

APSA  
ARIZONA PROCESS SERVERS ASSOCIATION

Board Meeting Minutes  
April 13, 2013  
2502 N. Black Canyon Hwy, Phoenix, AZ

**MEMBERS PRESENT:**

Board Members: Tom La Vance, Ron Ezell, Frank Brinkman, Jenna Jones, Bert Young, Larry Ratcliff, Barry Goldman, Scott Decker

**CALL TO ORDER:** Mr. LaVance, President, called the meeting to order at 9:05 a.m.

**INTRODUCTION OF GUEST:** No guests present.

**APPROVAL OF PREVIOUS MINUTES:** A motion was made by Mr. Ezell and seconded by Mr. Brinkman to approve the minutes of February 16, 2013. The motion carried unanimously.

**PRESIDENT'S REPORT:**

Mr. LaVance chose to hold his report until later in the meeting.

**VICE PRESIDENT'S REPORT:**

Mr. Goldman reported that he held a well attended education course last weekend. He also reported that he and John Osborn attended the Process Server Connection meeting and are going to serve on that Board. He said that it is not an organization that will be another association but instead will be a networking group who will work with all of the other groups.

He reported that the newsletter is late and a date is not yet determined.

He requested the Board consider offering free memberships to the constables as associate members to embrace their support and to assist with communications. He requested the Board consider offering them a no cost associate membership. After further discussion and consideration Mr. Ratcliff suggested the Board offer their association a free associate membership and a discounted associate membership to their members. As an associate members, if their members chose to join, they could enjoy a discounted rate on training courses. Mr. Ratcliff made a motion to offer an associate membership to the Arizona Constables Association to be an associate member of the APSA at no cost. Mr. Brinkman seconded. The motion carried unanimously.

It was also suggested that associate member organizations be offered a plaque. This was tabled until the next meeting along with the discussion of whether or not to offer a discounted \$30 rate to their members.

Next meeting we will also discuss if any by-law changes will be necessary and what could be offered to AZPOST and the PI's.

**TREASURER'S REPORT:**

Mr. Young reported on the balances of the organizations accounts.

Checking: \$11,457.19

Legislative Account: \$14,094.76

Savings Account: \$19,824.96

There are currently 137 members with 67 extra city listings.

The NAPPS meeting is later this week. Mr. Young will attend and man a table to pass out information and welcomed any assistance from the other members. The Board discussed and approved offering a \$30 Associate membership at the NAPPS meeting to encourage out of state vendors to join. He presented the cards that were discussed at the last meeting. After several revisions, they were approved for 4 postcards per page, Mr. Ezell will have them printed up. He also reported that the GPS for the raffle prize was purchased.

Several topics were discussed. How do we increase our membership? It is clear that the association is not making money on its training and there was discussion about moving to a flat rate for payment to instructors and possibly increasing fees.

Would it assist to do a mass mailing to the attorneys? Mr. Ratcliff expressed his thoughts that being a member is a credibility issue and we should encourage that attorneys look for the ACPS designation when seeking out a process server. Mr. Ratcliff moved to accept the treasurer's report and it was seconded by Mr. Goldman.

Mr. Ezell reported that there is a Tucson building available for future meetings.

The Board asked Ms. Jones to research the trademark idea for ACPS and to see if we can trademark other acronyms. They also asked her to check into a trademark for the APSA logo.

### **SECRETARY'S REPORT:**

Ms. Jones reported that the April 6 class had a good turn out and she thanked Mr. Goldman for teaching it and Mr. Ezell for donating the use of his building.

She reported that another insurance bill came in for the GL coverage and office equip. She suggested reducing the limits on the GL as they are at 4 million. All agreed that 1mil/2mil should be sufficient but was needed especially when holding training where another party requires proof of insurance.

The May 18 training is set for Bullhead and Tom has volunteered to teach it.

June 22 and 23, the Flagstaff class are scheduled with Tamara.

The discussion came up about the fee structure paid to instructors and Mr. Ratcliff suggested we develop a policy and look at offering a flat rate. Mr. LaVance suggested Ms. Jones evaluate how much we are spending to provide classes each year. This will be tabled for another meeting.

Ms. Jones reported that she and Mr. LaVance visited the Wild Horse Pass Casino. It will be expensive to hold the meeting there, a \$7000 food/beverage minimum, but it is a really nice facility with a great location and easy highway access. There is a full array of shopping next to the facility. We can get rooms for \$79 per nite. Based on the amounts spent at the last meetings, the cost for this facility should end up being comparable. It was suggested we extend an offer to include the PIs and thereby increase the number of participants and to reduce the costs. Mr. Ratcliff offered to speak with Dana from the PI organization. Mr. Brinkman moved to approved the Wild Horse Pass location for this fall's conference and Mr. Goldman seconded. The motion passed unanimously.

