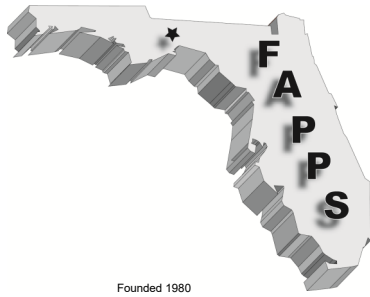


33rd Annual Convention - April 12-14, 2024



THE PAPER CHASE

The Official Newsletter of the
Florida Association of Professional Process Servers

2nd Quarter Edition 2023

22nd Professional Beach Getaway

August 18-20, 2023

The Shores Resort & Spa

2637 S. Atlantic Avenue, Daytona Beach Shores, FL

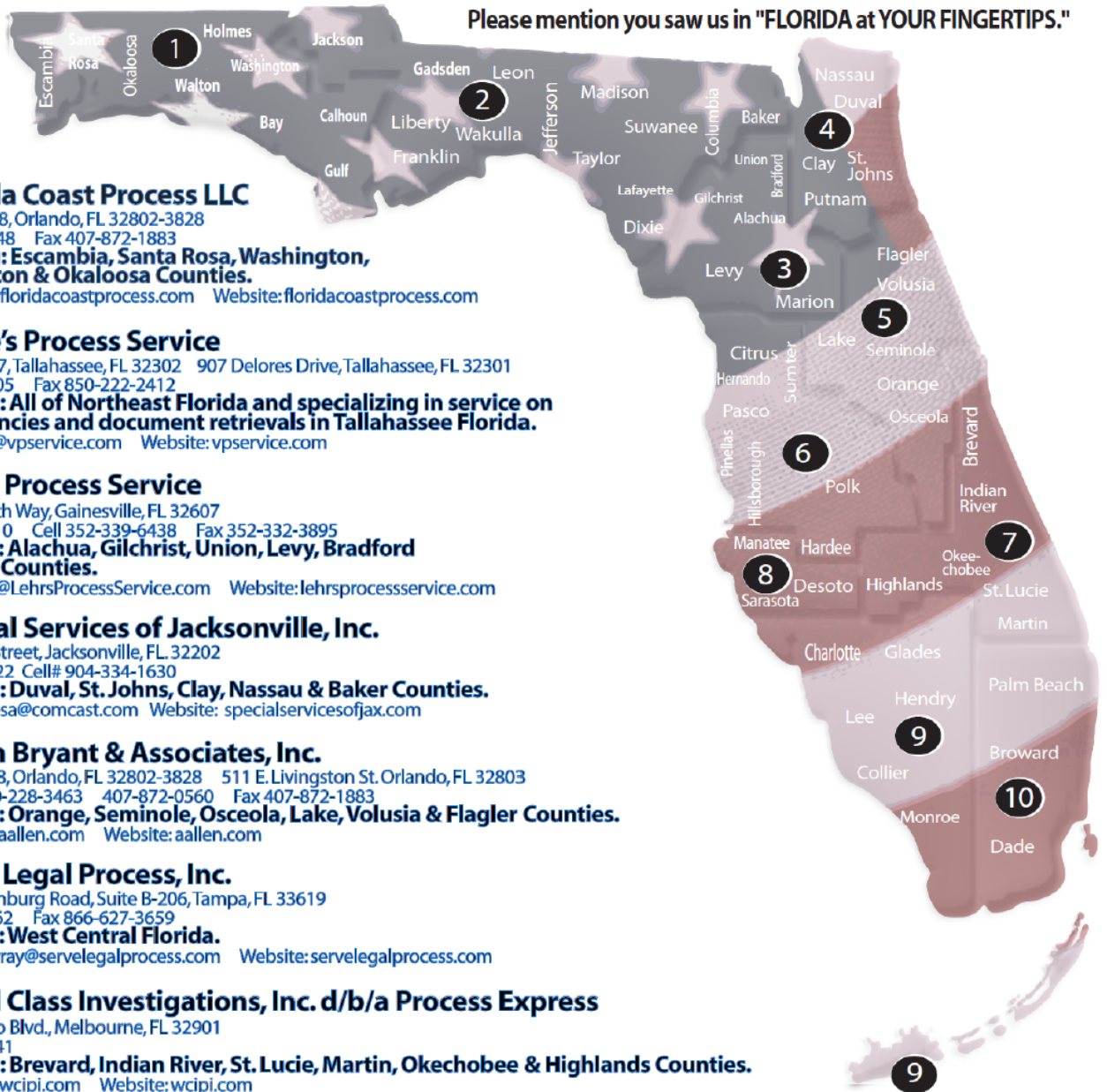


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2023-2024 Association Guide

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Email: administrator@fapps.org
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(321) 952-0820 (877) 38-FAPPS Tollfree

Committees

Annual Conference Activities

Chair: Amy Boyd, AFPS, 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, AFPS

FAPPS Distinguished Service Award (FDSA)

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

Formal Education (AFPS)

Chair: Michelle Howard, AFPS, Michelle@trgtlegal.com
Members: Diana Wardwell, AFPS, Joshua Kes, AFPS

Legislation

Chair: Chris Yeoman, AFPS chris.yeoman@aol.com
Vice Chair: Diana Wardwell, AFPS
Members: Brennan Fogarty, Michelle Howard, AFPS, Bob Musser, Michael Nolan, Susan Pineiro, AFPS, Lance Randall, AFPS, Rick Wendling

Process Server Appointment (PSAC)

Chair: Margie Zawacki AFPS margiez@hctjudge.com
Vice Chair: Tammy White AFPS
Member: Joe Osborne, Jr., AFPS

Promotion & Growth (P&G) and Member Benefits

Chair: Kevin Fedotov, AFPS Promotioncommittee@fapps.org
Members: Desy Garcia, Joshua Kes, AFPS, Tammy White, AFPS
Paralegal Liaison: Tammy White AFPS, ParalegalLiaison@fapps.org
Alternate: Kevin Fedotov, AFPS

Secure Data Exchange and eSOP

Chair: Bob Musser AFPS, BobM@dbsinfo.com

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, AFPS, Tammy White, AFPS, Amy Boyd, 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:

A lot has happened since our last Newsletter. We have had the FAPPS Annual Meeting, several of us attended the NAPPS annual meeting, and there has been movement on several important concepts that affect private process servers. The FL Legislature has almost finished their session, and Leg Chair Chris Yeoman will have a full report on that. Four of your FAPPS board members attended the NAPPS Annual meeting in Philadelphia on April 21st and 22nd, so I asked Diana to delay this Newsletter so that we could all relay anything we learned at that meeting. I am happy to report that FAPPS has two representatives on the NAPPS Board. Lance Randall ran unopposed as an officer, and Tammy White was elected as a Director. Congratulations to both of you, and thank you for representing Florida Process servers at the national level!

