



## 2015 Annual Meeting Minutes Tennessee Association of Professional Process Servers

**Saturday April 18, 2015**

**9:00 AM** – Embassy Suites, Nashville Airport, 10 Century Boulevard, Nashville, TN 37215  
(615) 871-0033, [nashvilleairport.embassysuites.com](http://nashvilleairport.embassysuites.com)

1. Meeting called to order by President - Jim Belli (JB)
2. Opening Prayer – Jim Belli
3. Pledge of Allegiance – Barry Kaley
4. Informal Introduction of the members of the TAPPS Board  
Jim Belli (JB) - Pres, Judy Denney (JD) - Vice Pres., Paul Moore (PM) – Secretary & Barry Kaley (BK)
5. Introduction of the members of TAPPS
6. Minutes from September 27, 2014 Board Meeting read. Motion to approve – PM, Charles Fineberg 2nds, All Approve (AA) No Oppose. Minutes Approved as read.
7. Motion to accept 2014 Convention Meeting Minutes Charles Fineberg makes motion to approve, Ken Davis 2nds AA No Oppose

**9:30 AM** - Open Discussion for Members

Jim Belli (JB) opens floor to address news, questions or concerns about process serving.

- NAPPS – Need two letters of recommendation from a NAPPS member to join NAPPS
- No Trespassing Issues – Open discussion about serving papers when trespass signs are posted. Use Your Own Discretion.
- Can we as members go into businesses to serve their employees?
  - \* TN Code Annotated 39-16-602(a) It is an offense for a person to intentionally prevent or obstruct anyone known to the person to be a law enforcement officer, or anyone acting in a law enforcement officer's presence and at the officer's direction, from effecting a stop, frisk, halt, arrest or search of any person, including the defendant, by using force against the law enforcement officer or another.
  - \* TN Code Annotated 39-16-602(c) It is an offense for a person to intentionally prevent or obstruct an officer of the state or any other person known to be a civil process server in serving, or attempting to serve or execute, any legal writ or process.

**10:00 AM – BREAK**

**10:20 AM – Push Agenda to 11:00 AM hour due to Serve-Now and Rep. Harry Brooks – No Show**

**10:20 AM – Barry Kaley – Education Program**

- By-Laws for TAPPS – Barry Kaley passes out proposal for By-Law changes – To be discussed later in meeting.
- Subject of Process Service Fees – Standard practice NOT to undercut the Sheriff's Dept.
- Sub-Service on an individual – TN Code Annotated 16-15-903
- Forwarding Papers to be served by other Process Servers
  1. Need to find a process server
  2. Need to communicate needs for your service. Request for Service ( RFS )
  3. What information do you put on your RFS
  4. Establish price for service
  5. Follow up on service – Maintain contact with clients
- Receiving papers for Service
  1. Can it be sub-served
  2. Type of Service, (ex) Routine, Rush, etc.
  3. Maintain contact plus status with clients
  4. Jurisdiction Rules – Can paper be served on Sunday
  5. Some papers require date, time and initials of server to be put on papers (ex- Florida)
  6. Make sure you know who you are serving and where to serve them
  7. Affidavit of Service ( Return of Service ) Notarized in some cases
  8. Establish price for service
- Jim Belli wants to move forward as an organization and has goals of improving our association by increasing education, increase communication and to promote our association to advertise and to be a resource to represent us as an organization.

**12:00 PM – LUNCH**

**1:20 PM – Meeting called to order by Jim Belli after Lunch Break**

- Brought up letter to Administrative Office of the Courts ( AOC ) for Registration, Certification and Licensing of Process Servers.
- There will be people that oppose and those that support changes in our industry.
  1. Back in early 2014 there was legislation brought up in Tennessee that would create an environment where the AOC would be compelled to register process servers. Knox County has already implemented that you be registered.
    - a. Do we want to be subjected to legislation or do we want to deal directly with the AOC?
    - b. In dealing with legislation you are dealing with a bunch of attorneys - Their agendas and their opinions.

- c. The biggest opponent has been the BAR
2. TAPPS represents every process server in the State of Tennessee – This letter is directed to the Director of the AOC
3. A Bill ( 2014-HB 19-53 ) was introduced in legislation to direct the AOC to create an application procedure to become a Registered Process Server for the Courts in the State of Tennessee.
  - a. Under this amendment Tennessee Professional Process Servers would have to apply and be issued a registration number in order to serve civil process in the state. Some states already have this in effect.
  - b. Do we want to move forward with this letter to the AOC?
  - c. Floor is opened for discussion on this matter
  - d. Do we table this proposal until further notice, that if legislation brings it up again, we monitor situation and if it comes up again we vote on it again.
  - e. Barry Kaley reads Proposal.
- Charles Fineberg makes a motion to table proposal and monitor situation and if it comes up again we bring it up to the members again.
  1. Jim Belli Says we will come back to it in his President's report.
  2. Key Kernaghan wants an addendum to Motion that we go forth with presenting letter to the AOC.

