

ARIZONA PROCESS SERVERS ASSOCIATION
Certifying & Training Arizona's Professional Process Servers Since 1973



THE ONLY NAPPS CHARTERED STATE ORGANIZATION IN ARIZONA

ARIZONA PROCESS SERVERS ASSOCIATION

The NEWSLETTER

1ST Q 2019

www.arizonaprocessservers.org

President's Message *Kelli McFarland*



NAPPS 37th Annual Conference May 2-4, 2019

Marriott Orlando World Center
8701 World Center Drive
Orlando, FL 32821

NAPPS Online Reservations
or phone in your
reservations:
(800) 228-9290*

*mention you are with NAPPS and
receive our negotiated room rate of
\$184 + tax /nt

Welcome to the New Year. Thank you all for electing me as your 2019 President. Alliance Investigations is my Agency out of Prescott, Yavapai County; been doing this for 23 years along with being a Private Investigator. We have already had our first meeting of the Year and the Board is ready to tackle all that comes before us.

We are looking forward to the Annual Conference in September-same spot as last year-in Mesa, as well as Flagstaff in June with an upcoming Seminar/Classes and Meeting in Laughlin at the Aquarius on March 9th & 10th.

We are looking for Members to Volunteer for Committees-let me know which ones you would like to join. Please feel free to contact me with any suggestions/ ideas/thoughts....

Kelli McFarland

Kelli McFarland
2019 President APSA

Kelli "KAM" McFarland
Alliance Investigations
P.O. Box 11990
Prescott, Arizona 86304
(928)717-1196
AllianceInvestigations@msn.com
Www.Az-PI.com

Continuing Education Classes
Saturday June 8, 2019 & Sunday June 9, 2019
Details inside



Editor's Column



Barry R. Goldman

Life throws curveballs. When you least expect it, Murphy comes running into your life. Well, at least mine.

A planned outpatient surgical procedure with a "three week" healing time in late December turned into two more surgeries, sepsis, almost a month in the hospital, and 12 weeks of IV antibiotics to battle a staph infection. Hospitals can be such dirty places.

But I try to make the most of it. Being prepared and keeping myself occupied is a really important thing to do, especially while healing. So,

needless to say, I brought my laptop and a week's worth of clothing for the third surgery. (The first was an outpatient surgery, the second I rode in the back of an ambulance, and the third I drove in from my doctor's office.) I had friends bring my stuff after I landed for the second surgery.

Now that I am out of the hospital, I'm looking at recuperating at home for the next two more months.

So, if you haven't seen me driving around, or being at various events or meetings, that's why.

Being at home gives me a chance to do a lot of reading, like HB2230. In my mind, HB2230 is a misguided attempt at circumventing personal service of process on

banks and credit unions to save a few bucks. In my view, there are just too many holes in certified mail to make it accurate and reliable to effect garnishments. But, that's what the

collection attorneys want, and that's what they will get.

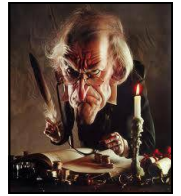
Another misguided legislative bill came from our former (Maricopa) Constable, Rep. Bret Roberts.

While he was Constable, Mr. Roberts and his friends on the City Council attempted to redefine the Constable as a full time peace officer, which would have allowed him to carry his weapon openly at City Council meetings. Needless to say, that idea, like his HB 2521, seeking to amend ARS §38-1113, was shot down. The list of people opposing this bill looked like every county supervisor in Arizona.

(Finally something that Pinal County Supervisor Anthony Smith and I can agree on!)

Although life may throw a curveball or two (or a dozen), knowing when to swing and when to pass on the pitch is important.

Have fun. Read, enjoy, educate yourself and have more fun. I've got my two front teeth, so all my Christmas wishes are satisfied.



I CANN PROCESS SERVICE

LINDA M. COONTS, A.C.P.S.

OFFICE: (520) 249-5100

P.O. Box 728

Sierra Vista AZ 85636

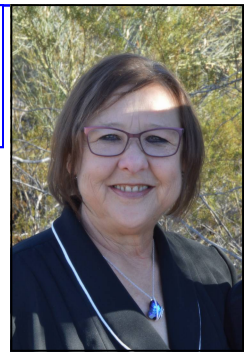
Registered Officer of Superior Court

State of Arizona

County of Cochise

Secretary's Corner

Patty Chlebanowski, Secretary



Dear Fellow Members:

The holiday season is over. I hope you enjoyed yourselves and was able to visit with your families.

It is time to renew your membership and they have started rolling in. I will follow up with membership certificates so please watch your mail for them to proudly display your continued support of our organization. If you have not renewed as yet, please get those sent in. I will start cleaning our membership up from the website in February, so PLEASE do not let your name be deleted from the website.

Remember the more Process Servers that work together as a group the better our industry will be. We have to show unity as a goal when it comes to making

changes through Legislation. If you know a process server that is not a member. Please reach out to them and share your thoughts about joining the Arizona Process Servers Association. If you are interested in being on any Committee please reach out to your President Kelli McFarland and get involved. Happy 2019 to all of you and wishing good prosperity this New Year.

Patty Chlebanowski

Work: 602-254-7427



APSA

APSA Officers & Board Members for 2019

President:

Kelli McFarland
allianceinvestigations@msn.com
 928-717-1196

Vice President:

Sean Laman
seanlamanwork@gmail.com
 623-628-3389

Treasurer:

Luis Figueroa
luis@alssinc.com
 928-343-9071

Secretary:

Patty Chlebanowski
mail2butterfly6@cox.net
 602-908-5100

Directors:

Larry Ratcliff
larryratcliffpi@gmail.com
 928-367-0510

Ron Ezell
rezell@firstlegal.com
 520-798-2200

Lisa Macaluso
lisa.macaluso@specializedattorneyservices.com
 480-878-8677

Barry R. Goldman
service@rapidrps.com
 (877) 472-7431

APSA Legal Advisor:
 Charley Laman
info@lamanlawoffice.com
 602-717-5326

APSA Newsletter Published by the Arizona Process Servers Assn.

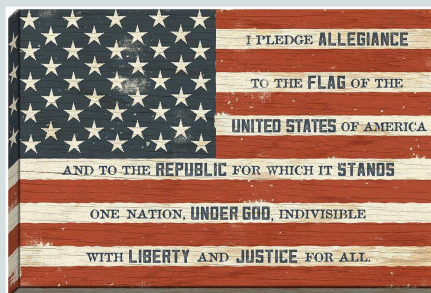
PO Box 2233
 Phoenix, AZ 85002
 Phone: (602) 476-1737
 Fax: (602) 258-9550
azserverassoc@gmail.com

Disclaimer: Comments and opinions expressed in the APSA Newsletter are that of the writer and do not necessarily reflect the opinion of the Association, its Officers or Board.

Changes, Corrections & Submissions:

Let your Editor know if you have any!

Edited & Produced by:
 Barry R. Goldman
 (877) 472-7431
service@rapidrps.com



10 Hours of Continuing
 Education Classes
 Saturday June 8, 2019 &
 Sunday June 9, 2019
 in Flagstaff.
 See Pages 9-10 for more.

APSA Newsletter 2019 Quarterly Publishing Schedule

1st Quarter: (Jan. 1-Mar. 31)
All submissions are due no later than Feb. 1st.

2nd Quarter: (Apr. 1-June 30) All submissions are due no later than May 1st; targeted publication date is May 15th. The annual publication of the Bylaws and Code of Ethics occurs in this edition.

3rd Quarter: (July 1-Sept. 30) All submissions are due no later than July 1st; targeted publication date is July 15th, but in no circumstance any later than 45 days prior to the scheduled Annual Conference and Educational Event. (See Bylaws, Article VIII, Section 1.)

4th Quarter: (Oct. 1-Dec. 31)
All submissions are due no later than October 31st.

Schedule changes: Publication schedule may be subject to change for any reason including but not limited to accommodating Board meeting dates, continuing education events, special submissions, news or other information to better serve our members and other readers. Additional Newsletter editions may be published at the direction of the APSA Board.

Changes & Corrections: If you have changes or corrections to your contact information, please let us know by contacting the APSA Secretary.

National Affiliation: APSA was originally founded in 1973. It is the sole state association of process servers recognized and chartered by NAPPS — the National Association of Professional Process Servers — in Arizona.

What Do Your APSA Representatives Do?



Ever wonder what the officers and directors of your Board does? *Here are the official (and some unofficial) duties:*

From the APSA Bylaws, the administration and management of the association is controlled by the Board of Directors. This includes the officers (President, Vice President, Secretary & Treasurer) and Directors.

The President presides at all meetings, makes all appointments, and is responsible to submit an annual report at the conference. Our President has also been the face and voice of APSA with our legislature as well as government associations and non-governmental associations. The VP steps into the shoes of the president whenever the President is unable to do so. Our Secretary records the minutes of all Board meetings and the annual conference. The Treasurer is responsible for carrying out all fiscal policies and procedures adopted by the Board; prepares financial statements and presents them to the Board at each meeting. The Treasurer also submits a written annual report at the annual conference.

