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THE ONLY NAPPS CHARTERED STATE ORGANIZATION IN ARIZONA

ARIZONA PROCESS SERVERS ASSOCIATION

The NEWSLETTER

4th Q 2017

www.arizonaprocessservers.org

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President's Message

Ron Ezell

I have truly have enjoyed the last two years of being your President. In 2016 we had the first annual Conference in Tucson in many years, going back to the early 90's. What a beautiful view looking up into the Catalina Mountains. The speakers were fantastic. The speakers provided by the Investigators were very knowledgeable and shared interesting stories.

The Annual Conference in 2017 was held in Mesa. It was great to see some of the familiar faces from the Maricopa County Process Servers. I'm referring to the AACPS members that have rejoined APSA and strengthened this community. Welcome back. We have missed each of you. As a result of this positive change our united voice will strengthen our presence as Process Servers in Arizona while working with the Legislative Program.

Once again the classes were great. Good instructors taught a multitude of new subjects which expanded our knowledge and awareness and personal safety.

We would also like to thank both the Investigators Association and the Security Guards Association for their continued support of the APSA Annual Conferences. They provided speakers from the private sector and the Legislative Branch of Arizona. Our combined efforts with these two other associations can truly strengthen our ability to make important changes and improvements in the laws and statutes for those that continue to work in these Professions.



Larry Ratcliff was elected as the 2018 president of APSA along with a new board of directors. We sincerely appreciate their willingness to serve us and are excited to learn of the plans, directions and improvements they will be providing for our association.

I would like to thank those that I served with during the last two years. I sincerely appreciate their dedication for attending our board meetings. Each board member was always willing to help when asked. As a result, we were able to accomplish the primary needs of the Arizona Process Servers

Association. May each of you members be also open to serve your association in the future.

Warmest Regards,

Ron

Ronald R. Ezell, President 2016-2017

Editor's Column



Barry R. Goldman

I love teaching CLE courses! Each new group of professionals brings more insights and collective wisdom to draw on. Recently, one of my students from our association's December CLE event called me up to present a scenario.

It turns out that her client is an individual trying to sue a car dealer. The client sued the dealer (as an individual) in Superior Court and attempted to serve him by certified mail, but he never picked up the mail. She didn't know what to do and ended up with the case dismissed for lack of prosecution. That was some months ago. Then she filed a small claims case and needs to serve him but he hides

behind a PO box. Most of us know that car dealer in question no good news comes from certified mail, and many people won't pick it up, especially if they are getting sued.

What struck me rather not so funny is how many times I have heard this same type of scenario over the years. Client sues in the higher court for a legitimate amount, can't get the defendant served and doesn't understand the rules. Then, after the case is dismissed for lack of prosecution, the client files for a substantially lesser amount in small claims court and still cannot get the defendant served. Client still doesn't understand the rules but is willing to take a loss because small claims is simple (huh???).

As process servers, we can't give legal advice, but we can inform our clients about the rules for service of process.

In this case, the

has a history of getting sued by customers and avoiding service. Should the client have stayed with, or re-filed the civil case against the proper



parties (i.e.: the dealer corporation and its principal, instead of just the principal), service might be done via alternate means of service. (Then the enforcement of judgment, provided it is in favor of the plaintiff, might be against two parties, and be viable.)

Most clients don't understand the rules for service of process, and this is where an educated process server can become a valuable resource to individual, as well as attorney clients.

APSA has quarterly educational events to be scheduled in 2018, and we'd like you to join us. As always, I'll be happy to answer your questions, any time.

I CANN PROCESS SERVICE

LINDA M. COONTS, A.C.P.S. OFFICE: (520) 249-5100

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Secretary's Corner

Patty Chlebanowski, Secretary

Hello Fellow Members,

I want to wish you all the happiest of the holiday season and a prosperous New Years. I am serving this coming year as your Secretary again on the board. I will be sending mass emails out in a couple weeks to remind you to pay your 2018 Annual Dues. Please pay your membership dues prior to the end of January, because that is the due date for me to start removing non paid names from the data base to keep our system in top shape.

