

Process Servers, Court and Clerk's Office Information and Exchange Presentation

January 11, 2005

Minutes

Welcoming Remarks

- Michael K. Jeanes, Clerk of the Superior Court, welcomed the attendees and apologized for the "last minute" relocation of the meeting and space availability in the meeting room. Mr. Jeanes reminded the Process Servers to be sure and sign in so they could receive Continuing Education credit hours for their attendance. Additionally, he urged the group to submit items for future agendas via the email address at the bottom of the agenda. (**lthomas@cosc.maricopa.gov**)
- Mr. Jeanes provided an update on the status of the E-File initiative. This initiative is broken down into three projects: a) the Complex Civil Litigation Pilot, managed via LexusNexus, b) Electronic filing throughout Civil case types, currently in the evaluation phase of the RFP process and c) a Criminal E-File Pilot, expected to begin in the DUI Courts.

Process Servers Applications – Now Available on Clerk of Court's Website

- Mr. Jeanes advised the group that Process Server Applications are now available on the Clerk's Website at **http://www.clerkofcourt.maricopa.gov/process_svr.asp** . Additional information is also available at this site.

Process Servers Complaints

- Mr. Jeanes advised the group if they need information on the status of a complaint filed against them, they should contact the appropriate Judicial Assistant to the Judicial Officer assigned to rule on these matters.

Continuing Education Requirements for Process Servers

- Mr. Jeanes introduced Nancy Swetnam, Director of Certification and Licensing Division at the Administrative Offices of the Court, for information on Continuing Education requirements. (A handout was provided.) The Supreme Court adopted the rules that govern Process Servers and certifications. Continuing Education (CE) requirements are needed for renewal every three years. These must be obtained at a rate of 10 hours per year (12 month increments) and the certificate holder is responsible for retaining the certificates until renewal. The Administrative Offices of the Court (AOC) does not provide Continuing Education classes. Information on pre-approved classes is available on the AOC's website at **<http://www.supreme.state.az.us/cld/pps.htm>** . Process Servers may attend other classes, but are urged to download the pre-approval form from the AOC's Website and fax to 602-364-0358 to obtain approval prior to attending a class. Please allow at least two weeks to process the request. Classes relating to the work performed are most often acceptable. Ethics is one of the few courses that can be repeated yearly. Ms. Swetnam cautioned that in accordance with rules, no more than 50% of the required hours could be obtained in one class. Additionally, many Document Preparer classes are acceptable.
- Ms. Swetnam further clarified that Process Servers may not opt out of the CE requirements needed for renewal by re-taking the Process Servers examination. This is in violation of rules and is not an alternative. All Clerks of Court (statewide) have been advised to report such occurrences. If timely compliance is an issue, Process Servers may plead their case to the Judicial Officer that reviews these matters; however, renewal could be denied.
- Ms. Swetnam closed by asking the group to contact her via email if they have any questions at **procserv@supreme.sp.state.az.us** .

Provisional Certifications / Renewals

- Lauri Thomas, Document Management Administrator, advised the group that Provisional Certifications are still issued at the Clerk's Office. Assistance and questions related to the Provisional Certifications should be directed to Darlene Pierson at (602) 506-1909.

Court Administration Topics

- Robin Hoskins, Family Court Navigator, made the presentation for Phil Knox, Deputy Court Administrator, and Mary Bucci, Director of Conciliation Court / Family Court Administrator. Additionally, she introduced Barbara Daniels, Family Court Judicial Services Administrator, who will be making future presentations.
- ✓ New Regional Judicial District Boundaries – Update
 - No update was needed. Mr. Jeanes referred the group to Administrative Orders 2004-193 and 2004-194, In the Matter of Establishing Administrative Boundaries for the southeast Judicial District and In the Matter of Establishing Administrative Boundaries for the Northwest Judicial District, respectively, which designates boundaries by zip codes.
- ✓ Judicial Rotations – Update
 - There is no announcement at this time. Some rotations are being planned for February, and will be announced at a later date. The Honorable Barbara R. Mundell has been selected as the Presiding Judge, effective July 1, 2005 (Supreme Court Administrative Order 2004-099).
- ✓ Northeast Court Facility - Update
 - Opening of the facility to be located at SR 51 and Union Hills has been scheduled for September 2005. At this time, it is scheduled to hold five Civil Judges, five Family Court Judges and three Commissioners. Additionally, three Justice Courts will be co-located at the facility: Scottsdale, North Phoenix and Northeast Phoenix Justice Courts.

Justice Courts Topics

- Dennis Metrick, Director of Operations of Limited Jurisdiction Courts, made the presentation for Brian Karth, Justice Court Administrator.
- ✓ Process Servers Document Depository Boxes – Update
 - This issue cannot be addressed at this time. This needs to be a service that is available to all customers and currently, space is an issue at the Justice Courts. However, this could be reviewed at a later date when Justice Courts begin to be co-located. Additionally, the Court is discussing "express" windows at some point in the future (with co-location). Mr. Metrick asked the group to advise him of their preferences.
- ✓ Notarizing Signatures of Process Servers on Affidavits of Service - Update
 - Justice Court staff have been informed to accept these from Process Servers without notarization. At Superior Court, File Counter staff can verify a signature for the Process Servers, instead of notarization, but the person filing the Affidavit of Service must be the person that served it.
- ✓ Mr. Metrick addressed some issues raised by the Process Servers in the meeting and asked that they contact him via email with other concerns / issues they may have. His email address is **dennismetrick@mcjc.maricopa.gov** .

Unattended Items (Briefcases / Bags / Etc.)

- Mr. Jeanes shared an incident that happened recently at the Southeast Adult Facility. A "bag" was left unattended within the lobby area and the "owner" was no where in sight. He asked the Process Servers to refrain from leaving their items unattended, as this creates a security issue and is disruptive to conducting business.

Verification of ID's on Personal Checks

- Kathy Whittiker, Document Management Director, reminded the group if they are bringing a personal check in from a client, that they make available a valid identification from that person. This is in accordance with tracking procedures for the County Attorney's "Bad Check Program." If identification of the check-writer is not available, the Process Servers may be asked for their identification in order for Clerks to accept the check.

Other Items

- Having no additional items, the meeting was adjourned at 1:00 p.m.