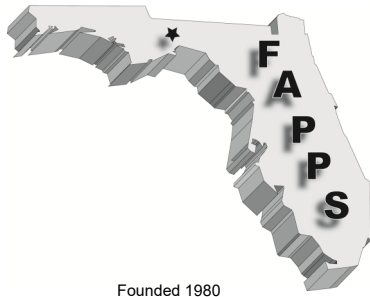


2023 Annual Convention - April 14-16, 2023



Founded 1980

THE PAPER CHASE

The Official Newsletter of the
Florida Association of Professional Process Servers

3rd Quarter Edition 2022

**4th Quarter Board Meeting
November 5, 2022 9:00 a.m.
Cambria Hotel & Suites Blue Lagoon
6570 N.W. 7th St., Miami, FL 33126**

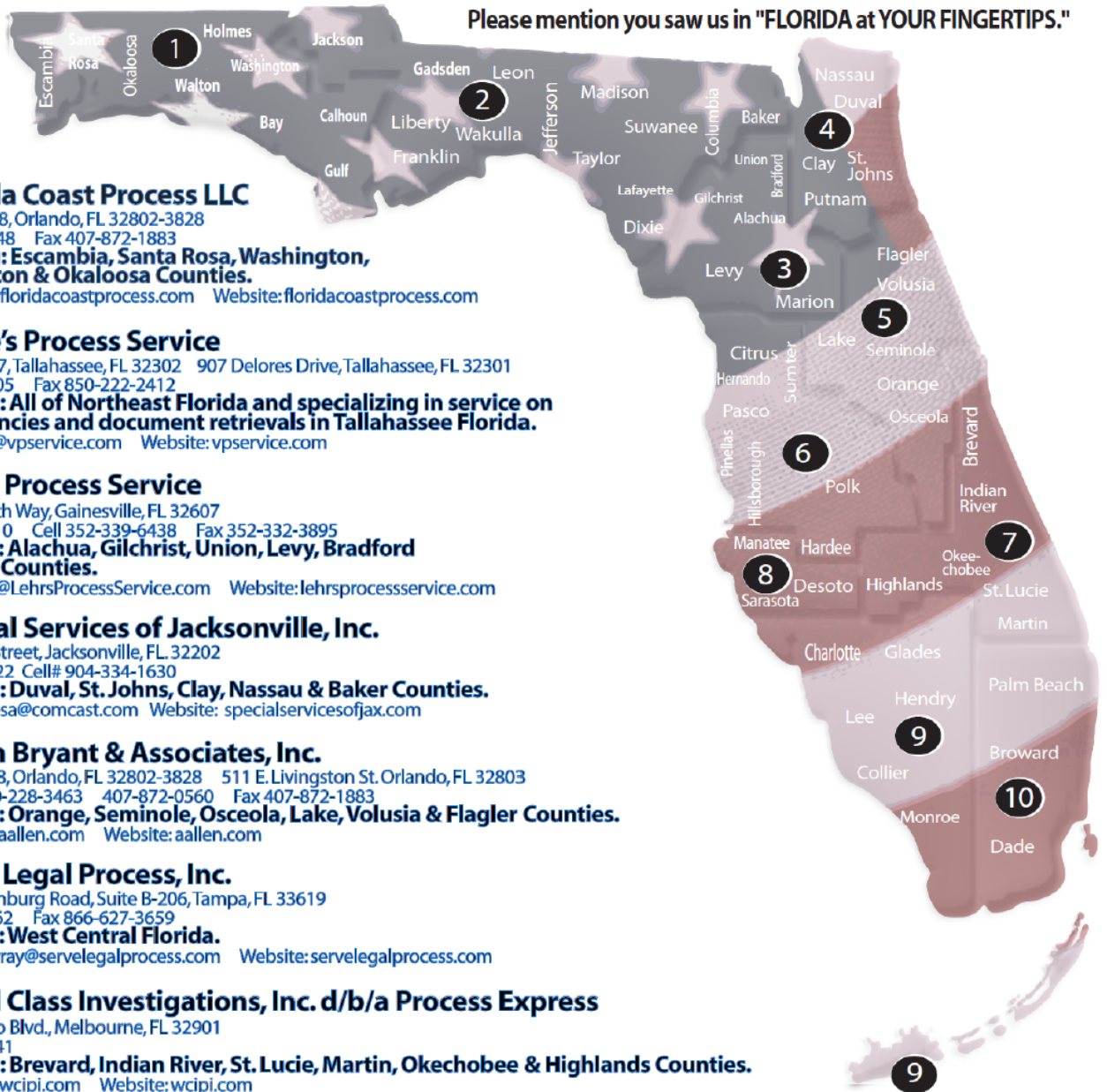


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2022-2023 Association Guide

Board of Directors

Bob Musser AFPS, President

Winter Park
(407) 679-1539
email: BobM@dbsinfo.com

Chris Yeoman AFPS, Vice President

Pembroke Pines
(954) 270-4597
email: chris.yeoman@aol.com

Joe Osborne, Jr., Secretary

Sarasota
(888) 360-5345
email: joe@360legal.net

Gretchen Randall AFPS, Treasurer

Hollywood
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email: Gretchen@lri.us

Kevin Fedotov AFPS, Director

Orlando
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email: FedotovK@yahoo.com

Desy Garcia, Director

Orlando, FL
(407) 687-6179
email: DesyGarcia22@gmail.com

Michelle Howard AFPS, Director

Pinellas Park
(888) 642-0130
email: Michelle@trgtlegal.com

Jennafer Segel, Director

Tampa
(813) 251-9197
email: Jennafer.Segel@gmail.com

Tammy White, AFPS Director

Ft. Myers
(239) 313-6740
email: Tammy@weservejustice.com

Administration & Membership: Diana Wardwell, AFPS

Email: administrator@fapps.org
P.O. Box 72
Melbourne, FL 32902 -0072
(321) 952-0820 (877) 38-FAPPS Tollfree

Committees

Annual Conference Activities

Chair: Amy Boyd, boydsprostatus@gmail.com

Arbitration & Grievance (A&G)

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

Elections

Chair: Bob Musser AFPS, BobM@dbsinfo.com
Vice Chair: Diana Wardwell, Lance Randall

FAPPS Distinguished Service Award (FDSA)

Chair: Bob Musser AFPS, BobM@dbsinfo.com
Members: Lance Randall, Diana Wardwell, Margie Zawacki

Formal Education (AFPS)

Chair: Michelle Howard, AFPS, Michelle@trgtlegal.com
Vice Chair: Kevin Fedotov AFPS
Members: Lance Randall, AFPS, Diana Wardwell, AFPS

Legislation

Chair: Chris Yeoman, AFPS chris.yeoman@aol.com
Vice Chair: Diana Wardwell, AFPS
Members: Russ Aloï, Chris Compton, AFPS, Mike Compton, Janet Deal, Michelle Howard, AFPS, Michael Nolan, Lance Randall, AFPS, Rick Wendling

