



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



THE ONLY NAPPS CHARTERED STATE ORGANIZATION IN ARIZONA

4th Q (Dec) 2015

ARIZONA PROCESS SERVERS ASSOCIATION  
**NEWSLETTER**

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

**CLE classes coming up in Tucson!**  
**December 12-13, 2015**

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**President's Message**

*Larry Ratcliff*

Dear APSA members & readers:

Larry requested a hiatus until the new year to take

care of his family's priorities. Ron Ezell has been

requested to take over Larry's duties until then. Happy holidays to one and all and our best wishes to you. - Ed.



**Your APSA membership expires on DECEMBER 31st**  
**Invest in yourself and your future...**  
**Renew your APSA membership today!**  
<http://arizonaprocessservers.org/pay-dues/>

*"...there are those individuals you can consistently count on to hold the Association together. They are the GLUE of the Association. The ROCK of the Association. You know who they are. They know who they are. They make personal sacrifices, giving of their time and energy. They are dedicated to upholding what the Association stands for...I believe that all process servers want to be the best they can in work and life. Let's look forward to a prosperous and conscientious year!" — Tamara Nieto*

**Inside this edition...**

- Tucson December continuing education announcement;
- Secretary's Corner;
- APSA Code of Ethics;
- Editor's Column;
- The Brief
- Quarterly Clerk/Process Server Meeting (October 29);
- Training Corner;
- SCORE classes;
- The Last Word: *Avoiding a Complaint*;
- Want Some Change? Follow the Rules...

**Changes & Corrections**

*If you have changes or corrections to your contact information, please let us know.*

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

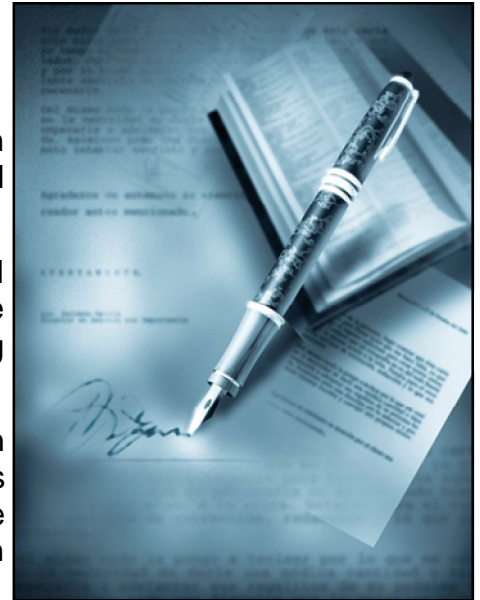
## APSA Upcoming Continuing Education Event

### 6-Hour ACPS Class + More!

Process Servers are needed in litigation support to accomplish an assortment of tasks such as filing court papers, serving legal documents and document retrieval.

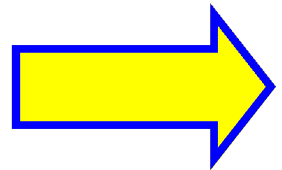
The Process Server's principal job is to deliver or "serve" legal process to a person involved in a court case as per the laws of the state where (a) service is done, and (b) per the state exercising jurisdiction.

Learn the details needed to be a successful Process Server in Arizona. The ACPS course sponsored by the Arizona Process Servers Association is a six-hour comprehensive course and is the only course which may be repeated for continuing legal education credit each year.



*Set the date...*

Saturday, December 12 from 8 a.m. to 4 p.m.  
 Sunday, December 13 from 8 a.m. to 12 noon  
 110 E. Pennington St. #150, Tucson, AZ



### Secretary's Corner *Patty Chlebanowski, Secretary*

Hello fellow members:

It is that time of year again, coming in January to pay your Annual 2016 dues. We will be sending out a mass mailing towards the end of December. Please pay your dues by January 28<sup>th</sup> so we can get the website current. We did fall short last year and did not get the website updated. We must get a current list of members. The new board is now due to be sworn in. We will be having a Board Meeting in January to get our new full board

sworn in and started for the 2016 year.

I wish you a wonderful and safe Holiday season and Happy and a Prosperous New Year to all of you. I can be reached at 602-476-1737 if you have any needs or questions.



— Patty Chlebanowski, APSSA Secretary.



