

rch/April 2002

Title NEWS

Official Publication of the American Land Title Association

PREPARING YOUR TECHNOLOGY FOR A **DISASTER**

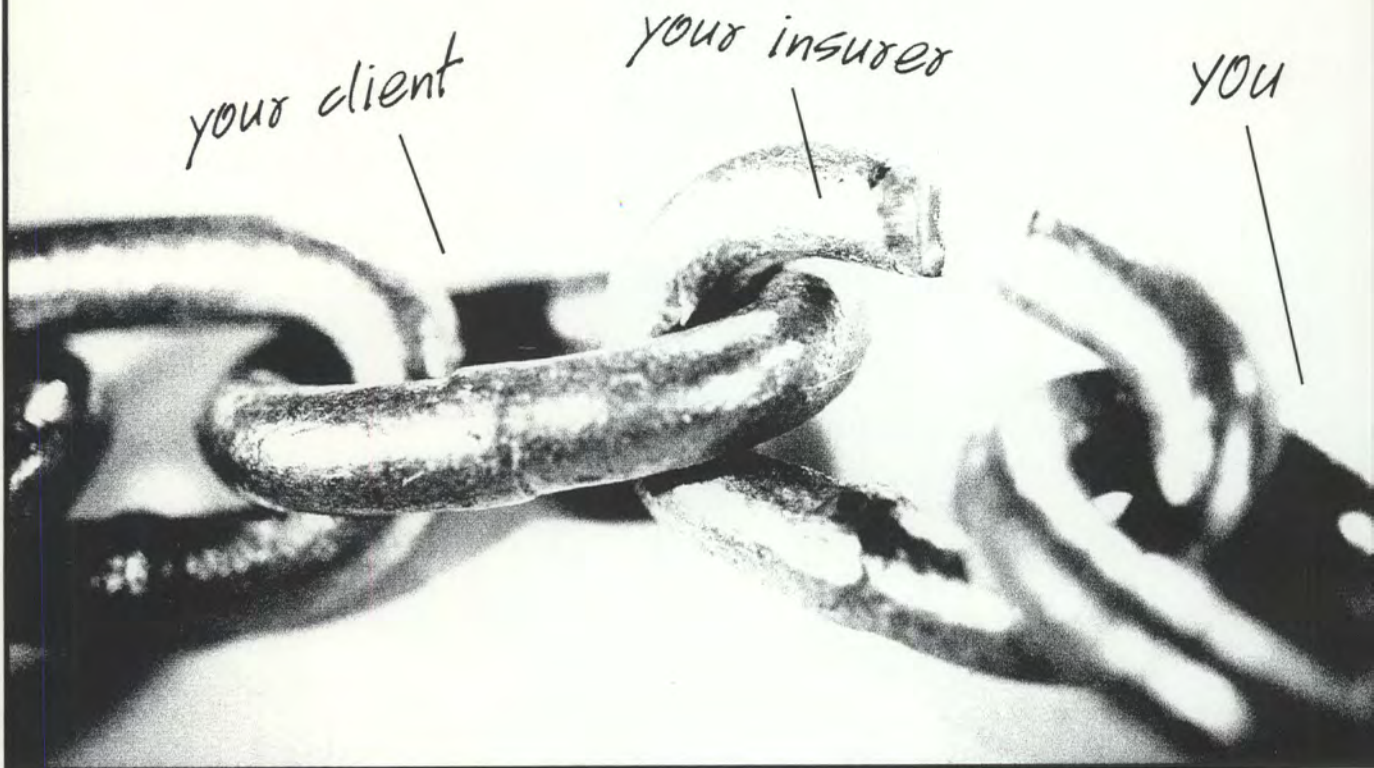
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- Canada's State-of-the-Art Technology
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- ALTA Federal Conference Promo

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Here Today, Gone Tomorrow

The year is 2010. There is only one title agency still in business in Cleveland. And its phone is ringing off the hook. Here is a sample of the calls being fielded:

Young attorney: I need your help (that's how most of the calls start now); we have a minor child in title and can't figure out the proper way to transfer title.

Call 1:

Title Agent: You may have to set up a guardianship and bring an action to sell the property.

Attorney: We can't do that; the buyer has to take title tomorrow; and the loan commitment expires next week.

T. Agent: Why are you calling me now? It is kind of late.

Attorney: We had the title done by "Speedy Title"; they don't search the title. And just last week we found that the child was not old enough to sign the deed.

Call 2:

Lender: Can you see if our mortgage was recorded?

T. Agent: What is the borrower's name?

Lender: It was a partnership so we are not sure.

T. Agent: What's the property address?

Lender: We're not sure. They have a lot of property, and we are not sure which property secures this loan.

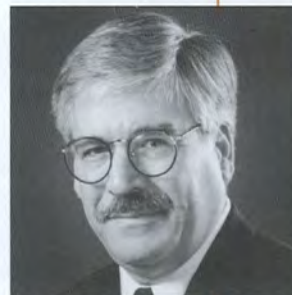
T. Agent: What about the date of the mortgage?

Lender: Well, that's another problem; we are not sure when we made the loan, but we are sure it was in the last few years.

The title industry is not recognized for what we do before and after the deal is closed. How many calls do we get regularly asking us how to do the deal right, so that it will close smoothly? We are often asked to do preliminary work to find out what title problems exist and to cure them long before they interfere with the actual closing.

The point is that we do a lot more than insure the title. We are the information source; we are the protector of the record; and we are the conduit between the County Recorder and the principles. We are the disinterested third-party who makes sure all the parties do what they are supposed to do and do it in a timely manner. While our customers want speed and insist that closings must be faster and cheaper, who will do the preliminary and cleanup work, if it is not the title industry? How do we get this message across to our customers? To the regulators? That is our challenge over the next several years!

Stanley Friedlander



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Title NEWS

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Latest News on Mortgage Impairment

With so much news lately about mortgage impairment products, ALTA has created the "ALTA Mortgage Impairment Resource Center" on its Web site. Log on to the home page, www.alta.org, and look in the lower left-hand corner for the box with this name. The Resource Center contains general documents such as articles about various mortgage impairment products and a guide for state land title associations. It also contains provider-specific documents on Radian, Chubb, Great American, St. Paul Policy, Travelers, and Zurich's Fidelity & Deposit. Check this site and the news section of the ALTA home page for the most recent information on this topic.

Federal Conference Two Months Away



MAY 5-7, 2002

One of the best resources for information on what's happening with Fannie, Freddie, and Congress is ALTA's Federal Conference. This year the Federal Conference is May 5-7 at the Grand Hyatt Hotel in Washington, DC. A full promotional brochure will be mailed to ALTA members shortly. Mortgage impairment products and the most recent participant, Radian, will be among the topics at this year's conference. As always, attendees will have the opportunity to visit with their member of Congress to help spread the word about the value of title insurance. You can book your hotel and airfare now.

ALTA has secured discounts with Delta and American Airlines. To obtain the ALTA discounts: For Delta, call 1-800-241-6760 and reference file #182015A. For American, call 1-800-433-1790 and reference file #14905. To make hotel reservations, call 800-582-1234. ALTA room rates are \$239 single/\$254 double (plus tax).

calendar

ALTA Coming Events

April 28-30	Title Counsel Spring Meeting Montreal, Canada	May 2-5	Palmetto
		3-4	New Mexico
		3-5	Oklahoma
May 5-7	ALTA Federal Conference Washington, D.C.	5-7	Iowa
		19-21	New Jersey
June 19-21	Systems Committee Meeting Boston, MA	June 6-8	Texas
		9-11	Pennsylvania
July 12-13	Education Committee Meeting San Francisco, CA	20-22	Arkansas
		20-23	Virginia
		23-25	Oregon
		27-30	New England
		TBD	South Dakota
		July 11-14	Illinois
		14-16	Michigan
		18-20	Utah
		August 1-3	North Dakota
		1-3	Montana
		7-10	Idaho
		8-10	Kansas
		8-10	North Carolina
		9-11	Minnesota
		18-21	New York
		TBD	Wyoming
September 22-24	Reinsurance Committee Beaver Creek, CO	September 5-7	Missouri
		5-7	Washington
October 16-19	ALTA Annual Convention The Breakers Hotel Palm Beach, FL	12-14	Indiana
		12-15	Dixie
		12-15	Maryland
November 4-6	Title Counsel Fall Meeting New Orleans, LA	15-18	Ohio
		18-20	Nebraska
		19-22	Wisconsin
		TBD	Kentucky
		TBD	Colorado
		TBD	Nevada
		November 6-9	Florida
		TBD	Arizona
April 7-9	California	December 5-6	Louisiana
10-12	Tennessee		

Who You Gonna Call?



