

# TITLE *News*

JULY • AUGUST 1990



**CHICAGO**  
ALTA Annual Convention

*30/4*

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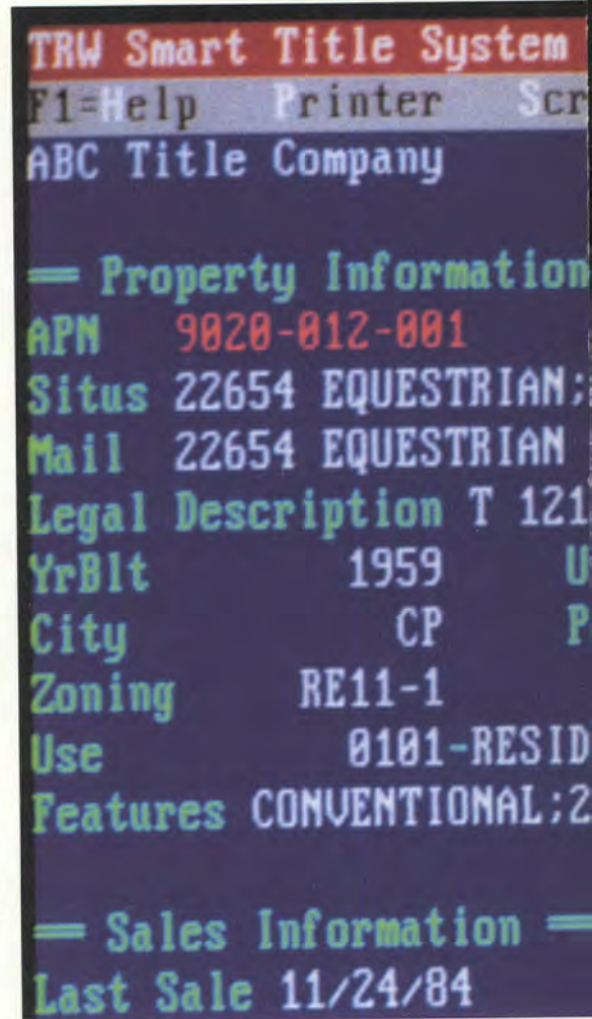
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# TITLE *News*

JULY • AUGUST 1990

Volume 69, Number 3

Editor: Adina Conn

**Cover Illustration by Ralph Butler.**

*Mr. Butler has become a contributing illustrator to Title News as well as to a number of other ALTA publications. His other work has appeared in Newsweek, as well as a variety of other national and local commercial publications and television stations.*

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**How fast can you type  
Thaddeus and Marguerite  
Kryzewski?**

**22 times.**

**Without a mistake.**



**Full Featured Title Automation**

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**Title Production**

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Starter Index  
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Accounting  
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## A MESSAGE FROM THE PRESIDENT



As many know, I entered office at the San Francisco convention last October. The earthquake left all of us with new perspectives, gratitude for our comparative good fortune, and appreciation for the sense of community exhibited that night.

In the year since San Francisco, ALTA has continued its aggressive efforts to deal with the challenges that threaten its membership.

I look back on my ALTA presidency as a year when the Association again became deeply involved in legislative and regulatory challenges. The innovation and initiative a strong association brought to bear in the best interests of its industry, its membership, and the customers it serves, have been exciting. The important, wonderful cooperation among affiliated regional and state associa-

tions was a highlight of my year. The work of the ALTA membership underscores the reality of the strength in our numbers, our experience, and our broad geographical diversity.

Under Capitol domes in Washington, DC, and across the country, ALTA has effectively made its position heard. In the nation's Capitol, ALTA is speaking assertively to the controlled business issue, and the Association continues to remain in the forefront of efforts for enforcement of RESPA. We're working very hard to assure that the federal anti-trust exemption provided by the McCarran-Ferguson Act not be removed from the insurance industry.

ALTA has also become an important source of information on title matters for the Resolution Trust Corporation (RTC) in that new agency's massive task of disposing of vast real property assets. Within the past year, our relationship with RTC has become one of mutual trust and respect. And, ALTA contacts with HUD and the IRS on a number of industry-related matters, including disbarment and tax issues, have led to cooperation and understanding.

On the state level, ALTA has been hard at work battling legislation that would facilitate controlled business. We must stop the effort of those who would allow banks to sell and underwrite title insurance.

During ALTA's Mid-Year Convention in New Orleans, important forms changes were approved. The Creditors' Rights Exclusion for basic ALTA policies was adopted, and the Facultative Reinsurance Agreements language was improved.

Members are pleased with ALTA's continued advance on automated systems development designed to help both agents and underwriters.

I've been very proud of the Title Industry Assurance Company's work in the past year. TIAC, the membership-owned errors and omissions insurance risk retention group, has shown strong policy growth.

ALTA's educational efforts have been a source of real satisfaction for me. Our Education Committee has put together a series of seminars across the country that cover topics of vital interest to the industry. There are plans for a new series of videotapes for land title employees. Existing instructional tapes for entry-level workers have been well accepted. New correspondence courses are being developed and others have been updated. In conjunction with the National Association of Realtors, ALTA is developing audio instructional tapes designed to improve the understanding of title services by all parties of interest.

It is true that time goes quickly when one is busy. My year as ALTA President has taken Marietta and I from one end of the country to another. We traveled deep into Texas, northwest to Oregon, to Michigan's Upper Peninsula, and onto the Kansas wheat fields. Wherever we went, I saw ALTA's regional and state associations at work. There are many reasons to be encouraged. ALTA is an exemplary association and the membership and the staff that serves it, are solid, professional, and energetic.

The opportunity to meet so many of you has been personally and professionally rewarding. I want to encourage those among us who are intrigued with the idea of Association involvement and leadership. It has been an honor for me, as it will be for those of you who follow in leadership positions—regardless of your role.

Marietta and I look forward to welcoming you to this year's ALTA Annual Convention in our home base of Chicago. Fall is magnificent in the Midwest—come and enjoy our beautiful city.

Dick Toft

# CHICAGO Is . . . .

## ALTA's Kind of Town

by Adina Conn

Breeze into October with a hearty variety of cultural, educational, and entertaining events. The "Windy City" of Chicago, filled with its internationally acclaimed museums, fine restaurants, striking architecture, comedy clubs, and five sports teams, is host to this year's American Land Title Association's Annual Convention, September 30-October 3. The Hyatt Regency Chicago is the site for the meetings. "Proud Past . . . Promising Future" is the theme set for this year's Convention.

Whether you're a Chicago native, or simply a visitor to this internationally famous city, you'll want to explore all the cultural diversity and richness that makes this city so pulsating. Members can begin their Chicago adventure at the famous historic landmark Water Tower Pumping Station, with the "Here's Chicago Show"—an exciting 45-minute film about the Windy City, accompanied by exhibits on the Chicago Fire and the Gangster Era. The John Hancock Observatory (located one block away from the Water Tower), offers a breathtaking 94-story view of the city.

Architectural buffs will revel in exploring various parts of the city and its outlying suburbs, as they stroll past the homes and designs of Frank Lloyd Wright. There's even something for the romantic at heart. Those who so desire may opt to tour Chicago by renting a horse-drawn carriage. And, for the sports-minded individual, renting a bicycle provides a day's exercise as well as a spectacular view of Chicago.

### Chicago Through the Years

The Illinois Indians were the first people to claim a land they named "Chicaugou"—a name that was later Americanized to "Chicago." The word "Chicaugou" most commonly meaning "powerful," "strong" or "great," was used by many tribal chiefs to signify that they were "great" chiefs.

The first white men to set foot on the site destined to become Chicago were Louis Joliet and Father Jacques Marquette. The two explorers were commissioned by the French government in 1673. One year later, Father Marquette returned to the area to establish an Indian mission.

The area remained under French rule until the late 1700's when it was raided by the British and settled by colonists. Several years later, in 1795, the United States acquired title to six square miles of land and the mouth of the Chicago River. In 1803, at the present-day intersection of Michigan Avenue and Wacker Drive, Fort Dearborn was established to protect the new settlement.

Though the United States suffered a series of setbacks, including the Fort Dearborn Massacre by a tribe of hostile Indians and the 1812 War between the United States and Great Britain, it was able to maintain its territorial possessions and expand its boundaries.

Eventually, the settlers of this Midwest-

ern territory established a government and began to work on making Chicago a successful marketplace. With the development of the railroad and the Illinois/Michigan Canal, Chicago advanced as the leader in a number of industries. Word continued to spread that opportunity in Chicago was great, and, by the mid-1850's, as many as 100,000 immigrants annually came to Chicago seeking land and jobs until the Civil War broke out.

On October 9, 1871, most of the city's central area was completely destroyed by the Great Chicago Fire. It started in the lumber district on the West Side. Mrs. O'Leary's cow allegedly knocked over a kerosene lamp that started the city ablaze. By the following morning, the fire had claimed at least 300 lives and left more than 90,000 residents homeless. More than 17,000 buildings were destroyed. Property damages were estimated at \$200 million.

The fire was a major turning point for Chicago. A post-fire renaissance made the city "bigger and better" than before. Inter-





**Top photo: A view of Chicago's diverse architectural styles, each adding to the city's magnificent skyline.**



**Bottom photo: The Water Tower Pumping Station, built in 1869, dominates the view of Michigan Avenue. The tower was the only structure in the city to survive the Great Chicago Fire of 1871.**

nationally acclaimed architects flocked to the city for its reconstruction. Within a few years, Chicago was resurrected and chosen to host the 1893 World Columbian Exposition for 27.5 million visitors.

The city experienced a financial slump and municipal breakdown at the close of the Exposition. Chicago reorganized to grow and, once again, became economically sound. Theatre and music emerged as favorite Chicago pastimes. During the pre-WWI era, movie directors frequently chose Chicago as the location for their movie productions. At the same time, the Chicago airways were the center of daytime soap operas. Economic activity in Chicago was at an all-time high until the Stock Market Crash of 1929 and the repeal of Prohibition caused the 1933-34 Century of Progress Exhibition Lakefront Fair stimulated the financial recovery of Chicago.

### Chicago of Today

Today, Chicago has grown from a tiny settlement to a world-class city. Chicago is an international center for industry and trade. The city has become the convention capital of the nation with McCormick Place. The city is also home to the world's busiest airport, O'Hare International as well as the Sears Tower—the world's tallest building.

### Chicago's Museums and Zoos

Cultural institutions have always been an essential part of life in Chicago. The city is home to over 20 major museums and 30 art galleries. The Science Center is Chicago's most popular visitor attraction. The Museum, attracting over four million visitors per year, contains thousands of displays that demonstrate the principles of science and how they relate to industrial and technological advances. The **Henry Crown Space Center**, upon its opening in July, 1986, became the premier center for space study in the Midwest. The Center features the Omnimax Theater, a highly innovative, domed auditorium designed to show 70mm films with the most advanced cinematic technology available.

The **Art Institute of Chicago** is one of the world's foremost art museums. Its internationally renowned permanent collection includes one of the largest impressionist collections in the world featuring "Sunday Afternoon on the Grande Jatte," by George Seurat and "Paris on a Rainy Day," by Gustave Caillebotte.

Chicago is also home to the **John G.**

**Shedd Aquarium**, the world's largest indoor aquarium. The main attraction is the Coral Reef, a glass-enclosed 90,000-gallon water exhibit of more than 350 types of Caribbean fish. One hundred and ninety exhibit tanks contain more than 4,500 fresh and saltwater fish specimens.

The **Field Museum of Natural History** contains over 10 acres of exhibits of anthropology, botany, geology and zoology. The **Adler Planetarium** features scientific exhibits on astronomy, navigation, instruments, space exploration and telescopes. The highlight of the Museum is the Sky Show, which is a unique double-feature program exploring the universe from a multi-media perspective.

Chicago's **Lincoln Park** and **Brookfield Zoos** are two of the most popular visitor attractions. Both zoos house thousands of mammals, birds and reptiles from all over the world. **Lincoln Park Zoo**, the city's oldest zoo, is situated just north of downtown Chicago in Lincoln Park. Founded in 1868 with a gift of swans, the zoo is a blend of old and new architecture—with animal-filled landmark buildings standing next to ultramodern habitats. The Great Ape House reconstructs a rain forest setting which houses primate residents and draws curious onlookers to one of the finest ape collections in the world.

The **Brookfield Zoo**, located just outside the city in Brookfield, is the only zoo in the country where visitors can watch a dolphin show. Other intriguing attractions include a Children's Zoo, Tropic World/Asia and Animals in Action.

Also located in Lincoln Park is the **Chicago Historical Society**, which features an outstanding exhibit on the Great Chicago Fire of 1871, along with Abraham Lincoln and Civil War memorabilia. The Historical Society maintains an outstanding costume collection highlighting fashions spanning the history of Chicago.

The **Museum of Contemporary Art**, one of Chicago's most innovative museums, is devoted to promoting the painting, sculpture, crafts, graphics and other works of contemporary artists. The Museum has a permanent collection of works which it expands by featuring rotating art collections.

### Chicago's Public Sculptures

Visitors to Chicago will find a variety of art forms, designed by contemporary masters, in public plazas throughout the downtown area. One need not be an art enthusiast to appreciate the beauty of Chicago's

plaza art by such famous artists as Alexander Calder, Marc Chagall and Pablo Picasso, to name a few. The accessibility of these art works makes it simple for everyone to admire, contemplate, discover and appreciate the varied art forms.

Alexander Calder's "Flamingo" sculpture dominates the plaza at the Chicago Federal Center. The bright red sculpture stands 53 feet high and weighs 50 tons. Calder is also the artist of a mobile in the lobby of the Sears Tower. The mobile, entitled "Universe," is 65 feet wide, 33 feet high and weighs 8 tons.

One of the most colorful exhibits of Chicago's outdoor modern art gallery is the "Four Seasons," a mosaic mural by Marc Chagall. The 70-foot-long mosaic is composed of 350 different shades and hues of mosaic material including glass, marble, stone and granite. The mural is located at the First National Bank Plaza.

Joan Miro's "Chicago" sculpture is adjacent to the 69 W. Washington Street building. The sculpture, which is quite different from what one might expect from the title, was unveiled on Miro's 88th birthday, April 20, 1981. The artwork is constructed from steel-reinforced concrete with areas of brightly colored ceramics.

Just a few blocks away from the Miro sculpture is the "Sounding Sculpture" installed in the Standard Oil Building. Harry Bertoia, renowned American sculptor and furniture designer, created the sculpture for the reflecting pool of the Standard Oil Building, the fourth tallest building in the world. The sculpture produces muted sounds which are created by the movement of wind-blown rods.

A recent addition to Chicago's outdoor art is the "Batcolumn." Designed by Claes Oldenburg, the 101-foot-high steel baseball bat rises in front of the Social Security Administration Building. The public sculpture, commissioned by the federal government at a cost of \$100,000.00, is constructed from 1,608 pieces of welded steel.

Finally, no visit to Chicago would be complete without viewing Chicago's first outdoor sculpture—the famous 50-foot-high, 162-ton untitled sculpture created by Pablo Picasso for the people of Chicago. The artwork, a Chicago landmark since 1967, is made of rusting steel and is located at the Richard J. Daley Plaza.

