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ALTA's 2006 Federal Conference

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Invite A Member Over

Let me start by welcoming Ed Miller to ALTA as Chief Counsel and Director of Government Affairs. Ed comes to us from the National Association of Realtors and already has a good grasp on our issues. He will be a real asset to ALTA.

We hired Ed at the perfect time; 2006 is an election year and provides us an opportunity to get to know our candidates for local, state, and federal offices. That's exactly what Rebecca McKittrick with Suburban Title & Escrow in Omaha, NE, did recently when she attended ALTA's Federal Conference for the first time. She asked Ed for some help meeting with her Senator, Ben Nelson, and I was able to go along and provide her some backup support. She did a nice job in getting our messages across. Her first time in D.C. and her first time meeting with her senator, way to go Rebecca! Grassroots at its best.



Visiting with your member of Congress should also be part of what you do back home. I admit that I'm a political junkie and have had U.S. senators, congressmen, governors, state senators, state representatives and local officials come through my office. But I realize that not everyone is like me. So how can you get to know your elected officials?

Start by extending an invitation for them to visit your office. It can be a local, state, or federal representative. Walk them around introducing them to your staff, explaining the job that each fulfills. Don't be shy. Your staff will enjoy going home and telling their family how the candidate came to their

desk. Brief your staff ahead of time—they don't need to vote for this person; they just need to take the time to say hello.

You need to be open-minded enough to look at both political parties. Pick the person that can help you in your business. ALTA is an unusual organization because our members appear to be split, half Democrats and half Republicans. Most trade associations favor one party. Since we are a small trade association, this split really works to our advantage.

I know that making these invitations may not be that easy for some of you. Follow Becky McKittrick's example and give it a try. If you need help finding contact information on your representatives, call Ed at 800-787-2582 ext. 214 and he will be glad to assist you. Or call me at 608-791-2001 and I can give you some pointers.

If you are really uncomfortable inviting these folks to your office, then I encourage you to increase your TIPAC contribution so that those who can make the contacts are able to contribute at the federal level to those who will help YOUR industry.

Mike Wille
Mike Wille

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ALTAnews

Disaster Task Force Seeks to Help with Katrina



The ALTA Disaster Task Force was set up by the ALTA Board in December 2005 to obtain information about restoring an efficient and effective mortgage finance and conveyancing system in the areas impacted by hurricanes Katrina. Some members of the Task Force have toured the areas personally.

"The situation down there is just as terrible today as it was when the storms first hit," said Task Force Chairman Stanley Friedlander, president of Continental Title Agency Corp., Cleveland, and 2002-2003 ALTA President. "Much of the rest of the country has moved on, but for those in the affected areas, it's surprising how little has changed," said Stanley.

The Disaster Task Force is working with the Property Records Industry Association (PRIA), the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT), the National Association of County Recorders & Clerks (NACRAC), and the National Association of Counties (NAC) to determine what the needs are and how the title industry can help.

"Many of the county recorders and their staffs are also working through the maze on restoring or rebuilding their own homes," said Friedlander. "Working through the government and insurance company red tape is bogging down the reconstruction process." The Disaster Task Force will continue to meet with the groups mentioned above and is ready to help when needs are identified. In the meantime, a special Disaster Recovery section has been set up on ALTA's Web site to provide emergency preparedness information for both businesses and individuals. The site also provides links to FEMA and the American Red Cross, which also have disaster information.

"It make take longer than we thought," said Friedlander, "but we are committed to the process and we are in it for the long haul."

ALTA's Committees Want You

If you would like to serve on an ALTA committee for 2006-2007, now's the time to volunteer. The ALTA staff will start collecting names of volunteers shortly; watch ALTA E-News and the Web site for announcements. Volunteer names are then shared with the incoming ALTA president, and committees are assigned. Committee service is for one year. It begins at the ALTA Annual Convention in October and ends the following year at the same meeting. If you have questions about what committee to serve on, log in to the ALTA Members Only section of the Web site and visit the Leadership/Committees page to see a list of committees and their responsibilities. If you have questions about committee service, contact Cammy Davidge, ALTA's membership & marketing director, at cammy_davidge@alta.org or 800-787-2582, ext. 230.

ALTA/IRPF Sign Strategic Alliance Agreement

A strategic alliance agreement was entered into between ALTA and the International Real Property Foundation (IRPF). The IRPF is an independent, non-profit organization with a mission to create viable, private real property markets worldwide which are essential for strong democracies and developing economies. ALTA will provide information on automated land titling technology to facilitate efficiencies for international real estate markets and initiate relationships to encourage the creation of effective and profitable land titling systems worldwide.

ALTA's International Development Committee Chairman Mark Winter stated that the Alliance was a "natural fit." "The ALTA/IRPF partnership will enable the land title industry to act as an effective gateway to expertise on land title services that will benefit any nation" according to Winter. Other IRPF Alliances include USAID, The World Bank, The Appraisal Institute, National Association of Realtors®, Institute of Real Estate Management, Ford Land Development Corporation and the UN Commission on Human Settlement.

ALTAnews

calendar

ALTA Events

May

1-3
Forms Committee Meeting
Las Vegas, NV

20-23

Annual Internal Auditors Meeting
Key West, FL

June

16-17
Board of Governors Meeting
White Sulphur Spring, WV

July

21-23
Title Agents Executive Conference
The American Club,
Kohler, Wisconsin

15-17

Technology Committee Meeting
Vail, CO

20-22

Education Committee Meeting
Okemos, MI

21-23

Title Agents Executive Conference
Kohler, WI

August

20-22
Research-Abstracter/Agent Meeting
Galena, IL

September

10-12
Reinsurance Committee
Miami Beach, FL

17-19

Annual Accountants Meeting
Moran, WY

October

11-14
ALTA Annual Convention
Westin St. Francis,
San Francisco, CA

State Conventions

May

3-5 Tennessee
4-6 New Mexico
7-9 Iowa
18-21 South Carolina

June

1-3 Arkansas
3-5 Virginia
4-6 Pennsylvania
4-6 Wyoming
4-7 New Jersey
5-7 Texas
7-8 South Dakota
22-25 New England
(CT, ME, MA, NH, RI, VT)

July

9-11 Michigan
13-15 Illinois
13-15 Utah

August

3-5 Indiana
3-5 Montana
10-12 Kansas
17-19 Idaho (OR & WA)
20-23 New York
25-27 Minnesota

September

7-10 Maryland
10-12 Ohio
13-15 Arizona
13-16 Colorado
14-17 Dixie Land (AL, GA, MS)
14-16 Missouri
14-16 North Carolina
20-22 Nebraska
21-23 North Dakota

October

19-20 Wisconsin

November

15-17 Florida

December

6-8 Louisiana

Public Awareness Campaign Update

ALTA Federal Conference

Ervin Bell made a presentation at the ALTA Federal Conference outlining some of the challenges the title industry has faced from regulators and the media this past year. A copy of the PowerPoint from that presentation can be found under the Federal Conference section of ALTA's Web site. A ten point message document was distributed to attendees in case they received questions about the media and regulatory attention during visits with their members of Congress. That document can be found on ALTA's Web site in the Press section, called Title Industry FAQs.

Copies of the recent *Wall Street Journal* and *Washington Post* articles on title insurance were distributed to attendees, who left them behind for their member of Congress after their visits.

Media Relations

Ervin Bell followed up with the reporter from *Money Magazine* to point out some of the inaccuracies in the article. Ervin Bell also submitted a Letter to the Editor over Jim Maher's signature telling readers they could find out more information on title insurance on ALTA's Web site.

ALTA staff and Ervin Bell held conference calls to determine what ALTA's media response would be to the GAO study of the title insurance industry. Our statement was picked up verbatim by several publications.

Ervin Bell has also been actively involved with the California Land Title Association's media team on the investigations being spearheaded by CA Insurance Commissioner Garamendi.

Articles Written

Ervin Bell wrote an article promoting June's Homeownership Month in the March/April issue of *Title News*. The ALTA Board wanted to promote the PR opportunities of industry involvement in this month proclaimed each June by the U.S. President.

An article was also written on the ABC's of Publicity for the May/June issue of *Title News*. The article was based on Ervin Bell's presentation at ALTA's Annual Convention last October in New York.

National Insurance Act Introduced

On April 5, 2006, U.S. Senators John Sununu (R-NH) and Tim Johnson (D-SD) introduced "The National Insurance Act" (NIA) of 2006, which provides for an optional federal charter to improve regulation of life and property/casualty insurance. The legislation also seeks to create an independent Office of National Insurance within the Department of the Treasury. ALTA is currently reviewing the legislation in detail. ALTA's position has been to oppose federal regulation of insurance. We will keep you informed if there is any action regarding this legislation.

