### 28th Annual Conference - March 8-10, 2018 — Page 15



# THE PAPER CHASE

The Official Newsletter of the 4th Quarter Edition Florida Association of Professional Process Servers September/October 2018

### 4th Quarter Board Meeting

Hotel: DoubleTree Suites Meeting: Melbourne, FL

**December 8, 2018** 

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March 8-10th

Networking Events:

Golf & Poker Tournaments Bingo Saturday Night Theme Party

Marriott Orlando Lake Mary 1501 International Parkway Lake Mary, FL 32746

#### **Educational Seminars:**

- "Bullet Proof Your Serve" Preparing for a Motion to Quash Hearing
- "Independent Contractors" The latest update
- Secure Document Trading

#### Roundtable Discussions:

- Service Corner Learning from Serving
- Forwarding Process
- · Chapter 48, State/Federal Rules, and More
- Advertising/Marketing Expanding Your Services

#### Continuing Education Course:

· License Renewal, AFPS Designation & Clerical Staff

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### Advertising and Sponsorship Opportunities Available!

Conference Forms www.fapps.org and on page 17

### IT PAY\$ TO TALK ABOUT FAPP\$

Our Promotion and Growth committee is super intent on increasing our membership and is challenging each and every current member to talk to fellow process servers about joining FAPPS.

- 1. If each member refers one new member we can double our membership quite rapidly. This will give us increased visibility in Tallahassee on legislature issues.
- 2. If you refer a person who joins as an Active or Associate member you will received a \$25 discount off of your membership dues. Want your membership to be FREE????? Refer 5 if you are an Active member or 4 if you are an Associate member and VOILA! FREE
- 3. If you get work from companies in other states, ask them to join us as an Associate Member which will give them continuous visibility here in Florida.
- 4. Check and see if the other companies here in Florida are FAPPS members, if not, invite them to join.
- 5. If you are a member who has office staff, please consider paying for them to be a Supporting Member. This is a small investment of \$25 per year and they have access to a lot of savings. It is money well spent.

This is a WIN – WIN – WIN situation!

Member applications received by October 31, 2018 will be counted toward your dues for 2019.

### 2018-2019 Association Guide

### **Board of Directors**

#### Margie Zawacki, President

Sarasota (941) 954-0169

email: margiez@hctjudge.com

#### **Bob Musser, Vice President**

Winter Park (407) 679-1539

email: BobM@dbsinfo.com

#### Joe Osborne, Jr., Secretary

Tampa

(813) 282-0074

email: joe@tsilegal.com

### **Gretchen Randall, Treasurer**

Hollywood (954) 944-3900

email: Gretchen@lri.us

#### **Melody Bulso, Director**

(813) 877-2844 ext. 2036 email: Lance@lri.us

### Mike Compton, Director

Tallahassee

(850) 877-9809

email: Mike@processamerica.com

#### **Bonnie Moore, Director**

Orlando

(407) 493-8259

email: bonnie@processxpress.com

#### Sean Segel, Director

(813) 251-9197

email: tampaempire@gmail.com

#### **Chris Yeoman, Director**

Pembroke Pines, FL

(954) 270-4597

email: chris.yeoman@aol.com

#### Administration & Membership: Diana Wardwell

Email: administrator@fapps.org

P.O. Box 72

Melbourne, FL 32902 -0072

(321) 952-0820 (877) 38-FAPPS Tollfree

### **Committees**

#### **Annual Conference Activities**

Coordinator: Amy Boyd, boydsprostatus@gmail.com

Members: Brooke LaPlant, Melanny Echeverri, Juliana Bregalot, Bonnie Moore,

#### Arbitration & Grievance (A&G)

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

#### **Elections**

Chair: Bob Musser, BobM@dbsinfo.com

Member: Diana Wardwell

#### **FAPPS Distinguished Service Award (FDSA)**

Chair: Bob Musser, BobM@dbsinfo.com

Members: Mike Compton, Lance Randall, Diana Wardwell, Margie Zawacki

#### Formal Education (AFPS)

Chair: Allen Bryant, allen@aallen.com Members: Russ Aloi, Diana Wardwell

#### Legislation

Chair: Mike Compton, mike@processamerica.com Members: Russ Aloi, Diana Wardwell, Michael Nolan, Janet Deal, Lance Randall, Chris Yeoman

#### **Member Benefits**

Chair: Bonnie Moore, bonnie@processxpress.com

Members: Desy Garcia, Jean Glemaud, Jr., Regina Moore, Chris Yeoman

#### **Parliamentarian**

Bob Musser, BobM@dbsinfo.com

#### **Process Server Appointment (PSAC)**

Chair: Melody Bulso, AFPS melody.bulso@provest.us

Members: Michael Compton, Ryan Gleason, Tammy White, AFPS, Lance Randall

### Promotion & Growth (P&G)

Chair: Bonnie Moore, bonnie@processxpress.com Members: Melody Bulso, Chris Compton, Desy Garcia, Bonnie Moore, Diana Wardwell, Chris Yeoman

#### Secure Data Exchange and eSop

Chair: Bob Musser, BobM@dbsinfo.com

#### Technology

Chair: John Shelley, john@caffeinecode.biz

Member: Chris Compton

#### **Violence Against Process Servers (VAPS)**

Chair: Chris Yeoman, chris.yeoman@aol.com

Member: Bonnie Moore, Becky Gaston, Frank Carreras, Lance Randall, Tammy White

#### Website

Chair: Diana Wardwell, administrator@fapps.org

Member: Chris Tillev

Webmaster: Bob Musser, bobm@dbsinfo.com

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

### MARGARET ZAWACKI, PRESIDENT

#### **Dear Members:**

Goodbye Summer Hello Fall. I don't know about the rest of you but summer went by way too fast for me. By the time you all read this we should be done with hurricane season with the State of Florida getting a "bye" this year. We are now into football season, college and professional and as I'm writing this I can't believe that all three Florida pro teams are 2-0. I don't think that has ever happened before? Good luck to the Buccaneers, Dolphins and Jaguars. I also know that we have College football fans out there so good luck to the Gators, Seminoles and Hurricanes as well. With football season and fall season upon us it only means one thing, Thanksgiving and Christmas are knocking on our door. I would like to take a moment to wish each and every one of you a safe and happy holiday!