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 and efforts 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 Judgment. That hearing that I was originally led to believe would happen in late January or early February, is finally set for June 8th. Why so long? When we got the indication that the DFS was willing to work with us and file a joint Motion, we felt that a Joint Motion would have the best chance of being "rubber stamped" by the Judge. The DFS took weeks between each iteration, we took hours or days. The DFS answered our initial interrogatories on January 6, 2023. We finally filed the request in late March. There is a mandatory 40 day waiting period, then we get a calendar slot. There is a backlog of such cases, and the scheduling time is well past the 40 days. On April 6th we received our Notice of Hearing date, which is June 8th.

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. I discussed the importance of becoming the authority on Electronic Service, and the details of that white paper, in my presentation to NAPPS as President of FAPPS. I'm including it as part of my presentation to the Illinois Association on May 29th. It was a forward thinking effort on the part of this Board, and I think we did a good job on encapsulating the key points that we are going to be emphasizing in many arenas for a long time.

In my opinion, and I believe this is shared by the entire board, our primary project this year is educating everyone else in the legal system on what constitutes good Electronic Service. As detailed in our white paper, it has to include a disinterested third party as mandated by Chapter 48.021. It has to be on a secure platform, not Email. We have to spread that message far and wide. We have to improve Chapter 48.021 to clarify with words something like "All original process, regardless of method served, must be served by...". We need to enlist the help of friends at the FL Bar, representatives that share our view, judges, whomever we know and can talk with. And we need to attempt to alter parts of Chapter 48 that mention service by anyone else, such as the reference in the new Secretary of State section that says "or an attorney".

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

VICE PRESIDENT'S REPORT

CHRIS YEOMAN AFPS, VICE PRESIDENT

Members,

I would like to take this time to welcome back all our returning members, and offer a warm hand shake to all the new members who have been joining FAPPS. We were all excited to hear there would be many new faces at this years annual convention in Safety Harbor. The turnout was strong, and we had excellent guest speakers, educational presenters, and several exhibitors. I heard from many attendees they enjoyed all the activities and look forward to our next gathering in August at the Professional Beach Getaway.

Although FAPPS has been in existence for over 40 years, changes in the industry have sparked a renewed interest in our organization over the past year. The expansion of our education platform has brought exposure as we have become the approved education provider in additional circuits throughout the state of Florida over the past few years. Extensive changes in the statutes left many process servers with alot of questions and FAPPS has been here to answer the calls. We have many new faces, voices, and minds to continue our growth, knowledge, and work as the leading state process serving organization in the US representing the process serving community.

Membership numbers are important when we are seeking attention in arenas such as the legislature, but additionally when we are in search of ideas and opinions on how to make our industry safe and profitable, as well as remaining relevant in an ever changing environment.

New and existing members networking are important to bring new ideas, share experiences, expand knowledge, and provide necessary leadership. So I challenge all members to continue to communicate, respect each other, and seek ways to assist and become an important part of this organization. Join a committee, attend board meetings, and share ideas of how FAPPS can serve our members to the best of its ability. This is how we will continue our service to the process serving community.

Thanks to all those who attended all or part of the convention weekend, we look forward to seeing you the next time, and hope you will bring a friend or coworker. And to all our hard working board members, administrator, committee chairs and members, we owe you a great deal of gratitude for all your time and efforts.

Sincerely yours,

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

TPC

FAPPS MEETINGS AND EVENTS

*You are
invited*

August 18-20, 2023
Professional Beach Getaway
3rd Quarter Board Meeting

The Shores Resort & Spa
Daytona Beach Shores, FL

October 21, 2023 9:00 am
4th Quarter Board Meeting
Location TBA

February 10, 2024 10:00 a.m.
1st Quarter Board Meeting

Meeting via Zoom

April 13-14, 2024
33rd Annual Conference

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

Meeting information available at
www.fapps.org

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SECRETARY'S REPORT

JOE OSBORNE , JR.

Dear Fellow FAPPS Members,

As required by Article VIII Section 7 of our by-laws below you will find: (a). a description of the Motion or amendment, (b). the result of the vote and (c). the final wording of the order or amendment if passed that were made at the 1st quarter board meeting held February 11, 2023:

- Tammy White made a motion to accept the agenda as presented. Seconded by Michelle Howard. There was no discussion. The motion carried.
- Chris Yeoman made a motion to approve up to \$2,000.00 to send one (1) representative from the committee to the NAPPS annual meeting in April 2023. Seconded by Desy Garcia. After much discussion, the President called for a vote. The motion carried with 1 board member abstaining.
- Chris Yeoman made a motion to give the P&G Committee up to \$300.00 to repurchase promotional items to hand out at events attended by the P&G Committee. Seconded by Gretchen Randall. After some discussion, the President called for a vote. The motion carried unanimously.
- Joe Osborne made a motion to adjourn the meeting. Seconded by Michelle Howard. The motion carried unanimously.

As required by Article VIII Section 7 of our by-laws below you will find: (a). a description of the Motion or amendment, (b). the result of the vote and (c). the final wording of the order or amendment if passed that were made at the annual meeting held April 14-15, 2023:

- Tammy White made a motion to move the Treasurer's report to Saturday. Second by Jennafer Segel. The motion carried. Margie Zawacki requested that the PSAC Committee report be moved to Saturday when other members would be present to discuss the Duval County Situation. Chris Yeoman made a motion to move the PSAC Committee report be moved to Saturday. Second by Michelle Howard. The motion carried.
- Joe Osborne made a motion to accept the agenda as amended. Seconded by Chris Yeoman. The motion carried unanimously.
- Lance Randall made a motion to destroy the ballots. Michelle Howard seconded the motion. The motion carried unanimously.
- Joe Osborne made a motion to adjourn the meeting. Seconded by Michelle Howard. The motion carried unanimously.