Senate Judiciary Committee to Hold Hearing on McCarran-Ferguson Act

The Senate Judiciary Committee has scheduled a hearing entitled, "The McCarran-Ferguson Act: Implications of Repealing the Insurers' Antitrust Exemption," for April 25, 2006. Witnesses have not been invited yet, and the hearing will likely be postponed due to the debate on immigration reform. Initial intelligence is that the hearing will focus on the property/casualty insurance business, and recent actions against companies in New York, such as that brought against Marsh, McLennan for bid rigging. The title industry is not the focus of this hearing. ALTA will monitor the Committee's hearings and activities, and present its views at the appropriate time.

Update on GAO Study

As reported in the March 15 edition of ALTA E-News, representatives from ALTA have met with the Government Accountability Office (GAO) twice since it began its study this past February of the title industry and how it works. Since that time, the GAO has also talked with state regulators, underwriters, title agents, the National Association of Realtors, the MBA and RESPRO. They are also reviewing state regulatory and HUD RESPA actions taken against the settlement services industry. The GAO expects to complete its study around this time next year.

House Financial Services Subcommittee Holds Hearing on Title

The House Financial Services Subcommittee on Housing and Community Development held a hearing on the title insurance industry on April 26, 2006. Witnesses included representatives from GAO, HUD, state insurance departments, attorneys' general, consumer groups, and the settlement services industry. At press time, ALTA President Rande Yeager and ALTA Board member Greg Kosin were set to testify on behalf of the title industry. Committee staff were expected to ask questions about price competition, kickbacks, and other things keeping the cost for title insurance high. ALTA's full testimony will be available on the Web site starting April 25. If you have questions about the hearing or testimony, contact Ed Miller, chief counsel and director of government affairs, at 800-787-2582 ext. 214.

ALTA Closing Committee Reviews Proposed Uniform Closing Instructions

The ALTA Closing Committee is reviewing a proposal from the Mortgage Bankers Association to create a new uniform closing-instruction form. The proposal would create two separate documents: "General Closing Instructions" (GCI) and "Specific Closing Instructions" (SCI). ALTA has already received several comments from members of the Closing Committee. To review the proposed documents, go to ALTA's Web site (www.alta.org/about/mba-uci.cfm). If you have comments regarding the proposal, please e-mail them to Ed Miller, ALTA's general counsel and director of government affairs at ed@alta.org.

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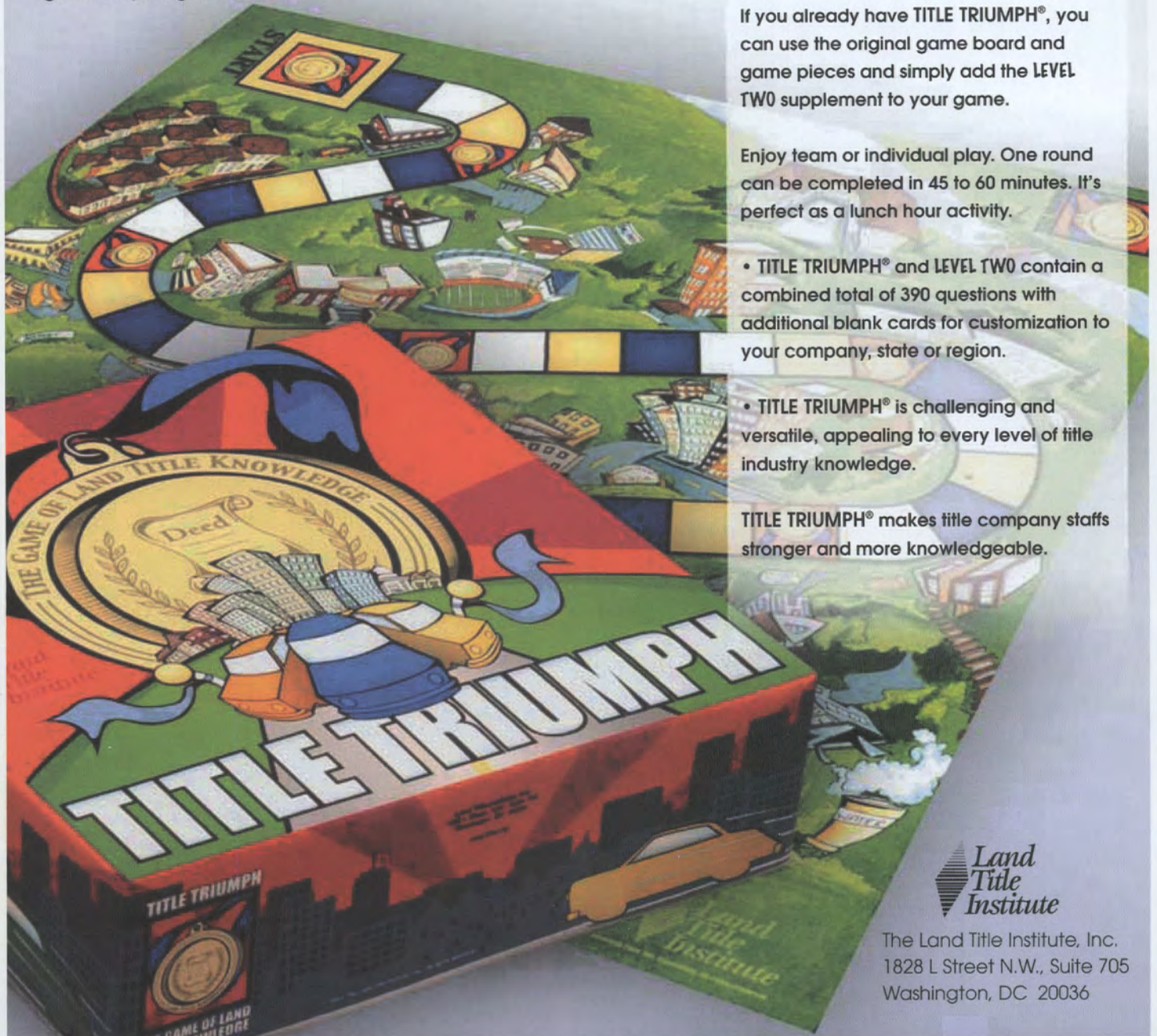
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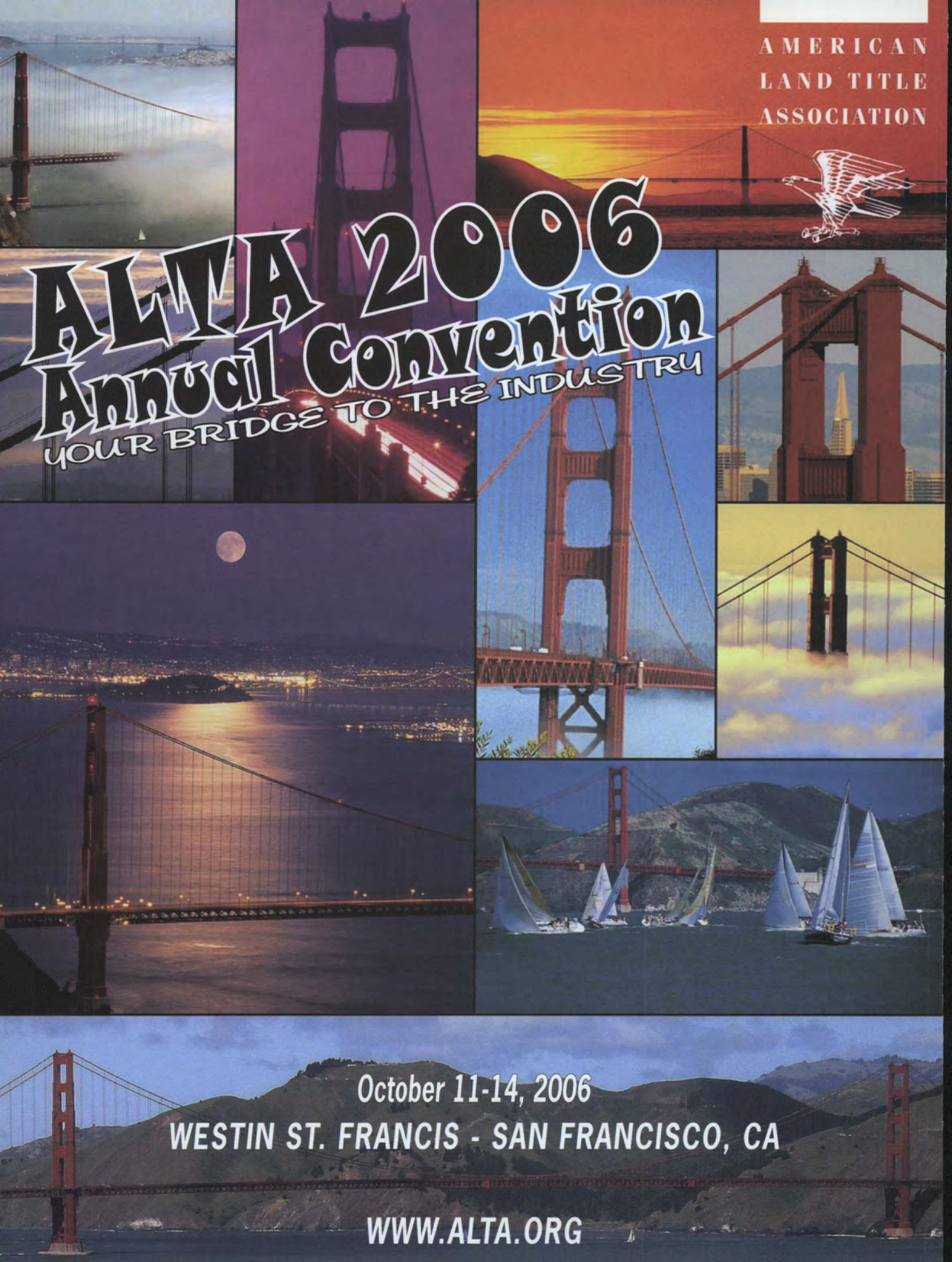
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Is the Door to Public Records Slowly Closing?

