

PROFILE: Frank R. Britton Jr., Calexico, California

Demand high for service across border into Mexico

By Rick Crone

The U.S.-Mexican border brings two dramatically different worlds together on a daily basis. Very few know those two worlds better than Frank R. Britton Jr.

Britton, a resident of Calexico, Calif., a town of 24,000 right on the California-Mexican border, has watched and learned about the cultural differences between the United States and Mexico for more than 50 years. He has used those lessons to help him in his "avocation," process serving.

A member of the National Association of Professional Process Servers since the mid-1980s, Britton said his full-time occupation is running the family business, a "customhouse" brokerage. He explained that the business documents merchandise that goes back and forth between the two countries. "I do process serving as an avocation," Britton said. He reserves his weekends and evenings for the work he so enjoys.

Service filled void

It all started about 30 years ago while Britton was sitting in a bar having a drink over lunch. He was seated next to an attorney who was upset about not being able to find anyone reliable to serve legal papers in Calexico. "I asked him what it was all about. He explained what he wanted and it sounded simple enough to me so I told him I would do it." In addition to his family business, he also is in the repossession business. "I was used to finding people who didn't want to be found," he said. With that thought in mind, Britton said serving legal papers seemed like a logical direction for him to go.

Britton took the job and was paid the customary \$5 fee. He kept doing process serving on a hit-and-miss basis until about five years ago when joined NAPPS, which generated a lot of new business for his firm.

Suddenly, he was getting requests to serve legal papers from law firms and process servers in Los Angeles and San Diego. "They were just excited to hear about someone down here who could provide this service." One of the features of Britton's service, that makes it so attractive he said, is that he also serves the

neighboring Mexican city of Mexicali. Serving papers across the border had been a major problem for law firms, law enforcement agencies and process servers in the Southern California area. Now a process server who was familiar with foreign service and with the Mexican customs and culture was available. Britton was not surprised by the demand for his services. "There is a lot of commerce between here and Mexico."

Mexico presents challenge

Although Britton has lived in Calexico and right on the Mexican border for all but about 13 of his 63 years, he said serving papers in a foreign land, even one you are very familiar with, is often quite difficult and dangerous.

As a result, Britton said his first rule of thumb when serving across the border is to leave the actual serving of papers to some of his Mexican-American associates.

"It's best if I don't get personally involved, sociologically and politically."

In 20 years of serving papers across the border, he has yet to have a serious problem. But finding people across the border and getting to them can be difficult. The hardest to find, he said, are the poorer people who oftentimes are transient. Unfortunately much of the time Britton's clients give him precious little information to go on to locate their subjects. "It's like a jigsaw puzzle (finding people). That's the part of this business that I like, finding the pieces to the puzzle."

Serving papers on members of the wealthy class presents a different problem. Finding them is usually not too difficult. But getting to them can be. He explained that the wealthy in Mexico often live on large estates that are walled in and protected by security gates and guards.

His associates generally are met at the gates by security and usually questioned extensively. "They grill the hell out of you," Britton said. After it becomes apparent why the process servers are there, the security people generally turn them away. Many times the invitation to leave is not done in a friendly or cordial manner.

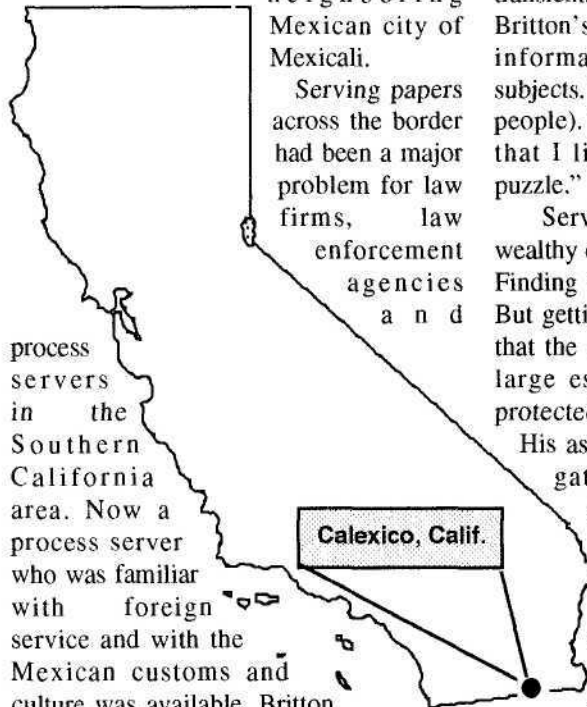
"Once in a while they (the wealthy people being served) want their security people to get physical." So, his associates have to revert to slightly different tactics. "Sometimes we have to wait in the bushes until they come out."

