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A Case study of process servers in Clark County, Nevada in the District Attorney Criminal Division

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A CASE STUDY OF PROCESS SERVERS IN CLARK COUNTY, NEVADA
IN THE DISTRICT ATTORNEY CRIMINAL DIVISION

by

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Bachelor of Arts
Occidental College
1990

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ABSTRACT

In 1996 the job classification of Process Server was created in the Clark County District Attorney Criminal Division in Las Vegas, Nevada. It was implemented by DA Stewart L. Bell as a cost-saving measure meant as a reclassification of the position of Investigator.

Since the initial job posting, the duties appropriate to the position of Process Server have been and remain in question. No written, measurable job performance standards have been established and no consistent training or supervision provided.

A review of the literature suggests wide variance in what may be considered appropriate job duties for this classification, though the majority of Process Servers in the literature serve civil process, not criminal, and work primarily for their own private business enterprises.

In an effort to capture employee concerns in regards to training, supervision, and job classification, a survey of the 13 Process Servers currently employed, and 3 prior-employed, by the DA Criminal Division was conducted on March 13, 1999. The results of the survey of these 16 individuals are the basis for this case study.

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A CASE STUDY OF PROCESS SERVERS IN CLARK COUNTY, NEVADA
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INTRODUCTION

The job classification of Process Server was created in the Clark County District Attorney's Office in Las Vegas, Nevada, effective July 1, 1996, by unanimous vote of the Clark County Board of Commissioners. It was implemented by newly-elected District Attorney Stewart L. Bell as a cost-saving measure to help keep overhead low and was meant as a reclassification of the position of Investigator.¹ The civilian, clerical-classification Process Server position was thus created from the degradation and reclassification of the law enforcement, professional peace officer position of Investigator.

¹Two Investigator II (Schedule C27) and one Investigative Supervisor (Schedule C30) positions were eliminated and reclassified as five Process Server (Schedule C22) positions. See Clark County Board of Commissioners Agenda Item #114, June 18, 1996; also, Memorandum of Stewart L. Bell, District Attorney to All District Attorney's Office Personnel, June 1, 1999, re Potential County Voluntary Separation Program.

The original five employees in this position claim that it was inferred to them that this position would be a stepping-stone to the position of Investigator.² Instead, in clear violation of Clark County's Equal Employment Opportunity/Affirmative Action Plan, Section IV, Promotions (Clark County EO/AAP, p. 13), the entry-level position of Process Server is a dead-end position, with no direct step-process opportunity for promotion to a higher position. There is no ladder or step process for this position within the DA's office, and promotion within the department requires one to obtain expensive outside training, not reimbursable by county tuition reimbursement policy, as it is not required for the Process Server position.³ Largely due to the lack of any ladder, employee turnover for this position has been in excess of 75%.⁴

²All five original Process Servers vociferously claim that this promise was implicitly understood in their individual hiring interviews. Representatives of DA Administration strenuously deny that such a promise or inference was made.

³Process Servers, as all county employees (and non-employee citizens) may apply for any open position they are qualified for. However, successful incumbency in this entry-level position does not automatically qualify one for upward mobility, as it does, for example, for the position of Investigator I (advances to Investigator II) and Legal Office Assistant I (which advances to Legal Office Assistant II).

⁴In the 32 months since the Process Server position was created on July 1, 1996, to the date of this survey research, March 13, 1999, there existed employee turnover in excess of 75%. 10 of 13 employees have left this position, most of whom have left the county entirely, with one known to have applied for an open, promotional opportunity in another Clark County department. Many did not survive through their probationary period.

Also contributing to the rate of employee turnover is the lack of training provided for this position beyond simple OJT, on-the-job-training, which is provided by the assigned Investigator. Training is radically inconsistent, as Investigators have wide variance in their expectations of Process Servers, and there exist no clear written policies and procedures, or written, measurable job performance standards, despite the recent publication of the Clark County District Attorney Policy and Procedural Manual, disseminated to employees on May 7, 1999. Part of the result, then, is that some Process Servers work above and beyond their job classification, creating overlap with the duties officially assigned to Investigators. Similarly, many Investigators have been working below their job classification, functioning primarily as Process Servers, creating further confusion among the ranks. Investigators, further, are expected to supervise and train in only an unofficial capacity as they are not compensated for their supervisory duties the 4% wage differential required by bargaining agreements with SEIU and the DA Investigators Association. And while Investigator I's are assigned Process Servers, they are not considered supervisors, and by job class are not required to possess the basic supervisory skills of Investigator II's.

Beyond the lack of consistency in job training there are definite safety issues that must be addressed regarding the position of Process Server. Any time that a subpoena or other court process is personally served, Process Servers may potentially be placed at risk. For while the majority of witnesses and victims subpoenaed to court are reasonably cooperative, some witnesses and/or other people in the surrounding environment may be less than cooperative. Process Servers have been verbally harassed, threatened to be not

allowed to leave the property, chased by dogs, been battered and bruised by animals jumping on them, been exposed to the elements (wind, sun, rain, sleet, etc.), had rocks and bottles thrown at them, and so forth. To date, Process Servers, as a group, have predominantly served victims and witnesses, but Process Servers have also served defendants. It should be noted, as well, some witnesses may be gang members or associates, prostitutes, drug-dealers or users, batterers, have some other record of criminal activity themselves, or be hostile for no rational reason at all.

Additionally, while no Process Servers are officially assigned to the Major Violators Unit (MVU) or Forfeitures Unit, Process Servers have served subpoenas and other court process in a growing number of these cases. The fact that Process Servers are not permanently assigned to these areas is an implicit acknowledgment that there is an unacceptable increase in risk in dealing with certain types of cases. In general, it is a good idea that Process Servers not deal directly with defendants. They are not trained in what is acceptable interaction with this element, and so may jeopardize the integrity of the judicial process, i.e., if the defendant is represented by an attorney, representatives of the prosecution have restrictions on their interactions. In addition, Process Servers may be placed at personal, physical risk when dealing with criminal defendants, again, primarily due to lack of training.

Investigators, who are sworn peace officers, are trained to deal with potentially violent situations in the field and have the authority to take someone into custody should the need arise. Process Servers are not sworn peace officers, are not armed, and are not allowed, per office policy, to carry even a defensive weapon such as a baton, asp, mace or

pepper spray. Process Servers thus lack even the ability that postal workers have to defend themselves against a dog, much less against some person who intends to inflict harm upon them.

Process Servers carry a badge, and while it does have Process Server written across the top of it, this may and often does give the mistaken impression that Process Servers are peace or police officers. In showing the badge in the field, as staff have been instructed to do to identify themselves as employees of the District Attorney's Office, they are often misrepresented by third parties, or by witnesses or victims themselves as "police." Thus while this tool may often be the only thing that guarantees some cooperation in the field, this mistaken impression could also lead to increased risk.

These concerns have not gone unnoticed nor unchallenged by Process Servers. On September 3, 1997, District Attorney Stewart Bell was contacted by the Nevada branch of the Service Employees International Union (SEIU),⁵ to address Process Server concerns. These concerns included issues of safety, promotability, job classification, access to tools and training, and job performance standards. Stewart Bell's written response addressed some of these concerns, as did his meeting on October 22, 1997, with representatives from SEIU, the DA Investigators Association, and all then-current employees in the position of Process Server⁶. The resulting draft Memorandum of Understanding that was issued and responded to by Process Servers and Investigators was appeasing to some, but resulted in

⁵The Nevada Service Employees Union (NSEU), Service Employees International Union (SEIU), Local 1107

⁶This meeting included Process Servers from DA Criminal as well as DA Family Support.

more frustration for others for it only dealt with promotion issues which, despite this memo and a supposed understanding reached with SEIU per the DA Policy and Procedural Manual, remain unresolved.

DA Administrators believe that there is no threat to the safety of Process Servers in the field. This is predominantly based on Stewart Bell's experience while he was campaigning for office,⁷ and Stewart Bell's response to potential violence is to advise Process Servers to "just leave" the situation if they are uncomfortable.⁸ The perception among the field staff, however, is that this matter will not be taken seriously until a Process Server ends up dead or seriously injured.

Lack of written, measurable job performance standards, no established training program or standards, and a general lack of consistency in on-the-job training puts Process Servers at risk, working beyond their job description and classification, thus placing the District Attorney's Office and Clark County subject to liability should a Process Server be severely injured or killed in the field.

Purpose

⁷Campaigning for office, asking people to vote for you and asking them what is important to them is quite different than showing up with a subpoena for a mandatory court appearance. Political canvassers, as well, are taught to pair-up, while Process Servers are alone in the field performing their duties.

⁸The question remains, however: what is going to happen when one is not allowed or is unable to "just leave"?

The intent of this case study of Clark County, Nevada, DA Criminal Division Process Servers is to begin to systematically capture and assess employee concerns regarding this position. It will specifically take a look at employee concerns regarding their training, supervision, and job classification. It is done with an eye toward summarizing and evaluating the risks that may be inherent to the position of Process Server, but that which may be mitigated through taking action of various sorts, to be determined by the data. The primary unit of analysis is the individual Process Server in the DA Criminal Division in Las Vegas, Nevada, on March 13, 1999, when the survey was conducted. The secondary unit of analysis is the individual who has been prior-employed as a Process Server in the DA Criminal Division, 1996-1999.

This self-reporting of Process Server experience is gathered to gain qualitative organizational insight from Process Server actual experience in the hopes of identifying and mitigating employee risk in order to help prevent injury, physical damage, financial loss and lawsuit, and perhaps, save a life. The analysis will include a summary and comparison of Process Servers' perceptions of their experiences and will include examples of experiences where they have felt at risk in the field. These findings will be summarily reported back to the Process Servers who took part in the March 13, 1999, survey, to DA Administrators, and to the DA's personnel analyst in Clark County Human Resources. Minimally, this should improve Process Server awareness and thereby increase alertness to risk factors, as well as alert DA Administrators to the realities of working in this position.

Conclusions will be drawn with the intent of reducing or mitigating the risk that Process Servers may face in the field, and recommendations made towards improving their

work environment. The impressions and information gathered in this study were obtained by a participant observer, a fellow DA Criminal Division employee in the job classification of Process Server.

Research Questions

Are Process Servers working beyond their job classification? Are they receiving supervision and training appropriate to their duties and job class? If not, do they feel they are being placed at risk by these actions, or lack of action? Does the administration understand the concerns and the reality of those employed in the Process Server position?

DEFINITIONS OF TERMS

Administration of criminal justice - detection, apprehension, detention, release pending trial or after trial, prosecution, adjudication, correctional supervision or rehabilitation of accused persons or criminal offenders, and includes criminal identification activities and the collection, storage and dissemination of records of criminal history (NRS 179A.020).

Agency of criminal justice - 1. Any court; and, 2. Any governmental agency which performs a function in the administration of criminal justice pursuant to a statute or executive order, and which allocates a substantial part of its budget to a function in the administration of criminal justice (NRS 179A.030).

Civil process - based on civil law, the law of civil or private rights (Mish, 1990, p. 244).

Criminal process - process relating to the prosecution of person(s) suspected of criminal activity. May include, but is not limited to the issuance of a subpoena by the court of jurisdiction, in this study, by the District Attorneys in the Clark County District Attorney Criminal Division, to compel the appearance of the defendant, victim, or witness.

Cross-directory - also known as a reverse directory. Directory of addresses and phone numbers listed by address or phone number, rather than by name. May be hard-bound book/volume or loaded as a CD-rom into a computer.

Defendant - the party prosecuted in a criminal action (NRS 169.065). In a civil matter, may be called the defendant or respondent.

Department of Motor Vehicles (DMV) - depository of public records, including

depository of public safety records. The drivers license, in Nevada, has to be renewed every four years, and vehicle registrations, every year. Therefore, criminal justice agencies use this public record as a source of possible information when looking for people.

Deputy District Attorney or District Attorney - the prosecuting officer (Mish, 1990, p. 368), representative of the state or county, bound to uphold the laws of the state of Nevada, and the Constitutions of the state of Nevada and the United States.

DMV - see Department of Motor Vehicles

Field staff - includes staff whose primary responsibilities and work procedures carry them out of the office into “the field.” In this study, these personnel include Process Servers and Investigators.

GOE - Guide for Occupational Exploration. See: U.S. Department of Labor, Occupational Outlook Handbook.

Investigator - per Clark County Human Resources, performs a variety of field service and legal investigative work involving prosecution and disposition of criminal and civil matters in the District Attorney’s Office and performs work as assigned. Serve subpoenas, warrants, and other legal documents, using a variety of tracing methods.

Law enforcement officer - includes, but is not limited to: 1. A prosecuting attorney or an attorney from the office of the attorney general; 2. A sheriff of a county or his deputy; 3. An officer of a metropolitan police department or a police department of an incorporated city; 4. An officer of the division; 5. An officer of the department of prisons; 6. An officer of a law enforcement agency from another jurisdiction; or 7. Any

other person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive, if the person is seeking information as part of a criminal investigation (NRS 179B.070, 1997).

NCIC - National Crime Information Center - nationwide criminal record/history, includes charges filed as well as actual convictions.

OJT - On the Job Training

Peace Officer - any person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive (NRS 169.125).

Perjury - a crime of making a false statement under oath or equivalent affirmation (Klein, p. 71).

POST - Peace Officer Standard Training

Process - any order of the court requiring service on a party (Klein, p. 2); a writ or summons in the course of judicial proceedings (NRS 10.055; NRS 64.070) that is used by a court to compel the appearance of the defendant in a legal action or compliance with its orders (Mish, 1990, p. 937). Any means used by the court to acquire its jurisdiction over a person or specific property (Black's Law Dictionary, 1287 [5th ed] in Brooks, 1998, p. 14).