Privacy and identity theft concerns may lead to less public records information being available to title companies. We need to be part of this conversation before it's too late.

by James P. Sibley

Read the following illustrations, and see if either rings true for you.

Molly Armstrong, an abstracter searching title out of an East Coast courthouse, asks the recorder if she can see the latest filings to update the title order she's working on. The recorder, a helpful and cooperative public records custodian, replies "I'm sorry Molly; I

can't let you see those documents yet because we haven't finished reviewing them for Social Security numbers."

Best Title Company, a subscriber to a title plant in a midwestern county, receives notice one day from its plant maintenance vendor that it can no longer afford to maintain the title plant since the recorder increased the cost of electronic document copies from a few cents to \$1 per page, the same price charged for paper copies. Since this state does

not require that a geographically indexed title plant be used to search title, Best Title resorts to doing stand-up exams in the recorder's office, although it isn't as efficient or accurate as using a title plant.

Are these illustrations far-fetched? Perhaps. Perhaps not. Some industry observers see a "perfect storm" of forces converging, threatening the title industry's traditional access to the very records it needs to do its job. On the one hand, there is a

movement underway to restrict what information can be accessed in the public records and who will be authorized to access it. On the other hand, recorders [for purposes of this article the terms recorder, county clerk, register of deeds and similar nomenclature are collectively referred to as "recorder"], the perennial stepchildren of county government, are struggling to fund their operations, faced with both exploding recording volumes and the pressure to adopt new technologies. As a result, the title industry finds itself challenged by both sides, as it seeks to preserve affordable and timely access to public land records.

available over the Internet. A person could read his neighbor's mortgage document in the comfort of his own home, at two in the morning, wearing his pajamas. Worse yet, someone in Uzbekistan (or Elkhart, Indiana) could see the same document and if it contained a Social Security number, use it to steal the mortgagor's identity. Suddenly, public records were *too* public. This backlash over privacy and identity theft has resulted in states enacting laws to protect personally identifying numbers (which include Social Security, driver's license, dates of birth, bank account information and credit

the industry can gain access to the records, while the recorder looks at every page of every document for personally identifying numbers. In the extreme, a public records custodian may deny *all* access to the documents under his or her control in order to comply with a state mandate to protect Social Security numbers and other personally identifying numbers from disclosure; it's almost certain that the recorder's Web site would be the first to go "dark." For example, the *Denver Post* reported earlier this year that the chief judge for Jefferson County, Colorado's judicial district, closed probate and divorce files to the public. Citing a Colorado supreme court directive that 23 types of information be removed from public disclosure the judge closed the records because he doesn't have the staff to comply with the directive.

2. Protected classes of individuals

One reaction state governments have had to complaints from constituents about invasion of privacy is to pass laws that exempt from disclosure public records pertaining to selected classes of individuals. Typically included in this protected class are judges, law enforcement officers, elected officials, public school teachers, and other government employees. The theory is that a stalker (or worse) won't be able to locate a member of the protected class if these public records are not available. Several years ago the Texas legislature was persuaded by the Combined Law Enforcement Associations of Texas to pass a bill that allowed its members to request non disclosure for their pertinent documents. After the state land title and recorders' associations informed C.L.E.A.T. of the impact the law would have on its members' ability to buy and

In the extreme, a public records custodian may deny all access to the documents under his or her control in order to comply with a state mandate to protect Social Security numbers and other personally identifying numbers from disclosure.

ACCESS CHALLENGE # 1: PRIVACY AND IDENTITY THEFT IMPLICATIONS

The growing concern over privacy and identity theft (two different issues which often get lumped together) is fueling the debate over what records information should be public and what should be exempt from disclosure. A little background: When records were only available in the recorder's office, they enjoyed "practical obscurity." After all, you *really* wanted to look at a document if you were willing to take time off from work, drive to the recorder's office, and pay to park. With recorders' conversion from a paper and microfilm-based world to an electronic world, *and* the advent of the World Wide Web, recorders began to make their records

cards) from disclosure, and to exempt from the public's eye those records pertaining to selected classes of individuals, in order to protect them from harassment and harm.

1. Personally identifying numbers

Increasingly, a recorder is required by state law to redact or mask personally identifying numbers. While the concepts and technologies for redaction and masking are different, the end result is the same – the public cannot see the numbers. What does this mean to the title industry? The industry can probably get by without Social Security numbers (although it will make it more difficult to differentiate one John Smith from another when sorting through the results of a name search). The real danger is the potential delay before

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sell real property, land records were removed from the exemption during a subsequent legislative session.

ACCESS CHALLENGE #2: HIGHER COST

Technology, which can be both friend and foe, has placed recorders between the proverbial rock and a hard place: While they are under the gun to modernize their offices, the adoption of new technologies has led in many cases to diminished copy-fee income. In a paper-based world many recorders were able to make a little money selling copies, as most states set the fee at \$1 per page for noncertified paper copies. With the transition to electronic documents, and in those states where the open-records laws

dictate cost-of-reproduction as the price for electronic copies, the revenue from paper copy sales has plummeted. Now someone can purchase a CD containing 5,000 pages of electronic documents for \$25 which, in a paper-based world, might have yielded the recorder \$5,000 [although it should be noted that the title industry purchased less expensive microfilm or made their own copies in the courthouse whenever possible]. To make matters worse, the purchaser may make the documents available to the public from a Web site, thereby cutting off all, or nearly all, of the noncertified copy revenue the recorder previously enjoyed. As a result, recorders are trying to recover this lost revenue through various means, with the encourage-

ment of their county's board of supervisors or commissioners court (it frees up money for more roads and bridges and not many local voters purchase copies in bulk). Coincidental with recorders' desire to boost their copy-fee income is a growing sentiment among county governments that the land records are a major asset owned by the county. One national observer was quoted as saying that these records are a county's "single greatest asset." Such thinking represents a major philosophical shift away from the concept that public land records exist in order to impart constructive notice and that the recorder is merely the custodian (but not the owner) of such a repository. It follows, therefore, that recorders have begun to use



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cover story

these revenue-enhancement models:

1. Pricing electronic copies the same as paper copies

This is the easiest route to take – convince the state legislature to pass a bill setting the same price for copies of a recorder's records, regardless of the medium. Recently the Ohio legislature considered a bill that would have done exactly that. Electronic copies of a recorder's records would cost the same as a paper copy — \$2 per page. One can readily see that the \$25 CD referenced above would cost the title industry \$10,000 if this bill had passed [it didn't]. In a county which averages 1,000 real property filings a day, this would have increased the title plant maintainer's costs by more than one million dollars a year.

2. Including a portion of the creation or maintenance cost in the price

This is a pricing model that falls between cost-of-reproduction pricing and paper-equivalent pricing. The recorder adds an amount equal to the proportionate cost to create the record, maintain it, or both. Opponents suggest that the recording fee is intended to cover this cost, while recorders would point out that this fee is not sufficient to maintain those permanent records *forever*.

3. Commercial-use pricing

This pricing model distinguishes between class of purchasers, with purchasers using the recorder's electronic data and documents for commercial purposes paying a higher price. While most members of the title industry are not national data aggregators, using the recorder's data and document copies simply to produce title insurance or maintain a title plant, the title industry *is* a commercial

user.

4. Third-party portals

As technology becomes more and more complex for recorders to implement, they are increasingly turning to vendors for turnkey solutions. Such solutions often include the vendor storing ("warehousing") the recorder's records in the vendor's computer system. This may result in another means to achieve a higher price for the sale of electronic copies in bulk, particularly in states where the open-records laws dictate cost-of-reproduction, the vendor may be able to charge a higher price for copies of public records than the recorder is permitted to

charge. In return, the recorder may receive a percentage of gross sales or enjoy a deeper discount on the purchase of the vendor's recording system (with the vendor hoping to make up the difference, and then some, on future public record sales). A large vendor of recording technology recently announced that its technology "provides a self-funding revenue system [that] positions a county's documents for data warehousing and web-based revenue opportunities."