### You are wanted!

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

# APSSA

# APSA Upcoming Continuing Education Event

## TRAINING COURSE APPLICATION

Return to: APSA Continuing Education Committee  
 P.O. Box 2233, Phoenix, AZ 85002-2233  
 PH: (602) 476-1737 FAX: 602-256-9720  
 SATURDAY, DECEMBER 12, 2015 8 AM – 4 PM  
 SUNDAY, DECEMBER 13, 2015 8 AM – 12 PM

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

MAILING ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

HOME PHONE: \_\_\_\_\_ WORK PHONE: \_\_\_\_\_

EMPLOYER: \_\_\_\_\_

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

COURSE NAME: ACPS 6 hour class & Sensitive Service 2 hours  
 & Personal Safety 2 hours \_\_\_\_\_

LOCATION: \_\_\_\_\_ 110 East Pennington #150, Tucson, AZ\_85701\_\_\_\_\_

CLE HOURS: \_\_\_\_\_

TOTAL COST: \_\_\_\_\_  
 (\$12.00 PER CLE HOUR FOR MEMBERS,\$15.00 PER CLE HOUR FOR NON-MEMBERS)

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

SIGNED: \_\_\_\_\_ DATE: \_\_\_\_\_



# Code of Ethics

Each member agrees to abide by the revisions and principles set forth herein when dealing with clients, general public, associate members and associates in business as follows :

## 1. Duties to Clients, General Public, Legal Entities

All work shall be performed in a professional and ethical manner. Nothing shall be done which would impugn the position or name of this Association or its members or the process serving

industry. Everything possible shall be done to protect the rights, interest and confidentiality of clients, entities being served and the legal profession as a whole.

## 2. Licenses, Permits, Bonds, Other Requirements

Each member agrees to comply with and keep current during the tenure of his membership all necessary business licenses, bonds, permits and any other requirements mandated by the city, county, and/or state in which the member conducts business.

(Continued...)

## Getting to Know You... Tom Rankin

### Tom Rankin, Board Member (2016)

Tom is a process server and currently the mayor of Florence, AZ. Tom has been a member of APSA for several years and was elected at this year's conference.



## Editor's Column



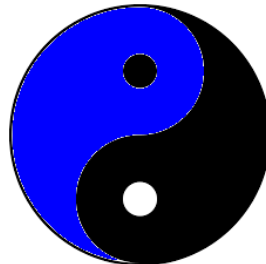
*Barry R. Goldman*

In my previous Editor's Column, I wrote, "Clarity and understanding are in my opinion much more important than agreement." That especially includes the time around the holidays, when family and friends get together, for many of us but once or so a year.

Holidays are a time for giving and receiving, exchanging salutations with friends and family, and honoring those around us. I am truly blessed to have a wonderful wife, good friends, family and especially parents who at my tender young age are still concerned about me. I am also especially grateful for and to my clients — without them, I would not have a business.

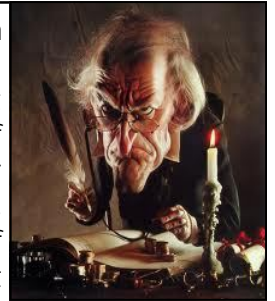
I would like to extend my personal Ho, Ho, Ho! to one and all. The last few weeks of November and December can be a busy and sometimes trying time for many of us. Like most people,

I heavily depend on my personal life to be a part of that balance in keeping my business sanity. I also depend on my business life to help me keep my personal life sane, as well. Such is the yin and yang of the balance between a business and personal life.



I am grateful for all of the good will and concern many of you expressed for my wife and I over the last year. I suffered an injury which could have been catastrophic, and my wife went through a similar several months, both of us hampered and concerned about the other and our future. For the most part, we are both now over the hump, but the effects on each of us, individually as well as a couple are lasting. I would like to thank all those who expressed their concerns. To those who are

going through personal challenges at this time of year (or for that matter, any time of year), my best wishes are with you.



This is the end of the year wrap up edition of your APSA Newsletter. Since 2012, when I took over the reins from Patty, I have taken pride in putting together a publication which I hope you find informative and represents your interests. Next year, a new board is seated and I am looking forward to observing how the new board and officers interact. I will still be here, not as an officer, but as one of our fellow 343 or so members and hopefully as your newsletter editor.

My best to you and yours this holiday season and into 2016 and beyond.

