



**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

# NEWSLETTER

VOLUME 15, ISSUE 2

PRE-CONFERENCE EDITION 2013

**Tom LaVance**  
President, 602-256-9700,  
tom@nationwideasap.com

**Barry R. Goldman**  
Vice President, 877-472-7431,  
service@rapidrps.com

**Jenna Jones**  
Secretary, 480-516-7221,  
tempeprocess2@aol.com

**Bert Young**  
Treasurer, 480-516-7221,  
apsaadmin@cox.net

**Larry Ratcliff**  
Director, 928-367-0510,  
lrpi@frontiernet.net

**Ron Ezell**  
Director, 520-623-8436,  
ronezell@ezmessenger.com

**Scott Decker**  
Director, 602-571-8282,  
scott@deckerpi.com

**Frank Brinkman**  
Director, 602-424-3026,  
frank@integrityas.com

**Bert Young**  
Administrator  
Arizona Process Servers  
Association  
PO BOX 2233  
Phoenix, AZ 85002  
(602) 424-3026

Edited & Produced by:  
Barry R. Goldman  
apsanewsletter@gmail.com  
Published by the Arizona Process  
Servers Association

## President's Message

*Tom LaVance, President*

As I begin to write this edition's President's message, I can't help but think of the Bob Dylan classic, "The Times They Are a-Changin'." For the past 40 years, APSA has served Arizona's process servers through good times and bad. In all that time, I am doubtful that we have seen as many challenges to our industry as we currently face.

While it continues to be an honor to serve the APSA, I am convinced that we cannot face all of these challenges alone. We must continue to build alliances with other organizations. We must demand a seat at the table when government agencies are making decisions which affect our members. Most importantly, we must reach out to every Certified Arizona Process Server in the state to help them understand the

importance of our collective voice in protecting our economic future. Here are just a few of the challenges we face.

The State Legislature continues to support bills which we believe could prove detrimental to our industry, while refusing to support initiatives which would make serving process in Arizona safer, more professional, and more efficient. While we have been successful in derailing a

The 2013 Arizona Process Servers Association Conference & Educational Event is scheduled for September 14-15, 2013 at the Wild Horse Pass Resort & Casino in Chandler, AZ. We have a block of rooms reserved at \$79 per night, with the rate good until August 13th. We would love to see you there. If you haven't been to the Wild Horse Pass Resort, you will find it to be a very comfortable environment to bring the family.

There is a pool and other facilities on the property, not to mention the casino, restaurants and other amenities. Adjacent to the property you will also find the Phoenix Premium Outlets for shopping at 90 outlet stores.

Rawhide Western Town & Steakhouse is

### In this issue:

- **President's Message**
- **Secretary's Corner**
- **Editor's Column**
- **Serving at the Maricopa County Jails**
- **The Brief**
- **Putting Process Servers Out of Work**
- **Court Clerk's Meeting**
- **Alternate Means of Service**
- **APSA Events Calendar**
- **More...**

a (very) short drive just up the street. Rawhide's full range of fare offers something for every taste. Authentic western-style dining, desert cookouts, and heaping portions of fun are available at Rawhide for the whole family.

All process servers in Arizona are required to take 10 hours of continuing education each year. We will be posting our education schedule on our website and in our Newsletter, as well as the

conference brochure. If you would like a free copy of the Newsletter sent directly to you via email, please email [apsanewsletter@gmail.com](mailto:apsanewsletter@gmail.com), and include your contact information to be placed on our mailing list. If you would like more information, see APSA's website at: <http://www.arizonaprocessservers.org/> or call us.

## President's Message (cont'd)



number of potentially harmful bills this year, we saw next to no attention given to any of the bills which would have supported.

The Arizona Judicial Committee and the AOC continue to make changes to the Rules which regulate process servers in Arizona without seeking out the input of the very process servers they are charged with overseeing. The new adopted rule removes the residency requirement for Process Servers. While this seems reasonable on the surface, one would only have to look to the collection industry, where unscrupulous operators set up call centers to try and rake in as much money as possible without regard to FDCA rules and then close up shop and leave. While the State would still have the ability to regulate these servers, it is doubtful they could take any significant action in time to prevent these operators from doing a great deal of damage to the reputations of all process servers.

The AOC also continues to advance its e-filing initiatives without

any consideration for the impact these changes will have on our ability to provide notice to the parties involved in the case after it is filed.

The State has recently completed an RFP for a new contractor for the statewide e-filing services. If they choose to award this contract to a single vendor (as they did last time) it could create a monopoly which controlled the distribution of documents for service to only a select group of servers. This development is particularly troublesome and will be discussed in more detail later in the newsletter.

Recently, the Maricopa County Sheriff's Office began refusing to allow Certified Process Servers into its jail facilities to serve process because they did not consider us "actual" Officers of the Court. This decision was made without consulting anyone in our industry and without notice to the process servers who would be affected by this change. While the County has recently reversed this policy, there is

no guarantee that it will not be reinstated.

So how do we confront these challenges? The first step is to get more servers involved in the process. If you are a member of the APSEA, we need you to attend this year's conference and voice your support. If you are not currently a member we need you to become a member because every voice counts! If you know another server who is not yet a member, ask them to join and become a part of the solution.

It is my hope that by expanding this year's Convention to include more opportunities to learn and participate, we can begin to grow our organization and its collective voice into a force for positive change in our industry. Remember, IBM used to be the world's largest typewriter manufacturer. If they had chosen to ignore the winds of change, where would they be now? No matter what, our industry will be changing over the next several years.

The only question is: Will we be able to direct that change or be swept away by it?

**Mark Your Calendar!**  
**2013 APSEA Conference**  
**September 14-15, 2013**



apsanewsletter@gmail.com  
http://www.arizonaprocessservers.org/

## Secretary's Corner Jenna Jones ACPS, Secretary

We are only a month away from APSEA's celebration of the 40th Anniversary and Annual Conference. We are excited to share this year's event with the Arizona Association of Licensed Private Investigators. This year's event should be fantastic and fun as well as educational! If you haven't made your reservations or registered, please do so today. To make hotel reservations call 1-800-WIN-GILA. You can get a room for only \$79 per night (plus taxes), what a deal! Make a weekend of it! There is the brand new outlet mall next door as well as the casino and restaurants. Catch up with old friends or make new ones. It is a great opportunity to

network. Conference registration forms are on the website or we can send you one, just email [apsaadmin@cox.net](mailto:apsaadmin@cox.net).

APSEA has been a leader for the past 40 years and we will continue to be the leader in the next 40! The letter P in our name stands for Process but I also strongly believe it stands for PROFESSIONAL. As we serve the Arizona process servers we do so in a professional manner and we strive to be leaders in our industry by promoting professionalism.

What is a professional? Some may think it is granted or obtained when you receive a license or certification, but I don't think so. To

me, being a professional is the way you conduct yourself and the way you carry out your occupation whether it be in person, by email or in your actions. You can be a professional whether you work on corporate row on in a warehouse on or on construction site. Many times, it means taking the high road and possibly not being the most popular among your peers. However, in the end you will always come out ahead and people will respect you for it. As a process server you also have to be accountable to your employer, the court and your clients.

I recently had a conversation with a new server. He was going to serve a person in a bar and thought he would order a beer while he waited for the person to show up.



**Secretary's Corner** (cont'd)

Luckily, the person arrived before he ordered. He thought it would have been ok to have a beer. I disagreed. What do you think? Is it ok to drink while you are serving or carrying out the duties as an officer of the court? I can't see where drinking on the job would ever be acceptable or considered professional.

Another area where I find myself concerned about professionalism is in the use of email and the area of social media (Facebook, LinkedIn, etc.). Email is a fantastic way to communicate but before sending a response, have you considered the way a message might be received? Did you respond to an email or post something while you were angry? So many times, people have a knee-jerk reaction to something and send off a response that could be

considered rude and/or unprofessional. Before sending that response, I would ask you to reconsider your response. Have you made an assumption or jumped to a conclusion? Why not respond and ask for clarification? Or if you don't want to do that, like my father always told me, you can write a letter (now an email) while you are angry or upset but don't send it. Sleep on it for a day or two and see how you feel about it then. Chances are you will be glad you didn't send it. Yes, it may be old fashioned but it works. Many times I believe our society has lost the art of communication and tact. As professionals, we need to maintain a high level of both.

Professionalism should also be used in the area of social media. If you are angry or disappointed with someone, try to work it out with them one on one, not by posting something mean or derogatory on Facebook. If you can't reach an agreement or agree

to disagree then move on but please, don't feel you need to post something for the whole world to see just to make a point. It will usually come back to cause you grief. In a worst case scenario, it could be used against you for legal proceedings.

Case and point, an employee gets into a disagreement with their boss or co-worker and they post comments about the person on their Facebook page. Is that the proper arena for this discussion? No, but it happens all the time. That doesn't make it right but again, a lack of judgment and professional behavior. I'd like to get them fired? Absolutely. As an association, we strive to be leaders in our profession as professionals. To make our association the best ever, we need your feedback, whether it is good, bad, right or wrong, we like hearing from you, our members. I look forward to seeing each of you at the upcoming conference and let's make it the best ever.

**Editor's Column**



**Barry R. Goldman**

There's a lot of planning in putting together a newsletter, and I'm happy to meet the challenge. Speaking of challenges (we were, weren't we?), this past year or so has been full of them. Personal, business and association related challenges have hit yours truly like a ton of bricks. As Murphy's Law would have it, things popped up out of nowhere, and unfortunately everything required all of my attention, and I am just at the point where I can breathe.

