

# ARIZONA PROCESS SERVERS ASSOCIATION NEWSLETTER

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SPRING—SUMMER, 2013

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# APSA

**SPRING — SUMMER  
EDITION**

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

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## President's Message

*Tom LaVance, President*

*(Apology from your Editor: The President's and Secretary's columns were originally scheduled to appear in the Spring edition, but due to issues beyond anyone's control, that issue was delayed.)*

It's hard to believe that six months have passed since I was elected to serve as your Association President. Had it not been for the tremendous example set for me by our Past President, Larry Ratcliff, I may have been overwhelmed. So much has happened in such a short amount of time, I am not sure I can cover everything in this letter. I must begin by thanking my fellow Board members for all their hard work and assistance. It is an honor to serve with them. Their dedication to this Association and our industry inspires me. At my request, they have taken on several difficult projects to prepare our Association not only for the challenges we face today, but to build towards a stronger, more responsive Association in the future.

As your Board, we are committed to the following:

**Improving the quality and diversity of our continuing education programs.** The members of our Continuing Education Committee are working to improve the pool of available CE classes and instructors in order to ensure that Arizona has the best trained, most professional private process servers in the country. We also recognize the need for more advanced levels of classes in order to serve the large number of our members who have been in the industry for 10 years or more. The Committee is hard at work developing these curriculums. We are also trying to schedule as many training

## Secretary's Corner

*Jenna Jones, ACPS, Secretary*

Dear Members,

APSA is celebrating our 40<sup>th</sup> Anniversary this year! Let's continue to keep our organization strong into the next 40!

Spring is in the air! This is my favorite time of year and all it brings with it, spring training, wildflowers and beautiful weather just to name a few! This is why we live in the great State of Arizona!

It is also a time for rejuvenation and making a fresh start. I hope you all have mailed in your membership renewals for 2013. Your membership plays an important role in the continuation of our association. If you have not already sent your renewal, please do so today.

Your Association Board has been busy at work. We have a new website

location! We will be making many changes and enhancements to the website in the coming months. Please check in on a regular basis and give us your feedback!

We appreciate your patience over the past few months as we have dealt with the unpleasantness of hackers that attacked our website.

I invite everyone to

## President's Message (cont'd)

opportunities in as many parts of the State as possible. They are also going to be scheduling some shorter, 1-2 hour luncheon meetings and bring in expert speakers to talk on a specific subject effecting our industry.

**Continuing to build strong relationships with other organizations within the Arizona legal community.** With Larry's help,

the Arizona Police Officers Standards and Training Board (AZPOST) is developing a training module for Arizona Peace Officers educating them on how to professionally interact with Private Process Servers. We continue to work closely with the Arizona Constables Association, the Arizona Association of Counties, as well as the Arizona Association of Licensed Private Investigators and have joined forces at the legislature on several occasions to push for changes which will benefit all process servers in the State. We have opened up communication with the AOC and Chief Justice Rebecca White Berch in order to keep our members better informed about changes to the licensing and continuing education processes. We have reached out to the Arizona Association of Certified Process Servers and have worked together on trying to move bills sponsored by them through the legislature. I want to personally thank their President, Matt Umbower for his cooperation and communication. We will also be taking an active role in the NAPPS Conference coming up in Phoenix, April 18<sup>th</sup>-20<sup>th</sup>. We will have a booth set up at the event and hope to see as many of you there as possible.

**Transforming our Annual Conference into a dynamic, business information, education and networking event for all Arizona private process servers.**

Our annual conference should serve as more than just an opportunity to get CE credits. It should be where process servers can come together to share experiences, learn about changes effecting our industry and make

valuable connections to grow their businesses. Most of

us work long hours, often late into the evening and the demands of being a professional process server can take a toll on our families as well. Our Conference should take place at a location which encourages our families to attend and participate as well. For these reasons, we are going to be having this year's Conference at the Wild Horse Pass Hotel & Casino. I hope to see you all there!

**Continue to take an active role in advocating for our industry and pushing for changes at the Legislature.**

For the last several years, our largest expenses have been related to our lobbying activities with mixed results. Last year, there was some confusion at the Legislature about which organization was behind the multitude of bills related to service of process in Arizona. This year, we decided to concentrate our efforts on building our relationships with the members of the Legislature and to establish ourselves as the primary experts they can turn to for information relating to the effect a piece of legislation would have on our industry. I have been able to carry our message before the Senate Judicial Committee on several occasions. With Ron and Barry's assistance, we have been able to meet with and discuss proposed legislation with several stakeholders in the process. We are now receiving calls from these stakeholders prior to changes being presented. While we have a long way to go, we have at least gained a seat at the table. While we may still need the assistance of a lobbyist in the future, nobody is going to tell our story better than our own Board members. The cost savings this year will hopefully allow us to build a stronger financial base for our future.

As you can see, we have a lot on our plate this year, and many of these goals will take years to accomplish. We have only begun, but I am excited about the challenges ahead. If we hope to achieve these goals, we will need your help. Please reach out to

any process servers you know and encourage them to become active members of our Association. Our industry faces a number of threats and we need to remain vigilant in order to succeed. With over 800 certified process servers in Arizona, we should be able to build a proactive Association with enough clout to turn back any efforts to reduce our effectiveness. Remember that we are tasked with ensuring that an individual's Constitutional Right of Notice under the Sixth Amendment are guaranteed. These efforts to reduce our ability to do our jobs undermine everyone's Constitutional Right to Notice.

Thank you all for allowing me to be of service to your Association. I value your input and direction. Please feel free to contact me directly with any questions or ideas on how we can better serve you as a member. I can be reached directly at 602-725-3200 or by email at: [tom@nationwideasap.com](mailto:tom@nationwideasap.com)

Sincerely,

Thomas LaVance

## Welcome New Members!

The following persons have recently joined APSA:

- **Darin Clark**, EZ Messenger
- **Colleen Dawn**, Saddleback Attorney Service, Inc.
- **Don Foutz**, EZ Messenger
- **Edward Dobbartin, Jr.**, Integrity Security Solutions, Inc.
- **David Eldridge**, EZ Messenger
- **Sabine Hilten**, LAWGROLL
- **Daniel Jones**, FCI Group
- **Jeff Kimble**, Arizona Private Investigations
- **Randy Westfall**
- **Chuck Williams**, Mountain Wide Process Service
- **Ron Wyman**, EZ Messenger
- **Michele Yontef**, Max o Investigations of Tucson



**Secretary's Corner** (cont'd)

attend the Board's meetings. If you can't attend, give us your feedback through email or phone call. We would love to hear from you.