Process Server - 1) per Clark County Human Resources, locates and serves criminal subpoenas and civil processes on witnesses/parties to District Attorney lawsuits. Duties are to be carried out under close supervision and include locating defendants or witnesses.

2) According to the Department of Labor, Dictionary of Occupational Titles, a Process Server is someone who:

Serves court orders and processes, such as summonses and subpoenas: Receives

papers to be served from magistrate, court clerk, or attorney. Locates person to be served, using telephone directories, state, county, and city records, or public utility records, and delivers document. Records time and place of delivery. May deliver general messages and documents between courts and attorneys.

3) A person, other than a peace officer of the State of Nevada, who engages in the business of serving legal process within the state (NRS 648.014). 4) The unit of analysis of this case study, whose actual duties and levels of supervision, etc., will be revealed in the findings of the survey. 5) An individual who delivers legal documents to parties involved in a lawsuit or potential lawsuit (Tucker, 1994b, p. 10).

Proof of Service - 1) a legal document which notifies the court how, when, where, and to whom a document was served (Tucker, 1994b, p. 13), 2) a declaration signed under penalty of perjury stating the date, time and manner of service, and, perhaps, the type of documents served (Klein, p. 62). Process Servers in the DA Criminal Division primarily serve subpoenas which are printed with the declaration on the back - with fill-in-blanks for date of service, date signed, signature, and manner of service, usually either personal service, or, for Oral Promises to Appear, "voice i.d."

Return - also known as/see: Proof of Service

Risk - the possibility of loss or injury, or the act of exposing one to hazard or danger (Mish, 1983, p. 1018). Taking or being placed at risk puts one under threat of injury or danger.

SCOPE - Shared Computer Operations for Protection and Enforcement - includes local criminal history, citations, sheriff cards information, and so forth.

SEIU - Service Employees International Union, Local 1107

Subpoena - a writ commanding a person designated in it to appear in a court at a certain time and place to give testimony as a witness, under a penalty for failure (Mish, 1990, p. 1175; Klein, p. 62).

Voice ID - usually noted as form of identification obtained regarding an Oral Promise to Appear

Writ - an order issued under seal in the name of a court or judicial officer commanding the person to whom it is directed to perform or refrain from performing an act specified therein (Mish, 1990, p. 1362).

CHAPTER 2

LITERATURE REVIEW

The service of process, civil and criminal, is fundamental to our legal system (Brooks, 1998, p. 17). It derives originally from the concept of procedural due process in the Magna Carta of 1215, whereby the nobles limited the king's authority (Sargentich, p. 236-7). The Fifth and Fourteenth Amendments to the United States Constitution, ratified 1791 and 1868, respectively, restrict the federal and state governments from depriving an individual "of life, liberty, or property without due process of law."

Service of a court process, such as a summons or a subpoena, is what gives the court jurisdiction, or authority, over a defendant or other party (Brooks, 14). This includes victims or witnesses that are subpoenaed to appear in court to aid in the prosecution of criminal cases (Klein, 1996, p. 2).

Historically, court process has been served by peace officers (Thomas, p. 5). Serving process was often just a minor part of normal peace officer duties, and officers had both the law and years of training to back them up. All sworn peace officers are subject to national, state, and/or local training standards, and state POST - Peace Officer Standard Training - certificates, requiring a minimum of the equivalent of a two-year degree, must

be maintained. In Nevada, the list of peace officers is quite lengthy,⁹ though those that are most readily identifiable with the service of process are the constables, who serve civil process, particularly eviction notices.

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Sheriffs, deputies; marshals, police and correctional officers; court bailiffs; constables, (NRS 289.150). Security officers and other persons employed or appointed by local governments under certain circumstances (NRS 289.160). Special investigators employed by attorney general; investigators employed by district attorney (NRS 289.170). Parole and probation officers; chief and assistant alternative sentencing officers of department of alternative sentencing; director of juvenile services; chief and parole officers of youth parole bureau; director of department of family, youth and juvenile services (NRS 289.180). School police officers; other officers and employees of school district (NRS 289.190). Officers and employees of Nevada youth training center and Caliente youth center (NRS 289.200). Legislative police (NRS 289.210). Director, officers and designated employees of department of prisons; certain employees of detention facilities of metropolitan police department (NRS 289.220). California correctional officer (NRS 289.230). Employees of mental hygiene and mental retardation division of department of human resources (NRS 289.240). State fire marshal and his employees; foresters and firewardens; arson investigators (NRS 289.250). Rangers and employees of division of state parks (NRS 289.260). Director and employees of department of motor vehicles and public safety; Nevada highway patrol; state disaster identification team (NRS 289.270). Game wardens (NRS 289.280). Field agents and inspectors for division of agriculture; inspector of state board of sheep commissioners and his deputies; officer appointed by Nevada junior livestock show board (NRS 289.290). Investigator of private investigator's licensing board (NRS 289.300). Commissioner of insurance and his chief deputy (NRS 289.310). Certain designated employees of transportation services authority (NRS 289.320). Railroad police (NRS 289.330). Taxicab field investigator or airport control officer designated by taxicab administrator (NRS 289.340). Members of police department of University and Community College System of Nevada (NRS 289.350). Members and agents of state gaming control board; members of Nevada gaming commission (NRS 289.360).

Until 1996, service of subpoenas for the DA Criminal Division was handled by sworn peace officers as well - more recently, by Investigators, and prior, by Corrections Officers. Thus those involved with the service of process have been highly trained and held to strict standards, though, admittedly, serving process was not their primary function.

Other court personnel involved with the service of process have also historically been held to high training and professional standards. The deputy district attorneys who are responsible for issuing subpoenas are held to the standards of the American Bar Association, and must have passed the state bar where they are working. Paralegals also have standardized training and certification programs, and many legal secretaries obtain paralegal certificates or some equivalent.

Changes made in 1983, however, may have indirectly effected the standards and training of court personnel, while directly effecting the service of process nationwide. In February 1983, the Federal Rules of Civil Procedures were amended to allow anyone over the age of 18 and not a party to the action to serve process (Brooks, p. 1; Klein, p. 2). These federal rules serve as the basis for all civil actions, with variations from state to state (Ball, 1997, p. 55). Other proposed changes, including the ability to serve federal civil process by mail (which did not pass) became the impetus for private Process Servers to organize and form the National Association of Professional Process Servers (NAPPS), founded in 1982. Other such organizations organized around private, civil process service include the California Association of Photocopiers and Process Servers (CAPPS) and the North Texas Process Servers Association (NTPSA). One organization was found that may deal with criminal process, the Sacramento County Alliance of Law Enforcement

(SCALE), the bargaining unit representing Criminalists, Criminal Investigators, Process Servers, Investigative Assistants, Bureau of Family Support Specialists, Park Rangers, Deputy Coroner, etc.¹⁰

In these changing times, in 1985, Nelson Tucker, President of Attorney Services of Southern California, began teaching the first classes in the United States on Process Serving (1994a, p. 21). Through classes and seminars - training and education - with the assistance of such Process Serving organizations as those mentioned above, the quality of work in the industry was raised and professional standards established.

Such training and education are vital to establish and sustain quality service. It is also essential to avoid burnout and high turnover, as the number one reason Process Servers drop out is lack of training and understanding of the job (Tucker, 1996). Though Tucker's reference is to private process servers engaged in the service of civil process, this should hold true as well for public employees, and even more so for public employees serving criminal process.

In addition, there is a general legal obligation for all employers to educate and train their staff. This obligation may be cited in the Nevada Occupational Safety and Health Act (NRS 618.005). It is also covered in the provisions of federal OSHA laws, and in particular to the Process Server position are the safety training and education provisions covered under the general requirements of codes 1926.21(a) (2) and (4) (OSHA, p. 69):

¹⁰

Nevada law prohibits a bargaining unit from representing both peace officers and non-peace officer personnel.

(2) The employer shall instruct each employee in the recognition and avoidance of unsafe conditions and the regulations applicable to his work environment to control or eliminate any hazards or other exposure to illness or injury.

(4) In job site areas where harmful plants or animals are present, employees who may be exposed shall be instructed regarding the potential hazards and how to avoid injury, and the first-aid procedures to be used in the event of injury.

OSHA will fine organizations that fail to adequately train their employees (Gordon, 1994, p. 390), and, should someone be injured and seek legal redress in a court of law, a judge or jury would be asked to determine if people have been properly trained in the performance of a potentially hazardous task (Gordon, p. 389). In regards to job classification, it is of note here that OSHA also considers it the employer's responsibility to limit specific job duties to employees who are certified with special training (Heberle, 1998, p. 90), such as the POST certification requirements for DA Investigators.

In conjunction with training and education, Process Servers should also be able to expect to receive general job performance standards. If these are not in evidence, then the District Attorney's Office and Clark County are prime for a lawsuit for violation of federal case law and U.S. Supreme Court decisions, for having no performance standards set or communicated to the Process Servers. The courts clearly indicate that the performance upon which one is to be appraised must be clearly understood by both employee and supervisor.¹¹ They might also be left open to contract-based grievances, as they would be

¹¹*Albemarle Paper Company v. Moody*, 442 U.S. 405 [1975]; *Wade v. Mississippi Cooperative Extension Service*, 372 F. Supp. 126 [1974]; *Patterson v. American Tobacco Company*, 586 F. 2d 300 [1978]; *Carpenter v. Stephen F. Austin State University*, 706 F. 2d 6708 [1983] (Condrey, 1998, p. 376).

in violation of Article 21 of the union contract to at least “establish performance standards for the various classifications identifying examples of meritorious performance”¹²

(Nevada Service Employees Union, 1996-1998, P.31).

¹²This per the 1996-1998 Labor Agreement between the Nevada branch of the Service Employees International Union (SEIU), Local 1107, and Clark County. Such standards were not established, and the new 1998-2002 contract is silent on this issue.

The question remains, then, is Process Serving hazardous? According to Nelson Tucker, in his books, Process Serving for Pros! (1996), Getting Rich in Process Serving (1994), and Secrets of Successful Process Serving (1994), as well as his training video, Process Serving: The Easy Way (1992) and audio cassette, Making Money in Process Serving, Process Serving is not dangerous. He backs this up with a footnote reference (1996, p. 4) in his most current publication to an OSHA study that did not rank Process Serving among the top 200 most dangerous occupations, and even goes a step further in stating that “Process Serving is not dangerous unless the Process Server creates a situation which causes jeopardy.” Yet, he does acknowledge that Process Servers do serve process in some “hazardous and risky situations created solely by the area where the service is to be attempted” (1996, p. 36). These dangerous areas are described as “gang infested neighborhoods, abandoned commercial districts, rural areas where outsiders are unwelcome, and other sectors where troublemakers tend to congregate” (ibid). He also recommends that women Process Servers specifically carry tear gas or pepper spray, if legal, for self-defense (1996, p. 37). And he suggests “hazard” pay in the form of an additional fee for service in these areas (ibid). So while Tucker stresses in his training video (1992) that 75% of process service deliveries will go smoothly, and in his audio cassette that 70% of recipients will say thank-you after the service, there is acknowledgment that Process Servers, even in dealing with civil matters, may face risk in the field and thus need to take precautions to protect themselves and their property (1996, p. 36-7).

Tony Klein, in his book The Registered Process Server’s Guide to Service of

Process in California (1996) openly acknowledges that Process Serving may be hazardous.

He includes in his publication the following section entitled “Safety and Defensive Techniques” (1996, p. 53).

Learn to be “Street Wise” while serving papers. Develop through practice an ability to observe changes. Learn to recognize potential hazards.
Learn to recognize bad or hazardous areas.
Look around you as you drive up to the address.
Make sure it’s safe to get out of your car.
Secure your car when you leave it.
Turn the remaining documents in the car face down when leaving the car.
Have a plan for a quick, safe departure. Think.
Safety First. The service is never important enough to get hurt over.
If the person becomes irate or violent, leave. Don’t escalate [sic] to situation.
If service can be made without being attacked, do so and leave immediately.
If not, do not serve the paper and call the police.
If you have to, run.
If you are assaulted, report it to the police.

He also includes risk awareness in his “Process Serving Suggestions” checklist for before, during and after service (1996, p. 48-53). Thus while Mr. Klein also emphasizes building up a profitable business based on private Process Serving of civil documents, he explicitly acknowledges Process Server risk and suggests ways to mitigate the hazards associated with Process Serving.

LaPell (1973) discusses the risks associated with Process Serving as short, anecdotal stories. Her brief sample includes being shot at and threatened by gangsters (p. 15) as well as having had to call the police for fear of damage to property and person (p. 29-30). Again, these were all in regards to civil matters.

Civil cases are filed to resolve disputes or private conflicts between people, businesses, and the government (Brooks, p. 11). Criminal cases are matters which

involve the enforcement of law by the government (ibid), through such entities as local, state, and federal policing agencies. Examples of civil law cases include divorce, discrimination, contracts, evictions, and collections. Criminal cases are those that deal with a suspect who has been charged with violating criminal laws and may include such charges as homicide, burglary, embezzlement, fraud, prostitution, gang involvement, battery, sexual assault, or child abuse. From this description alone, then, one may begin to imagine the risks inherent to serving criminal process versus the lower-risk interactions involved with serving civil process. Criminal prosecution, after all, is the second-half of law enforcement, pursuing penalties for those arrested for criminal activity. Thus Process Servers serving these types of cases are often dealing with the same elements: victims, witnesses, locations, and so forth, that the police did. It is of note, then, that witnesses in gang-related matters are often gang members themselves, as is often the case with drug-case witnesses; they are often users, possessors, or distributors, themselves. Similar with cases involving prostitution, and so forth.