Now that it's summer, my wife is visiting with our grandkids in Chicago, where it is supposedly a little cooler. (Yeah, right. Have you seen the weather channel, lately?) We go through this dance and ritual every summer, having done so since our oldest grandchild was about five years old. This year, my wife went to visit the kids just before Mother's Day and she's due back just before their school year starts. Our oldest is about to turn 14, so she's been do this for about nine years. I'm actually happy to see

because if she was home, she would be inside the four walls of the house (we have a very small house) driving me nuts. (No, honey, I have to get this newsletter thing done and don't have time to drive to Flagstaff to breath cooler air for the day. ☺)

She'd probably make herself nuts, too, being stuck inside the house listening to me talk and type all day. (Heck, sometimes I can hardly stand myself all day!) My wife also likes to be able to get into her car without suffering from first degree burns on her bum. (Don't we all?)

While I'm home alone (I have an office in my house and love it), I'm able to write my columns and do my other work in relative tranquility. Even my assistant took a month off to spend with her kids and their grandparents in California. (I have the strong suspicion that the women in my life know something about the Phoenix heat and are smarter than me.)

So, if you're here in the Phoenix Valley for the summer, enjoy the heat. If you're not, enjoy not being so hot. But either way, I hope you enjoy your summer. Spend some extra time with your kids, take a little time to relax

and slow down. Smell the coffee before you sip it.

We have an exciting conference coming up at the Wild Horse Pass Resort & Casino in September. I hope you will be there. I surely will (heck, I *have* to be there — I'm teaching classes and looking forward to it!)

I visited with the Corporate Sales Manager at the hotel to pick up some jpeg's for the Newsletter and happened to ask her some questions. I noticed that at past conferences there were several attendees who had firearms, so I wanted to be able to address this so it didn't become an issue at the conference. (FYI, I have a CCW permit and yes I do carry, thank you.) She advised that the casino is a weapons free zone, and the hotel would prefer that all firearms be locked in the guests' room safe. She said that each room has an individual safe which the guest controls. If you need an alternative, I'm sure that a creative solution can be found.

So, with that being said, let's get to the issue!



her go visit the kids,



# 2013 APSA Conference & Educational Event

# WILD HORSE PASS



## HOTEL & CASINO

### Stay in our fabulous Hotel!

Located in the heart of the Gila River Indian Community, Wild Horse Pass Hotel & Casino was designed with groups in mind. We offer Comfortable guest rooms, flexible meeting space and amenities galore adjoining 7 restaurants, live entertainment, nightclub and gaming with more than 1,000 slots and a variety of table games. Ideally located at the Wild Horse Pass Destination, we offer 36 holes of Troon Golf, Rawhide Western Town, Aji Spa and Koli Equestrian Center.

The Wild Horse Pass Hotel & Casino offers a variety of restaurant options, ranging from our famous Shula's Steakhouse to casual food court dining. Whether you choose to indulge in one of the finest steaks in town, our fabulous Ling & Louie's Sizzling Surf & Turf platter or a scrumptious burger from Fatburger, there is truly a choice for every taste, all under one roof.

## Mark Your Calendar!

### September 14-15 2013

## Wild Horse Pass Hotel & Casino

5040 Wild Horse Pass Blvd.  
Chandler, AZ 85226

1-800-946-4452

# \$79 per night

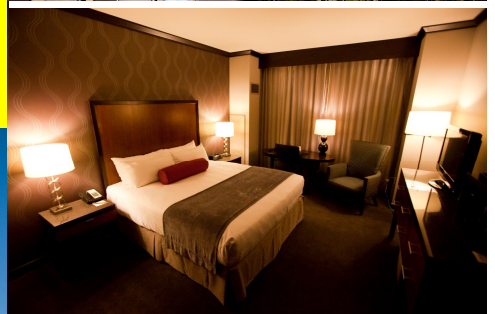
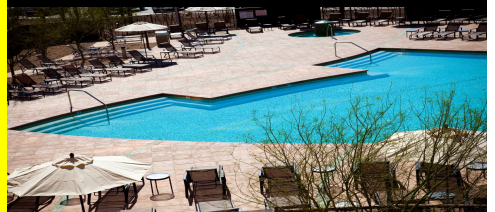
[www.wingilariver.com](http://www.wingilariver.com)

APSA Newsletter <http://www.arizonaprocessservers.org/> [apsanewsletter@gmail.com](mailto:apsanewsletter@gmail.com)

## AALPI Joining APSA for 2013 Events

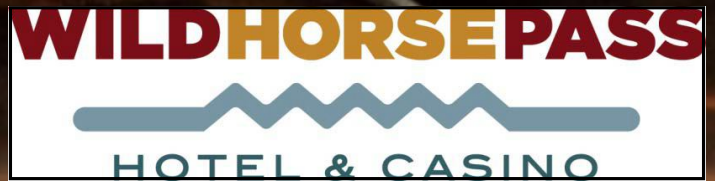


For almost half a century AALPI has brought professionalism to the investigation industry and protected it from state and federal legislation that try to limit access to public records and impose over regulation which is often detrimental to our profession. Join us to support our industry, network with other investigators, and keep up with all the new laws and technology.





ARE YOU READY...



# CONFERENCE SPACE

...TO RUN WILD?

Discover Wild Horse Pass Hotel & Casino, Arizona's premier destination for memorable meetings and successful conferences. We offer 12,000 square feet of flexible meeting space including our 8,000 square foot Ballroom as well as breakouts offering outdoor space and natural light. In addition, our Showroom venue features amazing production possibilities ideal for a general session of up to 1,400 people or a meal for up to 300. We encourage our groups to take advantage of our 4 lounges and nightclub for private group use.



# APSA

# Serving at Maricopa County Jails — What a Difference a Title Makes

*Working together to make a difference...or not.*

In case you haven't heard, there was a short period of time recently when the Maricopa County Jails were not allowing process servers' access to serve inmates.

Process Server Bill Barber, an employee of EZ Messenger, attempted to serve process relating to delinquent child support on a prisoner at the Gila Bend jail facility, operated by the Maricopa County Sheriff's Department. Mr. Barber was refused access to the prisoner. He was given a business card for a certain deputy constable, and advised that the deputy constable is the sole "officer" authorized to serve in that jail facility.

Separately, another process server attempted to serve an inmate at the

4th Avenue Jail. That Process Server was also turned away and issued the same deputy constable's business card, as well, and also advised that the particular deputy constable was the sole person allowed to serve process in the jails.

Statutorily, constables are limited to serve process within their jurisdiction, or, if necessary, in the jurisdiction immediately adjacent and adjoining their home jurisdiction (ARS §22-131). So why did sheriff's officials refer the Deputy Constable who is reportedly appointed to one particular jurisdiction to a disparate Justice Court precinct? Why were process servers, who are statutorily and by rule of court designated as one of the three officially recognized persons to serve legal

process in Arizona, denied access to prisoners in the county jail? (Information indicates that the particular deputy constable is also a process server, registered in Maricopa County. See related story on SB 1088.)

For answers to these and other questions, a meeting was requested between the Sheriff's Department and APSA, in conjunction with another process server organization. As this was an issue of mutual interest, the other organization's representative reportedly indicated their willingness with APSA's representative to cooperate and arrange to have a group meeting with the MCSO for the "benefit of all Arizona process servers". Unfortunately, that cooperation was short lived. Not only did the other group attend a meeting with the Sheriff's Department, but did so without contacting APSA so we could be in attendance and ask questions that might concern *our members*.

While we must give them credit for their efforts in working to help resolve the short-lived ban on process servers at the jails, we should all be reminded that cooperation is sometimes necessary to maintain and "...promote professionalism always".

**Mark Your Calendar!  
2013 APSA Conference  
September 14-15, 2013**



apsanewsletter@gmail.com  
http://www.arizonaprocessservers.org/  
APSA Newsletter

# TRISTAR

SOFTWARE

805.227.1213

## ATTORNEY SERVICE SOFTWARE

PROCESS SERVING - MESSENGER - PHOTOCOPY - INVESTIGATIONS

POWERFUL DISPATCH, INQUIRY & STATUS TRACKING SYSTEM

FULL DILIGENCE TRACKING AND TICKLER SYSTEMS

MOBILE PROCESS SERVER WEBSITE - SEND STATUSES FROM ANY SMART PHONE

GPS GEOTAGGING FEATURE ALSO AVAILABLE!

CLOUD BASED SOLUTIONS SAVE YOU TIME AND MONEY!

WEB BASED ENTRY AND STATUS ONLINE OPTIONS!

WWW.TRISTARSOFTWARE.COM

LOOK FOR US  
AT THE APSA  
CONFERENCE



# APSA



Michael K. Jeanes, Clerk of the Superior Court for Maricopa County

# THE



# BRIEF

An electronic update for the legal community providing a brief look at news in the Clerk of the Superior Court's Office

**Vol. 9, No. 6**

**July 2013**

**Back-scanning Project Ahead of Schedule**

The Clerk's Office has been digitizing paper case records in cases that were filed before 2002. Upon completion, the records that are converted from paper to images will add millions of documents to the Clerk's electronic repository.

In June, the vendor hired to convert older case files to electronic images completed the back-scanning of approximately 200,000 pre-2002 Family Court cases. This completion means hard-copy family court cases have been converted to electronic images. Another benefit of this effort is the storage savings the Clerk's Office gains by removing shelves no longer needed to hold hard-copy files. To date, more than 500 shelving units have been removed. At one time, those units held more than a half-million casefiles. The conversion of civil cases is expected to be complete by the end of July, followed by the

conversion of criminal cases. Once converted, the electronic image is the official record and viewable on the public access terminals at Clerk's Office facilities around the Valley.

**Electronically Certified Documents a Success**

On average over the past four years, the Clerk's Office has printed and certified copies of more than 60,000 documents per year. To streamline this process, the Office has begun certifying some records electronically with a new software application.