Since this will be the 40<sup>th</sup> Anniversary meeting the Board discussed special recognition of long term members. Perhaps a plaque or some type of award and to set up a new system of recognizing those members who have reached milestone membership periods. Also discussed an award for "Process Server of the Year." Another suggestion was to add the original membership date to the membership cards.

Sponsors for the September Conference are a big necessity. All Board members were asked to seek out donors and vendors.

The Board would like to utilize PAYPAL more often for payment of class registration and the conference, Ms. Jones was asked to look into setting up a direct PAYPAL account and the availability of a debit

card for the checking account as Ms. Jones is having to use her personal card and then seek reimbursement for all deposits, etc. that require a credit card.

The Board discussed the plan or outline for the conference. It was decided that we would offer classes Saturday and half of Sunday. This will allow members to get all ten credit hours.

#### **ADMINISTRATOR'S REPORT:**

Mr. Young reported that questions have arisen over the database. There has been so much frustration over the website and the hackers. Ms. Jones reported that she has been told there is a flaw in the language of the program and this is why the hackers continue to enter the site. It was written in an old language and is vulnerable. When new language was added approx 2 years ago, our developer did not utilize or update it. She also reported frustration with the static database wherein they must forward the membership info to the programmer for uploading to the website. One party has given her an estimate of \$3,000.00 to redo the entire thing, website and database. The current programmer is not responsive and is charging us to make updates.

She suggested the program be rewritten and the database be redone. Mr. Ratcliff moved to get three to four quotes for redoing the website to avoid the hacks and to update the member database/search portion. HE also moved to approve a budget up to \$3000 to update the website, clean up the language and to redo the membership search info. Mr. Goldman seconded. The motion carried unanimously.

#### **COMMITTEE REPORTS:**

- A. Legislative-** Mr. LaVance advised he reported on this earlier and will keep an eye on the legislative matters. He has made many trips to the legislature to testify. The assault matter was voted down and committee chair won't hear the trespass bill. The only bill to move forward was regarding DMV information and there is confusion about it and who currently has access to it. A suggestion was made to engage with our legislative representatives so we may improve our standing at the legislature and to donate if and when we can.
- B. Education-** Mr. Goldman's report noted that he has drafted standards for the education committee. These include that when an attendee is not a certified process server, they will not receive CE credit. A certificate of attendance may be issued but would be marked, "Not For Continuing Education Credit." Also, when APSA has been invited to speak or sponsors a luncheon, appropriate CE credit may be issued by the sponsoring organization. Charges for the CE credit courses shall be commensurate with the charges at the annual conference. APSA may pay for food and beverage, depending on the venue or passed on to the attendees. Course materials shall be in a uniform format. And finally, lecture materials shall be accompanied by a Power Point presentation whenever possible. The instructor shall be responsible for the materials for the class and be knowledgeable on the subject and class materials prior to the commencement of the class.
- C. Courts –** Mr. LaVance reported that Mr. Decker should report on his Supreme Court meeting in April. There was discussion regarding the lack of a list of certified process servers. Mr. Ezell moved and Ms. Jones seconded, that we present a request under the public records provisions to the Supreme Court for a listing of all certified process servers in the state. Motion carried.
- D. Arbitration and Grievance-** Mr. LaVance reported none to date.

**E. Webmaster/Newsletter Report:**

The newsletter will go out in the spring. Mr. Goldman needs articles or columns.

**OLD BUSINESS:**

HOA matter that was raised at the last Board meeting. Mr. Ratcliff suggested we contact each HOA that we discover a problem with and explain to them the benefits and risks they face by excluding or discriminating against process servers from entering their areas.

In addition, he suggested we move forward with a PR campaign focusing on the training of our members and the benefits of using someone who has their ACPS designation. Such a campaign could include ads in the State Bar or AZ Republic.

Tom asked Ron, Larry and Frank to set up a plan for addressing the HOA problem. It may include, but not be limited to 1. Letters from attorneys explaining the possible legal ramifications, 2. Phone calls and 3. A draft form or complaint form from the courts that the HOAs can use if they have a problem.

**NEW BUSINESS:**

Mr. Goldman reported that 18-30 people attended the new group led by people from TAG who are going to start a networking group. They do not want to be an association, they just want to provide connections and be a resource or exchange for information. This would include vendors and discounts. He and John Osborn are also on the Board for the new organization.

Mr. Young asked if he may have approval to purchase the new Quickbooks edition. It was oked and recommended to move forward with that.

Motion made by Mr. Ezell to adjourn & seconded by Mr. LaVance.

Meeting was adjourned at 1:03 PM.

Submitted by: Jenna Jones, Secretary