Wouldn't it be nice to know who to call at ALTA to answer your questions? During the next few issues we are going to introduce you to some of the ALTA executive staff, who can help when you call headquarters. In this issue, we are featuring **Alice Baldwin**, director of

marketing and membership.

Alice has worked for ALTA for a close to 2 ½ years. She has overall responsibility for keeping the membership database current. She uses the information to produce the annual Membership and Leadership Directories.

She is also responsible for all aspects of marketing for ALTA publications and for the Annual Convention, Tech Forum, Federal Conference, and telephone seminars. Alice creates and sends reminder postcards and faxes about each event and works on the design of the brochures used for each event. She also works occasionally with outside groups to promote ALTA events to their audiences.

Her final hat is that of liaison to the state land title association executives. Alice is their contact for almost all ALTA questions. Working with the state executives, she coordinates an agenda, finds speakers for their meetings twice a year, and keeps a pulse on what is happening at the state level.

You can contact Alice at alice_baldwin@alta.org, or 1-800-787-2582.

Next issue: Ann vom Eigen, ALTA's Legislative/Regulatory Counsel.

Attention All Abstracters & Agents!

As part of the Federal Conference mentioned on the previous page, there will be a special session just for you. The Abstracter/Agent Section will hold a meeting on Sunday, May 5, from 1:30 - 5:00 p.m. Jim Maher, ALTA's EVP will speak on "Mortgage Impairment - Clear and Present Danger." This meeting is open to all abstracters and title insurance agents.

ALTA Participates in Industry Standards Organization

Kelly Romeo, CAE, ALTA's director of technology, is beginning her second year of a two-year term on the Governance Committee of the Mortgage Industry Maintenance Organization (MISMO). MISMO was established by the Mortgage Bankers Association of America to develop, promote, and maintain electronic commerce standards for the mortgage industry. ALTA has been involved with MISMO since its founding in 2000.

The Governance Committee provides oversight for the organization's administration and policy development. Kelly serves on one of the service provider seats and acts as a liaison between ALTA, the title industry, and MISMO. Lisa Bolelli, vice president, First American Interactive, was just reelected to a two-year term for the other service provider seat and serves as vice chair of the Governance Committee.

In the coming years members of the committee will direct MISMO's efforts in publishing and releasing the MISMO Version 2.1 Logical Data Dictionary and Document Type Definitions (DTDs); finalizing version 1.0 eMortgage Specifications; facilitating development of industry infrastructure of digital certificates for electronic verification and authentication of Real Estate Finance Security Management Organization (REFSMO)

standards; developing industry implementation and best practices guides; and supporting MISMO process improvement and work flow enhancement goals.

MISMO meetings are open to all to attend. For more information on ALTA's involvement in MISMO, contact Kelly Romeo at 1-800-787-2582 or kelly_romeo@alta.org.

ALTA Makes Your Job Easier

Chances are that ALTA offers more books, videotapes, and CD-ROMs than you know about—all to make your job easier! How do you find out how they can help you? The 2002 Resource Guide will solve that. It contains information about all the products that ALTA and the Land Title Institute offer specifically for the title industry. It includes information on the ALTA/ACSM Land Title Surveys, the annual Title Insurance Report and Industry Statistics, the Abstracter and Title Agent Annual Operations Survey, and the new CD-ROM on Escrow Accounting Procedures for the Land Title Industry. A copy of the Resource Guide was mailed to all ALTA members. If you did not receive a copy, you can either go to the ALTA Web site at www.alta.org and download a copy, or contact ALTA for a hard copy. E-mail: service@alta.org or call 1-800-787-2582.

government & agency news

ALTA Joins RESPA Section 8(b) Coalition

ALTA joined a coalition of settlement service provider trade groups in submitting a White Paper to HUD, responding to the positions taken by HUD on RESPA Section 8(b) in its Policy Statement issued October 2001.

The HUD Policy Statement discussed two subjects: treatment of yield spread premiums under Section 8(a) and HUD's interpretation of Section 8(b) generally and, if it related to markups, in particular. While most of the public attention was and remains focused on the YSP section of the statement, many in the real estate settlement service provider community have become increasingly concerned about the implications of HUD's announcement under the more arcane and less utilized portion of RESPA's antikickback provision, Section 8(b).

The concerns focused on HUD's contention that Section 8(b) applies when only one settlement service provider imposes any charge on the consumer. This so-called "direct consumer charge" application of 8(b) raised the specter of HUD engaging in price regulation of all settlement services under the Policy Statement's announced (but undefined) standard of "reasonableness." Moreover, concerns were raised that the potential for class action litigation, with no real defined standards by which to guide provider's actions or pricing, would be considerable.

The groups include NABRTI (National Association of Bar-Related Title Insurers, Realty Alliance (a group representing most of the country's largest residential real estate brokers), TAVMA (Title & Appraisal Vendor Management Association), AEA (American Escrow Association), and RESPRO (Real Estate Services Providers Council).

Lender trade associations were also members of the coalition, participated in the drafting of the White Paper (ALTA's outside counsel, Sheldon Hochberg, was the paper's principal drafter); and fully agreed with all of the paper's major points. However, they chose to make their views known to HUD separately. Likewise the Realtors (R) agreed with the paper's conclusion but chose not to publicly endorse it at this time.

ALTA and the coalition are hopeful that our arguments will encourage HUD to rethink some of their legal

positions on RESPA Section 8(b), particularly relating to its purported application to direct consumer charges. For more information, contact Jim Maher, ALTA's executive vice president at 1-800-787-2582 or jim_maher@alta.org.

New IRS Procedure to Obtain Federal Tax Liens

The Internal Revenue Service (IRS) has changed the procedure to be followed to request disclosure of outstanding amounts due on Federal Tax Liens. The IRS is standardizing the procedure nationwide to better ensure taxpayer privacy. They are requesting that title companies and agents, as well as attorneys, submit Form 8821, Tax Information Authorization, which must be signed by the taxpayer, to the Service. The taxpayer authorizes the IRS to disclose the amount of all Federal taxes due.

The form can be located on the IRS Web page and faxed back to the IRS. The taxpayer must sign and date the form, and it must be provided to the IRS within 60 days of the dated signature. However, once the IRS has received the form, updated payoff information can be received without submission of a new form.

Form 8821 can be located on the IRS Web page at: www.irs.gov/pub/irs-pdf/f8821.pdf.

For more information contact Ann vom Eigen, ALTA's legislative and regulatory counsel at 1-800-787-2582 or ann_vomeigen@alta.org.

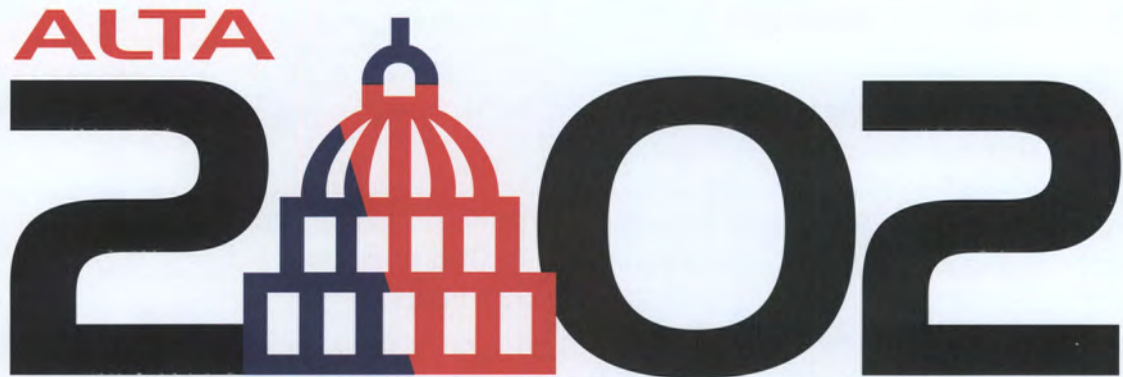
Field Service Advice on 1099 —Reporting for Agent's Retention

Last August, in response to an inquiry from an IRS agent conducting an audit of one of the national companies, the IRS national office issued a Field Service Advice—Section 6041-Form 1099 "Reporting on Agent's Retention." Historically, ALTA and its members have argued that we are not subject to 1099 reporting because our agents are similar to managing general agents in other lines of insurance.

Consequently, they qualify for an exception to Form 1099 information reporting for those other lines of insurance. However, in the August Field Service Advice, the IRS concluded that title insurance companies did not qualify as property insurance companies. Therefore, our companies could not benefit from the managing general agent exception. Field Service Advice is not legal authority, so other title insurance companies and agents do not have to submit 1099s at this point. However, as the IRS agents will communicate with each other, it is likely that other companies will soon face this issue. For more information, contact Ann vom Eigen, ALTA's legislative and regulatory counsel at 1-800-787-2582 or ann_vomeigen@alta.org.