All of these artworks are located within easy walking distance from each other in and around Chicago's Loop area.



## Opening Convention Festivities

Convention activity commences on Sunday evening. Convention attendees and their guests are invited to the opening Ice-Breaker Reception, featuring a "Decades Party." Members will travel through time, from the "Roaring 20s" to the present date.

## Educational Fare

Tuesday's morning workshops provide in-depth coverage of key issues affecting the title industry. Four workshops will be offered. "Federal Asset Forfeiture" will be offered once, and will be the subject of a panel discussion, focusing on the impact of federal seizures of real property on mortgage lending and title insurance. The panel will consist of five representatives, from the Lender and Life Counsel, leaders from the title industry, and a speaker from the Department of Justice. Panelists will explore the issues raised by the federal government's increased reliance upon its authority to seize real property, and the actions that ensue thereafter. Discussions will include limits on title insurance coverage, innocent owner defense, and lender's post-seizure rights.

The remaining three workshops will run concurrently, and each will be repeated once. "Attracting and Keeping Qualified

Staff when Money is an Object," will explore recruiting and retention when title revenues are declining. Highlights will include discussion of such incentives as career path flexibility, and flexible working hours, as well as favorable work atmosphere. The third seminar, "Strategies to Cope with Controlled Business," addresses financial, operational and marketing strategies for the local title agency in a controlled environment. Operation scale-backs, customer/competitor franchising, local and/or regional agencies consolidation, as well as the outright sale of operations will be discussed. The final seminar, "Reinsurance—Why Should the Agent Care?" will concentrate on the role of reinsurance in the title industry, with emphasis on the agent's role.

## Exhibits

AUTOMATION SYMBIOSIS 7 brings an exciting format to the ALTA vendor exposition, with Monday/Tuesday automation roundtable discussions and a Tuesday complimentary continental breakfast accompanied by an "early bird" mini-seminar on electronic data exchange. Complimentary lunch will be offered on Monday. Vendor automation exposition will take place in the Columbus Ballroom.

## General Sessions

Jack Kemp, United States secretary of Housing and Urban Development, is the invited speaker for Monday's General Session. Also slotted to speak is Jan Scruggs, the individual responsible for raising funds to build the Vietnam Veterans Memorial.

Wednesday's General Session features a panel of industry leaders, addressing the problem of "White Collar Crime in the Title Industry." The panelists will discuss theft prevention, actions to be taken after a crime is committed, new regulatory activities, and possible future requirements for agents. Highlighting Wednesday's Session will be the inimitable Charles Kuralt, CBS News correspondent, and anchorman of the widely acclaimed **CBS Sunday Morning**.

## Spouse/Guest Brunch

A special and exciting program is planned for spouses and guests of the ALTA Convention. On Tuesday morning, the Art Institute of Chicago will open its doors to ALTA guests for a special viewing of the exhibit, "Poussin to Matisse: The Russian Taste for French Painting." Attendees will be privy to view both Expressionistic and Impressionistic works of Poussin, Lorrain, Monet, Renoir, Cezanne, Gaughin, Bonnard, and Matisse. The collection of paintings, whose home is in the USSR, is on loan to the Museum.

A guest lecturer from the Institute will provide attendees with an overview of the special exhibit, as well as offer insight into the makings of a major exhibition. While the event is complimentary to those spouses or guests attending the Convention, advance registration is required.

## TIPAC Luncheon

Back by popular demand—Washington, DC, columnist Mark Shields returns to Wednesday's TIPAC luncheon. Shields, quoted by the **Washington Post** as a "walking almanac of American politics," will once again delight audiences with his humorous wit and political commentary.

George Burns once said that "someone who makes you laugh is a comedian; someone who makes you think and *then* laugh is a humorist." And, anyone who has read Shields' newspaper column or has heard him on television or radio, knows without a shade of doubt, that he is a true humorist. The theme of his address to this year's TIPAC luncheon is "The Wit and Wisdom of Mark Shields."

## EXHIBIT HOURS

### Monday, October 1

8:00 a.m.-2:00 p.m.

AUTOMATION SYMBIOSIS 7 Exhibits Open (Columbus A-F)

Ribbon Cutting Ceremony

Complimentary exhibit hall luncheon and automation round table discussion from 12:00 noon-1:30 p.m.

### Tuesday, October 2

8:00 a.m.-2:00 p.m.

AUTOMATION SYMBIOSIS 7 Exhibits Open

Complimentary exhibit hall continental breakfast and electronic data interchange mini-seminar from 7:15 a.m.-8:15 a.m. in Columbus G-L

Automation round table discussion at 1:30 p.m.

### Wednesday, October 3

8:00 a.m.-12:00 noon

AUTOMATION SYMBIOSIS 7 Exhibits Open

Attendance Prize Drawing at 8:15 a.m.—tickets for drawing will be distributed by exhibitors

## Annual Banquet

The pièce de résistance to this year's convention is "The Grande Finale," ALTA's very own special banquet. Attending madames, mademoiselles and monsieurs will journey to the days of the Great Gatsby—to the time when Erte was simply in vogue. Those who dare can dance the night away to the Dick Judson Orchestra, playing songs from the Roaring 20s to the Evolutionary 90s.

## Tours

An exciting variety of tours is being offered in and around metropolitan Chicago. Those arriving on Saturday may choose to opt for the **Second City and Deep Dish Pizza** tour. Members will enjoy two of Chicago's best loved traditions—Chicago style deep dish pizza, and the comedy of the Second City Theatre troupe. Famous alumni from Second City include Gilda Radner, Elaine May, Mike Nichols, Dan Ackroyd and Joan Rivers.

Sunday offers a **Highlights of Chicago** tour. Those who partake will see the city's major sites, historic landmarks, and world-famous architecture. Architectural sites include the Magnificent Mile, the glamorous Gold Coast, the State Street Mall, Water Tower Place and monumental public sculp-

tures by renowned masters.

Also on Sunday, members can enjoy an **Architectural River Cruise and Walking Tour**, as they climb aboard a Chicago River cruiser for an architectural adventure. Marina City's twin towers, the Merchandise Mart, the Equitable Building, 333 Wacker, and many more architectural masterpieces will be viewed with a fascinating walking tour provided after the boat ride.

**Frank Lloyd Wright in Oak Park** will tour members through the historic community of Oak Park, a treasure house of Wright's noted architecture. Members will visit the Unity Temple, built by Wright in 1908, Wright's home and studio, as well as other sites designed by the architect.

On the **North Shore and Botanic Gardens** tour, members will have the opportunity to see the scenic Lake Michigan shoreline, while viewing Chicago's distinguished architectural and historical landmarks. The nine-sided Bahai Temple, shaped like a dazzling white bell, will be another point of interest to all who partake of this tour. The tour concludes with a trip to the colorful Chicago Botanic Gardens, where you will have the opportunity to relax on a tram, while embarking on a journey through 300 acres of floral wonderlands.

The **Hyde Park of Chicago** takes you

along the shore of Lake Michigan to the historic community of Hyde Park, home of the University of Chicago. Noted outdoor sculpture and Frank Lloyd Wright's acclaimed Robie House, as well as the Rockefeller Chapel, will be explored. The trip concludes with final stops at the David and Alfred Smart Gallery and the Oriental Institute.

Members can enjoy a real insider's tour of the city's art world on the **Art Scene in Chicago: Artist's Home and River North Galleries** tour. People will have the opportunity to visit one of the city's most prominent artists in the privacy of her home and gallery. Those on tour will stroll the streets of Chicago's lively River North neighborhood, where a thrilling melange of galleries, lofts, fashion studios and specialty boutiques await the avid art lover.

For the "horsey set," there's **A Day at the Races**—a fun-filled afternoon spent at the famous, newly renovated Arlington International Racecourse. All who embark on this tour will enjoy lunch and thoroughbred racing. For the more "stable" crowd, you can wander to the paddock area and watch the horses being saddled and paraded.

Shakespeare once said, "All the world's a stage." Thus being the case . . . those with a passion for the footlights will delight in

# Kemp, Kuralt and Scruggs

**J**ack Kemp, secretary of the United States Department of Housing and Urban Development (HUD), has been invited to speak at the Monday General Session. As HUD Secretary, Kemp serves as the nation's top community development and housing official, with responsibility for a wide variety of federally-assisted housing, economic development, and fair housing enforcement activities across the nation. Kemp's major responsibilities include helping local communities provide housing assistance for low-income families, helping first-time and inner-city homebuyers obtain private financing to buy their own home; and assisting towns, cities, and counties in meeting extraordinary development needs through public/private partnerships and federally-assisted economic development.

Prior to his appointment to President Bush's Cabinet, Kemp served in the United States House of Representatives for nine terms, from 1970-1988. He served for seven years as the chairman of the House Republican Conference. He was also a member of the House Appropriations Committee and a ranking member of the Foreign Operations

subcommittee; a member of the Select Committee on Children, Youth and Families; and had also served on the Budget,

Education and Labor, and Select Small Business Committees.



the **Theater Matinee with Lunch** tour. Spend an enjoyable afternoon at the theatre, watching the famous Broadway smash hit, **Love Letters**. Lunch will be enjoyed at a popular Chicago restaurant.

*All tours and special events are optional. Registration material for these events is included in the pre-convention mailings sent to all ALTA members.*

### **Windy City Shopping**

From designer fashions to antiques and jewelry, from artwork to novelty stores, Chicago has a store for all your shopping needs.

Starting at the Chicago River and extending north to Oak Street is Chicago's premier shopping strip. One Magnificent Mile is the home of Neiman Marcus, Lord and Taylor, Saks Fifth Avenue, I. Magnin, Marshall Fields, Gucci, Ralph Lauren and the new Bloomingdale's complex, to name just a few. Many of the world's finest specialty stores are located among the architectural treasures of Michigan Avenue. Considered to be among the finest shopping areas in the world, One Magnificent Mile will delight and astound buyers and browsers alike.

No visit to Michigan Avenue would be complete without a trip to Water Tower

Place, located across from the Water Tower. This indoor, seven-level mall features a dazzling array of shops, boutiques, cinemas and restaurants. Water Tower Place attracts native Chicagoans, visitors and celebrities alike. Lending to Water Tower Place's interior beauty and elegance is the Grand Atrium, which includes a sparkling indoor waterfall, glass-n-chrome enclosed elevators and ceiling-mounted spotlights—a photographer's playground.

Within a short distance from Water Place is State Street, home of the world's largest outdoor mall. This newly refurbished, seven-block-long shopping emporium features landmark Chicago department stores such as Carson, Pirie, Scott & Company and Marshall Fields, as well as the famous Chicago Theatre.

One block east of State Street is Wabash Avenue—rich in unique shops which run special sales throughout the year. Recently nicknamed "Jewelers Row," Wabash is a delight for browsers and shoppers alike.

The Oak, Rush and Walton Street area will charm you with its brownstones that have been converted into boutiques featuring the latest fashions from Paris, London and Milan. For art enthusiasts, a number of galleries featuring impressive collections at various prices are available.

A quick cab ride west of the Oak, Rush and Walton Street area will take you to North Wells Street. Unusual collectibles fill many rooms in the assorted antique shops. Antique pieces ranging from fine jewelry to period furniture are available. Many dealers import directly from Europe for the best items. Out-of-town inquiries are always welcome and items can be shipped anywhere.

### **Hotel Reservation and Travel Arrangements**

The Hyatt Regency Chicago is located downtown at 151 East Wacker Drive in the Illinois Center. Sleeping room rates of \$131 single, \$150 double are available to members. Room reservation cards are included in the convention mailing sent to all ALTA members.

American Airlines has been chosen as the official airline carrier for the Annual Convention. A special discount of 5% of the lowest published fare, or 45% of full coach fare (subject to availability), is being offered by the airline. For flight information and arrangement, call your travel agent, or American Airlines at 1-800-433-1790, using the ALTA starfile number S0590GW.

For additional convention or exhibitor information, call the ALTA office at (202) 296-3671.

## **Highlight General Sessions**

**T**he Lincoln and Jefferson Memorials and the Washington Monument each took over a quarter of a century to build. In just two years, the Vietnam Veterans Memorial was completed because of the efforts and devotion of one man—Jan Scruggs. Second keynote speaker of the Monday General Session, Scruggs is the individual responsible for producing the most visited monument in the United States today—the Vietnam Veterans Memorial.

A veteran of the war, Scruggs served as an infantryman from 1969-1970. He was wounded during his tour, and was awarded the Purple Heart, three Commendation Medals and a decoration for valor under enemy fire.

Upon his return to the States, Scruggs attended American University, where he began work on a psychosocial study of the War's impact on those who served. Further inspired by the Academy Award winning movie, **The Deer Hunter**, Scruggs developed the idea of a Vietnam Veterans Memorial as a vehicle to assist the veteran's recovery from the traumas of the war. When no action was taken by the Senate

Veterans Committee, Scruggs went ahead with his own plans to build the memorial.

Starting with only \$2500 of his own money, he proceeded to raise more than eight million dollars by 1982. Despite all the controversy and public criticism, Scruggs still managed to produce a monument to those who died in the service of our country.

Scruggs' book, **To Heal a Nation**, became a made-for-television epic.

**I**n an age of media glitz and glamor, there is one individual who stands above the rest with his unassuming nature and his quiet but unforgettable delivery of the news. The individual referred to is none other than Charles Kuralt. **Time** describes Kuralt as running the "classiest" broadcast of the morning news programs, deeming Kuralt to be the "laureate of the common man." The CBS News Correspondent and anchor of **CBS News Sunday Morning** will be the keynote speaker for Wednesday's General Session.

Kuralt is known for his award winning **On the Road** series. The show carried the

correspondent more than a half-million miles, meeting and visiting with folks from all 50 states. The correspondent continues to divide his time between the back roads of America during the week, and, on weekends, appears in a New York television studio, where he anchors **CBS News Sunday Morning**. Kuralt's talents and journalistic integrity have earned him several prestigious George Foster Peabody Awards and two Emmys from the National Academy of Arts and Sciences.

Before Kuralt began his **On the Road** assignment, he reported from many parts of Africa and Asia (including Vietnam), from all 23 Latin American nations, and from the Arctic, where he covered the 1967 attempt of the Plaisted Polar Expedition to reach the North Pole. That trip resulted in a CBS News documentary, **Destination: North Pole**, and a book by Kuralt, **To the Top of the World**. The correspondent has also reported on political events for CBS News from the time of the 1960 Kennedy-Nixon campaign.