A pilot program was launched in June to allow the Attorney General's office to select the Family Court judgments and orders they need electronically certified from the Electronic Court Record. These records are then emailed to the Attorney General's Office. This new service is the result of careful planning and development to establish a mechanism to certify electronic documents without having to print, stamp, sign, and seal a hard copy. The

paper process has been in place since territorial days.



Electronic certification not only saves time and resources for the Clerk's Office, it expedites the delivery of these records to the customer. Many customers will still need records certified in the traditional manner, but the Office will be looking for opportunities to expand this service to any user who can benefit from the speed and convenience of an electronically certified document. At this time, electronically certified records work best for transactions between and within government agencies.

**Vol. 9, No. 7**

**August 2013**

**Fewer Minute Entries Online**

Effective September 1, 2013, the Clerk's Office will no longer post some minute entries to the Clerk's minute entry website online (<http://www.courtminutes.maricopa.gov/>). The documents remain public records and can be viewed at the Clerk's public access terminals, but will not be viewable through the minute entry website.

Parties and their attorneys with an Electronic Court Record Online account may view documents over the internet in their own cases but cannot see other records.

Rule changes were adopted that prohibit the courts

from placing records online in cases where there are victims of certain alleged crimes. In cases with adult victims, the restrictions are based on the crimes charged against the defendant. The restrictions also apply to any case involving a juvenile victim, regardless of the nature of the offense. The rule changes will limit the public's online access to minute entries in certain adult criminal cases. The Clerk's Office does not post minute entries online in juvenile court cases.

Examples of cases where minute entries will no longer post online but remain public records include: sexual offenses and exploitation, prostitution, and obscenity. For a list of Clerk's Office locations with public access terminals and other ways to get records, visit

<http://clerkofcourt.maricopa.gov/copies.asp>.

**Juvenile Electronic Court Record (ECR)**

The third phase of the Juvenile Electronic Court Record (ECR) is scheduled for release on September 9, 2013. Phase III is the third of four phases and includes the dependency (JD) case type.

This Phase includes scanning newly-filed documents in dependency cases. Paper files will no longer be created for new JD cases. For more, go to [www.clerkofcourt.maricopa.gov](http://www.clerkofcourt.maricopa.gov).

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



APSA Newsletter <http://www.arizacourtprocessors.org/> [apsanewsletter@gmail.com](mailto:apsanewsletter@gmail.com)

## Opinion: Putting Process Servers Out of Work — Pulling the Plug on Attorney Services



**Barry R. Goldman**  
©2013 Barry R. Goldman

Is there enough incompetence among us to go around? While process servers intently work toward achieving their professional purpose, it seems that the state, in its infinite wisdom, has been quietly working against us.

E-Filing, which was supposed to make things more efficient, instead has become the monster several of us predicted it would be. Like a Machiavellian tome, the latest Request for Proposal from the Good Ol' Boys requested that the e-filing vendor be equipped to handle not only electronic filing of subsequent documents, but of initial (originating) documents, as well. What does that mean for the average process server?

Let's look at a couple of scenarios:

### Scenario #1: The Present

At present, your initial originating documents (summons, etc.) to start a case are produced by your client and hand delivered to the Clerk of the Court for filing and issuance. If you are mom and pop process serving business, your client may give you the job, or they may do it themselves. Large attorney firms usually have their own employee messengers or use an attorney service.

At the filing window of the courthouse, over the counter, the clerk then stamps and signs the appropriate documents. (We won't get into what happens in the back rooms at the clerks' offices, but suffice to say, the documents are indexed, scanned and retained by staff.) In the case where the client uses an attorney service, this over the counter filing is usually done by court runners, who are not process servers. If you happen to visit a courthouse on any given day, you will most likely see several runners in company shirts carrying briefcases or stacks of documents—EZ Messenger, Integrity Attorney Services, Nationwide Legal, TAG Messenger, and more.

These companies employ hundreds of court runners and related clerical personnel. They also employ or retain as outside contractors numerous process servers.

Additionally, some of the court runners or messengers are responsible to make rush deliveries of documents between law offices and the courts. The court runners are fairly friendly and amiable, but very tight lipped about their clients, what they are filing, and any other case information. As one attorney service owner told me, "These guys know more secrets than James Bond".

Most of the court runners and associated clerical personnel are salaried. Many drive company cars to get from point to point, or are part of filing "crews", which handle multiples of documents going to one or more courts and other directions. You can see some of those cars on the street, especially in the downtown areas where most courts are

located. Many of these court runners and messengers are our friends, neighbors and relatives. Some may be attorney service owners subbing in for a sick or injured court runner.

From the court runner, the documents filed, now need to be served. They must be entered into the company records and assigned to a process server. In some instances, this is done on a rush basis (same day first attempt or sooner), or on a routine. Different companies have different procedures, charges and standards for their rush and routine work. The original summons and conformed documents usually go back to the client, and the papers to serve go out to the field. Once the documents are in the hands of the process server, the rest is history.

Attorney services generally have a written contract with their client – the law firm or attorney. Many of our attorney service employers provide court runners and messenger service to their clients at no extra charge. Some charge for special services, while others have a monthly retainer. Some will advance costs, while others will not. Often times, when I go into a large law firm, I see one or more court runners waiting to pick up their documents and deliver them to the courthouse (they keep a pretty tight schedule). So, in the above scenario, you

have a busy beehive of activity. As employers, the attorney services provide valuable jobs to personnel, as well as valuable services to clients. It's usually more than a vendor-vendee relationship, as clients depend on the attorney service and process server to do their job and protect the clients' interests.

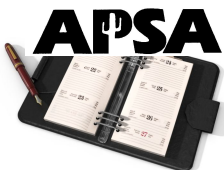
In one hand, the attorney service, by their messengers and court runners are the keeper of secrets, and in the other, through their process servers, the disseminator of news, good or bad.

There are multiple levels of activity arising from the attorney service. Let's look at the personnel involved:

- 1) The messenger who picked up the documents from the law firm.
- 2) The clerk who handles the sorting of the documents brought back from the first messenger to distribute to messengers who go to the various courts (court runners).
- 3) The court runner who takes the specific paper to a specific courthouse or department.
- 4) The messenger who returns the filed documents to the attorney service office.
- 5) The clerk in the office who now sorts the filed documents for service and separately for returning to the client.
- 6) The messenger who returns conformed copies to the client.
- 7) The process server who came into the office to pick up their stack of documents to serve.
- 8) The clerical support personnel who are responsible to answer clients' inquiries.
- 9) The clerical personnel who prepare the proof of service or other declaration/affidavit for the process server to sign.
- 10) The account (sales) manager responsible to oversee the flow of work to and from the client.
- 11) The human resources clerical personnel responsible for managing the payroll needs of the messenger/court runner staff.
- 12) The human resources personnel responsible for managing the day to day activity of the messenger/court runner staff, and administer any needed resources to attend to their workers' comp, vacation, sick time or other needs.
- 13) The fleet manager responsible for maintaining the fleet of messenger/court runner vehicles.

*(Continued next page)*

**Mark Your Calendar!**  
**2013 APSA Conference**  
**September 14-15, 2013**





14) The mechanic responsible for the repairs to the fleet of messenger/court runner vehicles. 15) The general manager of the attorney service who is responsible for all of the activities of the personnel and issues which may arise. 16) The owner of the attorney service who employs all of the personnel and seeks to make a profit after payroll, taxes and expenses.

That list is at least 16 taxpaying people employed to service the law firm or attorney client whose employment status would be negatively affected by poorly written and managed e-filing policies and procedures. Not to mention the outside vendors utilized by the attorney service and process server to provide fuel, office supplies, accounting and legal advice, other consumables and services which are routinely required.

**Scenario #2: The Possible Future**

The state quietly puts out a Statement of Work and Request for Proposal, seeking software vendors to bid on a system which is to go live in 2015. Within that SOW and RFP are some very innocuous sounding terms, which include, “issuance document”, “service of process”, “generating document forms...summonses”, etc. But hardly anyone except the competing software vendors noticed.

After the bidding process, the state has chosen its vendor and e-filing goes live. The software vendor now has a guaranteed stream of income for *electronically* filing documents, maintaining a portal between the attorney who needs his papers filed and served, and the courts. However, that’s not enough. Your software vendor, seeing an ability to control a large volume of the state’s market for issuances of summons and complaints, etc., sees another market – service of process.

Unbeknownst to the state, because the SOW and the RFP did not preclude it, your state’s e-filing vendor installs a button on their software that allows the user to arrange for service of process through the e-filing vendor.

Now, your state’s software vendor not only electronically files the documents with the courts, but controls service of process of the documents, as well. So, with profit in mind, and monopoly in hand, the software vendor finds several independent contractor process servers and (former) attorney services (now just process serving exchanges), to handle their newly found service of process business. At a steep discount.

which used to have a substantial employee base are now relegated to skeletal status. Remember those 16 people we talked about in the prior scenario? Most of them are out of work. Because of lack of foresight and failure to look at the bigger picture, the attorney services have laid off their hundreds of court runners and messengers, support personnel, and numerous process servers. Attorney service companies that invested in infrastructure – real estate for their offices, computer equipment, vehicles and all that are required to maintain them – are scrambling to divest of their purchases and avoid bankruptcy.

In a depressed economy, establishing another monopoly or oligopoly and laying off people is not a good thing. (If you are buying the line that things are getting better, just get out of your comfort zone and look around you.)

**I don’t know what people are saying about me behind my back. Contrary to popular opinion, my head sits on top of my neck and faces forward. — BRG**

So now that the vendor not only controls the e-filing of the document, but the service, they are free to enter an *unregulated* market. (Firms which broker or manage service of process are not regulated nor registered under current rules, regulation or statute.) So, with one vendor, guess what happened to all that attorney service work? It dried up. No more court runners, messengers, clerical support personnel, and fewer process servers. Additionally, since the e-filing vendor has control over who does what, guess what happens to service of process fees. For the process server who actually does the field work, they dip precipitously while profits for the vendor are at an all time high with their new found source of income.