We are setting up more training opportunities this year. We will hold classes in April in the Phoenix area, May in the Bullhead City area, June in Flagstaff and our annual conference will be in September. We hope to see you there.

We also have the pleasure of hosting this year's NAPPS meeting in April. If you are not a member, I strongly encourage you to join and attend the conference. There will be a great opportunity to get continuing education and network with your colleagues from across the nation! What a great opportunity and in our own backyard!

— Jenna Jones

**Editor's Column**



**Barry R. Goldman**

Firstly, I would like to thank the APSA membership and the Board of Directors in making APSA an organization I am proud to be a member of. It takes a lot of hard work and dedication for each of us to contribute not only to our own business, but to the business of the Association and each other. Most folks don't know that in your Board you have a wealth of resources and valuable information to draw on. As this is my first year on the Board, and in the VP's chair, to boot, it has been a very valuable learning experience.

As one gets older, hopefully one grows wiser. In our own personal lives, we accommodate and adjust to changes, including suffering the joys of birth and sorrows of death. We also celebrate our successes and revisit our past, whether triumphant in victory, or tragic in loss. But all in all, we change.

Business is like that, too.



**CONTINUING EDUCATION OPPORTUNITIES!**

**APRIL, 2013**

**Evictions in Arizona (2 hrs.)**

**Report Writing for the Process Server (2 hrs.)**

**ACPS Full Course (Full 6 hrs.)**

**JUNE, 2013:**

**Spanish for the Process Server (4 hrs.)**

**ACPS (Full 6 hrs.)**

**UPCOMING (Dates & Locations TBA)**

**Enforcement of Judgments**

**Alternate Means of Service**

**& more...**

**2013 CONFERENCE to be held at:**



As time moves on, the business environment changes with it. While we may wish that the successes of yesterday were tomorrow's news to come, the fact is that we must make the news happen. We must be knowledgeable in not only our immediate business at hand, but must be aware of what our competitors are doing. The best of us help each other to ensure mutual success. While there is a finite market for success, fortunately, in the service of process and related businesses there is room for growth. We haven't hit the end, yet, and from what I can see, it's not in anyone's foreseeable future.

Opportunities can be found where one wishes to see. I like to be aware of opportunities and let my fellow process servers know about them. The Process Server Connection of Arizona is a new resource that several APSA and non-APSA

members, including yours truly have become involved with. The goal of the organization is not to compete with APSA or any other organization, but to contribute to the good of Arizona process servers as a whole by publicizing learning and other resources for process servers, and by bringing process servers together to discuss issues on a regular basis. This organization, still in its infancy, would like your participation. You can find them at: <http://arizona.processserverconnection.org/>. See their meeting announcement for more.



# Arizona Address Confidentiality Program

— John Osborn, Guest Writer



If you get papers to serve to 1901 W Madison Street, Phoenix, AZ 85009, chances are you are trying to serve someone enrolled in the Arizona Address Confidentiality Program. This is what happened to me while attempting to (re) serve a subject who has evaded service of process from our firm before. The subject had filed a change of address with the Court at the above address, with an apartment number. Knowing full well I wasn't going to be able to effectuate the serve, I had to at least go to the address of record to try. Googling (cool verb) the address, I saw that it is a state building.

The building is the Arizona State Archives building. I went into the lobby and met with the facilities manager; he took my name and told me the director would call me, never mentioning anything about the program. Later that afternoon I received a call from Betty McIntyre, the Director of the Arizona Address Confidentiality Program. The next day I went downtown and served our subject thru Betty McIntyre, by appointment at

1700 W Washington St., Phoenix, AZ 85007.

She met me in the lobby of the 7<sup>th</sup> floor (the Secretary of State's office). She told me even her office suite is not disclosed. We spoke for a while about the program. It's been in effect since June of 2012. She also mentioned I was only the 3<sup>rd</sup> process server that's she has accepted service of process for someone enrolled in the program. It's no small wonder that there haven't been more serves performed via the program. There is nothing in the lobby of the address about the program. I was all set to render a Declaration of Non-Service in the matter when I received the call from Ms. McIntire. I'm going to guess most process servers would go to the listed address, not find the listed apartment or suite number, and call it a day. The facilities manager didn't know about the program. When I was explaining to him what I was doing, an unidentified female told him to get my name and number and that someone would call me. She knew

about the program, but it was a fluke that she happened by.

When I explained that to Betty McIntyre, she said she had been told by Superior Court officials the process servers would be notified of this program. I set her straight on that! I suggested a sign in the lobby of the given address should be in order, she said she would take it under advisement. Later in the day she emailed me that a sign will be forthcoming. I mentioned I would try to get the word out, so hence this newsletter article. Find out more about the program at <http://www.azsos.gov/Info/acp/>.

### *From the AZ SOS:*

The Address Confidentiality Program allows persons who have been subjected to domestic violence offenses, sexual offenses or stalking to keep their residence addresses confidential and not accessible to the general public. Please contact the ACP staff at (602) 542-1653 for more information.

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**LOOK FOR US  
 AT THE APSA  
 CONFERENCE**

**APSA**

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

# THE



# BRIEF

An electronic update for the legal community providing a brief look at news in the Clerk of the Superior Court's Office

## Juvenile Electronic Court Record (ECR)

The Clerk's Office is pleased to confirm that the second phase of the Juvenile Electronic Court Record (ECR) will be released on June 3, 2013. Phase II is the second of four phases and includes the following seven case types: Adoption Certification (AC), Adoption (JA), Emancipation (JE), Relinquishment (JI and JR), Orders of Protection/Injunctions Against Harassment (JP), and Severance (JS).

This Phase will include scanning all newly-filed documents in the seven case types, as well as scanning and electronic distribution of orders in all 10 Juvenile Court case types. The electronic distribution of signed orders will be similar to the current distribution process of minute entries.