The secretary also checks the mailbox weekly, make deposits as they come in and forwards to the Treasurer for entering into quick books for the record. The secretary is also tasked with setting up quarterly each board meeting location and educational session. All certificates created and dispersed and record keeping is also completed by the secretary.

We also have committee members who are responsible for certain duties and obligations of our Association. The Legislative Committee is responsible to watch for proposed changes in statute and rules of court that affect process servers. Researching (reading) and keeping track of rule and statute changes affecting Process Servers is a joint duty between the Legislative and Education committees, as well as the Newsletter Editor. Our registered lobbyist is part of the Legislative Committee, there to speak for APSA with our legislators and court personnel.

The Education Committee is responsible for making sure that our courses are up to date and consistent with statutes and rules of court. Which of our courses presented at the annual conference and at quarterly educational seminars are decided jointly by the Board and Education Committee. Planning for the Annual Conference is done through this committee. Editing and rewriting the APSA ACPS Manual is tasked through this committee, currently handled by your Newsletter Editor. (Revisions are to be done every other year; with supplements issued at quarterly classes and in Newsletter.) The Education Committee is also responsible for recruiting and appointing instructors for our classes.

Our Courts Committee stays on top of issues at the courts affecting process servers, reporting matters that may have an effect on our membership.

Arbitration and Grievance is a rarely utilized committee. Following procedures for arbitration and grievance, member complaints are heard through this committee.

Membership and Public Relations is run by our Secretary, who also acts as our Administrator. Incoming calls are responded to, as well as emails and other inquiries from the public, other associations, members and non-members. The website report is made to the Board each quarter from this committee. The APSA Newsletter, as part of the PR of our Association comes under this committee. The Editor makes a report to the board on our Newsletter at each meeting. This committee is also responsible for designing and maintaining the yet to be published Facebook, LinkedIn and other electronic and other media pages.

So, while the pay is minimal, the rewards are great. There is a lot of interface between the various committees, and your Board has developed some very good working relationships between its members. We'd like you to be part of it. We could always use your help.



The following are excerpts from "The Brief", published by the Maricopa County Clerk of the Superior Court. You can obtain complete copies of "The Brief" through the clerk's website.

January 2019

Welcome to Jeff Fine the new Clerk of the Superior Court

Jeff Fine was sworn in on January 9, 2019 as the new Clerk of the Superior Court during a ceremony held in the Maricopa County Board of Supervisors' Auditorium. He was elected to the position by voters in November 2018 and is the 11th person to serve as the Clerk. "I am honored to serve and blessed with an amazing team. I look forward to the opportunity now before us to pursue projects and innovations that will further increase access to justice for the benefit of those we serve," Fine said. "My goal is to make the court system easier to use and more efficient by leveraging current systems, proven technologies and implementing best practices."

Fine has spent the majority of his professional life in and around the court systems of Arizona. Prior to his election as the Clerk, he served four years as the court administrator for the Maricopa County Justice Courts. In this capacity, he implemented several innovative strategies, including a video appearance center for in-custody court appearances that virtually eliminated prisoner transport, allowed cases to be

resolved faster and reduced demand for costly jail space in justice court cases. Preceding the administrator position, he was elected in 2010 as a Maricopa County justice of the peace in the state's busiest court precinct at the time. Fine has also served as a police officer, court marshal, and court administrator for the City of Goodyear. In addition, he has served as an active duty member of the US Air Force.

As Clerk, Fine is the official record keeper and financial officer for the Superior Court and is responsible for overseeing a staff of 650, a budget of nearly \$40 million, supporting more than 160 judges and commissioners, serving a constituency of over four million, and operating an office that serves one of the top five largest counties and trial court systems in the nation.

In addition to his service in the Judicial Branch, Fine served over 20 years in the United States Air Force on active duty and in the reserve, including deployment in support of the War on Terrorism. He is a member of the White Tanks Rotary, volunteers in support of various non-profit efforts and often presents at court training events

(APSA would like to thank Jeff Fine and his staff for this valuable information we can pass on to our membership and readers. — Ed.)

throughout Arizona. He has served on nine state and county level task forces and committees with recent appointment to a tenth, the Arizona Task Force on Delivery of Legal Services. Jeff is married to Kori Fine, a professor with Grand Canyon University and former director with Summit Community Church and WATERisLIFE. He was raised in the West Valley of Maricopa County where he, Kori and their four children reside.

Another special welcome

Besides a new Clerk of the Court, the Office welcomes another member to the team who will help lead the Office into the future. Rich McHattie was hired to serve as the new Chief Technology and Innovation Officer. Prior to this position, he was serving as the Deputy CIO for Customer Engagement and Service Management for the Maricopa County's Office of Enterprise Technology. In his new capacity with the Clerk's Office, he will be working to keep the Office on the cutting edge of technology as it moves toward eFile Case Initiation, online payments, and other technology initiatives.



Hi, I'm Patty Chlebanowski, long-time Secretary of APSA. Frontier Insurance Agency, Inc. has been in business for 50 years. Frontier Insurance Agency, Inc. wants to help members and friends of APSA and AALPI to write your Notary Bonds, Court Bonds (Appeal and Cost Bonds), and Probate Bonds (Personal Representative, Conservatorship & Guardianships). We also write MVD (Lost Title Bonds). If you know an attorney who handles Probate matters, please drop my name to them. If you have any needs, please give us a call. Frontier can usually get a bond written in about 24 hours.

PATRICIA CHLEBANOWSKI Agent

FRONTIER INSURANCE AGENCY, INC. Surety Bonds

(602) 254-7427 3150 North 24th Street #D104 Phoenix, AZ 85016





Appeal and Cost Bond Info Online

Court rules, statutes, court orders or other authorities may require posting appeal or cost bonds with the Clerk's Office. Depending on the type of issue, the parties, the complexity of the case and other factors, years can pass between the bond posting date and resolution of related issues. During that time, parties, attorneys, and the courts may overlook issuing a court order releasing the money. The Clerk's Office holds the funds until a court order directs the Clerk specifically what to do with those funds. The Clerk's Office has now posted online lists of bonds posted with the Clerk's Office where the need for the bond may have ended and no court order was filed allowing the Clerk to return the money. If you or your clients posted an appeal or cost bond in any case, it is worth checking if funds are still on hold.

Customers can search the online lists by party name or case number. A party or their attorney must file a petition with the court requesting an order be issued directing the Clerk to release these funds. The Clerk's Office will only release money by court order and only as specifically directed in the order. For more information about the deposit or release of these funds, including specific information the Clerk's Office needs before releasing money, see the Clerk's website at http://www.clerkofcourt.maricopa.gov/release_bonds.asp. The Clerk's Office will only assist parties to a case or their attorneys. Third-party vendors, personal representatives, and other non-parties must be named in a court order to obtain detailed information, or to receive a payment check.

Office to participate in annual Arizona Veteran's Stand Down event

For the ninth year, Clerk of the Court staff will be working with the Superior Court officials to participate in

the **Arizona Veteran's Stand Down Project** by setting up remote courtrooms to hear cases involving veterans. The Stand Down Project is an event where organizations, agencies, and governments come together across the nation to focus on veteran services. This year, the event is being held in Phoenix January 24 - 26 at the Arizona Veteran's Memorial Coliseum.

At last year's Stand Down event, the court ruled on over **240 motions** and presided on nearly **50 hearings**. In addition, **242 ex parte rulings** were received and processed, and Criminal Financial Obligations completed **155 financial records requests**. The File Counter staff assisted **17 veterans** with court case issues, and **55 veterans** were assisted with Restorations of Rights applications. In total, **1,658 veterans** were assisted at the overall event in accessing services and resources that included health care, housing, counseling, legal aid, clothing, haircuts, dental, and vision.

Marriage license and passport Saturday dates

For a fourth year, the Office will offer Saturday service hours during the busy Spring Break season for customers to purchase a marriage license or process a passport application. This popular service will be offered in March and April at the Customer Service Center, 601 W. Jackson St. in downtown Phoenix and at the Northeast facility, located at 18380 N. 40th St. in Phoenix. Dates and times are being determined and will be announced on the Office's website and via social media in the near future. The extended hours are offered to accommodate customers who may have difficulty obtaining these services during the normal Monday - Friday business week.

Did you know?

The Office has a Case History Index available on its website that provides statistical and historical information about court cases the Office has handled since 1871. The Index is available on the website under "Cases / Case Statistics."

The Brief

If you missed an issue of *The Brief*, past issues are posted on the Clerk's website at

http://www.clerkofcourt.maricopa.gov/atty_news.asp.

The Return of Saturday Service Days

For the fourth year in a row, The Office is opening its doors for business on Saturdays during the spring season. **On the Saturdays** March 16th and April 6th, the Customer Service Center (601 W. Jackson St., Phoenix) will be open from 9:00 a.m. to 3:00 p.m. to provide customers the opportunity to purchase a marriage license or process a passport application. The Northeast Office (18380 N. 40th St., Phoenix) will also be open Saturdays on March 9th, March 30th and April 13th and will provide the same services.