# ALTA CONVENTION CALENDAR

## Saturday, September 29

12:00 noon-4:00 p.m. Convention Registration  
6:00 p.m.-10:30 p.m. Evening Tour (optional)

## Sunday, September 30

7:30 a.m.-9:00 a.m. Government Affairs Committee Meeting  
8:00 a.m.-7:00 p.m. Convention Registration  
8:30 a.m.-5:00 p.m. Title Insurance Forms Committee Meeting  
9:00 a.m.-10:30 a.m. Abstracter-Agent Section Executive Committee Meeting  
9:00 a.m.-10:30 a.m. Underwriter Section Executive Committee Meeting  
12:00 noon-2:00 p.m. Past Presidents Luncheon  
1:30 p.m.-5:00 p.m. Board of Governors Meeting  
1:30 p.m.-5:00 p.m. Various tours (optional)  
5:30 p.m.-6:30 p.m. First Time Convention Attendee Mixer  
6:30 p.m.-8:00 p.m. Ice-Breaker Reception

## Monday, October 1

7:15 a.m.-8:15 a.m. New Member and Recruiter Breakfast  
7:30 a.m.-2:00 p.m. Convention Registration  
8:00 a.m.-2:00 p.m. Automation Exhibits Open  
8:30 a.m.-11:30 a.m. General Session  
11:35 a.m.-12:00 noon Section Meetings for Nomination and Election of Officers  
12:00 noon-1:30 p.m. Exhibit Hall Luncheon and Automation Roundtable Discussion  
12:30 p.m.-4:30 p.m. Various tours (optional)  
1:30 p.m.-4:30 p.m. Lender/Life Counsel Meetings

## Tuesday, October 2

7:15 a.m.-8:15 a.m. Exhibit Hall Continental Breakfast & Electronic Data Interchange Mini-Seminar  
8:00 a.m.-2:00 p.m. Convention Registration  
8:00 a.m.-2:00 p.m. Automation Exhibits Open  
8:15 a.m.-10:00 a.m. Federal Asset Forfeitures Workshop Session  
8:30 a.m.-10:00 a.m. Title Management Workshop  
8:30 a.m.-12:30 p.m. Spouse/Guest Brunch  
10:15 a.m.-11:45 a.m. Repeat of three previous 8:30 a.m. workshops  
12:00 noon-4:30 p.m. Lender and Life Counsel Luncheon/Meetings  
12:00 noon-5:00 p.m. Affiliated Association Officer-Executive Luncheon & Seminar  
1:00 p.m.-4:30 p.m. Various tours (optional)  
1:30 p.m.-3:00 p.m. Automation Roundtable Discussion  
2:00 p.m. Cut-off for Banquet Exchange

## Wednesday, October 3

8:00 a.m.-12:00 noon Automation Exhibits Open  
8:00 a.m.-1:00 p.m. Convention Registration  
8:30 a.m.-11:25 a.m. General Session  
11:30 a.m.-12:00 noon Executive Session  
12:00 noon-5:00 p.m. Various tours (optional)  
12:15 p.m.-2:00 p.m. Title Industry Political Action Committee Luncheon  
2:15 p.m.-4:00 p.m. 1990-91 ALTA Board of Governors Meeting  
6:15 p.m.-7:00 p.m. Pre-Banquet Reception  
7:00 p.m.-11:00 p.m. Annual Banquet—"The Grande Finale"

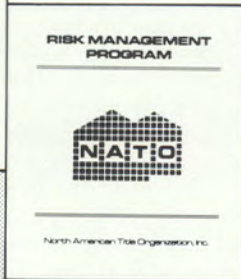


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# Title Insurance in the 21st Century

*by Russell W. Jordan, III  
Senior Vice President and General Counsel  
Lawyers Title Insurance Corporation*

***The following is a collection of thoughts and ideas gathered from various members of the legal staff at Lawyers Title, Richmond, Virginia, as well as contributions from regional and state counsel around the nation. Thoughts expressed in this article are strictly those of the author, and do not reflect the opinions of the ALTA.***

In looking at underwriting, we must first look at our system of land ownership in years to come and we must reflect on the customers buying our product. There is probably no place in the world where traditional values of individual private ownership have been held more sacred than in the United States. The baby boomers will be old in the year 2030. There will be a much larger segment of our population not able to care for and maintain a private home. In addition, energy and transportation problems will further force people to live in more densely populated areas, with them refusing to accept smaller living accommodations. There will likely be a glut of single family housing on the market, a great expansion of retirement and nursing home facilities, along with many new forms of ownership with respect to retirement living. We will see much more ownership by large institutional investors—i.e. banks, insurance companies, pension funds and corporations.

With respect to ownership by individuals, we will see expansions of the concepts of condominiums, time share ownership, and particularly, the cooperative concept, whereby title is held by an entity (a corporation) and the owner occupant owns a share of stock in the corporation in which stock can be readily transferred.

Who will our customers be? They will be far fewer in number and much larger. They will be the mega lenders—banks, insurance companies, and pension funds located in England, Canada, Japan, France, Germany, and perhaps other western European countries, as well as the United States. We will certainly see title insurance in Canada, England, and will perhaps see it in some other western European countries, and perhaps in Japan.

What will our product look like in many years to come—specifically, the title insurance policy itself? Will it be a sheet of paper signed by the president as it has historically been, or will it be something else? It is likely that we will continue to see that sheet of paper for some time to come, but as we progress into the 21st century, the title insurance document itself might well be a disc or some type of card about the size of your Visa or Mastercard, containing all appropriate data which will be available from a home computer (the face amount, legal description, premium, insuring provisions, and all of the exceptions).

With respect to title insurance coverages, we can expect to see tremendous changes in the years to come. Look where we've come from during the last 60 to 80 years. We began with policies insuring the record title only, and then saw the expansion of coverages to cover marketability, access, survey matters, insurance against violated restrictions, and for better or for worse, mechanics' liens. During the last 15 to 20 years, we've seen this coverage extend to such matters as zoning, truth in lending,

variable rate mortgages, shared appreciation mortgages, lender options to purchase, non-imputation, rate swap endorsements, and many more.

In the future, the title insurance coverage might be broken down into two distinct areas or packages. First, there will be the basic title insurance risk that we know today—fraud, forgery, missing heirs, missed mortgages or judgments, survey matters and the like. Second, we might see the conscious assumption of more and more "casualty" type risks on the part of title insurers. These two packages of insurance may be underwritten by two separate companies or by the title insurer, with the mono-line statute being modified or repealed. In any event, we will see a separate rating structure and separate reserves for each package of insurance.

Image processing and computer technology will continue to amaze us and more and more information will be contained on computers—stored and disseminated very accurately. The land title information system will all be kept geographically—by property description, and the search and examination system will become highly perfected and more accurate, with the computer being programmed to report our possible "red flags" in the chain of title, such as situations in which no mortgage exists on the property or situations involving release of an existing large mortgage with no concurrent refinancing. Perhaps the computers will even be reading signatures or other code identification to verify the authenticity of documents. Thus, in years to come, the basic title insurance risk element will become much safer, much more routine, and to the point that it may be taken for granted.

Giant data bases that already store a tremendous amount of information on properties—the current owners and mortgagees, selling prices, brokers, tax information, and zoning, can be modified to include literally all of the title history. Indeed, the title insurance industry may become only a small component of a much larger information company—like a TRW or EDS. Some have suggested that the ability of computers to so adequately store and produce all title data will certainly lead to a land registration system (a Torrens system) and that title to real property will simply be transferred like a title to a motor vehicle is transferred today. The title insurance industry (or information industry) will take over for the state or county governments, by contract, the entire business of storing and maintaining the land title record system, the tax records, the court records, and perhaps other record keeping functions for the state or locality.

In residential transactions, title insurance will become very simple with the title insurer covering the traditional title risk and also offering several casualty type products, such as insurance against structural defects in homes (like the Home Owners Warranty), insurance against the presence of termites or termite damage, and, very likely, some form of insurance with respect to environmental matters and radon gas.

Surveying in the 21st century will become extremely sophisticated, some by satellite. These surveys or other scanning devices will likely be able to read images under the ground in order to pick up the presence of hazardous or toxic materials.

It is very possible that with the mono-line statute eliminated or modified,

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title insurance for residential properties might simply amount to a rider on one's homeowner's or property and casualty policy, such that a homeowner can obtain all of his or her property insurance from one source.

Residential closings will easily be conducted by title companies, escrow companies, or perhaps real estate brokers. The seller will simply execute and deliver a deed, perhaps electronically with a certain code I.D. or fingerprint, and will have the settlement proceeds wired to his or her bank account. The buyer will always be furnished some kind of explanation by a closing expert, either in person, or perhaps this information might be obtained from a television screen hooked up to a telephone or computer.

Also, on residential transactions, we will begin to see the transferrable mortgage, whereby the borrower establishes credit with a lender, obtains a loan with an interest rate that is subject to adjustment, and the borrower can transfer the mortgage from property to property. The lender will have to receive a new policy or a special endorsement to reflect the shifting of the mortgage to the new property.

In commercial transactions, the title insurer will become much more transaction oriented. That is, they will be giving insurance that insures elements of the transaction for the lender and the owner. Here, they will clearly be offering the two packages, (a) basic title information and protection, and (b) a package offering a variety of casualty coverages. We will see much more insurance with respect to (1) zoning and land use regulation, (2) interest rates and usury, (3) lenders participation in the rents, profits, and the real property itself, (4) non-imputation of knowledge, and (5) perhaps some form of environmental insurance.

Unless the mechanics' lien is eliminated, title insurers will be playing a much bigger role in connection with construction loans. Advances in computer technology will greatly enhance the credit information that is available on builders, subcontractors, and materialmen for both lenders and title insurers. Utilizing this information, along with other advances in technology to keep track of payments, completion to date, possible cost overruns, and lien waivers, we will see title insurers offering sophisticated disbursement programs for lenders. And, unless the mechanics' lien coverage when this disbursement service is utilized. Also, the casualty arm of the title insurer may be selling payment bonds or completion and performance bonds.

Into the 21st century, title insurers will be insuring title routinely to hard minerals, to oil and to gas, as well as insuring the right to drill for oil off shore.

All of these special risks or casualty coverages will be given by special policies or special endorsements which will be very standardized, but will be rated and reserved separately. With fewer customers, the large mega lenders from around the world, lending practices, loan documentation, and coverages will all become much more standardized. New uniform laws and uniform lending practices will lead to standard documentation such that a lender making a loan on property in New York will have essentially the same documentation and will receive essentially the same coverages as it will for properties in Virginia, California, or elsewhere.

In order to furnish these additional casualty coverages, the title insurers, which will be fewer in number and much larger, will have to have expanded and sophisticated staffs consisting of attorneys with zoning and planning experience, financial analysts, civil engineers and surveyors, architects, environmental engineers, geologists and mineral experts.

Finally, as we get to the year 2080 and beyond, you may perhaps see title insurers considering insuring the following:

- (1) title to planets or defined areas on planets;
- (2) easements to orbit the earth or insuring the rights to place communications or other satellites in orbit around the earth; and
- (3) insuring title to space stations or space communities.

### Claims in the 21st Century

It is no secret that claims in the title insurance business have been one of our biggest problems for the last eight to ten years. The following are a list of features which will illustrate what would happen if claims for the industry continue at the current rate:

Based on 10 years experience (1978-1988) taken from the form 9's, you can see that operating revenues went from \$1.5 billion to \$3.8 billion, or an annual growth rate of 9.6 percent. Claims during this period went from

\$76.1 million to \$367.4 million, or an annual growth rate of 17%. If you project out these annual growth rates for revenues and claims, the following emerges:

For the year 2000	— Revenues \$11.5 billion
	Claims \$2.4 billion
2020	— Revenues \$72.9 billion
	Claims \$56.6 billion
2050	— Revenues \$1.2 trillion
	Claims \$6.4 trillion

The five year experience for claims (1983-1988) is even worse with claims increasing at an annual growth rate of 21.8%, while revenues grew only 11%. Projecting out these figures you will see the following:

2000	— Revenues \$14.4 billion
	Claims \$3.9 billion
2020	— Revenues—\$132.2 billion
	Claims—\$206.5 billion
2050	— Revenues—\$3.7 trillion
	Claims—\$78.2 trillion

This is indeed a ridiculous picture—it is not a forecast, but simply a projection of figures. Very obviously something will happen well before the claims exceed a certain percentage of revenues. This something could be a number of things. Either the title insurance companies could simply fade away and perhaps reappear in a completely different form. Perhaps the industry will retreat back to its roots and insure against record title matters only. Or, title insurers, with their claims prevention effort, may soon begin to get a handle on the preventable claims (search and examination and closing mistakes) and, with more time and the advances in computer technology previously mentioned, will further reduce the basic title insurance risk element. Title insurers may evolve to the point where they will be offering title information and protection and separate casualty coverages. With hard work in the claims prevention area and help from the regulators, it is hopeful that they will be able to offer the latter coverage.

Into the 21st century, we will see a tremendous change in our legal and judicial systems. Society will be fed up with the legal system as it exists today with the mounds of paper, time, and money involved in interrogatories, depositions, and litigation that can extend for weeks before a jury which can't possibly understand all of the technical issues involved in such matters (i.e. an attack on a mortgage as an upstream guarantee or an LBO, the authority of a huge limited partnership to execute a mortgage, or complicated mechanics' lien litigation). We will simply not be able to afford litigation of routine title matters and only the biggest and most significant issues will ever go to trial. We will see much more use made of alternative dispute resolution which will be firmly entrenched in the legal process of all states. We will see arbitration, mediation, and procedures for the parties to employ or rent a judge. Some form of arbitration will probably be required for all controversies below stated dollar amounts. We will see much more use made by title companies of non-legal personnel in investigating and settling claims made by third party claimants.

Society will force courts to take a different attitude with respect to punitive damages—realizing the abuses of the past and realizing the ultimate cost to everyone. Thus, you will probably see a clear trend away from punitive damages, but not from compensatory damages. There will be a trend away from the courts making law and extending contracts far beyond their written intent. Here again, society will force the pendulum to swing back. Title insurance contracts will be written in plain English as we get into the 21st Century. The courts will be less apt to deviate from the terms and provisions and will give effect to the language of the written contract.

With respect to the duty to defend, we will see a procedure for a hearing or a mini trial on this issue in order to resolve this question up front, clearly and quickly.

With respect to the obligation to defend and defense costs, with the cost of litigation becoming so high, there may be a trend towards the insured bearing some of this cost himself (for example, the coinsurance we see in

*continued on page 34*



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# The Journey to 2025: What's in Store for Title Insurance?

by Richard L. Pollay

**Editor's Note: The following article is excerpted from a speech Richard Pollay delivered as part of a panel discussion during the recent ALTA Mid-Year Convention in New Orleans. The opinions expressed here are strictly those of the individual who gave them, and do not reflect that of the ALTA.**

If time travelers from 1990 were to glance at a globe in 2025 they'd scratch their heads in wonder. The landmass would look about the same, but the names and borders would be considerably different.

For example, North America is one country, a borderless mega-market stretching from the Mexican border to the Arctic Circle through what was once Canada. French-speaking Quebec and the Maritime Provinces are exceptions, having chosen instead an affiliation with France. The American annexation of Canada was an economic decision—an attempt to match the might of a unified Europe and a dynamic Asia. In 2025, national sovereignty takes a back seat to economic reality.