Paper files will no longer be created for the above seven case types and existing cases will include both newly-filed electronic documents as of June 3, 2013 and all previously filed paper documents through June 2, 2013. As of this date, signed orders in

all Juvenile case types will be available only in the ECR.

Phase I was successfully implemented on October 1, 2012 for Title 14 Guardianship (JG) cases. The Phase III implementation, which includes Dependency (JD) cases, is planned for August/September 2013. The Phase IV implementation, which includes Delinquency (JV) cases, is planned for October/November 2013. There are no changes to the confidentiality of Juvenile court records. For more information about Juvenile court records, see the Clerk's website at [www.clerkofcourt.maricopa.gov](http://www.clerkofcourt.maricopa.gov).

## 10 Years of eFiling

A decade ago in 2003, the Clerk's Office and Superior Court implemented eFiling in Maricopa County. Complex civil litigation cases were the first cases in the eFiling pilot and the filings were submitted through a third-party vendor. The Clerk's Office implemented its own eFiling system shortly thereafter (eFiling Online) which is still in use.

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eFiling expanded relatively slowly, being piloted in a few judicial divisions in one or two case types at a time before being introduced to additional case types and divisions. Today, the majority of criminal case documents are eFiled through the Clerk's eFiling Online system by the Maricopa County Attorney's Office and Indigent Defense. eFiling is being used in the Tax Court, and is now available in all family court divisions. In general civil cases, attorneys were allowed to eFile through the Clerk's system beginning in 2005 and have had mandatory eFiling through AZTurboCourt since February of 2011. The Clerk's Office processed its one millionth eFiling in October 2011. See the Clerk's Corner article in the upcoming July 2013 edition of the Maricopa Lawyer for a compilation of interesting and behind-the-scenes stories and more of eFiling's 10-year history in Maricopa County.

From Maricopa Lawyer magazine: Clerks Corner, April, 2013

## Clearing Out the File Room

 By Michael K. Jeanes, Clerk of the Superior Court

You haven't had to practice law or handle court records for very long in Maricopa County to remember going to the Clerk's records center, filling out a form and waiting in line to look at or get copies from the only original paper case file, assuming the file wasn't checked out to a judicial division at the time of your request. The Clerk's Office started scanning paper documents in earnest for cases initiated in 2002 and by 2007 the electronic image of all scanned documents was designated the official version.

Thanks to a back scanning project, the Clerk's two block long records facility is looking a little more open. Scanning has allowed the office to remove 144 shelving units that once held an estimated 108,000 paper case files. The converted images of the case records are now stored in the Clerk's electronic repository. Although this progress has resulted in eliminating shelves, there is much more work to do in such a large space.

The Clerk's electronic repository is protected by multiple backups and conforms to international record keeping and management standards.

Audits and quality checks involved with scanning ensure a highly reliable system. This repository makes it possible to view documents online, at public access terminals in court facilities around the Valley, and to efficiently transfer information between courts and government agencies. (APSA would like to thank Mr. Jeanes and his staff for this valuable information we can pass on. *Ed.*)



APSA Newsletter <http://www.arizocomprocessservers.org/> [apsanewsletter@gmail.com](mailto:apsanewsletter@gmail.com)

**Annual Publication: APSA BYLAWS****BYLAWS  
of the  
ARIZONA PROCESS SERVERS ASSOCIATION****Article I - NAME:**

This Association shall be known as the Arizona Process Servers Association, hereinafter referred to as APSA.

**Article II - PURPOSE**

To promote and upgrade the process serving industry through the following objectives:

- Section 1 Promoting any legislation and rule changes which will help the industry.
- Section 2 Combating legislation, which may harm the industry.
- Section 3 Creating and maintaining a moral and ethical standard for the industry.
- Section 4 Improving relations between the industry and the legal community - attorneys, judges, clerks and officers of the court - and the general public, statewide and nationally

**Article III - MEMBERSHIP**

- Section 1 Membership in the Association shall be open to all persons who have been directly or indirectly affiliated with the profession of process serving. Membership is approved on an individual basis and is not transferable.
- Section 2 All applications for membership must be completed in full on a form approved and provided by the Association. Each application must be accompanied by one year's annual dues plus a non-refundable application fee as prescribed by the Board of Directors.
- Section 3 Classes of membership and requirements for membership shall be defined by the Board
- Section 4 Membership shall not be granted to any person who has been convicted of a felony unless such conviction was officially pardoned or the record of same has been expunged, or their civil rights restored. In addition, membership shall not be granted to any applicant who has had their license, permit or right to serve process revoked by any issuing authority

- unless said revocation has been pardoned or expunged, or had their civil rights restored
- Section 5. No person shall be denied membership because of their race, color, sex, or ethnic origin
- Section 6. Membership may be suspended or terminated by the Board for violations of these Bylaws, Policy Manual and/or the Code of Ethics
- Section 7. Termination of membership shall be effective thirty (30) days past the due date for annual dues.

#### Article IV - DUES

- Section 1. The annual dues shall be determined by majority vote of the Board of Directors and shall remain in effect until changed
- Section 2. The fiscal year covering the payment of dues shall be Jan 1 to Dec 31 each year

#### Article V - ELECTION of OFFICERS and DIRECTORS

- Section 1. The officers shall consist of a President, First Vice-President, Second Vice-President, Secretary and Treasurer. Term of each officer shall be one (1) year.
- Section 2. No member shall be eligible to be an officer until they have been a member for two years
- Section 3. No member shall be eligible to be a director until they have been a member for one year.
- Section 4. The immediate past president shall serve one year on the Board of Directors
- Section 5. Three (3) directors shall be elected unless the current president is re-elected, in which event four (4) directors shall be elected.
- Section 6. Officers shall be elected by majority vote of members present at the annual conference. Directors shall be elected in a single ballot with each member casting one vote for each seat to be filled. Nominees receiving the highest plurality of votes will fill all seats in order of total votes received. Majority vote shall not be required. No proxies shall be allowed
- Section 7. No member shall hold the office of President for more than three (3) consecutive terms.

<p><b>Annual Publication: APSA BYLAWS (continued)</b></p>
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Section 8. A vacancy in any office or directorship shall be filled by the Board of Directors

Article VI - DUTIES of OFFICERS

Section 1 The administration and management of the association shall be controlled by the Board of Directors consisting of the officers and directors. They shall have the authority to do any and all things necessary for the administration of APSA. Decisions shall be reached by majority vote of the Board of Directors members present. No proxy voting shall be allowed.

