



Rondout Legal Services, Inc.

-Process Service and Attorney Assistance-

Mailing Address: P.O. Box 4115, Kingston, New York 12402

Web: RondoutLegal.com

E-Mail: Service@RondoutLegal.com

Telephone: (845) 331-6029

FAX (845) 331-0570 FAX

August 18, 2024

TO WHOM IT MAY CONCERN:

RE: NYC Proposed Rules Change for Process Servers

I have operated a process serving business upstate for 35 years. I have served on the board of NYSPPSA and am a member of NAPPS. My business adheres closely to the statutes regarding service that apply to us. Further, even though not required upstate, we take and maintain GPS photos of all of our attempts and serves except where lack of cell service in the mountains here prevents us from doing so. Without intending any disrespect, I am very thankful that my business does not have the onus of compliance with New York City regulations on process servers and the punitive nature of some of those rules. This newest proposal, in particular, clearly exhibits a basic misunderstanding of the important work process servers do and the daily challenges they face.

In an increasingly dangerous, chaotic and violent atmosphere, process servers are facing more challenges than ever. By requiring them to take photos after they have the attention of the subject by virtue of just serving them, you are deliberately increasing the risk of assault or worse on the server. The servers who do work for my business almost without exception discretely take photos before serving the paper, thus documenting their presence at the location while increasing their chances of a prompt and safe exit post-service. Taking a photo AFTER you have handed someone a paper almost always results in a negative reaction from the party who has been served. At best, the reaction may be further communication and questions as to why the server took a photo. At worst, it could result in an angry or violent reaction. This is a very dangerous proposal. Hands down, a terrible idea.

As to the traverse hearing proposal stating “process server to testify truthfully”, this is a given. Under oath, they have already pledged to testify truthfully. This perpetuates an old stereotype that process servers are dishonest. In my vast experience, this could not be further from the truth. The people who make a living in this business are honest, hard-working and solid, and do not deserve to be perceived as dishonest based on their choice of career. It’s insulting.

I hope you will take this input into consideration, as it is coming from someone who has invested 35 years in an actual process serving business, and almost 50 years in legal work overall. I have a thorough understanding of what process servers face every day out on the road.

A handwritten signature in cursive script, appearing to read "Kim F. Letus". The signature is written in black ink and is positioned above a horizontal line.

Kim F. Letus