

(Continued from page 5)

to the sheriff with this litany of complaints. Number 4 is a fairly common argument used by sheriffs and constables to defeat legislation to license or regulate private process servers, but the first three are a bit of a stretch and seem to be cut out of whole cloth.

The author piles on with this quote from a local sheriff: "As elected officials, the taxpayers hold us accountable and expect a certain level of service in everything we do. Serving civil process is not an exception to this expectation. In cases that involve private processors, there is no incentive for accountability, and that could create an atmosphere of improper service." There's also a reference to "problems of liability" but no explanation of how improper service by a "processor" affects the sheriff.

The article ends with a call for sheriffs to plan ahead: "Laying the groundwork for a potential legislative confrontation," she writes, "must begin years before the actual legislation is ever filed." That part of the article is true. Positively and undeniably true!

NAPPS BOARD MEETING REVIEW

At the February 21 board meeting in Tucson, the following items were among the various matters discussed:

John Perez reported that NYSPPSA, the New York state association, now has a training program that is primarily geared to meet the training requirements set forth in the Suffolk County licensing legislation which, after several years of debate and delay, is due to take effect in July of this year. New York City, which already licenses process servers in its 5 boroughs, is reportedly considering having NYSPPSA conduct a training program for its licensees.

Administrator **Alan Crowe** reported that NAPPS had total assets of \$378,613.00 as of 12/31/03, of which \$42,916.00 was in the Special Legislation Fund. He stated that we currently had 1504 members with new members coming in at a steady clip.

He stated that the Spring 2004 directory will go to the printer on or before April 1 and will be in the hands of the members prior to the annual meeting in May.

He reported to the board that there was an increase in instances where non-members, or former members, were falsely claiming to be NAPPS members in their printed advertising, on their websites, or when they call in for quotes.. Most of these complaints were resolved by telephone, he said. He also reported that a matter involving a former member who refused to remove the offending reference from his website had been resolved. Following receipt of a cease and desist letter from our lawyer, the individual removed the affiliation reference from his website.

Members of the board were in unanimous agreement that the NAPPS logo, a patented service mark, would be protected with affirmative legal action in all cases where its use is unauthorized or improperly displayed.

State Legislative Assistance: The board discussed letters received from the state associations in Georgia and Oregon requesting financial assistance from the State Legislation Fund.

To sponsor legislation that would permit process servers to serve without judicial appointment, the Georgia Association of Professional Process Servers (GAPPS) was granted \$8,583.00.

The Oregon Association of Process Servers (OAPS) was granted \$4,292.00 toward its expenses in sponsoring a bill to make it a crime to interfere with the service of process or to commit an assault upon a private process server.

The only other disbursement that has been made from this fund was a payment in August 2003 to the Florida Association of Professional Process Servers (FAPPS) as reimbursement for expenditures during the 2003 legislative session in support of a bill to permit substituted service at private mail boxes.

(Continued on page 7)