Section 2. The President shall preside at all meetings, shall make all appointments that are deemed necessary to run the association, and shall submit at the annual conference an annual report describing programs and Board actions.

Section 3. The Vice-President shall perform the duties of the office of president whenever the President is unable to do so.

Section 4 The Secretary shall cause to be recorded the minutes of all Board meetings and the annual conference.

Section 5. The Treasurer shall be responsible for carrying out all fiscal policies and procedures adopted by the Board; shall be responsible for preparation of financial statements and presentation of these to the Board at each meeting; and shall submit a written annual report to the annual conference.

Section 6 A petition, signed by signatures representing fifteen (15) percent of the total votes eligible to vote at that time in the Association requesting the holding of an election for the purpose of recalling a member of the Board or any officer, may be filed at any time with the Secretary. If recall is for the Secretary, the petition shall be filed with the President. After verification of signatures, the President shall certify the petition and immediately direct a ballot be mailed to each member. The ballot shall read as follows:

shall --name of director -- be recalled?

yes \_\_\_\_\_ no \_\_\_\_\_

A "yes" vote shall be counted as for the recall and a "no" vote shall be counted as against the recall. Only members in good standing shall be entitled to vote at such elections. Such a recall shall require two-thirds affirmative vote of executed ballots received by the Secretary or President within fifteen (15) days. If the recall is successful the Board may fill the vacancy at its next meeting.

Section 7. The Board shall adopt procedures for arbitration and grievance. All members are bound by the arbitration and grievance procedures as adopted by the Board.

#### Article VII - MEETINGS

Section 1. An annual conference shall be held. Officers' reports, committee reports and any new or old business as the membership sees fit will be discussed at the meeting,

Section 2. Board meetings shall be called by the President. A board meeting must be called within thirty (30) days if requested by three (3) members of the Board, or if petitioned for by a majority of the members. The membership may be notified of all regular Board meetings.

Section 3. Meetings of the Board may be held by mail or telecommunications.

Section 4. Members shall be admitted to all meetings and conferences except executive sessions. Non-members may be admitted to all meetings and conferences unless disapproved by a majority of the members present. Only meetings involving the personal affairs of any individual may be held in executive session.

Section 5. The latest edition of Robert's Rules of Order shall govern the conduct of all meetings.

#### Article VIII - BYLAW AMENDMENTS

Section 1. Proposed bylaw amendments must be submitted to the Secretary sixty (60) days prior to the date of annual conference and published to the membership not less than thirty (30) days prior to the annual conference.

Section 2. The bylaws may be amended or revised by an affirmative two-thirds vote of the membership present at the annual conference.

Section 3. Bylaw amendments or revisions may be acted upon only at the time published in the conference agenda unless a majority of the membership present at that time agrees to a later time for further action on them.

Section 4. The bylaws may also be amended or revised by unanimous vote of the Board of Directors.

## Training Corner: Alternate Means of Service



Barry R. Goldman

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http://www.arizonaprocessservers.org/

APSA Newsletter

Process Serving can be a challenging profession. Most of the time, we “get our man”, but there are times when a defendant, respondent or other person to be served chooses to take extraordinary measures to avoid service. Contrary to the myth propagated by popular media, process servers generally do not act like paparazzi when attempting to effect service. In fact, our ethics rules in Arizona actually *prohibit* unprofessional and unbecoming behavior which would reflect badly upon the court (i.e.: disguises or ruses, hiding in the neighbor’s yard, etc.). Common sense wins out, as well, as such paparazzi-type of efforts generally run afoul of Murphy’s Law – what can go wrong, will go wrong.

We understand that people generally don’t want to be served. As process servers, although we are officers of the court, and have a responsibility to be candid to the court and our client, for purposes of actually effecting service, we are a neutral third party. The nature of our business is not to decide the merits of the case, but to deliver legal process so that each side in the litigation may have his or her “due process” – their day in court.

When we attempt to effect service upon a person, and are unsuccessful in such attempt(s), each attempt is considered making diligent effort to serve the person. Multiple attempts (up to a reasonable number, depending on the circumstances) at different times of the day on different days constitute what the courts consider “due diligence”. Some courts require a minimum number of attempts, while others do not. Accordingly, depending on the circumstances, the number of attempts may vary, but all have one thing in common: the Process Server attempted to effect personal service upon the defendant, respondent or other person to be served.

In Arizona, the Supreme Court has set forth rules by which legal process (legal papers) are served. When a Process Server is unsuccessful in personally serving the legal process, the courts, under the rules, are able to order an *alternate means of service*. This doesn’t mean that every circumstance justifies such an order, but that the courts, in their discretion, may order an alternative method of service if in their determination that it is the most *practicable* and *reasonable* method of getting notice to the person to be served.

The courts generally require *due*

*diligence*, as briefly described, foregoing. Again, depending on the court and the circumstance, the court may consider one or two attempts as satisfying its diligence requirement, or may opine that additional efforts are required. Generally speaking, most courts surveyed look at four attempts on different days, at different times of the day (morning 0600-0830, business hours 0830-1700, and evening 1700-2200) to be reasonable under most circumstances. If there are extraordinary circumstances, such as the property where the person is to be served is fenced in and posted, “No Trespassing”, or some other indication of a threat to personal safety is present, the courts may consider the one attempt to be satisfactory to order such alternate means of service.

The applicable rules of court are generally found in the Arizona Rules of Civil Procedure (ARCP) and the Rules of Family Law Procedure (RFLP). The Justice Court Rules of Civil Procedure (JCRCP) cover similar circumstances in the Justice Courts, and refer to ARCP Rule 4.1(m) (now 4.1(k)) for service by alternate means. The RFLP rule for service in Arizona (Rule 41, et seq.) are based on ARCP Rule 4.1, et seq. So, as Process Servers, to service our clients in the most professional manner, we must be knowledgeable of not only the rules of service, but their origin, as well.