Mark Your Calendar NOW for

ALTA
2002



FEDERAL CONFERENCE

Washington Affecting Your Business

MAY 5-7, 2002

- Politicians and regulators are questioning the intrinsic value of our refinance and basic title insurance product.
- There's a proposal for the elimination of the requirement for FHA.
- What are the latest Electronic Signature developments?
- What's happening in technology with the secondary market, the Federal Agencies, and other groups like REIPA?

The ALTA Federal Conference is the place to be to hear about these and other issues, to learn how to deal with upcoming changes, and to be part of the decision-making process. **PLAN TO BE IN WASHINGTON THIS MAY!**

As part of the 2002 Federal Conference, the Abstractor/Agent Section will meet Sunday, May 5, from 1:30-5:00 p.m. Phil Schulman of Kirkpatrick & Lockhart will speak on "Mortgage Impairment – Clear and Present Danger." This is an OPEN meeting for all abstractor and title insurance agents.

The Grand Hyatt, located at 1000 H St., N.W., is the headquarters hotel for this event. ALTA room rates are \$239 single/\$254 double (plus tax). Make reservations by calling 800-582-1234. Room cut-off is April 12, 2002.

Book your airfare on Delta or American Airlines. For Delta, call 800-241-6760 and reference file #182015A. American Airlines can be reached at 800-433-1790. Use file #14905.

**Promotional material and registration information will be arriving
on your desk in March.**

Online Registration will be available at that time, too!

Preparing Your Technology for a Disaster

by Gary Morris

In Houston, cleanup took months after Tropical Storm Allison, which hit the area last June causing severe flood damage to many homes and businesses. The extensive damage put some businesses on hold for two months or more while rebuilding and repairs took place. Some businesses are still trying to recover.

A piece of equipment used in the office to power computer systems may not seem to have much in common with a natural disaster like Allison, but they have more in common than one might think.

Both can have disastrous effects on businesses. When companies design business resumption plans, they typically create plans for floods, fires, earthquakes, and

revenue and lost opportunities, which can be irreplaceable and damaging to a company's bottom line. Even a hardware failure or widespread virus could be classified as a disaster. If one of these disasters hit your business, would you be able to maintain operations and continue to serve your customers?

Companies need to ask if it is worth risking potential revenue loss in exchange for the few hundred dollars it would cost to put in a fan, power supply, uninterrupted power supply, or other piece of inexpensive equipment that could provide the redundancy required to keep things up and running. You can add a tremendous amount of redundancy to your system for very little money.



large or small disasters, offices should consider some key best practices.

When planning, some basic questions should be posed to determine how much manpower an office needs to function.

- What equipment and/or supplies does each department need to keep running?
- What is the minimum number of people each department needs to function?
- How long can each department function with minimal staff?

In addition, all businesses have critical infrastructure that is vital to operations, whether a full-blown data center or just one critical server. Properly built and maintained systems have a much better chance of staying up and running during times of crisis.

Keeping systems running is two-thirds of the battle. It all starts with core infrastructure.

When building the infrastructure, there are some vital items that can be included to increase the

When it comes to planning for disasters, there are two main scenarios: (1) natural disasters, such as tornados, floods and earthquakes; and (2) smaller disasters localized to one office, such as virus influx or server damage.

bombs. They often neglect to consider equipment failure as a potential disaster, even though businesses have a much greater chance of losing a server or experiencing backup failure, which can result in significant downtime.

Downtime can result in both lost

When it comes to planning for disasters, there are two main scenarios: (1) natural disasters, such as tornados, floods, and earthquakes; and (2) smaller disasters localized to one office, such as virus influx or server damage. Whether planning for

chances of uninterrupted service.

• **Uninterrupted Power Supplies (UPS)** are backup power supplies that go into action if the building loses power. If a feed fails, a UPS keeps systems up for a certain period of time to allow for a transfer of power or a graceful shutdown of systems. They also compensate for spikes and dips in service.

At Landata Systems, if a power feed fails in our data center, our UPSs ensure that systems stay up while an Automatic Transfer Override switches us to a new feed. In the unlikely instance of complete power failure, the UPSs ensure that the center maintains power for a limited period of time, which gives the support team time to perform an orderly shutdown of the servers.

- **Backup systems** must be current and verifiable. Tapes should be stored in a safe, off-site location, and the system should be tested regularly to be sure it is backing up properly. Recovery plans should also be tested regularly. We verify the success of backups on a daily basis and run backup recovery tests on critical systems at least quarterly to be sure our servers and backups are working properly. We also want to be sure our people know exactly what to do so they're prepared if a disaster does strike and we have to recover an entire server from tape.
- Store **original media** for critical applications in a safe, off-site location so servers can be rebuilt, if necessary.
- **Virus protection** plans must be updated regularly and strictly enforced to ensure one severe virus doesn't wipe out an entire system.

- Keep a complete and reliable **inventory of servers and equipment** that can be referenced if a system must be rebuilt. Be sure to document the configuration of machines, include a list of vendor contact information, and record whether service agreements exist with each company.
- Create detailed disaster recovery plans **specific to certain pieces of critical equipment**.
- Purchase and implement **quality equipment** and software for your infrastructure.

A large part of business resumption planning is keeping everything up in the first place, which means building it right. Be sure all equipment is supportable before you implement it. The same thing goes for software—don't buy software if there is a chance you won't be able to get support for it.

- Build as much **redundancy** in servers as possible. For example, have redundant hard drives, power supplies, and other critical equipment available for immediate backup.
- In our data center we have implemented N+1 redundancy for critical equipment. For every piece of critical equipment, we have at least one extra. For example, if we need six air conditioners to maintain the center, we have seven, in case something goes wrong with one. This redundancy means that if something fails, we always have a backup to keep the system running while we fix the problem.
- Be sure your **facility** is appropriate for your systems. For example, you must have clean, conditioned power and cool air to ensure

equipment longevity. Maintaining a clean operating environment is equally important. Dust and other contaminants can greatly shorten the life expectancy of sensitive computer equipment.

Whether you are a large organization or a small one, business resumption plans are vital to your business. And in light of recent events, business resumption plans are no longer a luxury; they are a necessity.

Gary Morris is vice president of the technical services division for Landata Systems, Inc., a subsidiary of Stewart Information Services Corp. He can be reached at 713-871-9222 or gmmorris@landata.com.

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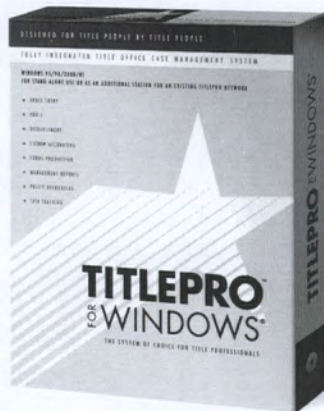
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Canada's State-of-the-Art Title Technology

by Fraser Nicholson

The land titles system in Saskatchewan, Canada, has catapulted from the 19th century to the 21st century. In less than three years the province has replaced its outdated, paper-based system with state-of-the-art technology.

The development of the Land Titles Automated Network Delivery (LAND) System has ushered in a new era for land information in Saskatchewan, a western Canadian province of just over one million people located directly north of Montana and North Dakota. As a result of automating the province's survey and land ownership record and linking it with geographic information systems (GIS) technology, the new system is simpler and more responsive to user needs. By allowing customers to access the system over the Internet, including real-time information on

information systems.

Prior to beginning implementation of the LAND System on a district-by-district basis throughout the province in June 2001, Saskatchewan's land titles system certainly would not have been considered leading edge. We were utilizing virtually the same technology we did when land registration was first introduced in 1887, and we were drowning in a sea of paper. Saskatchewan Land Titles housed 50 millions pieces of paper—over four miles of shelving—and the files were growing daily.

The Land Titles operation in the province maintained ten separate land registration districts, in eight regional offices, all with individual registrars. Each office maintained discrete records, and customers were required to identify and contact the correct office in order to



owner's name or title number—were not possible.

Not only was the system paper based, it was labor intensive and susceptible to workload pressures based on the circumstances in an individual office. It was not possible for managers to facilitate work flow by assigning tasks to other offices. Because of the nature of the operation, work associated with a particular district had to be done in the relevant office. Turn-arounds in transfers and registrations could vary from one day to several weeks, depending on the location and circumstances.

These concerns, however, were only part of the impetus for developing a new, automated system. Equally important were the voices of customers calling for faster and more responsive service and improved access. As more demands were placed on them, they were demanding more from the land titles system.

