

Twentieth Judicial Circuit Certified Civil Process Server Review Board

MINUTES OF MEETING
June 23, 2008
9:00 a.m.
2072 Victoria Ave., Ft. Myers, FL 33901

In attendance:

Board Members: Lt. Kent Caldwell, Chair
Robert Tardif, Board Member
Lynnette Young, Board Member
Others: Suzanne Ederr, representative of the Chief Judge and Court Admin
Mark Beaumont, process server
Chris Beckel, LCSO

1. Quorum present.
2. Lt. Caldwell introduced Chris Beckel who will be replacing Lt. Caldwell in the civil division upon Lt. Caldwell's retirement.
3. Minutes of May 19, 2008 meeting were reviewed. A motion was made to accept minutes and motion was seconded. The motion passed unanimously.
4. It was discussed that the Lorenzo Institute in Naples is offering a 40 hour course. Virginia Ortino is the instructor. Information may be posted on the website upon receipt.
5. Judge Cary received an anonymous letter dated May 14, 2008. The letter complained that process server Virginia Ortino was campaigning while serving process. Apparently, a news reporter for NBC-2 received an e-mail from the complainant who wanted to remain anonymous. After brief discussion, the Board elected to take no action until such time as a person may come forward.
6. Lt. Caldwell reported that a gentleman by the name of Richard Stone hand-delivered a complaint against process server Gary Scharf, alleging that Mr. Scharf served his 12-year old daughter. Lt. Caldwell did talk to Mr. Stone about the complaint. In the affidavit of service, Mr. Scharf said that he was preparing to serve the teenage daughter when the wife pulled up, and he actually served the wife. Mr. Stone alleged that Mr. Scharf lied in his affidavit. After brief discussion, the Board elected to take no action at this time.
7. Lt. Caldwell reported that he had received a Notice of Cancellation of Bond for Non-Payment for Suncoast Civil Process which is the company that was owned by process servers Chad and Laura Cook. During the meeting, Lt. Caldwell called both Chad and Laura Cook. He reached Chad Cook, who advised that he is no longer with Suncoast and his company is now called All Florida Process Service LLC. Mr. Cook wasn't sure whether he ever obtained a bond under his new name and was advised by Lt. Caldwell that he needs to ensure that he does so. Lt. Caldwell left a voice mail message for Laura Cook advising that he needs to get her bond reinstated and to fax a copy to him.

8. A complaint was received from Attorney Kevin Jursinski regarding process server Telina Crowder, alleging that she improperly attempted to provide legal advice to his client while serving process and suggested that she disregard her attorney. A discussion was held among the Board. It was acknowledged that persons being served do sometimes ask questions and the process servers do sometimes fall into the trap of answering. It was agreed that a process server should always advise that they are not an attorney and cannot give legal advice. Also, it was noted that Ms. Crowder failed to put her ID# on the summons given to the party. However, the Board also noted that the complaint has not come from the person being served, but rather from the attorney, and from a legal standpoint as it relates to the court case, there's nothing the Board can do. The Board elected to take no formal action until such time as a complaint from the person served may be received. Mr. Tardif agreed to call and talk to Kevin Jursinski, and to also call Tilena Crowder and remind her that process servers cannot give legal advice and to put her ID number on all papers.

9. Lt. Caldwell suggested that perhaps a member of the Board could speak briefly at the next process server class offered.

10. Lt. Caldwell announced that SPJC would be offering its 40 hour and refresher courses in October.

11. Next meeting tentatively scheduled for Monday, July 21, 2008.

12. Meeting Adjourned at 9:53 am.