

**Arlene Huszar**

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**From:** Judge Robert Roundtree, Jr.  
**Sent:** Tuesday, September 07, 2010 11:54 AM  
**To:** Judge Toby Monaco; Judge Stan Griffis; Judge Martha Lott; Ted McFetridge; Paul Silverman; Judge Victor Hulslander; Arlene Huszar; Judge Phyllis Rosier  
**Subject:** RE: Florida's High-Speed Answer to a Foreclosure Mess - NYTimes.com

That is why I want a hearing and the owner noticed so that we might know if the home is still occupied or vacant. From my understanding, the file is considered closed for our purposes once the final judgment is entered. We have disposed of the case. I would not be surprised that some of these homes are vacant.

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**From:** Judge Toby Monaco  
**Sent:** Tuesday, September 07, 2010 11:50 AM  
**To:** Judge Stan Griffis; Judge Robert Roundtree, Jr.; Judge Martha Lott; Ted McFetridge; Paul Silverman; Judge Victor Hulslander; Arlene Huszar; Judge Phyllis Rosier  
**Subject:** RE: Florida's High-Speed Answer to a Foreclosure Mess - NYTimes.com

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**To:** Judge Robert Roundtree, Jr.; Judge Martha Lott; Ted McFetridge; Paul Silverman; Judge Victor Hulslander; Arlene Huszar; Judge Toby Monaco; Judge Phyllis Rosier  
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**To:** Judge Martha Lott; Ted McFetridge; Paul Silverman; Judge Stan Griffis; Judge Victor Hulslander; Arlene Huszar  
**Subject:** FW: Florida's High-Speed Answer to a Foreclosure Mess - NYTimes.com

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**Date:** Sat, 4 Sep 2010 15:55:13 -0400  
**To:** "Judge Robert Roundtree, Jr." <[RoundtreeR@circuit8.org](mailto:RoundtreeR@circuit8.org)>  
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**From:** Paul Silverman  
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**To:** Judge Robert Roundtree, Jr.; Judge Toby Monaco; Judge Stan Griffis; Judge Martha Lott; Ted McFetridge; Judge Victor Hulslander; Arlene Huszar; Judge Phyllis Rosier  
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**Sent:** Tuesday, September 07, 2010 11:28 AM  
**To:** Judge Robert Roundtree, Jr.; Judge Martha Lott; Ted McFetridge; Paul Silverman; Judge Victor

1/28/2011

8th Cir 0282

Hulslander; Arlene Huszar; Judge Toby Monaco; Judge Phyllis Rosier

**Subject:** RE: Florida's High-Speed Answer to a Foreclosure Mess - NYTimes.com

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**To:** Judge Martha Lott; Ted McFetridge; Paul Silverman; Judge Stan Griffis; Judge Victor Hulslander; Arlene Huszar

**Subject:** FW: Florida's High-Speed Answer to a Foreclosure Mess - NYTimes.com

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**Arlene Huszar**

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**From:** Judge Victor Hulslander  
**Sent:** Tuesday, September 07, 2010 12:40 PM  
**To:** Paul Silverman; Judge Robert Roundtree, Jr.; Judge Toby Monaco; Judge Stan Griffis; Judge Martha Lott; Ted McFetridge; Arlene Huszar; Judge Phyllis Rosier  
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A meeting of all Eighth Circuit judges who are handling foreclosures might help us formulate a unified position on these various issues. We should be consistent in our responses to this problem. The clerks of the circuit should also be included or their practices and positions made known at the meeting.

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**Arlene Huszar**

**From:** Judge Martha Lott  
**Sent:** Friday, September 10, 2010 1:55 PM  
**To:** Paul Silverman; Judge Robert Roundtree, Jr.; Judge Toby Monaco; Judge Stan Griffis; Ted McFetridge; Judge Victor Hulslander; Arlene Huszar; Judge Phyllis Rosier  
**Subject:** RE: Florida's High-Speed Answer to a Foreclosure Mess - NYTimes.com

I agree we should agree.... In Union County the sale is not cancelled without an Order. I had not heard of the "non Pay" alternative. I just checked two weeks ago and all sales of foreclosures in Union County are up to date for the past year.