The Saskatchewan government heard these pleas and began

The LAND System—allows graphical description, of every parcel of land in the province, raises titles to those parcels, records interests against them, and provides quick, reliable, and secure land titles services over the Internet.

their accounts as well as the status of any work they have ordered, the LAND System has established Saskatchewan as a leader in land

view records for a particular parcel. In addition, titles could only be searched by legal land description. Searches by other criteria—such as

investigating existing systems available via the marketplace. Being the last province in Canada to automate its system offered distinct advantages. Not only did Saskatchewan have the latest technology at its disposal, but it also benefited from the trials and errors of the other provinces in their automation efforts.

At the time, automating a system basically involved converting the paper documents to electronic form. Feedback from land titles customers indicated they were looking for more from the system than just automation. Reviews of other jurisdictions, which had already automated their systems, indicated there were better ways to proceed. Since the provincial government already operated SaskGeomatics—a thriving GIS service—it was a natural decision to integrate the land titles system with this technology to provide additional value to customers. The Internet was also becoming a major factor for people at home and in the office, so it made sense to increase accessibility by delivering the system online.

The result was the development of the LAND System—a system that allows graphical description of every parcel of land in the province, raises titles to those parcels, records interests against them, and provides quick, reliable, and secure land titles services over the Internet. The LAND System is the only system on the market that combines all of these features. Further investigation determined that the cost of adapting existing systems to meet the needs of Saskatchewan was prohibitive, so the decision was made to develop a system for the 21st century.

But it is much more than automation. Creating the LAND System involved the complete redevelopment and reengineering of the existing land titles system, including automation, process redesign, rewriting legislation, and organizational redevelopment. Major changes were made to the way the land titles system operated, and some significant new options were developed that did not previously exist. Yet, many of the fundamental elements of the existing system were retained and protected.

The Major Changes

- New legislation was passed, including two new acts (The Land Titles Act 2000 and The Land Surveys Act 2000) and amendments to 67 other acts.
- No new paper is created. All existing paper records are being converted to electronic form; the electronic record is the official record.

Creating the LAND System involved the complete redevelopment and re-engineering of the existing land titles system, including automation, process redesign, rewriting legislation and organizational redevelopment.

- The entire province operates as one land-registration district with a province-wide work queue, replacing the ten separate districts under the old land titles system.
- All parcels of land are portrayed through graphical representations.
- Multiparcel titles, multiowner titles, and surface/mineral titles have been separated but linked together for planning and assessment purposes—allowing more flexibility for searching for

the owners of titles while maintaining the connections between related titles.

The New Opportunities

- Consistent, province-wide transfer and registration turnaround time of 24 to 48 hours.
- Customers can search for titles and plans of survey over the Internet 24 hours a day. Searches of title can be completed by legal land description, owner's name, parcel number, and interest type, as well as various other criteria. Plan searches can be completed by location, plan number, legal land description, and type of plan.
- With access via the Internet, customers throughout the world can access the LAND System.
- Requests and documents for processing can be submitted by e-mail, fax, disc, CD-ROM, or regular mail. The necessary forms are available for downloading from the Web site.

The Stability Continues

- The principles of the Torrens System of land registration, on which Saskatchewan's model is based, have been maintained.
- Title is indefeasible. This means that, except for implied exceptions and registered interests, the owner holds the title free from all interests, exceptions, and reservations. It also means that, subject to the exceptions, the title is conclusive proof that the

registered owner is the owner and that the title may not be altered, revoked, or removed from the registered owner.

- Certified surveyors are the main professionals involved in establishing boundaries for parcels.

In Saskatchewan the land titles function has historically operated within the Justice Department. With the development of the LAND System, these responsibilities were transferred to the Information Services Corporation of Saskatchewan (ISC), a state-owned enterprise that was created on January 1, 2000. ISC was created as a commercial entity to develop and implement the LAND System. The corporation is also responsible for marketing existing products, including LAND, as well as developing new products and services and creating applications for related information technology solutions.

ISC is currently in the initial stages of marketing the LAND System around the world. To date there has been considerable interest in the system, since it is the only automated land registry system

The LAND System provides an online tool for searching plans, historical documents, judgments and titles, and instruments.

linked with GIS technology and delivered over the Internet. The system is composed of various components that can be sold as a complete system or individual elements. The LAND System components include Titles Processing (land registry), Plan Processing (surveys), and e-

Business Services.

To allow the title and survey experts to focus on their areas of expertise, independent support modules were developed to handle input and output management, accounting and imaging. These were developed into a collection of e-Business products and services. These products and services, which were developed as part of the LAND System and are being utilized internally at ISC, can be provided in independent modules, client-specific bundling, or full-service delivery options. There are five specific components to e-Business Services:

Common Entry Management System. This is the entry point for electronic and paper submissions in the work process. Documents are entered, imaged, and sent to a work queue for processing. Work is tracked and managed through the queue.

Client Imaging Management System. This system allows for the imaging, storage, retrieval, and disposition of documents. Documents can be preindexed and imaged upon request using the Pick functionality of the Warehousing Index System. Using this system, clients can request land documents from the past 100 years over the Internet. If the document has not already been imaged, it is retrieved and imaged, and a message is sent to the customer indicating the image is available—usually within 20 minutes.

Client Account Management System. This is a real-time, transaction-based billing system that tracks service charges and payments on accounts. It also provides other accounting functions. The completion of work

by the application automatically triggers a charge to the customer's account or credit card.

Common Output Management System. This is a comprehensive suite of distribution and output services, including electronic and Internet-based solutions.

Common Entity. This is a client identification system that provides customer profiles. It tracks client types and corresponding service options.

What does this all mean? A comprehensive land information system for customers. The LAND System provides an online tool for searching plans, historical documents, judgments and titles, and instruments. Other benefits of the system include:

- Consistent, province-wide turnaround of 24 to 48 hours for title registration, as opposed to a much longer time under the old land titles system;
- A simple, Internet-based way of registering plans, titles, and interests;
- Submission of work by e-mail, fax, mail, or in person;
- Improved integrity and quality of Land Titles records by transferring them to computer-readable format. (Paper records can be lost, misfiled, destroyed, or stolen, and deteriorate over time);
- Improved cost efficiency;
- Consistent procedures across the jurisdiction;
- Support for economic growth by improving access to records and integrating a number of layers of information for the first time.

Residents of Saskatchewan are already reaping these benefits. Implementation of the LAND System began in May 2001 and is already complete in more than one-

third of the province, with the remainder scheduled to be completed by fall of this year.

As of the end of January more than 150,000 paper titles and associated instruments have been converted to electronic form, and over 200,000 searches of land registry records have taken place via the Internet. The system has also processed more than 6,000 title transfers, over 4,100 mortgage and interest registrations, and approved over 40 plans of survey. As further evidence of the success of the system, since August 2001 eight servers have processed more than 11.5 million computer transactions with a 99.80% success rate.

Comments from customers bear further testimony to the success of

the system. After working through the transition to the LAND System with an initial pilot project, customers are now seeing real benefits.

Residents of Saskatchewan are enjoying improved service and better turnaround on land titles services, as well as a seamless system for mapping the province that integrates two related but previously separate systems.

The entire package is greater than the sum of its parts though. With this system, ISC has created a platform to move the province of Saskatchewan into the knowledge-based economy. By evolving to meet the future needs of its customers, the LAND System has truly established ISC as a leader in

land technology—for the 21st century and beyond.

Fraser Nicholson is the president and chief executive officer of the Information Services Corporation of Saskatchewan (ISC) in Regina, Saskatchewan, Canada. He can be reached at fraser.nicholson@isc-online.ca.

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Use People Skills to Sharpen Your Competitive Edge

by C. Rhoberta Shaler, Ph.D.

What is your competitive edge? Where is it found? It's not on your balance sheet. A profit is only the evidence of a competitive edge. The edge itself is found in your relationships. To sharpen your competitive edge, you must hone your people skills.

The title business is a people business. Every business is. Certainly you have products, skills, expertise, and experience to offer, but first you need the people. There is no business without them. People are the economy. It is people you respond to and prepare for. People have needs and wants. People create competition and cooperation. People create demands and expectations, timelines and deadlines, urgencies and

better your skills, the more likely the relationship will be productive and satisfying. Honing your skills, then, makes ultimate sense. It will save you time, energy, fear, and pain. What a bargain!

The speed of our world has increased dramatically. We have changed our sense of time and urgency. Do you remember when the mail and the telephone were the primary modes of business communication?

Fast forward! Have you ever sent an e-mail and rushed back to your computer three minutes later expecting a reply? Were you annoyed when it was not there? Would you think of waiting for a document to arrive in the mail when there is a fax machine close at hand?

We all live in an era of instant communication with a desire for instant gratification. If we blink, we're afraid we'll miss something. If we slow down, we're afraid we'll be passed. If we stop, we're afraid we'll be too far out of the loop to regain our place. Our radar is always on. It's exhausting.

To live and work comfortably, we need to develop and refine our people skills. This will protect our own sanity as well as contributing to our business success.