Alternate means of service of civil process governed by ARCP Rule 4.1(k) (formerly Rule 4.1(m)), is quoted here:

*ARCP Rule 4.1(k) Alternative or Substituted Service. If service by one of the means set forth in the preceding paragraphs of this Rule 4.1 proves impracticable, then service may be accomplished in such manner, other than by publication, as the court, upon motion and without notice, may direct. Whenever the court allows an alternate or substitute form of service pursuant to this subpart, reasonable efforts shall be undertaken by the party making service to assure that actual notice of the commencement of the action is provided to the person to be served and, in any event, the summons and the pleading to be served, as well as any order of the court authorizing an alternative method of service, shall be mailed to the last known business or residence address of the person to be served. Service by publication may be employed only under the circumstances, and in accordance with the procedures, specified in Rules 4.1(l),*

*4.1(m), 4.2(f) and 4.2 (g) of these Rules.*

Similarly, the rule applicable to family law matters is quoted here: *RFLP Rule 41(L). Alternative or Substituted Service. If service by one of the means set forth in the preceding paragraphs of this rule proves impracticable, then service may be accomplished in such manner, other than by publication, as the court, upon motion and without notice, may direct. Whenever the court allows an alternative or substitute form of service pursuant to this subpart, reasonable efforts shall be undertaken by the party making service to assure that actual notice of the commencement of the action is provided to the person to be served and, in any event, the summons and the pleading to be served, as well as any order of the court authorizing an alternative method of service, shall be mailed to the last known business or residence address of the person to be served. Service by publication may be employed only under the circumstances, and in accordance with the procedures, specified in paragraph M and Rule 42(D).*

Consequently, when a person is avoiding service, and a (client) party seeks to effect service by alternate means, an Order of the Court is required. The Order issued by the Court, again at its discretion, is based upon the information found within the Declaration and Motion filed with the court. This procedure is available in civil matters in both the Superior and Justice Courts, as well as family law matters in Superior Court. These types of Motions are statutorily not allowed in small claims cases.

For the Process Server, his/her job is not to set in motion the means by which a client may obtain an alternate means of service order, but to provide factual information on his/her due diligence to effect personal service on the person to serve. Accordingly, the Process Server should render a Declaration (or Affidavit) of Due Diligence. The client may then choose to petition the court by filing a Declaration, Motion and (Proposed) Order regarding the alternate means of service.

As a Legal Document Preparer, most motions prepared ask the court to order posting of the legal process, with a copy mailed to the person served by first class and certified, return receipt requested. We’ll talk about this further in future issues.

**APSA**

# News You Can Use



## PROCESS SERVER CONNECTION

Those who attended last month's meeting were presented a very unique experience. We hope that the very active exchange on the subject of Trespass with Glendale Police Department's Commander Andre Anderson will help us to function better within our industry while staying out of trouble! We, here at the PSC, want to thank you, and all of our supporters for the level of high interest on our very first business program ever. And, of course, we appreciate and thank all of you who participated and shared your knowledge and experiences relating to the subject of Trespass.

Please take a moment to mark your calendars for the next meeting scheduled for Wednesday, June 26th, 2013 at Chandler Police Department; Desert Breeze Substation, 251 North Desert Breeze Blvd, Chandler 85226, from 9am-noon. This meeting has been approved for 3 CE hours! You sure don't want to miss out on this!

Our program will be "Ethics in the Judicial System", and the scheduled speaker will be Professor Frank Johnson, Retired Judge and current Ethics Professor at Northern Arizona University. It certainly promises to be as dynamic and

informative as our first meeting. So, if at all possible, do not miss this great opportunity!

As usual, we need those planning to attend, to RSVP as soon as possible. Attendance levels will decide which room and facilities we will need to reserve. Please send notices of planned attendance to Megan Schillig at [megan@tagmessenger.com](mailto:megan@tagmessenger.com). (We would like to thank David & Gary for their hard work and efforts to bring process servers this opportunity. *Ed*)

APSA Newsletter <http://www.arizconprocessservers.org/> [apsanewsletter@gmail.com](mailto:apsanewsletter@gmail.com)

### **SCORE Offering Free & Low Cost Workshops**

Jun 25, 2013 3:00pm - 5:00pm MST  
Phoenix, AZ

#### **Health Care, Risk Management & Insurance**

Learn about the new health care laws and how to protect your business from risks with insurance.

Jun 26, 2013 3:00pm - 6:00pm MST  
Phoenix, AZ

#### **QuickBooks Basic**

This course offers an introduction to the software and user interface. Learning objectives include knowing common terms, using help tools, setting up a company using EasyStep Interview,...

Jun 28, 2013 8:30am - 10:00am MST  
Surprise, AZ

#### **Essential Elements of Business Planning - A Three Part Series**

Creating a striving and learning organization is a key element in the success of any business. From a very small company to large scale organizations the attitude and structure of the...

Jul 6, 2013 10:00am - 1:00pm MST  
Phoenix, AZ

#### **The BUZZ About Your Own Business**

This seminar is designed for those who want the inside scoop about what is going on in today's marketplace when

you are looking to start a new business. How do you compete?

Jul 18, 2013 3:00pm - 5:00pm MST  
Chandler, AZ

#### **CrowdFunding**

Learn how to CrowdFund your way to success with the answers to these questions: What is CrowdFunding? Is it a viable source of funding? What kind of CrowdFunding is right for your...



Jul 24, 2013 3:00pm - 6:00pm MST  
Phoenix, AZ

#### **Intermediate QuickBooks**

Attendees will learn about creating an item list and creating customer invoices, memorizing transactions, generating billing statements and customer communications, record payments and discounts,...

Jul 26, 2013 8:30am - 10:00am MST  
Surprise, AZ

#### **Stop Fighting It and Write a Sales/Marketing Plan**

Concise 2 or 3 page plan to get things going and hold yourself and your team accountable with goals, strategies, and actions. Presented by: Allan Himmelstein

Aug 3, 2013 9:00am - 1:00pm MST

Phoenix, AZ

#### **The BUZZ About Your Own Business**

This seminar is designed for those who want the inside scoop about what is going on in today's marketplace when you are looking to start a new business. How do you compete? Presented by: Bill...