Now on to Association business. We had our Professional Beach Getaway August 17<sup>th</sup> thru 19<sup>th</sup> at the beautiful Sirata Beach Resort. We were blessed because the "red tide" epidemic had not reached that area and we had a wonderful weekend. We had several people in attendance that had never been before and that is always nice to see. We are moving forward with attending the Paralegal Association's Conference in October and Tammy White will be attending on behalf of FAPPS. We had a very informal but informative roundtable discussion on numerous topics hosted by Bob Musser that went very well.

One of the ideas that I had brought to the board was to hold the December board meeting electronically. After much discussion the Board decided that they did not want to entertain the idea at this time. We are looking into streaming the meeting so that more members could attend electronically. Keep your eye out for more information on this new concept.

Also discussion was had on how to recruit new members. Our Association can only grow if every member is dedicated in helping this Association grow. You don't know how lucky you are to have a State Association looking out after your profession and representing you in Tallahassee. We have incentives in place when you refer a member to the Association.

There are numerous benefits that are accumulating on the website that are for members only. So what are you waiting for? Roll your sleeves up and get out there and start bragging about the best damn Process Server State Association in the U.S. Tell every process server you know what FAPPS has done and continues to do for the process serving profession and why they need to join today!

I would like to thank those members that attended the Professional Beach Getaway. The Board really does look forward to members attending and giving us any ideas you may have. Remember, we all work for you. This is your Association and the individuals you have elected are dedicated to the Association. I am looking for next year's PBGA to be on the East Coast and will have all info posted on the website so stay tuned.

Our 4<sup>th</sup> Quarter Board Meeting will be held on December 8<sup>th</sup>, 2017 at The Apollo, 765 S. Apollo Blvd., Melbourne, FL 32901. As always we welcome all members to come and join us.

Our 28<sup>th</sup> Annual Conference will be held on March 8-10, 2019 again at the beautiful Marriott Orlando Lake Mary. Please plan to attend now and make your reservations. You can find all the details about the hotel on the website. You don't want to miss out on "Salute to America".

Finally, did you receive our survey? Please take a moment to fill it out and send the survey into the Administrator either by email, fax or snail mail. We would love to hear your ideas and opinions for the Conventions for 2020 and 2021. You can find all the information on the board meetings and Convention as well as hotel reservation links, education course information and all news relating to our Association on our website.

In closing, I would just like to say that my phone (941-954-0169) and email (margiez@hctjudge.com) are always open to anyone with ideas or suggestions moving forward that will improve this Association. I thank you for your time.

Sincerely, Margaret L. Zawacki

### VICE PRESIDENT'S REPORT

**BOB MUSSER, VICE PRESIDENT** 

### Secure Document Trading

### **Bob Musser, FDSA Chair**

BobM@dbsinfo.com (407) 679-1539

The Secure Document Trading Service and Trading Platform is a mature, working system. We continue to add enhancements, but it has been working since 2016. To make it a success (and put FAPPS ever more in the center of the all things process service) is, and has been, a question of increased marketing and usage by our members.

### Vendor Status:

TriStar is now trading w/ no issues. The only user they've setup (so far) is Mike Kern (Tristar user) trading with a PST user (Lance Randall). So we have 3 of the major vendors: Database Services, Paper Tracker, and Tristar supporting the interface. Process Master and Loyal Dog remain interested but not actively working with us lately. No one has said "No, I'm not supporting that".

### **Association Status:**

NAPPS is way out in front in terms of number of members who have claimed a listing in SDTS. Florida is present, NY is virtually non-existent.

#### Traffic:

Mike Kern tells me that we have 243 clicks on the SDTS links from the NAPPS website in the six months they've been tracking. That means that 243 times, someone has clicked "Send Work Now" from the NAPPS site.

These are the stats I have on the SDTS from our database servers. As you can see, the job count is increasing slowly each year, but certainly nothing explosive.

### **GRAND TOTALS**

NAPPS Directory: 3039

NAPPS Directory Claimed: 366

**FAPPS Directory: 436** 

FAPPS Directory Claimed: 23

Law Firm Count: 395

**Process Server Count: 513** 

Software Users

(PST, Paper Tracker, TriStar): 135

Total Jobs Entered: 3241

### **2018 TOTALS**

NAPPS Directory Claimed: 17

FAPPS Directory Claimed: 5

Total Jobs Entered: 872

(Annualized about 1500)

#### **2017 TOTALS**

NAPPS Directory Claimed: 24

FAPPS Directory Claimed: 13

Total Jobs Entered: 1388

#### **2016 TOTALS**

NAPPS Directory Claimed: 52

FAPPS Directory Claimed: 5

Total Jobs Entered: 326

**Bob Musser** 

**SDTS Chair** 

BobM@dbsinfo.com

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## Secure Document Trading Service is a FAPPS Member Benefit!

Update status, communicate with clients, track jobs with a secure web platform.

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Already have a management software? SDTS can be integrated with existing software. Ask your vendor how you can get connected.



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Go to <u>fapps.securedocumenttrading.com</u> and click on the FAPPS tab to find your name and register an account.

Secure Document Trading, Inc is not affiliated with FAPPS. Securedocumenttrading.com is a free service to all association members in good standing. No catch....really.