How do you increase your business, improve workplace and

client relationships, and keep your health and sanity simultaneously? Clear goals, established priorities, well-developed people skills, efficient organization, thoughtful time management, and basic integrity. Simple to say, but not always easy to do!

Here are four essential skills that will sharpen your competitive edge:

Be Assertive, Not Aggressive

Your success will be in direct proportion to your clarity. Be clear. Know what you want and why you want it. Know what is important to you and why. Only then will you be able to communicate assertively and respectfully.

Assertiveness means being willing to ask for what you need and want. Assertiveness requires that you speak about yourself, your thoughts, your feelings, your needs and wants. It is a declaration of where you stand. It is not an opportunity to step on or over others. That is aggressiveness. There is a big difference!



Excellent people skills help build trusting relationships, which are essential to your bottom line, literally and figuratively.

emergencies. People make or break a business.

Excellent people skills help build trusting relationships. These are essential to your bottom line, literally and figuratively. Whether you are relating to folks you work with, work for, or live with, the

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Nancy Walker

Assertive people communicate in ways that “enable them to maintain self-respect, pursue happiness and the satisfaction of their needs while defending their rights and personal space without abusing or dominating other people.” So writes Robert Bolton in his excellent book, *People Skills*. Aggressive people express their feelings, needs, and ideas at the expense of others. It is difficult to feel safe around aggressive people. Since they are often behaving based on fear and insecurity, they also tend to be unpredictable. Practice assertiveness.

Communicate Clearly

Communication involves two separate and distinct acts: the

willingness and ability to listen, and the willingness and ability to convey your message clearly. One is more difficult than the other. Can you guess which one?

Why is it so difficult to listen well, when all we want is to be understood? We are impatient. Instead of listening when another person is speaking, we are formulating our answer, defense, or rebuttal in our heads. This precludes listening.

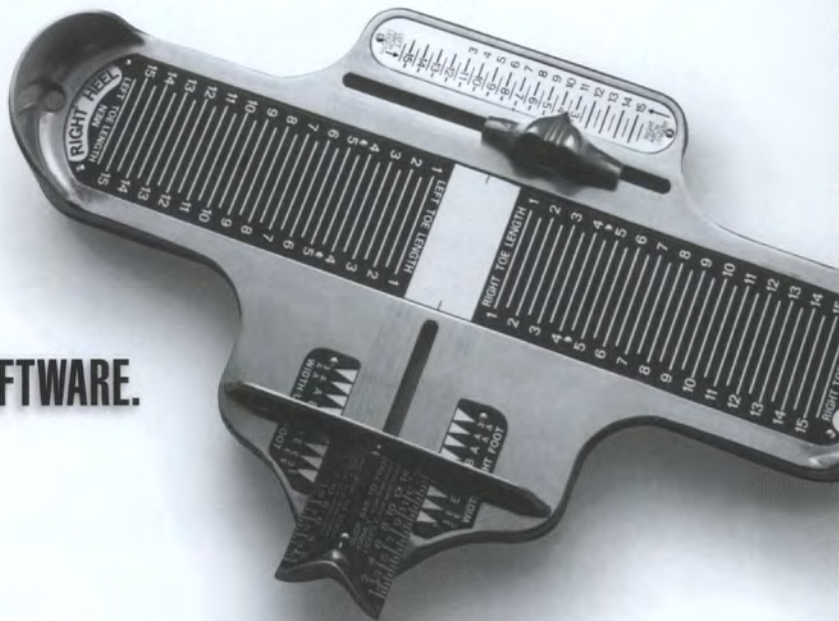
We are fearful. We are concerned that we will not be understood, and so we grab as much airtime for ourselves as possible. This also precludes listening well.

Robert Bolton says that “75% of oral communication is ignored,

misunderstood, or quickly forgotten. Rarer still is the ability to listen for the deepest meanings in what people say.” It is rare, in part, because it is scary. If I really listen to someone, I have to become more deeply involved in the relationship, if only for the length of the conversation. It’s scary too, because once I do understand the speaker, I may have to take action!

Listening requires caring. I have to want to listen. I have to be willing to ask questions that will help me better understand the speaker’s point of view.

Now, for the other side of the equation. Speakers need to choose their words carefully to clearly convey their message to the listener. They need to use language the



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*As published by The Title Report Technology Survey 2000.

listener understands. Both parties in a conversation must engage for communication to occur. It is a shared responsibility.

Remember too, you can say a great deal without speaking. Body language is powerful, and it can be misread. Behavior often screams. What do you communicate when you do not attend a meeting? When you do not return a phone call? Are you aware of all the messages you are sending? Do not leave something to chance that is within your control to communicate clearly.

Communication is much more than words. Communication is not one interchange but many. Listen well, and reflect back what you have heard for accuracy. No, not

parroting, not even paraphrasing. It has to be done with a clear intention to understand both the words spoken and the feelings, beliefs, and values underneath those words. Take a risk. Check out the accuracy of your understanding. Then, continue to communicate.

Manage Conflict Productively

Conflict is not a four-letter word! It is simply the expression of opposing needs, drives, wishes, or demands. The challenge is how conflict is managed, or if it is managed at all.

Assertive people can manage conflict more productively than passive or aggressive folks. They clearly communicate their positions and support them with their

thoughts. They contribute to the conversation rather than the fray.

Many people have had very poor experiences with conflict. It is not uncommon for conflict to be equated with disrespect. That is, of course, because of the awkward ways in which it has been handled.

The first step in managing conflict productively is to clarify the issue for yourself. Is it a conflict of emotions or feelings about something? Is it a conflict of values? Or a conflict of needs? These are very different. Conflicts of emotions are the easiest to resolve. Why? Because we create our own feelings by what we choose to perceive and think, these can be changed. I may feel very strongly about something, and you

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may be feeling completely the opposite. We are entitled to our feelings. Once we have explained our feelings, we can understand one another better, especially if we were really listening. We may agree to disagree. Conflicts of values or needs are more complex. They will take longer to explain, understand, and manage. If you value the relationship, be willing to take the time.

It is essential to be respectful when conflict is present. When fear rises, defensiveness and attack often rise as well. Take care to avoid piling hurt upon conflict.

Anger is an arousal in the body created by hurt, fear, and frustration. When anger flares, it is a poor time to converse. Physiologically, the angrier a person becomes the poorer his or her ability to think. Haven't we all experienced saying something at moments of intense anger and

Engage In Team Problem Solving

Or, communicate, communicate, communicate.

Whenever challenges arise in organizations or in families, the best approach is to move towards one another. Yet, the tendency is often to move away. That's the fear again, isn't it? Or, the ostrich syndrome. Developing the skills of collaboration makes everyone's jobs easier.

Take the time to define the problem carefully. Often there is a tendency to make assumptions and leap to problem solving before the problem itself is understood. Ask each team member for a statement of the issue. Discuss it fully and come to agreement about the nature of the challenge.

Know what you want the outcome or solution to accomplish. In the software industry this would be defining the requirements.

Decide on regular times to review and evaluate the progress and process. This saves time and unnecessary work. It keeps the challenge shared and maintains focus.

By honing these four essential people skills, you will feel more confident when you move into new relationships and more comfortable managing and strengthening existing ones.

Successful people and successful organizations focus on their goals, objectives, and plans. Successful relationships are the cornerstone of successful businesses. Build yours on honesty, integrity, skills, and the intention to learn. You will create lasting relationships built on trust that will lead everyone concerned to profit in every way.

C. Rhoberta Shaler is the creator of The Consociate Way: Promoting Performance and Peace in Your Workplace. She is also a motivational keynote speaker and corporate teambuilder. This article is an excerpt from her presentation during ALTA's 2001 Annual Convention. She can be reached at: RS@SpeakingAboutWork.com or 877-728-6464.

Successful people and successful organizations focus on their goals, objectives, and plans. Successful relationships are the cornerstone of successful businesses.

regretted it later? That's because as anger rises, the blood from the centers of reason and logic in the brain rushes to the body to protect the vital organs. So, in a sense, the angrier you are, the more brain-dead you become. Not a good time for a conversation!

Learn the skills of assertion. Clarify your thoughts and approach people with whom you have conflict at a quiet time, not when you are in full flight, gun loaded, and out for bear!

What do we want to have, to feel, to be able to do as a result of this effort?

Once the problem or challenge and the desired goal is defined, choose the path to achieving the goal. Discuss it fully. What are the implications for every team member? How will this detract from other current projects? What are the priorities? Who will do what by when? Create a linear plan with input from everyone involved.