Process Server Appointment (PSAC)

Chair: Margie Zawacki AFPS margiez@hctjudge.com
Vice Chair: Tammy White AFPS
Members: Diana Wardwell AFPS, , Joe Osborne, Jr., AFPS

Promotion & Growth (P&G) and Member Benefits

Chair: Kevin Fedotov, AFPS Promotioncommittee@fapps.org
Members: Desiree Garcia, Joshua Kes, Mercedes Randall
Paralegal Liaison: Tammy White AFPS, ParalegalLiaison@fapps.org
Alternate: Kevin Fedotov, AFPS

Secure Data Exchange and eSop

Chair: Bob Musser AFPS, BobM@dbsinfo.com

Technology

Chair: Desy Garcia, DesyGarcia22@gmail.com

Violence Against Process Servers (VAPS)

Chair: Michelle Howard AFPS, Michelle@trgtlegal.com
Vice Chair: Chris Yeoman, AFPS
Member: Bonnie Moore AFPS, Becky Gaston, Lance Randall AFPS, Frank Carreras, Tammy White, AFPS

Website

Chair: Diana Wardwell AFPS, administrator@fapps.org
Webmaster: Bob Musser AFPS, bobm@dbsinfo.com
Member: Desy Garcia

Newsletter Submissions: Submissions to the Paper Chase are highly encouraged. The preferred method of submission is electronic via email to administrator@fapps.org in Microsoft Word—though plain text format is fine. Articles will be edited for style, grammar, and length, if necessary. Spelling will be checked but it would be a good idea if the author checked this prior to submission. Advertisements must be camera ready. Electronic submissions are strongly encouraged. All of the relevant information regarding advertisement submissions—including sizes available, ad rates, and deadlines are on the advertising form.

The Fine Print: The Paper Chase is published quarterly by the Florida Association of Professional Process Servers, Inc. (FAPPS) a not-for-profit Florida corporation, for the benefit of the members. FAPPS assumes no responsibility for the accuracy of any article printed herein, nor do the articles necessary reflect the policies or opinions of FAPPS unless specifically noted. The articles are not to be construed as legal or accounting advice—those with such needs should consult the appropriate professionals. The editor reserves the right to edit any article for content, grammar, length, and style.

PRESIDENT'S REPORT

BOB MUSSER AFPS, PRESIDENT

Members:

I said this at the last meeting, and time has proven that I was correct: We are entering what I call a "strategic inflection point" in the world that is private process service. The decisions FAPPS makes this year will have a direct impact on how prosperous we are in the coming years.

At the last meeting we wrote and passed a white paper on what constitutes valid Electronic Service. I have forwarded that paper to NAPPS for publication, we have published it in The Paper Chase, and I'm pointing to it as we argue with entities like the Department of Financial Services.

On Thursday prior to the board meeting, Diana Wardwell and I attended (at their request) a meeting of the Portal subcommittee of the Technology committee of the Florida Courts Association. We gave the committee a good picture of what process service looks like in Florida. The Committee is considering a recommendation to mandate that the individual process server file their own returns of service. We raised concerns about the inconsistencies within the eportal and how attempting to mandate this at this point would present many challenges for the process server. The Committee decided not to make any recommendations to the filing authority at this time. We were well received, and they have invited us back to their next meeting.

The FAPPS Board opened a legislative account and the process is working to help fight the CFO in Tallahassee.

Bob Musser, AFPS
President
BobM@dbsinfo.com
(321) 679-1539

2022 MEMBER REFERRAL PROGRAM

The Member Referral Program provides members with a \$25 discount for each active or associate member they refer to FAPPS; up to a free membership.

Our program has restarted for 2022-2023! Share member applications with your associates and enter your name in the "referred by" line or send them our new link for applying: https://FAPPS.formstack.com/forms/member_application to help build our membership and receive credit toward your 2023 membership dues.

Special thanks to the following members who have referred new applicants this year: Desy Garcia, Kevin Fedotov, Ryan Gleason, Joe Groenveld, Michelle Howard, Andrew Karp, Ron Link, Jan Lowdermilk, Diana Wardwell, Carl Woods, Chris Yeoman.

VICE PRESIDENT'S REPORT

CHRIS YEOMAN AFPS, VICE PRESIDENT

Greetings Fellow Members,

We are often reminded that our profession, while necessary to provide due process, is constantly under attack by other parties willing to waive integrity, accountability, and the legal principles upon which we operate each day. We are professions, and experts in our field. When we sign an affidavit or return of service, we are confirming its integrity and that we are a disinterested party. This principle is something that cannot be sworn to by an attorney or paralegal working on a case where they do have a preferred outcome. Process should also not be served by someone who is not trained, educated, and licensed by a governing authority. A surgery should not be performed by a judge, a bridge should not be built by a policeman, you don't ask your plumber to file your taxes. Why? Because these are jobs that need to be handled by experts in their field. We need to always be the experts and keep our value. Allowing other parties to deliver process through a portal, email, or fax leaves zero accountability. Modernization and efficiency do not have to be our enemy; however we must protect our worth with what we can provide that no one else can. Knowledge, expertise, integrity, and accountability is what we can provide to the legal industry that no one else can when it comes to process serving. Maintain your integrity, sign every affidavit knowing it is true and accurate. Provide a valuable service, let your clients know you are a professional and an expert in your field.

So, I encourage you to stay educated, there are many significant changes coming to the rules for serving process in Florida, make sure you take a FAPPS continuing education course this year.

Finally, support our cause to save our industry. Defeating the ability of anyone to serve process through the CFO portal is extremely important. It does not just effect process servers in the 2nd circuit, it effects all process servers, statewide, even nationwide.

Chris Yeoman AFPS, Vice President
Legislative Chair
(954) 270-4597 cell

TPC

You ask where you can help FAPPS grow?

Bring members to FAPPS and take advantage of our membership programs

Our current program offers applicants a great value. If they join now through the end of the year, their membership will not expire until December 31, 2023. That's potentially a full 15 months of membership for the price of 12.

Members who refer Active or Associate Members are eligible for a \$25 discount for each person who is referred. The program has restarted for 2022 and you will receive this discount off your 2023 membership dues.

Attendees at our education classes are eligible for a free Supporting Membership or \$30 off Active or Associate Membership.

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- * Meeting
- * Education

We had such a great time in 2022
we are going back in 2023!