### SECRETARY'S REPORT

JOE OSBORNE, JR.

### From the Desk of the Secretary

Dear Fellow FAPPS members,

As required by Article VIII Section 7 of our by-laws the below you will find; (a). a description of the motion or amendment, (b). the result of the vote and (c). the final wording of the order or amendment if passed that were made at our board meeting held August 18, 2018:

- ▶ Joe Osborne moved to accept the agenda. Seconded by Chris Yeoman. The motion carried.
- ▶ Chris Yeoman made a motion to approve a budget of up to \$1,500.00 for the FAPPS Distinguished Service Award Committee. Seconded by Joe Osborne. Bonnie Moore made a motion to Amend the motion to approve a budget of up to \$1,000.00. Seconded by Melody Bulso. The motion carried with 1 abstention. The motion to approve a budget of up to \$1,000.00 passed with 4 voting in favor and 3 voting against.
- Promotion & Growth committee to have coffee mugs and pens to hand out at the PAF of Florida conference. Seconded by Bonnie Moore. Bob Musser changed his motion to approve the cost of up to \$386.00 for the Promotion & Growth committee to cover the cost of promotional items for the PAF of Florida conference. The motion carried.



- Chris Yeoman made a motion to allow Bob Musser to setup the verification link outlined in his report. Seconded by Gretchen Randall. The motion carried.
- ▶ Sean Segel made a motion to adjourn the meeting. Seconded by Bonnie Moore. The motion carried.

On a final note, the next FAPPS quarterly board meeting will be held on December 8, 2018 at 9:30 a.m. at The Apollo, 765 S. Apollo Blvd., Melbourne, FL 32901. 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 (813) 282-0074 or by email at joe@tsilegal.com

Respectfully,

Joe Osborne, Jr. Secretary





Look for FAPPS as an Exhibitor at the PAF (Paralegal Association of Florida) Conference in Safety Harbor, FL on October 26-27, 2018 "Promoting FAPPS & Our Members"

## Make Plans to Attend a FAPPS Meeting Get Involved!



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### **Upcoming Events & Meetings**

4th Quarter Board Meeting December 8, 2018 9:30 a.m.

The Apollo 765 S. Apollo Blvd. Melbourne, FL 32901

Email: administrator@fapps.org for Local hotel reservation information

### 28th Annual Conference March 8-10, 2019

Marriott Orlando Lake Mary 1501 International Parkway Lake Mary, FL 32746 (407) 995-1100

Room Rate: \$149-\$159 per night (Room rate \$149 includes one breakfast/ \$159 includes two breakfasts)

Last Day to Book Reservations at discounted rate: February 15, 2018

2nd Quarter Board Meeting May 2019

### ADMINISTRATOR'S REPORT

### Diana Wardwell, AFPS

administrator@fapps.org

Dear Members,

Fall has arrived! The Professional Beach Getaway was a great event for members to educate, network, and learn more about FAPPS. Thank you to everyone who was involved with the planning and those that attended.

We now shift gears and focus on our next major event, the 28th Annual Conference. Our education seminars have been set up and as usual our Convention Fun Director, Amy has a weekend full of fun activities.

**REGISTER EARLY!** The hotel and reservation deadline is not until February 14, 2019 but rooms sell out quick. Be on the lookout for early registration promotions and updates on our seminars and speakers.

Looking to promote your services? Sponsorship is an excellent way to help us keep registration costs as low as possible. In return for your sponsorship we put a big spotlight on you and your company. Sign up early and take advantage of the additional advertising that comes from being listed on our promotional materials.

The Promotion & Growth Committee and Member Benefits have been combined as one committee. Bonnie Moore, the chair has an excellent group of members that have come forward to be a part of the committee, but they need more members. If you have as little as 30 minutes a week you can spare to this very important committee, reach out to her. A committee of many members can produce very positive results. Legislative issues, Violence Against Process Servers, potential e-service, are just a few issues we face daily and we need a strong membership in order to move forward with our initiatives.

Here is a quick guide for upcoming publication deadlines:

### **DECEMBER 1, 2018**

### **2019 1st Quarter Newsletter Advertising and Articles**

Advertising and articles are welcome to be included in our publication "The Paper Chase".

Special Offer! Advertise in all 4 publications of the newsletter and receive 10% off. Offer good for publications paid by June 15th and Dec. 1st yearly.

### **Member Referral Program**

**Help us Promote FAPPS!** It is vital we have strong membership numbers as we approach legislators to sponsor our bill in the next legislative session which begins in March. .

There are incentives in place for not only the applicant you refer, but for yourself. Applicants who apply now through the end of the year do not expire until December 31, 2019. That is potentially 14 months of membership for the price of 12. You as the member are entitled to a \$25 referral for each active or associate member you refer (up to a free base membership).

Many thanks to the members who have referred applicants so far this year: Russ Aloi, Frank James, Kristin Adams, Chris Yeoman, Mike Compton, Margie Zawacki, and Glenda Howell.

If you have any questions on any of our programs or services, do not hesitate to contact me by phone or email.

Diana Wardwell, AFPS

Membership Report October 1, 2018	
Active Members	235
Associate Members	79
Supporting Members	18
Pending Applicants	<u>3</u>
Total	335



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### **CHRIS YEOMAN**

cygotcha1@cs.com

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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!