By 2025, Europe 1992 has come and gone, leaving a multi-lingual continent called Europa in its wake. A series of tunnels under the English Channel connects Britain to the continent, closing the cultural gap between its formerly insular inhabitants and proud continental nationalists. The English and Germans are friends and the French have progressed to the point of tolerating the other nationalities in a united Europe. Europa is the second largest market in the world, just ahead of North America.

Then there's the Asian basin. Without question, the 21st century is the "Pacific Century." The Asian basin is an economic powerhouse comprising Japan, a unified Korea, the city/state of Hong Kong, Singapore, Taiwan, Thailand and Malaysia. Yes, China has allowed Hong Kong to continue its entrepreneurial ways—preferring hard currency over dogma.

An endless stream of Asian goods and services saturates world markets. Currency is traded around-the-clock in Tokyo, Hong Kong and Singapore. Korea holds the lion's share of the world's electronic markets. The Indonesian and Malaysian agri-plantations feed much of the world. The climate is pro-business, the societies, the economies robust and, with the exception of Japan, labor costs are low.

But getting back to the North America of tomorrow, here are some thoughts on the demographics, economics and society in 2025.

The main demographic force of the early 21st century will be the aging of the baby boom generation. Since the late 1940's the baby boom "age wave" has driven the marketplace—and it's not about to stop. By 2025, the

aging and retirement of the baby boomers will shape the marketplace.

The baby boom generation will begin to retire in 2010, the first year that the over-65 population is society's largest segment. Fifteen years later the number of baby boomers reaching retirement age will peak. The impact on product design, health care, housing and Social Security will be significant.

There will be a cottage industry of support services for the increased number of retirees who can afford to pay for their wants. Home delivery services will boom, as will maid services and yard maintenance services. Highly-specialized home health care will be common.

And when all is said and done, funeral homes and florists will flourish, since medical and technological advances will not eliminate the facts of life.

Overall, the growth rate of the U.S. population will continue a slow, steady decline. Between now and the end of the century population growth will average about 1.1 percent per year. From 2000 to 2015, the average growth will be about 0.7 percent per year. By 2025, the annual growth rate will be 0.5 percent.

## Economic Conditions

The North American economy will experience controlled growth of about 2-3 percent annually, buoyed by continual foreign investment. Recessions will be few, if any, and downturns mild. American companies will exit the consumer electronics industry completely. But the slack will be picked up in areas like pharmaceuticals, globally exported computer workstations and, ironically, some of the industries that would seem outdated in the brave new world of tomorrow—agriculture, mining and logging.

Where will we live? There will continue to be urban and suburban centers. But there will also be a new phenomenon—the exurban boom town, a futuristic version of the "company town" of America's past. These towns will be satellite communities consisting of small industrial parks or clustered office buildings with housing and support services in the immediate vicinity. They are neither part of the sprawling urban complexes of the future, nor residential suburban centers.

Exurban boom towns will be driven by smaller, entrepreneurial ventures that can't afford the premium office space of the city or the prime real estate of the suburbs. Their cost of living will be moderate and their labor pools inexhaustible. Workers will be drawn from larger urban centers where the cost of living will be staggering. Forms of exurbia also will

appear and disappear around massive public works projects and the construction of industrial complexes.

By 2025, most major North American cities will have been rebuilt from the center out. Affluence will be an urban phenomenon. Much of the poverty that we now associate with city living will, in fact, be a suburban problem. The major regional centers of tomorrow will be Charlotte, NC, Burlington, VT, Nashville, TN, and Salt Lake City, UT.

### Housing Costs

The house that sells for about \$145,000 in one of today's metro markets will sell for about \$1.25 million in 2025. In some regions of the country you may have to pay extra to run water lines out to the site, as water becomes an even more precious commodity in the Sunbelt and Southwest regions. The Sunbelt will continue to be a population magnet until about 2010. Then, persistent water shortages and chronic overtaxing of resources will drive a shift back to the Midwest and Northeast. Eventually, their close proximity to fresh water will make the Great Lakes region the growth region of North America.

### Title Insurance in 2025

Globalization, technology and an ever-changing demographic picture will determine the marketplace of tomorrow. Not all of it is predictable or understandable, but by bringing all these trends together we can draw the broad outlines of the title insurance industry in 2025:

- There will be slower increases in the number of title transfers since couples will hold on to property much longer due to the difficulty in financing ever-more-expensive trade-ups.
- Average liability will increase on both residential and commercial transactions.
- Large mega-markets, such as a unified North America, will expand the breadth of the title insurance market.
- Foreign investors will want title insurance capabilities within their borders, opening up informational title insurance possibilities for experienced firms.

- The existing pool of title insurance producers will shrink since only large, heavily capitalized international players will be able to handle the staggering liability losses.

- Key new customer groups—such as asset managers of international real estate consortiums—will be the backbone of the market.

- Intermediaries will be large, multinational law firms and accounting firms with global reach.

- Title insurance firms will be regulated by an informational regulatory body that ensures capital requirements and cross-border search capabilities.

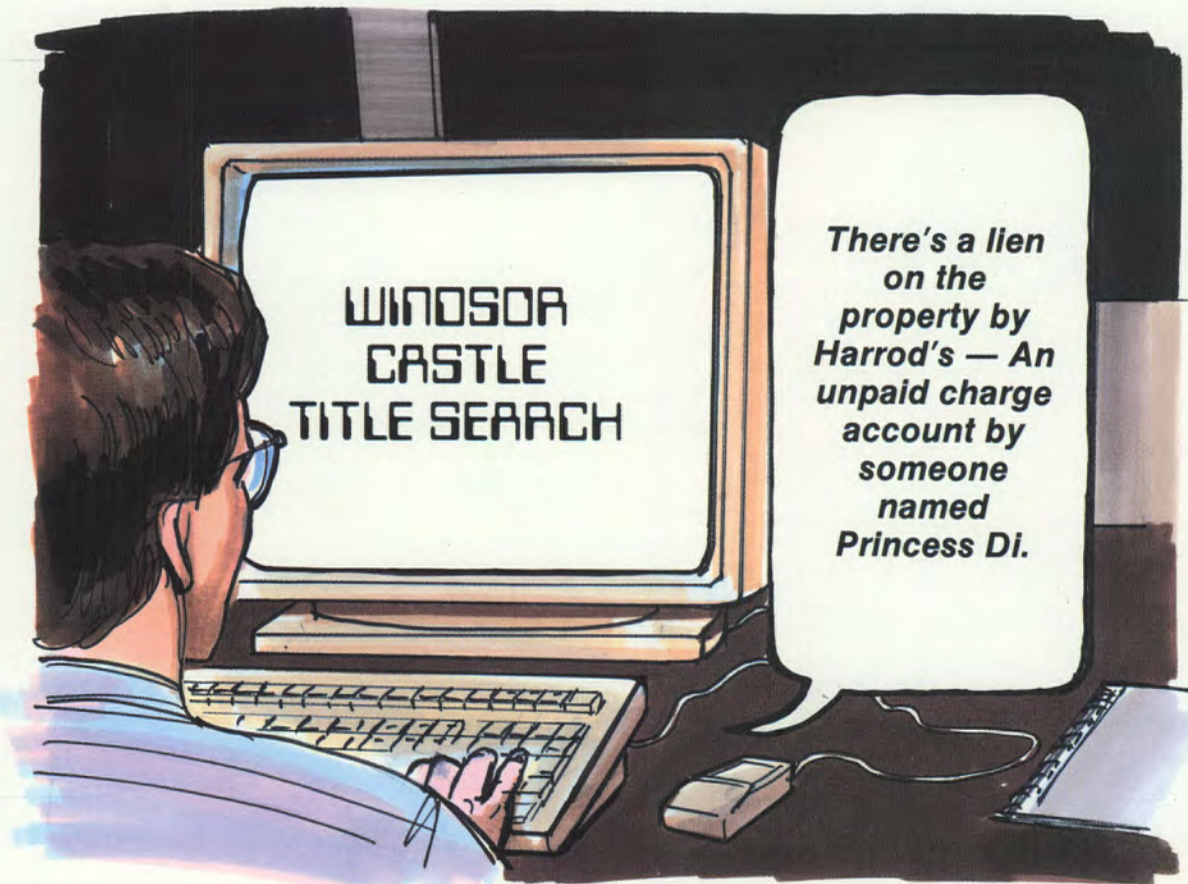
- Foreign municipalities will convert common law land registration systems in modern, electronic systems, thus opening up marketing potential for experienced title underwriters.

- The price of doing business with mega-firms in real estate and development will be a piece of the action, an ownership interest in the title insurer's business.

Some of these demographic, social and business trends have started to take shape around us. In fact, the future is here—in its infancy, maybe, but here nonetheless. As with any business, it is the highly-capitalized, aggressive, innovative and well-managed firms that will dominate the marketplace of the future. It may not be an easy or uneventful journey; but one thing is for sure—even in a geriatric world of spandex jackets and hypersonic transports, people will need title insurance. And it is the prepared title insurer that will be there to witness the world of 2025.

Article and illustration courtesy of *The Guarantor* (Jan./Feb. 1990 issue) and the Chicago Title and Trust Company.

*The author is president of Chicago Title Insurance Company (CTIC), director of the combined boards of Chicago Title and Trust Company (CTIC) and Chicago Title Insurance Company; and a director of CTIC of Puerto Rico. He is a current member of the ALTA's Government Affairs Committee, and a TIPAC Trustee. The author is also a former chairman of the ALTA's Research Committee and a former member of the Association's Board of Governors.*



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# Discover Oklahoma— the OLTA Way

by Wynona Cathey

**T**he role of a State Association president entails numerous and diverse responsibilities. One of the main areas of focus for the president is the State Association's Annual Convention. One tends to ask oneself, "How can I help to make the convention a better one for all involved?," and, "What can I do differently for the upcoming state Convention?" Having attended several ALTA conventions as well as neighboring state conventions, I had a number of ideas from which to draw. One of the ideas that kept recurring through my mind was the audio-visual presentations which I had seen at ALTA conventions prior to the final General Session. I always felt so patriotic after watching them. Some of the presentations simply made my heart skip a beat—they were so beautiful and inspirational. At the same time, I felt these films could be useful to motivate members.

At the 1989 San Francisco Affiliated Officers seminar at the ALTA Annual Convention in October, I spoke with ALTA staffer Gary Garrity, regarding the possibility of using one of the ALTA film presentations for our own Oklahoma state convention. Gary explained that those presentations were not available to the public—ALTA works with an outside video producer with the copyrighted work of professional performers. He also explained the costs involved. I became very discouraged, as I knew the OLTA could not afford to produce some-

thing so costly. Nonetheless, the idea was still planted firmly in my mind. I was absolutely determined to produce my own audio-visual presentation for our own State Convention by the following April. I was also becoming slightly obsessed with the whole idea!

The OLTA convention committee had chosen a theme of "1990—Back to the Future." The concept was based on Oklahoma's history during the 80s—of the devastating times that occurred during this period, with the added hope that the 90s would bring us back to the greatness and prosperity we had known in the 70s.

I began to think of all that our state had to offer; first and foremost of its natural and unspoiled beauty—a splendor unknown to many. Secondly, I thought of our Indian heritage and the oil patch, which had become increasingly important throughout the years. Then of course, there was the topography of the land—the eastern and western halves of our state are so diverse—each possessing its own distinctive beauty. If only I could obtain the "right" pictures and the perfect music . . . I could make my own audio-visual presentation.

I began my quest by first speaking to people around the State Capitol, the Department of Commerce, the State Chamber of Commerce and those in the Oklahoma City Chamber of Commerce. Frankly speaking, representatives from these offices cared not a jot about my project. Finally, I began to go through the phone book, calling every state office which I thought might have information even remotely related to my project. At last, a connection!

Eventually, I was put through to a gentleman from the Department of Recreation and Tourism. He seemed interested in my project, and expressed a desire to help me. He sent a video tape called "Discover Oklahoma, America's Frontier Lake State." The pictures were just beautiful. The audio segment, however, was strictly promotional and contained advertising segments throughout portions of the video. After several conversations, I obtained a copy of just the video. I was told that I could edit the piece however I pleased. Two remaining obstacles still existed: how to find the perfect music, and the quest for someone who could edit out the unsuitable portions and who could copy the music onto the tape.

Originally, I thought that classical music would be most appropriate for the project. However, I ran into a bit of a glitch. Specifically—have you ever tried to buy classical music at Wal-Mart? I live in a town of 12,000 and that is about the best music store we have. So, off I trotted to Durant's

# ON TO OKLAHOMA



**AMERICA'S FRONTIER  
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“ *There are lots of good ideas out there ... Utilize everything available to you to make the most of your term in office.* ”

“finest,” browsing through the selections. My purchases consisted of four tapes—all of which appeared to have been older than the shelves which held them! After playing each one, the piece that had the greatest appeal to me was the soundtrack to **Return to Snowy River**. The music was a far cry from classical, but the moment I listened to it I knew it was perfect for my project.

The next step was finding the people who could put all this together. The catch was, I had to find the team that wouldn't charge me a fortune. At this point, I had a video tape free of charge, and had blown \$20.00 on tapes. My budget was quickly disappearing. Nonetheless, I was not to be deterred, and went off in search of the person/s who would make my dream a reality.

A young man at one of the local video stores told me about a couple who had recently started making commercials for the local TV stations. It was a husband and wife team—both of whom were music teachers. They immediately sensed what I wanted to do. It was a match made in heaven.

The first step, as they instructed me, was to make a story board. This meant it was necessary to play the video and music while timing it with a stop watch—showing where each segment should begin and where each one should end. This also entailed my making a list of editing out the extraneous. Several winter Sunday afternoons were spent at home in front of the VCR and tape deck, timing the film and music. It got so I could hear the music in my sleep and see the film in my dreams. By now, I was truly obsessed!

But somehow, the film and music just didn't synchronize in the proper places. It was time to employ additional help. The film editors explained that we would have



right equipment. I must also confess that the individuals involved were nothing short of wonderful to work with.

The film made its grand premiere on April 20, in Oklahoma City, at the 1990 Oklahoma Land Title Association Convention. We christened it, "Discover Oklahoma, the OLTA Way." It is my unbiased opinion to say that I am really proud of the product! The film shows all the wonderful things about Oklahoma—how we have grown as a state, and how we can continue to grow, if we use our most precious resources—the people and the land.

The moral to the story? Simple. There are lots of good ideas out there—some come from your neighboring states, some from the ALTA. Utilize everything available to

you to make the most of your term in office and to help make your Association the best it can possibly be. Do something different! Make **your** convention one to remember. The ALTA staff will be delighted to assist you, as will your friends and associates from other states across the country. Remember—you **can** make a difference!