The extended hours of operation are being offered to accommodate the many customers who have difficulty obtaining the service during the traditional work week. Last year, the Office offered Saturday service to the public on nine separate occasions. On those days, 463 passport applications were processed, 172 marriage licenses were issued and 1,544 certified copies of marriage licenses were printed and mailed to customers.



(APSA would like to thank Jeff Fine and his staff for this valuable information we can pass on to our membership and readers. — Ed.)





The Return of Saturday Service Days

For the fourth year in a row, The Office is opening its doors for business on Saturdays during the spring season. **On the Saturdays** March 16th and April 6th, the Customer Service Center (601 W. Jackson St., Phoenix) will be open from 9:00 a.m. to 3:00 p.m. to provide customers the opportunity to purchase a marriage license or process a passport application. The Northeast Office (18380 N. 40th St., Phoenix) will also be open Saturdays on March 9th, March 30th and April 13th and will provide the same services.

The extended hours of operation are being offered to accommodate the many customers who have difficulty obtaining the service during the traditional work week. Last year, the Office offered Saturday service to the public on nine separate occasions. On those days, 463 passport applications were processed, 172 marriage licenses were issued and 1,544 certified copies of marriage licenses were printed and mailed to customers.

New Customer Management System at Northeast

On February 4th, an automated customer management system called Qmatic was implemented for public

use at the Northeast Office (18380 N. 40th St., Phoenix). The new system is designed to offer more efficient services for customers, while reducing wait times and alleviating the need to stand in line. The system is already in use at the Downtown Filing Counter, Customer Service Center's Marriage Licenses and Passports Office, and at the Southeast and Northwest Marriage Licenses, Passports, and Public Records Offices.

Be the First to Know about Clerk News

In addition to The Brief, the Clerk's Office has an official Twitter feed for convenient access to Clerk news. If you have a Twitter account, please follow the Clerk's Office at [@MaricopaClerk](https://twitter.com/MaricopaClerk), where news is regularly posted about office closures, upcoming changes and other events.

One-Year Anniversary of New Service

One year ago, the Office launched a new website service that allows customers to choose a date, time, and location to purchase a marriage license or process a passport application. The locations for this new service are the Customer Service Center, Southeast Court, Northeast Court, and the Northwest Court. Appointment

customers are given priority over walk-ins and will receive an automatically generated confirmation email after selecting the date, time and location of their choice. At the end of its first year in operation, the website service received 15,083 reservations from customers and customer wait time have been significantly reduced. The service is available [here](#).

Participating in the Veteran's Stand Down Event

For the ninth year in a row, Clerk of the Court staff partnered with Superior Court officials to participate in the Arizona Veteran's Stand Down Project. The Stand Down Project is an event whereby organizations, agencies, and governments from across the nation come together to focus on veteran's services. This year, the event was held January 24th – 26th at the Arizona Veteran's Memorial Coliseum. The Clerk's Office chose to participate by setting up remote courtrooms to hear cases involving veterans. The Office had 22 staff members assist with the effort. In total, there were 142 hearings and 170 ex-parte motions during this year's Stand Down event. In addition, the Criminal Financial Obligations Unit processed 180 cases and the File Counter assisted 30 veterans with court case issues and assisted 26 veterans with Restoration of Rights applications.



ARIZONA OFFICE TECHNOLOGIES

A Xerox Company

Tucson
3501 E Speedway Blvd Ste 145
Tucson AZ 85716
Main (520) 989-3200

Phoenix
4320 E Cotton Center Blvd Ste 100
Phoenix AZ 85040
Main (602) 346-3000

Prescott
3050 N. Navajo Dr. Ste 107
Prescott Valley, AZ 86314



APSA Board Meeting Minutes

January 12, 2019 (Unofficial)

ARIZONA PROCESS SERVERS ASSOCIATION

Board Meeting Minutes

January 12, 2019 at Hampton Inn at
41415 North 41st Drive, Anthem, AZ 85086
at 11:04 AM

THOSE IN ATTENDANCE:

Board Members: Patty Chlebanowski, Larry Ratcliff, Kelli McFarland, Sean Laman, Ron Ezell, Lisa Macaluso, Jason Brown and Charley Laman. Luis Figueroa was not present. Members present: Don Howell, Candy Ratcliff, Shannon Goolsby, and future members; Kay Dean & Donald Dean.

PRESIDENT'S REPORT:

Larry Ratcliff called the meeting to order. He reported he was unable to attend the December meeting in Tucson that was eventually cancelled for no quorum. He thanked Patty Chlebanowski for teaching the classes at the last minute in Tucson. He reported he had a member self report a complaint from an unhappy client. They claimed they were not allowed to do skip traces but that is not the case. If you have the legal papers in hand and are trying to serve them, you can do certain skip tracing techniques.

He then asked the new board to stand and raise their right hand to be sworn in for the 2019 term. Kelli McFarland, as President; Sean Laman, as Vice President, Patty Chlebanowski, as Secretary, and Directors; Ron Ezell, Lisa Macaluso, Jason Brown & Larry Ratcliff as immediate past president.

Kelli McFarland then took over the board meeting.

A discussion was held regarding Luis Figueroa and us not having our current financial information.

Kelli will reach out to Luis Figueroa and find out if he needs help to fulfill his Treasurer's duties. Ron Ezell mentioned he needs to make contact with the CPA, Stephanie Irwin and make sure our 990 is filed for the 2018 year. Luis also needs to get her the completed financials to finish her task and he needs her to send out (2) 1099's to Barry Goldman & Patty Chlebanowski. Patty mentioned she needs blank checks to have on hand, I still need to send the hotel a check for the deposit of our 2019 conference. We need to speak with to the bank to change the emailing information.

VICE PRESIDENT'S REPORT:

Sean Laman briefly talked about not being appointed to too many committees this year, he believes being the vice president is his main concern to be the back up to Kelli

McFarland.

SECRETARY'S REPORT:

Patty Chlebanowski asked if we reviewed the board minutes from June 2, 2018 that were previously emailed to the board on 11-18-18 and 12-23-18. I did pass out a few copies to the board that was present. Did you see any corrections that needed to be made? Sean Laman had a correction in the website report section. Rather than Sean "requested" he asked for it to be changed to Sean "reminded" to include our two paid Vendors on the website. It was previously talked about in prior meetings. A motion was made by Larry Ratcliff to approve the Secretary's minutes as Amended, seconded by Kelli McFarland. All in favor was asked and motion passed. Patty reported that she has kept up with the duties of the mail, phone, emails and website which was last checked on Thursday, January 11, 2019. Patty reported Enom needed additional monies for our Domain and hosting of the website. Patty also paid Secretary of State for our Trade Name on 12-11-18 which I reported to Luis that I had used the Debit Card, but found out I had used my personal card and will need to be reimbursed. Corporation Commission has been updated with all the new board members names and have completed our Annual Filing.

TREASURER'S REPORT:

Luis Figueroa was not present and no report was sent prior to the meeting.

COMMITTEE REPORTS:

Membership Report: Patty Chlebanowski reported everything is currently up to date on our website. All new members were sent out a mass email to renew their membership prior to January 31, 2018. Shannon Goolsby mentioned she had received two invoices and wanted to know which one to pay. Sean reviewed her invoices and found one was not APSA. I informed her, we do not send individual invoices, APSA sends an email and a membership application to all listed members for their renewal.

Patty brought the NAPPS list that is sent to us each year and per previous emails from Barry Goldman, we think we should contact some of the members on the NAPPS list and see if they will join the Arizona Association. New committee member Lisa Macaluso volunteered to assist Patty Chlebanowski with her responsibilities when needed.



APSA

APSA Board Meeting Minutes

January 12, 2019 (Unofficial)

Website Report:

Patty Chlebanowski reported in her Secretarial report about the website. Sean Laman would still like to help with the website but wants someone else to check any changes. Patty Chlebanowski and Sean Laman will be the 2019 website chairs.

Grievance Report:

John Carpenter was the Grievance chair in the past. He is still a current member, however Larry Ratcliff stated he would be able to chair this committee because he gets calls and questions from people, being he was the past president.

Newsletter Report:

Barry Goldman was not present and unable to attend because of health issues. A discussion was held to explain the payment of a Newsletter Editor. Barry Goldman handles information from all different agencies and puts it in Newsletter format for our membership. He is more than a newsletter Editor, he really is an administrative watch person who keeps in contact with all courts and legislative issues and relays them to our board and membership. Larry Ratcliff stated the newsletter subsidy is voted on every year at the annual conference. Barry Goldman will continue to chair the Newsletter/ Administrator duties.

Continuing Education Report:

Kelli McFarland discussed and we all settled on dates for the upcoming board meetings and the Continuing Education Classes. March 9th & 10th will be in Laughlin, NV. Patty will check to see if Aquarius is available on those dates. June 8th & 9th will be in Flagstaff and Kelly suggested we use Hampton Inn. They are in Flagstaff and in Tucson. Kelli gave Patty the contact person of Cindy Quijada and she will reach out to her for June the classes and meeting in Flagstaff as well as December 7th & 8th classes and meeting in Tucson area.