ACCESS CHALLENGE #3: RESTRICTIONS

The intent of recorder-imposed restrictions is to limit the bulk

PRIA Releases White Paper on Privacy and Land Records

The Property Records Industry Association (PRIA) has released its white paper titled "Privacy and Public Land Records: Making Practical Policy." You can view the white paper under New Updates at www.pria.us.

It is well accepted that access to public land records is an essential component of our democracy. But, is access to these records being curtailed? Is identity theft really an issue with regard to public land records? How is protection for these records going to be paid for? This white paper outlines some of these key issues faced by the public land records industry today, recommends some "best practices," and discusses some legislative initiatives.

This white paper explores how practical and informed policymaking is a must to further solidify the integrity of our public records system and to achieve a meaningful balance between the public's concern about privacy and businesses' legitimate use of data.

The Property Records Industry Association is a coalition of public and private participants of the property records industry cooperating to formulate positions on issues of common interest. The Association grew out of the efforts of the Property Records Industry Joint Task Force (PRIJTF), which had been jointly sponsored by the National Association of County Recorders, Election Officials and Clerks (NACRC), and the International Association of County Recorders, Election Officials and Treasurers (IACREOT). Among other objectives, the Association works to identify problems, opportunities, and solutions that will make property records systems more efficient, effective, and responsive to the public. The Association also works to identify areas of consensus within the industry, leading to recommendations for national standards pertaining to recordable documents. For more information about PRIA, visit www.pria.us.

purchaser's ability to fully use and/or resell a copy of the recorder's electronic records. Such restrictions may seek to protect sensitive information or force someone to purchase a copy directly from the recorder, not a third party, thereby helping preserve the recorder's revenue stream.

1. Restrictions on the use of the electronic copy

Some recorders assert a copyright claim over their records, while others require the purchaser to sign a license agreement, whereby the purchaser agrees to honor the restrictions the recorder wishes to place upon the downstream use of the recorder's records. Perhaps the highest profile case in recent years is the situation in Michigan, where four national title insurers sued five registers of deeds in federal court, seeking to force the ROD's to sell electronic copies of their records in bulk, at cost-of-reproduction, and without strings [these ROD's had agreed to deeply discount the sale of such electronic copies, from the \$1 per page charged for paper copies, if the title insurers agreed in writing not to resell the information]. The title insurers lost at the trial court level, and the case is now on appeal.

2. Private redaction

Another common restriction is a covenant that the purchaser will not disclose any personally identifying numbers to a third party. In Sedgwick County, Kansas, the register of deeds agreed to sell, in bulk and at cost, electronic copies of the land records he maintains if the purchaser agreed to either remove personally identifying information (Social Security numbers, mother's maiden name, and dates of birth) before making the information available to the public or, in the alternative, pay the ROD a higher

price for redacted records (to cover the ROD's cost of redaction). The purchaser sued the ROD, claiming that it should be able to purchase copies at cost-of-reproduction *without* having to incur the cost to remove personally identifying information; the ROD prevailed at both the trial court and appellate court levels.

3. E-Recording

While not a restriction per se, e-recording can still affect the title industry's access to a recorder's documents. When paper documents are submitted for recording, a document is often immediately available for inspection and/or copying (some title companies and title plant maintainers have their own copying and scanning equipment in the recorder's office). With e-recording the document may not be available to the public until it has been merged with the electronic copies (of paper recordings) made by the recorder.

THE ROAD STARTS WITH COMMUNICATION

So, back to our original illustrations. How are we to keep Molly Armstrong and Best Title Company happy? What can the title industry do to help keep the door to public records as widely open as possible? The road starts with communication. First, *communicate* with your recorder – get to know him or her, discuss what problems the recorder is having and how the title industry might be able to help. After you've established a working relationship, and you are *listening* to each other, *educate*: Explain *why* you need to purchase copies in bulk and *what* you plan to do with them. It's a safe bet that your recorder doesn't really know much about title insurance or title plants (if you're in a state that

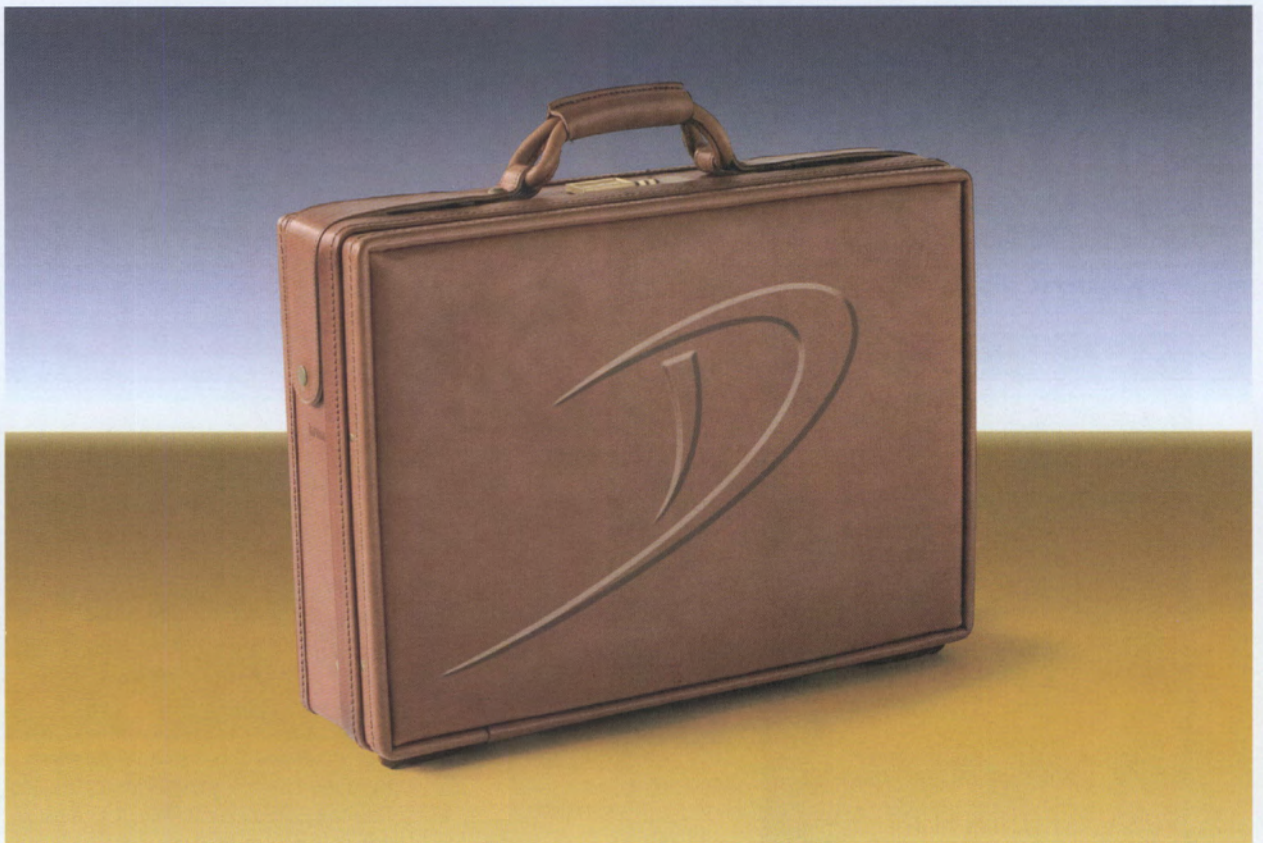
uses them), let alone ever walked through a title production office or plant posting facility. Invite your recorder to tour your office to see why the title industry is so dependent upon timely and affordable access to the recorder's records. Explain to your recorder how title insurance fits into the real estate transaction and the role the title industry plays in the world's most vibrant and liquid real estate market. Next, encourage your state land title association to maintain a dialog with your state's recorders' association – work together whenever possible. Additionally, become intimately familiar with your state's open-records laws. Monitor and advocate, for or against, open-records legislation that impacts upon your ability to access and use public records.

While there has been a fair amount of litigation filed by the title industry against recorders in recent years, the goal should be to avoid such adversarial actions if at all possible. It's taken the title industry decades to build working relationships with recorders, relationships which can be destroyed overnight when a recorder becomes a named defendant. Hopefully, with a little common sense and a lot of willingness to work together, the title industry and the recording industry will be jointly heard to exclaim, "Molly, may *we* hold the door open for you?"



James P. Sibley is president of Title Data, Inc., in Houston, TX. He is also chair of ALTA's Improvement of Land Title Records Committee. He can be reached at jsibley@titledata.com.