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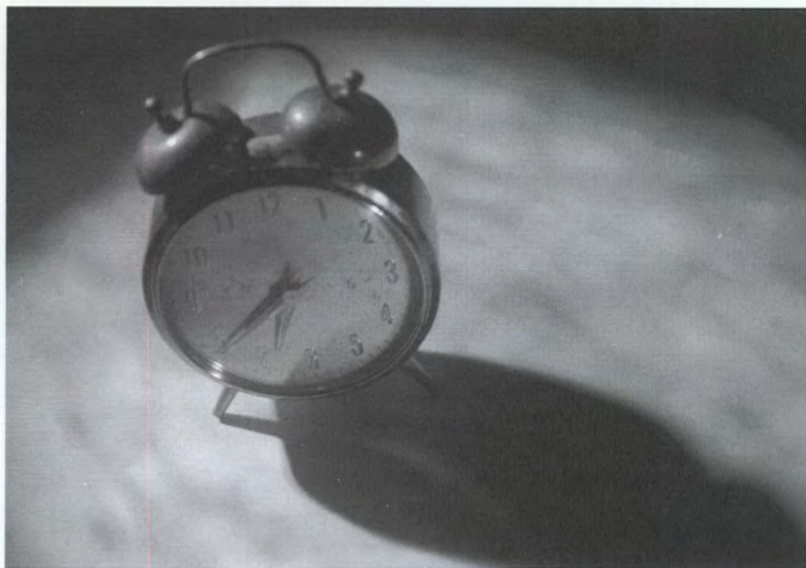
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inside the industry

Mentoring Tomorrow's Title Leaders

by Ellen Schweppe

Catherine Anderson firmly believes that if it weren't for mentors who took an interest in her early in her career, she would not be where she is today.

Anderson—president of Fidelity National Title Insurance Co.'s Tampa, FL., district—started at age 17 as a part-time receptionist at a title agency in St. Petersburg. Agency President Irene Hawley recognized a strong work ethic in Anderson and took her under her wing.

"She quasiadopted me and taught me about things like money management, production, and customer service," Anderson said. "I was there only about two years, but I got such a wonderful foundation for the rest of my career."

The need for mentoring becomes even more critical as baby boom-era leaders begin to think about retirement.

After two years in the escrow area of another agency, Anderson went into business with colleague Dean Tomlinson. "He recognized my customer-service skills and how hard I worked," she said. "When he left to open his own company, he invited me to join him and gave me an interest in the company."

From Tomlinson, Anderson learned the title side of the business and eventually bought him out. She ran the company herself for 14 years, sold it to First American Title Insurance Co., and stayed on to manage the operations for eight years. She then joined Fidelity National, where she oversees operations in nine Florida counties.

"Without the mentoring experiences I've had, I'd still be trying to figure out what to do with my life," Anderson said. "I'm so lucky I had the opportunity to work with people who were interested in my future and in sharing information."

Mentoring for Success

Anderson's story is not unique among those who have succeeded in the title insurance industry. Many of today's industry leaders credit mentoring with helping them acquire skills and experience that have enabled them to grow in their careers. And those who have been on both the giving and receiving end of the mentoring process recognize its importance in maintaining a succession of strong industry leaders.

"Mentoring is key to getting ahead in this industry," Anderson said. "It's so important that people in our industry take the time to mentor others so that we'll have

people with the skills and knowledge to carry on after us."

The need for mentoring becomes even more critical as baby boom-era leaders begin to think about retirement, leaving the less populous younger generation to fill management positions across the industry. Title agency owners, in particular, find that mentoring and transition planning are important when the time comes to retire from running their business, whether they pass it on to family members or sell it.

The potential for a leadership gap is not limited to the title insurance industry. One in five top management positions and nearly one in four middle-management positions could be vacant by 2005, according to a recent Development Dimensions International study of succession management practices. At the same time, 40 percent of organizations surveyed rated their approach to leadership development as low or very low, according to another study by the



same firm.

During the 1990s, mergers and acquisitions reduced the number of middle-management positions in corporations throughout the United States, according to the publication *Trend Letter*. In addition, a trend toward divestiture of all but core businesses often eliminated opportunities for managers to learn all aspects of an industry. As a result, fewer candidates have had opportunities to acquire the qualifications they need to fill future leadership positions.

While the title insurance industry is not immune to trends affecting corporate America as a whole, many companies are taking steps to avoid a leadership gap and ensure that their organizations will be well run in the future. They are doing it by combining mentoring with a variety of training programs to prepare today's up-and-comers for tomorrow's leadership positions. Companies are offering learning opportunities to help employees be more effective in their jobs in the near term and—for the most capable—outstanding leaders over the long term.

Planning for the Future

When brothers John and Roger Bell, owners of Security Title Co. in Wichita, KS, decided to sell the company their father founded in the 1940s, they had a succession plan in mind. They had spent more than 15 years mentoring Craig Burns, an employee who had started as a messenger and had worked his way up in the company by learning as many facets of the title business as possible.

"When we sold the company to First American in 1999, they asked if we had someone to take over the

operation," John Bell said. "We thought Craig was very capable of doing that. My brother and I had a management contract to stay and catch Craig up on what he had not yet been involved in, such as finance. It has worked out very well."

The Bells noticed early on that Burns related well to both office colleagues and customers and that he was eager to learn. "When you have a good customer say to you, 'I hope you appreciate what a good job that young man does for you,' it gets your attention," Bell said. "He was doing an outstanding job, he loved every minute of it, and he had the ability to build deep loyalties. All of the ingredients were there for him to move up the ladder. In fact, before we made the decision to sell, my brother and I had been talking about how long it would be before we would have to get out of his way."

Burns recalls his beginnings at the company as less than auspicious. "The first week that I was there making deliveries, I wrecked the car," he said. "I went to Roger and John and said I wanted to make things right." He spent weekends working in the storage room until the car-repair bill was paid off.

Burns made deliveries for three years, learning every customer from secretary to bank president, before asking the Bells for more responsibility. He started making marketing calls, doing title filings, and learning the closing process. He expanded his base of business contacts by attending civic and industry events with the Bells. "I met with the Bells at least once a week, which gave me an opportunity to bounce ideas off them and

learn even more," Burns said.

Now that Security Title is a wholly owned subsidiary of First American with Burns at the helm, the Bells are still available for advice. "I can call and talk with them any time," said Burns. "It's a great safety net for me."

Combining Mentoring and Training

Fidelity National's Title Administration Department tackles training and mentoring from the ground up, according to Vice President Robin Smith. She and her staff visit title offices across the country to analyze floor plans and work flow, recommending changes designed to meet the priority of improving each office's report service time while maintaining quality.

"It may not sound like training or mentoring, but it is," Smith said. "The floor plan—right up to where people sit—affects how people work and learn. If the work environment is right, mentoring and passing on knowledge occurs in a much more fluid and natural way."

Mentoring in Fidelity National's title area is "an informal but formally encouraged process," Smith said. Senior people are asked to identify and mentor their most promising employees, giving them increasingly challenging assignments and working with them on problems they encounter in their day-to-day work.

"It's difficult to establish a curriculum for mentoring," Smith said. "Basically, you have to mentor as the file comes up. Whenever an employee has a problem with a file, it's the mentor's job to explain it to him. Even though it's an informal

process, the extra wrinkle is that we're encouraging mentoring from a corporate level and having senior people in each office make sure it happens."

In addition to encouraging informal mentoring, Smith's department offers more formal training opportunities for employees to help them acquire job skills and develop networks with colleagues. Once a year, for example, the department conducts a two-day title seminar on each coast for local offices.

Seminar participants discuss improving work flow and quality, as well as hear presentations from company leaders and colleagues from offices with success stories. "The seminars encourage people to network so that they have people in other geographic areas to go to when they want to discuss problems and ideas," Smith said.

One point Smith emphasizes when talking to employee groups is the need to take initiative in seeking out mentors. "I tell people not to sit on their hands and wait for someone to give them all their knowledge. You have to go out and ask for it."

At the same time, Smith said, managers are supportive of the company's informal mentoring directive. "I get enthusiastic feedback from senior people about mentoring," she said. "They like having the opportunity to share their knowledge."

Avoiding a Leadership Gap

Mike Holden, president of Guaranty Land Title Insurance Co. in Columbia, Missouri, credits ongoing mentoring and training programs with helping the company his grandfather started in

1937 avoid a leadership gap. "We've really been selective in the people we have invested our time and resources in. I think that has done us a world of good," said Holden, whose parents mentored him before he took over the company.

When identifying employees with management potential, Holden looks for people who are good at what they do, love their job, and always want to do more. While some have come to the company with prior management, real estate, or mortgage experience, others have started at the bottom and worked their way up.

Each month Holden calls managers of the company's 10 offices together for an all-day meeting. "The amount of idea sharing and brainstorming the collective group is able to do is far more than one person could do on his own," he said. "As a group, we can come up with more marketing solutions and think of more approaches to real estate title searches and closings than we each could on our own. I think it's one of our biggest competitive advantages."