The author wishes to express sincere appreciation and gratitude to the following individuals: Mr. Fred Marvel, Oklahoma Department of Recreation and Tourism, Oklahoma City; Jon and Lanola Borin, Kustom Video Production, Inc., Ardmore, Oklahoma; and to her husband, John Cathey, for his patience and understanding with her "small obsession."

to make the film fit the music by either cutting or splicing it at the appropriate places. We also needed additional pictures. So, I gathered all of the Oklahoma picture postcards I could find, as well as **Oklahoma Today** magazines and tourist brochures. I even paid a visit to the Visitors Center near my home to obtain material of the Red River territory of the Southern border of Oklahoma. These materials and some Southwestern art magazines accompanied me to the studio. All of us worked about eight hours on the project. I became the director—they, the film crew, musicians and cameramen. A new expensive video camera was used to shoot the postcards, magazine and art pictures to make the film long enough to fit the music. In order for everything to come together, it became necessary, in certain places, to add additional seconds of video images to accompany the musical passage. In other places, we added more music to accompany the visual images. On several occasions, pictures were taped to a wall, or propped up, with the video camera placed in the neighboring vicinity. Then slowly, very slowly, the camera was moved across the picture. It made the scene appear to be filmed like a motion picture camera panning across the actual location.

The final part of the work was the actual taping of the music and pictures. At 8PM that evening, I left the studio with a finished tape in my hand. With great enthusiasm, I hurried home to view the final piece. Once played, some static in the audio was discovered. The music had to be rerecorded. A week later, everything was completed—just in time for the ALTA Mid-Year Convention in New Orleans.

To this day, it continues to amaze me how this all came together. But these people had the technical know-how and the

## WYNONA'S FACTS ABOUT FILMING:

<b>Expenses:</b>	\$ 20.00	Music Tapes
	\$ 45.00	Initial Editing
	\$125.00	Final Editing
<b>TOTAL EXPENSES</b>	<b>\$190.00</b>	

### Copyright Concerns:

Generally, copying copyrighted audio or video material for personal use and not for sale or public exhibition is permitted. There is a controversy in the Association community, however, about the need to obtain permission or to purchase a license from the copyright holder for the use of copyrighted music or video material during a general session of a convention. We rec-

ommend that either music which is in the "public domain" (uncopyrighted or where the copyright has expired) be used or written permission obtained or license purchased for any copyrighted music you intend to use. Video material produced by state offices may not be copyrighted. If it is, written permission should also be obtained.

### Time spent on project:

You don't want to know!

*The author is vice president and treasurer of the Bryan County Abstract Company, Inc., Durant, OK. She has served in the Oklahoma Land Title Association as convention chairperson, treasurer, secretary, vice president, education chairperson, and president. She was the first to implement OLTA Continuing Education Schools for title insurance agents in her state.*

*The author is also the Chairperson of Nominating Committee and a member of the OLTA Legislative Committee, ALTA State Legislative and Regulatory Action Committee, and TIPAC member. She also holds memberships in the Oklahoma Heritage Association, Red River Arts Council, and the Southeastern Oklahoma Shakespearean Festival.*

*The author is also married to John R. Cathey, past president of ALTA.*



# Who Changed The Relationship?

*A provocative discussion of the agent-underwriter relationship—from the agent's vantage point.*

**by Gerald L. Lawhun**

**Editor's Note:** As noted in the following article, the author is writing in response to an earlier *Title News* article by Burton J. Rain. The views expressed in the article are entirely those of the author and in no way should be interpreted as reflecting the editorial policy of the magazine or the views of ALTA staff.

**B**urton J. Rain wrote an interesting article, entitled "The Changing Relationship," which appeared in the December, 1989 issue of *Title News*. The article should, at a minimum, make us all—title insurers and agents—think about the changing characteristics of our products and their distribution system. Let us begin by accepting as a truism that there are some less than perfect title agents and that some title insurers have utilized less than perfect judgment in their business practices.

Mr. Rain laments the fact that "in the last two years more than 25 agent defalcations exceeding \$25 million have occurred in the state of Florida. . . . Agent defalcations exceeding \$10 million and approaching \$50 million are now occurring in the industry." While Mr. Rain's figures are correct, we should not accept the inference that title agents *per se* are the problem. As Richard Junkerman (writing in a companion article to Mr. Rain's piece in the same issue of *Title News*) has indicated:

The first scenario is the 'traditional' loss suffered by the title insurer. Such losses, usually fraud related, involve a title insurance agent who embezzles funds from the escrow account. . . . The embezzlement rarely exceeds \$200,000 to \$300,000. Emphasis added.

In order to reconcile Mr. Rain's figures of defalcation-related losses greatly exceeding \$1 million per occurrence with Mr. Junkerman's experience, we must read on to discover that:

The second scenario, the developer/agent fraud, arises in situations where the title insurance agent is also a real estate developer, a fact which may or may not be known to the title insurance company. In this situation, the agent may fraudulently issue title insurance policies, disclosing no encumbrances or liens on property sold to a third party, while, in fact, encumbrances and liens do exist. . . . in these cases, the title insurer is subject to loss when the purchaser or lender files claims against the title insurer to recover their losses. . . . Several title insurers have reportedly incurred multi-million dollar losses from individual agents due to such acts. Emphasis added.

These latter losses can also be generated by title agents who, in addition, are lenders or real estate brokers.

The point to be made is that defalcations of course can occur with "pure" title agents but the exposure is much greater, and losses have been significantly larger, under a controlled business agency scenario. The title insurer *should* know the relevant characteristics of an agency with which it has entered into a business agreement. In fact, in their quest for market share and increased revenue, title insurers have often entered into agency relationships with controlled business operations simply because they are controlled, thus promising a steady source of revenue. The ALTA has fought the controlled business battle for years with the support of the vast majority of title agents. The battle has not been won because competitive pressures have forced title insurers to pay lip service to the battle while they "knitted by day and unraveled at night."

From a risk management perspective, it is interesting to note that the ALTA-formed

*continued on page 30*

*The author is president and chief executive officer of Western Title Company, Reno, Nevada. He is a current member of the ALTA's Board of Directors and immediate past president of the Nevada Land Title Association. The author is also chairman of the ALTA's Government Affairs Committee, a Trustee of TIPAC, and vice chairman of the Agent's-Abstracters Section.*



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## NAMES IN THE NEWS



Moiso

**Anthony R. Moiso**, president and chief executive officer of **Santa Margarita Company** in San Juan Capistrano, California, was elected to the board of directors of **The First American Financial Corporation** at its April 25 annual meeting. **Moiso** had been appointed to the board in February.

The shareholders also re-elected the 15 incumbent directors at the annual meeting. They are **George L. Argyros**, chairman and chief executive officer, Arnel Development Company and Affiliates, Costa Mesa, CA; **Stanley L. Bauer**, Los Angeles attorney; **J. David Chatham**, president and chief executive officer, Chatham Properties and Chatham Holdings, Inc., Atlanta, GA; **Lewis W. Douglas, Jr.**, real estate developer, Santa Monica, CA; **Paul B. Fay, Jr.**, president, The Fay Improvement Company, San Francisco, CA; **Frank Harrington**, president, Harrington Development, Newport Beach, CA; **Harold C. Kean**, director, Washington Federal Savings and Loan Association, Seattle, WA; **D.P. Kennedy**, president, **The First American Financial Corporation** and chairman of the board, **First American Title Insurance Company**, Santa Ana, CA;

**Parker S. Kennedy**, executive vice president, **The First American Financial Corporation** and president, **First American Title Insurance Company**, Santa Ana; **Robert B. McLain**, president, McLain Development Co., Newport Beach; **R.J. Munzer**, retired chairman of the board, Petrolane Incorporated, Long Beach; **Ros-**



Kennedy



Exelby



White



Kermott



Maloney



Barber



Oddo

**Iyn B. Payne**, president, Jackson Street Partners, Ltd., San Francisco; **Gregor G. Peterson**, private investor, Incline Village, NV; and **Virginia M. Ueberroth**, financial advisor, Laguna Beach, CA.

**Allen J. Exelby** has been named vice president-state manager of Delaware for **First American**. **Exelby** will be responsible for business development and the establishment of a network of agents.

**First American Title Insurance Company** is pleased to announce the following appointments and promotions: **Lawrence M. White** has been promoted to executive vice president of **First American**, succeeding **Parker S. Kennedy**, who was promoted to president. **White** joined the company in 1959. He is based in the company's national headquarters, Santa Ana, CA.

**Gary L. Kermott** has been named president of **First American** of Arizona and vice president-state manager of the **First American** parent company. Past President **L.D. "Mike" Maloney** has been promoted to vice chairman of the board. **Ron Astamendi** has been appointed vice president and sales manager, headquartered in the Phoenix office. **Daniel C. Barber**, former vice president-county manager for Alpine, Amador and Calaveras counties in California is now vice president-Sacramento County manager. **Patrick A. Fontaine** has moved into Barber's spot headquartered in Jackson, CA. **Joseph Oddo** has been promoted to vice president-county manager in Santa Cruz County;



Evans



Johnson



McLaughlin



Booth



Ball



Christensen

**Darryl Evans** is vice president-county manager working out of a new branch office in Madera. He was title department manager at the Fresno, branch for 11 years before moving to Madera; **Alex Chalm** has been appointed vice president-county manager, Stockton, CA; **E. Curtis Johnson** has been promoted to vice president-county manager in Snohomish County, WA. A new office in Iselin, N.J., is manned by **Michael Paul**, state manager, and **Frank Melchior**, state counsel.

**Charles E. Hedgepath** is the state counsel for North and South Carolina, working out of the newly opened office in Columbia, SC; **Victor J. Segale** has joined the Vermont office as state counsel; **Patrick McLaughlin** has been named regional claims counsel for **First American Title Guaranty Company** for four Northern California counties, working out of San Jose; **Wayne M. Booth** has been promoted to president of **First American Real Estate Tax Service**, Brea, CA; **Mike Bideganeta** has been named national accounts representative for Idaho, Montana, Utah and Oregon. Taking his place is **Dexter T. Ball**, formerly vice president and manager of **First American Title Company** in Twin Falls, Idaho. The new manager of the Twin Falls office, **Mary Lou Panatopoulos**, has been promoted from assistant manager. **Larry Christensen** has been named vice president-agencies for **First American Title Guaranty** of Casper, Wyoming. Taking his place as president and manager of **Campbell County**



Burmeister



Parker



Valdes



Silk



Bennett



Hackett

**Abstract Company** in Gillette is **Vernon L. Brown. Gordon Burmeister** has been promoted to state agency manager in Indiana, based in the state office in Indianapolis; **Mark D. Krausbaar** is the new county manager for **First American** of the Midwest, Charlotte, MI. **Joel Parker** is now vice president-regional financial officer for three regions. He transferred to Plantation, FL, from Santa Ana headquarters; **David B. Hurley** has been promoted to senior regional auditor for the Southeast Region, Plantation, FL; **Max O. Valdes** has joined staff accounting in Santa Ana as assistant corporate controller; **Jim Poppen** has been promoted to vice president-county sales manager in charge of subdivision and commercial development for **First American** of Los Angeles. **Larry Silk** has been promoted to vice president-marketing director for **First American** of Texas, Houston division. **Allen J. Exelby** has been named vice president-state manager of Delaware, responsible for business development and the establishment of a network of agents.

**Richard C. White**, executive vice president of **Ticor Title** has announced that **Stephen D. Bennett**, senior vice president, has been named manager of **Ticor Title's** commercial services office in downtown Los Angeles at Bunker Hill, CA; **Marc Miller**, senior vice president of **Ticor Title**, has announced that **William E. Hackett, III**, senior account manager, has been named vice president/agency manager of **Ticor's** commercial service office in



Pebbles



Martin



Kling



Lakatos



Miller



Wood

downtown Dallas, TX.

**Lawyers Title Insurance Corporation** announces the elections of: **Darryl E. Pebbles** as vice-president—Indiana state manager, assigned to the company's State office in Indianapolis; **Charles R. Martin**, vice-president—Michigan state manager, assigned to the company's Michigan State office in Troy; **Frank T. McCormick**, vice-president—Virginia State manager, assigned to the company's Virginia State office, Richmond; **Nancy G. Kling**, elected vice-president—regional counsel, assigned to the Southwestern states office, in Dallas, TX.

**Lawyers Title Insurance Corporation** announces the following appointments: **Phillip D. Kingman**, area manager, located in Providence, RI; **Myrna S. Weiner**, regional quality control coordinator, assigned to the company's New England states office, Boston, MA; **Linda E. Lakatos**, manager of the company's Troy National Division, Troy, MI; **Michael J. Shelly**, manager of the company's branch in Corpus Christi, TX. **Shelly** has transferred from the company's Southwestern states office, in Dallas, TX, to assume the position. **David A. Miller**, appointed assistant claims counsel in the company's Andover, MA, office. **John T. Updegraff, Jr.** has been appointed regional claims counsel in its Southwestern states/Rocky Mountain regional office, in Dallas, TX; **Bruce G. Wood** has been appointed assistant vice-president—corporate financial and rate analyst, Richmond, VA; **Kay Wesley Hardy** has been appointed assistant claims



Hardy



Janczur



Quillico



Schiller



Draper

counsel, assigned to the company's national headquarters, Richmond, VA; and **Randall E. Cox**, appointed branch operations manager in the company's Southwestern states office, in Dallas, TX. **Lawyers Title Insurance Corporation**, has named **Fred H. Benson, Jr.**, vice-president—regional agency manager at the company's Southwestern states office, in Dallas, TX; **Edward J. Janczur** has been named senior claims attorney in the company's Midwestern states office, Chicago, IL; **Alan D. Keiser** has been named regional claims counsel in the company's regional office in Philadelphia, PA; **Walter D. Quillico** has been named senior claims attorney, assigned to the company's Michigan state office, Troy. **Wanda M. Schiller** has been named manager of **Lawyers** branch in Pittsburgh, PA.

**Commonwealth Land Title Insurance Company** announces the following promotions and appointments: **Lloyd Draper**, promoted to Southwest regional agency manager at **Commonwealth Draper**, a vice president for the company, is based in the company's regional office in Dallas, TX. He is responsible for the activity of approximately 350 agents who provide title services for **Commonwealth Land Title** and its affiliated company, **Transamerica Title Insurance Company**. The 10-state Southwest region covers Alabama, Arkansas, Kansas, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, Oklahoma and Texas. **Donald C. Gill** has been promoted to president of **Commonwealth Land**



Gill

**Title Company** of Fort Worth, a wholly owned subsidiary of **Commonwealth Land Title Insurance Company**. Gill is responsible for all company operations in the Fort Worth and Tarrant County, Texas, area;

**Randy C. Howard** has been appointed assistant vice president, southern Virginia commercial manager and counsel for **Commonwealth**. Based in the company's new office in Richmond, Virginia, Howard is responsible for the coordination, development and underwriting of major commercial transactions in southern Virginia; **Philip M. Webb** has been appointed assistant vice president and southern Virginia manager for **Commonwealth**. Based in the company's new office in Richmond, Virginia, Webb is responsible for **Commonwealth's** branch and agency operations in southern Virginia; **William C. Shebesta** has been named senior vice president at **Commonwealth**. Based in the company's new Los Angeles office, Shebesta is responsible for the Los Angeles County National Title Services (NTS) division for **Commonwealth Land Title Company**. **Lee A. Mellen** has joined **Commonwealth** as vice president and manager, National Title Services (NTS) and Escrow. Based in the company's new Los Angeles office, Mellen is responsible for commercial escrow closings and managing the NTS office in Los Angeles County.