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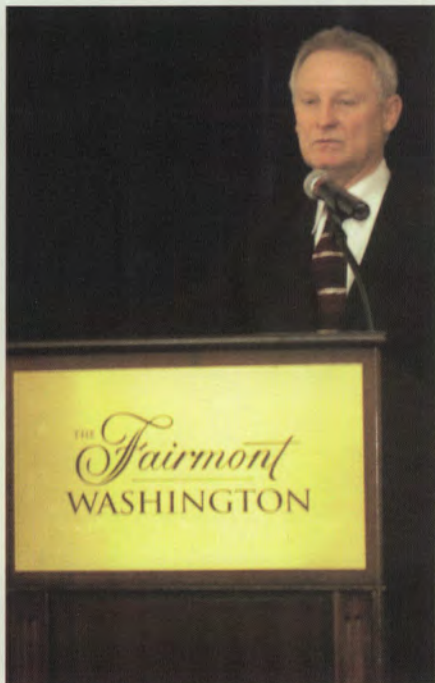
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federal conference highlights

ALTA Members Hear About an Industry Under Fire at ALTA's Federal Conference

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Spencer Bachus (R-AL), Chairman of the House Financial Institute and Consumer Credit Subcommittee of the House Financial Services Committee, reiterated the importance of a strong real estate market to the economy, and thanked the title industry for the good works we do.



Diana Calloway, Specialized Title Services, Inc. in Atlanta, (l) and Melvin Maxell, Insured Title Company, Ltd., Lafayette, LA (r) meet with Rep. Tom Price (R-GA).



A delegation from New York meets with Rep. Nadia Velázquez (D-NY) (far right) and shares the most commonly asked questions about title insurance.



The New York delegation meets with Rep. Carolyn McCarthy (D-NY) to update her on issues of importance to the title industry.



Mike Wille, ALTA's TIPAC Chairman, (l), introduces a panel on eClosings. From left to right are: Mark Oliphant, Fannie Mae; Harry Garner, MBA; Ted Adams, Freddie Mac; and Carmen Bramante, PRIA.



Ed Miller, ALTA's Chief Counsel and Director of Government Affairs, (l) meets with Rep. Tom Price (R-GA) while a staffer looks on.



Tony Blankley, a regular panelist on the political talk show, *The McLaughlin Group*, provided an insider's view of the upcoming elections at the TIPAC luncheon.

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The ABC's of Publicity

As a marketing tactic, publicity is a great way to let potential customers know about you and your business. These steps make it easy for you to get started.

by Michelle Sweet

Knowing how to use publicity properly to promote your business is a valuable tool for a number of reasons:

- It's credible. When something is written in a newspaper or magazine, it's perceived as true.
- It's free. Publicity costs nothing other than the time you invest.
- It's easy. With a little knowledge and the right tools, anyone can use publicity to promote their business.

To launch your own publicity campaign, all you need to know are a few basics. The first step is to identify the types of media you can use.

Local Newspapers

Make a list of all of the newspapers in your local area. Be sure to include the smaller weeklies, which are more eager for local news than the larger dailies of major cities.

Online Publications

There has been a proliferation of online news in recent years, so check to see if the newspapers on your list also have an online edition. As well,

there may be Web sites that would welcome information about title insurance, such as those for local Realtors® and other real estate service providers.

To launch your own publicity campaign, all you need to know are a few basics. The first step is to identify the types of media you can use.

Local Magazines

This includes local real estate, business, and lifestyle magazines, which may be distributed inside your local newspaper on Sundays, free at local newsstands, or mailed to residents in your area.

Newsletters

Many civic organizations publish newsletters, including the local Kiwanis, Rotary, Lion's Club, and Chamber of Commerce. Often, your local chamber or city hall will have a list of these.

MAKING CONTACT

An effective publicity campaign is targeted, so it's important that you direct your efforts to the right people. Now that you have your list of publications, call and ask for the name of the editor or reporter who covers real estate. If they don't have a real estate section, ask for the name of the business editor. (With

newsletters, ask for the name of the editor).

Next, call the appropriate reporter or editor to introduce yourself, or send a letter of introduction. Include information

about you, how long you've been in business, and why you think readers will be interested in what you have to say. You can also offer to meet with them or take them to lunch to get acquainted. Ask how they prefer to receive information, via e-mail, snail mail, or fax. Be sure to give them background materials about title insurance. (For a list of available materials from ATLA, read on).

Finalize your list with names, addresses, telephone numbers, and e-mail addresses (the preferred method of sending and receiving publicity materials). Now you're ready for the next step . . . the publicity tools you'll use.

YOUR PUBLICITY TOOLS

Press Releases

Press releases should be used to make announcements, such as a new product offering, new office hire and/or promotion, or new office

Michelle Sweet is director of media relations for Ervin Bell Marketing Communications, the PR firm working with ALTA on the Public Awareness Campaign. This article is an excerpt from Ervin Bell's presentation at ALTA's 2005 Annual Convention in New York.

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location. So before issuing a press release, you need to have a newsworthy announcement.

After you decide what it is you want to announce, you're ready to write the press release. There is a press release template in the Title Industry Marketing Kit you can use to easily create your release. (Read on for information on obtaining a Marketing Kit, if you don't already have one.)

Bylined Articles

An article in your local newspaper or magazine, with your byline, gets your name in the news and positions you as the local expert on title insurance. The good news is that we have already prewritten a number of articles you can use. (For a listing, go to ALTA's Web site at

www.alta.org, and click on the Public Awareness Campaign tab.)

Once you select the article you want to use, all you have to do is add your name to the byline and send it to the appropriate editor or reporter. You should call first to make sure they accept prewritten materials, and to let them know you are sending it. Keep in mind that it may not get published right away—they make use it as space allows.

"Pitched" Articles

Some publications do not accept articles written by an outside source; they only use articles written by their staff reporters. If that's the case, you can "pitch" your idea for a story to the reporter or editor on your list. Just tell them how your topic will benefit or be of interest to

their readers. Here are some ideas.

- Suggest an article about how the closing process works, which is still a mystery to many. Talk about the importance of conducting a title search, what types of title issues occur, what title insurance covers. The reporter can then interview you, as the local expert, so you're quoted in the article.
- If there's a building boom in your area with a lot of new homes being built, there is sometimes the misperception that an Owner's Policy isn't necessary because there was no previous homeowner. However, you know there could be tax or mechanics liens on the property from the builder or other issues

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affecting title. But new homebuyers may not be aware of the importance of an Owner's Policy.

- If there is a large segment of retirees in your area, many are likely to be downsizing, sometimes paying all cash for their retirement home. Or perhaps you live in an area where people are buying vacation homes, using equity from a main residence and paying a large amount of cash. Since there may not be a Loan Policy involved, it's important for buyers to know about an Owner's Policy.

These are just a few ideas and suggestions. Whether you decide to issue a press release, send in a bylined article, pitch your idea to a reporter or editor, or all of the above, you will get your name in the news and have exposure to potential

And don't stop after you've experienced your first success—publicity is a tool you can use continuously throughout the year!

customers. And don't stop after you've experienced your first success—publicity is a tool you can use continuously throughout the year!

RESPONDING TO AN INACCURATE ARTICLE

From time to time, there may be an article in your local newspaper that contains inaccurate information about title insurance. If this occurs, there are steps you can take.

If the article is about a local issue (vs. statewide or national), call the reporter directly to tell him or her why you believe the article was not

factual. Oftentimes it was an innocent mistake, and you have done your part in helping to set the record straight. And, you'll probably have a new media contact as a result.

In addition to speaking with the reporter, you may want to publicly clear up the misinformation by writing a Letter to the Editor, which also provides an opportunity to get your name in the news. A template and guidelines for writing this kind of letter are also included in the Marketing Kit. (See below for more on the kit.) It's important to send your letter right away, while the article is still top-of-mind for readers.

If the issue being reported goes beyond your local community and you feel there could be broader ramifications, notify your state land title association and/or ALTA.

TITLE INDUSTRY MARKETING KIT

To get started on your publicity campaign, make sure you have ALTA's Title Industry Marketing Kit. In addition to great marketing tools such as brochures, ads, a DVD, and a PowerPoint presentation, the kit contains all the tools you need to assist you with your publicity efforts:

- A title insurance fact sheet and overview that you can give to reporters
- A press release template, including writing and submission guidelines

- A template and guidelines for writing a Letter to the Editor
- A bylined article (for more samples, go to ATLA's Web site at www.alta.org and click on the Public Awareness Campaign tab)

GET STARTED!

With just a few basics, and the right tools, anyone can create their own publicity campaign. The benefits are that you will be perceived as a local expert on title insurance; your business will be promoted, and new doors will be opened to prospective customers. In addition, you will be helping to educate the public about the importance and value of title insurance!

If you have questions, need help, or want to share your success stories with us so that we can, in turn, share them with other members, please don't hesitate to send me an email at msweet@erwinbell.com

How to Order Your Marketing Kit

The Title Industry Marketing Kit is designed for ALTA members to promote the value of title insurance, while promoting their companies at the same time. The kit is free for ALTA members, and only \$50 for non-members. To order your kit, send an e-mail to lorri_ragan@alta.org. Please indicate if you would prefer the DVD or the video which comes with the kit. If you'd like more information on the kit and the Public Awareness Campaign, visit ALTA's Web site and look on the right hand side under Resources.

Is an ALTA/ACSM Land Title Survey a “Boundary Survey”?