Sean Laman stated he would reach out to Aubrey Keck who was not available this year for teaching but Sean will get his permission to teach several of his classes that he helped author with Aubrey. Patty Chlebanowski reported our Annual Conference will be Saturday, September 7th and 8th once again at the Sheraton Mesa Wrigleyville Hotel. The contract has already been signed with AALPI, but we still needed to send a portion of the deposit. Barry Goldman and Sean Laman will continue to be on the Continuing Education committee.

Legislative Report:

Ron Ezell, stated most of what has been available for review at this time is clean up from the previous year. We do need to make sure Barry Goldman and Ron Ezell register again because it is an annual listing that needs to be pre registered if you will be talking at any committee meetings. Larry Ratcliff asked Shannon Goolsby if she could also chair this position. She agreed to help chair. Ron Ezell will let her know how to register her name as a speaker if needed.

Barry Goldman, Ron Ezell and Shannon Goolsby will chair the Legislative committee.

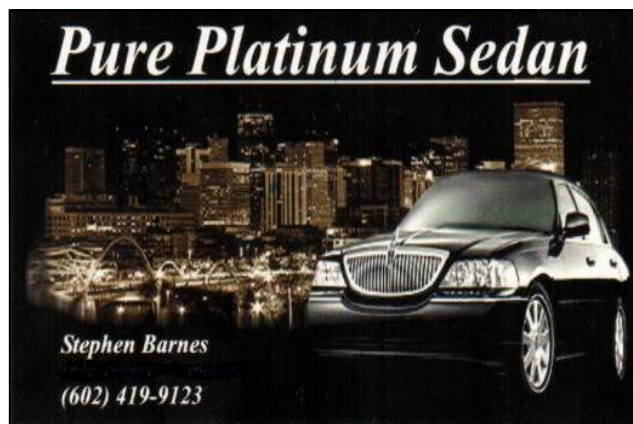
OLD BUSINESS:

No old business to be cleaned up.

NEW BUSINESS:

Larry Ratcliff made a motion to adjourn the meeting and seconded by Kelli McFarland. Motion passed. Meeting was adjourned at 12:35 PM.

Submitted by: Patty Chlebanowski, Secretary



APSA Continuing Education – 10 Hrs

Saturday June 8 & Sunday June 9, 2019
Continental Country Club
2380 N. Oakmont Dr
Flagstaff, AZ 86004

Saturday June 8, 2019 – 8:30 a.m. to 3:30 p.m. – A.C.P.S. Course
 Sunday June 9, 2019 – 8:30 a.m. to 12:30 p.m. – Interviewing & Questioning under PI Exemption and Service of Foreign Subpoenas



TRAINING COURSE APPLICATION
 Return to: APSA Continuing Education Committee
 P.O. Box 2233, Phoenix, AZ 85002-2233
 PH: (602) 476-1737

NAME: _____
 (Print your name, as you want it to appear on your certificate.)

MAILING ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME PHONE: _____ WORK PHONE: _____

EMPLOYER: _____

Please reserve my space in the following classes, which have been approved by the Arizona Supreme Court to carry a continuing education credit for the designated hours. I have entered the classes I prefer to attend, and have checked the fees that apply to me. I understand that the fees and the application have to be received at the above address, before my seat is secured for the classes, and that all fees are non-refundable.

COURSE NAME: _____

LOCATION: Continental Country Club
2380 North Oakmont Drive, Flagstaff, AZ 86004

DATE: Saturday, June 8, 2019, 8:30 a.m. – 3:30 p.m. A.C.P.S. (6 hour class) and
Sunday, June 9, 2019, 8:30 a.m. – 12:30 p.m. Interviewing & Questioning under
PI Exemption & Service of Foreign Subpoenas (4 hour class)

CLE HOURS: _____

TOTAL COST: _____
 (\$15.00 PER CLE HOUR)

By making application to the Arizona Process Servers Association, I understand that all materials provided in the courses are copyrighted. There are no refunds. I understand these courses are not a substitute for registration and appointment with the Court under RCP (4)e, but is a symbol of my professional level within the legal community, and will count for hours towards the continuing education credit needed under the rules of The Arizona Supreme Court.

SIGNED: _____ DATE: _____



APSA Board Meeting Minutes

March 9, 2019 (Unofficial)

ARIZONA PROCESS SERVERS ASSOCIATION Board Meeting Minutes

March 9, 2019 at Aquarius Casino Resort (Gemini II Room) at 1900 South Casino Drive, Laughlin, NV 89029 at 2:30 PM

THOSE IN ATTENDANCE:

Board Members: Patty Chlebanowski, Larry Ratcliff, Kelli McFarland, Sean Laman, Ron Ezell, Lisa Macaluso and Charley Laman. Luis Figueroa was not present. Members present: Candy Ratcliff and Brent Haynes.

PRESIDENT'S REPORT:

Kelli McFarland called the meeting to order. She reported she just had a phone conversation with Jason Brown and he stated he had emailed the board his resignation. No one on the board had received anything from Jason, but he wishes to resign as a Director on the board. Kelli reported she had received a phone call from the president of AALPI, Dan Bekins, and he stated he did not want the group to hold an unpaid table for Toys for Tots or Wounded Warriors. AALPI's board felt that while both organizations are reputable, they did not have anything to do with our organizations and felt we should not invite them at this time. Kelli also mentioned that if any board members had not responded to Alan Walker the Pima County's process server administrator, to please do so. He is looking for more responses about the updating of our process server's identification badges from many process servers from around the state, not just Pima County. Patty Chlebanowski read an email from Shelly Moseley regarding the changes and was questioning if I knew how many process servers responded. I responded that APSA sent the message to all members and while I had been cc'd on only a couple of responses, I did not know how many servers responded. Shelly's email had in her signature line "ACPSA", which we discussed, and Sean Laman stated this was the old process server organization and it no longer exists and is not up and running since we joined together with APSA.

VICE PRESIDENT'S REPORT:

Sean Laman stated he would finish out his term to the best of his ability but would not be able to attend the board meeting in June and the Annual board meeting/conference in September. Sean is expecting his first child in September and he is taking a full time position elsewhere. So he will no longer be process serving or investigating. The board wished him the best in his new employment. Charley

Laman and Kelli McFarland volunteered to teach in June and September if they were needed.



SECRETARY'S REPORT:

Patty Chlebanowski asked if we reviewed the board minutes from January 12, 2019 that were previously emailed to the board. I did pass out a few copies to the board that was present. Did you see any corrections that needed to be made? A motion was made by Larry Ratcliff to approve the Secretary's minutes and seconded by Sean Laman. All in favor were asked and the motion passed. Patty reported that she has kept up with the duties of the mail, phone, emails and website which were last checked on Thursday, March 7, 2019. Sean Laman asked Patty to put the Conference Phone Number and required Pin number on the front page of the website under our name and address. A discussion followed. The phone number will be put on the website but the Pin number will be given to membership on a per caller basis. If a member would like to attend the board meeting via the phone line, we would then pass on the pin number to them upon their request. Sean also requested Patty to put all classes on the website. A discussion followed, even if we do not have the exact location, go ahead and post on the web, the dates for future classes.

Patty explained we had received our renewal for Business Insurance the agent had to change companies, because our previous Insurance provider was no longer writing business insurance. They are now using The Hartford. Ron Ezell asked if this also included the Directors Errors & Omissions. Patty did not have the whole policy with her and would check the policy out when she reviewed it. Patty did contact them to make a change of address because they had not corrected the address from a previous board members address.

Patty read a letter that came to the association from Justice Court, from a Scott Davis. Someone was posting about educational hours at the courts by hanging a sign on their walls. Patty did some follow up and reported back to Scott, the name of the party she found through the Corporation Commission and stated this person, nor the company, is a member of our association but made a suggestion of whom to report this person too. Patty also did CC; Ron Ezell, director and Larry Ratcliff as the grievance chair person.

Patty also read an email to the board, because she was not sure she could update employment information for a member if the membership was paid for by the previous employer. A discussion was held and because membership is an individual person's membership, not a company membership, it was okay to correct the name and address on the web.



APSA

APSA Board Meeting Minutes

March 9, 2019 (Unofficial)

TREASURER'S REPORT:

Luis Figueroa was not present. Kelli McFarland stated she had received an email from Luis just yesterday and that it had been sent to the whole board. As of January 31, 2019 balances for Checking are \$12,814.94, Savings \$5,001.40, Legislative \$15,890.24 and PayPal \$1,705.95. We are not able to approve at this time because we have not had time to review his report.

COMMITTEE REPORTS:

Membership Report: Patty Chlebanowski reported she had sent Lisa Macaluso a file with previous year's members for contacting regarding renewing their membership. Lisa had not received it. She stated because her email address is a work email, she has problems receiving group emails. She will provide Patty a new email address to re send the list to.

Website Report:

Patty Chlebanowski reported that Wayne Chlebanowski, who helps update information on the website and was a previous administrator, had a teleconference with Sean Laman and myself about adding a google calendar to the website. After a long discussion Wayne reached out to Trent Carlye with ServeNow who created our website and helps us with information regarding major changes to our website. After explaining to Trent what we are looking for Trent stated it would require a rewrite and coding and that ServeNow is no longer helping the Associations with their websites. He would try and get us some names of who other Associations were using to make changes. A discussion was held and Sean and the board felt, if we keep the website up to date even with partial dates and locations, no Google calendar is needed.