Martha Ann Lott  
 Chief Judge

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1/28/2011

8th Cir 0286

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**Arlene Huszar**

**From:** Paul Silverman

**Sent:** Friday, September 10, 2010 12:02 PM

**To:** Judge Robert Roundtree, Jr.; Judge Victor Hulslander; Judge Toby Monaco; Judge Stan Griffis; Judge Phyllis Rosier; Judge Martha Lott; Ted McFetridge; Arlene Huszar

**Subject:** Foreclosure Sales

Judge Roundtree, Judge Hulslander, and I met on Wednesday regarding the issue of cancellation of foreclosure sales. After a great deal of discussion (much of which had actually nothing to do with the cancellation of foreclosure sales...), a new policy was proposed. The Judges requested that I circulate the proposal for comments, in the hope that we can agree on uniform procedures for the circuit.

The proposal is as follows:

- 1. All motions to cancel or postpone foreclosure sales must; (1) be filed no later than seven (7) days prior to the sale, (2) be verified, (3) state whether the property is owner occupied, tenant occupied, or vacant, (4) state the number of times the sale has been canceled or postponed, (5) set forth adequate grounds for the requested relief, and (6) be scheduled for hearing before the General Magistrate or Circuit Judge. This requirement may be waived upon the receipt, by no later than 4:30 pm on the day prior to the sale, of a Stipulation containing the verified signature of the property owner, along with a proposed Order resetting the sale date.**
  
- 2. If an Order Canceling or Postponing the Sale is not entered, and the sale is canceled by the Clerk as a result of the failure of the Plaintiff to pay the clerk's sale fee, the Final Judgment of Foreclosure will be vacated and the case dismissed without leave to amend.**

Our recommendation is that the policy, once established, be entered in an Administrative Order, posted on the website, and sent to the Plaintiffs firms who handle the majority of foreclosure cases. I've advised most of the firms already that change was coming on this issue, and they're just waiting on our directive.

Paul

## Arlene Huszar

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**From:** Judge Phyllis Rosier  
**Sent:** Friday, September 10, 2010 12:43 PM  
**To:** Paul Silverman; Judge Robert Roundtree, Jr.; Judge Victor Hulslander; Judge Toby Monaco; Judge Stan Griffis; Judge Martha Lott; Ted McFetridge; Arlene Huszar  
**Cc:** Danielle Parker  
**Subject:** RE: Foreclosure Sales

It looks workable to me. Of course, lots of other draconian remedies look workable to me. Danielle has spent all morning trying to require the P to justify the need for the cancellation-I think this might work at least we have a weapon and this should go out to the firms individually. It is ridiculous to be caught in the middle of the P's game playing at the expense of other more serious matters such as the murder sentencing I have this pm.

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**From:** Judge Martha Lott  
**Sent:** Friday, September 10, 2010 2:11 PM  
**To:** Paul Silverman; Judge Robert Roundtree, Jr.; Judge Victor Hulslander; Judge Toby Monaco; Judge Stan Griffis; Judge Phyllis Rosier; Ted McFetridge; Arlene Huszar  
**Subject:** RE: Foreclosure Sales

If the case is dismissed what is the "without leave to amend part?" The could file a new case, correct? But we would not set aside the order vacating the final judgment of foreclosure or allow the case to be reopened, is that correct?

Martha Ann Lott  
Chief Judge

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1/28/2011

8th Cir 0290

**Arlene Huszar**

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**From:** Paul Silverman  
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**To:** Judge Martha Lott; Judge Robert Roundtree, Jr.; Judge Victor Hulslander; Judge Toby Monaco; Judge Stan Griffis; Judge Phyllis Rosier; Ted McFetridge; Arlene Huszar  
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The dismissal would be without prejudice, so they can re-file. But it would have to be a new case, with a new filing fee, service, etc. The existing case wouldn't be reopened.

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- 2. If an Order Canceling or Postponing the Sale is not entered, and the sale is canceled by the Clerk as a result of the failure of the Plaintiff to pay the clerk's sale fee, the Final Judgment of Foreclosure will be vacated and the case dismissed without leave to amend.**

Our recommendation is that the policy, once established, be entered in an Administrative Order, posted on the website, and sent to the Plaintiffs firms who handle the majority of foreclosure cases. I've advised most of the firms already that change was coming on this issue,

1/28/2011

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and they're just waiting on our directive.