The other kind of risk discussed in the literature is to the case itself, or to the integrity of the case. Whether criminal or civil matters, process must be served in a timely manner, returns must be made, and court procedures strictly followed. Towards this end, the State Bar of California, Continuing Education section has published a how-to guide for CA attorneys that includes information useful for Process Servers in having to deal with victims and witnesses and serving subpoenas (Cal CEB Action Guide, 1998). Especially useful, though, again, for civil matters, are the variety of forms included. Some of the other literature also provided sample forms for civil process (Ball, 1997; Klein, 1996;

Tucker, 1996), as well as general business forms, i.e., sample invoices and agreements (Tucker, 1994b).

A person new to Process Serving at DA Criminal may glean productive information from the literature and laws on Civil Process, if only to gain insights to learn to differentiate between Civil and Criminal Procedures, and to specifically be able to explain to the recipients of criminal subpoenas that the rules are not the same. Civil matters, including Forfeitures, which are served by the DA Criminal Division, are governed by the Rules of Civil Procedure. Criminal cases, however, are ruled by trial procedures.

Because the service of process appears to be simple and easy, and in many cases may be, the requirements to become a Process Server are minimal. In Clark County, Nevada, to work as a Process Server in the District Attorney's Office, the requirements include: having at least a high school diploma, or equivalent, and one year full-time experience working in public safety, security or working in a legal setting.¹³ Other preparation for such a position might include reviewing the National Learning Center's preparatory books for civil service exams related to Process Serving (1994, 1991, 1989), the only reference to public employment found in the literature, though these, too, are oriented toward civil process. Again, looking at the apparent simplicity of the job for private Process Servers, it was suggested by the Law Reform Commission of Victoria (1989), Australia, that "the licensing of process servers should be abandoned," as an

¹³From Clark County, Nevada, Human Resources: Process Server job notice of April 13, 1999, Exam #99-19743.

unnecessary practice, particularly as there are no education or experience prerequisites to obtain this license (p.6) and sanctions already exist should one file a false affidavit of service (p.7).

In order to become a private, licensed Process Server¹⁴, in Nevada one must:

hold a work card issued by the sheriff of the county in which the work is to be performed, be at least 18 years of age, a citizen of the United States or lawfully entitled to remain and work in the United States, be of good moral character and temperate habits, and not have been convicted of a felony or a crime involving moral turpitude or the illegal use or possession of a dangerous weapon (NRS 648).

Further, per NRS 648.110, the applicant for a process server's license must have at least 2 years' experience as a process server.

¹⁴The group of licensees includes: private investigator, private patrolman, process server, reposessor, dog handler, security consultant, or polygraphic examiner or intern.

Unfortunately, the apparent simplicity of the job may be deceiving, and complacency in regards to training may result in liability for the organization that fails to train, supervise, and protect these field staff.

There is some literature specific to the service of subpoenas, but this is again in relation to peace officers, such as the discussion of increasing police cooperation in Dallas by have a specific unit set up to handle their 36,000 subpoenas each year (McClain, 1984). In comparison, the Clark County District Attorney Criminal Division in 1999 will process approximately 131,000 subpoenas, with about 65,000 going to the Las Vegas Metropolitan Police Department, leaving 66,000 to be served by DA Criminal Process Servers and Investigators.

This is also some reference to risk assessment, but this, too, is in relation to peace officers, who were interacting with criminal suspects in national and state parks (Pendleton, 1996). Though this assessment has some interesting commentary regarding interactions with visitors to the parks, it is, again, an assessment of peace officer interaction, and Process Servers are not peace officers.

This study is done then both for practical purposes as well as to address the void in the literature regarding Process Servers in general, and more specifically, Process Servers handling work for criminal matters.

CHAPTER 3

Methodology

The data obtained in this study were collected via a personally administered, self-designed survey, with a combination of rank-ordered and categorized questions. The self-reporting survey instrument was chosen to facilitate receiving “live” feedback from individuals actually employed, or who had been prior-employed, in this position. The scaled survey was chosen to collect the information to obtain a more prompt and thorough response to the request for feedback.

Data Collection

The sample consisted of only Clark County, Nevada, District Attorney Criminal Division Process Servers. The primary participants were those currently serving in the job classification of Process Server, each assigned to a team of deputy district attorneys, under the formal supervision of a deputy district attorney team chief. The secondary participants were prior employees who had been employed in this position and left on good terms with DA Administration and staff. 100% of the primary target group, current employees, completed the survey. Fifty percent of the secondary group completed the survey, 6 prior employees who had promised to participate.¹⁵

¹⁵Note, the four other employees who served in this position resigned under alleged negative or questionable circumstances, and therefore were not invited to participate in this study due to concerns regarding the validity of their responses.

The decision to limit the study to this DA Division was based on similarity of work processes. It was restricted to process service served by the DA Criminal Division only. This was done to avoid comparison to civil process, such as may be served by DA Family Support Process Servers or DA Civil Division employees who may serve process, governed by different legal rules and procedures than criminal process. The survey was also originally designed to include the 4 DA Family Support Process Servers, but this aspect was abandoned upon receiving information regarding substantial differences in their supervisory structure.

The data collection was kept as simple as possible in terms of the subjects to whom it was to be administered. As a small case study, the data gathered are fairly rich in information, allowing a multitude of potential variables to present themselves for possible future research in this new area of study. Such variables may then be utilized in future quantitative research that may be more generalizable to a larger population. With an N of 16, the data collected here are not likely to be generalizable to a larger population, but instead, represent a picture in time of specific circumstances.

The survey instrument was personally administered by the author on March 13, 1999. This was accomplished by telephoning and inviting all 13 then-current DA Criminal Division Process Servers to a meeting in the DA Criminal Conference Room to be held on March 13, 1999, to complete the Process Server survey.¹⁶ It was briefly explained on the telephone and in the instrument instructions, that information from the

¹⁶This survey was completed on employee break time. All employees get two 15-minute breaks daily.

survey would be summarized and sent to DA Administration, Clark County Human Resources, and also utilized for study for this professional paper.

On March 13, 1999, refreshment items were served and an overview and explanation given to the group, virtually verbatim to that which appears on the cover of the survey (see Appendix 1). A few late arrivals to the conference room were asked to read these instructions themselves, as were the 2 Process Servers who, when not appearing with the group, were hand-delivered surveys.

The DA Criminal Division conference room was chosen for use to minimize outside distractions and provide a certain level of privacy and confidentiality. The instrument was administered in the early morning as that is the best time to catch these employees, before they go out in the field and get caught up in the hustle and bustle of their busy day. The group interview format was used to encourage participation, timely return of the surveys, and provide support and encouragement for the participants to ask any questions that may have arisen regarding the instrument.

Prior employees contacted received delivery by facsimile transmission (fax) or via the US Mail Service. These responses were received via fax, and one, by interoffice mail. No one asked for a follow-up interview at the time the survey was given, though this option was provided in the instructions on the cover sheet of the Process Server Survey.

The only concern expressed about the survey by participants prior to, and on the day of its administration, was regarding participant confidentiality. Several Process Servers expressed concern regarding who would see the completed survey instrument. Participants were reassured that confidentiality would be assured, and the instructions on

the instrument itself repeated this assurance. Confidentiality was further stressed in the variety of methods offered for return of the survey instrument: return to the administrator personally during the group session, seal in the envelope provided and place in the box provided on the author's desk, return by fax to the author's home fax machine, or contact the author by phone or university email to arrange expedited pick-up of the completed instrument.

The final sample consisted of 16 surveys, including the completed survey of the author of the survey instrument, who is also a DA Criminal Division Process Server.

Data Analysis

The survey instrument consists of an author-designed survey, developed as an employee in the position of Process Server in the DA Criminal. Questions are based on concerns expressed by Process Servers, Investigators, and other staff members since the implementation of the position. It was designed with a combination of mostly 5-point likert-scale questions, a few yes/no questions, and fill-in-the-blanks. Questions in the survey were not numbered, only categorized, and spread across three categories: 14 questions on training, 10 on supervision, and 17 on job classification. Six demographic questions were included: length of time in the Process Server position, sex, race, age, education, and work experience/background. The majority of the likert-scale questions included ranges from *(1) Strongly Disagree* to *(5) Strongly Agree* and frequency questions across the range: *Never, Seldom, Occasionally, Often, and Daily*. Space was provided on the instrument, and feedback requested verbally, for any additional information that respondents would like to provide on the likert-scale questions as well.

Treatment of Data

Some minor changes are reflected in the reporting of findings. Most references to gender and any specific references to age have been obscured to help maintain confidentiality of the respondents, i.e., where a supervisor or specific participant was female, the findings report this person as a male (the majority of staff in question are male anyway - see Table 1 for demographic data of participants). Specific names of respondents, their supervisors, and locations visited have been similarly obscured. Discussion of the results regarding some tables and charts was restricted, again, to maintain confidentiality of the respondents.

CHAPTER 4

Findings of the Study

Table 1: Demographics of Participants by Sex, Race & Age		
Characteristics	Number	%
Sex		
Male	11	68.75
Female	5	31.25
Race		
White	13	81.25
Black	1	6.25
No Response	2	12.50
Age		
18-30	5	31.25

Table 1: Demographics of Participants by Sex, Race & Age		
Characteristics	Number	%
31-40	5	31.25
41-50	3	18.75
51-60	2	12.50
No Response	1	6.25

Table 1 presents the demographic data reported by the participants in this study (N = 16) in regards to sex, race, and age.

Table 2: Length of time as a Process Server		
Number of months worked in this position	Number	%
0 - 3 months	3	18.75
3 - 6 months	3	18.75
6 - 9 months	2	12.50
9 - 12 months	1	
<i>12+ months</i>	7	43.75

Table 2 addresses work experience by examining the length of time each Process Server reported they had served in this position.

Table 3: Education		
Level of education achieved	Number	%

High School	4	25.00
Some College	4	25.00
2+ years College	4	25.00
Bachelors	1	6.25
<i>Masters</i>	3	18.75

Table 3 reports overall level of education. Seventy-five percent of participants have taken some college courses, and 3 have advanced degrees.

Other work experience is summarized here. The 16 Process Servers surveyed show cumulative: 157 years combined law enforcement and military experience, 37.5 years legal/clerical, and 10 years working in casino security.

Part I - Training

Table 4: Training						
<i>Survey Items</i>	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	No Response
<i>Item 1 - I received thorough, comprehensive training as a new Process Server.</i>	3	4	5	3	1	0
<i>Item 2 - All Process Servers in my division receive thorough, complete, comprehensive training.</i>	4	4	2	3	0	3
<i>Item 3 - Job performance standards for Process Servers are realistic.</i>	1	1	8	2	4	0
<i>Item 4 - I have received written, measurable job performance standards.</i>	4	4	4	1	1	2
<i>Item 5 - I am familiar with the policies, procedures, codes and laws that regulate my job function.</i>	0	2	4	8	2	0
<i>Item 6 - Tools necessary to do my job are provided</i>	0	3	2	6	5	0
<i>Item 7 - Information communicated timely & effectively</i>	0	6	2	5	3	0
<i>Item 8 - Standardized training needs to be established</i>	1	0	0	3	10	2
<i>Item 9 - I know how to access sources of training</i>	1	4	5	2	4	0
<i>Item 10 - Process Server breakfast/lunch</i>	1	1	4	3	7	0

Training Item 1:

Twenty-five percent of Process Servers agreed with the statement, “I received thorough, complete, comprehensive training as a new Process Server.” However, all 4 of these employees were still new themselves, with less than 4 months of service, and still on probation at the time of the survey.

Thirty-one percent expressed no opinion regarding the training they had received, choosing to remain neutral regarding this item.

Forty-four percent disagreed with this statement, with 18.75% in the category *strongly disagree*, and 25% in *disagree*.

All three prior employees surveyed disagreed with this statement, with one in the category *strongly disagree*.

Write-in comments regarding this item included:

- 1) On the job training with no formal guidelines.
- 2) No written instructions, little OJT where I could ask “what if” questions.
- 3) An investigator from another team trained me, and
- 4) Location techniques were covered, but self-defense was not.

Training Item 2:

Nineteen percent of Process Servers agreed with the statement, “All Process Servers in my division receive thorough, complete, comprehensive training.” These were newer employees, with less than one year’s service.

Thirteen percent expressed no opinion regarding department training.

Nineteen percent declined to respond to this question.

Fifty percent disagreed with this statement, with 25% in the category *strongly disagree*, and 25% in *disagree*.

Of the three prior employees surveyed, two disagreed: 1 *strongly disagree* and 1 *disagree*, while the 3rd one agreed.

Write-in comments regarding this item included:

- 1) N/A.
- 2) Unknown.
- 3) I do not know, and
- 4) We have law enforcement backgrounds and understand most things without having someone explain basic legal terminology and concepts.

Training Item 3:

Thirty-eight percent or 6 of 16 employees surveyed agree that job performance standards are realistic. Five of these 6 were still on probation, having been employed less than 6 months. The 6th affirmative response belonged to a longer-term employee beyond the probationary period.

Fifty percent of respondents were neutral on this question.

Of the 3 prior employees, 2 were neutral in their responses, and the 3rd disagreed. The 1 vote for *strongly disagree* regarding this item was a longer-term employee past the probationary period.

Write-in comments regarding this item included:

- 1) My workload is fine, the assistance I get from my investigator is great, and everyone on my team works together, and

2) There are no standards.