### **Megan Carisi-Wolcott**

MRC Legal Services 170 SW Summerhill Gln Lake City, FL 32024 (386) 292-3295

### Lysne Cook

Cook Reporting, Inc. 6204 Colgate Road Jacksonville, FL 32217 (904) 502-3960

### **Brandon Dornbusch**

Eagle Eye Process, Inc. 4327 S. Hwy 27 #123 Clermont, FL 34711 (352) 255-3077

### **Nicholas Evans**

Evans Investigations 11210 Ranch Creek Ter #402 Lakewood Ranch, FL 34211 (941) 580-4075

### Ron Grossberg

Palmetto Legal Gophers P.O. Box 6108 Columbia, SC 29260 (803) 216-1621

#### James L. Martie II

JM Secure Solutions, LLC 144 Plantation Circle Naples, FL 34104 (239) 253-4894

#### **Shannon Woods**

Garwood Process Service, Inc. 704 E. Moody Blvd. #2578 Bunnell, FL 32110 (386) 503-9764

#### Steven Zawacki

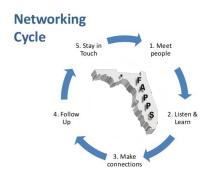
Here Comes The Judge 3293 Fruitville Road #106 Sarasota, FL 34237 (941) 954-0169

### **Supporting Members**

Alison Herbold Beverly Howley Michelle Schwartz

### **General 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



### Formal Education

### Allen Bryant, Chair

allen@aallen.com (407) 872-0560

### **Continuing Education Courses**

### **Continuing Education Course** Oct. 25, 2018 9:00 am

Indian River State College Corporate & Community Training Institute 3209 Virginia Ave., Fort Pierce, FL 34981 \*register with IRSC through link at www.fapps.org

**Continuing Education Course** November 8, 2018 9:30 a.m.

Hyatt Place Orlando Airport, Orlando, FL

**Continuing Education Course** March 10, 2019 9:00 am

Marriott Orlando Lake Mary 1501 International Parkway, Lake Mary, FL

**Education Course for Initial Licensing - 20 Hour** Summer 2019 - Date TBA

**Indian River State College** Corporate & Community Training Institute 3209 Virginia Ave., Fort Pierce, FL 34981 \*register with IRSC through link at www.fapps.org

FAPPS education courses are open to all process servers who require education to renew their license in approved jurisdictions; AFPS Designation for FAPPS members and education for clerical staff of FAPPS members. Our course is approved to provide the required training to apply to become a process server or renew your process service license in the following areas:

> 10<sup>th</sup> Judicial Circuit 9<sup>th</sup> Judicial Circuit 19<sup>th</sup> Judicial Circuit\* 20<sup>th</sup> Judicial Circuit Alachua County (Education Requirement for Motion & Orders)

Our complete class schedule and additional information can be found on the website or by contacting Diana Wardwell, Administrator at administrator@fapps.org.

Finally, the committee is working to continue to expand our course offerings around the state. If you have information to share about your local licensing and education programs, we welcome the information.

As always, feel free to contact the committee with any questions or suggestions.

Diana Wardwell. Committee Member administrator@fapps.org

\*19th Circuit Course registration is required with Indian River State College

TPC

### **Visit our Member Only Resource Section**

http://www.fapps.org/Account/Login

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

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

### Learning from Serving

### An Educational Forum

Submitted by Dr. Denny Howley

### Visiting the Archives of 3rd Quarter 2009 A "Threatening Situation"

### **Situation**

Our serving lady received a process for the Registered Agent at his residential address, so it looked like an easy in-and-out serve, since a substitute serve could be made to anyone over the age of 15, who lived at the home. Since the name and address had been confirmed, our Server checked the address just to make sure she knew where it was...and off she drove.

### Ahh, never assume!

She arrived at the target address, knocked on the door and asked the young lady who came to the door if Mr. "Registered Agent" (by his name) was at home. The Server was told "he had not gotten home yet". Our FAPPS Server then asked the young lady if she was his wife, she answered "yes". But was becoming visibly agitated, then yelled "what is this about?". Our Server said" ma'am, just a second and I'll explain everything to you".



Mrs. Registered Agent then became verbally hostile and started continuously clapping her hands inches from our Server's face. Then she screamed "oh this is the first time you served paper; you don't know it's a law suit". Mrs. Nasty mouth continued yelling, now shouting obscenities as her minor child hid behind her. Mrs. Nasty Mouth refused to give the Server the opportunity to speak or explain the documents

and refused to accept them when the Server offered her the papers. The papers were then placed on the ground directly in front of the irate out-of-control woman, as the Server stated "consider yourself served". Our Server, who refused to become baited by the verbal abuse she was receiving, turned and retreated down the sidewalk toward her car.

Mrs. Nasty mouth, increasingly vocal and yelling obscenities, followed the Server down the walkway

screaming at her and repeating over and over again "you no leave these papers, I going to get you". The Server got into her car and drove a short way from the property where she called the Sheriff's office to report the threatening confrontation.

The Sheriff's Department told our Server to wait and a short time later a Sheriff's Deputy arrived and escorted the Server back to the woman's home. There, the Officer informed Mrs. Nasty mouth, in no uncertain terms, that she could not under any circumstance speak to a stranger, much less a Court Appointed Process Server, in such a manner. Mrs. Nasty Mouth was not placated by the Officer, although she was more careful with her tongue. Because of her attitude and refusal to downgrade her hostility, the Deputy decided to make an official record on the incident, and informed Mrs. Nasty Mouth of that fact.

### Comment

Was this incident a violation of Florida Statue 843.02, Resisting Officer without violence to his person? "Whoever shall resist, obstruct or oppose any officer... legally authorized to execute process in the execution of legal process...shall be guilty of a misdemeanor of the first degree..." But would it have been worth the time and effort to push misdemeanor charges against Mrs. Nasty Mouth?