ALTA and the American Congress on Surveying and Mapping (ACSM) recently adopted new minimum standard detail requirements for surveys. Yes, a land title survey is a boundary survey. Read on.

by Gary Kent

Over the years, there has been some confusion over whether or not an ALTA/ACSM

Land Title Survey qualifies as a “boundary survey” under the various definitions of that term. This has especially been an issue vis-à-vis statutes and administrative rules regulating surveying in the respective states.

The 2005 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Survey, recently adopted and effective on January first of 2006, have addressed the issue with some revised and new wording added to the very first paragraph:

“It is recognized and understood that local and state standards or standards of care, which surveyors in those respective jurisdictions are bound by, may augment, or even require variations to the standards

outlined herein. Where conflicts between the standards outlined herein and any jurisdictional statutes or regulations occur, the more restrictive requirement shall apply.” [emphasis added]

Neither the National Society of Professional Surveyors nor the American Land Title Association licenses surveyors; the individual

states the surveyor must monument regardless of what has been selected on Table A, Item 1.

Similarly, in some of the original 13 states responsibility for records research, including easements, is considered part of the responsibility of the surveyor – either by administrative rule or by the normal standard of care – notwithstanding

One of the aspects of a Land Title Survey that causes this confusion is Table A, Item 1, which addresses monumentation.

states grant licenses. NSPS and ALTA agree that an ALTA/ACSM Land Title Survey is a boundary survey – albeit one that has requirements above and beyond most states’ standards. As such, a surveyor conducting one is subject to his or her states’ regulations in addition to the ALTA/ACSM requirements.

One of the aspects of a Land Title Survey that causes this confusion is Table A, Item 1, which addresses monumentation. Since Table A contains optional items that may be requested on the survey, some believe that unless Item 1 is definitively selected, monumentation is not required. However many, if not most, states require monumentation on boundary surveys. The sentences from the ALTA/ACSM standards quoted, clearly point out that in such

the issuance of a title commitment identifying easements. In those states, surveyors relying exclusively on the ALTA/ACSM standards for relief from records research are likely placing themselves in jeopardy of being noncompliant with their state’s requirements.

The lesson is that surveyors must be familiar with the standards of their state and local areas. They cannot rely on the ALTA/ACSM requirements for relief from their jurisdictional standards or from the normal standard of care that applies to their practice.

You can view the newly revised standards on ALTA’s Web site under the Standards and Forms section. If you have questions, contact Gary Kent, PLS, at the e-mail address in the author’s box on this page.




Gary Kent, PLS, is director of integrated services for The Schneider Corporation and chair of the ALTA Liaison Committee with the American Congress on Surveying and Mapping. He can be reached at gkent@schneidercorp.com.

The Committee’s updated survey standards were adopted on January 1, 2006.


The title professionals listed below took their industry training to the next level – they completed LTI's Online Course 2 during the First Quarter 2006.



CONGRATULATIONS COURSE 2 GRADUATES!



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Mary Domanico
Amanda Epp
Joann Folias
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Loretta Glenn
Jason Griess
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Ryan Jensen
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Jennifer Neukirch
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Ernest Patterson
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Jenny Turk
Joan Walker
Kimberly Warburton
Louise Ward
Donna West
Victoria Youngberg

LTI's Course 2 is an online, self-study course covering 15 industry topics, including chapters on land descriptions, subdivisions, encumbrances, UCC, water rights, endorsements, forms of commitments and policies, bankruptcy, claims, and reinsurance.

For further information about LTI's Online Courses, please visit the ALTA website: www.alta.org; click on Land Title Institute; and then Correspondence Courses.

Questions? Contact Patricia Berman at pat_berman@alta.org or 1-800-787-2582 x 215.

The Real McCoy: Document Authentication in the Paperless Transaction

With electronic closings becoming more of a reality, how can we be sure that digital notarizations will be secure and authentic?

by John L. Jones

What does the real McCoy have to do with authentication? Lots.

Here's a case in point. Back before the creation of television, the World Boxing Association, or the International Boxing Federation, even before boxing superstars such as Joe Louis, Jake LaMotta, Muhammad Ali, Sugar Ray Robinson or Rocky Marciano, boxing was a traveling event held in small towns as well as big cities. At the end of the 19th century an American boxer by the name of Norman Selby won the U.S. welterweight championship. Selby fought under the name Kid McCoy.

As the story goes, many fighters in the small town venues billed themselves as Kid McCoy in the local fights. After a while people became dubious of the billing. As I heard it, it got so bad that a skeptical

drunk who met the boxer in a bar denied he was the genuine article with such force that Selby was forced to hit him. After recovering from the blow the drunk said, "That's the real McCoy!"

There are better ways to authenticate things than by having the tar beaten out of you. But do we in the title industry keep putting ourselves at risk by avoiding the proper steps to authenticate our transactions? As title people we rely on a notary for authenticating the identity of signers and their acts by checking identification credentials and either administering oaths or taking acknowledgments. But we also take this notarial act for granted. You know what I am talking about; having a notary who wasn't present in the closing room notarize the documents. Or notarizing the closing documents after the parties have left. Or maybe having small changes made to the document because they were omitted before printing the document. After all, things are going a mile a minute, everyone is in a hurry, and you do what you have to do to get the deal closed.

These are everyday small things that maybe we shouldn't do, but we justify them as necessary to get the job done. The borrower isn't going to

want to come back in to re-sign a correction. The parties want to get on their way, and you can sign and seal the documents when they leave. Ninety-five percent of the time everything is fine. Actually it is probably less than that, but for all practical purposes, who ever comes back against us for notary claims?

THE DILIGENT & TRUSTWORTHY NOTARY

We know we are sometimes imperfect in the performance of our notarial duties, yet we seldom hesitate to question a notarization except in the most egregious circumstance. If your suspicions are raised, it may not even be the notarization that triggered your concern but some other sequence of events in the paper trail. So why do we trust the act? Because the laws generally say we can. Because people sense the formality of the ceremony as important. And because we think the notarization makes the document "more legal." We see the notarial certificate and signature, as well as a seal where required, then trust that the notary performed the act. We do not even bother to verify that the person who signed as a notary was a notary. When is the last time you asked a notary regulator to authenticate a notary commission on

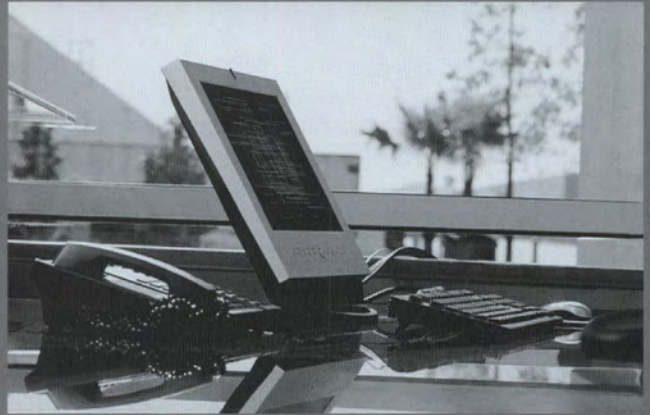


John L. Jones is president of Arion Zoe Corporation in Tampa, FL. He can be reached at jjones@arionzoe.com or 813-254-0055.

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a document? Do you even know who to contact to do so?

Before going further I want to say that this is NOT a condemnation of the title industry, notaries, or the office of notaries. Not all notaries are guilty of lax practices. Some notaries are very diligent and never take shortcuts. Among those that sometimes do, it is not the norm of their behavior. Some do so because they are commanded by their employers and fear for their jobs. Others have no clue that what they do is wrong.

My point is that this is the current reality of authenticating identity. As we move into the digital age, we are apt to take our current conduct and practices with us. Will the digital age save us from ourselves? Or will it be easier to be lax? Yes. To both.

OVERVIEW OF THE NOTARIAL ACT TODAY

Notarial acts provide casual assurance of a signer's identity and intent to sign and be bound by a document. Notarial acts have two other fundamental things to accomplish. The first is regulatory and requires that a notarized document be capable of authentication by the respective state notary regulator, typically the secretary of state. That authentication entails a regulator making a determination from the document that the person purporting to be a notary is both a duly commissioned notary and is likely to be the person she claims to be. The first part is relatively easy to compare against a database of notaries. The second is a more subjective comparison of a signature on the

document against one kept on file. In the eNotary world, an electronic document will need to provide a mechanism that accomplishes the same things, at least to the degree accomplished in the paper world. Many methods other than signatures can do this. Affixing the notary information, such as commission number, commission expiration date, and other information required on the seal, is a start. It is also the minimum required under UETA. Something as simple as a notary journal would suffice, where the respective page of the journal could be produced to show the notary performed an act for the parties of a particular document. Even maintaining copies of notarized documents in a title agent's or attorney's transaction file can provide

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technology corner

the assurance that a particular notary performed the act.