Training Item 4:

Eight of 16 or 50% disagreed with the statement, “I have received written, measurable job performance standards.”

Four chose to remain neutral, and 2 chose to not respond at all to this question.

Two employees responded favorably, one who was still on probation, and one who had long-since passed the probationary period.

Of the 3 prior employees surveyed, 2 were neutral and 1 disagreed with this statement.

Written commentary included:

1) N/A.

2) I received nothing in writing; I was told verbally what was expected and understood what was expected of me.

3) N/A. None as of yet, and

4) I’ve only worked for three months in this position.

Training Item 5:

As should likely be expected, a majority of employees, 62.5% agreed with the statement, “I am familiar with the policies, procedures, codes and laws that regulate my job function,” with 2 of these 10 in the category *strongly agree*.

Four remained neutral in their assessment.

Two disagreed.

Of the 3 prior employees, the votes were *agree*, *neutral*, and *disagree*.

Commentary included the following:

- 1) Based only on word-of-mouth, no written procedures.
- 2) When I have a question - my team investigator is always willing to assist; I rarely have questions, and
- 3) Job announcements indicates we must know code of Civil Procedures, but these are not the rules for serving Criminal subpoenas.

Training Item 6:

A majority of employees, 68.75% agreed with this statement regarding tool availability.

Three employees disagreed - see specific commentary below (#3, #5, and #6).

Commentary included:

- 1) We should also have access to DMV and NCIC.
- 2) Everything was provided within reasonable time.
- 3) I need to regularly check a car out from the county motor pool and they do not always have one available.
- 4) Fax, telephone.
- 5) We need access to DMV to have most current, active warrant information, and
- 6) We still do not have PCs - Personal Computers - so we lack direct access to internet search engines, Westlaw, the computerized cross-directory, and department and county-wide email.

Training Item 7:

Fifty percent of employees agreed with this statement, with 18.75% strongly agreeing and 31.25% agreeing.

Two, or 12.5% remained neutral in their response.

Six, or 37.5% disagreed with this statement.

Of the three prior employees, 2 disagreed with this statement and 1 agreed.

Written comments included:

- 1) My team attorneys are very approachable, and my investigator is always willing to help with the workload, and
- 2) Information is often received late.

Training Item 8:

Thirteen of 16 or 81.25% agree with the statement that standardized training for Process Servers needs to be established.

The 1 *strongly disagree* vote comes from a probationary employee who states that standardization is impossible because the attorneys require different things (see commentary #3 below).

Commentary included:

- 1) N/A.
- 2) No, more pooling of information, contacts, etc., as training depends on individuals experience coming into the job, and
- 3) You cannot expect this because Deputy District Attorneys want things done differently, as well as Investigators. In order for standardization, everyone would have to be on the exact same sheet of music and this is impossible!

Training Item 9:

Thirty-one percent of employees surveyed indicated that they are unaware of

training resources available to Process Servers.

Another 31% were neutral in their responses.

Six of 16, or 38% indicated agreement, that they are aware of the multitude of resources available in this area.

Written commentary included only:

1) Information is given to me on a regular basis.

Training Item 10:

Ten of 16 or 62.5% state that they would be interested in regularly attending a Process Server breakfast/lunch once a month to share information, with 43.75% in the category *strongly agree*.

Two employees disagreed. The 1 *strongly disagree* vote was from a veteran employee, having long since worked beyond the probationary period. The *disagree* vote also came from another veteran employee.

The neutral votes came from across the experience spectrum, with 2 from probationary employees and 2 with substantial experience. Sentiment expressed verbally regarding neutral votes was that they would be positive about this if it did not interfere with their work duties, i.e., only if they had extra time. One employee who indicated he had originally been neutral in his assessment, has since self-reported that he would change his answer now, having worked under much different circumstances on his original team. He now expresses definite interest in the increased sharing of information, however possible, including such a breakfast or lunch meeting for Process Servers.

Commentary, again, included only one statement:

1) Maybe for some this would seem good for morale - on my team we have no need for improvements. Better yet, maybe a contact list for major employers besides casinos, i.e., large shopping marts, car rentals, hospitals, etc., should be generated and shared.

Table 5: Training Time						
<i>Survey Items</i>	0-3 months	3-6 months	6-9 months	9-12 months	12+ months	No Response
<i>Item 11 - time to learn the basics of job</i>	12	3	0	1	0	0
<i>Item 12 - preferred probationary period</i>	2	11	2	1	0	0

Training Item 11:

Seventy-five percent of the Process Servers indicated that it took less than 3 months for them to learn the basics of their job. Another 18.75% indicated *3-6 months*. Only 1 employee indicated that it had taken 9-12 months to learn the job.

Commentary:

- 1) Approximately 4 weeks based on my law enforcement background, and
- 2) Two days.

Training Item 12:

The standard probationary period for this position is 6 months, and a majority, 68.75%, of employees answered that this is appropriate. Two employees indicated that it should be shorter, *0-3 months*, and 3 indicated it should be longer: with 2 voting for *6-9 months*, and 1 indicating that it should be *9-12 months*. Not surprisingly, the person who indicated in Item 11 that it took 9-12 months for them to learn the job, also suggests that the

probationary period for the position be *9-12 months*. See comment #3 below regarding 1 of the 2 who suggest *6-9 months*.

Written comments included:

- 1) Three months if you have an extensive law enforcement background, otherwise 6 months.
- 2) One month. This is about time management and responsibility. (Teamwork helps.)
- 3) Six to nine months if working in position as it exists now. If working within classification, 3-6 months, and
- 4) Current 6 months.

Training Item 13:

Respondents answers to this item further confirm an overall inconsistency in training relative to the Process Server position. This item asks for qualitative description of work done to enable routine service of a subpoena. Results indicate that a majority of Process Servers utilize SCOPE (88%), credit reports (63%), utilities records (56%), DMV records¹⁷ (50%), and public records systems such as assessors records, the phone book, or the cross-directory (50%).

Only 1 respondent out of the 15 who answered this item actually gave a description that fits within the Department of Labor's assigned duties and tasks for this position (see Appendix 2). He reported that he routinely calls the operator for information, looks in the

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Despite Stewart Bell's admonition Fall 1997 that Process Servers are not to have direct access to DMV records, at least one Process Server is known to have such direct access - without going through an Investigator.

telephone book, and/or contacts utility companies and the Post Office. Only this 1 person reported that he does not use SCOPE, which technically is beyond the scope of duties of a Process Server, per the Department of Labor (see Appendix 2) which refers only to public records as a Process Server resource. Vitally useful as this law enforcement/criminal justice system is, usage of this system is also beyond elected District Attorney Stewart Bell's original or intention for this position.¹⁸

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In his response to the union's concerns in the fall of 1997, Mr. Bell indicated that Process Servers were not to use SCOPE nor DMV. However, access to SCOPE is crucial for efficient work processes and Process Servers are provided their access codes to this system almost immediately, with most Process Servers utilizing this useful tool well before they have access to a vehicle to venture out into the field.

Others answered that they check criminal history information or jail records (38%), question or conduct interviews with such third parties as leasing office staff, family, friends, employers, other witnesses, neighbors, and so forth (25%), review apartment leases (19%), and contact the welfare division (19%) or the school districts. Of note, particularly, is that some Process Servers have been trained to cross over into the more formal investigative duties assigned to Investigators. Not only is this outside of the scope of their assigned duties, but, as shown in Appendix 2, Process Servers are not expected to have the same level of “Reasoning Development,” which includes collecting data and drawing valid conclusions. Per the Guide for Occupational Exploration (GOE), which was “designed by the US Employment Service to provide career counselors and other DOT users with additional information about the interests, aptitudes, entry level preparation and other traits required for successful performance in various occupations” (US DOL, 1991, p. 1013), Investigators examine records and enforce policies or regulations that affect people’s rights. Process Servers, on the other hand, are, per the DOL, assigned to file, sort, copy or deliver things. Of particular interest, too, and a clear indication of Process Servers working beyond their job class, is revealed in Appendix 2 in regards to Temperaments/adaptability, where only Investigators influence, persuade, or convince - skills utilized daily by successful Process Servers in the District Attorney Criminal Division.

Sixty-three percent of those who answered this item indicated that they would attempt to contact the victim or witness by telephoning or visiting their home or work. This process also includes extensive utilization of service by fax. Two respondents

indicated that they look for other cases in the computer system where this person may have been a witness. Other sources of information included: the prosecutor's case file, police reports, and the marriage bureau.

Training Item 14:

Item 14 was designed to obtain information regarding consistency of training, including acknowledgment of working above and beyond the bounds of the Process Server position. Three people chose to not answer this item and a 4th indicated "N/A - yet!" Wide variance in responses among the remaining 75% suggests that Process Servers were not trained to work within their own job classification, but rather were trained, through inconsistent OJT, to perform the duties of the Investigator class. Reviewing the 1st page of Appendix 2, it is clear that the Investigator class is expected to access and examine more records, and interact in more detail with witnesses and victims, than Process Servers. The 3rd page of Appendix 2 explains these differences in classification in more detail, as Process Servers are to "perform clerical duties that require little special training or skill, following routines to file, sort, copy, or deliver things like letters, packages, or messages," while Investigators, "enforce government regulations and company policies that affect people's rights, health and safety, and finances. They examine records and products." Yet in this item, Process Servers once again report that they regularly review apartment leasing contracts (50%), consult or interview family members or references (38%), and contact school districts (44%). Finally, 1 Process Server responded: "I was told that I had to do whatever needed to be done to make contact with witness, even if that meant working on the weekend and waiting at the residence," who also asks: "What training could I

receive for stake-outs?”

Part II - Supervision

Table 6: Supervision						
<i>Survey Items</i>	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	No Response
<i>Item 1 - My supervisor is in contact with me on a regular basis.</i>	1	2	5	1	7	0
<i>Item 2 - I currently work under close supervision.</i>	6	4	4	0	2	0
<i>Item 3 - I check in with someone every day upon arriving and leaving work.</i>	7	2	1	2	4	0
<i>Item 4 - If I were to not return from the field, someone could trace my steps to determine how to locate me.</i>	8	1	2	1	4	0
<i>Item 5 - My work is screened regarding criminal history of victims/witnesses to be served</i>	7	5	1	1	0	2
<i>Item 6 - My supervisor knows the technical aspects of my job, i.e., how I do my job and what I do on a daily basis.</i>	1	3	6	3	1	2
<i>Item 7 - My supervisor gives me regular feedback regarding my job performance.</i>	1	4	2	5	3	1
<i>Item 8 - My supervisor is regularly available to me to discuss any issues that arise.</i>	0	2	2	5	6	1

Supervision Item 1:

Fifty percent of the people queried regarding this position state they are in regular contact with their supervisor, with 7 people in the *Strongly Agree* category and 1 in the category *Agree*.

Thirty-one percent remained neutral in their response.

Three persons, or 19%, disagreed with the statement, “My supervisor is in contact with me on a regular basis,” with 1 *Strongly Disagree* and 2 *Disagree*.

See Supervision Items 9 & 10 for more detail.

Supervision Item 2:

Sixty-three percent disagreed with the statement, “I currently work under close supervision.” Thirty-eight percent, or 6 of 16 *Strongly Disagree*, and another 4, or 25% simply *Disagree*.

Twenty-five percent of the respondents chose to remain neutral regarding this item. The average length of work experience in this group was less than 5 months.

The 2 people who *Strongly Agreed* with this statement are both well past their probationary periods.

See Supervision Items 9 & 10 for more detail.

Supervision Item 3:

Over half of the employees surveyed indicated that they do not check in and out, arriving and leaving work: 56.25% - 43.75% *Strongly Disagree* and 12.5% *Disagree*.

The 1 neutral response was from a new employee still in the probationary period.

Six of 16 or 37.5% indicate that they do check in and out.

There was no significant difference in the average work experience time between those who disagreed and those who agreed with this statement.

There were no additional written comments.

Supervision Item 4:

A majority, 56.25% or 9 of 16 disagreed with this statement - indicating that it would be difficult or impossible to find them should they not return from the field on any particular day. The average length of work experience in this group was 1.2 years.

There were 2 neutral responses, from employees past their probationary phase.

Thirty-one percent of staff agreed that, should they not return from the field, someone could retrace their steps to locate them. All 5 who thus agreed were employees with less than 12 months experience, still on probation.

There were no additional written comments regarding this item.

Supervision Item 5:

Twelve of 16 or 75% state that their cases are not screened for victim/witness/respondent criminal history.

The 1 neutral response was from a veteran employee long past the probationary stage.

The 1 *agree* response was from a probationary employee.

The 2 items that lacked a response were from probationary employees.

Written comments included:

- 1) I obtain this information myself via SCOPE.
- 2) N/A.

3) I do this after investigator for my own peace of mind.

Supervision Item 6:

Twenty-five percent of employees disagreed with the statement, “My supervisor knows the technical aspects of my job, i.e, how I do my job and what I do on a daily basis.” These responses came from employees with more than 6 months experience.

Twenty-five percent of employees agreed with this statement; 3 *agree* and 1 *strongly agree*. Two of these responses came from probationary employees, while 2 others came from longer-term employees.

Six employees, or 37.5% were neutral in their response.

The 2 *no response* answers were from employees still on probation.

Supervision Item 7:

Thirty-one percent disagreed with the statement, “My supervisor gives me regular feedback regarding my job performance.” The average length of work experience in this group was 1.2 years.

Two, or 13%, were *neutral* in their responses.

Fifty percent agreed, with 5 answers in the *agree* category, and 3 in the category *strongly agree*. The average length of work experience in this group was 1.1 years.

One person, a probationary employee, chose the category *No Response*.