Aug 15, 2013 3:00pm - 5:00pm MST  
Chandler, AZ

#### **Revenue Growth: YES, NO, MAYBE**

Understand the basic steps to profitable and sustainable growth. Simple, straight forward and why no shortcuts are allowed. Presented by: Will Neitzke, NextDelta

Aug 27, 2013 3:00pm - 5:00pm MST  
Phoenix, AZ

#### **Getting in the Door Without Cold Calling**

You have done all the networking, you have a functioning website, and still you are not getting enough leads. Cold Calling for you is a very painful experience, but you have to find ways of "Getting..."

For more information, contact:  
Greater Phoenix SCORE  
2828 N. Central Avenue #800  
Phoenix, AZ 85004  
Tel: (602) 745-7250  
Fax: (602) 745-7210  
[www.greaterphoenixscore.org](http://www.greaterphoenixscore.org)



# APSA Board Meeting News

**From the APSA Board meeting of February 16, 2013:**

**Mr. LaVance** reported that he has been 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. Mr. LaVance advised he reported on this earlier and will keep an eye on the legislative matters. 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.

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.

**Mr. Goldman** was not present but he sent a written report. Suggestions were made to include newsletter reports on legislation,

Justice Court changes, Superior court changes and that effective March 1 the fees were being increased.

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." 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.

**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.

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 GoDaddy site was underway and expected it to be complete this weekend.

**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. (Class was rescheduled to April 6th. Ed.) 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.

## Have You Been Assaulted?

APSA and NAPPS would both like to know about it. APSA members should contact Tom LaVance, APSA president at (602) 256-9000. NAPPS members can contact them at (503) 222-4180.

APSA Newsletter <http://www.arizonaprocessservers.org/> apsanewsletter@gmail.com



*Donna Sparaco*

**Small Business and Group Benefits Specialist**  
**O: 480.788.8219 / C: 516.395.8219**

**Did you attend NAPPS? If so, we'd like to hear from you!**



**The NAPPS 31st Annual Conference & Educational Seminar** was held on April 18-20, 2013 at the Hyatt Regency Phoenix. If you attended, we'd like to hear what you say about it. How did it compare to the APSA conference(s) you have attended? Did you come away knowing more than you went there? We at APSA would like to know what you liked, didn't like, and what you learned so that we can use that to bring you better conferences in the future.



# APSA Board Meeting News (Continued...)

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.

**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:

1. No action
2. Reach out to the HOAs thru the management companies to give education.
3. Consult with counsel and pursue interference with the judicial process.
4. 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.

### **From the APSA Board meeting of April 13, 2013:**

The HOA matter that was raised at the last Board meeting was discussed. 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 publication(s) or AZ Republic.



asked  
Larry

To m  
Ron,  
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.

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

Checking:	\$11,457.19
Legislative:	\$14,094.76
Savings:	\$19,824.96

There are currently 137 members with 67 extra city listings.

Mr. Young was to attend and man a table to pass out information at the NAPPS meeting. 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. 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.

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

meetings.

**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.

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. A motion was made and passed to hold the conference here. It was decided that we would offer classes Saturday and half of Sunday. This will allow members to get all ten credit hours.

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."

**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.



## Process Servers & Driver Safety July 4th is Around the Corner...

If you took the driver safety course a couple of years ago at the APSA conference, you may remember the 2-4-12 Rule:

- Stay at least 2 seconds behind the vehicle ahead of you at all times;
- Stay at least 4 seconds behind the vehicle ahead of you at speeds of 45 MPH or more at all times;
- Look ahead of you at least 12 seconds at all times.



In my 27-year career, conservative driving habits and these rules played a significant part of staying out of many traffic incidents, including the one pictured above. This incident occurred on the 202 east of Priest Drive on the afternoon of June 11th. My partner in crime, John Osborn and I, witnessed the pickup truck on the right side of the picture rear end the pickup truck in front of us at high speed, which sent it careening in circles across four occupied lanes of traffic to the right hand wall, where upon impact it caught fire with the driver inside. Fortunately, the driver, although stunned, was able to get out of his vehicle.

So, with the July 4th holiday coming and the above incident in mind, I'd like to remind my fellow professional drivers, aka Process Servers, to stay safe and be careful. Please remember to wear your seatbelt, watch your speed, and plan ahead. Taking a tenet from the **Below 100** program, we ask, *What's Important Now?*

### **WIN—What's Important Now?**

**It's a simple question that can elicit profound results. It's a question that will lead to deliberate action, not reaction. If you are constantly prioritizing what's most important, you won't have time for the distractions that can get you in trouble, hurt or killed.** (<http://below100.com/tools-resources/the-5-tenents/>)



## Restraining Orders Net Assaults in the Courtroom

Is it unusual or business as usual? While preparing this edition of the APSA Newsletter, your editor found two reported incidents of assaults on women in the courtroom. Not just any women, but women who were in fear for their safety and sought civil restraining orders (a.k.a. Orders of Protection) from their male counterparts.

The first, occurring in Ohio, came after the victim "...had just explained to the judge she was afraid for her life and felt immediately fearful to be left alone in the room with..." her ex-boyfriend. The judge in the case then left the courtroom to check if the Respondent (the ex-boyfriend) had any warrants outstanding.

According to the ABA Journal court security video showed the victim running toward the door as the perpetrator's grandmother tries to intervene but is shoved aside by him. Then, as the target of his pursuit

keeps going around the table, gaining ground, he reverses course and runs in the other direction around the table. The ex-girlfriend falls, starts to get up, and he slams into her, knocking her back perhaps 8 feet to a half-door leading to the bench and onto the ground, where he can be seen swinging at least one of his fists in her direction. Shortly afterward, deputies placed the perpetrator under arrest where he was being held on domestic violence charges.

Source: [http://www.abajournal.com/news/article/woman\\_attacked\\_after\\_judge\\_leaves\\_her\\_in\\_courtroom\\_with\\_her\\_ex/](http://www.abajournal.com/news/article/woman_attacked_after_judge_leaves_her_in_courtroom_with_her_ex/)

In another incident in Florida, a former Marine was sentenced to 15 years for aggravated battery. The convict, who fractured his wife's nose and broke her jaw during an attack last year in a Florida judge's chambers was sentenced Friday to a maximum 15-year prison term after pleading no contest to an aggravated battery charge.



At sentencing, the newly convicted felon, 29, apologized profusely and sought, with his attorney, to persuade Judge Jeffrey Cohen to sentence him to four years in the Broward County case. However, the judge was apparently unmoved by the apology and defense psychiatric testimony of post-traumatic stress disorder, bipolar disorder and personality disorder.