Our professional FAPPS Server refused to get drawn into a "debate" or to allow her emotions to get in the way of doing her job. She attempted to explain the documents served, but was denied that opportunity. From her comments Mrs. Registered Agent was certainly aware of the job of a Process Server. It is also likely she knew her husband was a Registered Agent and she might have been served previously. Our Server could have just gone off to the next serve and forgotten the incident, but that wouldn't have "rewarded" Mrs. Nasty Mouth for her behavior.

**Continued Next Page** 

### **A Threatening Situation Continued**

The serve was accomplished and our Server demonstrated professional self-control in the face of out -of-control-behavior on the part of Mrs. Registered Agent. But Mrs. Nasty Mouth was "rewarded" for her behavior with a reprimand by the Deputy Sheriff and then informed that the incident would be officially recorded. When and if her brain shifted back into gear, whether she explained the episode to her Registered Agent husband or not, the realization might eventually dawn on the woman that her actions could create problems for herself and her Registered Agent husband. And maybe the next time, she would keep her emotions under better control.

This "Threatening Situation" was provided by Desarae Gietzen-Mace, Gietzen and Associate's phone number is (813) 223-3233. Thanks Desarae for an education story on the importance of professional self-control.

### A Professional NEVER Stops Learning

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

TPC

### Annual Conference Activities Amy Boyd, Coordinator boydsprostatus@gmail.com

(772) 460-6679

### **2019 FAPPS** CONVENTION SALUTE TO AMERICA



We are excited to be planning for the 2019 Annual FAPPS convention. The theme will be a Salute to America. If there is something you are especially hoping to see at our annual convention, please let us know by emailing your ideas to Diana at <a href="mailto:administrator@fapps.org">administrator@fapps.org</a>.

Be sure to prepare your BEST patriotic attire for the weekend! Get ready to join in on the annual President's Golf Tournament but don't get too tired to join us in either Poker or Bingo on Friday night (you can start in Poker & join in Bingo later).

Start collecting fun items to donate to the raffle so we can make it our largest 50/50 prize EVER! Last year the winner took home over \$600. Finally, plan to attend the Saturday night banquet in an outfit that represents either your HOME state or your favorite state. There will be a prize for the most creative outfit! Minute to WIN it will be back full of great entertainment for the contestants and the spectators.

We look forward to a fun educational weekend with our FAPPS Family!

~ The Convention "fun" Committee Amy Boyd, Brooke LaPlant, Melanny Echevarri, Bonnie Moore and Azore Harris

### FLORIDA ASSOCIATION OF PROFESSIONAL PROCESS SERVERS

28th Annual Conference, Lake Mary, FL - March 8-10, 2019

### **Conference Schedule of Events**

### Friday, March 8, 2019

<u>Time</u>	<u>Event</u>	<u>Location</u>
7:30 am – 1:00 pm	6th Annual President's Cup Golf	ТВА
2:30 pm – 3:15 pm	Bag Stuffing (no other time will be allotted)	Salon BC
3:00 pm – 8:00 pm	Registration	Foyer Ballroom D
2:30 pm – 9:00 pm	Exhibitor Set-up & Display	Salon BC
4:00 pm – 6:00 pm	Annual Meeting	Orchid Ballroom
6:30 pm – 8:45 pm	Welcome Reception	Balroom D/Salon BC
9:00 pm – 11:00 pm	Bingo	Orchid Ballroom
9:00 pm – 1:00 am	Poker Tournament	Ballroom A

### Saturday, March 9, 2019

<u>Time</u>	<u>Event</u>	Location	
8:00 am – 4:00 pm	Exhibitors on Display	Salon BC	
8:00 am – 2:00 pm	Registration	Foyer Ballroom D	
9:00 am – 11:00 am	Annual Meeting Resumes	Ballroom E	
11:15 am – 12:00 pm	Education Seminar: Secure Document Trading		
12:00 pm – 1:15 pm	Luncheon		
1:15 pm – 2:00 pm	Education Seminar: "Bullet Proof Your Serve" Pre	paring for a Motion to Quash Hearing	
2:15 pm	Exhibitor Drawings		
2:20 pm – 3:10 pm	Education Seminar: Roundtable Discussions		
3:25 pm	Annual Meeting Continues		
3:30 pm	By-law Amendments (Time Specific)		
	Election		
6:45 pm – 10:30 pm	Evening Banquet  "28 <sup>th</sup> Annual Conference Theme Banquet – Salute Introduction of 2019-2020 Board of Directors, Awards Presentations, Raffles – Dinner Served 7:30p Salute to America Theme - costumed guests are welch Patriotic wear or Your Favorite State or Location in Photo Booth, FAPPS version of Minute to Win It and of	m come o the USA	

### Sunday, March 10, 2019

9:00 am – 1:00 pm Continuing Education Course & AFPS Ballroom A
Point of Contact: Diana Wardwell, Administrator or Allen Bryant, Chairman

Schedule is Tentative and Subject to Change



### Florida Association of Professional Process Servers **28th Annual Conference** • March 8-10, 2019

Marriott Orlando Lake Mary, 1501 International Parkway, Lake Mary, FL 32746

Hotel registration deadline: 2/14/19 mention FAPPS for rate of \$149 per night
Hotel Reservation Link: Click Here

### **CONFERENCE REGISTRATION**

### Registration must be <u>received</u> by 2/14/19 to avoid \$25 Late Fee

If you are attending meeting only for voting, complete form and submit for identification badge