Paul

**Arlene Huszar**

**From:** Judge Martha Lott  
**Sent:** Friday, September 10, 2010 2:42 PM  
**To:** Paul Silverman; Judge Robert Roundtree, Jr.; Judge Victor Hulslander; Judge Toby Monaco; Judge Stan Griffis; Judge Phyllis Rosier; Ted McFetridge; Arlene Huszar  
**Subject:** RE: Foreclosure Sales

Good

Martha Ann Lott  
Chief Judge

**From:** Paul Silverman  
**Sent:** Friday, September 10, 2010 2:18 PM  
**To:** Judge Martha Lott; Judge Robert Roundtree, Jr.; Judge Victor Hulslander; Judge Toby Monaco; Judge Stan Griffis; Judge Phyllis Rosier; Ted McFetridge; Arlene Huszar  
**Subject:** RE: Foreclosure Sales

The dismissal would be without prejudice, so they can re-file. But it would have to be a new case, with a new filing fee, service, etc. The existing case wouldn't be reopened.

**From:** Judge Martha Lott  
**Sent:** Friday, September 10, 2010 2:11 PM  
**To:** Paul Silverman; Judge Robert Roundtree, Jr.; Judge Victor Hulslander; Judge Toby Monaco; Judge Stan Griffis; Judge Phyllis Rosier; Ted McFetridge; Arlene Huszar  
**Subject:** RE: Foreclosure Sales

If the case is dismissed what is the "without leave to amend part?" The could file a new case, correct? But we would not set aside the order vacating the final judgment of foreclosure or allow the case to be reopened, is that correct?

Martha Ann Lott  
Chief Judge

**From:** Paul Silverman  
**Sent:** Friday, September 10, 2010 12:02 PM  
**To:** Judge Robert Roundtree, Jr.; Judge Victor Hulslander; Judge Toby Monaco; Judge Stan Griffis; Judge Phyllis Rosier; Judge Martha Lott; Ted McFetridge; Arlene Huszar  
**Subject:** Foreclosure Sales

Judge Roundtree, Judge Hulslander, and I met on Wednesday regarding the issue of cancellation of foreclosure sales. After a great deal of discussion (much of which had actually nothing to do with the cancellation of foreclosure sales...), a new policy was proposed. The Judges requested that I circulate the proposal for comments, in the hope that we can agree on uniform procedures for the circuit.

The proposal is as follows:

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**Order resetting the sale date.**

**2. If an Order Canceling or Postponing the Sale is not entered, and the sale is canceled by the Clerk as a result of the failure of the Plaintiff to pay the clerk's sale fee, the Final Judgment of Foreclosure will be vacated and the case dismissed without leave to amend.**

Our recommendation is that the policy, once established, be entered in an Administrative Order, posted on the website, and sent to the Plaintiffs firms who handle the majority of foreclosure cases. I've advised most of the firms already that change was coming on this issue, and they're just waiting on our directive.

Paul

**Arlene Huszar**

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**From:** Ted McFetridge  
**Sent:** Friday, September 10, 2010 4:51 PM  
**To:** Paul Silverman  
**Subject:** RE: Foreclosure Sales  
Is Judge Griffis OK with the policy?

---

**From:** Paul Silverman  
**Sent:** Friday, September 10, 2010 2:18 PM  
**To:** Judge Martha Lott; Judge Robert Roundtree, Jr.; Judge Victor Hulslander; Judge Toby Monaco; Judge Stan Griffis; Judge Phyllis Rosier; Ted McFetridge; Arlene Huszar  
**Subject:** RE: Foreclosure Sales

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Martha Ann Lott  
Chief Judge

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**Sent:** Friday, September 10, 2010 12:02 PM  
**To:** Judge Robert Roundtree, Jr.; Judge Victor Hulslander; Judge Toby Monaco; Judge Stan Griffis; Judge Phyllis Rosier; Judge Martha Lott; Ted McFetridge; Arlene Huszar  
**Subject:** Foreclosure Sales

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**2. If an Order Canceling or Postponing the Sale is not entered, and the sale is**

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**canceled by the Clerk as a result of the failure of the Plaintiff to pay the clerk's sale fee, the Final Judgment of Foreclosure will be vacated and the case dismissed without leave to amend.**

Our recommendation is that the policy, once established, be entered in an Administrative Order, posted on the website, and sent to the Plaintiffs firms who handle the majority of foreclosure cases. I've advised most of the firms already that change was coming on this issue, and they're just waiting on our directive.

