

JUNE
1972

Title News

In This Issue:
ALTA's Second
Federal Reception





a message from the President-Elect

Month before last on this page, President McConville included in his message a plea for our active participation in the electoral process. I would certainly like to echo Mac's remarks.

In this time of diminished political party responsibility and influence, it is especially incumbent on those interested in the legislative process to support groups, such as the Title Industry Political Action Committee (TIPAC), and those candidates who best represent our interests and beliefs.

Regarding TIPAC, as of May 10, we had collected approximately \$50,000 for the 1977-1978 solicitation period. The goal for this period is \$60,000. I congratulate Idaho, Kansas, Oklahoma, South Dakota, Tennessee, Utah and West Virginia. They have met or exceeded their TIPAC goal. Only 43 more states to go.

Remember, this is an important election year. We need to receive your contribution as soon as possible in order for the TIPAC Board of Trustees to determine which candidates should receive industry support. The most effective campaign donations are those made early in the race. We need the balance of the funds now. Please write a personal check today to TIPAC. You can't make a better investment in your future.

As announced at the Mid-Winter Conference in Phoenix, the Government Relations Committee has approved and published a *State Legislative & Regulatory Action Guide* for use by affiliated state associations. Initial reaction has been extremely favorable. The guide describes various methods for developing effective state legislative and regulatory lobbying, monitoring and communications activities. It has been distributed to affiliated association presidents and secretaries. Additional copies are available to ALTA members at a cost of \$1 each. I think most of us agree that if regulation is necessary, it is preferable on a state level. The Government Relations Committee is ready to help affiliated state associations. If you have a need just ask.

Sincerely,

A handwritten signature in cursive script that reads "Roger N. Bell".

Roger N. Bell

Title News



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ALTA broadcast offerings reach millions nationally

The amusing and informative adventures of a retired Canadian Mountie and his dog as they encounter land title problems while searching for peaceful home ownership have won ALTA free air time on the Mutual Radio Network for the second consecutive year.

Mutual has some 800 affiliated stations from coast to coast.

In addition, the ALTA public service radio package is being broadcast in free time by approximately 1,000 individual stations in all 50 states.

Development of the radio spots is part of the broadcast activity of the ALTA Public Relations Program, which also uses television public service film and slides to reach a cumulative national audience extending well into the millions each year.

ALTA combines a significant home buyer education message regarding land title protection with an entertaining format to consistently score well in the brisk competition for free public service air time. Public service announcements (PSAs) of the Association have become familiar and well accepted among stations over the past eight years, and so have the longer ALTA feature films. This enhances the possibility for air placement of similar quality material in the future.

In the 1978 ALTA radio public service package, the retired Mountie and his "retired" lead dog—Sgt. Braxton and Zing—encounter the perils of an easement problem, unpaid property taxes and a claim by a previously undisclosed relative of the seller in three separate 60-second episodes. At the close of each spot, an

announcer suggests writing ALTA for free information on home buying and land title protection.

In one of the PSAs, Sgt. Braxton and Zing are in the yard of their recently-purchased home when a man drives a truckload of chickens across the property. When stopped by Sgt. Braxton, the man advises that he is starting a chicken ranch nearby—and is reaching the site by using an easement previously unknown to the astonished Mountie. Then the man drives off through Sgt. Braxton's forsythia.

The Braxton spots star Ed Walker, a Washington, D.C., radio and television personality, and are written by ALTA Director of Public Affairs

Gary L. Garrity. Production is in conjunction with ADS Audio Visual Productions, Inc., Falls Church, Va.

As examples of reaction to the Braxton PSAs by station personnel, here are some of the comments sent to ALTA from stations where the spots were aired.

C.J. Dickson, general manager, KGUS, Hot Springs, Ark.: "Very informative."

Le Grand Rogers, operations manager, KEWT, Sacramento, Calif.: "Excellent."

Bill Price, program director, KFEL, Pueblo, Colo.: "Very nicely done."



This artist's conception of Sgt. Braxton and his lead dog Zing as they face yet another land title problem appears on the record jacket of ALTA's public service radio package.

Laurie Cleaveland, public affairs director, WFCS, Meriden, Conn.: "Would appreciate receiving more throughout the year."

Jim Tuck, manager, KSPD, Boise, Idaho: "Best PSAs I've heard."

Tom Patterson, PSA director, WMBD, Peoria, Ill.: "Good spots."

Paul Urbahns, PSA director, WMMG, Brandenburg, Ky.: "Let's have more of Sgt. Braxton and Zing."

Don Allen, program director, KPEL, Lafayette, La.: "The Mountie and Zing are good . . . would like to hear more."

Jay Lundstrom, announcer, WDHP, Caribou, Maine: "Funny and original spots."

Jim Rivers, chief announcer, WKXL, Concord, N.H.: "Excellent!"

Jeff Russell, program director, KKIM, Albuquerque, N.M.: "Good!"

Jack De Petris, public service director, WDCX, Buffalo, N.Y.: "Pertinent."

Gary Phillips, PSA director, KWCO, Chickasha, Okla.: "These PSAs are great for home buyers."

Scott Fortney, public service director, WCMB, Harrisburg, Pa.: "Better than most PSA recordings."