**The Supreme Court’s Statement of Work and Request for Proposal**

In its most recent version, the Supreme Court has requested that vendors submit proposals for statewide e-filing services (RFP 13-03). This, in and of itself is not disturbing, however, the contents of the proposal are. Within the Statement of Work, the Court has indicated certain definitions and requirements (Item 38, page 12 of the SOW 13.03):

“Issuance Document – General term used to refer to documents which are issued by the court (clerk’s office or

judge) and returned to submitters/filers so that the document can be served upon a party personally. Examples of issuance documents include: Summonses, Writs, Subpoenas, Warrants, and Notices of Provisional Remedy. Note: Issuance documents receive an issuance stamp which is separate and distinct from a file stamp. Issuance stamps vary by local court.”

In theory, I have no axe to grind against the e-filing system, itself. It seems to have worked in reducing the lines at the court clerks’ windows, but, the SOW and RFP currently open for bidding (as of the day of this writing, and open until July 22, 2013) leave the distinct possibility open that the e-filing vendor has the opportunity and motivation to go into a business which would capture, with the state’s blessing, an entire market or major portions of it.

That business opportunity not only is not competitive with our current attorney services (as well as the smaller agencies which don’t offer full service attorney services), but sets up an exclusionary opportunity because of its monopolistic stratagem. The e-filing vendor, once handling the document, could then set up to capture and *exclude* other attorney service and service of process vendors.

Unfortunately, several of us who have needed to file documents in a neighboring state have seen this exact scenario. Well funded, technology minded companies have appeared on the scene and driven the e-filed documents to their process servers, capturing a market that was once open and competitive.

So, while the court wrestles with their idea of cost reduction and design element implementation, the rest of us in the real world are concerned with making sure there is enough food on our table, gas in our car, and money to pay the rent or mortgage. Innocent sounding sentences (i.e.: SOW, page 27, captioned, “3.3.1 Filing Assembly Major Design Element (FAMDE)”), where the court requests that the vendor provide a “3.3.1.8 System is capable of generating document forms, such as Issuance documents (e.g. summonses) and local court specific documents such as credit memos” are not so innocent once a real world analysis is made.

Requirements such as (page 37 of the SOW), “3.3.2.56 System is capable of applying Issuance stamps and file stamps”

*(Continued next page)*



So, those companies

## Putting Process Servers Out of Work — Pulling the Plug on Attorney Services (Continued)

and “3.3.2.57 System enables the generation of “Issuance” documents for specific case submissions that are made available to submitters/filers for service of process purposes” sound like government gobbledygook, but once read, thought about and understood, are found to be job killers.

So, rather than telling you I don’t give a rat’s ass about my competition, I will tell you that I actually do. I care about the people who will lose their jobs because of this poorly constructed Request for Proposal and Statement of Work which did not consider how things operate now, and what the possibility is for destroying the jobs we have. I care about the lowering of process server fees (we’re already having to deal with the Craigslist servers) leading to unprofessional conduct because of a lack of supportive amounts. (How many complaints have you heard about that are the result of the server “disappearing” before the client has proof that his paper was served, or “personal” service done on a phantom defendant?) I care about our decentralized and scattershot method of discipline. And in our unregulated attorney service industry, I don’t want to see a software vendor or other technologically minded and well funded company capture the market without having to compete on the same plane as the little guy. Especially if that company operates from out of state and there’s no regulatory oversight.

In short, I believe this SOW and RFP should be RIP. But, as the court never consulted with the process servers (Did YOU receive a call or invitation to participate? I know I and my compatriots haven’t.), we’ll see if they take us seriously after this.

### The Solution

I have heard that one should not present problems unless one comes up with a possible solution. Others have shown this policy works best in groups to cut out unnecessary whining. So, without whining, here goes:

As the problem, from what I can see emanates in large part from lack of input from the industry and trade groups (i.e.: APSA). Without practical input, this SOW and RFP are merely academic exercises with unintended consequences. As a solution, the Supreme Court should do several things:

The Court should enact and enforce a policy (i.e.: Procurement Rules for the Judicial Branch) which provides that in any

event where procurement, rules changes, and other policy issues affecting service of process in any manner are indicated, a permanent industry representative should be seated on any committee or group assigned for such purpose. This

representative should be a duly elected or appointed board member of APSA, and like other committees, (i.e.: the Legal Document Preparers Board), should have at least five years of experience. APSA should delegate its representative, and the Court should appoint that person to the committee.

When considering any and all drafting and implementation of changes in rules, policies or procurement of services by the Court or any Judicial Branch Unit, APSA, by and through its permanent postal (mailing) and email addresses, should be notified. The Court should retain APSA on the permanent list of parties who shall be notified of the consideration or drafting of any possible implementation of changes in rules, policies or procurement affecting service of process.

Where it is shown that such changes in rules, policies or procurement did or will affect service of process, and either one or both occur: 1) the duly appointed industry representative to such committee was not notified, 2) APSA was not notified, such changes in rules, policies or procurement should be made null and void.

Specifically regarding this SOW and RFP, each bidding winning software vendor should be prohibited from having any ownership, affiliation, financial interest, directly or otherwise through any subsidiary or related entity, from any person, party or enterprise involved in service of process or any and all other aspect(s) of the legal support industry.

The software vendor, and any assignee thereof, as well as any subsidiary or affiliate shall not offer, assist, direct, recommend, or otherwise steer service of process and any related services, to any person, party, entity, association, agency or enterprise, regardless if that any person, party, entity, association, agency or enterprise is one in which the software vendor, and any assignee thereof, as well as any subsidiary or affiliate has any



interest, or where the any person, party, entity, association, agency or enterprise has any interest in the software vendor and any assignee thereof, as well as any subsidiary or affiliate.

The software vendor and any assignee thereof should be mandated to offer access to all Arizona Certified Private Process Servers residing within the state the ability to electronically file initial and subsequent documents on behalf of their clientele.

In the case of “attorney services” where documents are retrieved from attorney clients, filed with the courts, and served by process servers who are employees or independent contractors of the attorney service, one qualified manager from each attorney service office conducting such filings shall be appointed and registered with the software vendor. The appointee shall be an Arizona Certified Private Process Server in good standing, and shall be held responsible for all activity conducted in the filing of such initial documents.

The court should allow that where the attorney service or process server has electronically filed the initial document or any subsequent document, after such electronic filing has been completed, the physical (hard copy) of such initial document shall be returned to the attorney or party in pro per (client) of the process server or attorney service for the client’s retention. The attorney service or process server shall only be responsible to retain an electronic copy of the initial document filed.

With this in mind, we may have a solution to our problem. However, it will require response and cooperation from the Court. Now, Dear Reader, what say you?

# APSA



## Maricopa County Court Clerk/Process Server Quarterly Meeting

By Frank Brinkman, ACPS



Over the past few years I have been attending quarterly meetings held by the Maricopa County Clerk's office for process servers. These meetings were set up initially to help the Superior Court Clerk disseminate information to the local process serving companies about changes that would be occurring at the Superior Court. This was also a place for the Clerk to get feedback from our industry on what we would like to see done at the Superior Court to assist us in our work.

When the meetings first began there was a tremendous turnout of process servers, including the owners of most of the companies in the valley. We would have well over 40 process servers in the meeting each quarter. The numbers of participants has dwindled over the past few years and now the court staff in the meetings usually outnumbers the process servers.

The information that is gathered in these meetings is a very useful resource to us in Maricopa County to help explain to our clients what is happening with the Clerk's office. Why things may not be getting filed, what documents are required and not required with pleadings, what rule changes may be coming up at the Legislature or the Supreme Court are discussed. We have access to the supervisors of the Clerk's office as well as direct contact with the Clerk of the Court Michael Jeanes to address issues. We also have direct contact with the Justice Court administration through James "Marty" Vance, who attends most meetings.

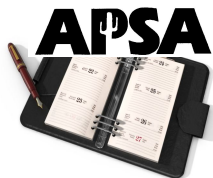
In addition to the information that can be gathered at these meetings, each one qualifies for one free hour of continuing education. The meeting dates and times are posted on the Maricopa County Court Clerks website at

[www.clerkofcourt.maricopa.gov/process\\_svr.asp](http://www.clerkofcourt.maricopa.gov/process_svr.asp).

I would encourage as many of our members as

possible to attend these meetings and suggest topics for the Clerk's office to bring up. In the past we have had Patricia Barfield from the Corporation Commission come and speak about service requirements and what is acceptable. We have had JP's come to discuss Justice Court matters. The Clerk's office is always willing to accommodate anything that we suggest within its power in order to educate both ourselves as well as their staff.

**Mark Your Calendar!**  
**2013 APSA Conference**  
**September 14-15, 2013**



I brought this subject up at one of the board meetings earlier this year and suggested we have a report in our newsletter on what information was provided at the meetings. As I was the one to bring up the subject I was immediately volunteered to report on the meetings. I was glad to oblige, however the April meeting this year was cancelled so I had to wait until the July meeting to report.

The latest meeting occurred on July 9, 2013 from Noon until 1:00 PM. The meeting started with Michael Jeanes giving an update on the Turbo Court electronic filing system. The vendor was to be changing but will not change for the near future. Mr. Jeanes said that the latest budget will not affect any jobs or services at the court so there should be no degradation of services at this time. It was also brought up that the new rules passed by the Supreme Court went into effect on July 1, 2013 (see related story – Ed.)