FAPPS MEETINGS AND EVENTS

You are invited

Nov. 5, 2022 9:00 a.m.
4th Quarter Board Meeting

Cambria Hotel & Suites
Blue Lagoon
6570 NW 7th St., Miami, FL
Hotel Deadline: 10/5/22

Winter 2023
1st Quarter Board Meeting

Meeting via Zoom
Date TBA

April 14-16, 2023
32nd Annual Conference

Safety Harbor Resort and Spa
105 N. Bayshore Dr.
Safety Harbor, FL

August 18-20, 2023 9:00 a.m.
Professional Beach Getaway
3rd Quarter Board Meeting

The Shores Resort & Spa
Daytona Beach Shores, FL

November 2023
4th Quarter Board Meeting
Location TBA

Meeting information available at
www.fapps.org

EDUCATION CLASS SCHEDULE



Florida Association of Professional Process Servers

Process Server Education and AFPS Accreditation

Online Education

Continuing Education Classes

Classes are being scheduled continuously
See website for updated class dates

16 Hour New Process Server Classes

October 28-29, 2022 8:00 a.m.-4:00p.m.
February 3-4, 2023 8:00 a.m.-4:00 p.m.

Schedule and Registration: www.fapps.org

In Person Training

April 3, 2023 8:30 a.m.
September 8, 2023 8:30 a.m.
Continuing Education Class
Indian River State College, BCIE
3209 Virginia Ave., Fort Pierce, FL

September 8-10, 2023
20 Hour New Process Server Education
Indian River State College, BCIE
3209 Virginia Ave., Fort Pierce, FL

SECRETARY'S REPORT

JOE OSBORNE , JR.

From the Desk of the Secretary

Dear Fellow FAPPS members,

As required by Article VIII Section 7 of our by-laws the below you will find: (a). a description of the Motion or amendment, (b). the result of the vote and (c). the final wording of the order or amendment if passed that were made at quarterly board meeting held August 20, 2022:

- ⇒ Michelle Howard made a motion to accept the agenda as Amended. Seconded by Chris Yeoman. The motion carried.
- ⇒ Joe Osborne made a motion to adjourn the meeting. Seconded by Michelle Howard. The motion carried unanimously.

On a final note, the FAPPS 4th Quarter Board Meeting will be held on November 5, 2022 at the Cambria Hotel & Suites Blue Lagoon in Miami, FL. I hope to see you there!

As always it is a pleasure to serve this association and if you ever have any questions or concerns, please feel free contact me at (888) 360-5345 or by email at joe@360legal.net

Respectfully,

Joe Osborne, Jr.
Secretary

TPC

Member Information

- Member Listings can be updated continuously throughout the year. Email all updates to: administrator@fapps.org
- Email administrator@fapps.org to receive a link to set up your login and password to access the Member Only section of benefits & resources.
- Claim your free listing at fapps.securedocumenttrading.com to send and receive documents securely. This a FREE service for FAPPS Members. Need more information about how it works? Give us a call and we will walk you through the setup.
- Advertise your services with FAPPS (info at www.fapps.org)
- Attend an Education Class to obtain your AFPS Designation. Clerical staff of members are also welcome to attend for a reduced fee.
- Attend meetings to network and build your connections with other members

ADMINISTRATOR'S REPORT

Diana Wardwell, AFPS

administrator@fapps.org

Dear Members,

Our 22nd Annual Professional Beach Getaway was a great success! The concept of a mid-year informal gathering to network incorporated with one of our board meetings was created over 20 years ago and is still going strong. I'm so happy to see the original concept remains today giving us a chance to stay informed about our profession and enjoy a well-deserved mini vacation.

The FAPPS administration office has been extremely active all year with continuous inquiries regarding membership, how to find servers, and information about our education program.

I am pleased to see this growth and the interest that has been shown by our new members that have not only joined FAPPS, but are regularly attending our meetings. It's great to meet new members and process servers and see these individuals actively participating in our association.

Over the past quarter our meeting locations have been finalized, the contracts signed, and the information published to the membership. All education classes have been scheduled for the balance of 2022. This includes two in person classes in West Palm Beach (Oct. 21st) and Safety Harbor (Nov. 7th). I have also coordinated the education classes at Indian River State College and the 5th Judicial Circuit (Oct. 6th and 7th). I have participated in the creation of PowerPoint presentations for SB1062 and the Paralegal CLE that I will participate in August 24, 2022 with Tammy White via Zoom.

The Florida Statutes were just updated online to reflect the new changes from SB1062 with a footnote that they will not be in effect until Jan 2, 2023. This updated Chapter 48 document has been incorporated into the directory so members both in state, and out of state, will have a print directory that has the proper information as we enter 2023.

We have made strides in continuing to modernize our processes to meet the significant increase in inquiries regarding education and general information. With the assistance of Desy Garcia, I created an account with Formstack. New forms have been created for Membership, Advertising, and Meeting/Event RSVP. The feedback so far has been great. From a planning perspective, creating the form and putting it into action for the beach getaway was proof this concept is sound. I was able to quickly download the report of all attendees instead of manually tracking individual email responses and re-typing the information into a spreadsheet. We were able to respond at a moment's notice to create a form for Legislative Fund Donations. This form was clearly easy for folks to navigate because we raised \$850 within the first 15 minutes after the email was sent. The annual subscription for this software is \$600. We will create the convention registration form next and stand ready to create and utilize new forms anywhere needed.

Changes to your member listing? Email: Administrator@fapps.org



Administrator Report Continued Next Page

Welcome New Members

Applicants are published the first day of each month at www.fapps.org and through email notification. Applicants automatically become a member the first day of the following month, pending no objection. Thank you for your support of FAPPS!



Joseph Harrison
Harrison Process Service
2115 Bruce Street
Lakeland, FL 33801
Phone: (863) 409-0478

Jonathan E. Calvo
12250 SW 36 Street
Miami, FL 33175
Phone: (786) 291-1105

Matthew Grubb
Legal Process Servers Express, LLC
P.O. Box 292961
Kettering, OH 45429
Phone: (937) 414-1932

Tracy Marshall
A-1 Legal Process Service
& Document Retrieval
2435 W. Broadway St.
Louisville, KY 40211
Phone: (502) 356-8036

Michael Potter
Wharton County Professional Services
710 Cargill
Wharton, TX 77488
Phone: (979) 488-9068

Ronald Ryan
Proactive Process Servers
4640 Lucerne Lakes Blvd. W #504
Lake Worth, FL 33467
Phone: (561) 843-3340

Supporting Members:
Randall Jose Vazquez Jr.
Treasure Holmes
Justin Petrae
Russell D. Sumpter

Administrator's Report Continued

I am currently working with our Webmaster team to enhance the Admin program to provide automatic reminders for dues renewal. Over the next quarter we will finalize details for the convention schedule. If you have a suggestion for an education session or topic for our roundtable sessions, please contact me asap. We would like to get this schedule finalized so everyone can assist with promoting the event.

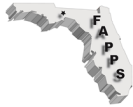
I was really excited by the energy and ideas I read in the other Committee Reports. I look forward to working with everyone to continue to pursue our goals.