Paul

**Arlene Huszar**

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**From:** Paul Silverman  
**Sent:** Monday, September 13, 2010 9:09 AM  
**To:** Ted McFetridge  
**Subject:** RE: Foreclosure Sales

Judge Griffis responded that "he's good" with the new policy.

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**From:** Ted McFetridge  
**Sent:** Friday, September 10, 2010 4:51 PM  
**To:** Paul Silverman  
**Subject:** RE: Foreclosure Sales

Is Judge Griffis OK with the policy?

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Chief Judge

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Paul

**Arlene Huszar**

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**From:** Paul Silverman  
**Sent:** Wednesday, September 22, 2010 10:38 AM  
**To:** Judge Martha Lott  
**Cc:** Ted McFetridge  
**Subject:** Union foreclosures

Judge Lott:

I'm reviewing all of the Alachua, Baker, and Bradford mortgage foreclosure cases for potential dismissals for lack of prosecution. I looked at Union County as well, and found no mortgage foreclosure cases that meet the criteria. In fact, there was only one Union County case in which no pleading had been filed within the past six months (the parties had entered into a settlement agreement in that case, and its set to be reviewed in March, 2011). I stand in awe of your case management skills....

**Arlene Huszar**

**From:** lottma@circuit8.org  
**Sent:** Wednesday, September 29, 2010 4:02 PM  
**To:** Judge Robert Roundtree, Jr.; Paul Silverman; Judge Phyllis Rosier; Judge Stan Griffis; Judge Victor Hulslander; Judge Toby Monaco  
**Cc:** Ted McFetridge  
**Subject:** Re: process servers

We have been looking into it. It shifts quite a burden to court administration so it is a transfer not an avoidance. The Sheriff's in our circuit prefer to keep process service in house except when needed. The deputies have specific training and supervision. Appointed process servers come with quite a range of training and professionalism. Is there a real need for special process servers? Upon setting them for hearing in Union Co, I have learned much about the pros and cons.

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**From:** "Judge Robert Roundtree, Jr." <RoundtreeR@circuit8.org>  
**Date:** Wed, 29 Sep 2010 11:54:22 -0400  
**To:** Paul Silverman<silvermanp@circuit8.org>  
**Cc:** Judge Martha Lott<LottMA@circuit8.org>  
**Subject:** RE: process servers

I am not aware we have them but it would make the civil judges' and JA's lives less hectic if we didn't have to constantly sign those along with the tons of other stuff we sign. Thank for looking into this.

**From:** Paul Silverman  
**Sent:** Wednesday, September 29, 2010 11:53 AM  
**To:** Judge Robert Roundtree, Jr.  
**Subject:** process servers

Judge Roundtree:

Kathy mentioned that you asked if I'd look into whether I could sign to appoint process servers in foreclosure cases.

I don't believe that I can sign without you signing as well, but I think we can use Fla.Stat. 48.27 to avoid anyone having to sign. The statute allows the chief judge to keep a list of approved process servers, and as best as I can tell, if someone is on the list, then an Order wouldn't be required. If asked the staff attorneys if they knew if we had such a list for our circuit and they weren't aware of one.

Do you know if we have one? If not, I can speak with Judge Lott and see if we can get one started. Once we have it available, we can advise the Plaintiffs firms that their process servers need to be on our list in order to serve process in our circuit, and that should dispense with the need for Motions and Order....its a win, win.