Eric Ciminski of the Administrative Office of the Courts

came in to speak on the new online system that will cover the entire State for every Court. They are working on a pricing system now for purchasing copies of pleadings online. As it stands, a search for a case will be free as well as a preview of the first page of any document but they are setting up a tiered system for fees related to the number of documents printed per month. The rates they are currently anticipating are \$10.00 per document. For those that would be obtaining several documents there would be a fee of \$360.00 for up to 100 documents per month \$640.00 for 100-200 per month, \$1050.00 for 200-375 per month and \$10,000.00 for up to 5000 per month. The printable documents would only be for civil cases and some documents in criminal cases.

Marty Vance of Justice Court Administration brought in a notice stating no Maricopa County Justice Court will accept a non-service affidavit for filing unless it is accompanying a motion as an attachment to that motion. Mr. Vance also informed us that as of January 1, 2014 the limit for small claims cases will be raised to \$3500.00.

A subject was raised concerning an issue with the Maricopa County jails not allowing service by process servers. Mr. Jeanes said he did not have control over what the Sheriff's office does but suggested the Chief Deputy be contacted to explore what is happening.

A subject was also raised regarding procedures at the downtown Superior Court filing counter related to when the counters are limiting the number of filings. The ability to file unlimited pleadings at one time stops at 3:30 PM. The ability to file 6-19 pleadings at one time ends at 4:00 PM.

The next meeting is scheduled for October 8, 2013. I hope I can count on some new faces at the meeting.



## Training Corner:

# Alternate Means of Service



**Barry R. Goldman**

©2013 Barry R. Goldman



As I was looking for material to continue our discussion on Alternate Means of Service, I came across something provided by one of my clients on "Strengthening Affidavits". I thought it would be appropriate to include in our continued discussion of the Alternate Means of Service, as it applies not only the 4.1(k) motion, but to all services.

The client reported that their attorneys are scrutinizing proofs of service and other documents (affidavits) relating to service of legal process. One of the biggest complaints that I hear from new clients is their former process server failed to indicate sufficient detail on their work order and affidavit to give the whole story. This complaint unfortunately also comes from the clerks at the court and the judges, and impacts the way the courts rule on Motions to Vacate or on Motions to Quash Service.

Giving the client complete information, both on the Proof of Service or other declaration/affidavit and on the work order is an important component of completing the service. After all, if you and your client are not on the same page, how are you, as a professional, doing your job in seeing that your relationship with your client is complete?

The client noted several detailed bullet points in their memo, and advised that documents not meeting their standards will be rejected. Most of the issue had to do with services at residential locations, however, the lessons learned are applicable to serves at all locations.

- Contact with defendants
- Contact with non-defendants
- Vehicles
- Mail/Packages
- Utility Meters
- Abbreviations
- Military
- Member of House Service (sub-serves)
- Copy and Pasting attempts for multiple defendants

### ● Phone numbers

In your APSA training courses, when discussing service of process, you may recall that many of the above bullet points were discussed.

#### Contact with defendants

A defendant cannot "refuse" to accept service. "We take it that when men are within easy speaking distance of each other and facts occur that would convince a reasonable man that personal service of a legal document is being attempted, service cannot be avoided by denying service and moving away without consenting to take the document in hand." (*In re Ball*, 2 Cal.App.2d 578) Even though *In re Ball* is a California case, the Arizona courts have accepted the premise of the ruling. You will find that *In re*

*Ball* is one of the suggested topics of study for the Process Server examination.

The server should make proper notation that the other requirements of service were met, specifically that the defendant was within "easy speaking distance" (reasonably close proximity), could plainly observe the documents being served (do NOT put documents to serve in an envelope to give to a defendant), acknowledged their identity, he/she was informed of the contents of the documents (i.e.: "I am serving you with a summons and complaint", "I have court papers for you", etc.), and that the server identified him/her self as a process server. The explanation on the contents of the documents served does not necessarily have to be explicit – just basic. The server should always get a complete eight-point physical description of the person being served.

#### Contact with non-defendants

We often come into contact with people at service addresses who are not the defendant. Often, these people are relatives or co-occupants of the home (abode). Most of the time, when these folks indicate they are living at the same address the defendant does, we can effect a sub-serve on them the first shot out. Sometimes, especially when serving papers from other states, multiple attempts are required (due diligence), and we may not get the door open on the second or third attempt. However, because it's our job,

and our duty to be thorough, we need to make those extra attempts when required.

We may also come in contact with other persons, such as a tenant, who says they rent from the defendant. It's important to get the tenant's contact information, as well as to find out to whom and where they pay their rent. Most of the time, this information can be elicited in casual conversation. When it's important to the client, it's important to ask and wait for an answer. I have waited on more than one occasion (after already having verified the defendant owns the property) while a tenant has gone into their records and produced the business card or lease from their property manager. Most of the time, the tenant will know something about the defendant so he/she may be tracked down for service.

Many times, we will contact a neighbor, letter carrier, or someone else who may know the defendant, or something about the defendant which may help to get him/her located and served. My advice to every server is not to pass up an opportunity to gain information! Your client needs information to proceed with their case, and since we have the ability to put our best foot forward, we should. Do not assume just because the person you are speaking with says then don't know the defendant that they don't know *something about* the defendant. The most complicated skiptracing assignment is often resolved by the simplest task – obtaining information from the field and using it. Be an asset to your client.

How many times have we seen vehicles parked in someone's driveway but nobody answers the door? Yep, that many. Note the vehicle license plate, make, model and anything outstanding about the vehicle (i.e.: employer/college campus parking stickers affixed to the windows, packages or mail plainly visible sitting on the seat addressed to the defendant, etc.). All these little things add up in locating a skip, or in verifying that the address you are at is a good address.

We cannot rifle through the mailbox, but if it's open and mail is plainly visible, is it addressed to the defendant? Has the mail been accumulating for a time? Are there packages or notifications from FedEx, UPS or the mail on the front porch, door or under the mat?

**Mark Your Calendar!**  
**2013 APSA Conference**  
**September 14-15, 2013**





**Training Corner:  
Alternate Means of Service (Continued)**

Accordingly, after analysis, the education committee of APSA has taken the position that under ARCP Rule 4.1(d), a "...person of suitable age and discretion..." would be 16 years of age or older.

(Many times we will find that legal papers are also being sent to the defendant from our client by certified mail.) If you find packages or notices, are they addressed to the person you are trying to serve? Are they gathering dust, or were they recently placed there?

Are the utility meters on? (Many times, we'll get an old address of a defendant and the house will be vacant, but our client doesn't know that.) For those servers who conduct occupancy or tenancy checks, it's a must to check the meters. A word of warning: if the meters are not in *plain sight* from the front of the house (in other words, not in the back yard or on the side of the house that's not plainly visible and accessible), do not go peeking over someone's fence. Peeping Tom's are taken very seriously in most areas, and you do not want to be mistaken for a malfessant.

When you communicate your findings, do you abbreviate them? Many times, depending on the background of the person reading your report, abbreviations are not necessarily commonly understood. For example, "Defendant lives in PA". I would take this as "Defendant lives in Pennsylvania", however, the server who wrote it actually meant to say, "Defendant lives in (at the) *property address*". If you must use abbreviations, such as B/A, etc. (which may mean Business Address or Bad Address, depending on your background), keep them on your internal notes and work orders. Do not use them on your declarations/affidavits.

Many courts are now requiring information from the server on the defendant's military status. Florida, in addition to military status, also requires that the server indicate whether the defendant served is married, and if they are served in a mobile home (with VIN).

We've discussed a "...person of suitable age and discretion..." residing in the same household where service is to be made. Some states, such as Illinois, will allow service of a person 13 years or older; other states have minimum age limits of 15 or 18. Arizona has no such stated minimum age requirement for sub-service, but, we do have ARCP Rule 4.1(e), which requires that service on a minor under the age of 16 years be performed "...upon the minor and upon the minor's father, mother or guardian...".

(For the record, not all APSA Board members agree with that interpretation.)

In all instances where a sub-service is conducted, the server should always act within and be aware of other established rules, statutes and policies of not only the jurisdiction where the papers are coming from, but those of Arizona. The server should always confirm the identity, relationship, residence status and age of the person with whom they are leaving the papers. In the case of serving a minor, it is imperative that the server ask the minor their age. John and/or Jane Doe serves are usually not acceptable to most clients and courts. Within Arizona, if a John or Jane Doe sub-serve is the manner of service available to the server, the server might consider not only leaving the papers with the John or Jane Doe, but suggesting to their client that the client motion for an Alternate Means of Service order per ARCP Rule 4.1(k), so that the papers may be properly posted and mailed to the defendant.

Many times, we are serving more than one defendant at a single address. Unfortunately, when reports are copied and pasted, it is very common for the exact information on each declaration/affidavit to be duplicated, including the name of one defendant to be placed on both declarations/affidavits. (You DO complete one Proof of Service, Declaration or Affidavit for EACH party you are trying to serve, don't you, Dear Reader?) The server should make sure that each declaration/affidavit is unique, and reflects accurate information. The presentation of the declaration/affidavit should be professional, without error and not look like the neighbor's dog attempted to eat it.

Although it takes extra time in the field, when telephone numbers for a defendant are available, clients are requesting they be called, and the results noted. Again, this goes back to Due Diligence (*with a capital DD*) – assuring your client that you did put your best effort into attempting to contact the defendant before rendering the non-service declaration/affidavit. The results of this attempt should be noted on the field worksheet as well as the declaration/affidavit to support the non-service.

# In Memoriam

The Arizona Process Servers Association would like to extend our most sincere and deepest sympathies to the family and friends of the Granite Mountain Hotshots Crew, who gave the ultimate sacrifice on June 20, 2013. Rest in peace, brave souls.