Sincerely, BRG



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



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

### Civil Rules Rewrite Out for Review

(November 2015) In September, the Arizona Supreme Court-appointed task force reviewing the rules of civil procedure invited approximately two dozen interested parties to review and comment on the latest draft of the proposed rule changes. Lawyers, legal support staff, law schools, committees, court representatives and others were asked to review and provide input before the task force drafts a rule change petition for the cycle that begins in January. The task force's final product will likely result in some rewording of every rule for style and, where appropriate, to conform to the recently restyled federal rules. For more information, visit the Arizona Judicial Branch's website at [www.azcourts.gov](http://www.azcourts.gov). Click on "Court Admin/AOC," "Committees & Commissions," and "Task Force on the Arizona Rules of Civil Procedure" for meeting information and materials, links to rules, and other resources.

### Saturday Hours Results

(November, 2015) The Clerk's Office opened its downtown Phoenix Customer Service Center for four hours on Saturday, Oct. 24 to issue marriage licenses and process passport applications. The non-traditional hours

offered a new opportunity for customers struggling to visit during regular business hours. The Clerk's Office figured Saturday hours would assist passport applicants who missed something the U.S. State Department required for a passport, requiring those customers to come back to complete their application process. The downtown location processed 39 passport applications on Oct. 24, compared to a full-day average of 34 at that location. The Office will continue looking for customer service improvements and will advertise those events on the Clerk's Twitter feed, @MaricopaClerk, and on the Clerk's Facebook page under "Clerk of Superior Court in Maricopa County."

### National Adoption Day

(October, 2015) Maricopa County expects to lead the nation again in adoptions at this year's 16th Annual National Adoption Day, scheduled for Saturday, Nov. 21, 2015 at the Juvenile Court Center located at 3131 W. Durango St. in Phoenix. The public is welcome to attend this free event and can expect appearances from well-known local figures as well as sports team mascots and other supporters of this family-friendly celebration.

Judges, as well as clerk and court staff, work with other volunteers to prepare for and carry out the event each year, which has been the largest of its kind in the country for several years. The deadline for filing an adoption petition to take part

in the event is Friday, Oct. 9, 2015. The deadline for all other adoption paperwork is Friday, Oct. 30, 2015 to participate in the National Adoption Day events in November. For questions regarding this year's adoption event and for more information, see the Facebook page for the Maricopa County National Adoption Day Foundation.

### Subpoena Catch-22

(October, 2015) There are situations where wireless cell phone companies and their subsidiaries deliver subpoenaed materials to the court or Clerk's Office. The wireless carriers' policies require this in situations where their legal departments have determined judicial review is appropriate. As well-intentioned as those policies may be, they do not comply with the terms of the subpoena and cannot create an obligation for in-camera or ex parte judicial review. The Clerk's Office does not have an agency relationship with parties to cases or the resources to manage and distribute materials that do not comply with a subpoena. This loop can result in materials bouncing back and forth, increasing costs, and delaying discovery.

(continued..)



Hi, I'm Patty Chlebanowski, former long-time Secretary of APSA. Frontier Insurance Agency, Inc. has been in business for 48 years. I have run this business side by side with my Process Serving business since 1989. Our process serving business was sold in 2013, but we kept our insurance agency. Frontier Insurance Agency, Inc. wants to help members and friends of APSA and AALPI to write your Notary Bonds, Court Bonds (Appeal and Cost Bonds), and Probate Bonds (Personal Representative, Conservatorship & Guardianships). We also write MVD (Lost Title Bonds). If you know an attorney who handles Probate matters, please drop my name to them. If you have any needs, please give us a call. Frontier can usually get a bond written in about 24 hours.

PATRICIA CHLEBANOWSKI  
Agent

FRONTIER INSURANCE AGENCY, INC.  
Surety Bonds

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

# 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

(Continued...)

If you are concerned about compliance with a subpoena or notice that materials are not being received timely from a wireless carrier, you may need to proactively contact them to compare expectations and resolve receipt of the materials.

The Clerk's Office has contacted wireless companies, highlighted its concerns, and requested those companies to follow the requirements of each subpoena.

### Commercial Court Experimental Rule Amended

(October, 2015) Supreme Court Administrative Order 2015-86 further amended and restyled experimental civil rule 8.1 that applies to cases in the commercial court. The commercial court

is a three-year pilot program that went into effect in the Superior Court in Maricopa County on July 1, 2015. Read the Order and amended rule online at <http://www.azcourts.gov/Portals/22/admorder/Orders15/2015-86.pdf>.