Please remember to always hang on to your Educational Certificates for future. We generally charge \$15.00 for re creating the Certificates, so please put them in a safe place.

Patty Chlebanowski





L.R. Investigations L.L.C. & Process Service P.O. Box 1293 Lakeside, Arizona 85929 Phone (928) 367-0510 Fax (928) 367-5328



Dear Members of the Arizona Process Servers Association

I would like to take this opportunity to wish ya'll a Merry Christmas and Happy New Year.

For those of you who don't know me, I will be your Association President for the 2018 year.

I am the Owner and founder of L.R. Investigations LLC & Process Service Located in Navajo County Arizona. I am a former LEO and have been working in the private sector for over 20 years now.

I have been the President of APSA many terms and have also held many Board Positions. I am looking forward to welcoming former members back, welcoming members from other associations and welcoming members from other professional associations.

This year with our combined strength we hope to be able make a difference in our combined professions and assist with becoming recognized as Professionals in our field.

As your President in 2018 I have already been making plans to Attend the National Association of Private Process Servers to attempt to recruit support for our many endeavors and our combined boards have already been planning our 2018 conference.

I am always willing to take phone calls and receive emails from our members with any questions or concerns they may have and I look forward to meeting ya'll at our next meeting on January 13, 2018 in Phoenix Arizona.

Until then.

MERRY CHRISTMAS, HAPPY NEW YEAR AND GOD BLESS YA'LL.

Be Careful out there!

Larry Ratcliff President-Elect (2018) APSA

ARIZONA LICENSED AND BONDED LICENSE NUMBER 1002520



APSA Board Meeting Minutes

December 9, 2017 (Unofficial)

Board Meeting held on December 9, 2017 at Country Inn & Suites Tucson City Center at 705 North Freeway, Tucson, AZ 85745 at 3:22 PM

THOSE IN ATTENDANCE:

Ron Ezell, Patty Chlebanowski, Luis Figueroa, Barry Goldman, Sean Laman and Larry Ratcliff via phone conference.

PRESIDENT'S REPORT:

Ron Ezell stated this is his last official meeting as President. He will continue working with the new board members in the upcoming year. He will also continue working with the Security Guards board in support along with their 2 Legislators for the support of an Assault Bill. He already has been in touch with Art Gissendaner. He also has Christine with the NAPPS board putting together all the other states laws which will be sent to Ron for discussion and writing an Arizona Bill. We need to hold a meeting in January for the swearing in of the new board.

VICE PRESIDENT'S REPORT:

Tom Rankin was not present. No written report received.

SECRETARY'S REPORT:

Minutes presented to the board members for the June 10, 2017. The present board members did not see any corrections that needed to be made. A motion was made by Larry Ratcliff to approve the Secretary's minutes, seconded by Sean Laman. All in favor. Motion passed. Patty has kept up with the duties of the mail, which was last checked Thursday December 7, phone checked up to December 7, 2017. Arizona Corporation Annual Report will be filed January 2nd for the 2018 year, because our new board technically starts their new duties January 1st 2018. I had just renewed the ENOM membership for our registered name and paid the renewal for a 5 year term. A brief discussion was held regarding the nasty gram presented at this year's conference.

TREASURER'S REPORT:

Luis Figueroa provided a written report, Profit & Loss Detail for September through December 2017. Balances as of December 9, 2017; Checking Account \$11,687.76, Savings Account 5000.28, Legislative Account \$15,625.53, Pay Pal Account , he did not have that figure.. The present board had no correction or questions of Luis's written report. Barry Goldman made a motion to approve the Treasurer's report and seconded by Larry Ratcliff. All in favor. Motion passed.

COMMITTEE REPORTS:

Membership Report: Patty Chlebanowski reported everything is currently up to date. Renewal notices will be sent out the first of January for the 2018 Membership Dues. Please pay them prior to the January 31st. Patty will start removing unpaid members from the website the first part of February. A

brief discussion was held regarding the price of membership dues.

Website Report:

Patty Chlebanowski reported that the website information is current and complete.