Grievance Report:

Larry Ratcliff reported he had received a phone call regarding a process server in the Phoenix area someone was complaining about "Jack Cox-Valleywide". Larry explained to him he was not a member of the association and explained how to file a complaint with Superior Court who licenses each process server. The caller stated he had already done that also.

Newsletter Report:

Barry Goldman was not present and was unable to attend via conference call. Barry Goldman had reached out to Patty Chlebanowski and reported; he was very sorry he was late in getting the newsletter out. He would work on it

and get it to Patty for distributing and posting as soon as possible.



Continuing Education Report:

Patty Chlebanowski reported after numerous phone calls made to Flagstaff hotels, she finally put the deposit down at Continental Country Club again for our June 8th and 9th classes and board meeting. We tried to find a less expensive place but were unable to do so. She will now get this information posted on the website.

Patty has booked Judith Costello for a 2 hour Spanish class for our Annual Conference on Sunday, September 8th. We still need to come up with another 2 hour class for Sunday. We will be holding our 6 hour ACPS class on Saturday, September 7th. Patty was also told to post the dates of the Annual Meeting on the website too.

Legislative Report:

Ron Ezell reported the Writ of Garnishment bill which was drafted by the Arizona Creditors Bar and the State Banking Commission. Ron plans to attend the Senate Judiciary Committee hearing regarding this bill.

Sean Laman reported there was a Senate Bill, he did not know the bill number, which was requested by the head of the house regarding changes to Injunctions to change the classification pertaining to Injunctions Against Harassment & Petition & Order of Protections.

Larry Ratcliff reported that the State of Illinois finally was able to get their Assault bill passed and also sub service on the Gate keepers Law passed.

OLD BUSINESS:

A discussion was held in regards to reimbursement for instructors and what happens when two instructors are teaching a class.

NEW BUSINESS:

Ron Ezell requested that Patty Chlebanowski as secretary send to Claire with NAPPS a current list of the board members names and phone numbers.

He also instructed Kelli McFarland as the President, that she needs to write a Letter about her and what APSA is currently doing for the NAPPS Conference prior to May 2 in Orlando, FL. Patty will try to forward to Kelli a couple examples of past Presidents letters.

A discussion was made for each of the board members to reach out to process servers to see if we can get some more interest in being on our Association's board. We need new faces, new names.

Larry Ratcliff asked if he could send on the board's behalf get well cards to Barry & Judy Goldman & Luis Figueroa. Board approved.

APSA



New Statewide Process Server ID Cards?



Good morning Ron,

I am contacting you to inform you that some changes have been proposed for the ID cards currently issued to private process servers. At the beginning of the year, Mr. Copeland and a committee of process servers requested a meeting with Mr. Harrison (our new Clerk) and myself to discuss some issues that were of concern to them regarding process server safety and service issues. During that meeting, it was proposed that the ID be modified to show the Arizona state flag on the front of the badge and to modify the language to read "Certified Private Process Server" and "Officer of the Court". This was discussed with the Process Server Judge who referred it to the Assistant Presiding Judge. Mr. Harrison, myself and the Honorable Richard Gordon (process server judge) and Hon. Kenneth Lee (Assistant Presiding Judge) do not see any reason that the proposed changes should not be adopted. However, the Court wants to know that this is an issue statewide and the majority of private process servers are requesting this change.

If you would please let the members of APSA know about the proposed changes and have them write or e-mail this office with letters in support of the proposed changes, this will greatly aid your fellow process servers in getting a statewide change effected. E-mails can be sent to this address. Real mail can be sent to my attention at:

Clerk of the Superior Court-Civil Dept.
Private Process Server Program
110 W. Congress Street, Rm. 131-A
Tucson, AZ 85701

Sincerely,

Alan A. Walker
Private Process Server Program Administrator
520-724-3282

The logo for APSA (Arizona Process Servers Association) in a bold, black, sans-serif font.



Get Ready for Self-Serve Garnishments — HB2230



Get ready for self-serve. In HB2230, the Legislature passed (unanimously in both the Senate and the House) amendments to statutes pertaining to non-wage writs of garnishments. The measure, submitted by Representative John Allen (R), District 15, and supported by the Arizona Creditors Bar Association along with individual creditors' rights attorneys Brad Clark, Vincent Creta, Thayne Cullimore, Robert Dalager and Dianne McCallister went to the Governor for his signature on March 19th.

What this measure does is remove Sheriffs, Constables and Process Servers as the persons mandated to serve a (non-wage) Writ of Garnishment to a bank, credit union or other financial institution or party holding property of the judgment creditor. It allows for the judgment creditor to serve the institution directly, by certified mail. The bill lowers costs and gives creditors' rights (collection) attorneys an easy way to do "broadcast levies", much like the IRS does when it serves multiple financial institutions to collect back taxes from taxpayer savings and checking accounts. Throw it up against the wall and see what sticks.

If your business is dependent on collection attorneys giving you writ work, you might want to expand your clientele. — BRG



John Allen

Republican

District 15

Phone Number: 602-926-4916

Email prefix: JALLEN

Committee Assignments

Health & Human Services (Member)

Judiciary (Chairman)

State & International Affairs (Member)





Get Ready for Self-Serve Garnishments (Continued)



Text of HB 2230

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 12-1574, Arizona Revised Statutes, is amended to read:

12-1574. Issuance, service and return of writ; notice to debtor

A. When the judgment creditor has complied with the applicable provisions of sections 12-1572 and 12-1573, the clerk, justice of the peace or city or town magistrate shall issue a writ of garnishment of monies or property and a summons **directed to the sheriff, constable or any officer authorized by law to serve process in the county where the garnishee is alleged to be**, commanding **him to immediately summon** the garnishee to appear before the court out of which the writ issued within the time specified in the writ to answer the writ.

B. The writ shall state:

1. The amount of the outstanding balance due on the judgment, including accrued interest and allowable costs, as of the date of the issuance of the writ, and the rate at which interest accrues on that judgment.

2. The name and address of the garnishee or **his THE GARNISHEE'S** authorized agent.

3. The name and address of the judgment creditor and **his THE JUDGMENT CREDITOR'S** attorney, if applicable.

4. The last mailing address of the judgment debtor known to the judgment creditor.

C. The judgment creditor, in the manner required for a summons by rules of the court in civil matters **OR BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED**, shall serve on the garnishee two copies of the summons and writ of garnishment, a copy of the underlying judgment, four copies of the answer form, two copies of the notice to judgment debtor and request for hearing form and one copy of the instructions to garnishee provided for in section 12-1596. **IF SERVED BY CERTIFIED MAIL, THE EFFECTIVE DATE OF SERVICE IS THE DATE OF RECEIPT BY THE GARNISHEE.**

D. Within three days, not including weekends and holidays, the garnishee shall deliver to the judgment debtor a copy of the summons and writ of garnishment, a copy of the underlying judgment and the notice to judgment debtor and request for hearing form.

Red=Deleted Language Blue=Amended (New) Language



From the Senate Fact Sheet, the following should be noted:

Purpose: Allows a writ of garnishment to be served by certified mail.

Provisions:

1. Allows service of a writ of garnishment to be made by certified mail, return receipt requested:
 - a) at the garnishee's regular place of business;
 - b) to the garnishee's statutory agent; or
 - c) a location designated by the garnishee.
2. States that the effective date of service for a writ of garnishment served by certified mail is the date of receipt by the garnishee or the garnishee's statutory agent.
3. Allows a writ of garnishment served on a financial institution to be effective when served on an office or branch located outside the county of service.
4. Makes technical and conforming changes.
5. Becomes effective on the general effective date.



