

**RATCLIFF RESPONSE
TO ACJA §7-204 CHANGE PROPOSAL FROM THE AOC**

I believe Arizona Certified Private Process Servers are being singled out by the AOC.

As a retired Arizona Peace Officer and current Arizona Certified Private Process Server and Licensed Private Investigator, I have personal knowledge of the following.

Since the Pandemic, (COVID) and before that, private industry has found it cheaper, more convenient, and more effective for their continuing and other education to be online and self-study training. Government has also engaged in online and self-study training, finding the same. Corporations, other private businesses, and government agencies have also found online, virtual, and self-study training to be cost effective as there is no travel or time or time spent away from work. Employees can receive training at their (and their employer's) convenience at any time they so choose.

Current Arizona law enforcement officers (LEO's) are only required to have eight hours of training a year to keep their certification¹. Constables are required to attend sixteen hours. These hours can be videos, live, self-study, or online/virtual training. There is no requirement as to how they receive their continuing education training, whether in-person or online. AZPOST requires training credits for any e-learning program to be distributed on an e-learning platform that has an interactive component and a testing component, similar to the State Bar. There are currently 21 Approved Distance Learning Vendors per AZPOST².

The State Bar association allows virtual and online training, with no requirement that the CLE's be live or in person. The State Bar also allows self-study. Online programs are considered interactive if the attorney is given an opportunity to respond to prompts placed within the online course or to collect alpha numeric codes given during a replay of a program and after completion enter those codes at the conclusion of the program to obtain their certificate.³ There is no limit as to how many hours an attorney may take for online continuing education.

Live meetings and seminars have become, and continue to be a thing of the past with modern technology.

Furthermore, speaking from personal experience, live training or in person training is even harder to obtain for the Arizona Certified Private Process Servers who reside in rural areas. Rural Arizona Certified Private Process Servers not only have to contend with the non-availability of personal (live) continuing education training, but sometimes the lack of sufficient internet resources.

¹ AZ Admin Code R 13-4-111(1): "A full-authority, specialty, or limited-authority peace officer shall complete eight hours of continuing training each year beginning January 1 following the date the officer is certified."

² <https://post.az.gov/training/advanced-training/approved-distance-learning-vendors>

³ <https://www.azbar.org/licensing-compliance/mcle/mcle-faqs/>

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Personally, I have asked Navajo County Clerk of the Court Office to put on training for Arizona Certified Private Process Server CLE's or to involve Arizona Certified Private Process Servers in their staff meetings for CLE's and my requests have gone unanswered.

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