Grievance Report:

John Carpenter was not present, but did not report there have not been any complaints.

Newsletter Report:

Barry Goldman completed the last newsletter in October and was posted and email sent to membership via Patty. He needs columns from the board, Ron Ezell's exit letter and Patty Chlebanowski's Secretary's corner. Patty, please send Barry a list of the new board members email addresses and phone numbers for posting in the newsletter. Send a mass email to the board for introduction paragraphs from each of the new board. Barry has an idea to promote members writing an article in the newsletter by offering them a coupon for free membership. The new newsletter is due out by December 31st, so we need to complete our paragraphs immediately.

Continuing Education:

Patty Chlebanowski stated, we will hold off scheduling the new dates for classes until the next board meeting so we can pick our dates with the new board.

Legislative Report:

Sean Laman brought in some information regarding Case Law of which, nothing is on the books as yet, for the upcoming Legislative session, but had discussed it with Ron Ezell and Barry Goldman briefly already. He wanted to attend some meetings with Col John, so he had a better introduction to Sen. Cavanagh for future proposals. Barry would like to have a meeting with Sean and Col. John regarding ARS12-3301.

OLD BUSINESS:

None.

NEW BUSINESS:

Sean Laman mentioned about becoming a vendor with the State Bar for future contacts. Sean Laman was going to make sure the old Arizona Certified Process Servers Association has been removed from the Supreme Court website as registered to teach classes, now that the Association will be dissolved by the end of the month.

We have scheduled the next board meeting for January 13, 2018 at Patty Chlebanowski's house at 9:00 AM. She will email everyone.

Meeting was adjourned at 4:29 PM.

Submitted by: Patty Chlebanowski, Secretary



NEWS TO USE

Courtesy of the Arizona Private Security Professionals' Association (APSPA)

Provides Aid and Safety Advice to Process Servers

Erin's List for APSA a Mirror Image of APSPA Memorial Fund

Mesa – The Arizona Process Servers Association is participating in a national movement to lend a helping hand to process servers by educating them to potentially dangerous situations and providing financial assistance in times of need.

To some extent, Erin's list resembles APSPA's Fallen Officer Memorial Fund, which provides financial assistance to the families of security officers killed in the line of duty. Erin's List is named for Erin McCleskey, a process server who lost her life on June 15, 2016 while attempting to serve process in Austin, Texas. The website (info@erinslist.us) says she was viciously attacked by dogs.

Erin's List is designed to protect Process Servers from dangerous situations including those involving humans or animals.

According to the website, Erin's List provides process servers with relevant information about their surroundings. Being aware of their surroundings allows process servers to make better choices about when and how they attempt to serve process, what questions to ask and how to protect themselves from potential danger.

APSA leadership has expressed an interest in partnering with APSPA in a legislative push to get assaulting security officers and process servers while on duty declared a Class IV felony.



2018 Incoming New Officers & Board Members

President: Larry Ratcliff : larryratlcliffpi@gmail.com

Vice President: Kelli McFarland: allianceinvestigations@msn.com

Treasurer: Luis Figueroa III: <u>luis@alssinc.com</u>

Secretary: Patty Chlebanowski: mail2butterfly6@cox.net or

work: phxcourtsvs@nationwideasap.com

Directors: Barry Goldman: service@rapidrps.com

Sean Laman: seanlamanwork@gmail.com

Eric Sotelo: eric@integrityas.com

Don Howell: azreadyprocessservice@g.com

Ron Ezell: rezell@firstlegal.com

You have been assigned this mountain to show others it can be moved.

wordtothewerd



Recommended Reading...

Memoirs of a Public Servant

— Charleston Hartfield

The senseless murder of Las Vegas Metropolitan Police Officer Charleston Hartfield and others at the Route 91 Harvest Festival was a shock to so many of us. The memory of the crimes committed by the madman who brought us this atrocity in the city of lights will live for a long time. For the victims, it was an altogether unjust ending. However, for one, he left behind a written legacy documenting his feelings, thoughts and interactions about his personal and professional life.

