

## **CALSPRO RECEIVES THE 2012 DONALD C. MACDONALD AWARD**

*Presentation Remarks by Andy Estin,  
'Mac' Award Committee Chairman and past recipient*



*Photo by Scott Thomas*

We all know that NAPPS was formed to stop Rule 4 and that NAPPS hired Herb Hoffman to do it. Except that none of that is true!

You all received a book on NAPPS History. Gary Crowe did a beautiful job producing it for you. In that book are some important documents from 1982. I encourage all of you to read it carefully. The transcript of the meeting of some of the founders that was held 6 years ago was a project of Al Crowe.

In the book there is a letter from Richard Green, the President of CAPPs, dated May 4, 1982. This was FIVE MONTHS BEFORE NAPPS WAS FORMED. It is addressed "Dear CAPPs Members" and talks about the new Rule 4 of the FRCP that the US Supreme Court had adopted that would allow Federal Summons & Complaints to be served by First Class Mail. It said in part:

*"As of today, May 4th, there are only 83 days left to fight this legislation. At this moment, Bob Schroeder, Chairman of our Legislative Committee, and Leroy Lyon, one of our Legislative Advocates, are in Washington, D. C. exploring methods of preventing this Rule Change. Our Board of Directors authorized their travel expense at our meeting on May 1st. This travel alone was not in our budget for this year. Engaging the services of a Lobbyist in Washington will be expensive, and of course is not in our budget. At its May 1st meeting, the Board of Directors authorized Messrs. Schroeder and Lyon to expend up to \$50,000. 00 in an all-out campaign to prevent this Rule Change from being adopted. It was suggested that each member be assessed an amount equal to twice his yearly dues in order to fund this campaign. CAPPs has successfully defeated mailing at the State level many times in past years. Now it is time to take on the Congress of the United States!"*

There is a second letter from Dick Green dated June 15, 1982 addressed to "Dear Process Servers." It contains a list of the companies and individuals that had contributed money to fight Rule 4. It shows that 78% of the money came from California. Among the people who had contributed it lists six people that are in this room: Steve Janney, Tony Klein, Andy Estin, Joe Karotkin, Jerry Topolos, and Tom Bowman. I suspect that others here also had contributed like Ron Ezell and Fred Blum but I don't have details other than what is in this letter.

You will also find the Minutes of the formation meeting of NAPPS. It was held at an annual meeting of CAPPs but there were people present from 11 states. They say:

*"A meeting of interested persons was held concerning the formation of a national association on October 10, 1982 at Las Vegas, Nevada. Mr. Thomas Bowman explained briefly the purposes of a National Association. He stated ten states outside of the State of California are represented here today.*

*Mr. Ezell stated California has compiled a lot of extremely valuable information on which no dollar value can be placed and for everyone present to be able to take advantage of that is a great thing.*

*Mr. MacDonald said we cannot talk long enough about the merits of a national association, the questions are, how do we form it, raise the money, and go about it? The Arizona association is only three years old.*

*Mr. Sroka said that the chances of starting up an association in New York would be way far into the future, if at all.*

*Mr. Blum said he feels we would need to have a national roster."*

There are also the minutes of the first meeting of the Executive Committee the next day that say:

*"President Estin went on to say that he would like to hear how everyone feels about either NAPPS taking over the Federal Project at this time or should it be left in the hands of CAPPs.*

*Mr. Hughes stated there is so much to be done to get NAPPS off the ground that it is his feeling we would not want to jeopardize the Project at this time by changing gears and it would best be left within the purvey of CAPPs.*

*Mr. Herren stated he wholeheartedly agrees with Mr. Hughes. Mr. Herren said he believes the Federal Project should be left with the CAPPs leadership as they have done such a tremendous job.*

*The donations to CAPPs by NAPPS of funds to help in the Federal Project was discussed. Mr. Estin stated CAPPs financial position at this time on the Federal Project is that all money we have collected has been spent.*

*President Estin said he thought a suggestion that a donation to CAPPs from NAPPS on the Federal Project was in order. President Estin then asked the other committee members if NAPPS should send \$1,000 to CAPPs. They all agreed this should be done. President Estin then directed that Treasurer Hein send \$1,000.00 to CAPPs as soon as the NAPPS account is open and ready to go.*

*President Estin appointed Steve Janney and Bud Herren to write a position paper on the pros and cons of state charters,*

*President Estin stated we must have a newsletter to let all the members know what is happening. He appointed Fred Blum as the Editor."*

As Paul Harvey used to say, "And now you know the rest of the story."

There are seven people present who were members of CAPPs in 1982. I would like the following people to come forward: Jerry Topolos, Joe Karotkin, Tom Bowman, Tony Klein, Michelle Dawn, Steve Janney, and myself.

**For being the first state association and setting an example for all the other states, for defeating Rule 4, and for forming NAPPS, I am proud and honored to announce the 2012 recipient of the Donald C. "Mac" MacDonald award is: the CALIFORNIA ASSOCIATION OF LEGAL SUPPORT PROFESSIONALS!**