Name:			Sat. Meal Choice:		Men	Member (Y/N):		
					Men	Member (Y/N):		
				Sat. Meal Choice:		Men		
Name:	Name:					Men		
Company Nam	e:			Phone:				
Address:				Email:				
City:			State:		Zip Code:		-	
paying by credit Full Registrati Luncheon, and S Partial Events	Information: card: email form: ion: Includes adm aturday Theme D : Admission to sin lucation Class:	first and then us nission to all non inner. <u>Indicate r</u> ngle event. Each	e link to pay. Au n-sporting events neal choice abou n priced individu	ntomatic notificat s including Friday ve for Saturday ev ally	ion of payment y Welcome Rec vening ( <b>BEEF</b> (	is sent to us from eption, Meeting OR CHICKEN	m PayPal. s, Educational S <u>).</u>	•
First Name	Full Registration \$175	Fri. Reception \$80	Sat. Lunch \$50	Sat. Theme Dinner \$80	Golf \$75	Poker \$25	Bingo \$10	AFPS \$75
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•	nference (amou	nt):		Advertising	g in Program (a	amount):		-
Exhibitor Fee is for	\$350: or space and Welcor	ne Reception only	as outlined on Ex	hibitor Registration	Form. Complete	form to register f	or other events.	
	<u>Late Fee</u> : A	Applies to regis	stration on-site	or after 2/14/19	9 (one fee per	company) \$25	5.00:	
			<u>TOT.</u>	AL ENCLOSE	ED FOR REG	SISTRATION	<b>:</b>	

Payment can be mailed or paid through our website: registration link

Policies: Registration fee is not transferable, no event is transferable. A late fee of \$25.00 will be applied to registration forms received after 2/14/19. This includes on-site registration. Any cancellation received more than 7 days prior to the conference will receive a refund less a \$25.00 administrative fee. Any cancellation after that time will not be given a refund. There is no special pricing available for children. Prices posted are for all attendees. Conference information is posted at www.fapps.org

Mail or email completed registration form. All checks payable to FAPPS FAPPS, P.O. Box 72, Melbourne, FL 32902-0072

Diana Wardwell, Administrator (321) 952-0820 administrator@fapps.org



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### Florida Association of Professional Process Servers 28th Annual Conference \* March 8-10, 2019

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New for 2019!  Call to customize your event - Spor Hospitality: Thursday Evening Hospitality: Friday		Name:
Hospitality: Saturday		Phone #:
<u>Co-Sponsorship E</u>		Finally
Sponsors are acknowledged at the e conference program, and the 2nd Q	vent, listed on general signage, in the uarter Newsletter.	Email:
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Deadline: **February 14, 2019**A complimentary ad is offered in the convention program for sponsorship received in the following amounts. Submit ad with sponsor form and payment:

(back cover, inside front, inside back)

Full page \$550+; Half Page \$300-\$549

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Ad placement is not guaranteed, excludes premium ad locations

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### March 8-10, 2019

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Company Name:		
Representative Name:		
Representative Name:		_
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City:	State:	Zip:
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E-Mail address:		_
The space for the exhibits is 8'x8' and	includes: 1 - 6' Table	e; 2 – Chairs; 1 - waste-basket
Exhibit hall open for set-up on March 8, 20 9, 2019 exhibits open 8:00 AM to 4:00 PM		·
Exhibits may <u>not</u> be in a secured area. Securesponsibility of the exhibitor. FAPPS will <u>n</u>		•
All internet fees, electrical fees, and the hotel, by filling out the form FAPPS will not be re-	m attached and ser	nding it in or calling the hotel.
Exhibitor Fee \$350.00  Fee includes space as outlined above, compan conference, listing on the Exhibitor sign at conbe provided for the Friday night Welcome Rector give a brief presentation on your services or events, advertising, and sponsorship opportunit separately.	, ference and business car eption. In addition a repr n March 9, 2019 during t	rd ad in the program. Up to two tickets will resentative from your group will be invited the morning session. <i>All other conference</i>
Complete and enclose pay	ment with Conf	ference Registration Form
Signature of Exhibitor		

Contact: Diana Wardwell, Administrator FAPPS, P.O. Box 72, Melbourne, FL 32902-0072 (321) 952-0820

\*A Late Fee of \$25.00 p/p will be applied to Registration forms received after February 14, 2019. This includes on-site registration.

**Cancellation policy** 

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  once a year starting on September 16th and are on a first come, first paid basis payable by
  December 1st. Advertise in all 4 editions and receive a 10% discount.
- Single edition advertising is also welcome

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

Book your advertising now by completing the form on Page 30 and submitting your ad and payment

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

### Legislative Committee

### Mike Compton, Chair

mike@processamerica.com (850) 933-9333

The Florida Legislature focused their attention on a variety of issues essential to the citizens of Florida. Unfortunately as we were chasing the clock everything shifted to the horrible shooting in Parkland. We continued to pursue the passage of SB904 but actually ran out of time as the Bill was on the floor. It was nearly midnight on the final day when the Speaker of the House adjourned and our Bill was up next. I was actually on the phone from Orlando speaking to our FAPPS Lobbyist in Tallahassee when we were notified we had no more time.

I had hoped to bring better news from the Legislation Committee in this report but things did not work out the way we wanted this session. Experience teaches us that some years there is "no rhyme or reason" when it comes to the legislatures. We had a sponsor for our bill on both sides and all was going well but time was not our friend. Now we press on and prepare for the next session, March 2019 making friends and allies. The Bill is in place and the committee is attempting to add one more issue on the current Bill. The issue deals with including Process Servers alongside other occupations that have private information concealed from the public in F.S. 119. The proposed language for this addition has been submitted to our Lobbyist for review and addition.

We will keep you up to date as we move forward. Please reach out to your local representatives and Senators. Let them know we are working on legislative issues and need their support. We have form letters available that would assist you in sending written correspondence. They are available by contacting me or our Administrator, Diana Wardwell at <a href="mailto:administrator@fapps.org">administrator@fapps.org</a>. I would also like to add my deep felt appreciation for all the hard work given by the committee members.

