

APSA
ARIZONA PROCESS SERVERS ASSOCIATION

Board Meeting Minutes
February 16, 2013
2502 N. Black Canyon Hwy, Phoenix, AZ

MEMBERS PRESENT:

Board Members: Tom La Vance, Ron Ezell, Frank Brinkman, Jenna Jones and Bert Young.
Board Members not present: Larry Ratcliff, Barry Goldman, Scott Decker
Others present: Don Howell

CALL TO ORDER: Mr. LaVance, President, called the meeting to order at 9:15 a.m.

INTRODUCTION OF GUEST: Mr. Howell was welcomed.

APPROVAL OF PREVIOUS MINUTES: A motion was made by Mr. Brinkman and seconded by Mr. Ezell to approve the minutes of December 2012 but to amend the word "licensed" to "certified." Also, Mr. Brinkman's name was spelled incorrectly. The motion carried unanimously.

PRESIDENT'S REPORT:

Mr. LaVance reported that he has been down at the legislature several times to testify with Mr. Ezell. He said it was very helpful to Senator Pancrazi for them to be there to answer questions at the committee hearing. Most of the bills proposed by the other organization failed at the committee level. The constable's bill is moving forward and there were a number of modifications made to it before it was acceptable.

VICE PRESIDENT'S REPORT:

Mr. Goldman was not present but he sent a written report. Mr. LaVance read the report to the group. He had a number of questions and wants the Board to consider offering the constables a free APSA membership. Mr. Ezell made a motion to table the discussion so they may discuss it in person with Mr. Goldman, the motion was seconded by Ms. Jones. Motion carried unanimously.

Mr. Goldman reported that he needed articles for the next newsletter which is scheduled to go out in the Spring. The newsletters will be quarterly. Suggestions were made to include legislation, Justice Court changes, Superior court changes and that effective March 1 the fees were being increased.

TREASURER'S REPORT:

Mr. Young reported on the balances of the organizations accounts. The NAPPS meeting in April 2013 in Phoenix was discussed. 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 will prepare a 5x7 flyer that can be printed on bright yellow card stock by Ron to pass out at the meeting. It was discussed that to get contact info, we would offer a GPS raffle prize. Tom said there is a good buy at Costco on one and the board approved purchase of the GPS. It was also discussed that we would need an easel to draw attention to the table and we would try to secure rubber gavels with the logo. Ms. Jones will work with Mr. LaVance on that part.

SECRETARY'S REPORT:

Ms. Jones reported that the March 16 class did not look like it was going to come together. But she will continue to work with Mr. Goldman on scheduling. In the meantime, interest was expressed for a May training class in the Bullhead City area. Tom volunteered to teach the class. An email will be sent to the servers in those areas seeing if we have enough interest to justify the course.

Suggestions were made to include an email blast with news items or news alerts. Also to include a report on the court meetings. Mr. Brinkman said he attends these.

ADMINISTRATOR'S REPORT:

Mr. Young reported that questions have arisen over the database. Several people would like all of the zip codes for their city to show up in the search field. Currently, members have one zip assigned to them. The database will search by zip code but not county or pull up for all zip codes of one city. Discussion included deleting the zip code search capability, adding the county and leaving the city search, or add all options,, including reservation approved servers. Mr. Young advised he would speak with the website developer and inquire what the cost would be for this modification. He also reported the move to the GO Daddy site was underway and expected it to be complete this weekend.

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:

The conference site was discussed. Suggestions were made to contact the local casinos to see if we can get a good rate. The possibility of a golf tournament to coincide with the event was discussed. Ms. Jones will check into the rates and report back.

NEW BUSINESS:

The Board discussed that it may be necessary to increase membership fees in 2014. This will be on the next agenda. IT was suggested the fees be increased to \$100 or \$125.

Mr. Brinkman presented a notice from a HOA in the Scottsdale area. It had significant language that would limit a process servers ability to serve in that community. Options were discussed, they included:

- a. No action
- b. Reach out to the HOAs thru the management companies to give education.
- c. Consult with counsel and pursue interference with the judicial process. Or
- d. Draft a white paper, our response.

The Board discussed the concerns this raises and how we will need to draft a response then reach out to the HOAs thru the management companies. There is a need for a consistent legal response. Mr. Ezell and Mr. LaVance advised they would speak with legal counsel to address this issue.

NAPPS is coming to Phoenix in April 2013 (April 17-18). The Board agreed to order banners and staff at table at the meeting. We will use the 40th year anniversary as a backdrop for the 2013 year.

Motion made by Ms Jones to adjourn & seconded by Mr. LaVance.

Meeting was adjourned at 12:30 PM.

Submitted by: Jenna Jones, Secretary