David Woodson, public service director, WRIS, Roanoke, Va.: "Your PSAs with the Canadian Mountie and the dog, Zing, were great. I hope there are more to come."

Besides the Braxton spots, the ALTA radio package features three celebrities—Max Gail and Ron Glass of ABC Television's "Barney Miller" comedy series, and Patsy Montana, country and western music star—in other announcements.

In an equally appealing PSA activity for television, ALTA earlier this year produced two more 60-second film minidramas on land title hazards—one for sending to stations in the spring and the other for fall distribution.

In one, a partner in a pizza business finds a judgment against his home because of failure to pay a debt owed to his associate—then tries to sell the property himself without disclosing the problem.

In the other, a man with a name similar to his father's signs the deed in a transaction involving sale of the father's house although the son has no legal right to do so. Considerable excitement develops when the difficulty is discovered. Both

minidramas close with a suggestion from the announcer that home buyers consider the protection of owner's title insurance.

ALTA minidramas are produced in conjunction with Planned Communication Services, Inc., New York City. Although a use report for the spring 1978, 60-second television clip has not been received at this writing, minidramas typically are aired by more than 80 stations in approximately 40 states and reach millions.

Still another successful video offering for ALTA is a public service slide announcement package which this spring was telecast by approximately 70 stations in 35 states and reached a cumulative audience of nearly 120 million. The package includes color art slides and scripts for both a 30-second and a 10-second PSA; local announcers read the scripts on the air.

Working with ALTA to produce the slide package is North American Precise Syndicate, Inc., New York City.

(continued on page 7)



Ron Glass



Patsy Montana



Max Gail

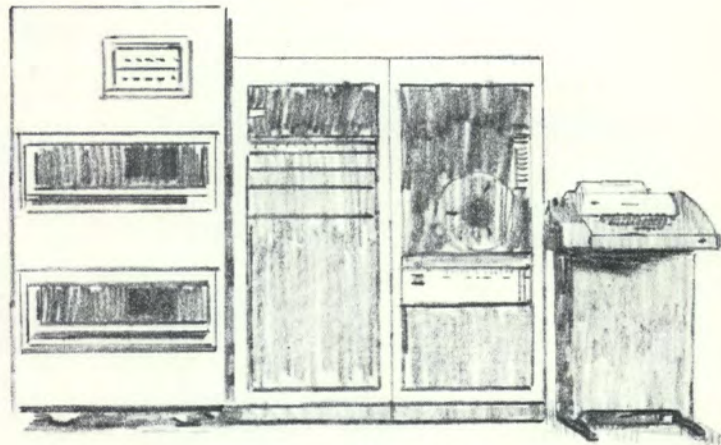
LANDEX[®]

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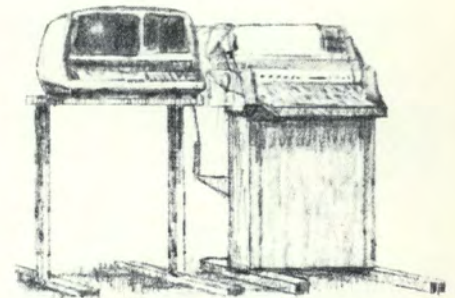
LANDEX is an on-line minicomputer system that goes into your offices, where your people run it, under your control. Your system will be separately tailored to handle plant records according to your own rules.

LANDEX systems are in their fifth year of service to owners. Visit the units now in use (in seven states) and you'll find that —

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- Through terminals, they provide nearly effortless search and date-down.
- They are operated easily and comfortably by people who possess no prior computer experience.
- Some of them serve more than one county, through terminals.
- Some others serve several companies — again, through terminals.
- They give managers firm control of plant operations.
- They are excellent aids to marketing and public relations, for they attest that their owners are concerned about costs and committed to service.



Computer Area



User Stations



We'd like to tell you more. Just write or telephone —

Donald E. Henley, President

INFORMATATA INC, makers of LANDEX

Broadcast—(continued)

Early this year, an ALTA television celebrity film announcement package in which entertainment personalities advise writing the Association for free information on home buying and land title protection was aired by approximately 200 stations in 45 states and the District of Columbia while reaching millions. Featured in separate 30-second film PSAs are Rue McClanahan of CBS Television's "Maude;" Abe Vigoda of ABC Television's "Fish," and Donna Fargo, country and western music star.

The celebrity television film announcements also are produced in conjunction with ADS Audio Visual Productions, Inc.

Development and production of ALTA public service broadcast material are carried out by the Association Public Relations Committee and staff. The present membership of the Public Relations Committee includes Chairman Edward S. Schmidt, H. Randolph Farmer, Earnest Hoberecht, Patrick McQuaid, Francis E. O'Connor, LeNore Plotkin, James W. Robinson, Bill Thurman and Thomas Watson.

With responses still coming in, here is a partial list of stations that have aired the various ALTA television and radio public service offerings.

One ALTA minidrama stars Tony and Sergio (photo below), partners in a pizza business. Discord erupts when Sergio finds a judgment against his home because he failed to pay a debt owed to Tony. However, Sergio doesn't let that stop him from trying to sell his property without disclosing the problem to an unsuspecting buyer.



