

Twentieth Judicial Circuit Certified Civil Process Server Review Board

MINUTES OF MEETING

December 15, 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: Chad Cook
George Hewitson
Sean Spoons

1. Quorum present.
2. Minutes of the November 17, 2008 meeting were reviewed. A motion was made to accept minutes and motion was seconded. Motion passed unanimously.
3. Mr. Averill introduced the first order of business – guest were introduced – Chad Cook - Mr. Cook missed the deadline for filing his application for renewal.

Mr. Cook stated that he was a resident of Southwest Florida for 18 years and has been a full time Private Server for nearly 7 years. He is here to ask the board to recommend to Chief Judge Cary to allow him to file a request for an exception to the deadline ruling for 2009. He stated that this was his sole source of income.

Mr. Averill stated that the decision was made to have a once a year renewal process. This was the guideline developed and accepted by the Chief Judge. Mr. Averill asked the board if they wanted to recommend a variation of the policy, stating that we have had several persons asking for this variation as well.

Mr. Tardif asked if there was any other type of notification other than being in the agreement for the servers.

Sgt. Beckel stated that it is in the agreement.

Ms. Young stated that it was the same process as in years past – there was no notification sent out. It is the server's responsibility to know, this was nothing new.

Mr. Tardif than asked Mr. Cook - when was the first time that he knew he had missed the deadline – Mr. Cook replied – the day of his refresher course that he had taken in St. Pete.

Sgt. Beckel stated that if you missed the cut off for the deadline you will need to wait until the next year. The open session is from September 1st to November 1st.

Mr. Averill pointed out that the current ruling states that renewing servers had 45 days prior to the expiration date to file their applications (which brings the deadline date to November 15th) this date has passed. The new rules will go into effect for 2010 using the September 1st to November 1st. If there are concerns about the new rules you can notify the board.

It was pointed out that Mr. Cook still had the option to file Motion and Orders to Appoint Special Process Servers.

Sgt. Beckel made a motion to deny the request of Mr. Cook, Mr. Tardif seconded. No further discussion. No objections, Motion carried.

4. The new agreements were reviewed.
5. General discussion was had about notifying Sgt. Beckel about any conflict with any law enforcement agency while performing their duties. This procedure is very beneficial to the servers and the Sheriff's office in clearing up any possible miscommunications out in the field.
6. Mr. Spoons, a guest, had a comment to make regarding the Process Server's ID card. He stated that the card really didn't say anything on it that is of any substance (his 12th circuit id card bears the seal of the court). It was pointed out to Mr. Spoons that on the flip side of the ID card is the court seal.
7. More discussion regarding the new agreement – "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." Mr. Tardif made a motion to change our previous agreement to reflect the notification period to 24 hours not 72 hours. Seconded by Sgt. Beckel. Motion passed unanimously.
8. Checklist – making sure we had no changes to this document - Received my card
Received new rules and regulations Signed my oath – question about making sure we have an email address for all servers. – adding a space for the email address. Changing the website with the server's name, id number, phone number, county of service. That will be another thing added to the checklist – county of service.
9. Mr. Averill stated that there are a few applications that are still missing items, signed bond, certificate from school, etc. Mr. Averill and Sgt Beckel are reviewing and notifying servers of missing information. Mr. Averill made a motion that as the files are completed and they meet all our requirements – the servers will receive their cards and the one that are already completed and ready to go can come and get their card. Ms. Young seconded the motion. Motion passed unanimously.
10. For the record Dennis Hedge was another one who had complained about the application deadline – he was informed he could come to this meeting, he did not show up.
11. Next meeting scheduled for January 19th if necessary. We will only have a meeting if there is something to go over. Please check your emails for notification.
12. Meeting is adjourned 1:55 pm.