**2:25 PM** – Larry Yellon

- National Association of Professional Process Servers ( NAPPS ) Founded in 1982 in Las Vegas NV
- Due to the Federal Government wanting to allow Service of Process by mail a group of process servers got together and stopped this from happening, thus NAPPS was formed and today has well over 2,000 members representing all 50 states, the District of Columbia, seven Canadian provinces and nearly two dozen foreign countries. It is headquartered in Portland, Oregon.
- NAPPS is a Worldwide Organization of the largest community of professional process servers and the first resource for credible information regarding the profession. NAPPS members assure a citizen's right to due process and access to the legal system. To this end, a NAPPS member is committed to being accountable, reliable and valuable to their legal clients, the courts, and the parties and witnesses they serve. Membership is on an individual basis, and each member is expected to adhere to high ethical standards and have a thorough understanding of the NAPPS code of conduct on which NAPPS prides itself.
- State organizations have been formed to fight legislation in their perspective states. NAPPS can help state organizations in assistance to fight legislative actions.

2:45 PM – BREAK

3:00 PM – Officer Committee Chair Reports

- President's Report
  1. Happy to see that we had some Regional Meetings
    - a. West Tennessee yielded multiple new members
    - b. East and Central Tennessee – due to a lack of response from members regional meets were canceled.
    - c. We as an organization need to communicate and the regional meetings is a way to make this happen.
  2. In Board meeting we made a motion to build a new website
    - a. In the process of building a new website – Paid ½ down for the go-ahead of this site.
    - b. Total cost will be approximately \$3000.00.
  3. Reminder if you refer someone, you will get ½ off your annual dues.
  4. Revisited Motion on floor about proposal to AOC.
    - a. JB made an executive decision not to turn in letter to AOC until we as an organization could discuss this again.
    - b. JB 2nds Motion that Charles Fineberg brought up earlier.
    - c. Key Kernaghan wants an addendum to Motion that we go forth with presenting letter to the AOC.
    - d. Motion to table proposal passes with 12 votes – FOR, 1 vote – OPPOSE.
    - e. Now it is up to every member to monitor situation to see if legislation moves on this situation and bring it to the board and then and only then move forward with the Proposal to the AOC.
- Treasurer's Report
  1. Membership dues are still coming in.
    - a. Lost 24 members for one reason or another
    - b. 16 New members gained from last year.
  2. Paid out to Legal Directors Publishing Co. - \$550.00 to put an add in back cover of Directory.
  3. Eye Candy Creative - \$1375.00
  4. Graphics Links - \$259.99 – Site coming down
  5. Embassy Suites - \$2500.00
  6. \$7,000.00 in account to date.
- Secretary's Report
  1. 16 New Members
    - a. Adam Gursoy – Adam Gursoy & Associates
    - b. Christopher Culver – C & A Process Service

- c. Dr. A.T. Hodge – Complete Ohio Process Service
  - d. Eric Fischer – Fischer Mobile Notary – Process Service & More
  - e. James Grady – Perfected Process Service
  - f. Jim Howe – Big Jim’s
  - g. Joseph Jackson – Tennessee Court Services
  - h. Kenneth Holmes – Alpha Process Service
  - i. Key Kernaghan
  - j. Mattine Buchanan – Aim Notary & More
  - k. Michael Hayes – Hayes Investigations
  - l. Nick Frisa – Union County Process Service
  - m. Othniel Penn – Penn Legal
  - n. Scott Meek – Premier Investigative Services
  - o. Robin Rowin – Attorneys Edge Investigative Process Service
  - p. David Cook – JJI Process Corp.
2. Currently have about 50 members in TAPPS – we have been losing members due to membership dues not renewed thus we have been removing them from website.
  3. Placed an add in the Legal Directory – Back page, also will find add in mid-section of directory.
- Vice-President’s Report  
Nothing to Report
  - Web Chair Report
    1. Eye Candy Creative – New website
      - a. Need more history items to add to website.
      - b. Will have search engines to locate process servers.
      - c. Quick links to move from page to page.
      - d. Kick off date is May 31, 2015.
  - Training Committee
    1. Barry Kaley passes out proposed certification training. Civil Court systems and procedures

**4:30 PM – Old Business, New Business**

- Old Business
  1. 2014 Convention
  2. Larry Pritchard Award
  3. Registration of Process Servers
- New Business  
No New Agenda Items

#### 4:35 PM – Proposed By-Law Changes

- 1.02c – Active membership w/ felony conviction
  1. 1.02c – Have NO felony convictions
    - a. JB motions we pass w/NO felony convictions. Joyce Mercer 2nds - 16 FOR, 1 Oppose, AA
- 1.05 JB motions approve, Ken Davis 2nds, AA
- 2.01 JB motions approve, Joyce Mercer 2nds, AA

#### 4:50 PM - Nominations for Officers:

- Joyce Mercer elects Jim Belli for President: Key Kernaghan elects to close nominations, Ken Davis seconds, AA Jim Belli - President
- Barry Kaley elects Key Kernaghan – refused, JB elects David Cook, Barry Kaley 2nds, AA David Cook – Vice President
- JB elects Paul Moore, Judy Denny 2nds, AA Paul Moore – Treasurer
- Judy Denny elects Scott Meeks, JB 2nds, AA Scott Meeks - Secretary

– The new Board of Directors take the Oath of office. JB administers oath to new board members.

We will have a continuity book for each office so that it will make it easier to fulfill the offices on the board of TAPPS.

5:00 PM – Closing Prayer -- Close of Business

**End Minutes**