Public Service Radio Spots (In Addition to Mutual Radio Network)

Alabama—WKSJ, Mobile; WDJC, Birmingham

Alaska—KRBD, Ketchikan

Arkansas—KXOW and KGUS, Hot Springs; KWEH, Camden

California—KGO, San Francisco; KEWT, Sacramento

Colorado—KHOW, Denver; KFEL, Pueblo

Connecticut—WMMW, Meriden; WFCS, New Britain

Delaware—WDSB, Dover

Florida—WSCM, Panama City; WGMA, Hollywood

Georgia—WTJH, East Point; WGIG and WYNR, Brunswick

Hawaii—KNDI and KIOZ, Honolulu

Idaho—KSPD, Boise; KIGO, St. Anthony

Illinois—WVEM, Springfield; WMBD, Peoria

Indiana—WXLW, Indianapolis; WYLV, Fort Wayne

IOWA—KSTT, Davenport; KSAY, Clinton

Kansas—KKOY, Chanute; KANS, Larned

Kentucky—WMMG, Brandenburg; WKDJ, Winchester

Louisiana—KPEL and KXKW, Lafayette; KSDL, Slidell

Maine—WDHP, Caribou; WMCS, Machias

Maryland—WITH, Baltimore; WTRR, Westminster

Massachusetts—WOKW, Brockton; WCCM and WCGY, Lawrence

Michigan—WJZZ, Detroit; WTCM, Traverse City

Minnesota—KLFD, Litchfield; KDUZ, Hutchinson

Mississippi—WKCU and WADI, Corinth; WKRA, Holly Springs

Missouri—KAYQ, Kansas City; WRTH, St. Louis

Montana—KCAP, Helena; KURL and KOOK, Billings

Nebraska—KAHL, North Platte; KNLV, Ord

Nevada—KNV and KLVC, Las Vegas; WRRL, Rainelle

New Hampshire—WKXL, Concord; WNPH, Plymouth

(continued on page 11)



In the second of the pair of new ALTA television minidramas, J.J. Smith signs the deed in a transaction involving sale of the house of his father—also named J.J. Smith—when he has no legal right to do so. Considerable excitement develops (above) when the misdeed is discovered.

ALTA members, government reps mingle at reception

The second ALTA Federal Reception, held last month in the Cannon House Office Building Caucus Room on Capitol Hill in Washington, proved to be an unqualified success with an attendance in excess of 300. The event was planned by the ALTA Government Relations Committee as part of its efforts to strengthen the land title industry identity in government circles.

The guest list included senators, representatives, congressional staff, federal agency personnel, representatives of real estate industry organizations, consumer advocates and media representatives.

They were received at the door by ALTA President C.J. McConville; President-Elect Roger N. Bell; Government Relations Committee Chairman Richard H. Howlett, and Executive Vice President William J. McAuliffe Jr.

Approximately 70 title people came to Washington to participate in the Capitol Hill visits with their federal

legislators that afternoon and to attend the evening reception.

As an adjunct to visiting their elected representatives, industry participants left an information packet in each congressional office they visited. Items in the packet included a recently developed background paper entitled "Indian Tribal Claims Under the Nonintercourse Act;" a paper describing ALTA, its function and membership, and a copy of Volume II of *The Title Industry: White Papers*.

Among the honored guests at the reception were Reps. William Armstrong (R-Colo.); Thomas Ashley (D-Ohio); Lindy Boggs (D-La.); Garry E. Brown (R-Mich.); Clair Burgener (R-Calif.); Mark Hannaford (D-Texas); Elwood Hillis (R-Ind.); Robert H. Michel (R-Ill.) who is minority whip; Robert McClory (R-Ill.); Carlos Moorhead (R-Calif.); Ned Pattison (D-N.Y.); Matthew Rinaldo (R-N.J.); Dave Stockman (R-Mich.); Wes Watkins (D-Okla.), and Gus Yatron (D-Pa.).

(continued on page 15)



In the photo at left, Bruce H. Zeiser, vice president, Lawyers Title Insurance Corp., Boston, shares a light moment with Sen. Edward W. Brooke (R-Mass.) and Rep. Margaret Heckler (R-Mass.). Some Oklahoma title people welcome Sen. Henry Bellmon (R-Okla.) and Doug Jackson of the senator's staff in the photo at right. Left to