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

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## Code of Ethics

### 3. Exchange Work

Each member agrees to handle work sent to him by another member in a professional and ethical manner.

### 4. Proofs of Service, Not Found Returns, Other Reports

All documents shall be returned timely upon completing the work order. Each member shall comply with all instructions given by the forwarding agency. If a proof of service is provided by the sending party, it is mandatory that the serving party use that proof and fill it out in the manner requested.

### 5. Financial Responsibility

Each member agrees to promptly pay for services rendered by another member unless other specific arrangements have been made. A member, who is not an owner of the firm for which they work, is responsible for the ethical conduct of the firm for which they work.

Rev.  
11/13



## Maricopa County Court Clerk / Process Server Quarterly Meeting

Thursday, October 29th, 2015

12:00 – 1:00 PM

Downtown Justice Center

620 West Jackson

2nd Floor – Suite #2083

(Justice Court – Training Room)

Phoenix, AZ 85003



*All process servers are  
invited.*

### NEXT QUARTERLY MEETING – TUESDAY, JANUARY 12, 2016 AT 12:00

#### Juvenile Filings and Hearing of Severance Cases

The volume of Juvenile Dependency cases has increased significantly resulting in a large number of pending trials and extensive scheduling delays. In an effort to remedy this, civil judges will begin hearing these cases in January on a rotating basis. Southeast cases will be heard at their adult facility, and Durango cases will be heard at Northeast, Northwest or Downtown. The Clerk's Office is working on necessary resources so that filings related to these cases can be accepted at the locations where they are being heard.

#### Customer Service Center and CCB Construction

The Court is planning to build a new Law Library in space currently occupied by approximately 60 Clerk of Court staff. These staff members will be relocating from the Central Court Building to the Customer Service Center at 601 W. Jackson. Marriage License, Passport and Process Server staff will be moving from the first floor to the lower level of the Customer Service Center. Construction will begin in early December and will last for a few months. The Process Server test scheduled for December 10th will be moved to the 3rd floor training room at the Downtown Justice Center due to the construction. The Filing Counter at the Central Court Building will not be affected.

#### New Process Server Coordinator

Margarita Yanes is the new Process Server Coordinator. All contact information remains the same. You can call her at 602-372-5375 followed

by 7,1,2,2. Her email address is [processservercorrespondence@mail.maricopa.gov](mailto:processservercorrespondence@mail.maricopa.gov).

#### Q-Matic at Northeast and Northwest

The Clerk's Office plans on having Q-Matic installed at Northeast and Northwest. Installation at Northeast is expected to take place this fiscal year, and will require working with the court on reconfiguring space. Installation at Northwest will take place during the next fiscal year which begins in July, and will be part of the filing counter window remodeling project.

#### Q-Matic Issues

Q-Matic provides valuable information regarding customer flow and is helpful with determining appropriate staffing levels. The problem is that some customers are circumventing the system by pulling ADA tickets when they shouldn't, or by pulling multiple tickets. Those in attendance are asked to speak with their staff about these issues. The Clerk's Office wants to work with their customers to make the filing counters as efficient and customer-friendly as possible. The latest effort to improve customer service is the decision to add two additional Rapid Print machines to the lobby of the Central Court Building and provide additional front end customer service in the form of a "lobby quarterback". The filing counter downtown has already begun to offer this additional service and preliminary feedback has been positive. If it continues to be successful and staffing allows, a similar program will be

implemented at the regional locations as well.

#### Justice Court Updates -- Southwest Facility

The Southwest facility will be breaking ground sometime in the next 60 days and will be built in phases. White Tanks, Agua Fria, Maryvale and Country Meadows will be housed there, with room for two additional courts in the future. The plans also include a court tower but that will be constructed at a later date. The facility will be located at 105th avenue and Van Buren and is anticipated to open in the spring of 2017.

#### Technology Updates

The Justice Courts are working on updating their website to include complete dockets and are also continuing work on their electronic document management systems.

#### eAccess Update

The AOC has pulled resources from eAccess to focus on eFiling for non Pima or Maricopa counties. Their goal is to implement eFiling in these counties by the end of 2016. Because of this, eAccess is temporarily on hold.