The second thing notarial acts accomplish is to provide evidentiary value for admissibility before the courts. Barring a challenge to the notarial act itself, notarized documents generally get a free pass for admissibility under Rule 902(8) of the Federal Rules of Evidence, Self-authentication. "Documents accompanied by a certificate of acknowledgment executed in the manner provided by law by a notary public or other officer authorized by law to take acknowledgments" do not require extrinsic evidence of authenticity as a condition precedent to admissibility. Even without the presumption of self-authentication, Rule 901 of the Federal Rules of Evidence allows for various methods a proponent may use to prove that the authenticity or identification of a matter is what he purports it to be. One is that an electronic document may be secured by storage in a system or by a process that meets the Rule. If your file systems are secured to comply with Gramm-Leach-Bliley, you are already addressing the security issue.

It is easy to replace a page in a multipage document or otherwise alter a document to a degree sufficient to fool the casual reader.

LEGAL & REGULATORY BASIS OF eNOTARIZATION

Federal E-SIGN and UETA, as well as the new Uniform Real Property Electronic Recording Act (URPERA) from NCCUSL, provide much of the framework for electronic notarization, without re-writing existing state notarial laws and regulations. While we are accustomed to a physical stamp and

seal in the paper world for example, these acts remove the requirement of a physical stamp or seal so that we can notarize electronically. Instead of a stamp or seal the new legislation requires that the notary's electronic signature, "together with all other information required to be included by other applicable law, [be] attached to or logically associated with the [notarized] signature of record." URPERA overtly eliminates the need for a seal on electronic documents, not only by notaries, but seemingly by others such as corporate officers, government officials and professionals, e.g. surveyors, as well.

Nothing in E-SIGN prevents a state agency from setting performance standards in connection with assuring the accuracy, record integrity, and accessibility of records that are required to be retained as described in E-SIGN Section 7001(d). Performance standards, however, may not be used as an end run to require use of a particular type of software or hardware in order to comply.

Specific technology requirements are popular components in rules promulgated by government

regulators, but this approach runs afoul of E-SIGN Section 704, which prohibits state and federal agencies from adopting such rules. It is with an eye to that very thing (technology neutrality) that the National Conference of Commissioners on Uniform State Laws included Section 7 of the Uniform Real Property Electronic Recording Act (URPERA). Section 7 provides that

URPERA does not supersede the preemptive portion of E-SIGN nor authorize electronic deliveries of E-SIGN prohibited notices.

THE COMPLEX QUESTION OF DOCUMENT AUTHENTICITY

Solutions for electronic notarizations are coming fast and furious. Some are so good that they solve problems that don't exist yet. Others assume there are no problems and that you may proceed without caution. But they come amid discussion and debate over the principles and technical issues surrounding the notarial act. The Property Records Industry Association (PRIA) issued a white paper on notarizations several years ago. PRIA began discussions on eNotarizations last year but moved the whole kit and caboodle to the American Bar Association's Science and Technology Section, where the eTrust Subcommittee took up the issues of law and principles. eTrust's Electronic Notary Work Group met weekly for six months to develop a report for the ABA. Among the participants were members from the ABA, MBA, ALTA, PRIA, Wells Fargo Bank, two notary associations and the National Association of Secretaries of State.

The report from the group looked to the principles for notarization that need to be addressed in electronic acts. The group also weighed the technology neutrality embodied in the Uniform Electronic Transactions Act (UETA) and the Electronic Signatures In Global and National Commerce Act (E-SIGN), as well as the federal preemption found in E-SIGN. The biggest issues in arriving at a consensus for the final report to the ABA's eTrust Subcommittee revolved around authentication. There was no argument that the notary is responsible for

Related Tapes Available from ALTA Tech Forum

The following tapes related to this topic from sessions at the 2006 ATLA Tech Forum are available for purchase on the Tech Forum page on the ALTA Web site.

Preserving Access To Public Records: County Recorders Weigh In

It's a universal concern in the industry: how serious are the threats to timely and affordable access to public records? The answer is different across the country and there are many factors at work that may be impacting your company today or very soon: delays as the result of redaction/masking, the backlash against bulk sales, unreasonably high cost for records, attempts to copyright public records, and the impact of e-recording. Join our panel to learn more about the county recorder's perspective, as well as the legal and regulatory environment across the country.

Electronic Notarization Today - And Tomorrow

Are you still notarizing the old-fashioned way? Join our panel of experts and learn about the legal and regulatory framework making electronic notarization possible, as well as the changes you can expect for your operation and recording requirements. Panelists will provide the perspective of the title industry, the recorder, and the notary. Products supporting electronic signatures and electronic notarization will also be discussed.

Tapes from the 2006 ATLA Tech Forum are available for purchase on the Tech Forum page on the ALTA Web site.

authenticating identity as well as intent of the signer, whether by oath or by acknowledgment. At this stage neither is anyone suggesting that personal appearance before a notary be dispensed with.

The serious debate had to do with authenticating the document itself. More precisely, it was a document security requirement for the notary, who a small minority felt has the duty to provide post-notarization tamper evidence (a way to show if the documents were tampered with after the transaction). In other words, regardless of the agreements between trading partners as provided for in both UETA and E-SIGN, the notary would be required by state law or regulation to apply a technology solution to a notarized document at

the time of notarization to prove whether or not a document was altered subsequent to the notarization.

How can one argue against such a great public purpose? If we can arm America's 4.5 million notaries with secure technology that will reflect any change to a document, shouldn't we? Perhaps, but is the notary the best place for that added security?

The most compelling argument is the fact that notaries do not provide tamper evidence today. It is easy to replace a page in a multipage document or otherwise alter a document to a degree sufficient to fool the casual reader. The additional burden on an electronic transaction fails to meet the E-SIGN directive in Section 704 that state regulatory

agencies are preempted from adopting regulations unless, among other things, the methods to carry out the purpose are substantially equivalent to the requirements imposed on nonelectronic records and do not require, or accord greater legal status to, the implementation of a specific technology.

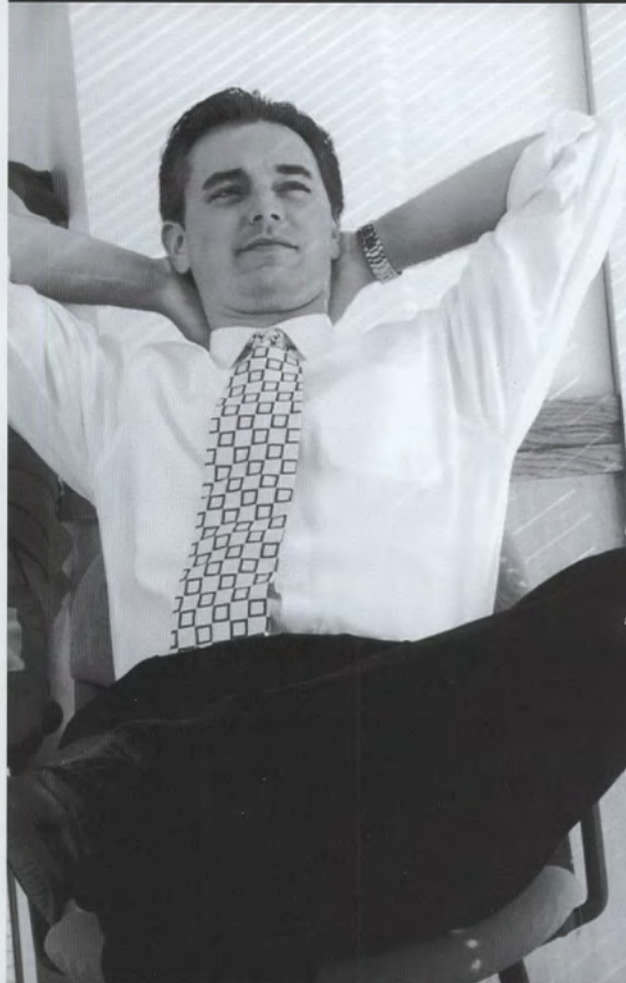
Whether or not the document is notarized, tamper evidence is already built into industry standards to be applied to an electronic document by each business partner in a transaction, protecting each partner from liability owing to changes after the document leaves its control. Is it really necessary to go to extra expense each year for a tamper evidence solution for all of your notaries? After all, who should be on the hook, each business trading partner or your notaries? Granted tamper evident digital certificates are available for as little as say \$25 to \$50 a year per notary, but the certificate policies those digital certificates are based on may not be interoperable with, and therefore unacceptable, to your trading partners.

CALL TO ACTION

What this comes down to is that we should be able to perform electronic notarizations simply and painlessly in the 46 states and the District of Columbia where UETA is enacted. If you object to requirements that will make solutions more complex and costly, then you need to be engaged with your secretary of state to let them know. As always, strength is in numbers. Work through both ALTA and your state associations to ensure your voice is heard.