Paul

**Arlene Huszar**

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**From:** Judge Stan Griffis  
**Sent:** Wednesday, September 29, 2010 4:20 PM  
**To:** Judge Martha Lott; Judge Robert Roundtree, Jr.; Paul Silverman; Judge Phyllis Rosier; Judge Victor Hulslander; Judge Toby Monaco  
**Cc:** Ted McFetridge  
**Subject:** RE: process servers

I just don't want to set hearings on this issue. It will slow the cases down. We should have a policy (or admin order consistent with the statute) on this issue. I get all kinds of strange requests for process servers and usually just sign them, but don't give the \$\$\$ in the judgments. Its up to you folks, but we need to be consistent.

---

**From:** lottma@circuit8.org [mailto:lottma@circuit8.org]  
**Sent:** Wednesday, September 29, 2010 4:02 PM  
**To:** Judge Robert Roundtree, Jr.; Paul Silverman; Judge Phyllis Rosier; Judge Stan Griffis; Judge Victor Hulslander; Judge Toby Monaco  
**Cc:** Ted McFetridge  
**Subject:** Re: process servers

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**Date:** Wed, 29 Sep 2010 11:54:22 -0400  
**To:** Paul Silverman<silvermanp@circuit8.org>  
**Cc:** Judge Martha Lott<LottMA@circuit8.org>  
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Paul

**Arlene Huszar**

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**From:** Judge Robert Roundtree, Jr.  
**Sent:** Wednesday, September 29, 2010 8:50 PM  
**To:** Judge Martha Lott; Paul Silverman; Judge Phyllis Rosier; Judge Stan Griffis; Judge Victor Hulslander; Judge Toby Monaco  
**Cc:** Ted McFetridge  
**Subject:** Re: process servers

In my opinion, the sheriff's office would never get the foreclosures served. It would greatly slow down our foreclosures. I don't care if plaintiff's use a process server to make the case go smoother, I don't always tax that cost though. How does it burdens court administration once the list is approved? The would never see the summonses.

On 9/29/10 4:02 PM, "[lottma@circuit8.org](mailto:lottma@circuit8.org)" <[lottma@circuit8.org](mailto:lottma@circuit8.org)> wrote:

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**Cc:** Judge Martha Lott<[LottMA@circuit8.org](mailto:LottMA@circuit8.org)>  
**Subject:** RE: process servers

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**Arlene Huszar**

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**From:** Judge Victor Hulslander  
**Sent:** Thursday, September 30, 2010 9:41 AM  
**To:** Judge Robert Roundtree, Jr.; Judge Martha Lott; Paul Silverman; Judge Phyllis Rosier; Judge Stan Griffis; Judge Toby Monaco  
**Cc:** Ted McFetridge  
**Subject:** RE: process servers

Why do the sheriffs of our circuit want to keep this in house? In the larger circuits (Broward, Dade, et al), the sheriffs' offices have a list of Court approved process servers who are regularly used to serve process and other items. Without them, the sheriffs' offices could never keep up with the demand.

---

**From:** Judge Robert Roundtree, Jr.  
**Sent:** Wednesday, September 29, 2010 8:50 PM  
**To:** Judge Martha Lott; Paul Silverman; Judge Phyllis Rosier; Judge Stan Griffis; Judge Victor Hulslander; Judge Toby Monaco  
**Cc:** Ted McFetridge  
**Subject:** Re: process servers

In my opinion, the sheriff's office would never get the foreclosures served. It would greatly slow down our foreclosures. I don't care if plaintiff's use a process server to make the case go smoother, I don't always tax that cost though. How does it burdens court administration once the list is approved? The would never see the summonses.

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**Subject:** RE: process servers

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**Sent:** Wednesday, September 29, 2010 11:53 AM  
**To:** Judge Robert Roundtree, Jr.  
**Subject:** process servers

Judge Roundtree:  
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1/28/2011

8th Cir 0304

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Paul

**Arlene Huszar**

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**From:** Judge Stan Griffis  
**Sent:** Thursday, September 30, 2010 9:54 AM  
**To:** Judge Victor Hulslander; Judge Robert Roundtree, Jr.; Judge Martha Lott; Paul Silverman; Judge Phyllis Rosier; Judge Toby Monaco  
**Cc:** Ted McFetridge  
**Subject:** RE: process servers

One consideration is the Sheriffs outside Alachua County have been far more efficient in service compared to the private process servers, primarily because they know all the defendants and can find them if they are in the County. However, the private servers do not have county boundaries to consider when serving and it comes up from time to time that defendants move across the river out here. Although, I have no problem with a list of approved servers. It should be circuit wide however.