**MEETING NOTICE**

### Attention: PROCESS SERVERS

October's Quarterly Information Exchange Meeting With the Clerk of the Court and Court Staff has been rescheduled from October 13<sup>th</sup> to October 29th

Next Meeting:  
October 29 2015

Clerk of the Superior Court  
Downtown Justice Center  
620 West Jackson, 2nd Floor  
Rooms 2 Signage will be posted  
[http://www.clerkofcourt.maricopa.gov/process\\_srv.asp](http://www.clerkofcourt.maricopa.gov/process_srv.asp)



**APSA**

# Training Corner: End of the Year Wrap Up



**Barry R. Goldman**  
©2015 Barry R. Goldman



It's the end of the year and time for food for thought.

I'd like to explore a couple of things in this edition's Training Corner. Firstly, as process servers, we are usually treated as independent contractors or 1099 employees. I found an interesting article on the ServeNow.com website originally published in 2013 and updated in 2014 written by attorney Laura J. Hazen in Colorado. She



enumerated several things, including 20 factors the IRS considers when looking at independent contractor versus employee status:

1. Must comply with employer's instructions about the work;
2. Receives training from or at the direction of the employer;
3. Provides services that are integrated into the business;
4. Provides services that must be rendered personally;
5. Hires, supervises, and pays assistants for the employer;
6. Continuing working relationship with the employer;
7. Must follow set hours of work;
8. Work full-time for an employer;
9. Works on the employer's premises;
10. Must do work in a sequence set by the employer;
11. Must submit regular reports to the employer;

12. Receive payments of regular amounts at set intervals;
13. Receive payments for business and/or traveling expenses;
14. Rely on the employer to furnish tools and materials;
15. Lacks a major investment in facilities used to perform the service;
16. Cannot make a profit or suffer a loss from his or her services;
17. Work for one employer at a time;
18. Does not offer his or her services to the general public;
19. Can be fired by the employer; and
20. May quit work at any time without incurring liability.

I found the article to be a good refresher on the subject and recommended reading. You can find it on the ServeNow.com website

Last edition, I wrote about the need for ethical behavior in service of process, including following the requirements set forth by various statutes and rules of court. There are some consequences that process servers should be aware of.



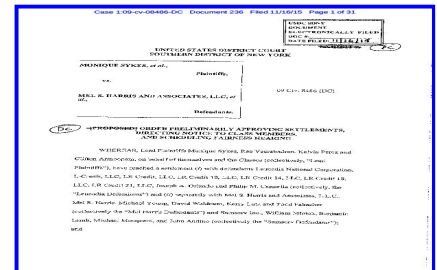
According to the Maricopa County process server coordinator, most complaints against servers are dismissed before hearing. However, for those who go through a hearing, it can be financially and emotionally injurious.

One such event occurred to a server I know, and it cost time, money and a lot of worry. The

charges set forth in the complaint were eventually retracted by the complainant, but by this time the server had to retain an attorney to fight a formal charge and be represented at the disciplinary hearing.

Interestingly, the complainant claimed to have taken a course on how to become a process server from a private detective agency and claimed that the server acted in an unprofessional and rude manner. The complainant was coincidentally being served with an Order of Protection with the local police present to keep the peace.

Let's hear it for the pot calling the kettle black.



Some time ago, news broke about a collections law firm and attorney service involved with sewer serves in New York that had ripple effects throughout the country. For the uninitiated, a sewer serve involves the false submission of a proof of service to the court stating that service had been made on the subject. The case went through the court system in New York, eventually becoming a class action suit on behalf of about 120,000 plaintiffs. See case number 1:09-cv-08486-DC (USDC, Southern District of New York). Information indicates that the defendants are on the hook for some \$MM in damages and that the law firm and attorney service are out of business.





**Training Corner: (Continued)**

*Corporate serves when the statutory agent or officer cannot be found* — this happens every so often. Under ARCP Rule 4.1(j) (Service of Summons Upon a Domestic Corporation If Authorized Officer or Agent Not Found Within the State), if a "...domestic corporation does not have an officer or agent in this state upon whom legal service of process can be made, service...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..."