Information key to success

Being bilingual in an area where many people only speak Spanish is a big advantage for Britton.

But not all of his challenges to serve papers involve Mexico. Britton also has trouble locating subjects in his own town.

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FOCUS ON: Frank R. Britton Jr.

"The biggest problem is getting sufficient information from litigants so we can serve the papers." Britton said. Sometimes, he will receive a request to serve papers and get no physical description of the person, no business address and no private address, just a name.

When that happens, he goes back to the client and gets as much information as possible. Many times the client has very detailed information. One example of that was when he was trying to serve a farmer in the area. The farmer was always gone from his home by 5 a.m. and in bed by early evening. He was also unreachable during the day while working his fields. So Britton went back to his client and learned that the farmer stopped in at a local restaurant every morning at the same time to have coffee with his fellow farmers. "My mission is to find the person who knows about the subject and learn all I can. We (process servers) must learn to extract the information we need from our clients. You learn that from experience."

Planning ahead, especially when serving in a large, rural area like Imperial County in southeast California, is also essential. He learned this lesson after several experiences where he had to drive way into the country to serve someone only to find they weren't there to be served. The optimum is to plan well enough so that papers can be served on the first try. "I want to choose my own killing ground."

Planning ahead and choosing where you want to serve papers can also lessen some of the security risks. Although Britton has only had a "couple of close calls," he does have a permit to carry a concealed weapon. While he hasn't had to use the gun, he said he rarely goes out without taking "my two friends, Smith

AGE: 63

FIRM: Frank Britton Process Server

FIRM ADDRESS: 505 Emerson Ave, Calexico, Calif.

EXPERIENCE: 25 years

SPECIALTIES: International service into Mexico; migrant farm worker location;

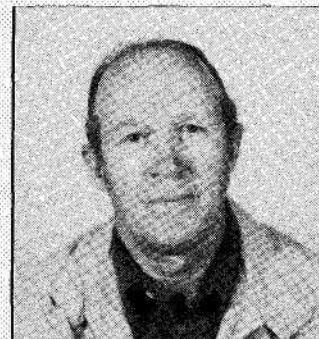
JOINED NAPPS: 1985

JOINED CAPPS: 1986

FAMILY: wife: Mary Elizabeth (33 years); daughters: Madeline, El Centro, Calif., Anne Elizabeth, Rohnert Park, Calif.; son: Frank Britton III, San Diego.

HOBBIES: exercise step class, swimming, nautilus, walking, reading.

MEMBERSHIPS: Rotary Club of Calexico, two-time past president.



and Wesson." In fact the closest he said he has come to being assaulted was when he was doused by a cold bucket of water after serving some papers.

Britton follows a few other simple rules that make serving papers a little safer like dressing appropriately and being clean shaven. The idea is to fit in wherever he must go while carrying out his duties.

Timing is key to success

Picking the right moment, sometimes not an available luxury, can also lessen the chance of an altercation.

Doctors are among the worst to serve. So Britton has developed a fairly simple system just for the medical profession, which makes the serving of papers, usually malpractice lawsuit papers, less obvious and embarrassing. He writes simple information on a card that explains why he has come to the office and stating that he must serve the papers to the doctor

personally. He hands the card to the receptionist who can then go find the doctor. The doctor, who doesn't want his patients to know he is being served, will often times invite Britton to his office where the papers can be served privately.

Another awkward situation that comes up working in a relatively small town is having to serve papers on friends. Britton takes the direct approach, calling them up and telling them what he has been asked to do. He tells them if it is too uncomfortable for them to be served by him, he will refuse the request and have the serving party choose another process server.

Britton has had to serve one of his good friends several times. Still, Britton and his associates, like process servers everywhere, are subject to some verbal abuse. But understanding the psychology of the situation has helped him live with that. "Most people who are served are scared. They don't plan it that way, it just comes out that way. I rarely take what they say personally or seriously."