As required by Article VIII Section 7 of our by-laws below you will find: (a). a description of the Motion or amendment, (b). the result of the vote and (c). the final wording of the order or amendment if passed that were made at the annual meeting held May 4, 2023:

- Chris Yeoman made a motion to authorize the budget request of the President for supporting FAPPS Objectives Motion \$1000. The motion was seconded by Tammy White. There was no discussion. The vote was called. All in favor the motion carries.
- Tammy White made a motion for a \$5000 budget for the Education Committee. The motion was seconded by Desy Garcia. There was no discussion. The vote was called. All in favor the motion carries.
- Desy Garcia made a motion to authorize the budget request of the Administrator in the amount of \$600. The motion was seconded by Kevin Fedotov. There was no discussion. The vote was called. All in favor the motion carries.
- Tammy White made a motion to grant the Legislative Committee a \$2500 budget. The motion was seconded by Michelle Howard. There was no discussion. The vote was called. All in favor the motion carries.

Continued Next Page

ADMINISTRATOR'S REPORT

Diana Wardwell, AFPS

administrator@fapps.org

Dear Members,

We are excited to see so many of you actively participating and look forward to a very positive year of growth and new ideas.

The FAPPS administration office remains extremely active with continuous inquiries regarding membership, how to find servers, general inquiries, and information about our education program.

Our education program continues to grow in popularity and we receive many inquiries regarding our classes. The addition of our online education program has opened up the ability for individuals to take our class throughout the state and we are seeing more and more individuals registering from areas that we traditionally did not have the ability to reach due to class size requirements to justify travel.

I continue to work with each of the committees on an ongoing basis to assist them with resources to further their goals and objectives.

Now that it appears the effects from COVID have reduced, we are back to scheduling our board meeting dates and locations a bit further out to allow everyone plenty of notice

of when where our meetings will be. What we need is everyone's continued involvement. As President Bob mentioned, this is a critical time for servers to be aware of what is going on in our profession through reading the publications and attending meetings.

We have made great strides in continuing to modernize our processes to meet the significant increase in inquiries regarding education and general information requests. We have many new forms available to make it easier for individuals to apply for membership, purchase advertising, and Meeting and Event RSVP. The feedback so far has been great. We will stand ready to create and utilize new forms anywhere needed.

The Promotion & Growth Committee is working to set up networking events in different areas around the state. This is a great opportunity to get out and meet other process servers and members of your community. We invite you to join in and bring a friend!

Our next event is the Professional Beach Getaway in August. Full details are on Page 19. We hope to see you there!

Respectfully,
Diana Wardwell, AFPS

Secretary's Report Continued

- Michelle Howard made a motion to approve a \$1250 budget for the FDSA Committee. Desy Garcia second. There was no discussion. Six voted in favor. The motion carries.
- Desy Garcia made a motion to approve \$1300 to install new programs on secure server. Michelle Howard seconded the motion. There was no discussion. Seven voted in favor. The motion carries.
- Michelle Howard motions to approve \$600 budget for the P&G Committee. The motion was seconded by Chris Yeoman. There was no discussion. Six voted in favor. The motion carries.
- Kevin Fedotov made a motion to approve \$500 for the PAF Liaison proposal. The motion was seconded by Chris Yeoman. There was discussion and a recommendation to the Liaison to confirm all details of the event to confirm it would be a good allocation of funds on behalf of the membership. Six voted in favor. The motion carries.
- Tammy White made a motion to approve budget of PSA Committee in the amount of \$3500. The motion was seconded by Chris Yeoman. There was discussion clarifying that up to \$1500 of the budget is for attending the FL Bar Convention. \$2000 of the budget would be in case travel is needed to attend meetings. There were

additional questions and clarification. The vote was called. Seven voted in favor. The motion carries.

- Tammy White made a motion to authorize a budget of \$600 for the VAPS Committee. The motion was seconded by Kevin Fedotov Second. No discussion. Seven voted in favor. The motion carries.
- Tammy White made a motion to authorize a budget for Convention Golf in the amount of \$500. The motion was seconded by Desy Garcia. There was discussion regarding the event and Margie Zawacki and her company offered to cover any amount not covered by the attendees of the budgeted amount. There was discussion regarding the request and budget. The vote was called. Six voted in favor, 1 abstained. The motion carries.

On a final note, the FAPPS 3rd Quarter Board Meeting will be held on August 19, 2023, at The Shores Resort & Spa, 2637 S. Atlantic Ave., Daytona Beach Shore, FL 32118. I hope to see you there!

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

Respectfully,
Joe Osborne, Jr., AFPS



A&G (Arbitration & Grievance)

Sean Segel, Chair

Tampaempire@gmail.com (813) 251-9197

Dear Members,

The A&G Committee has continued to serve FAPPS by upholding the professional standards and ethics held by the association. This quarter one verbal complaint was received regarding non-payment for services between two active members. Before a formal complaint could be submitted the parties were able to resolve their issue, waiving any further action from the committee.

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

Sean Segel
Committee Chair

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

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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!



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Erick Maillard
John Milo
George Hanzimanolis
Stacy Barsky
Genesis Cartagena
Kristen Cox
Robert Howard
Ryan Howard
Jason Marholz
Juan Morales
Jamie Pejack
Shelley Russo
Andrew Schneider
Wendy Burnett
Roberto De Lemos

2023 Status Update

Membership Numbers

2023 May Membership

Active	243
Associate	65
Supporting	44
Pending Applicants	15
Total	367

Updates to your member listing? Email: Administrator@fapps.org

FAPPS Member Badge



Email administrator@fapps.org to set up your login to download the FAPPS Member Badge for use on your website.



Annual Conference Activities Amy Boyd AFPS, Chair

Boydsprostatus@gmail.com (772) 460-6679

FAPPS Annual Convention Report 2023

From: Amy Boyd & Justin Petrae, Your Convention Fun Directors

As they say 'No Weekend . . . All Weekend'. And a Weekend it was!