I first heard about this book when reading some postings on Facebook. After reading the recommendations and blurb on Amazon ("Documenting the thoughts, feelings, and interactions...in the busiest and brightest city in the world, Las Vegas. This memoir takes you through the personal interactions experienced by a Police Officer with not only the community he seeks to serve but with his partners and their personalities. Some calls are over in an instant while others stick with you forever..."), I felt compelled to buy it.

I'm glad I did.

Reading gives insight into the mind of others. It also gives perspective. When most of us see police officers, we stop looking past the badge and uniform. This memoir brings us beyond, for a greater opportunity to see the human side of the officer — the child who grew up, the husband, father and son haunted by his parents' abandonment, and his determination not to repeat their bad behavior.

I found his candid note of August 22, 2016 to be a most striking example of personal insight into his own character as a father and husband:

Been grinding and working all kids of crazy hours over the last few weeks. I have taken pretty much every overtime gig that I can find. Consuming myself with work isn't new to me,...however in doing so I have missed out on a few things happening at home.

...As I was scoping out Snap Chat I see that my son has dyed his damn hair...Have I really been that disconnected from my own family that I didn't know that my own son has dyed hair? Have I really become a provider that doesn't exist? The dad that's dad via water, power and mortgage minus the guidance and present living conditions?...

This is terrible, but let it be acknowledged, accepted and never forgotten, I refuse to not be there for my children and my wife. I have fought so hard to have the things that I

never knew existed when I was a child. I want to provide and give them the world, but I also want to experience it with



missing from my childhood and I can see myself starting to follow that trend. ...not being there is not an acceptable parenting practice.

Memoirs of a Public Servant is available on Amazon for less than \$15 and well worth it.

— Barry R. Goldman



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









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.

October 2017

Play by the rules

The Arizona Supreme Court took action on rule change petitions at the end of August and will consider more petitions in December. The Court Rules Forum is online and a one-stop source for pending petitions, links to the current rules, recent amendments, historical amendments, pending local rule changes, frequently asked questions and more. See the Forum online at http://www.azcourts.gov/Rules-Forum.

Adopted rule change petitions usually take effect the January following the Court's rules agendas (August and December). Because of extensive and novel changes in some recent rules, implementation of those rules have been pushed back to July 1, 2018. While the legal community will be reading the new rules as usual, this delayed implementation for some rules is a sign that practitioners and support staff should be looking for continuing education, articles, and other promotional events to learn about the changes and how to implement them so they are prepared on the effective date. This unusual grace period is welcome, but those who are not familiar with and prepared for the changes could find

themselves in a tough spot defending their practices or citations to rules that no longer apply. Most of the rules from the August and December agendas will still be effective on January 1, 2018.

December 2017

Payment plans

Arizona's Fair Justice Task Force recently asked courts and Clerk's offices to update their websites and materials to inform defendants in criminal cases and civil traffic matters that if they cannot afford to pay their full ordered amounts, they should request a payment plan. The language recommended by the Task Force is:

"If you are required to pay fines, penalties, fees or other financial obligations as a result of a judgment of this court and **you are unable to pay**, bring this information to the attention of court staff or the judge because payments over time or other alternatives may be available. Do not ignore your responsibility to pay, as this may result in additional penalties and costs to you."

Mandatory e-Filing expands to Yavapai and Mohave counties

TurboCourt, one of the eFiling vendors used for electronic filing in the Superior Court in Arizona, recently announced the expansion of eFiling and mandatory eFiling in Arizona. Starting December 1, 2017, attorneys

are required to eFile documents in civil cases in the Superior Court in Yavapai and Mohave counties.

TurboCourt states they launched AZTurboCourt in 2009 for Civil and Appellate cases in Pima and Maricopa counties and have been part of the expansion of eFiling throughout Arizona. eFiling in civil cases became available in Santa Cruz County in October. By the end of next year, the company expects to be available in Pinal, Yuma, and the remaining counties.

eFiling in superior court civil cases is also currently available in Yavapai, Mohave, and Santa Cruz counties through eFileAZ, another vendor available through the Supreme Court's eFiling Information page. Thanks to this expansion, practitioners with crosscounty practices will continue to have more opportunities to electronically file statewide. For more information, including links to training and updates, see the Arizona Judicial Branch's website

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



Hi, I'm Patty Chlebanowski, 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.