Howard



Webb



Shebesta



Mellen

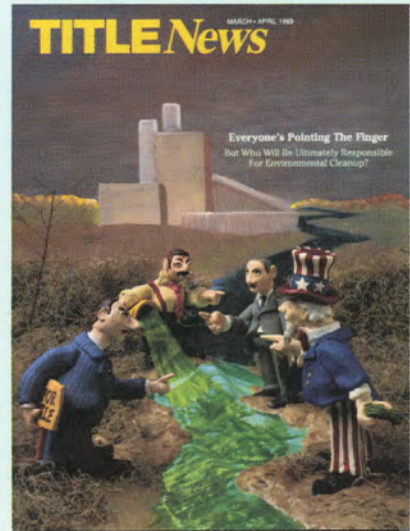


Sturgeon

The promotion of **Monte Sturgeon** to vice president, regulatory accounting for **Fidelity National Title Insurance Company** has been announced by **Gary R. Nel-**

# Title News Wins National Competition

June 13, 1990—**Title News** was recently honored for its award-winning cover illustration, "Everyone's Pointing the Finger, But Who Will Be Ultimately Responsible For Environmental Clean-Up?" (March/April 1989 issue), at the Society of National Association Publications (SNAP), 10th Annual Editorial and Graphics Awards Competition Breakfast, held at the Washington Marriott. **Title News** received Second Award in the category of Cover Illustration. Representing the magazine Carl Schoenberger, designed the polyurethane figures shown on the cover.



SNAP's competition recognizes outstanding accomplishments among entries published for the first time during 1989. Over 450 publication competition entries were received from associations throughout the nation.

Graphic entries were judged on excellence of design, originality, and the degree to which they enhanced the accompanying editorial material. A panel of 22 judges ranging from the nation's leading publishing firms, to top ten advertising agencies such as Doyle Dayne Bernbach, were selected to judge the competition.

The winning **Title News** cover illustration was recognized for its original concept created and executed specifically for the publication. Said one of the competition judges, the piece was "Timely and topical! Good use of color—self-explanatory and very well executed, wild! Top notch."

The Society of National Association Publications Competition is sponsored annually to enhance and maintain high standards of editorial and publishing excellence among society and association publications.

**son**, senior vice president and chief financial officer. In his new position, **Sturgeon** is responsible for consolidated taxes for **Fidelity's** parent company, **Fidelity National Financial**, and its affiliated **Fidelity** subsidiaries.

**Paul J. Moran** has been named president of **Fidelity National Title Agency of Maricopa County**. The appointment was announced by **William P. Foley, II**, president of **Fidelity National Title Insurance Company**. In his new position, **Moran** will be directing the activities of **Fidelity** of Maricopa's 13 offices and 90 employees across the metropolitan Phoenix area. **Jan L. Oates** has been named executive vice president of **Fidelity National Ti-**



*Ehler*



*LaBelle*

**le Agency of Maricopa County**.

**C. Fred Ehler**, resident vice president in the Houston office of **Chicago Title Insurance Co.**, has been elected vice president of the company, announced **Richard L. Pollay**, **CTIC** president; **William Fleming**, resident vice president in the Kansas City, MO, office of **Chicago Title Insurance Co.**, has been elected vice president of the company; **Jeanne A. LaBelle**, associate regional counsel (North-eastern Region) in the Boston office of **Chicago Title Insurance Co.**, has been elected vice president of the company and named regional counsel for the Mid-Atlantic Region, headquartered in Fairfax, VA; **Otis Phil-**



*Phillips*

**lips**, resident vice president in the Dallas office of **Chicago Title Insurance Co.**, has been elected vice president of the company.

The following people have received promotions at **Chicago Title Insurance Company**: **Steven Brown**, appointed title operations officer and remains title manager, from assistant title officer, Chicago, IL; **Scott Chandler**, appointed assistant vice president and remains title production manager, Everett, WA; **Joanne Delaney**, appointed manager of Chicago metro professional training, from attorney examiner; **Ruth Hadsell**, appointed construction escrow officer, from assistant escrow officer, Waukegan, IL; **Keith Hanson**,

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*(Indiana, 1989)*
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*(Nationwide 1990)*

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appointed vice president, Pasadena, CA; **Jerrold Hobfoll**, appointed title officer, from senior examining attorney, Waukegan, IL; **Tyndra Jones**, appointed escrow officer, from escrow assistant, Bishop, CA; **George W. Klag**, appointed assistant vice president and remains commercial accounts representative, Akron, OH; **Kathleen Mitchell**, appointed title officer, from senior title attorney, Boston, MA; **David J. Nelson**, appointed office counsel, from title officer, Geneva, IL; **Richard Storey**, appointed title operations officer and technical advisor, from senior examining attorney, Waukegan; **Mark Waninger**, appointed resident vice president and remains manager, from assistant vice president, Peoria; **Janet Johnson-West**, appointed assistant escrow officer, from escrow administrator II, Chicago; **Ladislaus Zbilut**, appointed title operations officer, from assistant title officer, Chicago; **Donna Adelman**, appointed assistant escrow officer, from closer II, lenders closing, Chicago; **Maria Byron**, appointed assistant vice president and remains national systems officer, National Division, Chicago; **Dolores Garner**, appointed senior escrow supervisor and remains manager, Formal and Construction Escrow, Wheaton, IL; **Richard M. Hall**, appointed assistant vice president and remains manager, Fredericksburg, VA; **Eileen Lamparski**, appointed assistant escrow officer, from escrow supervisor, Oak Forest, IL; **Alan Mietus**, appointed assistant vice president, Sacramento; **Patricia Patter-**



Waninger



Byron



Hall



Moore



Dodson

**son**, appointed escrow operations officer, from assistant escrow officer, Skokie; **Patricia Picard**, appointed escrow operations officer, from assistant escrow officer, Evergreen Park, IL; **Cheryl Piderit**, appointed manager, Chicago Metro marketing department and Metro residential sales, Chicago; **Christopher Unger**, appointed title operations officer and examining unit manager, from attorney examiner, Wheaton.

**Jerry Moore** and **Raymond T. Dodson** have been appointed to top executive positions at the Burbank headquarters of **World Title Co.**, currently celebrating its 10th anniversary as one of California's largest independently owned underwriting title companies. **Moore** was named vice president and controller. **Dodson** has joined as



Taylor



Canady

vice president and manager of **World Title's** new Management Information Systems Department. A certified public accountant, **Moore**, is responsible for the daily operations of the company's accounting department. **Dodson** is in charge of **World Title's** new Management Information Systems Department, which was created to link the company's different computer systems into one unit.

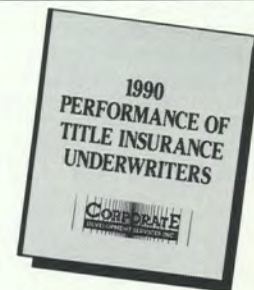
**Gateway Title Company** has appointed **Judy Taylor** vice president and county manager for the company's Inland Empire offices. Based in Gateway's Colton, California, office, **Taylor** will oversee a staff of approximately 130 employees. **Theresa A. Canady** has been appointed vice president and regional sales manager for **Gateway's** builder services division,

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**American Realty Title Assurance Company (ARTA)** is pleased to announce the promotion of **Larry V. Dellosa** to assistant vice president/corporate sales management. **Dellosa** will be responsible for the sales effort throughout Ohio, directly supervising the sales staff, and developing sales and marketing strategy for direct operations and agents. He will continue to serve as **ARTA's** Akron branch manager in addition to his new responsibilities; **Leanna D. Castle** has been appointed as lender representative. She will continue to serve as computer systems administrator and title department manager in addition to her new responsibilities, Columbus, OH; **Cindy Henretta** has been appointed marketing representative for the **ARTA** North and Clintonville branch locations; **Sue Yarnell** has been appointed North Branch manager, responsible for the daily operations of the North Branch, including conducting closings for real estate transactions.

The Board of Directors of **Title Insurance Company of Minnesota (Minnesota Title)** has announced the following elections: **Paul J. Muley**, Tampa operations manager, to the additional office of assistant vice president, FL; **Patricia A. Oldham**, president of Bell County Abstract Company, Belton, Texas, has been elected to the additional office of assistant vice president. **Oldham** will continue to be responsible for the administration and management of Bell County Abstract, a **Minnesota Title** subsidiary. **Betty S. Simmons**, vice president and man-



Paige

ager of **Attorneys' Title Company**, Nashville, Tennessee, has been elected to the additional office of assistant vice president of **Minnesota Title. Simmons**, who has 38 years of progressive experience in the title insurance industry in Tennessee, will continue to be responsible for personnel administration, agency reporting, and the coordination of underwriting practices for **Attorneys' Title Company**, a subsidiary of **Minnesota Title. Sandra Paige** has been named assistant vice president and national accounts executive—Northeast Region for **Minnesota Title**, by Senior Vice President and Northeast Region Manager Stephen C. Wilson. **Paige** will be responsible for developing multi-state business and coordinating closings for commercial, industrial and developer accounts nationwide, Boston, MA; **Steven Burwell** has been named associate state counsel for the State of Florida by **L. Scott Pierce**, vice president and Florida state manager, **Title Insurance Company of Minnesota. Burwell**, who will be headquartered out of the company's Florida State office in Tampa, is responsible for the underwriting and the handling of claims arising within the state; **James T. Sabaitis** has been named associate title counsel for **Minnesota Title** by **Stephen C. Wilson**, senior vice president and Northeast Region manager and **Robert G. Soule**, vice president and Northeast Region counsel.



Sabaitis

## NEW ADDITIONS

**Ticor Title Insurance Company** of California has opened its ninth metro Phoenix office, at 1110 E. Missouri Ave., Suite 390. The new north central branch serves north central Phoenix and Paradise Valley. The phone number is 230-8141. The branch is being co-managed by **Anne Simonson** and **Bert Smith**, who provide full service real estate title insurance services for residential, commercial and industrial real estate transactions. The branch is Ticor Title's 16th office in the state.

**Gateway Title Company**, of California, announced that it is relocating its Orange County office to 2100 W. Orangewood, Suite 100, City of Orange, CA 92668. The Company's Orange County operations have been based in Santa Ana.

**Commonwealth Land Title Insurance Company** recently acquired the title operations of **Associated Land Title Group, Inc.**, in Brevard, Indian River, Martin and St. Lucie Counties, Florida. The acquisition includes the business office and title plant facility in each county. In addition, **Commonwealth** has retained key personnel in each of the four county offices.

**Brenda L. Miller** joins **Commonwealth** as manager of the Brevard County office in Titusville. The Indian River County office is located in Vero Beach, where **Valerie T. Nesper** joins **Commonwealth. Nesper**, who is a certified land searcher, brings 17 years of title insurance experience to the company. **Gail M. Logan** is manager of the Martin County office in Stuart, and in Fort Pierce, **Patricia L. Neu**, is manager of the St. Lucie County office.

The new **Commonwealth Land Title** offices may be reached as follows: **Brevard County**, Brenda L. Miller, manager, 308 Pine Street, Titusville, FL 32780; (407) 267-3741. **Martin County**, Gail M. Logan, manager, 331 East Ocean Blvd., Stuart, FL 34994; (407) 287-2270. **Indian River County**, Valerie T. Nesper, manager, 1536 20th Street, Vero Beach, FL 32961; (407) 562-9006. **St. Lucie County**, Patricia L. Neu, manager, Towne South Plaza, 4919 South U.S. Highway #1, Fort Pierce, FL 34982; (407) 461-3900.

## WHO CHANGED THE RELATIONSHIP? *continued from page 22*

errors and omissions program, whose underwriting criteria were written by title agents, will automatically send an application for insurance to the underwriting committee if the applicant is a controlled business entity or reports receiving more than 10% of its business from any one source. The agents who wrote the underwriting criteria understand the risk of doing business with an agency that receives the vast majority of its business from a single source—you

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**“... Defalcations can occur with ‘pure’ title agents but the exposure is much greater, and losses have been significantly larger, under a controlled business scenario.”**

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become totally dependent upon such a source. Some title insurers made business decisions to deal with such entities and must live with the consequences. Living with the consequences, however, should not involve besmirching all agents.

Many of the “pure” title agents who cause defalcations are involved in activities that would be noticed by closer scrutiny of credit reports, bank accounts, and personal appearance. For example, the agent who is running a gambling casino or who is drinking excessively is not the person that you would generally want to be handling escrow funds. In addition, closer scrutiny will help identify an agent who is abusing substances or having an extramarital affair—patterns of living that can lead to defalcations.

When discussing increasing operating costs and claims, Mr. Rain reports that in 1988 only two of the top ten title insurers were profitable, prior to investment income, on a statutory basis. In fact, many title insurers would show an operational loss even if they continued to receive 100% of the agency income they now receive and all losses were eliminated. While these re-

ports are rather gloomy, we should look at some of the reasons for the decline in profitability.

First, many title insurers provide their agents with indemnification clauses in their agency contracts which cover the agent, after a deductible, for all acts, errors, and omissions, excluding fraud and escrow closing losses. This indemnification largely supplants the need for errors and omissions insurance and places the title insurer in the role of providing errors and omissions insurance relatively free of charge. The money spent to pay these claims should be profits to the title insurer and a cost to the errors and omissions insurer covered by premiums paid by the agent.

Second, with respect to the quality of the product (title production, policy issuance, etc.), title insurers have often been willing to sign an agent whose *modus operandi* differs markedly from the accepted business practices in an area. For example, in a state where the use of a title plant or a certified abstract is common practice, title insurers have, in the past, signed agents who operate from less accessible public records and/or without an abstract—thus increasing the potential for claims. Also, these agents tend to be inexperienced, with little or no investment in their operations. In comparison, established agents with excellent title plants have much of their personal wealth invested in their businesses—including their title plants. Title insurers should recognize these differences and what they can mean for quality of product and future claims.

Third, regardless of the above mentioned controlled business claims, title insurers have been willing to provide a controlled agent with free searches and examinations for the business. These services are not free to the title insurer and directly impact on its bottom line.

Fourth, title insurers have not acted responsibly (some might even say rationally) in the manner in which they have competed in various local markets. Those markets are invariably characterized by at least two simple principles: (i) there is only a finite demand for title policies in each market for a given period; and, (ii) the title business, at the local level, is primarily a “people” business where competition is often a matter of providing better quality and faster service with name recognition a significant factor. Consequently, a national title insurer trying to enter a new local market is faced with varied marketing and operational difficulties. When a title insurer attempts to enter a new market, one of two marketing/operational approaches have traditionally been

employed: enter into a controlled business arrangement which circumvents competition; or, convince an established agent to write for you rather than their current underwriter. The typical method used to convince the established agent to switch title insurers has been to increase the percentage of the premium retained by the agent. In their quest to become national insurers, title insurance companies have increased agents’ retentions in areas where they were expanding—at the expense of their own profits and the viability of local title insurers who cannot subsidize their operations in one area by their operations from other parts of the country.