To build the next generation of company leaders, Holden aggressively encourages and pays for key employees to attend ALTA training programs and conferences, as well as training opportunities offered by underwriters with whom the company works. He also conducts development classes for field personnel and introductory sessions for new employees, using materials he has created himself or obtained from sources such as ALTA.

"My father instilled in me very early on that in the title industry your people are your business,"

Holden said. "Everybody is selling the same thing, so if your people aren't above par you won't have an impact on the marketplace. That's what drives our staffing and training."

It is also what Holden believes will keep his company from developing a leadership gap. "We have such a vast wealth of experienced people; things don't get held up because only one person can make a decision," he said.

Advice on Mentoring

For companies developing mentoring and training programs, Holden offers three-part advice. "The first thing I'd recommend is talking to the underwriters you work with to find out what kind of programs they offer that would benefit your employees. Second, talk to ALTA and state associations and see what training programs are available from them. Third, look for networking opportunities for employees at both state and national levels."

Once you have spotted employees with potential, Burns said, the key to making mentoring pay off is patience.

Holden acknowledges that sending employees to national conferences can be expensive, but adds that most state events are within driving distance. "The people I see at state conferences tend to be company owners. I'd like to see more frontline people get involved. I think one of the failings of our industry is failure to train the new breed," he said.

Anderson agrees that mentoring tomorrow's leaders is essential to

the industry's success. "It's very important for people to be mentored in our industry. There's no place else you can go to learn this. The best way is by starting at the front desk and then learning the next job and the next job and the next job. But you need help from those who have gone before you."

Anderson's advice for industry professionals considering mentoring is simple: "Try to find those people who have the right skills, a good work ethic, and a sense of loyalty toward their employer, and then work with them to enhance their skills."

As someone who has enjoyed the benefits of being mentored,

Anderson takes her own advice. "I've identified a couple of people who work with me who I know could replace me," she said. "I try to educate them with every task. I tell them the reason they're doing something so they'll understand the ultimate purpose, not just the part they're working on."

Identifying promising employees to mentor is not always easy, according to Burns. "Some come to you and seek your advice, but others you have to watch for. It's almost like being a pro scout checking out high school players. You have to figure out which ones to take a shot with."

Once you have spotted employees with potential, Burns

said, the key to making mentoring pay off is patience. "To really develop someone takes time. You can't do it overnight. You need to send them to training in areas where they need it, test them with tough assignments, and see how well they do," he said. "But it makes all the difference."

Ellen Schweppe, APR, is president of Ellen Schweppe Company, LLC, a public relations firm serving the financial services and other industries. She can be reached at ellen@schweppecompany.com or (703) 435-5621.

President and COO, LandSafe Title Services Rosemead, CA

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Viewpoint

by R.K. Arnold

MERS will roll out a couple of new services this year: MERS[®] 1-2-3 and MERS[®] Commercial. Both of them will help mortgage industry servicers "do MERS" more efficiently and quickly.

MERS[®] Commercial is similar to our residential program, but it's specialized for the commercial market. By eliminating the need for assignments, it helps remove the threat of loan repurchase due to defects in loan documentation related to missing, incorrect, or improperly recorded assignments, and it creates a more efficient lien release process.

Originators and Issuers will save hundreds of dollars per loan in assignment preparation and recordation costs. All participants in the lending process will benefit by having access to a standardized final certification document checklist on the MERS[®] System.

We're working with several partners from the commercial lending industry on MERS[®] Commercial and the CMSA has endorsed it. We'd like to thank them for their support.

MERS[®] 1-2-3, Phase I of which we introduced on January 1, 2002, is an innovative process that greatly reduces the amount of data entry required for registering a loan on the MERS[®] System. With it, a

member or nonmember can generate a MOM document and complete a MERS registration online without the need to go through integration.

MERS[®] 1-2-3 will help members convert their correspondents and brokers into MERS[®] Ready trading partners.

We'll keep you informed on developments and highlights featuring both MERS[®] Commercial and MERS[®] 1-2-3 and we'll always strive to continue to bring beneficial services to our members and the mortgage industry as a whole.

Thank you for doing business with MERS.

MERS Launches Phase I of MERS[®] 1-2-3

On January 1, 2002, we launched the first phase of an innovative process that will, when fully implemented in Spring 2002, reduce 90% of the data entry required for registering a loan on the MERS[®] System. The process is called MERS[®] 1-2-3, and we developed it to help members more rapidly convert their correspondents and brokers into MERS[®] Ready trading partners. GreenPoint Mortgage Funding, Resource Bancshares Mortgage Group (RBMG), and Principal Residential Mortgage provided the initial funding for the new online system and cooperated with MERS in product design and testing.

Phase I of MERS[®] 1-2-3 enables MERS members and nonmembers to:

- 1) generate a valid assignment to MERS through participating document providers, and
- 2) generate and affix a valid Mortgage Identification Number (MIN) to the assignment.

The MIN is reserved on the MERS[®] System for future registration. As a MERS[®] 1-2-3 user, you must deliver the loan to your intended purchaser (the investor to whom you are selling the loan) within 10 business days of recording the assignment to MERS.

Several industry leaders have already started implementing MERS[®] 1-2-3. American Mortgage Corporation, Edina, MN, which sells to Principal, was the first company to begin using the system when it was still in Test Mode. "MERS[®] 1-2-3 is very user friendly, and the support has been excellent," said Annette Marquez, Post Closing Manager for American Mortgage Corporation. MERS[®] 1-2-3 helps us do our job more easily and efficiently, especially with our trading partners."

For more information, please contact the MERS Help Desk at 1-888-680-6377.

Tales from the Field

Bob Walters, vice president of secondary marketing at Quicken Loans, Inc. reports that Quicken's 2001 volume was roughly \$4.5 billion in new loan originations. Quicken's 2002 goal is to exceed 2001 numbers and gain market share.

We asked Bob how his company utilizes MERS and what he might expect in the future. "We use MOM docs on about 80% of our production. A few of our wholesalers aren't MERS[®] ready, and that keeps us from enjoying the benefits of MERS when we sell loans to those wholesalers."

"Using MERS has dramatically aided our final documents group. We have much happier wholesalers because assignments are no longer the eternally trailing documents that hang on like a visiting relative who won't leave. I think it's terrific that our customers can save a few bucks because we and our wholesale partners have decided to avoid the mad paper shuffle."

Bob explains, "We are considering making MERS acceptance the 'ante' to do business with Quicken Loans. We're not there yet, but we feel acceptance of MERS is indicative of the technology and process focus we look for in our wholesaler partners."

"MERS was terrific in helping us get started, and their staff follows up regularly, even though once you get started there's little

Straight Talk

by Sharon Horstkamp

The Electronic Assignment Myth

An attorney recently asked me how to prove the mortgage chain of title when the mortgage loan is "recorded" with MERS and an assignment has been done from Member A to Member B electronically.

This question contains two fallacies:

- 1) mortgage loans are not recorded with MERS; they are registered, and
- 2) there is no such thing as electronic assignments on MERS; they are eliminated.

The mortgage document is required to be recorded under the MERS rules with the applicable county recorder's office in order to perfect the lien. The member then registers the mortgage loan on the MERS[®] System so it can be tracked.

Once the mortgage document is recorded with the county recorder and registered on the MERS[®] System, the chain of title starts and stops with MERS. Neither Member A nor Member B appears in the chain of title because the mortgage lien has never changed hands and remains with MERS. What has transferred from Member A to Member B is servicing rights, not the mortgage lien. Servicing rights are contractual rights that are created through a purchase and sale agreement. The MERS[®] System tracks both these transfers if the loan has been registered.

MERS continues to hold the mortgage lien on behalf of the beneficial note holder and loan servicer. The mortgage lien becomes immobilized by the MOM mortgage or an assignment to MERS as long as the transfer of servicing rights go from one MERS member to another. Nothing has been assigned electronically. Any assignment or lien release would come from MERS as the mortgagee, not from Member B.

need for much maintenance. Any wholesaler reading this—please adopt MERS!"

We couldn't have said it better, Bob!

1595 Spring Hill Rd,
Suite 310
Vienna, VA 22182
(800) 646-MERS (6377)

Communications Manager
Kathleen McNeilly,
kathleenm@mersinc.org

member news

Movers & Shakers

California



R. Wayne Shupe has been elected executive vice president and chief operating officer of Old Republic Title Company and Old Republic Title Holding Company in

San Francisco. Shupe joined Old Republic in 1995 and has been executive vice president and manager of the Santa Clara County operations as well as regional manager of its Arizona and Nevada operations.

LandAmerica Financial Group, Inc. has formed the LandAmerica Default Services division in Santa Ana, to assist lenders and mortgage-servicers. **Carl**



Brown has been named executive vice president. Brown has more than 15 years of mortgage banking experience.