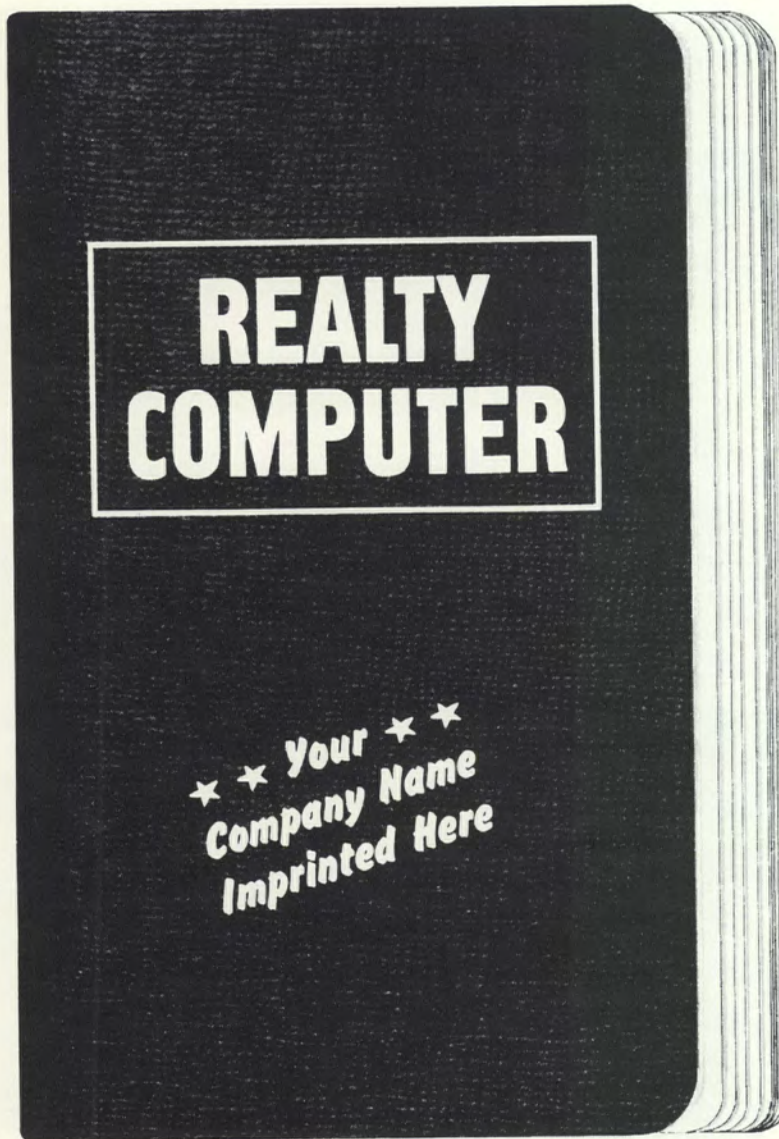
right, they are: John R. Cathey, president, The Bryan County Abstract Co., Durant; Owen L. Harper, secretary, Southern Abstract Co., Bartlesville; Sen. Bellmon; Jackson; F. Earl Harper, president, Southern Abstract Co., and John W. Warren, president, Albright Title and Trust Co., Newkirk.



At top, left, C.J. McConville, ALTA president and Title Insurance Company of Minnesota president (left) and ALTA President-Elect Roger N. Bell, president of the Security Abstract & Title Co., Inc., Wichita, Kan., (right) discuss federal legislative matters with Sen. Robert Dole (R-Kan.). In the lower left photo, Rep. David Stockman (R-Mich.) makes a point in his discussion with David F. Upton, president and treasurer of Southwestern Michigan Abstract and Title Co., St. Joseph (center). At right is Upton's nephew Fred, who is on Rep. Stockman's staff. Deep in conversation with Rep. Abner Mikva

(D-III.) in the lower right photo are two Chicago Title and Trust Co. (CT&T) executive vice presidents and president of the Bureau County Title Co., Inc., in Princeton. Left to right they are Robert C. Bates of CT&T, Calvin F. Johnson, Francis E. O'Connor of CT&T and Rep. Mikva. In the upper right photo, Title Insurance and Trust Co. Executive Vice President Gerald L. Ippel (left) and Ticor President Richard H. Howlett (right) welcome Rep. Carlos J. Moorhead (R-Calif.) Howlett chairs the ALTA Government Relations Committee which organized the reception.

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Broadcast—(concluded)