---

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**To:** Judge Robert Roundtree, Jr.; Judge Martha Lott; Paul Silverman; Judge Phyllis Rosier; Judge Stan Griffis; Judge Toby Monaco  
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**To:** Judge Martha Lott; Paul Silverman; Judge Phyllis Rosier; Judge Stan Griffis; Judge Victor Hulslander; Judge Toby Monaco  
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**Arlene Huszar**

**From:** lottma@circuit8.org  
**Sent:** Thursday, September 30, 2010 12:49 PM  
**To:** Judge Victor Hulslander; Judge Robert Roundtree, Jr.; Paul Silverman; Judge Phyllis Rosier; Judge Stan Griffis; Judge Toby Monaco  
**Cc:** Ted McFetridge  
**Subject:** Re: process servers

One aspect is that it creates a revenue stream. Another aspect is quality control.

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**From:** "Judge Victor Hulslander" <HulslanderV@circuit8.org>  
**Date:** Thu, 30 Sep 2010 09:40:54 -0400  
**To:** Judge Robert Roundtree, Jr.<RoundtreeR@circuit8.org>; Judge Martha Lott<LottMA@circuit8.org>; Paul Silverman<silvermanp@circuit8.org>; Judge Phyllis Rosier<RosierP@circuit8.org>; Judge Stan Griffis<GriffisS@circuit8.org>; Judge Toby Monaco<MonacoT@circuit8.org>  
**Cc:** Ted McFetridge<mcfetridget@circuit8.org>  
**Subject:** RE: process servers

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**To:** Paul Silverman<silvermanp@circuit8.org>  
**Cc:** Judge Martha Lott<LottMA@circuit8.org>

**Subject:** RE: process servers

I am not aware we have them but it would make the civil judges' and JA's lives less hectic if we didn't have to constantly sign those along with the tons of other stuff we sign. Thank for looking into this.

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**From:** Paul Silverman

**Sent:** Wednesday, September 29, 2010 11:53 AM

**To:** Judge Robert Roundtree, Jr.

**Subject:** process servers

Judge Roundtree:

Kathy mentioned that you asked if I'd look into whether I could sign to appoint process servers in foreclosure cases.

I don't believe that I can sign without you signing as well, but I think we can use Fla.Stat. 48.27 to avoid anyone having to sign. The statute allows the chief judge to keep a list of approved process servers, and as best as I can tell, if someone is on the list, then an Order wouldn't be required. If asked the staff attorneys if they knew if we had such a list for our circuit and they weren't aware of one.

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Paul

**Arlene Huszar**

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**From:** Judge Phyllis Rosier  
**Sent:** Thursday, September 30, 2010 3:26 PM  
**To:** Judge Martha Lott; Judge Victor Hulslander; Judge Robert Roundtree, Jr.; Paul Silverman; Judge Stan Griffis; Judge Toby Monaco  
**Cc:** Ted McFetridge  
**Subject:** RE: process servers

Service for the owners and unknown tenants is usually easy to do and should be cost effective.. I only appoint for out of county parties. I am not happy with the process servers the big firms use-see many affidavits of lost returns and we have enough lost documents in foreclosure cases anyway. When Sheriff Smith took office in Bradford, I met with him and he elected to serve civil process. I have not noticed any problems with service. I am sure the size of the county is a factor. I wish we could tell the Plaintiff who to use for service on out of county owners. I also have a lot less orders to sign handling it this way.

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**From:** lottma@circuit8.org [mailto:lottma@circuit8.org]  
**Sent:** Thursday, September 30, 2010 12:49 PM  
**To:** Judge Victor Hulslander; Judge Robert Roundtree, Jr.; Paul Silverman; Judge Phyllis Rosier; Judge Stan Griffis; Judge Toby Monaco  
**Cc:** Ted McFetridge  
**Subject:** Re: process servers

One aspect is that it creates a revenue stream. Another aspect is quality control.