Respectfully,
Diana Wardwell, AFPS

2022 Status Update **Membership Numbers**

2022 August Membership

Active	217
Associate	73
Supporting	27
Pending Applicants	3
Pending App.(Sept.)	<u>3</u>
Total	323



Dear Members,

Thank you for joining us for this year's Professional Beach Getaway. Since our last meeting the A&G Committee has received one formal complaint against a member. This is still an active complaint that has not met a resolution yet. In addition, the committee has received one informal complaint against a member and a few telephonic complaints against non-members. As a reminder the committee can only process a complaint if it is against a FAPPS member. Additionally, all complaints should be submitted to the A&G Chair for review. If you believe a member has acted in an unethical or unprofessional manner please contact me.

Sean Segel

Committee Chair

Chair: Sean Segel

Vice Chair: Jennafer Segel

Committee Members: Janet Deal, Diana Wardwell, Don Seward

Florida Association of Professional Process Servers
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Annual Conference Activities Amy Boyd AFPS, Chair

Boydspstatus@gmail.com (772) 460-6679

FAPPS ANNUAL CONVENTION 2023

By: Amy Boyd, Chairman of Annual Conference Activities

When: April 14-16, 2023

Where: Safety Harbor Resort & Spa, 105 N. Bayshore Dr, Safety Harbor, FL

About: 2023 Annual Florida Association of Professional Process Servers Convention that is being planned will be full of fun and education. We were planning a celebration this year by having a "Margaritaville Extravaganza" event. We can't wait to see you all in person at our own Classic Parrot head event.

The weekend activities will start with a golf tournament on Friday morning. The afternoon meeting is always informative. The evening Welcome happy hour and buffet will be followed by Poker and Bingo. Friday is a great opening to the weekend of events.

Saturday morning the meeting resumes early. You will hear from our current Board and attendees. After lunch we will have round table educational program, by law amendments and elections. Saturday night will be our convention's final event, the "Margaritaville" banquet. Wear your best Parrot head attire and be ready to enjoy the evening with a fantastic dinner, fun and music!

This is a must do event for all Florida process servers and alike. Excellent opportunities to be up to date with all recent and proposed legislative changes and meeting individuals within the industry.

Amy Boyd, AFPS
Annual Conference Activities Chair

TPC

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Elections

Bob Musser, Chair

BobM@dbsinfo.com

(407) 679-1539

Members,

Our FAPPS Elections run very smoothly compared to every other system I've seen at the State and National level. We contemplate no changes unless someone has some excellent suggestions. For detailed information on how our Election Cycle works, please see Section 1 of the Policy and Procedure manual. It's under the Publications Tab on www.FAPPS.org

If you have any interest in serving FAPPS as an Officer or Director, start laying the groundwork now! Talk to a current director! Call or email me for advice! Volunteer for a committee that you have an interest or expertise in. At the recent FAPPS Annual Meeting, the Officers were reelected unopposed, and we added Desy and Tammy to our board along with 3 returning directors.

Bob Musser
FAPPS President
Elections Chair
BobM@dbsinfo.com
www.fapps.org

TPC



FDSA (FAPPS Distinguished Service Award)

Bob Musser, Chair

BobM@dbsinfo.com

(407) 679-1539

Dear Members,

The FAPPS Distinguished Service Award Committee did a presentation at the Annual Meeting Awards dinner. For the first time, the award went to a member who was unable to attend, Dr. Denny Howley. Dr. Denny was at our board meeting in August and we had the opportunity to present him with the award he so richly deserves. Going forward, if you, as members of FAPPS, have suggestions for the committee to consider, please send me an email with the name, and a brief summary of their experience or their attributes that would make them a fitting recipient this year or at some time in the future. I will forward your email to the committee prior to our next meeting. Due to budget constraints, this committee is going to be doing some of its work virtually for the first time. We will give you a summary of how well or poorly that worked out.

Bob Musser
FDSA Chair
BobM@dbsinfo.com
www.fapps.org

TPC



Formal Education

Michelle Howard AFPS, Chair
Michelle@TRGTLegal.com (813) 492-2500

Members,

It was great to see everyone in Daytona Beach at the Professional Beach Getaway. Our team split up and dissected the entire 30 page Bill in its entirety, and we held an education session discussing the recently passed legislation that will be effective January 2, 2023. Some of the new changes have added complex language, inconsistency, and some ambiguous wording. If you miss the presentation in August, be sure to mark your calendar on November 5th, 2022 at the “Cambria Hotel & Suites Blue Lagoon” destination Miami, where we’ll be discussing the latest updates again during the 4th Quarter Board Meeting after lunch.

As of mid-August the Educational Committee has completed 13 New & Renewing Process Server training classes in 2022, and there are 15 remaining. We’ve added 2 in-person classes to the calendar in October and November, so please be sure to visit the Education Schedule and Registration page on the FAPPS.org website for the latest scheduled line up of in-person and online classes.

Another exciting update we’d like to share is that we’ve been invited back to teach the Process Server Training course in the 5th Circuit. So if you know someone interested in becoming a process server in Citrus, Hernando, Lake, Marion, or Sumter County - please be sure to have them reach out to the 5th Judicial Circuit to register for the class and let them know you were referred by FAPPS.

Just a reminder that our Educational Classes are NOT just for Process Servers. If you want your process serving business to stand out from the rest, be sure to get all of your staff educated on the proper forms of service. By taking our class your office staff will be able to distinguish between the proper forms of service, the different service types, and they will be better prepared to assist your clients and servers in the field. Another benefit of having your staff take our class is that they will be eligible for a FREE Supporting Member listing, giving your company a marketing boost at no extra cost! The classes are held online and are generally early in the mornings or on the weekends creating minimal disruption in the workday. Sign your staff up now by visiting the FAPPS.org page and clicking the Education Schedule and Registration page link.

Michelle Howard AFPS,
Committee Chair
813-492-2500 (office)
727-542-1975 (cell)
Michelle@TRGTLegal.com

TPC



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Learning from Serving

An Educational Forum

Submitted by Dr. Denny Howley

Problem Avoidance 101

*Visiting the Archives
The Paper Chase
June/July 2013*



Introduction:

Security is a paramount consideration in the Service of Process, whether we think about it or not. But Process Serving is no more dangerous than driving our cars, but it is a “thinking” business. Like the Boy Scout motto “Be Prepared”, with a bit of preplanning we can avoid many problems, not just security ones. But also, simple ones like do I have extra pens or a flash light or maybe doggie bones.

And

We are NEVER too old to relearn what we forgot many many years ago when we started in the business of knocking on stranger’s doors in the darkness of night.

The First Step – The Document Arrives

When we get a document to be served, our first concern should be what type of serve is it going to be? Is it a divorce, over-due child support, credit card issues, etc. That document to be served is the first clue on how the person on the receiving end (plaintiff) might react. This, then gives us some options on how we should prepare the serve to AVOID or at least minimize any “bumps” in a smooth Serve.