- Andrew Ashcraft
- Clayton Whitted
- Dustin Deoford
- Garret Zuppiger
- Jesse Steed
- John Percin
- Robert Caldwell
- Sean Wisner
- Travis Turbyfill
- William Warneke
- Anthony Rose
- Chris Mackenzie
- Eric Marsh
- Grant McKee
- Joe Thurston
- Kevin Woyjeck
- Scott Norris
- Travis Carter
- Wade Parker



# Greetings from Pinetop-Lakeside, Arizona - Larry Ratcliff

I would like to thank everyone who came to the July meeting and BBQ at our home in Pinetop. The meeting was very productive and everyone pitched in for the BBQ.

If you have not been here the last few years for the Pinetop meeting you just don't know what you're missing.

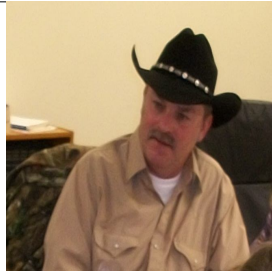
Although I am not your APSA president this year, I have been keeping busy keeping up with our public relations. I have continued to keep in touch with various Court Clerks, Sheriff's, Constables, and other professionals keeping them posted on APSA and our endeavors.

It has always my goal to promote APSA as a Professional Association of Professional Private Process Servers and to inform our potential clients that by using members of APSA they are using the best trained, most reliable and best trained Private Process Servers Available.

This year's Super Conference and Training should prove the APSA board is on track with the wishes of the membership. There is great board this year and they have worked hard to make this Super Conference and Training one of the best in years. This year several other Professional Associations will be in attendance along with our sister association the Arizona Association of Licensed Private Investigators (AAPLI).

We have been working with AAPLI on various issues and hope to continue to work with them on issues that will benefit both organizations. Please reach out to members of AAPLI at the Super Conference and help them feel welcome.

Also please, please, please! We need door prizes for our conference. This is a good way to promote



**Mark Your Calendar!  
2013 APSA Conference  
September 14-15, 2013**



your business. Please bring a door prize to the conference and place your business card on the item. When we give away the prizes we will announce your name and your business name. Pretty cheap advertising if you ask me.

So please bring a door prize. If you need some ideas here are a few we have had donated in the past. Flash lights, digital recorders, GPS, camera, buckets of pretzels, buckets of licorice, Tee shirts, ID neck chains, gift certificates for lunches, coffee and even an AFLAC duck.

As a last note I would remind everyone that during our Super Conference and Training we will also be having our Annual Meeting. At the Annual Meeting you will be asked to vote on several issues and to vote for new board members. With your support I would like to continue serving the membership APSA and would ask for your vote as a Board Member in order to continue to serve the Membership of the first and longest running Professional Association of Private Process Servers in the Great State of Arizona, the Arizona Process Servers Association.

See you all there,

*Larry Ratcliff*

## APSA Member Profile Anthony Hawthorne

*If you are an APSA member and would like to have an introductory piece published in the APSA Newsletter, contact the Editor.*

I grew up in a small town in Southern Illinois, raised by strict disciplinarians who firmly believed in operating within the letter of the law. My father, being a juvenile officer, insisted that his four sons and four daughters would never violate the law. He went on to become a probation officer for the Southern Illinois region and later retired as a County Sherriff. Through the years that respect for the legal and judicial system (and my father) influenced my conduct.

My early education in business management gave me the foundational skills to successfully manage the number one store in a chain of men's clothing stores in Southern California. Not long after, one of my best clients insisted that I manage one of his portrait studios where he taught me everything he knew about studio portraiture. I fell in love with photography and took several courses to learn the technical aspects of using any format camera in real world situations. I eventually started my own photography business, freelancing for local newspapers and continuing portraitures. I still enjoy photography.

When I transitioned from photography, I worked with a bottled water company in Los Angeles, where I started as a warehouse worker and was quickly promoted to a local transport driver. I had to get my Commercial Driver License. During that time, I obtained a California real estate license and dabbled in real estate. I spent twenty five years with the bottled water company, resigning in 2005 to purchase a family member's restaurant. I moved to Phoenix in 2005, and managed the restaurant until it closed in 2010. It was a great run in the restaurant business, but like many, projections didn't meet needs. (Continued Next Page)





**APSA's New Members (Continued):**

**News You Can Use**

We were forced to close the restaurant in 2010.

About a year and a half ago (in 2011), I crossed paths with an Arizona Process Server and had the opportunity to ask him a few questions about his experience as a Process Server. He was patient and courteous with my inquiries and impressed me to the point that I began to explore the possibility of becoming a Process Server in Arizona.

I diligently studied the laws associated with proper and legal service of process and took the related training classes. I met all of the requirements and passed the certification examination, and I am now seeking my newfound place.

I am currently seeking subcontract work, and willing to learn. I asked the APSA Administrator for a mentor, and one was assigned. I am looking forward to working with my mentor so that I can gain the field experience and pursue my newly chosen career. I believe that being a Certified Private Process Server is a noble professional occupation and a necessary resource for those who use the courts.

*(Anthony Hawthorne lives in the West Valley. Call him at (623) 536-8035 (home) or (909) 536-8035 (cell). — Ed)*

**What's in Your Wallet?** The FBI is reportedly considering shifting from its vaunted and long-term use of the Blackberry device to Samsung's Galaxy line of smart phones.

According to the Dallas Business Journal, Reuters reported that Samsung Electronics Co. Ltd. is close to a deal with the Federal Bureau of Investigation to sell the agency its line of Galaxy devices. The FBI presently uses mostly BlackBerry devices for its 35,000 employees and Reuters said a deal would be a boost to Samsung's goal of catering to more government agencies.



*Source:* Dallas Business Journal, online edition 2013-07-22 ([http://www.bizjournals.com/dallas/blog/2013/07/samsung-fbi-reportedly-near-deal-for.html?ana=e\\_abd&u=tkIE28DAUo3ApvMtLqUy5erLacp&t=1374502995](http://www.bizjournals.com/dallas/blog/2013/07/samsung-fbi-reportedly-near-deal-for.html?ana=e_abd&u=tkIE28DAUo3ApvMtLqUy5erLacp&t=1374502995))

**ATTENTION**  
**MEMBERS:**  
 The following positions will be open for election at our Annual Meeting:

*President*  
*Vice-President*  
*Secretary*  
*Treasurer*  
**Board Members (4)**



**Your Participation and Votes are Needed!**

**SCORE** | **Greater Phoenix**  
 FOR THE LIFE OF YOUR BUSINESS

**SCORE Offering Free & Low Cost Workshops**

Aug 15, 2013 8:00am - 4:00pm MST Phoenix, AZ

**SCORE 2013 Business Symposium**

Grand Canyon University  
 3300 W Camelback Rd  
 Phoenix, Arizona 85017

Aug 15, 2013 3:00pm - 5:00pm MST Chandler, AZ

**Revenue Growth: YES, NO, MAYBE**

Understand the basic steps to profitable and sustainable growth. Simple, straight forward and why no

shortcuts are allowed. Presented by: Will Neitzke, NextDelta

Aug 27, 2013 3:00pm - 5:00pm MST Phoenix, AZ

**Getting in the Door Without Cold Calling**

You have done all the networking, you have a functioning website, and still you are not getting enough leads. Cold Calling for you is a very painful experience, but you have to find ways of "Getting..."

Aug 28, 2013 3:00pm - 6:00pm MST Phoenix, AZ

**QuickBooks: Payroll and Time**

Attendees will learn how to set up payroll, run schedules, write and print

payroll checks, learn how QuickBooks tracks tax liabilities, track time worked on a project, invoice customers for time...

***For more information, contact:***

**Greater Phoenix SCORE**

2828 N. Central Avenue #800  
 Phoenix, AZ 85004

Tel: (602) 745-7250

Fax: (602) 745-7210

<http://http://greaterphoenix.score.org/chapters/greater-phoenix-score>

(APSA would like to thank Greater Phoenix SCORE for this valuable information we can pass on to our membership and readers. — Ed.)



APSA Newsletter <http://www.arizonaprocessservers.org/> [apsanewsletter@gmail.com](mailto:apsanewsletter@gmail.com)

# APSA Board Meeting News as Noted by Your Editor

*The following represent notes from your APSA Newsletter Editor and should not be confused with the APSA Secretary's Board Meeting Minutes, which are the official record of Board meeting events.*

**From the APSA Board meeting of June 29, 2013:**

Your APSA Board of Directors met at the very picturesque home of Larry & Candis Ratcliff on Saturday, June 29, 2013. In attendance were your Board members, less Board Member Scott Decker and Administrator Bert Young. Our guests included Wayne & Patty Chlebanowski, and Mr. LaVance's family members. Mr. LaVance and family drove up in their recently acquired motor home. Mrs. Ezell and one of Ron & Pamela's many

Our Administrator reported that our membership through June 1st was at 142 members. As you may know, APSA has been having issues with the website being hacked. The matter is expected to be resolved by having ServeNow rewrite our website at no cost. A link to our recently established PayPal account for membership and registration fees is expected to be placed on the new website.

A thank you was received from Dave Rolf of Process Server Network for them being mentioned in our last edition (we appreciate the thanks, Dave).

Finalization of our class offerings for the upcoming 2013 Conference & Educational Event at the Wild Horse Pass Hotel & Casino were discussed, as well as future offerings for classes. Your Vice President was given a mandate by Mr. LaVance to review and update, where possible and applicable, class materials, and to produce corresponding PowerPoint presentations. (Your VP has previously recommended, and the board approved, certain standards for the class materials and instructors.)

The board also discussed instructor compensation. If you don't already know, class instructors are offered the choice of accepting or waiving compensation for their classroom instruction. The board has used a formula based strictly on attendance; however, that formula, in

light of our association's needs, was in need of revision. Coupled with the teaching standards instituted by the board, the compensation policy is expected to yield more positive feedback and better suit our members' needs.

If you had been following our past

saga of attempting to get rule changes instituted in the Arizona Rules of Civil Procedure, you will know that our prior petition had many changes proposed. This year, your VP was mandated by the board to pick two topics for rule change petitions to be submitted to the Arizona Supreme Court.