FAPPS Golf tournament rolled out the start our Annual Convention and a great time and laughs was had by all who joined in. We had a useful Board Meeting late afternoon, and it was on to our Evening Welcome reception. We got to meet a LARGE group of NEW attendees which was excellent and a chance to reunite with familiar faces.

Friday Night Bingo was full of Big prizes and Bigger laughs. Larger hardware is a must for next year. If you attended you know what we're talking about! Poker was a tight and tense game which eventually led to a total of 4 winners!

Saturday was busy. Right into the reconveyance of the Board Meeting and reports from Officers. A presentation about Trespassing (What is, What isn't/Do's and Don'ts) and Business Protection in a Data Driven World. Then we had the opportunity to hear from James Murphy, co-chair of the Business Law Section of the FL Bar task force regarding recent Statute changes. We moved onto enlightening roundtable discussions. They covered Marketing, Preparing for the serve, Safety when serving and Skip tracing. Wrapped up the day with Association Committee acknowledgements and elected our new Directors of the association for the coming year.

And then . . . onto our 'Margaritaville' themed Banquet Dinner. It was so awesome to see everyone kick back in their comfortable and not so comfortable clothes and parrot head garb!

Big Thank Yous to our Sponsors and the Raffle donations by fellow members. Raffle tickets were flying all weekend and we *shattered* our 50/50 raffle record with a total of \$1700.

Above All - - A Success. Believe it or not, preparation for next year's convention has already begun. Stay tuned. . . And Come and join us next April at the same location, Safety Harbor Resort and Spa.

Amy Boyd, AFPS
Annual Conference Activities Chair

TPC

2024 Convention Sponsors & Exhibitors

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Elections

Bob Musser, Chair

BobM@dbsinfo.com

(407) 679-1539

Members,

At our Annual Meeting, the Officers were in the second year of their two year term, and remain unchanged. Your new Directors for 2023 – 2024 are Kevin Fedotov, Michelle Howard, Sean Segel, Desy Garcia, and Tammy White. Thank you to all who ran for the Board, and congratulations to our new Directors. We have important things to do this year for the benefit of all private process servers.

If you need a reminder of who's who on the FAPPS Board, or an Email address to reach one of us, go to the FAPPS Website and choose Association, Board. The direct link is <https://www.fapps.org/board.aspx>

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

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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. We are now in another cycle for this prestigious and important award.

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
FDSA Chair
BobM@dbsinfo.com
www.fapps.org

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Formal Education

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

What a wonderful conference, so many new attendees and great guest speakers!

The education committee is gearing up for “education” season as we have several jurisdictions that require the education requirements to be finalized to renew licenses over the summer. We have had great feedback with the classes we have taught for the servers in Broward recently as well as feedback to streamline the new technology we are utilizing.

We are constantly evolving our program; we are now testing out a 4 hour Saturday refresher class to see how many more we can reach. Keep an eye on the website for new dates

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.

Do not forget to register for an Educational Class, keep your AFPS current and invest in yourselves and businesses to be able to provide accurate guidance to your clients.

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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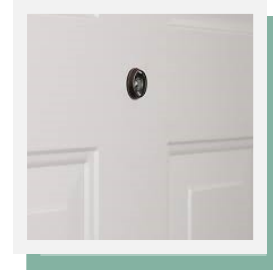
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Learning from Serving

An Educational Forum

Submitted by Dr. Denny Howley



Visiting the Archives
The Paper Chase
2010-2013

Listening - A Valuable “Tool”

Situation:

After numerous attempts, our Professional FAPPS Server remained frustrated and irritated, because he had been unable to complete his serve. He had been unable to positively identify the woman to be served or anyone who actually lived in the home with the plaintiff, because no one would answer his knocks at the door. Nonetheless, he remained convinced that someone was in the house. To further complicate and confuse the situation, the windows next to the front door were heavily tinted, making it impossible to see inside the house. He had previously confirmed that this was the correct address, but how to I.D. someone to serve remained the challenge.

“Games” Behind the Closed Door

Finally, before calling it quits, our Server decided to make one last attempt and low and behold the Plaintiff’s truck was in the driveway. Since he had done his “homework” on this woman he knew both the tag number and truck model. Whether she was the one driving the truck or was the person in the house was another question. So, following his previous routine he knocked on the door.

A woman came to the door but refused to open it or to identify herself. Finally, after continuing questioning and realizing that our persistent Server was not going to leave, she said “I am the baby sitter and I am not allowed to open the door”. Our unbelieving Server continues to question her about the whereabouts of the Plaintiff until finally the “woman behind the door” stated “If you do not leave, I am going to call the sheriff”. She continued to threaten to call the authorities, until finally our ever polite Server said “Please call the authorities, I will wait right here until they arrive”.

“Trip” of the Tongue

At last exasperated by the intransigent Server at her door, “the woman-behind-the- door” blurted out “Please get off MY porch, while you are waiting”. Our Server quickly picked up the nuance and asked “if you are the baby sitter, why is it YOUR porch?”. Clearly he had identified the Plaintiff, but since the Sheriff was on the way, he decided against doing a “Drop Serve”. Besides, he wanted to see the “woman-behind-the-door”, who had caused him so much frustration.

the Continued Next Page

Listening - A Valuable “Tool” Continued

Shortly thereafter a Deputy Sheriff arrived and spoke to both our FAPPS Server and the Plaintiff, who admitted her identity to the Officer. The Deputy then accepted the documents from our Server, who remained on the porch just outside the front door. After explaining the legitimate role of our Process Server and the documents in question to the woman, the Deputy handed the documents to her.

Comment:

Clearly, as this illustration shows, as a PROFESSIONAL it pays off to do a little homework prior to knocking on someone’s door. It is equally important to be polite and listen to any nuances that might help to confirm the Plaintiff’s I.D., especially if you consider a “Drop Served”, which might be challenged in court.

The material for this article “Listening – A Valuable “Tool”, was provided by Bruce Goldner, Legal Ease Process Service 954-667-3783. Thanks Bruce on illustrating the importance of being aware of words and the serving environment in general when serving Process.

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

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



Legislation

Chris Yeoman AFPS, Chair

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

Hello Members,

It has been a busy first quarter for legislation.