New Jersey—WBRW, Somerville; WMVB, South Vineland

New Mexico—KKIM, Albuquerque; KINN and KPSA, Alamogordo

New York—WDCX and WBEN, Buffalo; WVOR, Rochester

North Carolina—WGOS, High Point; WBMS, Black Mountain

North Dakota—KFGO, Fargo; KNDC, Hettinger

Ohio—WZIP, Cincinnati; WAQI, Ashtabula

Oklahoma—KLCO, Poteau; KWCO, Chickasha

Oregon—KCCS, Salem; KEED, Eugene

Pennsylvania—WCMB, Harrisburg; WJAC, Johnstown

Rhode Island—WKFD, Wickford

South Carolina—WTND, Orangeburg; WSSC, Sumter

South Dakota—KORN, Mitchell

Tennessee—WDEB, Jamestown; WUCR, Sparta

Texas—KMFM and KMAC, San Antonio; KWET, Wichita Falls

Utah—KNVU and KBLW, Logan

Vermont—WBTV, Bennington

Virginia—WRIS, Roanoke; WYFI, Norfolk

Washington—KUPY, Puyallup; KVAC, Forks

West Virginia—WTRF, Wheeling; WSCW, South Charleston

Wisconsin—WJRN, Racine; WJJK, Eau Claire

Wyoming—KVOG, Casper

Television Slide Announcements

Chicago—WGN

Philadelphia—WPVI and WKBS

Glendale, Calif.—KBSC

San Mateo, Calif.—KCSM

Boston—WNAC

Dallas—KXTX

Baltimore—WBFF

Cincinnati—WCPO

Charlotte, N.C.—WRET

St. Louis—KMCX

Kansas City—KCMO

Nashville, Tenn.—WTVF

Birmingham, Ala.—WAPI

Toledo, Ohio—WSPD

Television Celebrity Announcements

Alabama—WCOV and WKAB, Montgomery; WKRG, Mobile

Alaska—KIMO, KENI and KTVA, Anchorage; KTVF, Fairbanks

Arizona—KVOA, Tucson; KOAI, Flagstaff

California—KWHY, Los Angeles; KEMO, San Francisco

Colorado—KNCH, Denver; KRDO and KKTU, Colorado Springs

Connecticut—WHCT, Hartford; WATR, Waterbury

District of Columbia—KTOP

Florida—WDBO, Orlando; WTVT, Tampa

Georgia—WANY and WAGA, Atlanta; WSAV and WJCL, Savannah

Hawaii—KHON and KITV, Honolulu

Idaho—KBCI, Boise; KPVI, Pocatello

Illinois—WBBM, Chicago; WHBF, Rock Island

Indiana—WRTV and WTTV, Indianapolis; WPTA, Fort Wayne

Iowa—WHO, Des Moines; KCAU, KTIV and KMEG, Sioux City

Kansas—KAKE and KTVH, Wichita; WIBW, Topeka

Louisiana—WGNV, New Orleans; KTBS, Shreveport

Maine—WVIL, Bangor; WAGM, Presque Isle

Maryland—WITH, WBFF, WMAR and WJZ, Baltimore; WROC, Salisbury

Massachusetts—WLVI, Boston; WRLP, Springfield

Michigan—WUHQ, Battle Creek; WILX, Lansing

Minnesota—WTCN, Minneapolis; KSTP, St. Paul

Mississippi—WAPT, Jackson; WABG, Greenwood

Missouri—KSD, St. Louis; KRCG, Jefferson City

Montana—KXLF, Butte; KRTV, Great Falls

Nebraska—KETV, Omaha; KSTF, Scottsbluff

Nevada—KCRL, Reno; KVVV, Henderson

New Jersey—WOMC, Wildwood; WTVG, West Orange

New Mexico—KBIM, Roswell; KFDW, Portales

New York—WTVH, Syracuse; WGR, Buffalo

North Carolina—WWAX and WECT, Wilmington; WSOC and WBTV, Charlotte

North Dakota—KXJB and KTHI, Fargo; KFYZ, Bismarck

Ohio—WLWX, Cincinnati; WHIO, Dayton

Oklahoma—KTEN, Ada; KTVL, Medford; KPIC, Roseburg

Oregon—KTVL, Medford; KPIC, Roseburg

Pennsylvania—WTAE and WPGH, Pittsburgh; WJNL, Johnstown

Rhode Island—WPRI, East Providence

South Carolina—WFBC, Greenville; WCBF, Charleston

South Dakota—KELO, Sioux Falls; KEVN and KIVV, Rapid City

Tennessee—WSH and WNGE, Nashville; WATE and WTVK, Knoxville

Texas—KIII, Corpus Christi; KTRE, Lufkin

Vermont—WCAX, Burlington

Virginia—WDBJ, Roanoke; WHSV, Harrisonburg

Washington—KSTW, Tacoma; KNDO, KAPP and KIMA, Yakima

West Virginia—WHIS, Bluefield

Wisconsin—WMTJ, Milwaukee; WKOW, Madison

Wyoming—KYCU, Cheyenne; KTWQ, Casper

Names in the News...

Jerome L. Howard, past president of the Mortgage Bankers Association of America and chairman of Mortgage and Trust Inc. of Houston, Tex., has been elected to the board of directors of Chicago Title and Trust Co. and to the board of its subsidiary, Chicago Title Insurance Co. Howard is a member of the Mortgage Bankers Association's board of governors and a trustee of its Research and Educational Trust Fund.

The board of directors of Title Insurance Company of Oregon in Portland, a subsidiary of First American Title Insurance Co., recently announced the appointment of **Larry Feagans** as president of the firm. He succeeds **Budd G. Burnie**, president since 1966, who was named chairman of the board. Feagans, associated with First American Title Insurance Co. since 1962, was vice president of sales and headed the company's sales staffs in Riverside, San Francisco and San Diego, Calif.

Also announced was the appointment of **John C. Cape** to senior vice president and secretary.

USLIFE Title Insurance Company of Dallas board of directors has announced the election of **Harry A. Fisher** as vice president, chief financial officer, treasurer and controller. During the past 18 months, Fisher was regional manager (audit and control) for the parent organization, USLIFE Corp.

William P. Foley has been appointed vice president of the Clayton, Mo., office of Commonwealth Land Title Insurance Co. Foley has been in the land title industry for 20 years.

Title Insurance Company of Minnesota has announced the appointment of **Michael A. Pollack** as vice president. Pollack is manager of the Milwaukee and Waukesha branches and has been in the title industry for 17 years.



Jerome Howard



Peter Welch



Isidore Teitelbaum



Frank Geraci



William Foley



Robert Jackson



Wesley Atkins



Joseph Walker



Larry Feagans



Charles Hedgepath



James Mills Jr.