The board also discussed two other issues affecting process servers: the Arizona Corporation Commission's policies on diligence to effect service, and services at the Maricopa County jails.

It seems that there are some discrepancies in interpreting the meaning of ARCP Rule 4.1(j), which states, "...When a domestic corporation does not have an officer or agent in this

state upon whom legal service of process can be made, service upon such domestic corporation shall be effected by depositing two copies of the summons and of the pleading being served in the office of the Corporation Commission, which shall be deemed personal service on such corporation...", as certain incidents have been reported where the ACC has either refused to accept service, or returned the papers served.

In another set of reported incidents, process servers attempting to serve papers on prisoners at the Gila Bend and 4th Avenue jails have been denied entry, told by jail personnel that there is only one person they will allow to serve at such facilities. Your Editor plans to bring you more information on this story.

**Mark Your Calendar!**  
**2013 APSA Conference**  
**September 14-15, 2013**



grandchildren and her mother were also there to visit with the Ratcliff's and company. Mr. Brinkman and Mr. Goldman came stag.

apsanewsletter@gmail.com

http://www.arizonaprocessservers.org/

APSA Newsletter




**Donna Sparaco**

**Small Business and Group Benefits Specialist**  
**O: 480.788.8219 / C: 516.395.8219**

**Have You Been Assaulted?**

APSA and NAPPS would both like to know about it. APSA members should contact Tom LaVance, APSA president at (602) 256-9000. NAPPS members can contact them at (503) 222-4180.





# Ask the Editor: Motions in Small Claims — ARS 22-505 & more

*From the Editor's mailbox:*

In one of the articles in the last newsletter you mentioned that small claims cases cannot be served by alt (sic) method. Do you know what statute that is under? I have several clients that do small claims only cases and I would like to have something to show them as to why the court will not allow an alternate method of service. I have looked for it but can't seem to pinpoint where it is.

Dear Reader:

If you are familiar with ARS §22-505, you will find that subsection B specifies that "A motion for change of venue and a motion to vacate a judgment are the only motions allowed in a small claims action. These motions shall be heard only by a justice of the peace."

The powers granted to a Justice of the Peace are statutorily limited under Title 22 of the Arizona Revised Statutes.

ARS §22-201 states in subsection E, that "In a county with a population of more than two million persons..." (Maricopa County), the "...justice of the peace of each justice precinct shall have original jurisdiction to hear..." "2. Small claims pursuant to chapter 5 of this title." Additionally, the justice of the peace has jurisdiction to hear (civil) cases where the claim is less than \$10,000 and ownership of real property is not in dispute.

Aside from being rather limited in scope (under \$2,500 in amount claimed per ARS §22-503), small claims cases are statutorily informal and do not allow for the discovery procedures normally seen in civil cases (ARS §22-516). Additional limitations on the type of actions which may be filed are found in ARS §22-503(B), and include actions involving defamation by libel or slander, forcible or unlawful detainer, specific performance, class actions, matters requesting prejudgment remedies, injunctive

relief, and actions against the state or political subdivisions thereof.

We also find that attorneys (unless by prior written agreement) are prohibited from participating in small claims matters, as are assignees and persons who have no real interest in the case (ref. ARS §22-512 (B)(6), et seq.).

So, what is a client to do when he or she needs to get the other party served and certified mail, personal service and substitute service doesn't work?

As ARS §22-505(B) prohibits such alternative means of service motions in small claims cases, our resident expert might provide an option to his client, which includes elevating the case to civil, and filing the motion for alternate means of service in that civil venue. The justice of the peace precinct remains the same.

ARS §22-504(A) (Transfer to justice court), states: "If any person whose rights are or may be adjudicated by an action in the small claims division appears at least ten days prior to the time set for hearing and objects to the proceedings being held in the small claims division, the action shall be transferred from the small claims division to the justice court and the provisions relating to civil actions in justice court shall apply." Thus, (unlike small claims) the right to an appeal in a civil case is indicated, as are the right to a jury trial and discovery process. Further, the motion for alternative means of service may be filed and the court may issue such an order under ARCP Rule 4.1(k) (see the Justice Court Rules of Civil Procedure (JCRC), Rule 113(c)(6) and related rules for further). ARS §22-505(A) provides that small claims matters are governed by the JCRC.

### Food for thought:

Did you know that statute (ARS §22-513(A)) actually *allows* for the plaintiff to serve his/her own papers by certified mail? ("In addition to any other available methods of service, the plaintiff may serve the summons and

complaint by registered or certified mail.")

## Client Service: Sharing What Works

How many times have you come across a client that gives you papers you know are titled wrong? Or they tell you to go to an address that you know is a bad address? What do you do about it?



While as a Process Server, we cannot dispense legal advice, we can rely on our knowledge and experience to tell our clients what works and what may not.

A repeat client recently wrote (wanting a quote for service fees) that she had a summons and complaint to be served on SMITH'S FOOD & DRUGS on South 99th Ave. in Phoenix. Since I know the service location, I also know that a) service of summonses and complaints are not accepted there, and b) there is no "Smith's Food & Drugs" there.

I explained to the client that the correct business entity is SMITH'S FOOD & DRUG CENTERS, INC., and that we serve them at an alternate location. (FYI, they are served through CT Corporation, their statutory agent.) I further explained to the client, based on experience, that the address on 99th Avenue is where Smith's accepts subpoenas for the Fry's markets pharmacy center records, only. No summonses are served here.

(continued next page)





**News & Editorial Comment:**  
**Changes to ACJA 7-204 Passed Without APSA Input**  
**— Policy Without Practicality**

Without much opportunity for input from your Arizona Process Servers Association, the Supreme Court and powers that be passed changes to the Arizona Code of Judicial Administration, §7-204. If you are unfamiliar with ACJA §7-204, you should be. ACJA §7-204 regulates Process Servers and how Process Servers are disciplined.

While representatives of APSA spoke at the Judicial Council meeting in April, 2013, objecting to certain language and the fact that the changes written into ACJA §7-204 were written without any input from our Association, changes were quietly instituted just before the last *APSA Newsletter* publication. This, contrary to assurances that before passage, APSA would have further opportunity to discuss any changes

needed. APSA received no such opportunity nor communication.

While we were informed some time ago by a former administrator that the changes sought for ACJA §7-204 were to be in line with other states' "best practices", to accept such "best practices" from certain other states without practical input from the people most affected by such changes is yet another example of *bad practice* in government.

Much akin to the Hollywood crowd paying tribute to itself, certain academics and bureaucrats writing policies which are inconsistent with the real world are simply another example of swan songs written out of tune. However, where the insulation of government bureaucracy protects such policy wonks, in the same vein

a s academics in the universities are protected by tenure, the practical world application of such policies finds fault in the same manner that those who study each others' theories and pat each other on the back for creating more gobbledygook are doomed to create more policy without practicality. In the opinion of certain *experienced* persons, this was another exercise in academic experimentation run amok.

APSA looks forward to working *with* the powers that be to make amendments to ACJA 7-204 so that it doesn't have the deleterious effects that are envisioned by experienced persons. Stay tuned.

apsanewsletter@gmail.com  
<http://www.arizonaprocessservers.org/>  
 APSA Newsletter

**Client Service Column (Continued) :**

Having this knowledge in hand, the client is in the process of amending their legal papers to reflect the correct corporate entity. We'll serve the papers through the statutory agent.

Another client had a foreign deposition subpoena to be issued under ARCP Rule 45.1. (I prepare these.) Unfortunately, this client, having already gone through months of tortuous agony and mishaps with their file, was informed that the entity to serve on their paperwork was actually only a trade name, and that to secure a personal service on the corporation, they may wish to consider re-doing their paperwork to reflect the correct corporate name. They did, and were very appreciative for the knowledge shared.

We should always look out for our clients' best interests. In the long run, you are also contributing to your best interests, as well, by establishing that knowledge and good will with your client. As we all know, the best recommendation that we can receive from a client is from word of mouth.

**APSA Conference Course Offerings**

**Saturday, September 14, 2013 Seminars:**

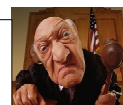
- 0730-0800** Registration-Applicable for all Registrants (\$45)
- 0800-1115** 6.0 hrs: A.C.P.S. Full Course (1<sup>st</sup> Half – Must attend both sessions) (\$90/\$180)
- 0800-0930** 1.5 hrs: Cultural Diversity (\$22.50/\$45)
- 0945-1115** 1.5 hrs: Public and Personal Safety (\$22.50/\$45)
- 1130-1345** 1.0 hrs: LUNCHEON & ANNUAL MEETING (Must be registered to attend)
- 1400-1700** . A.C.P.S. Full Course (2<sup>nd</sup> Half)
- 1400-1600** 2.0 hrs: Due Diligence (\$30/\$60)
- 1600-1700** 1.0 hrs: Conflict Communications (\$15/\$30)
- 1700-?** HAPPY HOUR – ALL INVITED (appetizers, cash bar) AIRIA NIGHTCLUB

**Sunday, September 15, 2013 Seminars:**

- 0730-0800** Registration (\$45 Due if not paid previously)
- 0800-1215** 4.0 hrs: A.C.P.S. Condensed Renewal (\$60/\$120)
- 0800-1015** 2.0 hrs: Sensitive Serves (\$30/\$60)
- 1030-1230** 2.0 hrs: Justice Court Rules (\$30/\$60)

APSA offers the ACPS and ACPS renewal courses at the same time other courses are being offered. Attendees may attend either the ACPS/ACPS Renewal course or the other courses to satisfy their 10 hour CLE requirement.

The Courtroom News column will return next issue. You are directed to appear then!