For several months of drafting, reviewing, revising, and redrafting multiple changes that could help aid our day to day process of serving papers. We are also attempting to clarify and simplify some recent changes to Chapter 48. A final draft was submitted to our lobbyist to seek a sponsor for our bill. After much feedback, we had to again revamp to remove some parts of our proposal to gain acceptance after some kickback.

After meeting with our legal representation regarding the pending lawsuit we have with the Chief Financial Officer, we agreed to amend our proposed bill to avoid any conflict that may arise between litigation and legislation. Our lobbyist revamped again and was able to find a sponsor Senator Ana Maria Rodriguez for our bill. On March 2, 2023, our bill SB 1460 was filed.

Our bill addresses several areas including issues we have all had serving at private mailboxes, virtual offices, executive suites, or mini suites. This bill would require confirmation by the person in charge to the process server presenting certain information. Additionally, it has some updating of 48.061 Service on partnerships, and reconfiguring the required attempts on 48.184 Service of process for removal of unknown parties, dismissing the necessity of a weekend attempt. Finally, we expanded options for serving School boards under 1001.40, which would allow legal service on other parties in the absence of the school district chair similar to the statute change that passed in 2022 regarding service on public agencies, as a direct result of the efforts of the FAPPS Legislation Committee.

Our pending lawsuit with the Chief Financial Officer's office regarding their portal is finally making ground. Our attorneys were able to negotiate several issues directly with the CFO's counsel, and this will mitigate the decisions that need to be made by the presiding judge. A motion for Final Summary Judgment has been filed, and we were scheduled the next available hearing date which will be June 8, 2023.

We have also been monitoring filings of other bills that may affect the process serving industry. In the meantime, thanks to all those involved with the legislative committee for the countless hours of work including meetings, phone calls, drafting, and consultations.

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

Process Server HAPPY HOUR

THE RAVENOUS PIG

565 W Fairbanks Ave, Winter Park, FL 32789

JUNE 7, 2023 | 5:30PM-7:30PM

RSVP TODAY!



Come join us on June 7th at the Ravenous Pig for a Process Server Happy Hour hosted by the FAPPS Promotion & Growth Committee.

There will be beverages, snacks, and raffle prizes!

The cost to attend is FREE. Be sure to invite your fellow process servers!

Click link to RSVP! <https://FAPPS.formstack.com/forms/pshappyhour>

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Schedule of Events

Friday, August 18, 2023

Continuing Education Class /AFPS Designation
Dinner 6:00 pm - Our Deck Down Under

Saturday, August 19, 2023

9:00 a.m. - Board Meeting
11:00 a.m. - Education Session
12:00 p.m. - Networking Luncheon \$25 per person
Cornhole Tournament and Beach Time
6:00 p.m. - Dinner (Location TBA)

*You are
invited*

RSVP to let you know you are attending:

https://fapps.formstack.com/forms/meeting_rsvp?fbclid=IwAR3aOajMa3OqkHmmbyybGgWH8-PgcbVLdNDZDF76uydE7RKZrPz4ZW-F5FrI

2023 Annual Conference Recap

Thank You Exhibitors and Sponsors!



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32ND ANNUAL CONFERENCE

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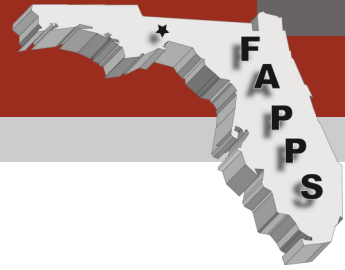
SOUTH FLORIDA LEGAL SERVICES - Jan Lowdermilk & Terry Joiner

TRGT LEGAL - Michelle Howard

2023 Annual Conference - April 14-16, 2023



33rd Annual Conference - Save the Date - April 12-14, 2024



FAPPS Annual Convention Golf

Each year at the Annual Meeting, a group of us get together to play a round of golf on Friday morning near the host hotel. This year we had six players sign up. Travis Zawacki put himself in charge of arranging the format, and he put together two roughly equivalent teams. The first team was young, muscular, studley and manly.



It consisted of Travis Zawacki, his buddy Danny, and Mark Willet. The other team, well, let's just call them Team Social Security: Steve Zawacki, Bob Musser, and Marty White. They are of course also studley and manly, but not quite so young and muscular. Over the course of 18 holes, 4 hours,

and one or two adult beverages, age and experience eventually won out over youthful exuberance, and the members of Team Social Security each won a crisp Five Dollar Bill. Join us next year! It is very informal, a lot of fun, and it gives you time to meet your fellow FAPPS members.

Bob Musser
FAPPS President
BobM@dbsinfo.com

FAPPS Annual Convention Poker Tournament

For more years than I can remember (and yes, that's a lot of years) we have had a Poker Tournament at the FAPPS Annual Meeting. It is always a great time, and always hotly contested. This year was no exception. The usual suspects showed up, with a nice mix of new victims (sorry, I meant players) and seasoned veterans. With a sponsorship from Lexitas, we had a total \$700 to work with, and decided to donate \$200 to FAPPS and award

the rest to the top three places. As time ran down, and the hour ran late, the final four players decided to chop the prize money and head to bed.

Congratulations to our four winners: Josh Kes, Leslie Yeoman, Travis Zawacki and your host, Bob Musser :-)

This event is always a lot of fun, please join us next year!

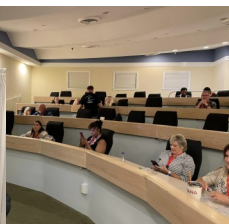
Bob Musser, FAPPS President



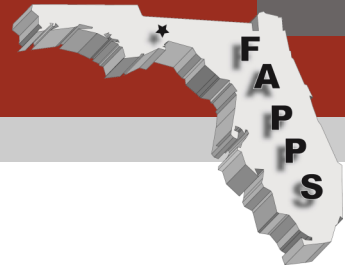
FAPPS Annual Convention Bingo & Raffles

Friday Night Bingo was full of Big prizes and Bigger laughs.

Larger hardware is a must for next year. If you attended you know what we're talking about!



A Big Thank to our Sponsors and the Raffle donations by fellow members. Raffle tickets were flying all weekend and we *shattered* our 50/50 raffle record with a total of \$1700.