Hazelle Weissinger joins the company as vice president, default operations. Most recently she worked for Professional Lenders Alliance where she was a partner.



Robert Denarola has been named vice president, asset management after working for New Century Mortgage Company for the last four years.



Jeanie Matten joins the company as assistant vice president, national outsourcing. Previously she was vice president for national sales and marketing for

Professional Lenders Alliance.

Massachusetts



Peter Wittborg has been appointed director of commercial development for Connecticut Attorneys Title Insurance Company's eastern MA

operation. For the previous 18 months, Wittborg successfully launched the company's operation in eastern MA. Prior to joining CATIC, Wittborg was a partner in the Boston office of Stroock & Stroock & Lavan, LLP, where he chaired the real estate practice group.



Peter Norden has been promoted to vice president, national director for agencies at First American Title Insurance Company, Boston. He is presently

regional vice president for the company's northern New England region, a position he will continue to hold. Norden has been with the company since 1978.

Michigan

Stewart Title Guaranty Company, Southfield, makes two announcements:

Anthony Viviani has been appointed vice president, MI district manager and counsel. Most recently, Viviani was associate regional counsel for LandAmerica Financial Group and also served as vice president of LandAmerica's tax-deferred exchange company.

new ALTA members

ACTIVE MEMBERS

Alabama

Taylor Wilkin
Baldwin County Title Company, Inc.
Robertsdale

Arizona

Joshua M. Hall
Premier Title Agency, Inc.
Pinetop

Arkansas

Joey Benton
Ozark Abstract Company, Inc.
Jasper

Donald Goodner
Scott County Title Corp.
Waldron

Colorado

Leo Herbert
Chancery Title Company L.L.C.
Aurora

Connecticut

Nancy Eldridge
Winsted

Georgia

W. Vandy Beasley
Atlanta

Indiana

Richard Daily
Daily & Daily Title Searches
Fairland

Larry Carl
Investors Title Corp.
Indianapolis

Ken Mills
Mills Land Title Corporation
Evansville

Steve Wappes
Northeastern Indiana Title, Inc.
LaGrange

Michigan, cont.

Also **Allan Dick** has been appointed Michigan underwriting officer. Most recently he served as chief operating officer and commercial operations manager for First Michigan Title.

Minneapolis



Rande K. Yeager has been elected president and chief operating officer of Old Republic National Title Insurance Company and Old Republic National Title

Holding Company, Minneapolis. Previously, Yeager was executive vice president and chief operating officer. He will continue to serve as president of Old Republic Central Title, Inc.

New England

Stewart Title Guaranty Company has two announcements in the New England area: **James J. Fleming** has been appointed district manager for New Hampshire and Maine. Previously, Fleming was president of Fleming Title Services, Inc.



David R. Dinsmoor has rejoined the firm as vice president—business development. Previously, he worked for Granite Title.

New York

Danny Tyson has been appointed regional sales manager for United General Title Insurance Company, White Plains. Prior to joining United General, Tyson worked for a national underwriter as northeast marketing director of affiliated business and new business opportunities.

Ohio



Amy Regal has joined Chicago Title Insurance Company as an account executive based in the Cleveland office. She most recently worked as an account manager for

another title company also in the Cleveland area.



Valerie Link has joined Title Support Services, Inc., Columbus, as software consultant.

Pennsylvania



Adrienne Verdone has been appointed vice president and eastern PA counsel for Commonwealth Land Title Insurance Company, Philadelphia.

Most recently, Verdone was vice president and eastern PA manager for Chicago Title.

Texas



Jay Tucker has been appointed vice president and South Central regional manager for United General Title Insurance Company, Austin. Prior to joining

United General, Tucker served as president of the Austin division for Fidelity National Title.

new ALTA members

Kentucky

Carla Curry
Public Records Abstracting
Magnolia

Louisiana

Ricky Simmons
First Southern Title Co. Inc.
Baton Rouge

Richard Muller
Muller & Muller
Attorneys at Law, L.L.C
Covington

Carol Newman
Newman Title Insurance Agency
Carrollton

Maryland

Deborah A. Smigovsky
Ageis Title Company, LLC.
Glen Burnie

Robert J. Fuoco
Law Office of Robert J. Fuoco
Glen Burnie

James W. Hafey, Jr.
Heritage Title
Rockville

Harry Sewell
Harry Sewell, Attorney, Chartered
Kensington

Thomas P. Dore, Esq.
Title Warrantee Corp.
Towson

Massachusetts

Scot Hamburger
Fiore & Hamburger Attorneys at Law
Boxford

Missouri

Amy Henry
Vernon County Abstract & Title Co.
Nevada



Virginia



Betty H. Ayers has been elected senior vice president—corporate services for LandAmerica Financial Group, Inc., Richmond. Ayers, who has been vice

president, joined Lawyers Title Insurance Corp. as corporate services manager in 1990 and was promoted to vice president in 1993.



Holly H. Wenger has been elected senior vice president—corporate counsel for LandAmerica. Wenger joined Lawyers Title Insurance Corp. in 1994

as assistant corporate counsel, was promoted to associate corporate counsel in 1995, corporate counsel in 1997, and vice president—corporate counsel in 1998.

Mergers & Acquisitions

Metropolitan Title Company, Howell, MI, has announced the acquisition of Sharp-Mitchell Abstract Co., Inc. of Lafayette, IN, and Columbia Land Title, Fort Wayne, IN.

Security Title Services of Indianapolis has announced the acquisition of southwest Indiana's Evansville Title Corp. The action creates Security Title's first office outside central Indiana.

Transnation Title Insurance Company, a subsidiary of LandAmerica Financial Group, Richmond, VA, announces the acquisition of Premier Title Agency, Inc., in Navajo County, AZ.

new ALTA members

Missouri, cont.

Barbara Ward.
Ward Title Insurance Agency, L.L.C.
Cape Girardeau

Michigan

Michael Hinds
Chippewa Title Services Inc.
Saul Sainte Marie

Mississippi

Robert M. Dreyfus, Jr.
Dreyfus & Evans Attorneys
Meridian

Montana

Kenneth Kanenwisher
First Montana Title Company Of
Hamilton
Hamilton

Nebraska

David C. O'Hanlon
Blair Abstract & Title Co.
Blair

Carla Russell Allen
Russell Abstracting
Broken Bow

Julie Rawling
Vintage Title & Escrow Co.
Kearney

New Hampshire

Jenna M. Ruggiero
Griffin & Owen P. C
Streamline Settlement Services
Amherst

J. Leonard Sweeney
Sweeney Closing Services, LLC
Nashua

New Jersey

Juanita Painsion
Apex Title Agency
Middlesex

new ALTA members

New Jersey, cont.

Alfred Santoro
Esquire Title Services, LLC
Parsippany

Tracy A. Kurzawa
Tracker Title Agency, LLC
Bloomfield

New York

Thomas A. Gifford
Gifford Abstract Corp.
Schenectady

Ohio

Rupert Beetham
Rupert N. Beetham, Attorney at Law
Cadiz

Michael S. Schwartz
The Main Title Agency, Inc
Cincinnati

J. Alan Keiser
Swanton Title Agency Inc.
Swanton

Tammy Besece
The Title Company
Columbus

Oklahoma

David C. Cameron
Covenant Title Company
Tulsa

Jon Lurtz
Jon W. Lurtz, P.C.
Oklahoma City

Security Title & Escrow LLC
Tulsa

Virginia

Brenda Arthur
Danville

Deborah Hardie
Deborah L. Hardie Research
Roanoke



new ALTA members

Virginia, cont.

Laraine Blackwell
Merlin Title Company, Inc
Hampton

Tom Hagedorn
Premium Title Services, LLC
Alexandria

Janice Poole
Kingswood Search Inc.
Rustburg

Vermont

Timothy J. Ryan, Esq.
North Star Legal Services, PLC.
St. Albans

new ALTA members

Wisconsin

Phillip Addis
Main Street Title, Inc.
La Crosse

ASSOCIATE MEMBERS

Arizona

Harry Hengl
Western Financial
Yuma

Kansas

Roger D. Hughey
Adams & Jones, Chartered
Wichita

Maryland

Catherine Nostrame
American Title and Escrow Co.
Silver Spring

new ALTA members

Minnesota

Jack Kosmoski
U.S. Bank
Minneapolis

New York

David Drucker
Realty Data Corp.
Mineola

Ohio

Louis S. Frank
Bedford

Bradley Hunt
Scimus Information Systems
Columbus

Washington

Michael Cooney
Vancouver

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To place a classified ad in Marketplace, send ad copy and check made payable to American Land Title Association to: *Title News* Marketplace, ALTA, 1828 L Street, N.W., Suite 705, Washington, DC 20036.

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