

DATE: August 29, 2007

TO: Florida Electronic Recording Advisory Committee Members

FROM: Martha O. Haynie, Committee Chair

SUBJECT: Progress and Next Full Florida Electronic Recording Advisory Committee Meeting

I think we are off to a wonderful start on meeting our statutory obligation, and I am pleased to be serving as your chair. I look forward to working with you in the months ahead.

As we get down to business, it's important to realize how much has already been accomplished in the electronic recording world in Florida.

- Each recorder has posted to the Internet the Official Records index at least back to 1990, and the Official Records index for many counties goes much further back in time.
- A site has been established by the Florida Association of Court Clerks and Comptrollers (FACC), on which almost all county's Official Records indices have been combined, thus allowing a multi-county search of the land records. That site can be found at www.myfloridacounty.com.
- Each recorder has posted to the Internet electronic images of documents at least back to 1990, and many recorders have posted images much farther back in time. Some document types are, by statute, not available on line.
- Most recorders are also well on their way to completing or have already completed the Florida requirements for redacting personally identifiable information (social security numbers, bank account, and credit, debit and charge card numbers).
- At least three counties have been actively accepting, processing, and recording documents from outside submitters for several years in accordance with the established Property Records Industry Association standards. Many additional counties are currently accepting, processing and recording documents in a government-to-government mode, such as final court judgments.

The task before us is to recommend to the Secretary of State the standards for electronically recording documents into the Official Records of Florida in accordance with the criteria enumerated in Florida's Uniform Real Property Electronic Recording Act (Law 2007-233, which will be codified as Section 695.26, F.S.). We have available to us the documents from other Electronic Recording Commissions which have already completed their work, so we do not have to start from the beginning. We can model our work on the work already done by others. Ours should be a fairly short term task and one which I hope that we will keep simple and straightforward.

The subcommittee which I appointed last Monday consists of Sue Baldwin, Chair, Steve Rumsey, Chips Shore, and Skip Straus. The subcommittee will be meeting on Wednesday, September 26, in Ft. Lauderdale. That subcommittee has been asked to lay out a scope document for what the full committee will address, including a timeline for completing our work, and they are reviewing the Kansas Electronic Recording Committee's completed work as a starting point. The Kansas Committee's work is available by accessing <http://www.kspace.org/handle/1984/222>. (alternate url: <http://www.sedgwickcounty.org/deeds/kurpera.pdf>)

A publicly accessible web site has been added to the existing FACC web site (www.flclerks.com). You will see the Electronic Recording Advisory Committee button at the bottom on the left-hand side. All of our agenda, minutes, presentations, drafts, etc. will be posted to that location.

The next meeting of the full Committee has been set for **Wednesday, October 31, from 9 am until 2 pm, at the offices of the FACC**, where last we met. An agenda for that meeting will be posted at least 10 days in advance of our meeting.

Again, I look forward to working with you. I am hopeful that our work can be completed before the end of calendar year 2007. Then the Secretary of State's Office will need to proceed with the formal rule-making process, which we were told we can expect to take between 7 and 9 months.

cc: Judith Ring, State Librarian, State Library and Archives of Florida, Florida
Department of State
Florida Association of Court Clerks and Comptrollers
Florida Land Title Association
Florida Bar's Real Property, Probate and Trust Law Section
Florida Banker's Association
General Florida Electronic Recording mail list