FAPPS Exhibits at the NAPPS Conference

The Promotion & Growth Committee sent Kevin Fedotov to represent FAPPS at the 41st NAPPS Annual Conference in Philadelphia to promote FAPPS and recruit new members.

In addition to assisting individuals with applying for membership with FAPPS, the event generated some intellectual discussions between



members about the best way to promote the individuals of our association in order to provide the maximum value to process servers to keep them renewing every year.

Join a Meeting or Event

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.

All members are welcome to attend.

The events are an excellent opportunity to learn more about your profession and network.

The events are posted on our Facebook Page and Facebook Group Page.

Join an event and get to know your fellow members!



Stay Connected - Follow FAPPS on Facebook

Follow our Facebook page for current information and updates regarding meetings and events at www.Facebook.com/FAPPSonFB

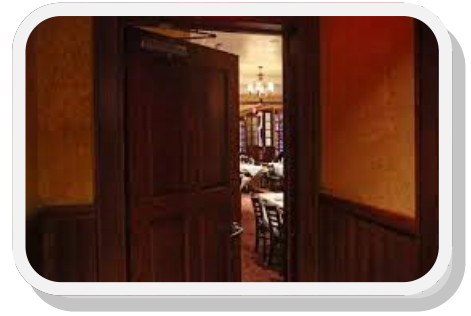


- Education Classes
- Meetings
- Special Events
- Current News
- Legislative Updates

Learning from Serving

An Educational Forum

Submitted by Dr. Denny Howley



Visiting the Archives
The Paper Chase
January 2012

The “Find Me If You Can Registered Agent”

Situation:

Our Server received a Service for a corporation and was to serve the Registered Agent (R.A.) The address was noted, so it appeared to be a “no sweat” serve between the hours of 10-12 noon Monday through Friday. Since it was late in the afternoon our Server decided to take a chance and maybe the R.A. would be there. When he arrived at the address it turned out to be a restaurant. The head waitress said the R.A. was not there and did not keep regular hours...”he was in and out...”. When the Server asked the waitress if there would be anyone at the restaurant in the morning she said no. They did not open until 5:30 pm for dinner, Some of the preparation staff, she noted, would be there in the middle or early part of the afternoon.

So He Called the Client

Our frustrated Server explained to his client about the “in and out “ RA, the fact that no one was available between the hours of 10:00 am and 12:00 noon at the Division of Corporations reported RA address, ‘ cause the place was locked up. The next day the client called the Server and provided a home address for the RA. The Server confirmed the address and ownership in the “Criss-cross Directory. However, there were no phone listings for the RA in either the Criss-Cross Directory or the White Pages. But again, it looked like a relatively simple serve, since at the home he could serve anyone living there over the age of 15, in the event the RA was not home.

Ahhh, Never Assume

When he arrived at the home, it was surrounded by a high wall (could not see in) with a speaker box mounted next to the sheltered gate. The garage, located next to the gate, was enclosed and empty. There were no cars outside the property. Nonetheless, our Server pushed the button on the speaker box, but no one responded. He made several more trips to the home at different times. The last one in the evening, but he could see no light in the house. Again no one responded to his ringing.

On the next day afternoon attempt, a young lady came to the gate, stated she did not live there, but was only visiting. The Server explained the problem and asked young lady, who said she was in contact with the RA, to ask him who he’d “authorize” to accept the documents. She said she would pass on the request.

Several days later, having heard nothing from the out-of-county RA, the Server stopped again at the home. Again he spoke to the young lady, who assured him she had relayed his message, but had received no response.

the Continued Next Page

Find Me If You Can Registered Agent Continued

What To Do ?

Our FAPPS PROFESSIONAL to the core, called his client to explain the situation. He could not serve at the address provided by the Division of Corporations for the RA. Furthermore the RA was out of the country and seemed uninterested or unwilling to provide the name/address of a person who would accept Process in his stead.

A bit annoyed with this RA, who did not seem to take his duties and responsibilities as a RA seriously, our Server decided to check the Division of Corporations listings (www.sunbiz.org). Low and behold, he discovered that our “phantom” RA had at least ten (10) corporation listings under various renditions of his name as an RA., such as John Brown, Johnny Brown, J.T. Brown, J. Brown and John T. Brown. All of the listings had the same Division of Corporation restaurant address. The RA was clearly not playing by the rules laid out in accordance with Chapter 48, Florida Statutes 48.091).

A Bit of Luck

While waiting for “guidance” from the client, our Server decided to check once more at the home address. There a very annoyed young lady stated unequivocally that she had passed the Server’s message to the RA several days previously and the RA had not responded. Our Server left on the way to do another different Serve. As he passed by the restaurant listed as the RA’s address for the acceptance of legal documents, a kitchen door opened. A young fellow exited and crossed the street. It was 10:30 am

On a Wednesday.

Our Server promptly stopped, parked and went to the kitchen door, which had not been relocked, entered and asked one the kitchen staff if a manager was around. He was instructed to walk through the kitchen, to the next building and then through an alley between the restaurant and the next building. The manager’s office, he was told was on the ground floor of that neighboring building. Using his “written instructions”, he did as directed and found the manager. The manager of the restaurant, also an employee of the “phantom” RA., accepted the Service for his boss.

Comment:

Clearly the client was more than happy, but not particularly interested in our Server’s story of the “how”. But our Server reflecting on his own PROFESSIONAL self-image, decided to reach out to the Division of Corporations and inform them of the game-playing “find-me-if-you-can’ RA. He made the call then sent a certified letter to the appropriate department head requesting some sort of “corrective” action on the “phantom” RA.. Since he received no feed back, it is not known if any action was taken, but he felt good. This was HIS Process Serving Industry and he felt he had to not only “ Talk the talk but WALK THE WALK”.

The material for this article “Find Me If You Can Registered Agent” was provided by Dr. Denny Howley (305 294 5568.)

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

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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



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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
FAPPS grow?*

*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

Welcome FAPPS Members and Guests! After a fun and educational back to back weeks at the FAPPS & NAPPS Annual Conferences, here are the updates we'd like to bring to you.

