Liaison in your area for additional support:

Central Florida – Desy Garcia – email: desygarcia22@gmail.com
Southwest Florida – Tammy White - email: Tammy@weservejustice.com
North east Florida – Chris Compton – email: Chris@ProcessAmerica.com
South Florida – Frank Carreras – email: FXCarreras@yahoo.com
West Coast of Florida – Michelle Howard – email: Michelle@TRGTLegal.com

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



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, 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.

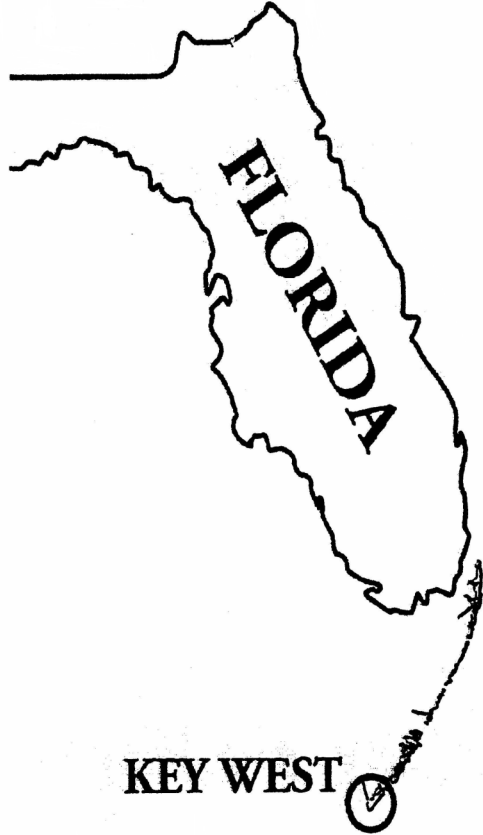
Bob Musser, Webmaster

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. Special thanks to Desy Garcia for joining the website committee to assist with review of our content and share ideas for improving the ease of access of information for all members and visitors. If anyone else has suggestions you are welcome to email 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](#) a request for login information.

Diana Wardwell, Chair


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FAPPS Meetings are moving around the state to make it easier for members to attend.

Follow our Meetings page at www.fapps.org for upcoming dates and locations.

These events are also posted on our Facebook Page and Facebook Group Page.

Join a meeting and get to know your fellow members!

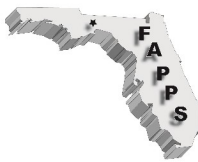
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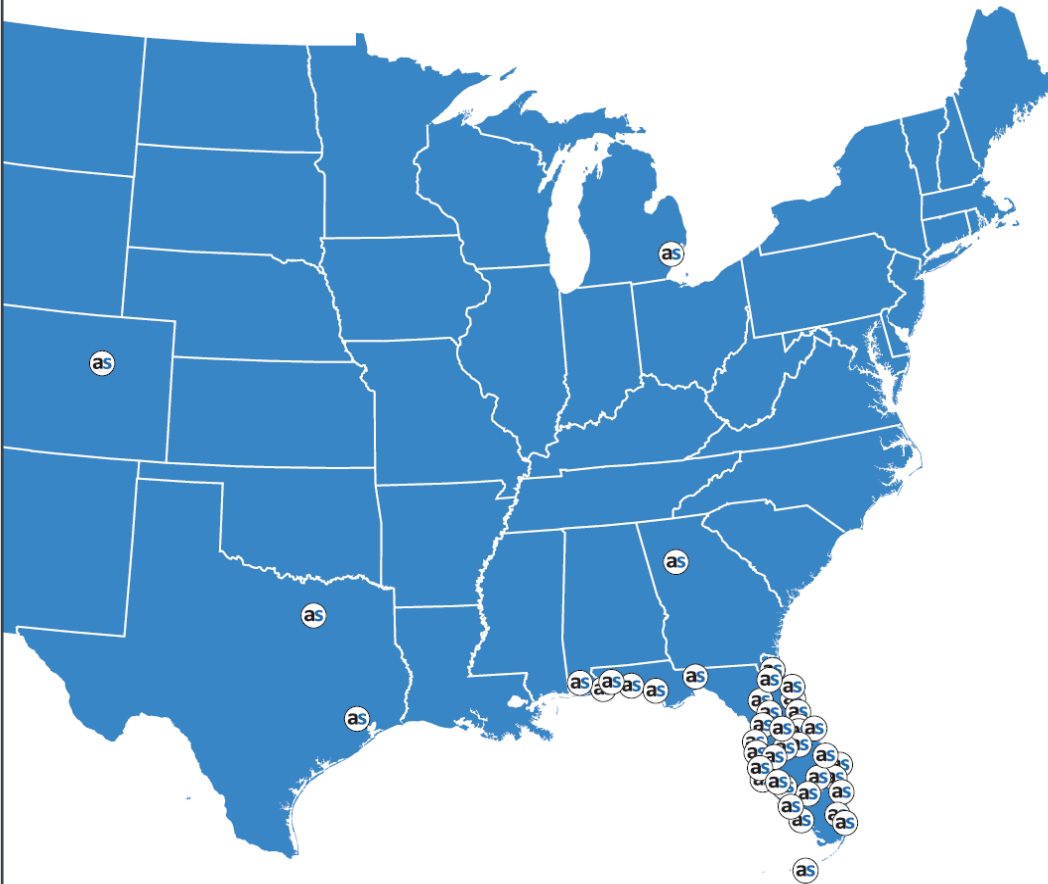
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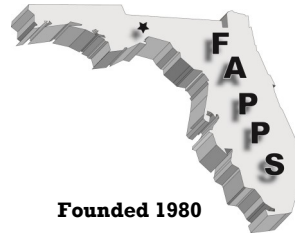
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