Supervision Item 8:

Eleven of 16, or 68.75% agreed with this statement.

Two respondents chose to remain neutral regarding this item.

Two disagreed.

One person, a probationary employee, chose the category *no response*.

Commentary included the following:

- 1) N/A.
- 2) I can get to him, but not any time.
- 3) My supervisor rarely speaks to anyone; does not invite conversation of any sort. Will only answer a direct question that absolutely requires a response. Is frequently not available.

Supervision Item 9:

Supervision Item 9 asks the Process Servers to describe their relationship with their supervisor. Sixty-nine percent of respondents indicated that they have a good or outstanding to excellent relationship with their supervisor, without much substantive detail.

For a job class that employs people to work “under close supervision,” it is a concern that almost one-third, 31.25% clearly report (again) that they rarely see or interact with their supervisor.¹⁹ Answers to this open question, then, suggest that at least 2 more, or another 10% of the reported *neutral* respondents Supervision Item 1 belong in the *disagree* category. Another almost 20% report in this item that their supervisor does not discuss job performance or provide any feedback regarding the same.

¹⁹See Supervision Item 2: 62.5% answered they do not “work under close supervision.”

Table 7: Supervision Item 10 Would it make sense to assign someone else as your supervisor?	
Yes	5
No	11
Total	16

Thirty-one percent of those surveyed indicate that it would make sense to assign someone else as their supervisor. Twenty-five percent of those surveyed specify that they should be supervised by an Investigator as the Investigators are more aware of the knowledge, skills, abilities, and resources of the Process Server. One respondent answered that the Investigators have been required to train and informally supervise these employees since the position was created anyway. One respondent specifically cited a need for a Deputy District Attorney to be the supervisor over his position. While another person indicated, “I don’t think it would matter much.”

Sixty-nine percent of the respondents state that their supervisor should remain the same. Commentary was neutral to positive for retaining the current system of Deputy District Attorneys supervising Process Servers. The only negative response was: “I have been told that my supervisor discriminates against me because of my age and background.”

Part III - Job Classification

Table 8: Job Classification						
<i>Survey Items</i>	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	No Response
<i>Item 1 - I can clearly differentiate between the duties of Process Servers and Investigators.</i>	1	3	4	4	3	1
<i>Item 2 - My function as a Process Server only differs from that of an Investigator by means of official law enforcement function.</i>	1	1	4	4	5	1
<i>Item 3 - The Process Server classification includes locating criminal defendants</i>	4	3	3	2	3	1
<i>Item 4 - The Process Server classification is part of the official step-process that leads to promotion to Investigator.</i>	4	2	2	1	6	1
<i>Item 5 - Process Servers should complete affidavits, i.e., due diligence forms</i>	2	0	2	6	5	1
<i>Item 6 - There is expectation of Process Servers to work outside job classification</i>	3	6	2	3	1	1
<i>Item 7 - Badge as a necessary piece of equipment</i>	0	1	2	2	11	0
<i>Item 9 - SEIU represents the needs and concerns of Process Servers well</i>	4	4	4	0	0	4

Job Classification Item 1:

Twenty-five percent of Process Servers disagreed with the statement, “I can clearly differentiate between the duties of Process Servers and Investigators.” The average length of work experience in this group was 1.5 years.

Another 25% chose to remain neutral in this answer. The average length of work experience in this group was higher: 1.7 years.

One probationary employee chose not to respond at all.

Less than half, only 43.75% of Process Servers indicated that they can clearly differentiate between their own job duties and that of the Investigator job classification. Of those in the *Agree* category, the average work experience was 8 months. In the *Strongly Agree*, the average time frame was 6 months.

Written commentary included:

- 1) N/A.
- 2) Investigators are paid more, carry weapons, escort prisoners and arrest people. That’s it!
- 3) Some, not all. No clear differentiation.

Job Classification Item 2:

Two respondents disagreed with this statement. 25% remained neutral.

One probationary employee chose not to respond at all.

Fifty-six percent agreed with the statement, “My function as a Process Server only differs from that of an Investigator by means of official law enforcement function,” with 25% in the *Agree* category and another 31.25% in the category *Strongly Agree*.

Written comments were noted as follows:

- 1) N/A.
- 2) Investigators handle process and investigations. I serve process and the investigator assists me when needed.

Job Classification Item 3:

Forty-four percent disagreed with the statement, “The Process Server classification includes locating criminal defendants or criminal-case absent parents.” Of the total disagreeing with this item, there was an average of 1.8 years experience working in this job classification.

Those who chose to remain neutral regarding this item reported that they had been on the job for less than a year.

Of the 31.25% who agreed with this item, the average length of time served in this classification was reported as 5 months.

Written comments included:

- 1) N/A.
- 2) Yes.
- 3) We serve them outside [emphasis in original] of our job classification.

Job Classification Item 4:

Thirty-eight percent of respondents disagreed with the statement, “The Process Server classification is part of the official Clark County step-process that leads to promotion to Investigator.” Four, or 25%, *strongly disagree*, and another 2 chose the category *Disagree*, covering 12.5%. The average work experience reported for all 6 who

disagreed with this item was 1.3 years.

Two respondents remained neutral in their response, both of whom were beyond their probationary periods. One probationary employee chose once again to make no response.

Forty-four percent agree with this statement, with 38% in the category of *Strongly Agree* and the other 1 vote going into the category *Agree*. The average work experience reported for this group was 9 months.

Written comments for this section include:

- 1) N/A.
- 2) If you want to be an investigator, this would be the way.
- 3) Depending on who you know.
- 4) Dead-end job with no advancements.

Job Classification Item 5:

A clear majority of 68.75% agreed with this item.

Two respondents strongly disagreed.

Two others remained neutral in their response, with another 1 not responding at all.

Comments for this item included the following:

- 1) Yes.
- 2) Maybe. And,
- 3) I already do.

Job Classification Item 6:

A majority, 56.25% disagreed with this item, with 3 persons, 18.75% choosing the

category *Strongly Disagree* and another 6, 37.5% choosing *Disagree*. These employees have an average estimated work experience of 10 months.

Two persons chose to remain neutral in their assessment, and one person chose to not respond at all.

Four respondents agreed with this item. Their average length of service in this position was 1.5 years.

There were only two written comments for this item:

- 1) N/A.
- 2) Rarely.

Job Classification Item 7:

Everyone responded to this question, and nobody voted for *Strongly Disagree*.

One person chose the category *Disagree*.

Two others remained *Neutral* in their choice.

An overwhelming majority, 81.25% agreed that the Process Server's badge is a necessary piece of equipment.

The only additional comments regarding this item included:

- 1) People like to feel that you are official, and
- 2) I.D.

Table 9

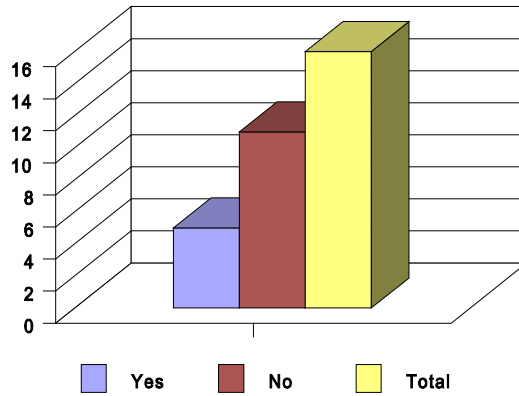


Table 9: Job Classification Item 8 Are you a member of the Nevada unit of the Service Employees International Union (SEIU/NSEU)?	
Yes	5
No	11
Total	16

Five of the survey respondents, or 31.25%, reported that they are members of the union. The other 68.75% of the employees in this position reported that they were not members of the union.

Job Classification Item 9:

Fifty percent of respondents disagreed with this statement, with 25% in the category *Strongly Disagree* and the other 25% in the *Disagree* category.

None of the respondents agreed with the statement, “SEIU/NSEU, the bargaining unit/union for Clark County represents the needs and concerns of Process Servers well.”

Twenty-five percent of survey respondents voted to remain neutral regarding this item, and another 25% chose not to respond to it at all.

Comments included:

- 1) N/A.
- 2) I don't know - no personal experience, and
- 3) I do not know.

Table 10: Job Classification, Frequency Data						
<i>Survey Items</i>	Never	Seldom	Occasionally	Often	Daily	No Response

Table 10: Job Classification, Frequency Data						
<i>Item 10 - locate criminal defendants</i>	6	5	1	2	1	1
<i>Item 11 - worked outside job class</i>	5	6	3	1	1	0
<i>Item 12 - Process Servers work beyond their assigned job class</i>	0	3	2	5	4	2
<i>Item 13 - mistaken for a peace officer</i>	3	1	5	4	2	1
<i>Item 14 - felt personally at risk</i>	4	2	8	1	1	0

Job Classification Item 10:

Thirty-eight percent of survey respondents report that they *Never* locate criminal defendants. The average length of work experience for this group is 9 months.

Another 31% report that they *Seldom* locate criminal defendants. Their average work experience being reported as 1.4 years.

Twenty-five percent of employees in this position report that they *Occasionally*, *Often*, or *Daily* perform in this capacity. Their reported average work experience being 1.4 years as well.

Comments:

- 1) N/A.
- 2) Co-defendants (rarely) and if I don't feel comfortable serving them, my investigator does it - no problem.
- 3) As of yet.

4) Increasingly.

Job Classification Item 11:

Thirty-one percent of respondents indicate that they have never “worked outside the Process Server classification/job description, i.e., by escorting or transporting victims/witnesses, interviewing witnesses, etc.” The average work experience reported in this group is just over 4 months.

Thirty-eight percent of surveyed employees report that they *Seldom* knowingly work outside the job classification. Their average work experience amounted to 1.2 years.

Another 31.25% reported that they *Occasionally*, *Often*, and *Daily* work outside their job classification. Their average work experience amounts to about 1.5 years.

Overall, 68.75% of the Process Servers report that they have or do work outside their job classification, ranging in frequency from *Seldom* to *Daily*.

Comments:

- 1) Rarely, and when asked - it is not a problem.
- 2) On one occasion I transported a witness for an attorney.
- 3) Under the direction of my Deputy District Attorney Team Chief supervisor.

Job Classification Item 12:

The overall perception of Process Servers by Process Servers, is that a majority, 87.5% work beyond their actual job classification, ranging in frequency from *Seldom* to *Daily*.

There were 0 votes for the category *Never*.

Nineteen percent perceive fellow employees working *Seldom* beyond their job

classification.

Sixty-nine percent perceive Process Servers as working *Occasionally*, *Often*, and *Daily* outside their job classification.

Two people chose to not respond regarding this item.

Only two additional comments were noted:

1) N/A, and

2) I have not, but I would think some may have.

Job Classification Item 13:

Twenty-five percent of survey respondents report that they have *Never* or *Seldom*, “been mistaken for a peace officer, i.e., investigator, police officer, or representative of the Metropolitan (Metro) Police Department while in the field,” with 3 reporting *Never* and 1 reporting *Seldom*.

Thirty-one percent, or 5, report that they are *Occasionally* mistaken for a peace officer. Twenty-five percent, or 4, report that they are *Often* so mistaken, and 2 others, 12.5%, report that they are *Daily* mistaken for a peace officer.

Seventy-five percent thus report that they are mistaken for a peace officer, ranging in frequency from *Seldom* to *Daily*.

One probationary employee chose to not respond to this question.

Job Classification Item 14:

Twenty-five percent of employees report that they have *Never* “felt personally at risk in the field.” The average length of work experience among this group was less than 4 months.

Two employees report that they have *Seldom* “felt personally at risk in the field.”

A full 50% of employees report that they have *Occasionally* felt at risk. Their average work experience is reportedly 1.4 years.

Two employees report that they have *Often* or *Daily* felt at such risk, with 1 employee in each category.

Overall, 75% of respondents indicate they have “felt personally at risk in the field.”

For general comments, see item 15, below.

Job Classification Item 15:

Three participants chose to not answer this item. Another 3 indicated that they felt from no, to minimal, risk. Sixty-two percent of these employees answered that they have felt at risk in this position. These answers speak for themselves, and as such, are reported here almost verbatim.

1) As a former law enforcement officer I have the ability to know when I am at high risk, for example, Housing Authority complexes occupied by gangs and other individuals who are not high on the social order, i.e., on welfare, ex-felons, etc. I would like to be able to carry a gun. I am not only qualified, but have the necessary permits to carry a weapon.

2) Locating co-defendants of major crimes, i.e, murder, attempted murder, etc.

Confrontations with attacks, hostile relatives, gang territories. Some type of defensive weapon is a must. Along with our cellular telephone, VHF-FM is needed to contact Metro dispatch.

3) SCOPE & experience.

4) I have been surrounded by gang members who harassed me in the middle of the projects.

I have been charged at by an angry biker. Guys have belittled me. Guys have told me to say "Hello" to particular ex-Deputy District Attorneys. Send us in twos or swear us in.

5) I was attempting to serve a subpoena at a home in rural Las Vegas. The defendant was charged with robbery. The witness was the ex-wife of the defendant. When I pulled up to the home, a man approached the car. I asked if he was the defendant, by asking his name - he said no. Lying? How would I know? He told me the witness lives in the house in back of his home. When I went to the side yard to enter the back, I could see that there were signs of animals present - dogs, I assumed. I entered anyway. The yard and home itself was extremely unkempt. As I approached the door of the rear house I began to feel as though I was being watched from the front house. I knocked on the door and a woman answered. When she opened the door a rottweiler tried to jump between her and the door at me. She pinned it against the wall and shut the door. She came back and I served the subpoena. The man in the front house could have been the defendant. The defendant used a gun in the robbery. Things happen when you least expect them.