In-Person Event Updates - The Promotion & Growth Committee sent Kevin Fedotov to represent FAPPS at the 41st NAPPS Annual Conference in Philadelphia. We were able to sign up 1 renewing and 9 new members for the FAPPS Associate Membership at the discounted rate for a total of \$600 in fees. The event also generated some intellectual discussions between members about the best way to promote the individuals of our association in order to provide the maximum value to process servers to keep them renewing every year. A handful of NAPPS chartered state associations took the podium and provided updates about their respective state associations. The main takeaway for me was that attrition is effecting our industry nationwide and the need for new & involved members has never been more apparent. FAPPS's performance as a state association was showered with complements (as usual) in regards to the latest legislative and educational improvements. We made many new friends and hope to introduce you to some of them at the Beach Getaway in August.

Upcoming Events - Our next scheduled event will be the 3rd Quarter Board Meeting and Professional Beach Getaway on August 19, 2023 at The Shores Resort & Spa in Daytona. Book your rooms ASAP because the event is always a good time and the rooms sell out quick! We're still hard at work on gathering the necessary details to host an in-person local event for Florida Process Servers, so keep your eye out for details.

For the complete schedule of FAPPS events please visit - <https://www.facebook.com/FAPPSonFB> and be sure to "Like" and Follow Our Page.

Social Media - As of April 2023, our Facebook Group is up to 282 members and the FAPPS page has 977 followers with 831 Likes. We are finally able to report back on the analytics of paid advertising on the Facebook Page. In 2023 we promoted our

Annual Conference post for the incredibly low price of \$14 and were able to reach 438 people and have 370 engagements, in the future we will be promoting our quarterly meetings in the same way. The Florida team attending the FAPPS conference in Safety Harbor and NAPPS conference in Philadelphia published 17 posts with multiple photos and dozens of views that drove up the user engagement. Thank you to everyone involved in this campaign, you are greatly appreciated! We will also begin work on promotion our Florida and out of State members via weekly and monthly social media posts on Facebook. If you have an amazing server or office member who goes above and beyond the call of duty, please send us an email so we can show them off to our membership.

Membership Calls - Did you know that anyone who takes the FAPPS Education Course is entitled to a free Supporting Membership? Those who has taken the course to fill the education requirement in their jurisdiction, but have not signed up to become a member, will be receiving a call from our committee to get them enrolled. There are hundreds of potential members and we will be working diligently to call each one in order to drive up our membership numbers.

Please remember that membership is extremely important to our association, be sure to encourage process servers who are not current members to join the FAPPS family. Remember that we include the cost of a Supporting Membership class simply by taking our Education Class, so all you have to do is fill out the application.

The P&G Committee currently consists of Tammy White, Desy Garcia, Yvette Gonzalez-Valdes, Josh Kes, and Kevin Fedotov, but we are always looking for someone to donate their time.

Kevin Fedotov, AFPS
Director and Chair

TPC

Good Day Members,

Just want to say thank you to all who attended the 32nd Annual FAPPS Conference and hope to see you all at the PBGA in Daytona. A couple of things are going on with PAF so just wanted to catch the members up to speed.

PAF and FAPPS continue to build on our relationship. They have provided us with an opportunity to join the new President, Sherry Weber, at the Palm Beach County Chapter charity event on July 12th where they are raising money and collecting items for "Back To School." They have also asked me to put together a video about FAPPS for them to share with all their members during their online Annual Conference this year.

We will let you know if any other opportunities arise and how these went. If you have any questions, please do not hesitate to call or email me and I hope to see you all at the Professional Beach Getaway.

Tammy White, AFPS

Paralegal Liaison

Florida Association of Professional Process Servers, Inc. (FAPPS)

P.O. Box 72, Melbourne, FL 32902

(239) 313-6740

ParalegalLiaison@fapps.org

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PSAC (Process Server Appointment) Margie Zawacki AFPS, Chair

PSA@fapps.org (941) 954-0169

Dear Members:

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. I realized that this was a big dream but I do believe that dreams can come true.

One of the Counties that the Committee started working on is Duval County. We were told that the Sheriff is no longer appointing any new Process Servers. I sent out emails to the Servers that are members of FAPPS and Servers that I was aware of and asked them if they wanted help in getting this situation changed. The responses were positive and therefore we decided to move forward in contacting the Sheriff of Duval County. I created a letter and sent it to our President to sign and off it went to Sheriff T.K. Waters. That was sent out on January 24, 2023 and we have yet to hear any response from the Sheriff or any member of his Staff. There is a new Chief Judge starting July 1, 2023. I will be contacting him about a Certified Process Server Program in that Circuit. We are also going to ask the Board for money to attend the FL Bar Association Convention in June. We believe we need attorneys on our side when we approach the Chief Judge. There are many attorneys that don't have a clue what is happening in Duval County and we are going to enlighten them as well as ask for their help. I know that this is going to be an uphill battle but I am ready to do everything I can to make this happen.

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 me 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 8 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, or something based on it, is likely to play a major role in the success of process servers in the coming years. We 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. As leaders in the world of Due Process, we have to continue to evangelize against using Email alone as a method for Service or even transfer of sensitive documents. It can not be overstated how critical selling this message is to our continued existence.

Bob Musser, Chair

TPC



Dear fellow members,

I am honored for the opportunity our President Bob Musser gave me to be the Chair of this committee. When he first asked me to be the Chair of Technology, I didn't know what would come out of it but now that I've been doing this for a year, I am happy with the value I've been able to provide. I made it my goal to help our Administrator Diana and the Association as a whole to become more efficient with the use of technology. The online forms we've created for membership applications, board meetings, legislative funds, and convention registration have been well received. It has made the process easier for our members and our administrator.

There is nothing new to report this quarter regarding Florida Courts E-filing Authority. As always I keep an eye on the meetings that they have via Webex.

As I continue to serve in this committee, I look forward to improving our association in any way I can and service our members. As always, if you have any questions for me, do not hesitate in reaching out.

Respectfully,
Desy Garcia, AFPS
Board Director
Technology Committee Chair



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IT IS ALMOST SUMMER-TIME!

It was so exciting to meet so many new servers at the conference.