Get Ready for Self-Serve Garnishments (Continued)



Text of HB 2230 (Continued)

Sec. 2. Section 12-1577, Arizona Revised Statutes, is amended to read:

12-1577. Service of writ on branch of financial institution

A. Monies owing to a judgment debtor by a banking corporation or association, savings bank, savings and loan association, credit union, trust company or title insurance company, maintaining branch offices, or credits or other effects belonging to a judgment debtor and in the possession of or under the control of ~~such THE~~ banking corporation or association, savings bank, savings and loan association, credit union, trust company or title insurance company, may be levied ~~upon ON~~ by serving a copy of the writ of garnishment ~~upon ON~~ the manager or other officer of ~~such THE~~ banking corporation or association, savings bank, savings and loan association, credit union, trust company or title insurance company, at any office or branch thereof located in the county where such service is made. No garnishment shall be effective as to any debt owing by ~~such THE~~ banking corporation or association, savings bank, savings and loan association, credit union, trust company or title insurance company, if the account evidencing ~~such THE~~ indebtedness is carried at an office or branch other than the office or branch named in the writ and at which service is made or as to any credits or other effects in its possession or under its control at any other office or branch, unless the service of the writ is accompanied by a cash tender of ~~twenty-five dollars~~ \$25 to the garnishee as costs for the search. Upon ~~ON~~ the payment of the search fee the writ shall be effective as to any debt owing by ~~such THE~~ banking corporation or association, savings bank, savings and loan association, credit union, trust company or title insurance company. ~~, if the account evidencing such indebtedness is carried at any office or branch thereof located in the county in which service is made or as to any credits or other effects in its possession or under its control at any office or branch thereof located in the county in which service is made, but shall not be effective as to any debt owing by such banking corporation or association, savings bank, savings and loan association, credit union, trust company or title insurance company, if the account evidencing such indebtedness is carried at an office or branch thereof located in a county other than the county in which service is made or as to any credits or other effects in its possession or under its control at any office or branch thereof located in a county other than the county in which service is made.~~

B. ~~The procedure provided in this section for the~~ **NOTWITHSTANDING SUBSECTION A OF THIS SECTION**, service of a writ of garnishment ~~upon ON~~ any banking corporation or association, savings bank, savings and loan association, ~~OR~~ credit union, ~~trust company or title insurance company, maintaining branch offices, shall be exclusive~~ **MAY ALSO BE MADE BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, AT THE GARNISHEE'S REGULAR PLACE OF BUSINESS, OR TO THE GARNISHEE'S STATUTORY AGENT OR AT A LOCATION THAT IS DESIGNATED BY THE GARNISHEE. IF SERVED BY CERTIFIED MAIL, THE EFFECTIVE DATE OF SERVICE IS THE DATE OF RECEIPT BY THE GARNISHEE OR THE GARNISHEE'S STATUTORY AGENT.**

Red=Deleted Language Blue=Amended (New) Language

APSA

Training Corner:

A Little Bit of Knowledge

— Can go a long way..

**Barry R. Goldman**

©2018 Barry R. Goldman



Question: Can an Out of State Defendant be Served While Traveling in Arizona to Appear at Court?

Answer: See Below

ARS §13-4094. Exemption from arrest and service of process

A. If a person comes into this state in obedience to a summons directing him to attend and testify in this state he shall not while in this state pursuant to such summons be subject to arrest or the service of process, civil or criminal, in connection with matters which arose before his entrance into this state under the summons.

B. If a person passes through this state while going to another state in obedience to a summons to attend and testify in that state or while returning therefrom, he shall not while so passing through this state be subject to arrest or the service of process, civil or criminal, in connection with matters which arose before his entrance into this state under the summons.

Question: Can a Notice of Claim be Served on a Governmental Body by Fax or Mail?

Answer: See Below

I did some digging. Although statute requires "filing" of the Notice of Claim, I found that the City of Phoenix is allowing for faxed notices, as the senders own risk. See: <https://www.phoenix.gov/financesite/Documents/CITY%20OF%20PHOENIX%20CLAIM%20FORM.pdf>

See statute regarding filing Notice of Claim: ARS

§12-821.01. Authorization of claim against public entity, public school or public employee, which does not specify the manner of filing the notice. Also please see Arizona Revised Statutes §12-821 and §11-622.

Maricopa County specifies that Notices of Claim should be mailed or hand delivered. See: <https://www.maricopa.gov/DocumentCenter/View/2373/Claims-Form---PDF?bidId=>

Note the appeal court's dicta in *Slaughter v. Maricopa County*, 606 Ariz. Adv. Rep. 30 (App. Div. I, May 5, 2011) (J. Winthrop):

Section 12-821.01(A) requires a claimant to file his or her notice of claim with the "person or persons authorized to accept service for the public entity or public employee as set forth in the Arizona rules of civil procedure." Rule 4.1 provides that "service upon the state shall be effected" by delivery to the attorney general. Ariz. R. Civ. P. 4.1(h). Because *Slaughter* did not produce any admissible evidence that she served the notice on the State attorney general, the superior court correctly entered summary judgment against her. Ariz. R. Civ. P. 56(e); *Simon v. Maricopa Med. Ctr.*, 225 Ariz. 55, 61, ¶ 21, 234 P.3d 623, 629 (App.2010) (affirming summary judgment against plaintiff who failed to produce evidence he had served a notice of claim on defendant police officers).

So, my opinion on faxed filing of a Notice of Claim with a governmental body is for the plaintiff to proceed at their own risk. I didn't find anything on TurboCourt to substantiate fax filing of claims, either. I believe that personal delivery is the best and only way under the ARCP so that it conforms with statute.



APSA



Wrong Name on Lawsuit Leads to FDCPA Challenge Being Upheld

The U.S. District Court for the Northern District of Texas recently ruled that a plaintiff has statutory standing to sue under the Fair Debt Collection Practices Act, despite the fact that the debt collector was attempting to collect a debt from the plaintiff's son, not from the plaintiff himself.

The plaintiff's name is "Christopher O. Smith" (hereinafter "Smith") and his son's name is "Christopher O. Smith II." Smith's son borrowed money but then defaulted on his debt. Moss Law Firm initiated a lawsuit on behalf of Barclays Bank Delaware to collect the delinquent debt. The case was captioned "*Barclays Bank Delaware v. Christopher O Smith.*" A credit card statement was appended to the complaint which identified the debtor as "Christopher O. Smith II."

Smith accepted service of the lawsuit. He alleges that when he later realized that it was not his debt, he informed Moss of the error, but Moss continued to pursue the lawsuit against him. Notably, Smith's version of the facts differs widely from Moss's version. According to Moss, as soon as it learned of the error from Smith's wife, it informed her that it was not trying to collect the debt from him. Moss twice offered to pick up the petition and summons or asked that they be mailed back to Moss, but Smith's wife refused. Moss immediately instructed the process server not to attempt further service at the address on the petition. Within a month, Moss nonsuited the lawsuit, ending any legal proceedings against Smith.

However, Smith retained an attorney and sued Moss for a violation of the FDCPA. Moss filed a motion to dismiss under Rule 12(b)(6) of the Federal Rules of Civil Procedure, asserting that Smith did not have statutory standing to sue because Moss's debt collection efforts were not directed at him. Based on the allegations in the complaint, the Court found that Smith had statutory standing.

<https://www.lexology.com/library/detail.aspx?g=23f86033-8101-4667-899b-f74187cf128d>

No man has a good enough memory to be a successful liar.

— Abraham Lincoln

Read more at: https://www.brainyquote.com/authors/abraham_lincoln

FL Ruling: Service Deemed Effective at Time of Delivery

Recently, Florida's First District Court of Appeal held that for purposes of determining the timeliness of a proposal for settlement, the complaint is considered served on the insurer when process is served upon the statutory agent (Florida's Chief Financial Officer), and not when process is forwarded by the Chief Financial Officer to the insurer. *Markovits v. State Farm Mutual Automobile Ins. Co.*, 235 So. 3d 1018 (Fla. 1st DCA 2018) *reh'g denied* (Feb. 5, 2018).

<https://www.jdsupra.com/legalnews/the-markovits-decision-considerations-32829/>



The Civil Processing Unit is responsible for reviewing civil documents in order to ensure accuracy and compliance with all legal requirements. The Section cannot conduct investigative services to verify names and/or addresses; therefore, successful service of documents is dependent upon the information received. The Unit is also responsible for handling fees for services and disbursement of monies collected in accordance with court orders.

The Field Enforcement Unit is responsible for the actual service of all civil processes including, but not limited to: summons, subpoenas, restraining orders, evictions, small claims documents, and wage garnishments. The Field Enforcement Unit is responsible to diligently ensure specific legal requirements are met for the service to be valid. Service of process may occasionally involve volatile situations. These responsibilities require the Field Enforcement Unit operate with an extraordinary degree of professionalism.

APSA

Laman Law Office PLLC

Charley L. Laman, Esq.

AZ #024265 KS #010130

2303 N. 44th Street,
Box 1024
Phoenix, AZ 85016
Phone: 602-717-5326
Fax: 602-714-8078
info@lamanlawoffice.com

MARICOPA COUNTY - PRIVATE PROCESS SERVER CERTIFICATION

TEST DATES AND LOCATIONS

The test will be given in the Clerk of the Court's Conference Room, located at: Customer Service Center – 601 West Jackson in Phoenix. Please check in at the reception desk. Parking is available at the 601 West Jackson Parking Structure.

- Test candidates **MUST** have pre-registered for the test.
- No one will be admitted without a reservation.
- Photo identification will be required.
- All testing will begin **PROMPTLY** at 9:30 a.m.
- No one will be admitted to the test room after the door has been closed.
- There will be no exceptions.

If you have any questions, please contact the Clerk of the Court, Process Server Coordinator at (602) 372-5375.