Be part of the future

Mike Compton
Director/Chairman
mike@processamerica.com
(850) 933-9333

TPC

#### WHAT IS FAPPS DOING FOR YOU?:

Did you know most of the significant changes to the Florida Statutes we serve by were accomplished through the efforts of FAPPS through our Legislative committee?

- Access to Gated Communities
- Service upon an LLC
- Service upon Registered Agent Employee

- Service upon a Private Mailbox
- Service upon a Virtual Office
- Raising the Sheriff's fee to \$40
- Clarifying the statute pertaining to date, time, initials and identification number on service documents

Shared Goals - Strong Membership Thank You for Your Support!

### P&G & Member Benefits

### Bonnie Moore, Chair

Promotioncommittee@fapps.org (407) 493-8259

### **Promotion & Growth/Member Benefits Committee Report**

The **Promotion & Growth** and **Member Benefits** has been newly combined into one committee. We have terrific members who are working together, and all efforts are currently being focused on growing our membership numbers during this next year. To that respect, we are reaching out to all licensed process servers in the State of Florida to make them aware of **FAPPS** and the benefits of membership.

During the research involved in compiling the lists of licensed servers, we became aware of the amount of turnover from year to year within our industry. It is paramount to have great servers who understand the importance of the role of the process server within the legal field. We are tasked with serving the documents which allows the court to gain jurisdiction and allows the defendant's voice to be heard.

FAPPS has a formal continuing education class which teaches the servers the laws that we must abide by in carrying out our duties but there is much more involved than knowing the law. Our committee will also be kicking around ideas on retaining process servers, mentoring servers, blogs and/or videos that will be beneficial to all servers. I feel this would be a *member benefit* and when people see increased benefits it leads to *promotion* and *growth* of our association.

Any and all ideas are welcome. I know everyone is extremely busy but if you could spare at least one hour per week, we are still seeking committee members who would like to help FAPPS thrive! Your help would be greatly appreciated. Contact me at 407-493-8259 or Promotioncommittee@fapps.org.

### **COMMUNICATION IS KEY!**

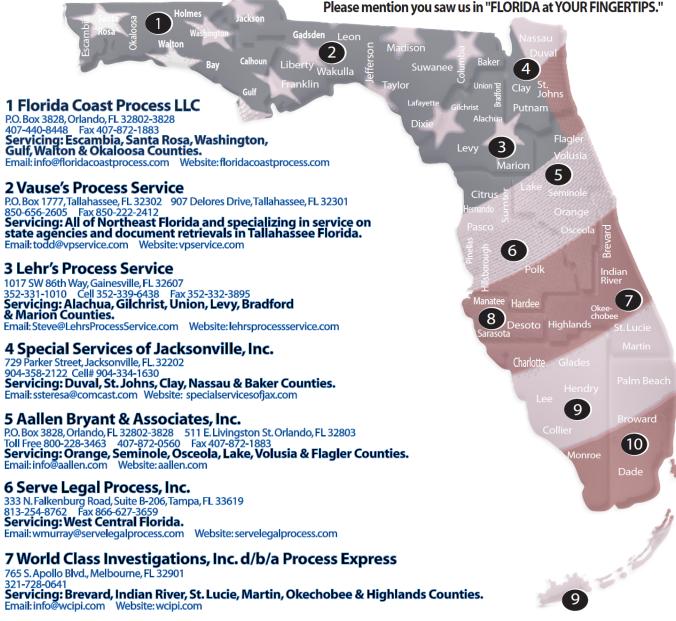
**Committee members:** Melody Bulso, Chris Compton, Desy Garcia, Jean Glemaud, Regina Moore, Diana Wardwell and Chris Yeoman

Respectfully, Bonnie Moore Chairperson



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### **October 2018 Committee Report**

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

For submissions June 2018 had 1,395,289 – July had 1,405,049 – August had 1,509,926

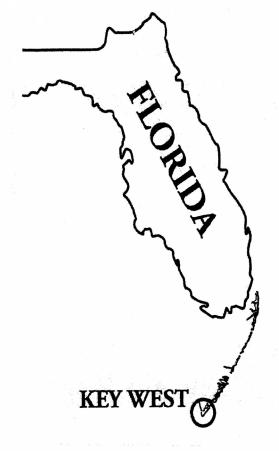
Self-Represented Litigant Submissions are Still Relatively Flat at 0.6% of submissions.

The clerks are upgrading their Desk call tracking software they call HEAT which will have a new chat feature for helping users, and is expected to be rolled out in 2019

If you have any news, questions or concerns feel free to get in contact with me anytime at <a href="mailto:john@caffeinecode.biz">john@caffeinecode.biz</a>

Members: Christopher Compton Committee Chair: John Shelley

TPC



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### Member Benefit Committee Bonnie Moore, Chair

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### Can We Count On You....

To Take The Following Survey!

- 1. I read *The Paper Chase* cover to cover
- 2. I only check out the advertisements
- 3. I may read one or two articles
- 4. I don't have time to read
- 5. I read the reports only

What is one idea that would make FAPPS a better organization?

Choose the number above that best describes you and text that number and any idea you have to Bonnie 407-493-8259. Your name is not required.

We are eagerly anticipating your participation.

"Teamwork is the ability to work together toward a common vision. It is the fuel that allows common people to attain uncommon results."





**Thanks from all of us** - Chair: Bonnie S Moore Members: Desy Garcia, Jean Glemaud, Jr, Regina Moore, and Chris Yeoman.

### VAPS (Violence Against Process Servers) Chris Yeoman, Chair chris.yeoman@aol.com

(954) 270-4597

Dear Fellow FAPPS members,

I hope this update finds you all safe, healthy, and prosperous. Each committee of FAPPS is designed to assist our membership in some capacity, and we try our best to do so. However, we are always in need of ideas and input from you- the members. Please be active in your association in some way.