My fundamental belief is that a good Process Server “relates’ to the people he/she Serves and relates in a positive, professional, courteous and non-judgmental manner. Therefore, many “bumps” can be avoided in which the Serve is accomplished. That depends a lot on the personality of the Server and his/her “people skills”.

Second Step – “The Servee”, People Environment”

Each “people environment” is similar and different at the same time, but the differences must be appreciated for a successful Serve “mission’. In the city, basics like what kind of a neighborhood will the Serve take place? Will there be a language issue? Attitudes can also differ with location, Ethnic differences or on how they deal with strangers (you). On the people issue it is always worth a bit of extra time in “war gaming” what the reception “environment” might be as it pertains to the overall “people environment,” where the “Serve” is located.

“Problem Avoidance 101” Continued Next Page

“Problem Avoidance 101” Continued

Step Three – The Structural Target

From the address can we determine if it is a single home, an apartment, a condominium or a gated community? Is it in an “upscale” area or possibly a run down section of the community? Will the car be safe while we are out doing the Serve? How will we find and address and park? In the suburbs the issue might be a fenced or gated home, in the “sticks” finding unmarked roads? Each type presents a little different potential approach or at a minimum some thought on the issue.

Step Four – The Basics

- What’s the weather going to be like. Do you have appropriate rain gear or plastic to protect the documents from rain?
- Extra pens and note pads?
- Dogs? Supply of treats? Not all of us are “doggie” people.
- Phone charger?
- Sheriff’s phone number on speed dial?
- Maps, GPS?
- Maybe the phone number of the nearest “Legal Aid”. We’re just human and sometimes we run into people who are totally overwhelmed with no idea of what to do or where to turn.

THOUGHTS

Years ago I read a publication by Nelson Tucker titled “Process Serving for Professionals” in which he said:

Rule # 1 in Process Service: ATTITUDE IS EVERYTHING

Rule # 2: ATTITUDE IS EVERYTHING

Our job is to deliver the “goods” not get bogged down in a pissing contest ‘cause our egos are challenged.

**Do that Serve!
Do it Professionally!
And
Be Prepared!**

Dr. Denny Howley owns and operates Dr. Denny Howley d/b/a serving Process in Key West (ONLY), Capital of the Conch Republic. He has been in the business of Serving Process since 1997. Denny lives in Key West with his wife Beverly and their four legged friends, Shadow, Pepper and newest addition Will.

A Professional NEVER Stops Learning

Share your serving stories! You can share a full article or a synopsis of the service and Dr. Denny will help you create the article. Email: DennyHowley@bellsouth.net

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FAPPS is running a membership contest!



Refer a **NEW** member to FAPPS and be entered in our contest for a free room night at the Annual Conference on April 14-16, 2023 at the Safety Harbor Resort & Spa. The promotion began August 30, 2022 and ends on March 1, 2023.

The Member with the most applicant referrals will be the **WINNER** of the free room night. Referrals must be new members.

Member application is available at:

https://fapps.formstack.com/forms/member_application

So far we have a handful of members in the running for that free room. Let's get your name added to the list of referring members today!

Understanding Chapter 48

Accurately Completing your Proof of Service

Question: Am I, as the process server, required to state the date and time received on my proof of service or can it state "Received by (a company name) i.e.: 'Received by **123 The Best Process Service Company**' on (date) (time)?"

Answer: The date and time received is required to be the date and time received by the process server, not a company name.

The process server signing the Return of Service, or Affidavit, is required to follow the requirements of 48.21. If you use a software program or form that is currently printing the company name in the "received by" section be sure to update this information so you are in compliance with Chapter 48. Questions? Email: education@fapps.org

This new section will discuss questions regarding the practical application of Chapter 48. If you have a question you would like to see answered please email education@fapps.org or administrator@fapps.org



Legislation

Chris Yeoman AFPS, Chair

Chris.Yeoman@aol.com (954) 274-1337

Dear Members,

This has been an active quarter for the legislative team. With the Florida Chief Financial Officer's office passing HB 595, this has had an immediate effect on process servers in the 2nd judicial circuit. The change forces all process service on the CFO's office to be made through their Eportal, however the portal itself does not restrict who can access it. Attorneys, plaintiffs, or anyone delegating themselves as a legal representative can access the portal and submit original process electronically. This is a direct violation of Chapter 48 which clearly states initial non-enforceable process shall be served by a sheriff, Certified Process Server, or Special process server.

Several process servers in the 2nd judicial circuit initiated legal counsel to research the issue and set up meetings with the legal representatives from the CFO's office to discuss this issue. FAPPS legislative team along with our lobbyist and representative contacted them as well. The final result was that the CFO's legal counsel agreed the portal is not in compliance with Chapter 48, however because this rule was just passed this year, and it is an election year, they will not self-impose any change in their portal at this time. The conclusion of the communications is that FAPPS and other specifically effected process servers from the 2nd judicial circuit will need to file a lawsuit and seek an injunction to force the CFO to change the portal to allow access only by those who are legally allowed to serve initial process.

A special board meeting was called and FAPPS board members voted to initiate this lawsuit in conjunction with other participating parties. We also voted to begin a special legislative account specifically for this effort. FAPPS will contribute \$5000 initially, and also seek contributions from other sources. A NAPPS application for legislative monetary assistance was instituted with a combined effort and presented at the NAPPS board meeting in Minnesota on August 13, 2022, by Lance Randall, our NAPPS representative. The application was approved, and we were granted the maximum allowable amount of \$17,378.

FAPPS will also be seeking additional funds from our sources such as donations by members, other process servers, or supporting parties. Although the CFO's counsel has advised they will not fight our lawsuit, we know legal fees will grow rapidly, and the significance of this effort is enormous. Forcing a government entity to comply with Chapter 48, allowing service of process only by a person authorized to service process will lay groundwork for future similar challenges.

I want to thank all those involved in this effort, specifically Mike Nolan, James Kady, and a group of other process servers in Tallahassee, as well as our legislative committee and board members for supporting these efforts. I also want to encourage anyone who would like to help protect our industry to contribute to this fund, the results of this effort may be the most important our industry has ever faced.

Chris Yeoman
FAPPS Vice President,
Legislative Chair, VAPS Vice Chair
cellphone 954-270-4597

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Visiting the Archives
"Ask the Doctor"
March 2002



An Educational Forum Submitted by Dr. Denny Howley

FAPPS' Question, Answer and Education Forum

The Question

"While I know to be calm, polite and say 'I'm sorry', do you have any other phrases I can use to "**defuse**" that volatile person I am serving – I don't mean PERSONAL Service, but those **Record Custodians** who are having a bad day...and I pay the price. I have to go back to this office again, but there must be something else I can say or do?"