Fifth, commercial transactions have long been the key to profitability for title insurers. There have been numerous occasions where the title insurer who landed the “deal” did so in a manner which assured the absence of profit. While the bragging rights to the prestigious commercial property and the resultant pictures in the annual report are important, in the process of garnering these rights, many title insurers have done senseless injury to their own bottom

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**“The title insurer should know the relevant characteristics of an agency with which it has entered into a business agreement.”**

---

line—and blamed the agent community for the resultant profitability problem.

Most of the above reasons for increased claims and decreased profitability can be laid at the feet of the title insurers. Yes, the partnership has changed—it is now time to recognize who changed the rules of the game to their own detriment.

This article together with Burton Rain’s should become the starting point for an increased discussion of our mutual problems and concerns. Working together, within the framework of state regulation, we can overcome our problems and continue to provide consumers with the same high standards of products that we have always provided. Lest we forget, we are all members of an industry that provides the most efficient method of land transfer in the world.



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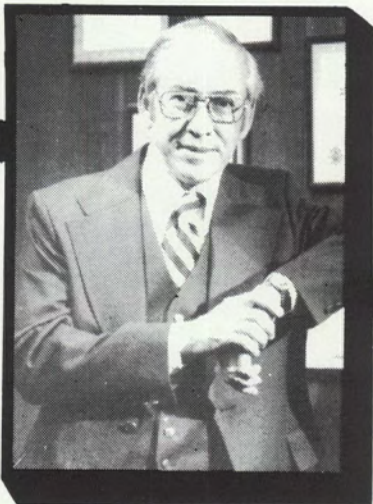
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— John Ruskin (1819-1900)

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## ACROSS THE HOMEFRONT

The following individuals have been elected officers to the Board for 1990, to the **Arkansas Land Title Association**: **Jerry Maleare**, president; **Charles Richardson**, vice president; **Patricia Whitaker**, secretary-treasurer; **Armill Curran**, director; **Joy Drummonds**, director; **Jim Pugh**, director; and **Jim Winter**, director.

The **Florida Land Title Association (FLTA) Inc.** is pleased to announce that **Mary J. May** of Citizens Title Group, Inc. of Pensacola has been elected president of the **FLTA** at the annual convention held in Miami. She succeeds **William L. Randol, Jr.**, of National Title Insurance Co., Miami. The new officers elected to the **(FLTA)** Board for 1990 are **Robert A. Graves, CLC** of Chicago Title Insurance Co., Orlando; **Charles O. Middleton**, Associated Land Title Group, Inc., Tallahassee; **Marie L. Girard**, Girard Title Co., Homestead; **Dennis F. Peters, CLS** of Chicago Title Insurance Agency, Inc., Ft. Lauderdale; and **Vicki DiPasquale**, Chicago Title Insurance Co., Miami. Two other newly elected members of the Board are: **Gladys Russell**, Chicago Title Insurance Co., Daytona Beach, representing Zone III as vice president; and **Marjorie S. Schwartz**, Columbia Title of Florida, Inc., Coral Gables, representing the newly created Agents section. These new Board members will be joined by the following members who will remain in office through 1990: **William L. Randol, Jr.**, National Title Insurance Co., Miami; **Charles "Chuck" Woodruff**, Title Insurance Co. of Minnesota, Jacksonville; **Kevin M. Hussey, CLC/CLS** of Stewart Fidelity Title Co., St. Petersburg; **Linda S. Andreozzi**, CLC of Chicago Title Insurance Co., West Palm Beach; **Linda Gregory**, CLC of Guardian Title Services Corp., Ft. Myers; and **Peter Guarisco** in Tallahassee as secretary/treasurer.

The **Texas Land Title Association (TLTA)** is pleased to announce the following awards and appointments: **Lloyd Draper**, vice president and regional agency manager for **Commonwealth Land Title Insurance Company**, Dallas. **Draper** was installed as president of the **TLTA** during the association's annual convention in Corpus Christi. Other officers installed at the convention for the

1990-91 year are: **Larry Molinare**, president-elect; **Tom Giesenschas**, vice president; **G. Bickford Shaw**, treasurer; **Malcolm Morris**, secretary; **Glena W. Yates**, immediate past president; **J. W. Kuykendall**, director; **Jesse Hedrick**, director; **Robert E. Philo, Jr.**, director; **Jack Rogers**, director; **William S. Chattaway**, director; **Otis Phillips**, director; **James A. Johnson**, director; and **Bob Brandt**, director. **Wade A. Thunhorst**, vice president of First Southwestern Title Agency, Inc., Houston, and a partner in the Houston law firm of Kayton and Thunhorst, received the **Texas Land Title Association's** E. Gordon Smith Scholarship Award, given in recognition of outstanding performance at the **TLTA Land Title School of Texas**. **Thunhorst** was one of 92 people who took the final examination in the level one section of the five-day-long school which was held in March. He achieved the highest score, correctly answering 97 percent of the questions on the test. Houston resident **J. W. (Bill) Bartram**, who retired in 1988 from Commonwealth Land Title Company of Houston, was named an "Honorary Member for Sustained Meritorious Service" by the **TLTA**. This is the highest honor the **TLTA** board of directors can bestow upon an individual. **Bartram** is only the ninth person to receive this designation.

**Don H. Still**, president of Alamo Title Insurance of Texas, San Antonio, was named 1989-90 "Title Man of the Year" by the **Texas Land Title Association**.

**Richard C. White**, executive vice president & western region manager of **Ticor Title Insurance**, has been elected by the **California Land Title Association** Board of Governors to the position of 2nd vice president. Other Ticor officers appointed to the Board of Governors for **CLTA** were **Joseph C. Bonita**, senior vice president, chief underwriting counsel, and **John T. MacMillan**, vice president, senior title counsel.

**William D. Jones**, Pioneer Title Agency, Inc., Chattanooga, was elected president of the **Tennessee Land Title Association** at their recent 45th annual convention in Memphis, Tennessee. **Myron Ely**, East Tennessee Title Insurance Agency, Knoxville, was elected vice-president, and **Karen Hood**, Title Insurance Company of Chattanooga, has been appointed secretary/treasurer. New Directors elected for two-year terms are **Nella S. Hunt**, Title Insurance Company of Minnesota, Nashville, and **Eugene McCullough**, Fidelity National Title Insurance Company of Tennessee, Knoxville. **Garvin Holland**, immediate past president of the **Tennessee Land Title Association**, will also serve as a director.

## Groundbreaking Ceremonies for Chicago Title

Chicago Mayor Richard M. Daley joined principals of The Linpro Company today in groundbreaking ceremonies for the national real estate firm's first Chicago project, Chicago Title and Trust Center.

The building is located on the site formerly occupied by the Greyhound Bus Terminal, the 1,300,000 square-foot, first phase of the 50-story, twin tower project is scheduled for mid-1992 completion.

Hoisting ceremonial shovels to signify the official start of construction were Mayor Daley; Michael Pepper and Eric Eichler, Illinois partner and managing partner, respectively, of The Linpro Company; **Chicago Title and Trust Company president Richard Toft**; and **Richard L. Pollay, president, Chicago Title Insurance Company**. **Chicago Title and Trust** will occupy approximately 25 percent of the space—some 250,000 square feet on the lower floors of phase one of the project.

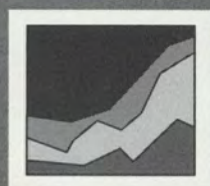
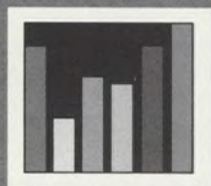
The Chicago Title and Trust Center features twin 50-story towers rising from a block-long 13-story base. The first phase portion of the building will include entrances as well as a separate lobby entrance and rotunda space for Chicago Title and Trust Co.

Equity joint financing has been arranged through a subsidiary of the Shell Pension Fund Foundation (Netherlands). Construction financing is being provided by The Bank of Nova Scotia. General contractor for the project is Morse Diesel International.

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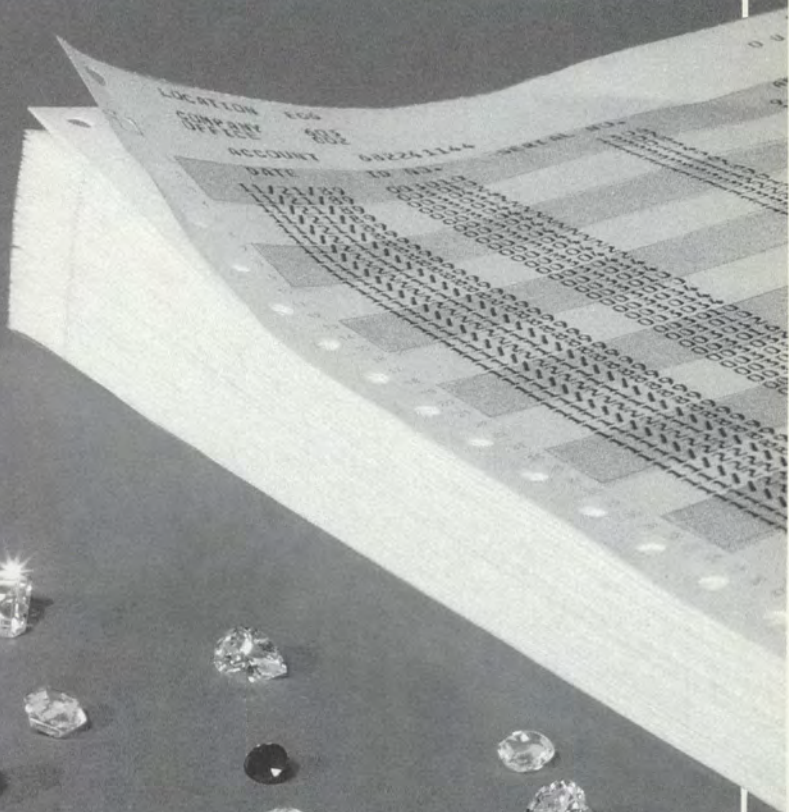
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## TITLE INSURANCE IN THE 21st CENTURY

*continued from page 14*

medical plans). In the future, defense costs may be included within the face amount of insurance, or perhaps limited to a percentage of the face amount. Or, alternatively, perhaps companies may offer a basic amount of defense insurance along with a policy, and then provide the insured with an option of purchasing additional defense insurance.

In actions by the insured against the insurer, you will see much more use of arbitration or mediation, and will likely see an administrative procedure and remedy through the insurance department which must first be utilized by the insured as a prerequisite to going to court.

Finally, we will see a tremendous attitudinal change on the part of all insurance companies as we progress into the 21st century. By then, all insurance companies will be more than aware of the obligations imposed upon them by unfair claims settlement acts and the accumulation of case law. To be cost effective, companies will be more apt to pay rather than to engage in long settlement discussion and litigation. In a third party action against the insured that is frivolous or groundless, the title insurer will have to deny and continue to defend. But, when the question of liability to a third party is not abundantly clear, thereby taking months or years to defend, it will be necessary for the title insurer to carefully consider this cost. He or she must also consider that if it loses, it may be liable to the insured for damages. When the title insurer does elect to litigate on close calls, one may want a legal opinion in the file showing he or she had reason to believe in good faith that they would prevail.

With respect to the concept of bad faith, it will still be around as long as there is a human element in handling claims. But title companies will no longer be spooked by the very word. Insurers will clearly know their responsibilities and courts will not be looking for ways to sock it to the insurance company.

### The Regulatory Environment in the 21st Century

The McCarran-Ferguson act will likely be repealed before the year 2000. In the short term, because of concerns regarding the solvency of title insurers, the reserve requirements for title companies may become more

stringent, particularly in states where they are very lax at this time. For the same reason, there will be renewed interest in creating title insurance guaranty funds to protect the public in the event of underwriter insolvencies.

Looking into the 21st century, we will begin to see the dual regulation of title insurance, with the degree of federal regulation growing. The states will retain jurisdiction over areas such as reserves, deposits, minimum capital and agents licensing. The federal government will be more interested in the interaction between title insurance companies and the consuming public, such as unfair claims settlement practices.

In looking at rate regulation, there are two scenarios which appear most likely to occur—(1) total deregulation, or (2) promulgation of rates. It is unlikely that once the federal government becomes involved in the regulation of the title insurance industry, they will allow 49 different rating systems to continue. It is more likely that they will adopt a uniform rating system or require complete deregulation of rates and allow the market forces to dictate rate levels.

With respect to the assortment of casualty coverages given, we will see a tremendous amount of standardization of coverage, but a marginal amount of regulation coverages. Explanation for this is simple—the parties giving the coverage and the parties receiving the coverage will both be quite large and very sophisticated. On the other hand, one could argue that with fewer title insurance companies providing the coverage, there could be a tendency towards monopolization in the area of coverage and that regulation may be needed. In any event, in the unlikely event of regulation in this area, so many of these changes suggested for the 21st century do seem rather radical (perhaps ridiculous) from a 1990 point of view. But I remind you to reflect back on what the title insurance world looked like in 1925, in 1950, and in 1975, and note particularly the degree of change that we have seen just within the last eight to ten years. The title insurance world will indeed be an exciting place to be as we enter and progress through the 21st century.

## Forms Handbooks

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# TIPAC in Action

## 1990 AFFILIATED ASSOCIATION CONVENTIONS

### August

- 2-4 Idaho, Templins Resort, Post Falls, ID
- 9-12 North Carolina, Great Smokies Hilton, Asheville, NC
- 16-18 Montana, Copper King Inn, Butte, MT
- 17-19 Kansas, Holidome, Salina, KS
- 23-25 Minnesota, Radisson Hotel, Duluth, MN

### September

- 6-8 Dixie, Westin Canal Place, New Orleans, LA
- 6-9 Missouri, Adams Mark Hotel, St. Louis, MO
- 9-11 Ohio, New Market Hilton Hotel, Canton, OH
- 13-14 Wisconsin, Paper Valley Hotel, Appleton, WI
- 13-15 North Dakota, Comfort Inn & Elks Lodge, Wahpeton, ND
- 14-16 Maryland, Sheraton, Ocean City, MD
- 15-18 Indiana, Omni-Severin Hotel, Indianapolis, IN
- 16-19 New York, The Sagamore on Lake George, Bolton Landing, NY
- 23-26 Washington, The Inn at SEMI-AH-MOO, Blaine, WA
- 26-28 Nebraska, Ramada Inn, Kearney, NE
- Mid-late September Nevada, (date and site has not been chosen), Mesquite, NV

### November

- 1-3 Arizona, (has not been chosen), Scottsdale, AZ
- 14-17 Florida, Buena Vista Palace, Orlando, FL

### December

- 7 Louisiana, Meridian Hotel, New Orleans, LA



During election year 1990, the Title Industry Political Action Committee (TIPAC) is active supporting worthy candidates for Congress who are sympathetic of the views of the title insurance industry. Here, Charles J. Kovaleski, president of Attorneys' Title Insurance Fund, Inc., of Orlando, Florida (right), presents a contribution on behalf of TIPAC to Democratic candidate James Bacchus, a non-incumbent running for the 11th district seat vacated by Congressman Bill Nelson (D-FL), who is running for Governor. For more details election-year congressional contests, contact TIPAC at 202/296-3671.