## APSA Member Survey Results from 2012 Conference

Last year at our annual Conference & Educational Event, a survey was conducted of our membership. Out of the 42 (in some cases 43 or less) members who responded, the following were noted. While not every member responded to every question we would like to thank those who did.

We found that the majority (63%) of our membership was over 50 years of age, with the majority (75%) of members who responded serving legal process full time. Our collective experience indicates that one-quarter of our membership has at least ten years of experience.

With slightly over 20% of our members having law enforcement experience, fully half of our membership are college graduates.

While the majority (71%) would like to see APSA sponsor its own online discussion group, it was disappointing to see that only 15% indicated they are currently participating in online discussion groups, and only 38% of those who responded indicated they would actively participate in an APSA-sponsored online discussion group.

Of our self-employed members, 63% run their process serving business out of their home, with half of them using a commercial mail receiving agency to receive mail, packages and drop off's. Of the fully half of respondents who said they are employed by an attorney service, 62% are corporate officers. Just under half of our respondents work at other jobs

or occupations, in addition to service of legal process.

Thirteen of our respondents are notary publics, 16 are licensed private investigators, two are legal document preparers, one is a certified fiduciary and two hold guard cards.

As to assault, of the 20 members who said they were assaulted, there were 34 incidents noted, three injuries, with nine police reports being made, resulting in five charges against the perpetrators. Fully 42 respondents indicated that assault on a process server should be a felony, with the same number indicating they are in favor of APSA pursuing legislation to legislatively name process servers as a protected occupation. However, when asked about contributing time and energy to assist, only 67% indicated they would, and only half said they would contribute money toward legislative efforts.

Issues with access to gated residential communities affected half of our membership, with the other half not having been denied entry within the last two years. Of the incidents indicated, law enforcement became involved six times, in Tucson, Phoenix, Scottsdale, unincorporated Pima County, and Goodyear. One member was threatened by officers with arrest.

Looking at ejection from a gated residential community, 16% of our members were ejected in 23 separate incidents from HOA communities by a security guard or member of the association management in Mesa, Tucson and Scottsdale. None indicated that law enforcement was involved.

Our membership overwhelmingly indicates that APSA should pursue a trespass exemption for service of legal process (95%). However, 65% indicated they would contribute time and energy, while only 53% would contribute money to such legislative efforts.

While the majority of members surveyed indicated they would like APSA to look into discounts on computer and office products and telecommunication services, no provider has been willing to give a buyer discount to our group, as of yet. If you know someone or have contacts within certain desired product or service lines, please contact the APSA Administrator and get involved.

Consistent with members' desires to obtain discounts at banks and credit unions, your editor has found that U.S. Bank offers small business checking accounts without any service charges. If you are interested in a credit union account, it would be worth it to check out the Arizona State Credit Union's various programs.

APSA has a disability income sponsor, Kaye King from AFLAC, as well as our legal discount services sponsor from Legal Shield. Both have advertisements in this publication. Further to assist our members, LPL Financial is expected to make an appearance at our 2013 Conference & Educational Event to address other areas of financial concern.

APSA will be accepting credit cards through PayPal in time for the Conference. Of the members who accept credit cards, one-fifth of them accept through PayPal. Finally, your educational committee will be looking into Red Cross first aid & CPR classes.

APSA Newsletter <http://www.arizocomprocessservers.org/> [apsanewsletter@gmail.com](mailto:apsanewsletter@gmail.com)

### 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 (Red border example)

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

4.75 x 3.75 (Blue border example)

**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.

### 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.



**ARIZONA PROCESS SERVERS ASSOCIATION**

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

[www.arizonaprocessservers.org](http://www.arizonaprocessservers.org)



2012-2013 Membership Application/Renewal

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:	

**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.*

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

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.*

APSA Newsletter <http://www.arizonaprocessservers.org/> apsanevletter@gmail.com

# APSA Events Calendar

**SEPTEMBER 14-15, 2013** – 40th Anniversary Celebration for APSA. Annual APSA Conference and AAPLI Conference at Wild Horse Pass Hotel and Casino Resort, Chandler, AZ (I-10 just south of the 202) – 10 CE Credits available

**NOVEMBER 9-10, 2013** – TUCSON area training Location to be determined – 10 CE Credits available

### Holiday Court Closures

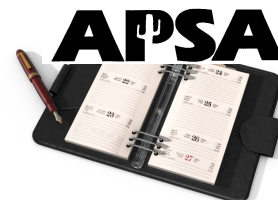
*Courts are closed on:*

- New Year's Day*
- Martin Luther King Jr./Civil Rights Day*
- Presidents' Day*
- Memorial Day*
- Independence Day*
- Labor Day*      *Veterans' Day*
- Thanksgiving Day*      *Christmas Day*

**TUESDAY, July 9 & Oct. 8, 2013**  
**Court & Clerk's Exchange Meeting**  
 Downtown Justice Center  
 620 West Jackson Suite #2083  
 (Justice Court – Training Room)  
 Phoenix, AZ  
 12:00 pm—1:00 pm

**2013 APSA Board Meetings**  
 Locations TBA for August 17, October 12, December 14. APSA's Annual Meeting will be conducted at the 2013 Conference & Educational Event. Elections and other business of the association will be conducted at that time. Please plan on attending and make your voice heard and vote count!

*Mark Your Calendar!*  
**2013 APSA Conference**  
**September 14-15, 2013**



### Bonus issue.

The APSA Newsletter is scheduled to be published quarterly in March, June, September and December. This year, you are holding a bonus edition published before the conference. Deadlines for submission for all items are the last day of the month preceding publication. If you have an item of interest or would like to post on our Events Calendar, please send them to: [apsanewsletter@gmail.com](mailto:apsanewsletter@gmail.com)

## Process Server Certification Testing

**Maricopa County**  
 (Thursdays at 9:30 a.m.)  
 620 West Jackson Suite 3017  
 Phoenix, AZ  
**Aug. 8**  
**Sep. 19**      **Oct. 10**  
**Nov. 14**      **Dec. 12**

**Pima County**  
 110 W. Congress, Rm 131A  
 Tucson, AZ  
**September 14<sup>th</sup> and 28<sup>th</sup>**  
**October 15<sup>th</sup> and 30<sup>th</sup>**  
**November 15<sup>th</sup> and 30<sup>th</sup>**  
**December 14<sup>th</sup> and 28<sup>th</sup>**



*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:

1. The APSA Newsletter is published in March, June, September and December of each year.
2. 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.
3. Advertising rates are quoted for full-color camera-ready copy in electronic submission in an approved format.
4. Advertiser is responsible for preparing & submitting ad copy. Copy must be submitted no later than the last day of the month preceding publication
5. Acceptance, placement and publication of advertising is subject to the sole approval and discretion of the Editor.
6. Inappropriate advertising content will not be accepted. Editor reserves the right to decline any advertisement.
7. In the event that an item of advertising is rejected, a refund shall be made to the advertiser.
8. Advertisement size quoted is approximate. Actual size may vary depending on page availability.
9. Advertorials may be written by APSANews.com staff or outside writer at cost to advertiser. Publication of advertorials is charged by the column inch.
10. Advertorials must be clearly marked in the header, "Advertisement". All advertisements may be bordered to distinguish their content.



APSA Newsletter http://www.arizonaprocessservers.org/ apsanewsletter@gmail.com

## APSA & AALPI Are Truly Sister Organizations Now!

AALPI & its members are thrilled to have both our associations putting on a great joint conference. Our associations have supported each other in the past few years and have discussed holding a joint conference and now it is a reality.



members to join as an associate member at our discounted price as we encourage our members to join and support APSA.

Together we will make a much stronger voice for our industries and be able to put on better events for our members.

Hope to see you all at the conference!

Dana Young  
AALPI President

## AALPI SCHEDULE 9/14/2013

- 0730-0800** Registration
- 0800-0930** 1.5 hrs: AALPI  
Welcome: Key Note Speakers AZ DPS  
Captain Butler & Sgt. Enteman w/ Q & A; Legislation update & industry Q & A (\$22.50/\$45)
- 0945-1115** 1.5 hrs: Insurance  
Liability and E & O Panel w/ Q & A (\$22.50/\$45)
- 1130-1300** Luncheon w/ APSA
- 1315-1345** Meet our Vendors / Drawing
- 1400-1600** 2.0 hrs: Asset  
Investigations: What is GLB  
Compliant (\$30/\$60)
- 1600-1700** 1.0 hrs: Tech Forum:  
What is New, What is Coming (\$15/  
\$30)
- 1700-?** Happy Hour – All  
Invited (Airia Nightclub)

We look forward to working as a team with APSA to support our legislative efforts in the coming year and to bring the best opportunities for our association members to network and gain professional education.

You can be a member of either association and get the benefits of two, but we would still encourage APSA



KAYE KING 602.703.8368  
[kaye\\_king@us.aflac.com](mailto:kaye_king@us.aflac.com)

**SERVING ARIZONA & CALIFORNIA** [WWW.RAPIDRPS.COM](http://WWW.RAPIDRPS.COM)

**CERTIFIED PROCESS SERVERS**

***Rapid* RPS.COM**

**(877) 472-7431**

**SERVICE@RAPIDRPS.COM**

**MOVING YOUR LEGAL DOCUMENTS...Fast!**

- Process Serving**
- Court Filing**
- Skip Tracing**
- Legal Document Preparation**
- Summons / Complaints
- Orders to Appear
- Writs & Levies
- Subpoena Preparation
- Restraining Orders
- Injunctions
- Divorce ~ Family Law ~
- Child Custody
- Family & Spousal Support
- Evictions
- Judgment Enforcement

Arizona Process Servers Association  
PO Box 2233  
Phoenix, AZ 85002  
(602) 476-1737  
[apsaadmin@cox.net](mailto:apsaadmin@cox.net)



Serving Arizona Process Servers Since 1973

[www.arizonaprocessservers.org](http://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.