Harry Fisher

Lawyers Title of Louisiana Inc. has announced that its president and chief executive officer, **James W. Mills Jr.** has acquired all of the outstanding stock of the corporation.

Also announced were the appointment of **Karl F. Heeter** as vice president of finance and administration and the promotion of **Peter C. Keenan** to vice president, Orleans Parish.

Isidore Teitelbaum, formerly manager of the Somerville, N.J., branch office of Lawyers Title Insurance Corp., has been named manager of the company's New Brunswick, N.J. branch office. Succeeding Teitelbaum in Somerville will be **Robert L. Nieltopp** who joined Lawyers Title in February of this year with 21 years of title insurance experience.

Other branch managers recently named by Lawyers Title are **James W. Atkins**, Roanoke, Va; **Patricia A. Quattlebaum**, Petersburg, Va., and **Joseph R. Walker**, Richmond, Va.

In addition, **Peter F. Welch** was elected counsel for the Richmond branch of Lawyers Title and **Charles E. Hedgepath** of Columbia, S.C., was elected senior title attorney.

Title Insurance and Trust Co. (TI) recently announced the appointment of **Robert I. Jackson** as sales manager of its newly formed Special Title Operations Division. The special title operations team was formed to centralize the company's title and escrow services in commercial and industrial real estate. It will be responsible for TI's services involving government projects, subdivisions and second trust deeds.

TI also announced that **Frank Geraci** has been named manager of its Santa Clara County office. Geraci has been with TI for 23 years.

Catherine B. Disney and **Francis M. Connolly** have been elected assistant secretaries of The Title Guaratee Co., Baltimore, Md. Disney, associated with the company since 1957, was manager of the Administration and General Services Department. Connolly joined the company in 1975 as a senior title examiner.

The Commonwealth Mortgage Assurance Co. has announced two recent appointments: **David B. King** as regional manager of its California office and **Robert E. Benning** of Hershey, Pa., as account executive.

(continued on page 13)

The Judiciary Committee reports . . .

The following are recently decided court cases reported by members of the ALTA Judiciary Committee. Committee members reporting this time are Henry Keyes, the Massachusetts reporter, who submitted the case on name changes; Jack Gehringer, the Wisconsin reporter, who reported the case on mortgages-subrogation, and Dan Terrell, the New Mexico reporter, who submitted the case on unauthorized practice of law.

Names—changes

Moskowitz v. Moskowitz and Bolduc v. Bolduc
 ___ N.H. ___, ___ A. 2d ___ (N.H. 1978)

In two divorce cases which came before different masters and judges, plaintiff husbands were granted

divorces and defendant wives were granted custody of minor children but denied motions for restoration of their maiden names. They appealed from these denials. The Supreme Court remanded with directions that the Superior Court grant the changes or hear evidence against the relief sought, stating that "mere speculation as to possible embarrassment" to the children was not sufficient ground for denial, and that "the burden of proof rests with either the court or interested parties to prove that there exists a lawful objection which overrides the . . . right to a name change."

The court said "Our conclusion is based on statutory grounds," but cited cases in other jurisdictions based both on statutes and the common law—including in the latter category Secretary of the *Commonwealth v. City Clerks*, decided last August in Massachusetts and promptly reported in *Title News*, approving, as the New Hampshire court says, an individual's change of "his name at will without resort to any legal proceedings if the change is not made for a fraudulent, criminal or wrongful purpose."

(continued on page 14)

Names in the News—(concluded)

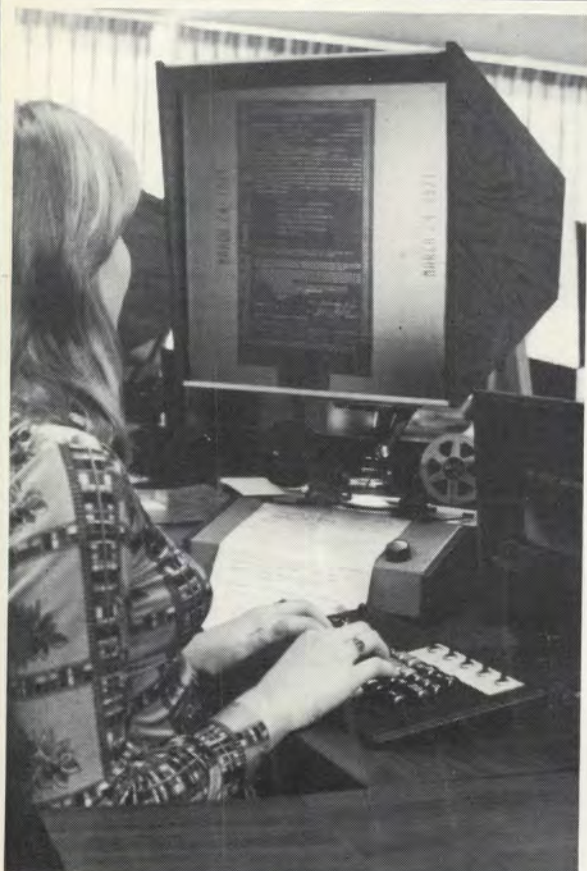
The executive vice president of Industrial Valley Title Insurance Co., located in Philadelphia, recently appeared on a local television show to discuss home buying. IVT's **Marvin H. New** and **Joe Sindoni**, president of Bon-Sin Realty Co., Philadelphia, met with Channel 17 Host Dorie Lenz. New is currently president of the Pennsylvania Land Title Association.

