



The Twentieth Judicial Circuit of Florida
CERTIFIED PROCESS SERVER REVIEW BOARD
1700 MONROE STREET
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MINUTES OF MEETING

August 16, 2010
2:00 p.m.
1415 Dean Street, Suite #100
Fort Myers, Florida

COMMENCEMENT OF MEETING

On August 16, 2010, Chairman Averill called the meeting of the Certified Process Server Review Board (Board) to order at approximately 2:07 p.m.

ATTENDANCE OF MEMBERS

Board Member Present:

Ernest Averill, Jr., Chair
Robert Tardif, Esquire, Vice-Chair
Lynette Young
Sgt. Chris Webb

Board Member Absent:

Lt. Andy Lewis was unable to attend.

Also present:

Kathleen Deldin
Linda Deldin
Robert Goukler
Tammy Laughlin
Randy Scott
Jan Lowdermilk
Terry Joiner
Mark Beaumont
Eric Fishbeck, Administrative Office of the Courts
Dolly Ballard, Administrative Office of the Courts

READING AND APPROVAL OF MINUTES

Mr. Tardif moved to approve the minutes of the June 21, 2010 Board meeting. Sgt. Webb seconded the motion, which passed unanimously.

REVIEW OF FORMAL COMPLAINTS

Mr. Samuel Orejobi, #157458

Mr. Orejobi was not present. The Board reviewed three complaints against Mr. Orejobi. The Board reviewed documentation and discussion followed.

Complaint #1 – The Board found probable cause pending a disciplinary hearing during the Board Meeting held on November 23, 2009.

Complaint #2 – The Board finds probable cause pending a disciplinary hearing citing violations of A.O. No. 2.30, Section 11.I. Sgt Webb moved and Mr. Tardif seconded the motion, which passed unanimously.

Complaint #3 – The Board finds probable cause pending a disciplinary hearing citing violations of A.O. No. 2.30, Section 11.A, 11.H, and 11.J. Mr. Tardif moved and Sgt. Webb seconded the motion, which passed unanimously.

The Board recommends to the Chief Judge to suspend certificate pending a disciplinary review, citing A.O. No. 2.30, Section 12E.

Mr. Michael Barker, #157193

Sgt. Webb reported that a complaint on Michael Barker. Mr. Averill recommended that the complaint be carried over pending more information that would clarify the nature of the complaint.

STAFF REPORT AS TO THE REVISED A.O. NO. 2.30

Chairman Averill introduced Mr. Eric Fishbeck and Ms. Dolly Ballard from the Administrative Office of the Courts who will be providing staff support to the Board.

Mr. Fishbeck addressed the Board in response to the agenda item from the last meeting. Court Administration prepared a report for the Chief Judge and under agenda item number 4, the Chief Judge sent a letter to the Board members dated July 29 which introduced the new administrative order.

The order made the changes which includes the removal of the cap on the number of certified process servers and also provides for clerical and administrative services to help review and support the Boards actions.

Chairman Averill added that Eric and Dolly will be looking for direction and instruction from the Board on how they are to be useful as we move forward. The Board discussed various processes and how they will be executed with the addition of administrative support to the Board.

PROCESS SERVER'S APPLICATION

The application that is posted on the website needs to be updated. Mr. Fishbeck addressed that we need to provide a reminder to potential applicants that the cap has been removed and applications may be received.

CERTIFICATION AND REFRESHER COURSE TRAINING

The Board discussed the locations and dates of the 40-hour certification course and 4-hour refresher course. Courses are available at:

Southeastern Public Safety Institute
St. Petersburg College
P.O. Box 13489
St. Petersburg FL 33933-3489
Voice 727-341-4516 or Fax 727-341-4547

Lorenzo Walker Institute of Technology, contact Lee Spector
239-377-7491 or spectn@collier.k12.fl.us
40-Hour Certification Course August 30, 31 & September 1, 2, 7, 8, 9, & 13, 2010
4-Hour Refresher Course September 13 and October 6, 2010

WEBSITE POSTINGS

Sgt. Webb offered that his cell phone number and email address may be posted on the website. He also said that he wants to be notified of any concerns with guard gate issues. Sgt. Webb is willing to talk about Board related issues within the Circuit. Yet, he does not have any authority to discuss Lee County Sheriff Office.

Mr. Averill discussed that contact information for the Board is also posted on the website. It is a possibility that the contact information will be replaced with contact information for the administrative staff. This will allow the staff to review and disperse information to the board.

PUBLIC COMMENTS

The Chair opened the Meeting to public comment.

- The certification and refresher course training dates were discussed.
- Discussion followed about insurance companies not wanting to renew the bond too far in advance. We are telling the process servers to get the bond 60-days in advance. And, renewal does not seem to be an issue.
- Discussion followed regarding privacy concerns when reviewing complaints that become public before finding probable cause. A point was made that the Board needs to consider the Sunshine rule. A question was raised about the Release of Information form and the detail of background inquiry.

NEXT MEETING

Next meeting tentatively set for the fourth Thursday of the month; September 23, 2010 beginning at 3:00 p.m. The meeting location will be, 2000 Main Street (SunTrust Bldg), Suite 402, Conference Room B.

ADJOURNMENT

There being no further business, Chairman Averill declared the meeting adjourned by unanimous consent. Meeting adjourned at 3:17 p.m.

Respectfully submitted by,
Dolly Ballard
Court Operations Manager