I know there has been frustration as to why people do not get charged and many think it is due to the inactivity or lack of effort from FAPPS. We as an association do not have the power to bring charges but what we can do is offer guidance. We are not attorneys and cannot provide any legal advice. Most cases that are brought to our attention that have not had reports or actual charges filed could have been avoided for many reasons. We teach that once you effectuate service you must leave the property promptly, several cases that have been reported are due to a server's presence after they have served a defendant who was not happy. Please keep this in mind when dealing with a hostile servee.

Correction for an ongoing case in Lee County: The last news did not properly update last newsletter. I advised the case was closed and a positive conviction and that was inaccurate.

Lee County Case # 23-CF-014163, Charges; Criminal Mischief, Aggravated Assault with a deadly weapon; burglary of a conveyance (all 3rd degree felonies); Battery (1st degree felony); Possession of a firearm by a convicted felon (2nd degree felony); Weapon offense- improper exhibit firearm or dangerous weapon (1st degree felony); Possession of weapon or ammo viol final injunction DV cyberstalking

The case is set for a Pretrial Conference 8/8/2023 – you may view the full arrest report online with the Lee County Clerks Office

Case 2 – Pinellas County

Recap : Process server was severely beaten after he served documents to the defendant, the defendant has been deemed temporarily incompetent but restorable. Status check with the judge scheduled for 5/3/2023

NEW CASES: NO new cases to report

Violence is an ongoing issue and we have seen an increase in violent cases over the past 3 years, please know VAPS works with our legislative committee to assist in getting stronger laws to protect our profession. We cannot do this without each of you.

We want everyone to be aware of their surroundings at all times while serving and make sure you have as many tools as possible 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 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.

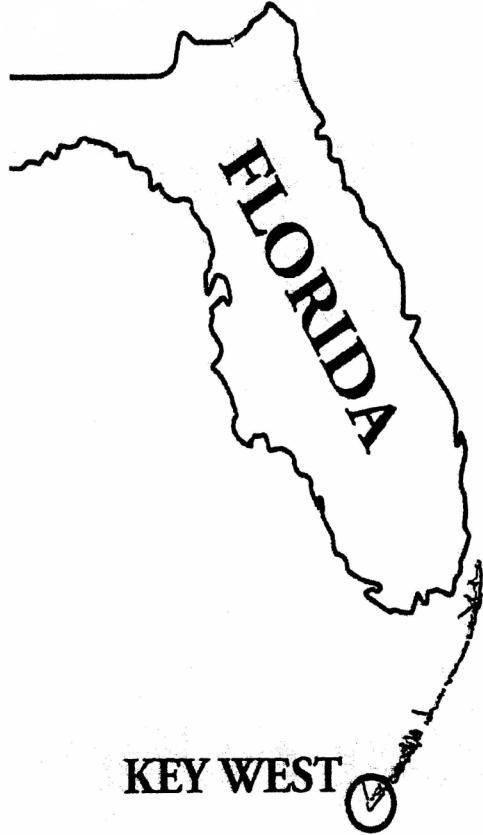
Bob Musser, Webmaster

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


TPC



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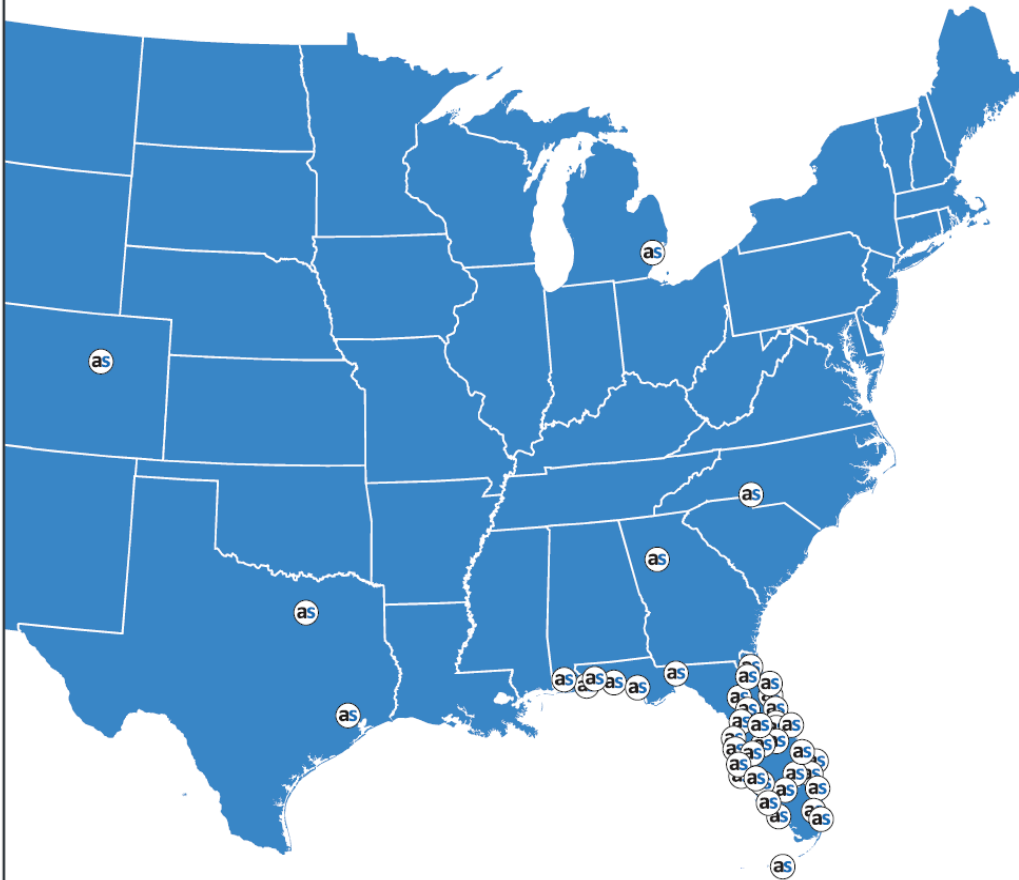


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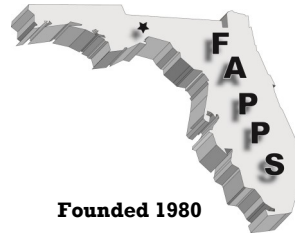
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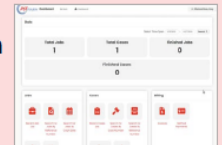
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