President of the Federal National Mortgage Association **Oakley Hunter** was re-elected chairman of the FNMA Board of Directors.

The vote was held during the board's meeting which immediately followed the annual meeting of the corporation's stockholders at the Capital Hilton Hotel in Washington, D.C.

Ticor acquires firm

Ticor recently acquired the New York City-based firm of O'Flynn & Verity, Inc. The company is a real estate tax search organization, servicing approximately one million loans for more than 100 major customers, including many leading New York commercial and savings banks.



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ALTA film reaches 14 million



Special recognition recently was extended to ALTA by Modern Talking Picture Service after the Association's film, "1429 Maple Street", reached a nationwide audience of more than 14 million in television public service distribution over a three-year period ending in 1977. Shown from left with copies of Modern's "More Than 10 Million Film Achievement Award" presented for this accomplishment are ALTA Director of Public Affairs Gary L. Garrity, Modern Vice President Robert A. Kelley and ALTA Public Relations Committee Chairman Edward S. Schmidt, Commonwealth Land Title Insurance Company. In addition, the film has won top honors in the Overall Public Relations Category of the Public Relations Society of America Film Festival. Modern handled national television distribution of the film for ALTA.

Judiciary—(continued)

Reporter's comment: This is the latest of a series of cases encouraging effective changes of names with no record available to title examiners. Suggested legislative remedies include a requirement of recording, possibly with municipal clerks, but preferably in probate courts or registries of deeds. Another suggestion looks toward *bona fide* purchaser status for a buyer or mortgagee who takes title under an instrument using the latest name for the grantor appearing in the registry.

(continued on page 15)



The ALTA Government Relations Committee met June 9 at the Broadmoor in Colorado Springs, Colo., to discuss the disposition of the Arthur D. Little Torrens study. The study is expected to be completed in the near future and additional details regarding its distribution will be made available at that time. Richard H. Howlett, Tigor president, Los Angeles, is chairman of this year's Government Relations Committee.

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The Title Industry Political Action Committee (TIPAC) Board of Trustees met May 31 in Chicago to discuss candidates for TIPAC contributions. Nearly 90 candidates are expected to receive support from TIPAC.

Approximately \$55,000 has been collected for campaign contributions, making this year's solicitation effort the most successful. Francis E. O'Connor, executive vice president, Chicago Title and Trust Co., is chairman of the TIPAC Board of Trustees.

Branch office opens

Lawyers Title of Louisiana, Inc., has announced the opening of its fifth branch office in Kenner, La., a suburb of New Orleans.

Judiciary—(concluded)

An owner can die without fraudulent intent and make his estate under a new and unrecorded name even more difficult to follow in a chain of title than it is now.

The reporter favors a national vital statistics headquarters to deal with this and other problems of identity which get worse as our society becomes increasingly mobile.

Mortgages—subrogation

Rock River Lumber Corp. v. Universal Mortgage Corp., 82 Wis. 2d 235, 262 N.W. 2d 114 (Wis. 1978)

Under the general term "conventional subrogation," a lender will be granted subrogation where money is advanced in reliance on a justifiable expectation that he will have security equivalent to that which his advances have discharged, provided no innocent third parties will suffer. Equity will treat such a transaction as a tantamount to an assignment of the original security. This principle is applied in consolidated actions for foreclosure of a real estate mortgage and of construction liens on the property.

To secure a loan used to finance the construction of buildings on lots it had purchased, the owner mortgaged the property to a savings and loan corporation. That mortgage was promptly recorded prior to the filing of any lien claims and thus had priority under Sec. 215.21, Stats.

After the visible commencement in place of the work of improvement, the owner refinanced its debt by obtaining a loan from the mortgagee plaintiff, which was similarly secured. The proceeds of this loan were used to pay the debt of the S & L corporation in full and that mortgage was satisfied. Plaintiff's mortgage was recorded some three months later.

Because the visible commencement of work of improvement preceded the recording of plaintiff's mortgage, various unpaid subcontracts and materialmen claimed they were entitled to priority over it. While the trial court determined the lien claimants had valid liens, it held plaintiff was entitled to priority because it was subrogated to the priority of the earlier mortgage. The supreme court affirms.

Unauthorized practice of law

The State Bar of New Mexico, The San Juan County Bar Association,

The Unauthorized Practice of Law Committee of The San Juan County Bar Association, John Cain, Joseph A. Palmer and C.C. Koogler, v. Guardian Abstract and Title Company, Inc., and San Juan County Abstract and Title Company, Inc., 575 P. 2d 943 (N.M. 1978)

On June 26, 1957 the New Mexico State Bar and the Realtors Association entered into a statement of principles which conceded that realtors could fill in blanks in forms involved in real estate transactions.