6) I routinely go into areas that I would normally avoid. A radio dispatcher would bring instant response, and defensive weapons would help deter some aggression.

7) Situations where I have felt at risk mainly concern certain areas of Las Vegas. Having contact by cellular phone is not a readily available risk reduction. Radio contact would be far better. Defensive weapons are only feasible with proper training.

8) Have to drive into victim/witness residential area. Potential danger if defendant is home. Large dogs in yards.

9) A defendant was home when I served his parents. He became enraged and began

throwing items around the house. Defense weapons should be allowed and vehicles equipped with radios. A check in system should be used so we can be located if in trouble.

10) 1) Felt extremely uncomfortable when serving gang members in the projects. Case involved two rival gangs. Victim who was shot in the back did not want to handle matter through the legal system. Ten to twelve witnesses and victims criminal history similar or worse than defendant's, including two co-defendants in the case. Careful of men screeched up to site where serving subpoenas in the projects; fully believe that the two young women who ran to the car from the apartment across the way prevented me from getting shot. Had been on the job for less than a year at the time. Had asked the Investigator if the neighborhood was okay at 9 in the morning. He said yes. Called and reported to him afterwards that 9am was too late in the day to be on that street. The next time the case came up to be served, an Investigator served it with the assistance of the Metro gang unit. Have since had high-ranking Metro officers tell me that they would not go alone to the area involved, and the gang members in question were high-profile enough that the gang unit and officers who had served in it prior knew immediately who the people were involved, with very little information provided. 2) Have had several instances where dogs ran up to and/or jumped up on me, one causing multiple bruises and scratches, several ruining slacks. 3) Had another case where the witness was a known prostitute who was evading service, who, per the Deputy District Attorney handling the case, should have been charged as well, indicating that she was an accomplice to the murder, but they did not have enough evidence to charge and prosecute her as well. In this case, I called my Investigator and told him where I was attempting service, indicating that if I did not check in with him in an

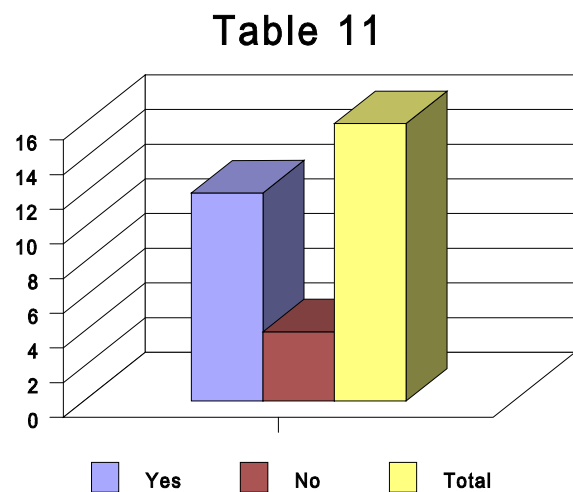
hour, for him to come find out what happened to me.

14) This incident was reported under Training Item 14, but is relevant here. I was trying to locate a transient and people told me he lived behind a bar. I found myself in a back alleyway, at night, knocking on a truck camper door on the ground. He was doing drugs with a prostitute.

Table 11: Job Classification Item 16 Have you ever returned uncompleted subpoenas/service packets/work to an investigator?	
Yes	12
No	4
Total	16

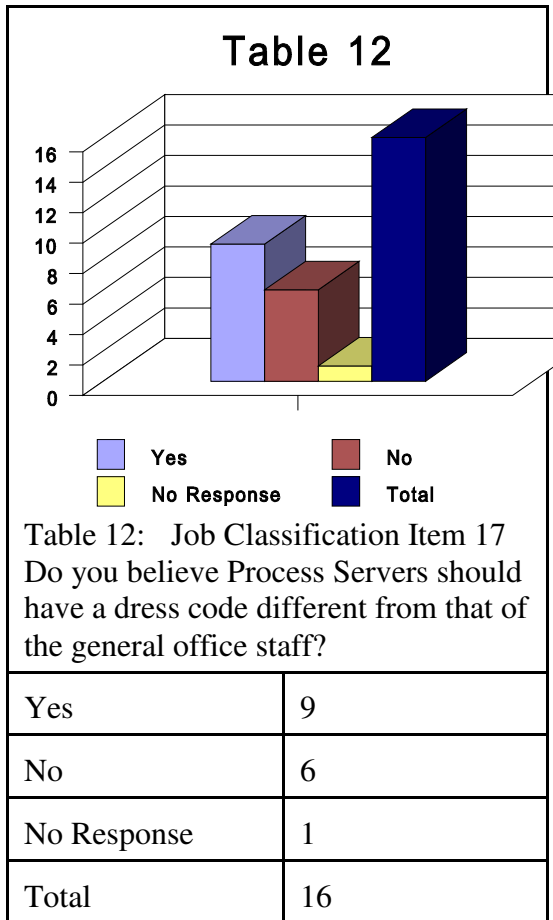
Twenty-five percent of employees in this position indicate they have not ever returned work to an Investigator. One respondent noted: “If I can’t find them, I do a due diligence.”

Another respondent indicated that he had not returned work to the Investigator, though there were times he felt he needed to, because he had somehow gotten “on the bad side” of the Investigator. So in this case, the Process Server asks for another way to approach this problem.



Seventy-five percent have returned work to an Investigator. Fifty percent of the

Process Servers indicated that they have returned work to an Investigator for further investigation. Twenty-five percent of respondents indicated that they have returned work for an Investigator to perform locate and follow-up work, citing the lack of authority and access to such resources as DMV and out-of-state resource information. Twenty-five percent specifically cited safety issues as the reason for the return of work to an Investigator, one citing an apparent drug deal going on in front of and blocking where he needed to go to deliver the subpoena, in the projects. Another one gave an example of an Investigator taking work from him because of concern and fear of risk to an unarmed Process Server in certain areas. Two Process Servers indicated that they had given work back to an Investigator for assistance due to simple case overload. Finally, one survey respondent indicated that they have returned work to an Investigator because they had been provided with false information.



Fifty-six percent indicated that Process Servers should a different dress code from that of the general office staff.

Sixty-three percent indicated that Process Servers should be allowed to wear jeans every day in the field as long as they are in good repair: have no holes, are not frayed, look presentable. Most emphasis was placed on being safe as well as comfortable. One respondent pointed out that jeans may be dressed up or dressed down, accordingly. One employee reports:

When I was hired, Process Servers were able to wear jeans every day. I joked in my hiring interview that it was a “perk” of the job. Have ruined slacks and other clothing items in the field. Investigators get a clothing

allowance, and Investigators and Process Servers at Family Support continue to violate the “no jeans rule” during the workweek with no repercussions. Attire should “fit in” with the circumstances. Jeans are better in the projects - safer! We deal with gang members, dogs, constructions sites, as well as general harassment. We should be able to focus on our job and our personal safety and not have to worry about the safety of our clothing.

Three respondents emphasized that attire should reflect the circumstances, commenting on the fact that Process Servers are out in 100+ degree weather in the summertime in Las Vegas. Another respondent went on to comment, “We’re not in that cozy office all day.” The general consensus was that business casual, to include jeans, would be a positive move.

Thirty-eight percent disagreed with the idea of having a dress code different from the general office staff, but at least one of these then stated that jeans would be a good option. This disparity - or actually, greater disparity here could be from Process Servers who are around certain of the office staff, like file clerks, who get to wear jeans every day as they theoretically are not dealing with the public, though secretaries who do not deal with the public are prohibited from wearing jeans every day. One person indicated that Process Servers should not be allowed to wear shorts, and was specially concerned about increased risk, should the office try to standardize a ‘uniform’ for these staff, believing this would place staff at increased risk. One staff member also stated that it is ridiculous to expect or allow female Process Servers to wear dresses, no matter the length.

Job Classification Item 18:

Only two people responded to this item asking for any additional comments. One interpreted the survey being done as an indication of teamwork and communication

problems. The second was concerned about motivation and reward in the office, stating, “We should individually get praised or punished for what we do. Those who know more and do better should be promoted. Give us something to strive for.”

CHAPTER 5

Conclusions

This study was intended to capture a picture in time and represent and report the concerns of Process Servers in the Clark County District Attorney Criminal Division. The majority of questions were answered, and most of those invited to participate did complete the survey instrument.

The highest ranking, or most significant items, are summarized here.

First of all, the overall perception of Process Servers by Process Servers is that a majority, 87.5% work beyond their actual job classification, per Job Classification Item 12. Though this may be the general perception, per Job Classification Item 11, the actual percentage who report working beyond their job class is only 68.75%. Though a difference of almost 20% exists between perception and admission, almost 70% of these employees still report doing more than required or should be allowed by their job class.

They report this not to ask for reclassification and an upgrade of their position, because if this were the case, they would simply ask Human Resources for desk audits, but rather, to point out that standardization and clarification are drastically needed to differentiate clearly what this position actually calls for. The deviation between the Department of Labor's standards for this position and the work performed by DA Criminal Division Process Servers is gross and significant. It remains significant, as well, when merely comparing Process Server actions with the various descriptions of duties that have been posted since the position's inception in 1996.

Including commentary that standardized training is needed, but impossible, Training Item 8 would stand at 87.5% agreeing that "Standardized training for Process Servers needs to be established." Without this inclusion, the actual number is still an overwhelming majority of 81.25%. The majority's concern and request for standardized training is critical for a number of reasons. Per the Department of Labor's description, Process Servers are to simply follow set routines to "file, sort, copy, or deliver things." Yet how can these employees be expected to follow these set routines - when there is no set of standardized routines taught? This becomes even more critical when dealing with safety and risk issues, as again, an employer's defense in a liability case would dramatically hinge on the employer's ability to demonstrate that an employee went beyond the bounds of the training. Liability is not set by the alleged bounds of their job description, again, but by their standardized training - which has been non-existent in regards to this position up to the final writing of this paper in December 1999, with no plan to make any changes or improvements in sight.

Only slightly fewer, 75%, reported in Job Classification Item 14 that they have felt personally at risk in the field. This again emphasizes that standardized training needs to be established, and, once established, there needs to be a continuous effort to improve upon it. For example, police officers are taught precautionary measures that improve their awareness and safety in approaching a suspect's home, i.e., what to watch for in demeanor or behavioral changes, where to park, and so forth. Yet Process Servers go these same homes and areas with no training, and are put at risk by 1) their lack of training, 2) their being representatives of law enforcement without peace officer status, often dealing with defendants, 3) their being unsupervised, alone, and potentially vulnerable in the field with no direct back-up or contact with the office, and 4) with no one knowing where they are or where they have been should they not return to the office after hours of being out in the field.

RECOMMENDATIONS FOR DA CRIMINAL

There is no doubt that concerned members of DA Administration could come up with innumerable recommendations to address the concerns of these employees. Just a few are suggested here.

One innovation, should staffing allow, would be to specify a training officer to oversee and establish standardized training for this job class. This could be done through Human Resources, or minimally, a DA Criminal staff person should be assigned to research and be a repository for training information related to aspects of this job class, i.e., regarding assertiveness training, stake-outs, or whatever is appropriate. As many of the office staff are retired officers they receive and are otherwise aware of various training

opportunities, and they should be encouraged to help pool this information. Other staff are members of other professional organizations which may provide training seminars, and the training officer and/or related staff should be placed on various mailing lists to receive such information.

With or without specific training staff, Process Servers should be encouraged to initiate a monthly breakfast or lunch where they may formally or informally share information. Sixty-three percent of Process Servers indicated in Training Item 10 that they would be interested in regularly attending a Process Server breakfast/lunch to share information. Such meetings should include regular discussion of near-miss critical incidents, and should be used to strengthen Process Server skills. As already mentioned, some Metropolitan Police Department employees have already offered to informally assist in this area. This would, overall, help to improve employee efficiency and reduce some risk. The primary resource that would need to be donated by the DA Criminal Division would be an allotment of time, probably a half-hour per employee, per month, for the formal presentation section of the breakfast or lunch, with the regular employee lunch-hour to follow, allowing time for Process Servers to ask more questions of the speaker, without violating the Bargaining Agreement (as staying for the meal would be optional). Restaurants with meeting rooms willing to bill individuals for their meal would be the most appropriate location(s).

It might also be suggested to someone in the Organizational Development Center (ODC) that a series of classes be established and publicized to this group, including such already-existing examples as assertive-training and dealing with procrastination.

Computer classes such as those that help track people via the internet are useful to a variety of offices in addition to DA Criminal division field staff. The bottom line here is that one-third of the Process Servers are unaware of existing training opportunities, and a beef-up program for advertising in-house and County-wide training opportunities cannot be but beneficial.

Supervisors with the DA's office should be trained in appropriate developmental and constructive uses of performance evaluations to assess, summarize, and assist their subordinate staff in making performance-enhancement position-related or career-related decisions. Done properly, performance evaluations may be considered feedback mechanisms designed to break down organizational barriers and maintain open, comprehensive, honest, and continuous communication. In forward-thinking organizations they may also be used as a growth mechanism by relating work performance goals to strategic or long-term goals and mission of the organization. Finally, when done properly, they may also assist in retention of human capital when used constructively to show appreciation for high-performing employees, boosting morale and motivation.

With the increasing usage of interns and volunteers, a graduate or law student should be encouraged to do research and perform efficiency studies on particular aspects of the office. For example, when innovations are made regarding the subpoena process, does anyone research changes that have been reported in the professional literature, such as the Dallas' Police Department's handling of subpoenas to get more officers into court? And whenever any position is being included in any such research, the employees serving in that position should be asked for input regarding how to improve their job processes.