It used to be a nightmare to serve the ACC. However, due in large part to pressure from process servers (many of whom drop served papers on the ACC clerks) the ACC revamped their policies and procedures. A couple of years ago the ACC issued a memo (to your right) making it to conform with the statute (ARS §10-3504, et seq.), which states in subsection (B), "If a corporation fails to appoint or maintain a statutory agent at the address shown on the records of the commission, the commission is an agent of the corporation on whom any process, notice or demand may be served..."

**COMMISSIONERS**  
BOB STUMP - Chairman  
GARY PIERCE  
BRENDA BURNS  
BOB BURNS  
SUSAN BITTERS/SMITH



ARIZONA CORPORATION COMMISSION

JODI JERICH  
Executive Director  
PATRICIA L. BARFIELD  
Director, Corporations Division

**NOTICE TO PROCESS SERVERS**

**The Arizona Corporation Commission ("ACC") procedure for accepting service of process is being simplified. The procedure is outlined below.**

The following is required to serve an entity through the ACC:

1. Two (2) copies of each document being served (e.g., 2 copies of the summons and complaint, or 2 copies of a motion);
2. A check for \$25.00 for each instance of service (e.g., one check for a summons and complaint, or one check for each motion being served);
3. A written statement, affidavit, or declaration, certifying under the penalty of perjury that, upon the signer's information, knowledge, and belief, the entity has either failed to appoint a statutory agent or failed to maintain a statutory agent at the statutory agent address shown on the records of the ACC.
  - The ACC has a form for this written statement, available at the Records Section counter or online at this link: <http://www.azcc.gov/Divisions/Corporations//Statement-for-Service-of-Process.pdf>
  - Use of the ACC form is not required – any written statement that contains the required information is sufficient.
  - A declaration or affidavit from a registered process server that documents the attempted service upon the statutory agent at the statutory agent's address shown on the records of the ACC will fulfill the requirement of the written statement.

Pursuant to its statutory obligation, the ACC will mail the documents served to the entity at the entity's last known place of business address on file. The ACC will prepare a Certificate of Mailing in connection with the received service of process. Upon request and payment of the copying charge and, if applicable, a certification charge, the ACC will provide a copy or a certified copy of the Certificate of Mailing.

**IMPORTANT:**

By receiving service, the ACC does not represent or guarantee that the service is legally valid. The legal validity of service of process in connection with a lawsuit is determined by the court, not by the ACC.

1300 WEST WASHINGTON, PHOENIX, ARIZONA 85007-2929 / 400 WEST CONGRESS STREET, SUITE #221, TUCSON, ARIZONA 85701-1347  
[www.azcc.org](http://www.azcc.org) - 602-542-3028



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website at  
[greaterphoenix.score.org](http://greaterphoenix.score.org)

**ABCs of Starting a New Business**

Saturday December 5, 2015 from 10:00 AM to 1:00 PM MST  
Burton Barr Central Library

**Content Marketing, WordPress & Blogging: How To Get On The First Page of Google**

Wednesday December 9, 2015 from 1:00 PM to 3:30 PM MST

**SCORE Night with the Phoenix Suns (includes a Workshop & Game tickets)**

Wednesday December 9, 2015 from 5:00 PM to 10:00 PM MST  
(The workshop starts at 5PM & the game at 7PM.) Talking Stick Resort Arena

**A Cinematic Approach to Describing the Customer Experience**

Thursday December 10, 2015 from 1:00 PM to 4:00 PM MST

**SEO: How To Get On The First Page of Google**

Thursday January 7, 2016 from 1:00 PM to 3:30 PM MST

**ABCs of Starting a New Business**

Saturday January 9, 2016 from 10:00 AM to 1:00 PM MST  
Burton Barr Central Library

**Four Keys to Success in Government and Private Sector Contracting**

Thursday January 14, 2016 from 1:00 PM to 4:00 PM MST

**Life Outside the Inbox: Tools and Techniques for Email Management**

Thursday January 21, 2016 from 1:00 PM to 4:00 PM MST

**An Introduction to ESOPs and Their Use in Succession Planning**

Thursday January 28, 2016 from 1:00 PM to 4:00 PM MST

**APSA**

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## 1 Month Free

Up to \$120 value.

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



## \$50 / \$50 Offer

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



## \$100 Off

Your own mobile-friendly website.

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

Believe in yourself. Strive for success.  
**Be The Success.**

### 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.
5. Guest article submissions become the sole  
property of APSA.