2019 Testing Dates:

Jan. 10th

Feb. 7th

March 7th

April 11th

May 9th

June 13th

July 11th

Aug. 8th

Sep. 12th

Oct. 10th

Nov. 7th

Dec. 5th

HB 2521 Amending ARS §38-1113:

G. For the purposes of this section:

2. "Peace officer" has the same meaning prescribed in section 1-215 and includes:

(d) **A CONSTABLE, WHILE ON DUTY OR OFF DUTY, WHO IS EITHER CERTIFIED PURSUANT TO SECTION 41-1822, SUBSECTION A, PARAGRAPH 3 OR WHO COMPLETES FIREARMS TRAINING, UNDERGOES A PSYCHOLOGICAL EXAMINATION AND EITHER POSSESSES A VALID PERMIT PURSUANT TO SECTION 13-3112 OR COMPLETES A BACKGROUND INVESTIGATION THAT IS APPROVED BY THE ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD.**

FOR: Tom Farley, AZ Police Association(02/03/2019); Dave Kopp, AZ CITIZENS DEFENSE LEAGUE INC(01/30/2019); Sean Mattson, FRATERNAL ORDER OF POLICE (AZ STATE LODGE)(01/28/2019); Ron Williams, Arizona Constables Assoc., Self(01/29/2019); Thomas Woodrow, AZ CITIZENS DEFENSE LEAGUE INC(02/05/2019)

AGAINST: Coconino County Supervisor Elizabeth Archuleta, Self(02/20/2019); Coconino County Supervisor Art Babbott, Self(02/19/2019); Mohave County Supervisor Jean Bishop, Self(02/12/2019); Santa Cruz County Supervisor Bruce Bracker, Self(02/18/2019); Craig Brown, Self(02/19/2019); Graham County Supervisor Paul David, Self(02/20/2019); Tim DeNiro, Self(02/11/2019); Cochise County Supervisor Ann English, Self(02/18/2019); Coconino County Supervisor Lena Fowler, Self(02/20/2019); Mike Goodman, Self(02/21/2019); Michelle Hindman, MARICOPA COUNTY(02/18/2019); Navajo County Supervisor Lee Jack Sr., Self(02/19/2019); Michael Madden, COUNTY SUPERVISORS ASSN OF AZ(02/18/2019); Yuma County Supervisor Russell McCloud, Self(02/18/2019); La Paz County Supervisor Duce Minor, Self(02/05/2019); Santa Cruz County Supervisor Rudy Molera, Self(02/19/2019); Yuma County Supervisor Lynne Pancrazi, Self(02/19/2019); Felipe Perez, Self(02/15/2019); Eric Peterson, COCONINO COUNTY (02/20/2019); Santa Cruz County Supervisor Manuel Ruiz, Self(02/19/2019);Coconino County Supervisor Matt Ryan, Self(02/19/2019); Supervisor Rowle P. Simmons, Self(02/19/2019); Pinal County Supervisor Anthony Smith, Self(02/05/2019); Yavapai County Supervisor Jack Smith, Self(02/20/2019); Navajo County Supervisor Jesse Thompson, Self(02/19/2019); Navajo County Supervisor Dawnafe Whitesinger, Self(02/19/2019); Navajo County Supervisor Jason Whiting, Self(02/18/2019); Navajo County Supervisor Steve Williams, Self(02/19/2019); La Paz County Supervisor



Big Savings

for APSA members

Call us today!
(877) 737-8366

As a benefit to APSA members,
save on ServeNow & ServeManager products.

For more details, visit:
serve-now.com/resources/member-benefits-for-associations



1 Month Free

Up to \$120 value.

New members who purchase a listing on
ServeNow.com get the 2nd month free!



\$50 / \$50 Offer

New ServeManager subscribers get a \$50
subscription credit, and ServeManager will donate
\$50 to the APSA association.



\$100 Off

Your own mobile-friendly website.

Receive \$100 off the set-up fee for a custom web
site, designed specifically for process servers.



ADVERTISING RATES

All Payments for advertising must be paid in
advance.

Please submit camera ready copy.

Business Card..... \$50.00

Size: 2.0 x 3.5

1/4 Page.....\$100.00

4.75 x 3.75

1/2 Page.....\$250.00

Size: 4.75 h x 7.5 w, or 9.5 h x 3.75 w

Full Page.....\$375.00

Advertorials/Banners.....\$25/col. in. 3
in. min.

Guest Article Submissions — The policy on
guest article submission is as follows:

1. Publication of the article will be at the sole
discretion of the Editor.
2. The article may be edited for content, length,
spelling, and appropriate language.
3. A business card size advertisement of the
Guest Writer may be placed in the edition in
which the guest article is published, or at the
discretion of the Editor, may be published in a
later edition.
4. No advertising charge shall be made in
conjunction with the publication of a guest
article.
5. Guest article submissions become the sole
property of APSA.

Tell Us What You Think...

We've received comments from
members and non-members alike,
thanking APSA for the Newsletter
and educational opportunities. We'd
like to thank our readers for sharing
and making this publication better.
Thank you, dear reader! From the
bottom of our
hearts.



JOIN US AT THE NAPPS 37TH ANNUAL CONFERENCE & EDUCATIONAL SEMINAR – ORLANDO, FL MAY2-4, 2019



INCENTIVES FOR CONFERENCE ATTENDEES!!

- 50% discount on first year of NAPPS membership to anyone who applies at a NAPPS or State Association conference*

**Marriott Orlando World Center
8701 World Center Drive
Orlando, FL 32821-6358
Reservations: (800) 228-9290***

**mention you are with NAPPS and receive the negotiated room rate of \$184 +tax/night*

More details can be found at www.napps.org/UpcomingEvents

**pending membership screening*

APSA

APRIL, 2019 SCORE WORKSHOPS**911 Business Tax Time - What You Need to Know for 2018!**

April 2, 2019, 10:30am MST

Hera Hub

2111 E Highland Ave #240

Phoenix, AZ, 85016

The 2018 tax changes for small businesses can be confusing. This workshop will discuss changes to the tax laws, the effect they are having on W-2 employees, and their impact on small businesses and entrepreneurs. The presenters will explain common business deductions for small business and pass-through entities and related best practices

Managing Forward - Managing in Tomorrow's World ...Today!

April 2, 2019, 6:00pm MST

Workuity

2390 E Camelback Rd

Suite 130

Phoenix, AZ, 85016

Management, like all things, changes with time. Management skills appropriate for today will not be adequate for tomorrow. This workshop delves into the core skills needed for managing in tomorrow's world today.

The ABCs of Starting a New Business

April 6, 2019, 10:00am MST

Burton Barr Central Library

1221 N. Central Avenue, 2nd Floor

Phoenix, AZ, 85004

Are you starting a new business or thinking about it? This session is an essential step in developing a business plan that will increase your chances of being successful. Should you start now? Where? How? What about money? Experienced business professionals will address each of these and help you get started on the best path for your business.

How to Develop a Killer Marketing Message that boosts responses, conversions and sales!

April 6, 2019, 10:00am MST

Tempe Public Library

3500 S Rural Road, BRIC

Phoenix, AZ, 85282

Over 7 out of 10 small businesses are losing sales because their message is not getting through to their prospects. How To Develop A Killer Message shows you step-by-step how to create a unique and compelling message that makes prospects think, "Wow! I would have to be a raving lunatic not to contact this company right now."

Oh No, Tax Time, Again - Am I Ready?

April 9, 2019, 10:30am MST

Hera Hub

2111 E Highland Ave #240

Phoenix, AZ, 85016

As a business owner, your individual tax return can be a source of frustration. The 2018 tax changes can have far reaching implications for you and for your nascent business. In this workshop, we will discuss how your role as an entrepreneur may be impacted by the changes. We will discuss tax law changes and their impact on small businesses.

Apply the DISC Behavioral Profile for More Success with People

April 10, 2019, 6:00pm MST

Tempe Public Library

3500 S Rural Rd, BRIC

Tempe, AZ, 85282

Are you a team leader who wants more success with people? Do you want to increase your one-on-one communication effectiveness? Could your team function more effectively by better understanding each other? The DISC Behavioral Profile gives you the tools to form tighter relationships, and build trust and likeability.



APRIL, 2019 SCORE WORKSHOPS**Your Roadmap to Success: The Essentials of Project Planning**

April 16, 2019, 9:00am MST

Workuuity

2390 E Camelback Rd, Suite 130

Phoenix, AZ, 85016

This workshop, part 1 of 2, will explain how to incorporate project management principles such as planning, scheduling, budgeting, resource allocation and communication into your current or future projects. Project Management helps business owners and startups manage multiple, sizable and complex projects to a successful completion.

Top 10 Legal Mistakes That Can Destroy a Business

April 17, 2019, 6:00pm MST

Tempe Public Library

3500 S Rural Road, BRIC

Tempe, AZ, 85282

Legal issues are often put on the back burner. Failing to do some basic legal planning can result in costly mistakes, impaired growth and even the untimely collapse of the company. We cover: protecting corporate shield and personal assets, managing key employee issues, how to raise capital legally, reducing the risk of litigation, and much more.

How to Get on the First Page of Google

April 18, 2019, 10:00am MST

Hera Hub

2111 E Highland Ave, Suite 240

Phoenix, AZ, 85016

What's the secret to getting on the FIRST PAGE of GOOGLE when someone is searching for what you have to offer? It's BLOGGING! But you have to do it right! Learn how to get Google to notice your business, the basics on Search Engine Optimization (SEO) & writing blogs that your target market will want to read which will ultimately INCREASE SALES!