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**From:** "Judge Victor Hulslander" <HulslanderV@circuit8.org>  
**Date:** Thu, 30 Sep 2010 09:40:54 -0400  
**To:** Judge Robert Roundtree, Jr.<RoundtreeR@circuit8.org>; Judge Martha Lott<LottMA@circuit8.org>; Paul Silverman<silvermanp@circuit8.org>; Judge Phyllis Rosier<RosierP@circuit8.org>; Judge Stan Griffis<GriffisS@circuit8.org>; Judge Toby Monaco<MonacoT@circuit8.org>  
**Cc:** Ted McFetridge<mcfetridget@circuit8.org>  
**Subject:** RE: process servers

Why do the sheriffs of our circuit want to keep this in house? In the larger circuits (Broward, Dade, et al), the sheriffs' offices have a list of Court approved process servers who are regularly used to serve process and other items. Without them, the sheriffs' offices could never keep up with the demand.

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**From:** Judge Robert Roundtree, Jr.  
**Sent:** Wednesday, September 29, 2010 8:50 PM  
**To:** Judge Martha Lott; Paul Silverman; Judge Phyllis Rosier; Judge Stan Griffis; Judge Victor Hulslander; Judge Toby Monaco  
**Cc:** Ted McFetridge  
**Subject:** Re: process servers

In my opinion, the sheriff's office would never get the foreclosures served. It would greatly slow down our foreclosures. I don't care if plaintiff's use a process server to make the case go smoother, I don't always tax that cost though. How does it burdens court administration once the list is approved? The would never see the summonses.

On 9/29/10 4:02 PM, "lottma@circuit8.org" <lottma@circuit8.org> wrote:

1/28/2011

We have been looking into it. It shifts quite a burden to court administration so it is a transfer not an avoidance. The Sheriff's in our circuit prefer to keep process service in house except when needed. The deputies have specific training and supervision. Appointed process servers come with quite a range of training and professionalism. Is there a real need for special process servers? Upon setting them for hearing in Union Co, I have learned much about the pros and cons.

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**From:** "Judge Robert Roundtree, Jr." <RoundtreeR@circuit8.org>

**Date:** Wed, 29 Sep 2010 11:54:22 -0400

**To:** Paul Silverman<silvermanp@circuit8.org>

**Cc:** Judge Martha Lott<LottMA@circuit8.org>

**Subject:** RE: process servers

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**Subject:** process servers

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**Arlene Huszar**

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**From:** Judge Phyllis Rosier  
**Sent:** Thursday, September 30, 2010 3:30 PM  
**To:** Judge Stan Griffis; Judge Martha Lott; Judge Robert Roundtree, Jr.; Paul Silverman; Judge Victor Hulslander; Judge Toby Monaco  
**Cc:** Ted McFetridge  
**Subject:** RE: process servers

Baker and Bradford want to do their own service so a special process server is needed only for out of county parties. I sign the requests and specify only out of county. Wish we did not have to appoint them at all. Paperwork is so sloppy am ashamed to put my name to it and much of the time the server files an Affidavit stating the return has been "lost". We have enough lost documents in foreclosure cases without sloppy service being added to the mix. I distrust their service on owners.

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**From:** Judge Stan Griffis  
**Sent:** Wed 9/29/2010 4:19 PM  
**To:** Judge Martha Lott; Judge Robert Roundtree, Jr.; Paul Silverman; Judge Phyllis Rosier; Judge Victor Hulslander; Judge Toby Monaco  
**Cc:** Ted McFetridge  
**Subject:** RE: process servers

I just don't want to set hearings on this issue. It will slow the cases down. We should have a policy (or admin order consistent with the statute) on this issue. I get all kinds of strange requests for process servers and usually just sign them, but don't give the \$\$\$ in the judgments. Its up to you folks, but we need to be consistent.

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**From:** lottma@circuit8.org [mailto:lottma@circuit8.org]  
**Sent:** Wednesday, September 29, 2010 4:02 PM  
**To:** Judge Robert Roundtree, Jr.; Paul Silverman; Judge Phyllis Rosier; Judge Stan Griffis; Judge Victor Hulslander; Judge Toby Monaco  
**Cc:** Ted McFetridge  
**Subject:** Re: process servers

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8th Cir 0312

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