This past month, we had a process server in Lee county who was attacked while trying to serve a paper. She was on a property and advised by a relative the defendant lives on the second floor, when she went to the second floor a man answered and denied the defendant lived here, and closed the door. He then came back out and attacked the server on the stair case, causing her multiple bruises, and grabbed her around the waist area, even forcing her clothing to leave her exposed. She screamed in fear and attempted to flee to her vehicle. The man even attempted to further batter her after she was attempting to drive away by opening her car doors. She finally escaped the scene and called 911, and while speaking to dispatch a half mile away, another male came after her in a vehicle that had been on the property. Sound like a nightmare? This was just the beginning, because when Lee county officers arrived, they began interrogating the process server as if she were in the wrong. They clearly did not know her purpose, and right to be there, nor their responsibility to arrest the assailant.

The next day she was contacted by a detective and requested to visit the police station, where she was further treated like a common criminal rather than a victim. The detective was aggressive and unsympathetic in his questioning, and nearly had her in tears for a second time.

This incident took place 30 days from the date of this report, and no arrest has been made, no more contact to the victim aside from her calling to ask questions. And no report has even made it to the state attorneys office for review. When the server attempts to follow up, she is treated with disrespect, as if she is the problem.

This is clearly not proper. We intend to continue following this case and will update you as things develop, hopefully sooner than later.

Remember, our goals consist of the following. To bring assistance and attention to any process server in our state who has an experience where they are assaulted, battered, threatened, or a victim of violence in any way, while exercising their duties legally as a process server. To support the process server in any way possible with the prosecution of the offender. And to document such incidents, so problem subjects, areas, or procedures can be shared with other process servers. Statistics can be later used to promote better legislation to assist and/ or protect us in the future.

We need your help! We are only a few sets of eyes and ears, we need you to spread the word that we are here and ready to help. Contact myself or any member of our committee if you have an incident or share our info to someone you know who does.

Be safe out there!

Sincerely,

Chris Yeoman, Chair Director chris.yeoman@aol.com

TPC



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### Website

Diana Wardwell, Chair Bob Musser, Webmaster

The FAPPS website continues to be updated on a regular basis with current news and events. There also have been some significant changes to benefit members.

Some of these expanded areas include: Secure Document Trading, City-Zip Codes Pairs, new Member Benefits, and a "Member Only" section that will require a login and password. If you have any suggestions for content to include in our Member Only Section, let us know. We are excited about continuing to grow the resources available for members.

Diana Wardwell
Chair
administrator@fapps.org

### Members Only Resource Center

Email: administrator@fapps.org For your link for initial login & password setup



### **FAPPS**



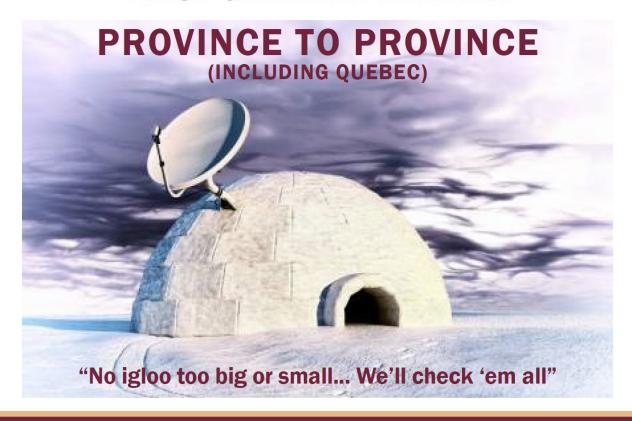








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### The Past Part 1

## **Process Serving**

### **Submitted by Dr. Denny Howley**

### The Key to Understanding The Future

Process Servers play a UNIQUE and VITAL role in our AMERICAN JUDICIAL SYSTEM; but, it is and HAS ALWAYS BEEN a role that has been in CONSTANT CHANGE as it EVOLVES along with our society. This series of articles will "track" some key points in that evolution.

#### Part 1

We've all heard of a "Writ", right? Well, let's assume someone out there doesn't know, so let's look for a definition from Black's Law Dictionary. According to Black's, a Writ is "a written judicial order to perform a specific act...'original writ' instituting an action...giving authority to have done". Serving Summons, Subpoenas, Writs of Garnishment, evictions, etc. are our "bread and butter" so to speak. They are Writs, without which we would not be.

So when did it start? Here is the grabber – 1066! That was the year the Normans (remember WW II, Normandy landing in France) defeated the English at the Battle of Hastings. With that defeat, they replaced Church law in England with a central judiciary based on the "writ "system. That Writ, as now, established jurisdiction, notified parties of legal action and provided them with the opportunity to be heard.

Remember law, as well as our Process Serving Profession is evolutionary and based on changes within the society (Common Law). Of course, when the Writ System began it only applied to royalty, nobility, landowners etc. In other words, the "ruling class". By 1200 in England, the "Server/Enforcer" had evolved into the body of the Sheriff for each "county" or "Shire" (Remember the Shire from the Lord of Rings). That enforcer was the "Reeve". So we have the "Shire-Reeve" or better known in modern day as the Sheriff. Remember Robin Hood and the Sheriff of Nottingham. He was the Shire of Nottingham's enforcer.

<u>In Part 2</u> we'll examine the introduction of the Writ System and Common Law into the American Colonies.

### A Professional NEVER Stops Learning

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

# Instructors Wanted

### Join our team of Educational Instructors

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Contact Allen Bryant, Education Chair allen@aallen.com (407) 872-0560

01

Diana Wardwell Administrator administrator@fapps.org (321) 952-0820

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- Upcoming Events
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Third Quarter (deadline Ju	ne 15): Fourth Q	uarter (deadline Sept. 15):
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