The judge also apologized to the victim, saying that he couldn't understand why a restraining order had been denied to her by another judge and why the hearing was conducted without an armed sheriff's deputy.

Source: [http://www.abajournal.com/news/article/ex-marine\\_gets\\_15\\_years\\_for\\_attacking\\_wife\\_during\\_hearing\\_in\\_judges\\_chamber/](http://www.abajournal.com/news/article/ex-marine_gets_15_years_for_attacking_wife_during_hearing_in_judges_chamber/)

# TheCityPaper

## Judge Candidate Accused of Assault on Server

(Nashville, TN) Wednesday, June 13, 2012 at 1:10pm — By Joey Garrison

Michael Rowan, a candidate for Davidson County General Sessions judge, is accused of physically assaulting a court process server at his Green Hills-area residence while he was being served a civil warrant.

Metro Nashville Police Department spokeswoman Kristin Mumford confirmed the department is investigating a complaint against Rowan from Kasey and Jeremy Frank, a married couple who work together as private process servers.

The Franks allege Rowan, following a verbal tirade, struck Jeremy Frank in the back of the head on May 26 after they arrived at his Woodvale Drive home to serve him a warrant involving a suit, filed last November, in which the legal research company LexisNexis claims he owes it \$8,600. Kasey Frank said their complaint accuses Rowan of physical and verbal assault: "I ended up having to take my husband to the hospital," she said. "He had a massive bump on the back of his head, and he had to have a CT scan." Police so far have not filed charges in the alleged incident.

Rowan, an attorney, is running for General Session judge against Democrat Rachel Bell. The election is set for Aug. 2. Rowan is a military veteran and was a "renowned" boxer, according to his campaign website.

Prior to the episode, Kasey Frank said she and her husband had attempted to serve Rowan notice of the

LexisNexis suit at his campaign office and law office, but he had "evaded" them. Over Memorial Day weekend, they decided to serve Rowan at his residence. "It didn't go over very well," she said.

Rowan acknowledged punching a man, but said he did not know the individual, Jeremy Frank, was trying to serve him. "If they were wanting to serve me, the last thing I'm going to do is not take service of process," Rowan said. Recalling the Saturday episode, he said neighbors across the street were having a party that day and had parked cars in front of his house. While taking a shower, Rowan said he heard someone banging loudly on his door. He answered it. "I thought he was trying to get permission to park in my driveway," Rowan said of the visitor. "He never told me who he was."

Rowan claims he closed the door and returned to the shower, but continued to hear banging and noticed Frank peeking through his window. He said he put his jeans on, went back to the door and asked, "What's your problem?" Rowan said, "We had some words, he had an advance, and then I hit him with an over right hook." But the accusers have a much different account.

Recounting what Kasey Frank said she plans to tell the Tennessee Board of Professional Responsibility, Frank said her husband knocked on Rowan's door while she remained in the car. Rowan came out and said, "He's not home." Jeremy Frank, however, identified Rowan as the defendant based on a photo. Jeremy Frank came back to his car. His wife encouraged him to go back to the house

to notify Rowan that he would have to tell the judge he had evaded service. "I didn't think Mr. Rowan would do anything unacceptable, as he's an attorney running for judge," Kasey Frank said, though her husband had expressed concern over Rowan's pedigree as a boxer.

Despite apprehension, Kasey Frank said her husband knocked on the door a second time and took a few steps back from the house. "Mr. Rowan came out of the house, and before [Jeremy] could speak with him, he ran at him, shoved him, and yelled, 'You want a piece of me?'" she said. Jeremy Frank responded that he was simply delivering court documents and doing his job, according to his wife. Using an expletive, Rowan told Jeremy, "You're on my property!" Kasey Frank recalled. "You want a piece of this, boy?" she said Rowan continued.

After Jeremy Frank had turned around to walk back to his car, Rowan came up from behind him and punched him in the back of the head, according to the couple's complaint. Kasey Frank said Rowan continued punching and her husband shielded himself.

Kasey Frank said she yelled at Rowan to stop hitting him because he's an officer of the court. She alleges Rowan then used an expletive at her and warned, "I'll go after you next."

"He was quickly coming towards the car," Kasey Frank said. "I had just enough time to get back in and lock the door before he grabbed a handle. Then he looked at me at the back door as I locked it before he could get in. I was trembling. My husband made it back to the car. We took off. Then, I called 911."

APSA Newsletter <http://www.arizconprocessservers.org/> [apsanewsletter@gmail.com](mailto:apsanewsletter@gmail.com)

### ADVERTISING RATES

All Payments for advertising must be paid in advance.

Please submit camera ready copy.

**Business Card**..... \$50.00

Size: 2.0 x 3.5 (Red border example)

**1/4 Page**.....\$100.00

4.75 x 3.75 (Blue border example)

**1/2 Page**.....\$250.00

Size: 4.75 h x 7.5 w, or 9.5 h x 3.75 w

**Full Page**.....\$375.00

**Advertorials/Banners**.....\$25/col. in. 3 in. min.

**Guest Article Submissions** — The policy on guest article submission is as follows:

1. Publication of the article will be at the sole discretion of the Editor.
2. The article may be edited for content, length, spelling, and appropriate language.
3. A business card size advertisement of the Guest Writer may be placed in the edition in which the guest article is published, or at the discretion of the Editor, may be published in a later edition.
4. No advertising charge shall be made in conjunction with the publication of a guest article.

### 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 — Your APSA Newsletter Team.



**ARIZONA PROCESS SERVERS ASSOCIATION**

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

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



2012-2013 Membership Application/Renewal

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

Associate/Out of state Process Server

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

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

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

**Annual Dues: \$50**

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

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

**MEMBER I.D. CARDS:**

*The Member Identification Card is a member benefit issued by APSA and is not intended to replace your Process Server identification card as required by statute. Your APSA Member Identification Card should be displayed at all APSA functions. By applying for or renewing membership, the applicant understands and agrees that the Member Identification Card is not intended to be, nor shall be used in violation of any statute or regulation.*

Annual Dues: \$50.00
Voluntary Legislative Fund Donation: \$ _____
Total Enclosed: \$ _____

I hereby apply for membership (or membership renewal) in the Arizona Process Servers Association. I agree to abide by its bylaws and maintain the highest ethical standards in carrying out the duties of my profession. I authorize the Arizona Process Servers Association to investigate the statements made on this application and my qualifications for membership. I have no felony convictions and my certification (if applicable) as an Arizona Process Server is current. Membership is not transferrable. I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS MADE IN THIS APPLICATION ARE TRUE AND CORRECT.