Answer

When we run into a situation like this, we are usually a "target of opportunity" for someone's frustration, upset or anger. It's like the guy coming home from work after a bad day and kicking the dog. So I suggest some basic "target analysis", to allow you to **develop some empathy** for this particular Records Custodian. Why do you think the job would be frustrating? Sitting in the office all day, trying to do other jobs and getting interrupted by a Process Server! Maybe the boss is on his or her case. Maybe the kids are driving him/her nuts at home...who knows, but you have to put a positive spin on the situation with something like this...

"Boy. I sure don't envy you in this job...at least I get outside,,or..."

"How many other jobs/activities do you have to do besides being the Records Custodian and getting interrupted by folks like me?" (and the answer to his/her reply is always 'wow'...'how do you do it and keep from going wacko?") Or other tailored, positive empathetic responses.

You might even try a "giggle" like giving a pack of M+M's and say something like ". I have this idea, if I hook you on these, maybe you'll look forward to seeing me when I come in to serve papers'. And at least it should trigger a smile and maybe even a laugh. AND IF YOU HAVE BROKEN THROUGH ON THE HUMAN LEVEL YOU'VE MADE A FRIEND !

This educational; tid-bit was provided by "unknown", but it was submitted in letter form to then President Todd Vause, sometime after our 2002 Convention held in Melbourne and passed on to me to answer.

A Professional NEVER Stops Learning

Denny has been writing articles for FAPPS and NAPPS for almost 20 years. He owns and operates Dr. Denny Howley d/b/a serving process in Key West ONLY (33040, 33041, 33045) Capital of the Conch Republic. He has been in the business of serving process since 1997. Denny lives in Key West with his wife Beverly and three "critters" Shadow, Pepper and Will.



P&G/Member Benefits

Kevin Fedotov AFPS, Chair
fedotovk@yahoo.com (407) 627-8222

The Promotion & Growth committee exists to increase the membership of our Association. As of the 3rd Quarter Board Meeting/Professional Beach Getaway our membership numbers stand around 315-320, with a few process servers who have retired or are no longer serving. It is extremely important that our numbers continue to rise, so please encourage all of your servers and office staff to take one of our Educational Classes & take advantage of the FREE Supporting Membership offer for attendees or \$30 discount for Active and Associate Members. Here's a look at what's going on at P&G:

PAF, Tammy White

Good Day Members, welcome to the FAPPS Beach Getaway and am sorry I could not be there in person. A few things are going on with our with PAF so we just wanted to catch the members up to speed.

As a member of the PSA Committee, several of us are working on appointments around the state and PAF's president provided me with a name in the 4th Judicial Circuit of someone who may be interested in getting involved. Melody Bulso and I have had numerous meetings with her and during one of those meetings she asked if we would be interested in doing a presentation for her branch of PAF there in the 4th Circuit on what a Process Server is. Of course, we said absolutely, yes! I shared this information with the PAF President. She stated that she will be attending that online presentation as well and we have discussed possibly presenting this presentation to the other chapters around the state. This will be another way to get the FAPPS name out there front and center for our membership.

PAF and FAPPS continue to build on our relationship. They have provided us with an opportunity to present 75 of their lucky members with something from FAPPS in there "Goody Box". This box will be sent by PAF to these members prior to their online convention on September 30th of this year and is loaded with swag and goodies. I will be attending their conference and hopefully they will come to ours next year as they were supposed to be there the year Covid hit. Meanwhile, we continue to grow. We will provide in the next report/meeting the details of how our first presentation went. If you have any questions, please do not hesitate to call or email me and I hope you all have a wonderful time at the Professional Beach Getaway.

P&G Report Continued Next Page

Promotion & Growth Report Continued...

Facebook Group Page, Desy Garcia

Our Facebook Group page reached over 930 people and we've already had over 100 user engagements on the Beach Getaway posts. The Group Page has increased by 18 new members since the last Board Meeting in Jacksonville to a current total of 236 members. We have not yet utilized the approved budget for the Facebook ads, but have it in the pipeline to coincide with the next Board meeting in Miami. We plan on maximizing our budget and targeting the broad range of process servers in the South Florida area.

OCBA Law Week 5k 2023 - SATURDAY, MARCH 25, 2023 AT 7 AM – 12 PM

The date has been set, and we will be needing volunteers! Our committee intends to participate in the Orange County Bar Association's Annual Law Week 5k. The 2022 the race brought had close to 200 participants and hundreds more spectators and vendors that are all a part of the legal community. We intend on using this opportunity to have a small vendor table to promote our association. Requested budget: TBD (\$150-\$300)

Be sure to follow and share our Facebook group page "Florida Association of Professional Process Servers" for updates on legislature, Zoom Happy Hour and Educational Mastermind events, and other news in our industry.

As always, it is a pleasure to serve you [no pun intended] and if you have any questions please do not hesitate to contact us.

The P&G Committee currently consists of Tammy White, Desy Garcia, Mercedes Randall, Josh Kes, and Kevin Fedotov, but we are always looking for someone to donate their time.

Kevin Fedotov, AFPS

Director and Chair



Visit our Member Only Resource Section

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Email administrator@fapps.org for an email to be sent

to you for your first time login instructions.

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



PSAC (Process Server Appointment) Margie Zawacki AFPS, Chair

PSA@fapps.org (941) 954-0169

I would like to take this time to thank the President for allowing me to Chair the PSA Committee. The former Chairwoman, Melody Bulso, had to step away because of personal family issues. She will remain on the committee in a limited capacity. Also on the committee is Tammy White as Vice Chair, Joe Osbourne, Diana Wardwell and the President, Bob Musser.

Since I am just getting up to speed on everything that is going on I will just be giving a short report. We are continuing to work with the FL Bar and the various Paralegal Associations getting out the word on the limited Process Servers in Duval County. Tammy White and Joe Osbourne met with the President of the Jacksonville Chapter of the Paralegal Association when they were at the May Board Meeting in Jacksonville and I am sure that Tammy will touch on that in her report. Melody and Tammy also attended the FL Bar Annual Convention and I know that there were several contacts made while they were there who were willing to help our cause in Duval County. We will update the Board as this all unfolds.

There are some things that Melody has shared with me that she would like to see accomplished: First, the Committee has requested that we have our own "landing page" on the FAPPS website and hopefully this will be developed very soon; Second, Committee Member names and photos posted on the Committee's webpage similar to the Board's photos; Third, a list of all counties/circuits and if they have a private process server option we include a link. Also, call out the 11 or so M&O Counties there. Lastly, the Committee requested and received our own email address PSA@FAPPS.ORG.

If anyone would like to reach out to me with suggestions or comments or would like to volunteer to work on the committee.