## California Court Rules in Favor of Title Industry

In an era in which creditors' and debtors' rights are a growing concern, a California court has ruled that a title insurer is not legally bound to pay off or defend a bank lien in the case of a debtor who declared bankruptcy less than 90 days after the title insurance policies were issued. The law firm of Gold, Marks, Ring & Pepper represented the title company.

In the case, *Bank of San Diego v. Commonwealth Land Title Insurance Company*, San Diego Superior Court Civil Case No. 600433, Gold, Marks, Ring & Pepper Partner Elliot Shelton argued that not only was the bankruptcy a post-policy event, but that the bank had failed to disclose material facts regarding the borrower. The Bank of San Diego obtained loan title policies insuring the liens against three deeds of trust without disclosing that the borrower was in a precarious financial position. Also, the deeds of trust had been given to secure previously existing debt.

"Under the terms of an American Land Title Association policy, the bank had an obligation to disclose any and all unrecorded matters within their knowledge which could affect the insurer's risk," Shelton said. "The court found that Commonwealth Land Title Insurance Company was not required either to indemnify or to defend the deed of trust."

The court ruling was a summary judgment and the trial judge was not required to specify grounds upon which the motion was granted. Commonwealth asked the court to rescind their three title policies because of the bank's failure to disclose material facts. The ruling is an indication of an emerging trend in California courts to define and limit the duties of a title insurer, Shelton explained.

The ALTA is currently evaluating a proposed loan policy to exclude claims stemming from federal bankruptcy, state insolvency, or creditors' rights law.

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## NEW ALTA MEMBERS

*(The names listed in parentheses are recruiters who have now qualified for membership in the ALTA President's Club.)*

### ACTIVE

#### Arizona

Southern Arizona Title Ins. Agency, Nogales, AZ (Jim Dodson & Leroy Schryfels, Title Ins. Co., of Minnesota, Minneapolis, MN)

#### Arkansas

River Valley Title Co., Russellville, AR

#### Florida

Sunshine State Abstract & Title, Sebring, FL (Bobby Anderson, T.A. Title Ins. Co., Clearwater, FL)  
Title Systems of Florida, Longwood, FL (Bobby Anderson, T.A. Title Ins. Co., Clearwater, FL)

#### Idaho

First Idaho Title Co., Montpelier, ID (Lane R. Archibald, Bonneville Land & Title Co., Idaho Falls, ID)

#### Louisiana

Lawyers Abstract & Title Co., Alexandria, LA (Charles O. Hon, III, The Title Guaranty & Trust Co., of Chattanooga, Chattanooga, TN)

#### Maryland

Jerry L. Toadvine Title Group, Westminster, MD

#### Michigan

Corporate Title & Escrow Co.

#### Missouri

American Prudential Title Co., d\b\ a Martin Abstract & Land Title Co., St. Charles, MO

Reliable Research Co. Inc., Overland, MO (Richard Boardman, Lafayette Title Co., St. Louis, MO)

Wiles Abstract & Title Co., Inc., West Plains, MO

#### New Mexico

Capital City Title Services Inc., Santa Fe, NM

#### New York

Interact Abstract Inc., Carmel, NY (Leesa Bedore, Newport Abstract Co., Clifton Park, NY)  
Margaret Serva, West Hurley, NY

#### Ohio

Guardian Title & Guaranty Agency Inc., Cleveland, OH

#### Oklahoma

Pushmataha County Title Co., Antlers, OK  
Sapulpa Abstract & Title Co., Inc., d\b\ a American Abstract & Title Co., Sapulpa, OK

#### Rhode Island

Greenwich Bay Title & Abstract Co., East Greenwich, RI (Philip D. Kingman, Lawyers Title Inc. Co., Providence, RI)

#### Texas

Crockett County Abstract Co., a TX Corp., Ozona, TX

### ASSOCIATE

#### Illinois

Thomas C. Homburger, Bell, Boyd, & Lloyd, Chicago, IL

#### New York

Betty B. Robbins, Teachers Ins. & Annuity Assn. of America, New York, NY (Milton Davis, Teachers Ins. & Annuity Assn., Riverdale, NY)

#### North Carolina

Joseph W. Eason, Moore & Van Allen, Raleigh, NC

#### Texas

Title Data Inc., Houston, TX (James A. Johnson, Charter Title Co., Houston, TX)

## Education Seminar A Hit in California

Practicing attorneys, lenders and real estate brokers joined with title executives for a professional seminar on California title insurance issues. Development of the customer-oriented event was through the ALTA Public Relations Committee, working in joint sponsorship with the California Land Title Association.

After ALTA Title Insurance Forms Committee Chairman Oscar Beasley, First American Title Insurance Co., led off the program with a commentary on title coverages, he was joined by another title counsel, CLTA committee member David Burkenroad, Ticor Title Insurance Co., for a discussion of hazardous waste lien problems and the due diligence issue.

Two CLTA panel presentations wrapped up the seminar program. Moderator Edward Beierle, Continental Lawyers Title Co. counsel, was joined by two practicing attorneys, Mark Kellman and Earl Warren, for a discussion of title insurance issues in construction lending.

In addition, four underwriter counsel with extensive background in the subject area focused on expediting the resolution of title insurance claims. Richard Klarin, Chicago Title Insurance Co., served as moderator and was accompanied by Kenneth Dzien, Chicago Title; Albert Rush, First American Title; and Davida Tussman, Commonwealth Land Title Insurance Co.

The San Diego event is the first of two 1990 ALTA seminars with program focus on the education of land title customer groups. On September 13, the Association Education Committee will present a customer seminar in Boston; more details will be available this summer.

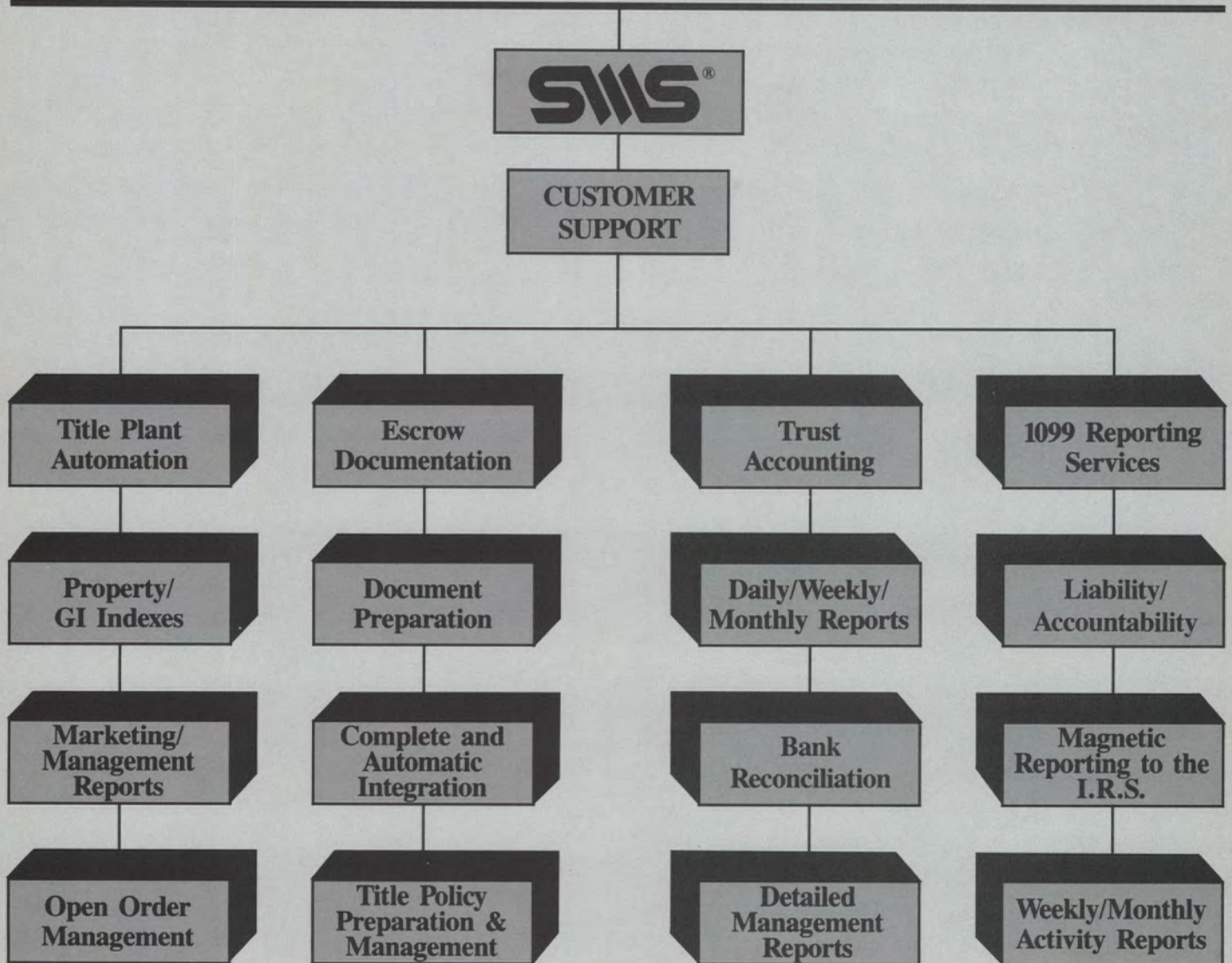


Title Insurance issues in construction lending are outlined for California Land Title Association 1989-90 President Gary Beeny, right. Gateway Title Co., by panelists who covered the subject during the ALTA-CLTA professional seminar in San Diego. From left are Earl Warren and Mark Kellman, practicing attorneys, and Ed Beierle, who served as moderator.





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## CALENDAR OF MEETINGS

### 1990

**September 30-October 3** ALTA Annual Convention, Hyatt Regency, Chicago, Illinois

### 1991

**January 14** ALTA Board of Governors, Quail Lodge, Carmel, California

**April 10-12** ALTA Mid-Year Convention, San Diego Marriott Hotel and Marina, San Diego, California

**September 25-28** ALTA Annual Convention, The Westin Copley Place, Boston, Massachusetts

### 1992

**March 25-27** ALTA Mid-Year Convention, The Mayflower Hotel, Washington, DC

**October 14-17** ALTA Annual Convention, Hyatt Regency and Maui Marriott, Maui, Hawaii

### 1993

**March 24-26** ALTA Mid-Year Convention, The Westin Peachtree Plaza, Atlanta, Georgia



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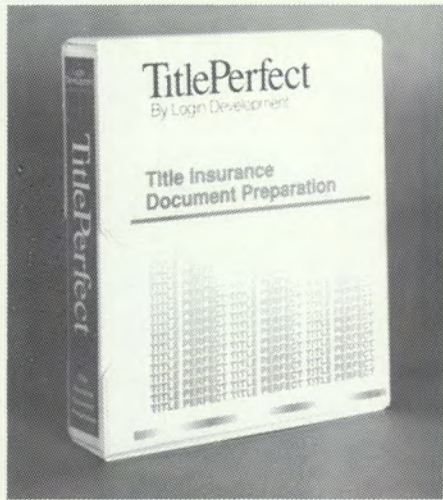
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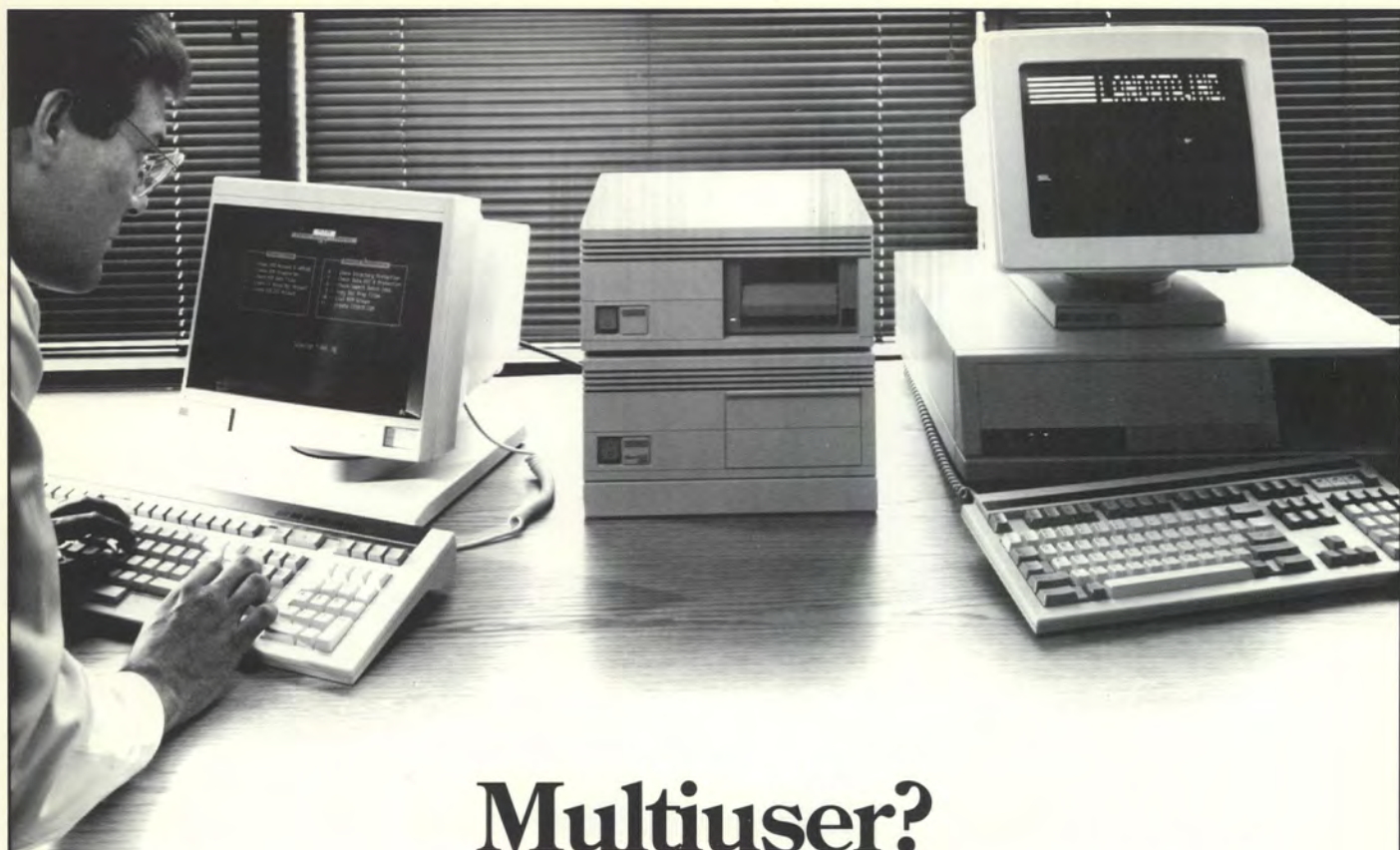
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