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



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

ADVERTISING RATES

All Payments for advertising must be paid in advance.

Please submit camera ready copy.

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:

- 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.
- 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.
- No advertising charge shall be made in conjunction with the publication of a guest article.
- Guest article submissions become the sole property of APSA.

Believe in yourself. Strive for succes

n up for your CE hours to

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





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Court Closures

APSA Events Calendar

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

Tucson 10-Hour CE Classes December 9-10, 2017

December 9-10, 2017

APSA Board Meetings
Next meeting December 9th after

See website for details.

Rule changes with the Supreme Court per Rule 28:

Rule changes passed by the Supreme Court are generally effective on January 1 of the year following passage. Be sure to check with APSA for any changes.

See SCORE's website at greaterphoenix.score.org

class in Tucson.





Greater Phoenix

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			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.
- 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.
- Advertorials may be written by APSANews.com staff or outside writer at cost to advertiser. Publication of advertorials is charged by the column inch.
- Advertorials must be clearly marked in the header, "Advertisement". All advertisements may be bordered to distinguish their content.





Taking a risk in life isn't supposed to be a gamble...it's a plan. A plan to grow and be successful requires determination, respect for oneself and others, attention to detail, critical thinking and interpretive listening. Anything less is a plan for failure. — BRG

The Last Word...
Humorous Greetings from the ABA Journal:

APSA Newsletter Quarterly Publishing Schedule

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

Town crier delivers Bud Light's cease-and-desist letter to craft brewer over its 'Dilly Dilly' beer

BY DEBRA CASSENS WEISS POSTED DECEMBER 6, 2017, 10:28 AM CST

Bud Light delivered a cease and desist letter on Friday to a Minneapolis-based craft brewer using a man dressed as a town crier who declared in a theatrical tone that the phrase "Dilly Dilly" is the "motto of our realm."

Reading from a parchment scroll, the town crier asked the Modist Brewing Co. to limit its new beer, Dilly Dilly Mosaic Double IPA, to a one-time-only run. "Dilly dilly" figures prominently in Anheuser-Busch InBev's commercials for Bud Light.

"Disobedience shall be met with additional scrolls, then a formal warning, and finally, a private tour of the pit of misery," the town crier said. Above the Law, the Chicago Tribune, the Growler, the Beer Street

<u>Journal</u> and the <u>Star Tribune</u> are among the publications covering the request; Modist posted the video on its <u>Facebook page</u>.

Modist Brewing decided on the name after checking an online database and learning that "dilly dilly" was not being used for another beer name, according to Kale Anderson of Modist Brewing, who spoke with the Growler. A few days ago, the brewery learned that "dilly dilly" was trademarked by Bud Light as a slogan, Anderson said. "But then we said, 'Screw it, let's see what happens."

Modist's lawyer, Jeff O'Brien, told the Star Tribune that he thought the parchment letter "was a really cool way of handling it."

The entire warning reads: "Dear Friend of the Crown, Modest Brewing

Company. Congratulations on the launch of your new brew, 'Dilly Dilly' Mosaic Double IPA. Let it be known that we believe that any beer that is shared between friends is a fine beer indeed and we are truly flattered by your loyal tribute. However, 'Dilly Dilly' is the motto of our realm, so we humbly ask that you keep this to a limited edition, one-time only run. This is by order of the King. Disobedience will result with additional scrolls. Then, a formal warning. And finally, a private tour of the pit of misery. Please send a raven, letter or electronic mail to let us know that you agree to this request. Also, we will be in your citadel of Minneapolis for the Super Bowl and would love to offer two thrones to said game for two of your finest employees to watch the festivities and enjoy a few Bud Lights on us. Yours Truthfully, Bud Light."

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www.arizonaprocessservers.org

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

You are wanted!

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