Supervisors should be encouraged to create an atmosphere that encourages the same.

Without any follow-up, without some measurable variables, it is not clear whether a stated mission or goal of the office is being reached. The Process Server position was created to help ensure the timely delivery of subpoenas to witnesses and victims. Yet there are still victims and witnesses that receiving their subpoenas only one or two days before court, in violation of the Policy and Procedural Manual. Does this suggest efficient use of the labor pool or good customer service?

As risk is a major concern for the Process Servers, in addition to standardized training being provided, a mechanism should be created for reporting near-misses. Virtually every Process Server has had a near miss, with gang members, drug users, and so forth, and it is only a matter of time before someone gets seriously injured and becomes a statistic. This would be made less likely if incident information was reported and shared with these employees, if nothing else to make them more aware of what others have experienced, and let them know how their co-workers effectively dealt with, or non-so-effectively dealt with the situation. The Process Servers should also be issued radios to be connected to the system that the bailiffs currently use in the courthouse, so that they may report their location and have some sort of back-up while out in the field alone.

It is also suggested that substantial revisions for the policy manual be prepared. Minimally, the section on Process Servers (or the section on Process Servers/ Investigators), should include information regarding specific NRS that effect or govern the Process Server job, such as NRS 50, Witnesses, and NRS 174, Arraignment & Preparation for Trial. It should include the Nevada Rules for Civil Procedures, if they apply to Process

Server duties. It should include a copy of J. Charles Thompson's memorandum of November 16, 1998, re Local Rule 7.26, regarding the Nevada Supreme Court decision approving service by fax, which includes the fact that fax confirmations should be attached to the subpoena return. It should also include information regarding trespass laws. If posting no trespassing, does this include representatives of the court? Are Process Servers considered representatives of the court? This is very clear in California law. It may be as clear in Nevada law, but Process Servers are not instructed regarding this or similar matters.

In lieu of training, most Process Servers are expected to use good judgment and common sense. However, with no formalized or standardized training, their lives may be at risk if they do not have enough common sense. This is a dangerous standard, then, for if common sense were the prevailing essence of this society, these jobs would not be needed as there would not be so much crime.

Standardized training for Process Servers would reduce the risk these staff potentially face in dealing with potential hazards. It would also reduce liability for the District Attorney and Clark County. And it would go a long way towards DA Strategic Planning goals by providing better, more prompt and efficient service for victims, conformance to standards by establishing and teaching Process Servers standardized methods, and improve Process Server quality of work life while improving Customer Service. Finally, it would go a long way towards improving employee morale, maintaining human capital, as well as improving the administration of justice.

Limitations of the study

This study was limited in regards to the sample studied, looking only at Process Servers in the Clark County District Attorney Criminal Division. It was limited in regards to the number of participants, with an N of 16. As with many case studies, this sample may not be representative of Process Servers working for District Attorney Criminal Divisions or other prosecutor's offices, in other locations. However, it is representative of the Clark County's District Attorney Criminal Division at the time of the survey. This segues to the next limitation, as this case study, as with most similar case studies, presents a picture in time that may not be reproducible.

It is also limited as a self-reporting sample, and hence may be considered subjective, and perhaps less objective than having an interviewer shadow and observe these employees. This would, however, expose the study to risk of the Hawthorne Effect, if employees were functioning under direct observation of an observer who was recording their daily activities and actions. This survey may also be considered subjective because it is largely composed of opinion questions, but employees' perception regarding their job, duties, and so forth, is important, and is considered a vital step in performing a thorough job analysis.

Another limitation to this study involves how demographic data was collected. The question was a fill-in-the-blank for "Length of time in this position, i.e., 2 weeks, 3 months, 2 ½ years." At least one respondent took this as a circle-the-closest answer as he reported being there 2 ½ years, longer than several respondents who were hired before he was. Thus the averages and estimates regarding job experience may be off by any number of months, as his response inflates the value of any category to which he belongs in respect

to time served in the position of Process Server. There was no attempt to correct this demographic, to help maintain the confidentiality of his responses.

The study was also somewhat limited by ensuring confidentiality, as there could be no follow-up regarding specific questions. For example, in Training Item 4, it would have been beneficial to be able to ask the two respondents who stated that they had received written, measurable job performance standards to provide them to be included in the survey results, to share them with the rest of the Process Servers. However, since the only concern expressed regarding the entire survey procedure was regarding maintaining confidentiality, this limitation of lack of follow-up ability was likely offset by participants being willing to participate at all, being able to gather more data overall. This restriction also prevented follow-up, such as with Training Item 5, where perhaps the query should have been an open-ended question to fill-in-the-blank regarding the statutes and policies that apply to performing work within this job class. In regards to Training Item 9, a follow-up should have been included to access the information from the less than 40% who were aware of some training opportunities, to include feedback as to which classes they thought the most useful in supporting their job class.

The supervision section of the study was severely limited in that it should have specifically asked who the Process Server considered to be their supervisor, or more precisely, the title of their supervisor, i.e., Investigator, Deputy District Attorney, or otherwise. The actual supervisor is the assigned Deputy District Attorney Team Chief, however, some may have answered this question under the supposition that the Investigator functions as a supervisor in many cases. An open one-on-one interview

format would likely have drawn more substance out of these questions, but again, confidentiality concerns did not make this route feasible. Had the one-on-one format been feasible, the follow-up questions would have included questions about whether or not the Process Server had attended any team meetings, and if so, were they constructive?

The Job Classification section was also limited by the procedures that were used to maintain confidentiality of the respondents. It may have been enlightening, for example, to have followed up Job Classification Item 2 asking for a definition of “official law enforcement function.” Or, in regards to Job Classification Item 13, to ask for a description of situations where Process Servers have been mistaken for peace officers. Are they showing their badge or other identification when serving their subpoenas?

Recommendations for Further Research

This survey has only just begun to scratch the surface of where further research is needed. Specific to this study, SCALE should be contacted for further information, as should the San Jose Police Department in regards to their standards and training, as their website reports they are setting up to have volunteers serve subpoenas.

Relative to the Clark County District Attorney Criminal Division, the Investigators should be surveyed for their responses to these questions regarding the Process Servers as well as regarding concerns more specific to their own job duties.

To begin to assess risk for Process Servers, it is suggested that research be done that begins with a random sample of victims/witnesses being evaluated for criminal histories. How many are violent offenders, have drug histories, have committed felonies, have outstanding warrants, etc.?

It might also be suggested that a survey be done of other employees in the same pay grade regarding concerns brought out by this survey. As a majority of Process Servers reported that they do not work under close supervision, and one's pay is often relative to level of supervision, a survey may be suggested to include all other jobs in this pay grade, which, per the current SEIU Bargaining Agreement, include: Airport Customer Service Rep, Airport Passenger Service Rep., Animal Control Dispatcher, Appraisal Technician I, Business License Technician I, Central Services Worker I, Child Development Assistant, Collector-Messenger, Court Transcriber I, Custodial Specialist, Eligibility Worker I, Financial Office Assistant II, Home Health Aide, Juvenile Detention Assistant, Law Library Assistant I, Legal Office Assistant II, Legal Word Processor I, Line Service Representative, Maintenance Worker I, Maintenance Worker I - CDL, Office Specialist, Park Maintenance Worker I, Public Services Specialist, Purchasing Technician I, Recordation Technician I, Sanitation Permit Technician I, Secretary, Shuttle Bus Shift Supervisor, Sr Airport Bike Patrol, Sr Custodian, Sr Office Assistant, Sr Telephone/Paging Operator, Sr Transit Customer Service Rep, Transit Dispatcher, Transit Distribution Assistant, and Vault Attendant. Do these positions receive equivalent supervision and oversight?

It is also suggested that a quantitative study be done, including the evaluation of Process Servers in similar, local-government public entities across a particular region, or another qualitative study done to obtain information regarding other quasi-law-enforcement positions.

Finally, performance standards need to be established, based primarily on

performance behaviors and work results, as knowledge, skills, and abilities, and personal traits or characteristics are difficult to statistically validate. For Process Servers, these standards should be based on job analysis and should objectively encompass all needed tasks. These should be observable, measurable behaviors related to locating witnesses, performing basic research, serving subpoenas, driving a county vehicle, and contributing to team efficiency and effectiveness by offering suggestions and participating as an active member of the work team. The focus should not be too outcome-oriented, i.e., it should not be tied to a discrete numbers of tasks performed, as too much emphasis on the number of subpoenas served could lead to abuse or neglect in the area of customer service. Providing consistent and comprehensive training and coaching, and perhaps some validated testing, would go a long way towards establishing viable performance standards, including providing an ability to sufficiently discriminate between different performance levels, i.e., between what is acceptable and what is exceptional. The bottom line, however, is that no performance standards currently exist, and with the confusion as to the duties of the Process Server versus the Investigator, it is impossible at this time to receive a legally defensible, objective performance evaluation as a DA Process Server. Establishing performance standards and standardized training would likely go a long way towards improving morale, reducing risk and liability, and likely decrease the high rate of employee turnover that has been symptomatic of employee concerns regarding the job classification of Process Server.

APPENDIX 1 - PROCESS SERVER SURVEY

The Clark County District Attorney Process Server position was originally created/posted on July 19, 1996. This posting was accompanied by many expectations on the part of the creators, employees who serve and have served in this position, as well as those who directly interact with process servers. This survey is designed to capture and assess your concerns regarding this position, and your participation is urgently requested as only you know the reality of what you face on the job, and only you can make informed decisions on how to improve it. That is the goal of this survey.

ALL INDIVIDUAL RESPONSES WILL BE KEPT CONFIDENTIAL AND ANONYMOUS. Completed surveys will not be given to nor reviewed by Clark County Human Resources nor D.A. Administration. Survey data will be summarized and a report forwarded to our Personnel Analyst in Human Resources, as well as to D.A. Administration. It will also be utilized for study for a professional paper in the Department of Public Administration at UNLV.

Answer the questions based on your true feelings, opinions, and experience. Read all questions before answering any of them and then complete this survey. Attach additional pages for your responses, as needed, but please write legibly (or type/word-process). Please also attach additional comments, address other areas of concern, etc., as you wish. Survey should take approximately 20-30 minutes to complete.

Follow-up, one-on-one interviews will be scheduled **if you request**, as soon as possible upon your return of the survey to me. Please contact me immediately if you have any questions. Return to Amy Meedel no later than March 22th. Return to me personally, or seal in the envelope provided and place in the box on my desk @ DA Criminal, in MVU, back by the fax machine & break room; you may also return by fax, to my home (fax: 386-2725). Home e-mail: Meedela@nevada.edu. Work phone: 455-0459. (Please note, if you call I will be happy to arrange pick-up from you to expedite receipt).

Demographic information is needed for preliminary analysis, i.e., is risk assessment related to age and/or years of law enforcement experience. This information will be removed and discarded after the initial analysis to maintain confidentiality of your responses.

Please PRINT.

PROCESS SERVER

	_____	_____	_____	_____
		Sex		
		Race		
Length of time in this position	Age: 18-30	31-40	41-50	51-60
i.e., 2 weeks, 3 months, 2 ½ years	60+			

Education: High School, Associates Degree/Certificate Program, Bachelors, Masters, Post-Grad.

Describe your work experience/background, i.e., retired police officer of 20 years, family support caseworker of 5 years, special investigator with Metropolitan Zoo 2 years:

Please read each statement carefully and circle the response that best represents your true feelings, opinions, and experience. Fill-in-the-blank answers may be continued onto the back of the page or onto additional sheet of paper. Remember, **individual responses will be kept confidential.** Data will be reported only in summary form.

PART I - TRAINING

Strongly
Disagree
Strongly Agree

I received thorough, complete, comprehensive

- 1
- 2
- 3
- 4
- 5

training as a new Process Server.

All Process Servers in my division receive thorough,

- 1
- 2
- 3
- 4
- 5

complete, comprehensive training.

Job performance standards for Process Servers

- 1
- 2
- 3

	4
	5
are realistic.	
<hr/>	
I have received written, measurable job performance	1
	2
	3
	4
	5
standards.	
<hr/>	
I am familiar with the policies, procedures, codes and	1
	2
	3
	4
	5
laws that regulate my job function.	
<hr/>	
Tools necessary to do my job are provided, i.e., car,	
	1
	2
	3
	4
	5
computer, public records access.	
<hr/>	
Information is communicated timely and effectively	
	1

	2
	3
	4
	5
that facilitates my doing my job.	
<hr/>	
Standardized training for Process Servers needs to be	1
	2
	3
	4
	5
established.	
<hr/>	
I know how to access the various sources of training	1
	2
	3
	4
	5
available to me, i.e., Organization Development Center, Metro., POST, seminars, classes.	
<hr/>	
I would be interested in regularly attending a Process	1
	2
	3
	4
	5
Server breakfast/lunch once a month to share information.	

How long did it take you to learn the basics to do your job as a Process Server?

0-3 months

3-6 months 6-9 months
9-12 months 12+
months

What do you think should be the qualifying time or probationary period for this position?

0-3 months

3-6 months 6-9 months
9-12 months 12+
months

Describe the work you may do in order to locate a person to enable service of subpoena or service packet.

Describe instance(s) when you have had to go above and beyond basic job duties to locate a witness. Give specific examples of what you did, i.e., review an apartment lease contract, consult a family member, contact a school district official, etc.

PART II - SUPERVISION

Strongly
Disagree
Strongly Agree

My supervisor is in contact with me on a regular basis.

1
2
3
4

I currently work under close supervision.