### Tell Us What You Think...

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



**ARIZONA PROCESS SERVERS ASSOCIATION**

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

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



Membership Application/Renewal for year: \_\_\_\_\_

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

Associate/Out of state Process Server

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

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

NEW  RENEWAL  
Member since: \_\_\_\_\_

**Annual Dues: \$50**

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

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

**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.*

**Court Closures****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

**APSA Events Calendar****Court & Clerk's Exchange Meeting**

Downtown Justice Center  
620 West Jackson Suite #2083  
(Justice Court – Training Room)  
Phoenix, AZ  
Next meeting in Jan. 2016

**Tucson ACPS Class**

Dec. 12, 2015, See preceding.

**APSA Board Meetings**

See website for details. All meetings begin at 9:00 AM.

**Deadline for filing petitions for rule changes with the Supreme Court**

January 10th of each year

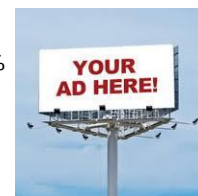
**PRIVATE PROCESS SERVER TESTING BY COUNTY (UPDATED FALL, 2015)**

County	Contact person	Telephone	Testing dates/times/detail
Apache	Deena Mattice	928-337-7551	By appointment
Coconino	Jeff Mangus	928-679-7600	By appointment at 928-679-7646
Cochise	Martha Rivera	520-432-8581	Call for details
Gila	Vickie Aguilar	928-402-8559	By appointment only
Graham	Rebecca Ornelas	928-428-3100	Call for details
Greenlee	Pam Pollock	928-865-4242	Call for appointment
La Paz	Jackie Kummerle	928-669-6131	Call for details
Maricopa	Sharlette Wright	602-506-1909	See county clerk's website for testing dates
Mohave	Mim Quesenberry	928-753-0713x416	Call for details
Navajo	Marc Russell	928-524-4177	Call for details
Pima	Alan Walker	520-724-3282	Call for details—Check in at 8:30 a.m.
Pinal	Kira Jimenez	520-866-5307	By appointment
Santa Cruz	Karla Zuniga	520-375-7700	Call for details
Yavapai	Shaunna Kelbaugh	928-777-3030	Tuesdays and Thursdays at 8:30 a.m. and 3:00 p.m. by appointment
Yuma	Michelle Lackey	928-817-4241	Scheduled as needed

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

**Advertising Submission Policy:**

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.



## The Last Word: Avoid a Complaint

*Good professional practices can go a long way toward good client service. The courts provided the list of common complaints they receive about process servers. Learning from other peoples' mistakes can help you to avoid complaints and work toward your success!*

### AVOIDING COMMON COMPLAINTS

Most complaints filed against private process servers fall into three major areas:

- Poor business practices;
- Failure to abide by the applicable rules and statutes; and
- Unacceptable behavior for an officer of the court.

The last area frequently results in disciplinary action by the court. You are encouraged to know and develop good business practices to avoid problems and to know the legal requirements of serving process.

#### Problems identified include:

- Failure to return client phone calls.
- Failure to promptly serve documents.
- Failure to acknowledge receipt of documents.
- Slow filing or failure to file an affidavit of service or failure to return the unserved documents.
- Fee disputes resulting from failing to make the client aware, before accepting a job, of the server's complete fee schedule, how charges are computed and when services are charged. Charges for repeated, unsuccessful trips are the most frequent area of disagreement and could be avoided or reduced by making the client aware beforehand of this possibility.
- Rudeness to defendant(s), bystanders or to those receiving process for the person being served.
- Failure to provide written response to a complaint within the specified time period.

Want Some  
Change? Follow  
the Rules...



The Arizona Supreme Court established Rule 28, which governs changes to the rules of court affecting how process servers do their job.

The APSA Board may be considering endorsing some changes. If you would like to be part of this change, let the Board Secretary know your interest. The deadline for filing the request to change the rules is January 10th of each year. But changes must be drafted well in advance.

The Task Force on the Arizona Rules of Civil Procedure was established by Administrative Order No. 2014-116. This Order directs the Task Force to review the Rules of Civil Procedure, and identify possible changes that conform the rules to modern usage, that clarify and simplify language, and that avoid unintended variation from language in corresponding federal rules. The goal of the Task Force is to file a petition with proposed rule changes by January 2016.

**YOUR INPUT IS WANTED!**  
Contact the APSA secretary or any officer or board member.

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

# APSA

*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.