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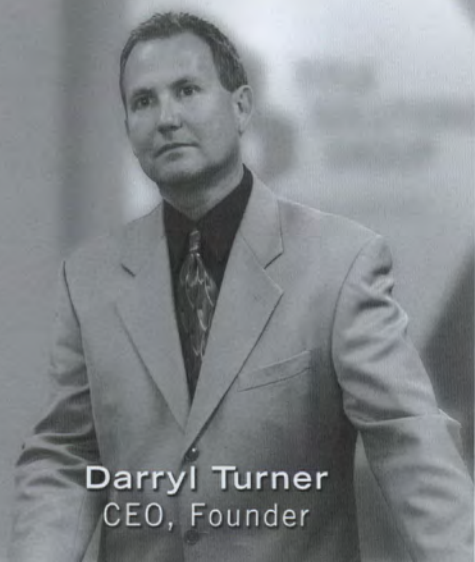
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Member News

ARIZONA

Cheri Brady has been promoted to vice president and Southwest regional sales manager for First American Title Insurance Company, Phoenix. Brady has nearly 30 years of industry experience, and first joined First American in 1993 as a commercial sales professional.



CALIFORNIA

Lori De Martini has been named president of Old Republic Exchange Facilitator Company (OREXCO), Oakland. She has served as vice president, counsel since 2000.



Marion Aaron has been named executive vice president, chief operating officer for Old Republic Title Holding Company, Walnut Creek, and all of its subsidiaries. Aaron joined Old Republic in 1996 as counsel in the San Francisco Legal Department. She assumed the position of president of OREXCO in 2002.



Frances Butler has been named executive vice president and chief operating officer for Mara Escrow Company, Beverly Hills. Butler has over 24 years of escrow experience.

Frank V. McMahon has been named vice chairman and chief financial officer for the First American Corporation, Santa Ana. Previously he was a managing director with Lehman Brothers Holdings, Inc.



FLORIDA

Alan B. Fields has joined First American Title Insurance Company, Tampa Bay, as state counsel for the state of Florida. Prior to joining First American, Fields had a private legal practice.



MINNESOTA

Lori Ozegovic has joined LandAmerica Commercial Services, St. Paul, as an escrow officer. Ozegovic has over 12 years experience in the title industry with a background in new construction.



NEW MEXICO

Thomas A. Drob has been appointed New Mexico state manager for Old Republic National Title Insurance Company, Santa Fe. Drob is a 20-year industry veteran. Most recently he served as vice president and title operations officer in CA for a major underwriter.



NEW YORK

Danielle Sprouls has joined Liberty Title Agency's New York City office as executive vice president. Prior to joining Liberty Title, she was vice president and counsel at Chicago Title Insurance Company.



PENNSYLVANIA

Kelly Haywiser has been named senior business analyst for Y-Waite Solutions, Pittsburgh. She will conduct workflow management analysis. Most recently she worked for vendor manager ServiceLink.

PENNSYLVANIA, CONT.

Evan M. Zanic has been promoted to regional vice president for First American Title Insurance Company, Pittsburgh. He began with First American in 2001 and most recently was state manager.



TEXAS

Scott Shultz has joined Stewart Transactions Solutions, Houston, as vice president of infrastructure operations. He was previously director of information technology enterprise services.

Kelly Brashear has been promoted to senior vice president, professional services for Skywire Software, Frisco. Brashear will oversee the company's Insurance group and managed company, Hall Settlement Systems.



John A. Magness has been promoted to executive vice president – Southwest regional leader for LandAmerica Financial Group, Dallas. Magness has 23 years of industry experience and had been serving as senior vice president – Southwest regional leader for LandAmerica's Commercial Services customer channel.



VIRGINIA

LandAmerica Financial Group, Inc., Richmond, has two announcements. **Bruce Wright** has been named senior vice president – corporate pricing manager. Wright has 30 years of experience in the financial services industry and joins LandAmerica from SunTrust Bank.



member news

VIRGINIA, CONT.

Kevin P. Young has been promoted to senior vice president – marketing operations. Young has 25 years of experience, and has been serving LandAmerica as vice president – marketing operations.



Mergers & Acquisitions

First American MLS Solutions, Inc., Santa Ana, CA, has acquired Maryland Management Systems, Inc., Annapolis, a premier provider of management software to Realtor® associations.

Stewart Title Insurance Company, Houston, TX, has completed its acquisition of Monroe Title Insurance Corporation of Rochester, NY.

Kudos

Three Industry Execs Earn CMT Designation

Three title industry executives have been awarded the prestigious Certified Mortgage Technologist designation by CampusMBA, the educational arm of the Mortgage Bankers Association. **Tim Rush**, sales and business development for First American SMS, Orange, CA; **Robert Walker**, executive vice president for First American Real Estate Information Services, Inc., Santa Ana, CA; and **Jo Ann Crook** product executive, Fidelity National Financial, Jacksonville, FL, were among 17 professionals earning their CMT at the National Technology in Mortgage Banking Conference & Expo.

The CMT designation is presented to information technology professionals, including managers and executives, in

recognition of their industry expertise, professional education, and their knowledge of the unique technological needs of the real estate finance industry. Candidates must have a minimum of two years of industry experience, possess a technology background, and be in a technology leadership position within the residential or commercial real estate finance industry. Candidates must also submit a thesis on a specific initiative, implementation, or conversion in which they have actively participated and pass a two-part oral presentation and exam conducted by a panel of industry experts. Details: MBA 202-557-2763.

NextAce Wins Entrepreneurship Award



NextAce, Anaheim Hills, CA, a provider of automated software applications for the title and mortgage industries, has won the Entrepreneurship Award 2006 given by Entretec, a strategic partnering and corporate development organization serving greater Los Angeles. The award honors growing, leading-edge companies symbolizing the best in entrepreneurial spirit and skills. It also acknowledges the growing importance of the high tech industry in Los Angeles and Orange County, and its contribution to the economic wealth of the overall region. NextAce received the award based on clear evidence of product acceptance in the marketplace and for the company's potential for significant increases in revenue and profitability. Details: Lee Rech, 801-487-2128.

NEW ALTA MEMBERS

ACTIVE MEMBERS

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Frank Busch
Thomas Title & Escrow, LLC
Scottsdale

Arkansas

Angela McFall
Heritage Title Services, Inc.
Paragould

California

Peter Stankovich
MP Surveyors, Inc.
Irvine

Colorado

David Ginger
Agents Title Insurance Company, Inc.
Longmont

Terri Hilderman
SISCO
Eaton

Connecticut

Keirsten Estabrooks
Estabrooks, Keirsten
Mystic

Michelle McKean
Statewide Title Searches
Branford

Florida

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Nexus Title & Associates Corp
Altamonte Springs

Paul Grace
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Orlando

Sarena Czarnecki
Beach To Bay Title, Inc.
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Woodstock

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Where's Susan?

We used to be so close.

Doing title forms for hours and hours.

Together.

It was really great. At least I was happy.

Now I spend a lot of time alone.

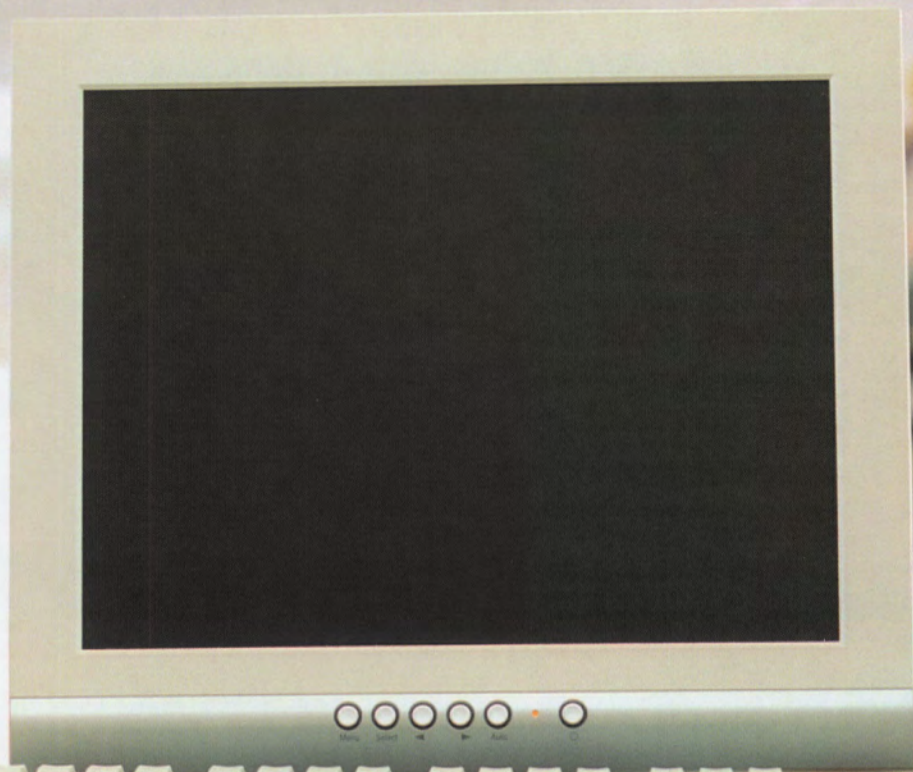
Susan is always with her clients.

"Oh, let me take care of that for you, Brian."

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