1

2

3

4

5

I check in with someone every day upon arriving and

1

2

3

4

5

leaving work.

If I were to not return from the field, someone could

1

2

3

4

5

trace my steps to determine how to locate me.

	Strongly Disagree	Agree	Strongly
My service packets/subpoenas are screened and I am given			1
			2
			3
			4
			5
notice of criminal history of respondents/victims/witnesses.			
<hr/>			
My supervisor knows the technical aspects of my job, i.e,			1
			2
			3
			4
			5
how I do my job and what I do on a daily basis.			
<hr/>			
My supervisor gives me regular feedback regarding my			1
			2
			3
			4
			5
job performance.			
<hr/>			
My supervisor is regularly available to me to discuss			1
			2
			3
			4
			5

any issues that arise.

Please describe your relationship with your supervisor: _____

Would it make sense to assign someone else as your supervisor? Yes _____ No _____ Explain.

PART III - JOB CLASSIFICATION

Strongly
Disagree
Strongly Agree

I can clearly differentiate between the duties of

- 1
- 2
- 3
- 4
- 5

Process Servers and Investigators.

My function as a Process Server only differs from that of

- 1
- 2
- 3
- 4
- 5

an Investigator by means of official law enforcement function.

The Process Server classification includes locating

1

2

3

4

5

criminal defendants or criminal-case absent parents.

	Strongly Disagree	Agree	Strongly
The Process Server classification is part of the official			1
			2
			3
			4
			5
Clark County step-process that leads to promotion to Investigator.			
<hr/>			
Process Servers should complete affidavits, i.e., due			1
			2
			3
			4
			5
diligence forms, that may require testimony in court.			
<hr/>			
There is expectation of Process Servers to work			1
			2
			3
			4
			5
outside job classification i.e., by escorting or transporting victims/witnesses, interviewing witnesses, etc.			
<hr/>			
A Process Server's badge is a necessary piece of			1

2
3
4
5

equipment.

Are you a member of the Nevada unit of the Service Employees International Union (SEIU/NSEU)? Yes No

SEIU/NSEU, the bargaining unit/union for Clark County

1
2
3
4
5

represents the needs and concerns of Process Servers well.

I locate criminal defendants or criminal-case absent parents.
Never

Seldo
m
Occasi
onally
Often
Daily

I have worked outside the Process Server classification/job description, i.e., by escorting or transporting victims/witnesses, interviewing witnesses, etc.
Never

Seldo
m
Occasi
onally
Often
Daily

Process Servers work beyond their assigned job classification.

Never

Seldo
m
Occasi
onally
Often
Daily

I have been mistaken for a peace officer, i.e., investigator, police officer, or representative of the Metropolitan (Metro) Police Department while in the field.

Never

Seldo
m
Occasi
onally
Often
Daily

I have felt personally at risk in the field.

Never

Seldo
m
Occasi
onally
Often
Daily

If you have felt personally at risk in the field, please describe. Be sure to include the possible source of risk and the circumstances. Follow-up with some suggestions, if possible, of what might be done to reduce possible risk in the field. This may include carrying defensive weapons, being in contact with a radio dispatcher, or simply carrying cellular telephones. Attach additional sheets, if necessary, and try to cover the scope and variety of incidents or near-incidents.

Have you ever returned uncompleted subpoenas/service packets/work to an investigator?

Yes No

If yes, under what circumstances, i.e., for further investigation, safety issue, law enforcement handling, case overload? Explain.

Do you believe Process Servers should have a dress code different from that of the general office staff? Yes____. No _____. For example, should Process Servers ever be allowed to wear jeans or shorts, or should there be some sort of uniform? Explain.

Please write additional comments on any areas of concern to you that have not been addressed.
Attach additional pages as needed.

THANK YOU for your participation.

APPENDIX 2

PROCESS SERVER

Industry: Business Services

Basic duties as defined by the Department of Labor (DOL): Serves court orders and processes, such as summonses and subpoenas.

DOL Duties/tasks: Receives papers to be served from magistrate, court clerk, or attorney. Locates person to be served, using telephone directories, state, county, and city records, or public utility records, and delivers document. Records time and place of delivery. May deliver general messages and documents between courts and attorneys.

Classification: administrative support/clerical

Compare: bank tellers, counter clerks, court clerks, court reporters, dispatchers, file clerks, interviewing & new accounts clerks, library clerks, loan clerks, mail carriers, order takers, postal clerks, receptionists, record

INVESTIGATOR

Industry: Government Services

Basic duties as defined by the Department of Labor (DOL): Investigates regulated activities to assure compliance with federal, state, or municipal laws.

DOL Duties/tasks: Locates and interviews plaintiffs, witnesses, or representatives of business or government to gather facts relating to alleged violation. Observes conditions to verify facts indicating violation of law relating to such activities as revenue collection, employment practices, or fraudulent benefit claims. Examines business, personal, or public records and documents to establish facts and authenticity of data. Investigates suspected misuses of license or permit. Prepares correspondence and reports of investigations for use by administrative or legal authorities. Testifies in court or at administrative proceedings concerning findings of investigation. May serve legal papers. May be required to meet licensing or certification standards established by regulatory agency concerned. May be designated according to function or agency where employed as Inspector, Weights And Measures (government ser.); Investigator, Internal Revenue (government ser.); Investigator, Welfare (government ser.); Postal Inspector (government ser.); Investigator, Claims (government ser.).

Classification: professional, technical, and managerial or administrative occupations, concerned with the theoretical or practical, i.e., art, science, engineering, education, medicine, law, and business relations

Compare: agricultural commodity graders, attendance officers, bank examiners, consumer safety inspectors, customs inspectors, equal opportunity officers, food & drug inspectors, immigration inspectors,

clerks, reservation clerks, secretaries, stenographers, stock clerks

Specific Vocational Preparation:
Over 1 month, up to and including 3 months

General Educational Development:
Reasoning Development Level 3:
Use commonsense understanding to carry out instructions furnished in written, oral, or diagrammatic form. Deal with problems involving several concrete variables in or from standardized situations.

Mathematical Development Level 2:
Add, subtract, multiply, and divide all units of measure. Perform the four operations with like common and decimal fractions. Compute ratio, rate, and percent. Draw and interpret bar graphs. Perform arithmetic operations involving all American monetary units.

Language Development Level 3:
Reading: Read a variety of novels, magazines, atlases, and encyclopedias. Read safety rules, instructions in the use and maintenance of shop tools and equipment, and methods and procedures in mechanical drawing and layout work.
Writing: Write reports and essays with proper format, punctuation, spelling, and grammar, using all parts of speech.
Speaking: Speak before an audience with poise, voice control, and confidence, using correct English and well-modulated voice.

DOT Occupational Code: 249.367-062

occupational health and safety inspectors, park rangers, postal inspectors, railroad inspectors, revenue officers

Specific Vocational Preparation:
Over 1 year, up to and including 2 years

General Educational Development:
Reasoning Development Level 5:
Apply principles of logical or scientific thinking to define problems, collect data, establish facts, and draw valid conclusions. Interpret an extensive variety of technical instructions in mathematical or diagrammatic form. Deal with several abstract and concrete variables.

Mathematical Development Level 4:
Algebra: Deal with system of real numbers; linear, quadratic, rational, exponential, logarithmic, angle and circular functions, and inverse functions; related algebraic solution of equations and inequalities; limits and continuity, and probability and statistical inference.
Geometry: Deductive axiomatic geometry, plane and solid; and rectangular coordinates.
Shop Math: Practical application of fractions, percentages, ratio and proportion, mensuration, logarithms, slide rule, practical algebra, geometric construction, and essentials of trigonometry.

Language Development Level 4:
Reading: Read novels, poems, newspapers, periodicals, journals, manuals, dictionaries, thesauruses, and encyclopedias.
Writing: Prepare business letters, expositions, summaries, and reports, using prescribed format and conforming to all rules of punctuation, grammar, diction, and style.
Speaking: Participate in panel discussions, dramatizations, and debates. Speak extemporaneously on a variety of subjects.

DOT Occupational Code: 168.267-062

Data 3: Compiling: collecting, arranging or combining facts about data, people, or things and reporting the results.

People 6: Speaking-Signaling: talking or making motions so people can understand you and getting an answer from them. Telling people what to do in a way that they understand.

Things 7: Moving or carrying things

GOE: 07.07.02

Workers in this group perform clerical duties that require little special training or skill, following routines to file, sort, copy, or deliver things like letters, packages, or messages.

Academic:

Education: No diploma.

Understand English grammar.

Work Field: 282

MPSMS: 959

Aptitudes:

General Learning: ability to catch on quickly. Understand instructions easily. Reason and make judgments. Average

Verbal Ability: ability to understand the meaning of words and using them effectively. Understand what others say to you. Knowing how to use grammar and write properly. Average

Numerical Aptitude: ability to understand numbers and do arithmetic quickly and accurately. Below average

Spatial: ability to understand drawings or visualize plans. Used in such tasks as blue-print reading and solving geometry. Negligible

Form Perception: ability to see slight differences in shapes and objects. Notice differences in shapes, widths, or lengths. Below average

Clerical Perception: ability to proof-read and

Data 2: Analyzing: studying information to find out what it means. Deciding what could be done to solve a problem.

People 6: Speaking-Signaling: talking or making motions so people can understand you and getting an answer from them. Telling people what to do in a way that they understand.

Things 7: Moving or carrying things.

GOE: 11.10.01

Workers in this group enforce government regulations and company policies that affect people's rights, health and safety, and finances. They examine records and products.

Academic:

Education: Associate Degree or completion of formal apprenticeship program is required. Understand English grammar.

Work Field: 271

MPSMS: 950

Aptitudes:

General Learning: ability to catch on quickly. Understand instructions easily. Reason and make judgments. Above average/high

Verbal Ability: ability to understand the meaning of words and using them effectively. Understand what others say to you. Knowing how to use grammar and write properly. Above average/high

Numerical Ability: ability to understand numbers and do arithmetic quickly and accurately. Average

Spatial: ability to understand drawings or visualize plans. Used in blue-print reading and solving geometry. Average

Form Perception: ability to see slight differences in shapes and objects. Notice differences in shapes, widths, or lengths. Average

Clerical Perception: ability to proof-read

find errors in words or numbers quickly.

Average

Motor Coordination: ability to move quickly and accurately when you see something happen. Below average

Finger Dexterity: ability to move fingers and work with small things quickly and accurately. Below average

Manual Dexterity: ability to move hands quickly and accurately. Placing and turning things. Below average

Eye-Hand-Foot Coordination: ability to move hands and feet accurately when you see something happen. Negligible

Color Discrimination: ability to see slight differences in colors or shades. Knowing when colors match or contrast. Negligible

Temperaments/adaptability:

Working with others or helping them, beyond just giving or receiving directions.

Stress: using emotional control when you are dealing with people, especially where others are continually expressing their feelings toward you.

Physical requirements:

Vision: normal vision needed

Hearing: limited hearing needed (problem with similar sounds)

Lifting: sedentary, very light. Requires lifting 10 pounds maximum and/or carrying objects such as ledgers and small tools.

Walking and/or mobility needed: walking is essential function of job, where must be able to walk and move around on uneven surfaces.

Work Environment: Both inside and outside in approximately equal amounts. Inside, protection from weather, though not

and find errors in words or numbers quickly.

Average

Motor Coordination: ability to move quickly and accurately when you see something happen. Negligible

Finger Dexterity: ability to move fingers and work with small things quickly and accurately. Negligible

Manual Dexterity: ability to move hands quickly and accurately. Placing and turning things. Negligible

Eye-Hand-Foot Coordination: ability to move hands and feet accurately when you see something happen. Negligible

Color Discrimination: ability to see slight differences in colors or shades. Knowing when colors match or contrast. Negligible

Temperaments/adaptability:

Working with others or helping them, beyond just giving or receiving directions. Influencing or persuading others. Convincing people. Getting them to do the things you want them to do. Making decisions based on facts. Using charts, tables, books, or other facts to decide what to do.

Stress: using emotional control when you are dealing with people, especially where others are continually expressing their feelings toward you.

Physical requirements:

Vision: normal vision needed

Hearing: limited hearing needed (problem with similar sounds)

Lifting: light. Requires lifting 20 pounds maximum with frequent lifting and/or carrying objects up to 20 pounds.

Walking and/or mobility needed: walking is essential function of job, where must be able to walk and move around on uneven surfaces.

Work Environment: Both inside and outside in approximately equal amounts. Inside, protection from weather, though not

necessarily temperature changes. Outside, no effective protection from the weather.

OES Code: #59999

Clark County Salary Range:
\$23,804-\$36,893 Process Server
(no step process/ladder)

Basic Clark County Job Description:
Locates and serves criminal subpoenas and civil processes on witnesses/parties to District Attorney lawsuits. Duties are to be carried out under close supervision and include locating defendants or witnesses.

Basic Requirements, Clark County:
High school diploma. One year related experience.

Classification: Civilian in a quasi-law enforcement position.

necessarily temperature changes. Outside, no effective protection from the weather.

OES Code: #21911

Clark County Salary Range:
\$32,384-\$50,192 for Investigator I
\$34,975-\$54,546 for Investigator II

Basic Clark County Job Description:
Performs a variety of field service and legal investigative work involving prosecution and disposition of criminal and civil matters in the District Attorney's Office and performs work as assigned. Serve subpoenas, warrants, and other legal documents, using a variety of tracing methods.

Basic Requirements, Clark County:
Completion of POST academy/education. Eligibility for POST certificate. Maintenance of POST certification, i.e., continuing education credits.

Classification: Peace Officer in a law enforcement position.

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