Sincerely,

Margaret L. Zawacki

TPC



Secure Data Exchange Bob Musser, Chair

BobM@dbsinfo.com (407) 679-1539

The Secure Document Trading Service, which is now 7 years old (First launched in 2015!) is a working platform, has support from 5 vendors. Process Master, Process Server's Toolbox, Paper Tracker, Tristar WinServe, and Loyal Dog all support import of jobs from the web version of SDTS directly into their software. If you have not taken the time to fill out your FAPPS profile (no cost, and gets you additional exposure and work through the FAPPS website), come talk to me, or read more about it at <https://Fapps.SecureDocumentTrading.com>

The SDTS is likely to play a major role in the success of process servers in the coming years. My company, DreamBuilt Software built it in 2015 to fill a need that NAPPS saw. The fear was that as Electronic Filing became a bigger thing, that many NAPPS members were going to be on the outside looking in with no financially viable way to transfer data and documents in a secure manner. I expected Email to be used less, and a true Secure method of moving data and documents to be used more than it has so far. I see the next few years as an even bigger threat, as Electronic Service finally starts making significant inroads into our world.

Bob Musser, Chair

TPC



Dear Members,

First, I would like to share the good news that our president Bob Musser has been in touch with the folks that run the State Courts Technology and they extended an invitation for us to attend their meeting which was held on August 18th, 2022. As of right now, writing my report, I don't know the details of the meeting but I look forward to hearing all about it from our President and Administrator Diana.

It was also communicated to me that Broward County will no longer accept electronic Summons for County Civil new case filings. All Summons will need to be filed after the new case has been created. They also did this back in June for Circuit Civil. The email provided to me states:

"Effective August 1, 2022 at 7:00 am, filers will no longer have the ability to request the issuance of an electronic summons at the time of e-filing a new county civil case. Once the case number has been assigned, the electronic summons can be e-filed as a supplemental filing. This change will help facilitate an expedited new case filing process."

Other than keeping eyes on the Florida Courts E-Filing Authority, I've been working very closely with our Administrator Diana to facilitate her job. I noticed that a lot of her work was done manually and was taking too much of her time. With my help, we have automated the Membership Application, the FAPPS Beach Getaway RSVP, the Advertising Sign-up form, and the Legislative Donation form. We will soon work on the Convention form. This is not only saving time and making it easier for our administrator to track, but is also going to make it easier for process servers to apply for memberships, fill out advertising, RSVP to events/board meetings, and exhibitors to register and pay for conferences.

The use of technology can be scary sometimes, especially when it means changing the way you do your daily work. However, I am here to encourage you and help you to find ways where technology can make you more profitable. If any of you members have any questions for the technology committee please reach out to me. I will always make myself available.

Desy Garcia
Director and Technology
ChairDesyGarcia22@gmail.com

TPC

Promote your services - Advertise with FAPPS!

Advertise in all four editions of the association newsletter "The Paper Chase" and receive a 10% discount

- Black and white advertising is available for payment twice a year (June 15th or December 1st).
- Color advertising locations (inside front cover, inside back cover and back cover) are only sold once a year starting on September 16th and are on a first come, first paid basis payable by December 1st. Advertise in all 4 editions and receive a 10% discount.
- Single edition advertising is also welcome

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

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FAPPS Legislative Fund

Over the past several months, your FAPPS Board and specifically your Legislative committee has been working with members in the Second Circuit, primarily Mike Nolan and James Kady, to get the Chief Financial Officer (CFO) of the Department of Financial Services (DFS) to enforce the provisions in Chapter 48 of the FL Statutes regarding who can serve initial process. They have been allowing anyone acting on behalf of the Plaintiff to serve the CFO when the CFO is the named agent for service of process on insurers and other entities outlined in 48.151. They are not restricting their Electronic Service portal to people authorized by Chapter 48. They understand the law, but have stated that, absent a lawsuit, they are not changing their website or procedures.

FAPPS has petitioned NAPPS for a grant from the NAPPS Legislative Fund for this effort. Lance, Gretchen, Diana, Chris, and myself worked on an

application and a cover letter. On Saturday, 8/13/2022, we were awarded \$17,382, the maximum allowed. FAPPS has pledged \$5000 from our general fund as well. As soon as we can get the paperwork signed, we are going to file or join a lawsuit to compel the CFO to follow the rules of Chapter 48.

The money we have committed now is not going to be enough. At the last board meeting, the Board voted to establish a separate Legislative fund and ask members and supporters for donations. If you can help FAPPS in this fight, the payback could be immeasurable. If we can compel one government agency to follow the rules already in place, and only allow Sheriffs, Certified, and Special Process Servers to serve through their portal, we have established a precedent.

You can contribute to this important cause by sending a check payable to FAPPS; P.O. Box 72, Melbourne, FL 32902. You can use PayPal at (paypal@fapps.org). Another option is

this form:

https://fapps.formstack.com/forms/legislative_fund or by contacting us at (321) 952-0820 to contribute by credit card over the phone.

These donations are NOT tax deductible, they are for Legislative purposes only.

I strongly believe that FAPPS needs your help, this fund is crucial. My company contributed to the fund yesterday when we opened the account. Other leaders in FAPPS and members, namely Kevin Fedotov, Diana Wardwell, Frank Carreras, Cher Averill, Dennis Fox, Jay Bowen, Richard Mateo, and Shelly Huffman did as well. I hope many of you will help support this fund – it is crucial to our ability to affect FAPPS' future in a positive way.

Bob Musser
FAPPS President
BobM@dbsinfo.com



It is almost fall ya'll, I am looking forward to the change in weather (eventually) and heading into wrapping up 2022.

We have no new violence cases to report

The Pinellas County case is scheduled for another mandatory pre-trial August 17, 2022, where it will be disclosed if he is competent to stand trial. I will be able to provide an update at the board meeting August 20, 2022, in Daytona.

We do have a report of a case that was not initially report to VAPS out of Hernando County in 2021.

Details:

August 26, 2021 did unlawfully and intentionally threaten by word and act to do violence to the person of Process Server, coupled with an apparent ability to carry out said threat, and utilized a deadly weapon, to-wit: a serrated kitchen knife, without the intent to kill, and did an act or acts which created a well-founded fear in Process Server that such violence was imminent, in violation of Florida Statute 784.021 (1)(a);

Subject was charged with Aggravated Assault with a deadly weapon and Obstruction of Justice with Violence.

Sentence: 1 year of probation, 6 months of community control, mental health assessment, anger management classes and fines at almost \$2500.00.

We want everyone to be aware of their surroundings at all times while serving and make sure you have as many tools to help de-

escalate any possible situations. Reach out and network with investigators, former law enforcement officers who can advise great techniques to assist with keeping you safe.

If you would like copies of the rack cards for law enforcement Officers as well as the Safety Guide for Reporting a Violent Act, please email: Michelle@TRGTLegal.com with your name and mailing address and we will get these sent to you. Please share this newsletter with your fellow process servers as we want ALL servers to be protected.

