

Twentieth Judicial Circuit Certified Civil Process Server Review Board

MINUTES OF MEETING

November 17, 2008

1:00 p.m.

2072 Victoria Ave., Ft. Myers, FL 33901

In attendance:

Board Members: Ernie Averill, Chair  
Robert Tardif, Vice Chair  
Lynette Young, Board Member  
Sgt. Beckel, Board Member  
Captain Lewis, Board Member

Others: Lt. Cohen, LCSO

1. Quorum present.

2. Minutes of the October 21, 2008 meeting were reviewed. A motion was made to accept minutes and motion was seconded. Motion passed unanimously.

3. Mr. Averill took a moment to review the renewal process that has taken place since the last Board meeting –

- Applications were received from renewing servers as well as new potential servers.
- These applications were collected and processed by the Lee County Sheriff's Office.
- The agreement that the servers sign states that the renewal applicants have at least 45 days prior to the expiration to submit their application. Therefore renewing servers had until November 15 to turn in their applications.
- The application acceptance time is officially closed now.

4. The previous mentioned agreement says you have 45 days to get applications in – we had agreed to set a 60 day period, every year, once a year September 1<sup>st</sup> through November 1<sup>st</sup>.

5. The board now has a central filing cabinet located at the Lee County Sheriff's Victoria Avenue address.

6. Sgt. Beckel reported that we had 2 renewal applicants that were rejected due to drugs. These servers have since resigned their certification. There was one other applicant that tested positive for drugs from Tampa – that person was notified. We have one applicant that we are still waiting for a decision on – the applicant that as a juvenile was arrested for a felony 3 years ago – instead of formally charging the person with the felony – the person was required to go through some type of programs – Sgt Beckel feel that still carries as a conviction – Mr. Tardif stated that if it states that there was no petition filed there is no conviction. This application will proceed.

7. Sgt Beckel bought to the board suggestions to assist in the professionalizing this application process and lessening the financial burden to the LCSO.

Doing a checklist – that will have on it:

- Received my card
- Received new rules and regulations
- Signed my oath

Having the servers initial and sign that they received the items and that this checklist be place in their folder.

Other suggestions were to list in the agreement the following items:

1. Anyone arrested must notify the board by phone or fax within 72 hours or they could face suspension – upon final disposition of a criminal case they must notify the board also within 72 hours or face possible suspension.
2. Any conflict with any law enforcement agency while performing their duties they must notify the board in writing and fax it to Sgt Beckel.
3. Everyone should submit an email address.
4. Filing for renewal or new apps be from September 1<sup>st</sup> thru November 1<sup>st</sup> no exceptions.
5. Everyone must maintain at all times a valid Florida Drivers license
6. Any law suits resulting from their duties as a certified process server – notification in writing must be made to the board within 72 hours.
- 7. Must be a us citizen
8. Bonds must be continuous from January 1<sup>st</sup> through December 31<sup>st</sup> no exceptions.
9. Random drug testing is possible at anytime throughout the 12 month period.

8. A motion was made by Mr. Tardif to accept the following changes:

Creating a checklist at pick-up time that the server signs

And adding to the agreement that the server signs

- Notification to the board in writing within 72 hours of any arrest.
- Notification to the board in writing within 72 hours of any disposition of a case.
- Notification to the board in writing within 72 hours of any conflict with any law enforcement agency.
- Requesting an email address and the county that they serve in.
- Application deadline - September 1 – November 1<sup>st</sup>.
- Having a valid Florida driver's license.
- Notification to the board in writing within 72 hours of any civil lawsuits resulting from their duties as a certified process server. Notification of the outcome as well.
- Subject to random drug testing.

This new agreement supersedes the previous agreement.

Ms. Young seconded this motion. Motion passed unanimously.

9. A certification / renewal class is being set up at Lorenzo Walker Institute.

10. Next meeting scheduled for December 15.

11. Meeting is adjourned 2:03 pm