Cash Management for Fun and Profit

April 18, 2019, 6:00pm MST

AWEEC

4520 N. Central Ave, Suite 550

Phoenix, AZ, 85012

One of the main reasons businesses fail is poor cash management. You might be profitable, have lots receivables and still be broke if you can't manage cash and understand how cash moves in and out of your business. This class starts at ground zero and goes through the steps to understanding cash management and projections with basic models.

Positive + Negative = Success: Balancing Entrepreneurship & Life

April 18, 2019, 6:00pm MST

Scottsdale Public Library

3839 N Drinkwater Blvd

Scottsdale, AZ, 85251

Do you find yourself daydreaming about starting your own business, but unsure how to make the transition to self-employment? Have an idea for a new product or service, but the lack of support and embarrassment of possibly failing is holding you back? Learn how a shift in perspective can change your perception of success & entrepreneurship.

How the Secrets of the World's Best Copywriters Can Save You Thousands

April 20, 2019, 10:00am MST

Tempe Public Library

3500 S Rural Road, BRIC

Phoenix, AZ, 85282

Is your marketing bringing you the sales you desire? Discover the techniques of writing to acquire more customers. You wouldn't believe how much difference just one word, one phrase, or one picture can make. Attend or keep on doing what you're doing and getting the same poor results.



ARIZONA PROCESS SERVERS ASSOCIATION

P.O. Box 2233, Phoenix, AZ 85002
(602) 476-1737

www.arizonaprocessservers.org



Membership Application/Renewal for year: _____

Arizona Certified Process Server (Attach copy of your Arizona Process Server ID)

Associate/Out of state Process Server

Member ID Card Requested? Y N (Digital or passport photo required)

Please list your information exactly as you want it to appear in the directory:

NEW RENEWAL
Member since: _____

Annual Dues: \$50

NAME:		
FIRM:		
ADDRESS:		
CITY, STATE, ZIP:		
TELEPHONE(S):	OFFICE:	FAX:
EMAIL ADDRESS(ES)	PERSONAL:	BUSINESS:
WEBSITE ADDRESS:		
COUNTIES/AREAS SERVICED:		
LIST IN THE ROSTER UNDER CITY OF:		
ADDITIONAL CITIES TO BE LISTED (\$15 EACH)		

<u>Services you provide (YES or NO):</u>	<u>YES</u>	<u>NO</u>
Process Server (Arizona or other state):		
ACPS Certified?		
Legal Messenger Service		
Skip Tracing		
Record Searches		
Full Investigative Services		
<i>If an Arizona Private Investigator, complete the following:</i>		
License #:	Expiration:	

Annual Dues: \$50.00
Voluntary Legislative Fund Donation: \$ _____
Total Enclosed: \$ _____

MEMBER I.D. CARDS:

The Member Identification Card is a member benefit issued by APSA and is not intended to replace your Process Server identification card as required by statute. Your APSA Member Identification Card should be displayed at all APSA functions. By applying for or renewing membership, the applicant understands and agrees that the Member Identification Card is not intended to be, nor shall be used in violation of any statute or regulation.

I hereby apply for membership (or membership renewal) in the Arizona Process Servers Association. I agree to abide by its bylaws and maintain the highest ethical standards in carrying out the duties of my profession. I authorize the Arizona Process Servers Association to investigate the statements made on this application and my qualifications for membership. I have no felony convictions and my certification (if applicable) as an Arizona Process Server is current. Membership is not transferrable. I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS MADE IN THIS APPLICATION ARE TRUE AND CORRECT.

Date: _____ Signature _____

Please make check payable to APSA mail it with this completed form to the APSA address, above.

Court Closures

New Year's Day (January 1st)
Martin Luther King, Jr. Day (3rd Monday in January)
Washington's Birthday (3rd Monday in February)
Memorial Day (Last Monday in May)
Independence Day (July 4th)
Labor Day (1st Monday in September)
Columbus Day (2nd Monday in October)
Veterans Day (November 11th)
Thanksgiving Day (4th Thursday in November)
Christmas Day (December 25th)

APSA Events Calendar

APSA Board Meeting:
 Saturday June 8, 2019
 3:30 p.m.
 Continental Country Club
 2380 N. Oakmont Dr
 Flagstaff, AZ 86004



December CLE Event:
 Saturday June 8 & Sunday June 9, 2019
 Continental Country Club
 2380 N. Oakmont Dr
 Flagstaff, AZ 86004
 Saturday June 8, 2019 – 8:30 a.m. to 3:30
 Sunday June 9, 2019 – 8:30 a.m. to 12:30

See **SCORE's**
 website at
greaterphoenix.score.org



PRIVATE PROCESS SERVER TESTING BY COUNTY

County	Telephone	Testing dates/times/detail
Apache	928-337-7551	By appointment
Coconino	928-679-7600	By appointment at 928-679-7646
Cochise	520-432-8581	Call for details
Gila	928-402-8559	By appointment only
Graham	928-428-3100	Call for details
Greenlee	928-865-4242	Call for appointment
La Paz	928-669-6131	Call for details
Maricopa	602-372-5375	See county clerk's website for testing dates
Mohave	928-753-0713x416	Call for details
Navajo	928-524-4177	Call for details
Pima	520-724-3282	Call for details—Check in at 8:30 a.m.
Pinal	520-866-5307	By appointment
Santa Cruz	520-375-7700	Call for details
Yavapai	928-777-3030	Tuesdays and Thursdays at 8:30 a.m. and 3:00 p.m. by appointment
Yuma	928-817-4241	Scheduled as needed

All Process Server testing starts promptly. Late admission is not allowed. All testing requires pre-registration through the court clerk's office. Please make arrangements well in advance of the test date.

Advertising Submission Policy:

- The APSA Newsletter is published in March, June, September and December of each year.
- All advertising must be paid for in advance. Payment should be made to the Arizona Process Servers Association. A 15% discount is available for advertisers who pay for a full year in advance.
- Advertising rates are quoted for full-color camera-ready copy in electronic submission in an approved format.
- Advertiser is responsible for preparing & submitting ad copy. Copy must be submitted no later than the last day of the month preceding publication
- Acceptance, placement and publication of advertising is subject to the sole approval and discretion of the Editor.
- Inappropriate advertising content will not be accepted. Editor reserves the right to decline any advertisement.
- In the event that an item of advertising is rejected, a refund shall be made to the advertiser.
- Advertisement size quoted is approximate. Actual size may vary depending on page availability.
- Advertorials may be written by APSANews.com staff or outside writer at cost to advertiser. Publication of advertorials is charged by the column inch.
- Advertorials must be clearly marked in the header, "Advertisement". All advertisements may be bordered to distinguish their content.



The Last Word...

TidBits & TidBits

Collected from various named and unnamed sources..

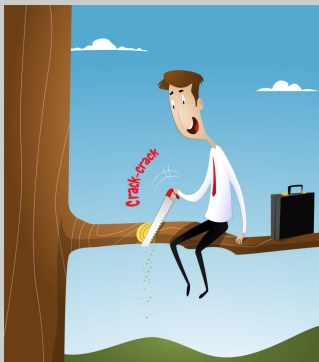
APSA Newsletter Quarterly Publishing Schedule

1st Quarter: Jan. 1-March 31
2nd Quarter: April 1-June 30
3rd Quarter: July 1-Sept. 30
4th Quarter: Oct. 1-Dec. 31

The rise of cell phone related fraud has been precipitous in recent years. Fraudulent calls now make up 30% of all mobile calls, up from just 4% a year ago. The jump is being attributed to spoofing, where thieves use neighboring area codes to deceive consumers into believing is originating from their area. Elderly Americans are being targeted heavily, Federal Trade Commission data confirms. The problem is expected to get worse next year when almost half of all cell phone calls are predicted to be fraudulent.



BREAKING NEWS: The FDA just approved a new drug for people who are easily offended or can't take a joke!



We can not stress this enough, if you receive a suspicious email DO NOT CLICK ON IT! If you happen to click on it, DO NOT CLICK ON ANY LINKS WITHOUT HOVERING YOUR MOUSE OVER THEM FIRST! You need to make sure the link is legit. If you do end up clicking the link and it asks for your username and password, abort mission, DO NOT TYPE YOUR USERNAME and PASSWORD! If an email tells you to wire large sums of money overseas, DO NOT WIRE IT!

Arizona Process Servers Association
PO Box 2233
Phoenix, AZ 85002
(602) 476-1737
azserverassoc@gmail.com

APSA

Serving Arizona Process Servers Since 1973

www.arizonaprocessservers.org

Opinions expressed in the APSA Newsletter are not necessarily those of the Board, individual Board members or officers, nor each member. The APSA Newsletter is published to promote a source of news and information for APSA members, affiliates and interested persons and organizations. Contact APSA for further information about membership and advertising. Editorial opinions are that of the editor, and do not represent the official opinion of APSA.

You are wanted!



- Join a committee— Be an active member!
- APSA is here to work for all of us, to be our voice and to better our livelihoods.
- APSA is the only recognized NAPPS affiliate organization in Arizona
- APSA members work together to make improvements to our profession.
- Use your knowledge and experience to help others. Get involved!.