Date: \_\_\_\_\_ Signature: \_\_\_\_\_

*Please make check payable to APSA mail it with this completed form to the APSA address, above.*

APSA Newsletter <http://www.arizonaprocessservers.org/> apsanevletter@gmail.com

# APSA Events Calendar

## APSA Continuing Education Classes

**JUNE 22 & 23, 2013** – Flagstaff 2 Days, 10 CE Credits available  
Continental Country Clubhouse, 2380 N. Oakmont Drive, Flagstaff, AZ 86004. ACPS 6 hour course on Saturday, sign in at 8:00 am, class begins at 8:30 am. 4 hour Spanish course on Sunday, sign in at 7:30 am, class begins at 8:00 am.

**SEPTEMBER 14-15, 2013** – 40th Anniversary Celebration for APSA. Annual APSA Conference and AAPLI Conference at Wild Horse Pass Hotel and Casino Resort, Chandler, AZ (I-10 just south of the 202) – 10 CE Credits available

**NOVEMBER 9-10, 2013** – TUCSON area training  
Location to be determined – 10 CE Credits available

## 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*

## TUESDAY, July 9 & Oct. 8, 2013 Court & Clerk's Exchange Meeting

Downtown Justice Center  
620 West Jackson Suite #2083  
(Justice Court – Training Room)  
Phoenix, AZ  
12:00 pm—1:00 pm

## 2013 APSA Board Meetings

June 29, 2013 10 am to noon  
Chateau Ratcliff, 1517 West Navajo Lane in Lakeside, AZ  
(call for directions, limited seating, (928) 367-0510). Other locations TBA for August 17, October 12, December 14.

## Invitation to join the Ratcliffs for June APSA board meeting

Candy and I are looking forward to seeing you all at our home at 1517 West Navajo Lane in Lakeside. Call us if you need directions..

The meeting will be on June 29, 2013 at approximately 1000 hours until about noon.

During that weekend there is a Motorcycle Rally being held at the Hon Dah Casino, BMX races in Show Low and a Farmers Market and Art Show in Show Low. If you who are planning on staying in a hotel make arraignments ASAP.

If you are planning on fishing, check the fish report at the AZ Game & Fish website.

On Saturday Night we will be cooking something on the grill here at our home. Join us for some cowboy cooking and some fellowship (time to be determined later when I can see what the weather predicts).

Your spouse, family and children are more than welcome. Please let us

know in advance who's coming for dinner so that Cooks (Larry, Candy, Wayne, Patti and whoever wants to help) can make sure we plan enough (like that's a problem around here).

We will make a final head count at the meeting and you and your family are all welcome to come for dinner. There is a school across the street from our home and you can park there if you need to. Hope to see you all soon.

— Larry Ratcliff

## Process Server Certification Testing

**Maricopa County**  
(Thursdays at 9:30 a.m.)  
620 West Jackson Suite 3017  
Phoenix, AZ

**July 11      Aug. 8**  
**Sep. 19      Oct. 10**  
**Nov. 14      Dec. 12**

**Pima County**  
110 W. Congress, Rm 131A  
Tucson, AZ

**September 14<sup>th</sup> and 28<sup>th</sup>**  
**October 15<sup>th</sup> and 30<sup>th</sup>**  
**November 15<sup>th</sup> and 30<sup>th</sup>**  
**December 14<sup>th</sup> and 28<sup>th</sup>**

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



### Advertising Submission Policy:

1. The APSA Newsletter is published in March, June, September and December of each year.
2. All advertising must be paid for in advance. Payment should be made to the Arizona Process Servers Association. A 15% discount is available for advertisers who pay for a full year in advance.
3. Advertising rates are quoted for full-color camera-ready copy in electronic submission in an approved format.
4. Advertiser is responsible for preparing & submitting ad copy. Copy must be submitted no later than the last day of the month preceding publication
5. Acceptance, placement and publication of advertising is subject to the sole approval and discretion of the Editor.
6. Inappropriate advertising content will not be accepted. Editor reserves the right to decline any advertisement.
7. In the event that an item of advertising is rejected, a refund shall be made to the advertiser.
8. Advertisement size quoted is approximate. Actual size may vary depending on page availability.
9. Advertorials may be written by APSANews.com staff or outside writer at cost to advertiser. Publication of advertorials is charged by the column inch.
10. Advertorials must be clearly marked in the header, "Advertisement". All advertisements may be bordered to distinguish their content.



## INTRODUCING OUR NEWEST APSA MEMBERS...

**Michele Yontef** is founder of **Maxo LLC**, located in Tucson Arizona. Michele is certified not only as an Arizona Process Server, but also as a Confidential Intermediary. She is also licensed as an Arizona Private Investigator and is a recognized certified expert witness, specializing in issues of telephonic communications.

A native of Arizona, Michele grew up immersed in the local Tucson business community through her grandparents' stores, "Mays Fashions" which opened in 1948. Learning 'ground-up' how to cater to individuals' needs discretely and understanding Tucson's unique professional environments, she quickly gained a loyal client base after opening her business, growing steadily ever since.

Maxo's main office, located in north-central Tucson on Pima



Street, concentrates on investigations while a second location on Craycroft Road intakes service of process. Maxo offers flat-rate service of process throughout the Tucson area for APSA associates, allowing them to subcontract in southern Arizona. Contact Michele any time at 520-284-5226 or toll free at 855-U-Go-MAXO (855-846-6296), or via live portal at her company's website, [www.gomaxo.com](http://www.gomaxo.com).



*If you are an APSA member and would like to have an introductory piece published in the APSA Newsletter, contact the Editor.*

The APSA Newsletter is published quarterly in March, June, September and December. Deadlines for submission for all items are the last day of the month preceding publication. If you have an item of interest or would like to post on our Events Calendar, please send them to: [editor@apsanews.org](mailto:editor@apsanews.org).



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