The defendants, abstract and title companies, had also been filling in such forms for at least the past 16 years. These forms now include statutory forms for a warranty deed, special warranty deed, mortgage, release and partial release of mortgage; forms for right-of-way easement, promissory note, VA and FHA mortgages and notes, HUD disclosure-settlement, lender's mortgage and note, affidavit as to debts and liens, lien waiver and surveyor's affidavit.

The Bar Association contended that the filling in of these forms by the abstract or title companies constituted the unauthorized practice of law. The court held that the unauthorized practice of law was difficult of definition but that filling in the blanks in the legal instruments involved in this case, where the forms have been drafted by attorneys and where filling in the blanks required only the use of

common knowledge regarding information to be inserted, does not constitute the practice of law. The court further held that when filling in the blanks affect substantial legal rights, and if the reasonable protection of such rights require legal skills greater than that possessed by the average citizen then such practice is restricted to the members of the legal profession.

Federal Reception—(concluded)

Senators attending included Henry Bellmon (R-Okla.), Edward Brooke (R-Mass.), Robert Dole (R-Kan.), and Minority Whip Ted Stevens (R-Alaska).

Press pictures were taken of ALTA members with their respective representatives and disseminated to local newspapers in home states of the elected members. Coverage of the event also appeared in *National Thrift News*, national newspaper for savings/mortgage industry executives.

Miami office moves

The Miami, Fla., branch of Commonwealth Land Title Insurance Co. has moved to its new quarters at 2250 S.W. Third Avenue, (Coral Way).

Texas elects Dietert president

Diane Dietert was elected president of the Texas Land Title Association at the recent TLTA annual convention. President and manager of Guaranty Title Company of Boerne, Dietert is the first woman to fill TLTA's presidency.

Other officers elected are Bill Thurman of Austin, president-elect; George M. Ramsey of Dallas, vice president; Russell L. Abraham of Houston, secretary, and Norman Moize of Dallas, treasurer.

Elected titleman of the year was John A. Coselli, resident vice president and divisional counsel for Chicago Title Insurance Co. He is a TLTA past president and has been in the title industry for 30 years.

The meeting speaker roster included U.S. Rep. Bill Archer; state Sen. John A. Traeger and Lt. Gov. William P.



New TLTA President Diane Dietert receives the presidential gavel from outgoing President Alex H. Half at the Texas annual convention.

Hobby. In addition, ALTA President C.J. McConville addressed the 600 persons who attended.

June 23-25, 1978

Illinois Land Title Association
Breckenridge Pavilion Hotel
St. Louis, Missouri

July 13-15, 1978

Idaho Land Title Association
Sun Valley Lodge
Sun Valley, Idaho

July 20-22, 1978

Wyoming Land Title Association
Fountain Motor Inn
Newcastle, Wyoming

August 3-10, 1978

American Bar Association
Annual Convention
New York, New York

August 10-12, 1978

Montana Land Title Association
Big Mountain Ski Resort
Whitefish, Montana

August 11-12, 1978

Kansas Land Title Association
Holiday Inn & Holidome
Hutchinson, Kansas

August 17-19, 1978

Minnesota Land Title Association
Normandy Hotel
Duluth, Minnesota

September 9-12, 1978

Indiana Land Title Association
Indianapolis Hilton—Downtown
Indianapolis, Indiana

September 10-12, 1978

Ohio Land Title Association
Stouffer's Dayton Plaza Hotel
Dayton, Ohio

September 10-13, 1978

New York State Land Title Association
Buck Hill Inn
Buck Hill Farms, Pennsylvania



**Calendar
of
Meetings**

September 14-15, 1978

Wisconsin Land Title Association
Midway Motor Lodge
Green Bay, Wisconsin

September 14-16, 1978

North Dakota Title Association
Williston, North Dakota

September 15-18, 1978

Missouri Land Title Association
Tan-Tara Resort
Lake of the Ozarks
Osage Beach, Missouri

September 20-22, 1978

Nebraska Land Title Association
Lincoln Hilton
Lincoln, Nebraska

September 24-27, 1978

ALTA Annual Convention
Boca Raton Hotel & Club
Boca Raton, Florida

October 11-13, 1978

Dixie Land Title Association
Holiday Inn—Callaway Gardens
Pine Mountain, Georgia

October 11-14, 1978

Florida Land Title Association
Colony Beach & Tennis Resort
Sarasota, Florida

October 13-15, 1978

Palmetto Land Title Association
Palmetto Dunes Hyatt
Hilton Head Island, South Carolina

October 19-20, 1978

Nevada Land Title Association
Hyatt Lake Tahoe
Incline Village, Nevada

October 21-25, 1978

American Bankers Association
Annual Convention
Honolulu, Hawaii

October 25-27, 1978

Land Title Association of Arizona
Skyline Country Club
Tucson, Arizona

October 29-November 2, 1978

U.S. League of Savings Associations
Annual Convention
Dallas, Texas

October 30-November 1, 1978

Mortgage Bankers Association
Annual Convention
Atlanta, Georgia

November 10-16, 1978

National Association of Realtors
Annual Convention
Honolulu, Hawaii

December 6, 1978

Louisiana Land Title Association
Royal Orleans Hotel
New Orleans, Louisiana

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