If you encounter a violent act against you, submit a report via <https://www.fapps.org/ViolenceReport>

You may also reach out to the VAPS Liaison in your area for additional support:

Central Florida – Desy Garcia – email: desygarcia22@gmail.com

Southwest Florida – Tammy White - email: Tammy@weservejustice.com

North east Florida – Chris Compton – email: Chris@ProcessAmerica.com

South Florida – Frank Carreras – email: FXCarreras@yahoo.com

West Coast of Florida – Michelle Howard – email: Michelle@TRGTLegal.com
Please stay safe!

Michelle Howard AFPS, Director
Committee Chair – Violence Against Process Servers
727-542-1975 (cell)



Website/FAPPS Server

Diana Wardwell, Chair
Bob Musser, Webmaster

The FAPPS website is full featured, a complete source of information on all things FAPPS, and a frequently used tool for finding private process servers across Florida and the entire nation. Many thanks to Diana Wardwell for her constant review, and to the committee chairs who send us content for the areas for which they are responsible. The FAPPS server is a private, secure, replicated and backed up place for the Administrator, Secretary, Education, and other committee chairs to store information that belongs to FAPPS. We no longer have to move files and data from person to person after each election. We use an Uptime monitor which shows we are over "4 Nines" available (99.99%). That means that the FAPPS Website and membership database are online and available almost always, and don't miss more than 52 minutes a year. We are trying to achieve 5 Nines this year, which means less than 6 minutes of downtime.

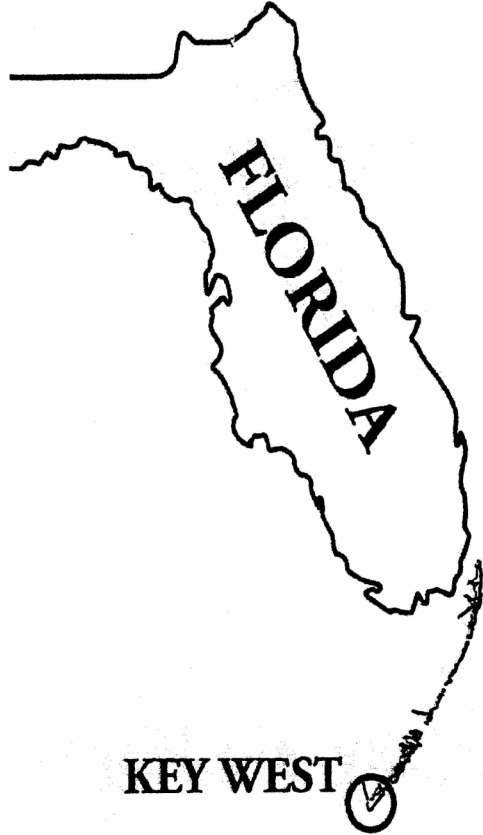
Bob Musser, Webmaster

The website is reviewed and updated on an ongoing basis to ensure our information is current. We are always open to suggestions for content and information to share. Special thanks to Desy Garcia for joining the website committee to assist with review of our content and share ideas for improving the ease of access of information for all members and visitors. If anyone else has suggestions you are welcome to email administrator@fapps.org.

The Member Only section contains additional resources. In order to access this area of the website you will need to create a login. This can be accomplished by emailing me first so I can forward you a link.

Diana Wardwell, Chair


TPC



DR. DENNY HOWLEY
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FAPPS Meetings are moving around the state to make it easier for members to attend.

Follow our Meetings page at www.fapps.org for upcoming dates and locations.

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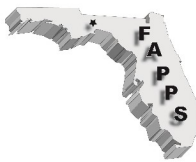
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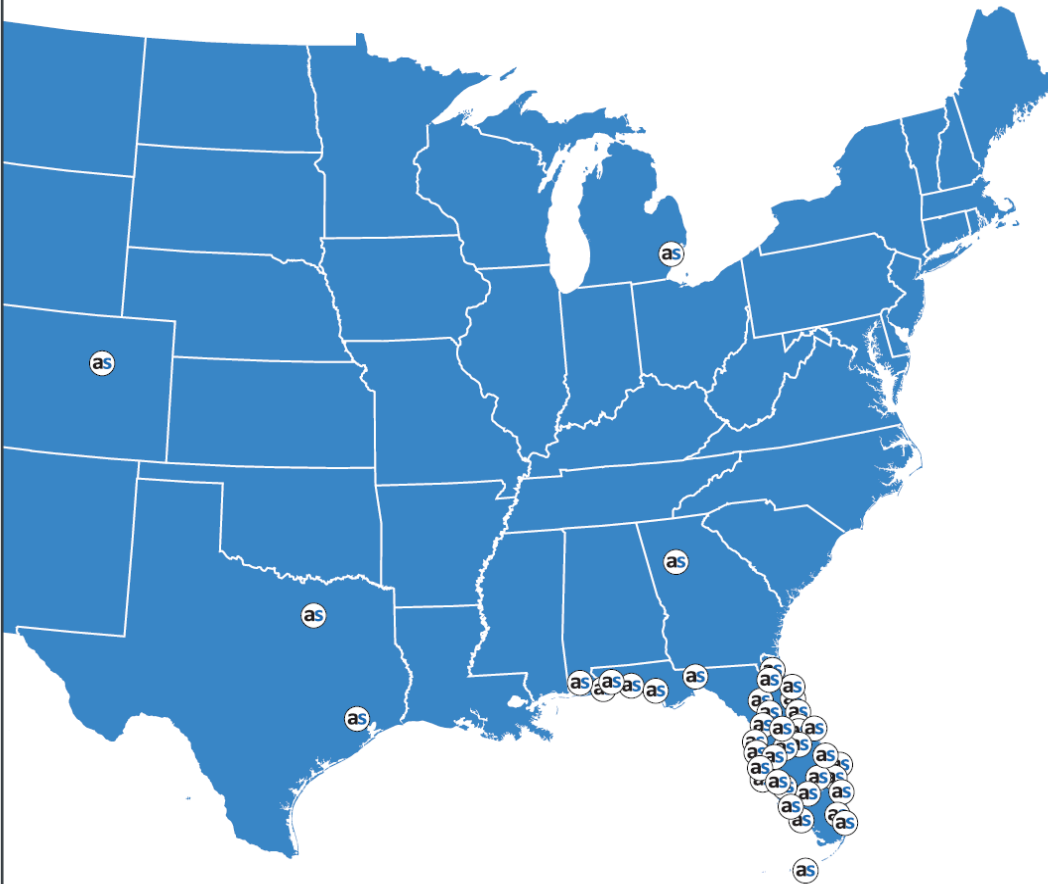
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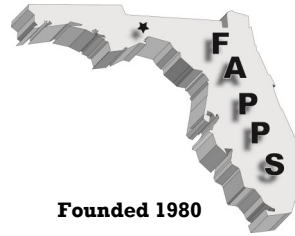
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