

Happy Holidays from your GA Committee!

As we approach the end of 2018, your GA Committee has already been hard at work creating legislation to help with our judgment docket issues and limit an agent's liability for legal issues beyond the title commitment and policy. Please see below for a synopsis of the legislation!

Lobby Day 2019

Mark your calendars for Lobby Day 2019. Similar to years before, the most important part of the day begins in the Statehouse when we host our legislators for breakfast to discuss topics and issues most important to ILTA. This is our opportunity to make a splash at the Statehouse in regard to how much we care and how much we know about legislation affecting our daily work lives.

After we meet with our legislators, we will adjourn to the Indiana Historical Society for the education part of the day. We will start off the programming with an informative, but entertaining presentation by Kurt Laker about "How a Bill Becomes a Law," followed by a review of pending legislation affecting ILTA from Charlie Hiltunen and Elizabeth Berg. Then Jonathan Handsborough, Title Director of the IDOI, will update us on topics of his choice.

We will finish with Samantha Chapman, Attorney and Special Counsel to the Indiana Secretary of State, Connie Lawson. Ms. Chapman has been instrumental in changes to how the Secretary of State's office supervises and approves notaries in Indiana and rule-making in support of recording legislation passed in 2017. Ms. Chapman will also be a large part of the rule-making process for Remote Online Notary (RON).

The education portion of Lobby Day has been submitted for both CE and CLE credit. Currently, we are waiting on confirmation of CE credit, but CLE has already been approved for 2.5 hours!

Register today at: https://www.indianalandtitle.org/ev_calendar_day.asp?date=1/24/2019&eventid=45

Title Action Network

As part of ILTA's communication efforts with our legislators, we are asking all of the individuals that make up our companies to register with Title Action Network (TAN). TAN is not just for Congress, but is set-up for states like Indiana to also use. TAN allows the GA Committee to e-mail you with suggested letters that you can simply forward or edit and then send to your legislator with the press of a button.

This is a free service offered by ALTA. Even if you only pay the license fee to ALTA, you are able to sign up for TAN at: <https://www.alta.org/tan/join-tan.cfm>

TAN only e-mails you when there is an action item for you to do. It will not clog your inbox and is invaluable to keep up with the issues we face on the legislative front.

Legislative Update

Organization day has passed and bills have been submitted to be correctly formatted already. We expect to see bills start to be filed on January 3, 2019. Once the bills are filed, your GA Committee will start the review process and updating membership as session progresses. Thank you to GA Committee Members, Jessica McAlpin, Fidelity National Title Group, and Miranda Bray, Monumental Title Insurance Company, who have volunteered to assist with updates. As always, please do not hesitate to reach out to a member of the Committee if you have questions. As of today, our two main initiatives are the judgment docket and limiting agent liability.

The judgment docket issue concerns the basic questions: "What is it?" and "Where is it?" for each Clerk's office. As title professionals, we strive to determine what judgments attach to the property, but current systems are not designed well in regard to searching. With attorneys now being required to e-file cases, the problem is increased. ILTA will be submitting legislation to have judgments that attach to real property recorded. We will also be discussing issues surrounding searching pending cases in conjunction with this topic. Please e-mail Elizabeth Berg (eberg@agentstitle.com) with stories about how searching for judgments has been an issue for your company.

Limiting agent liability concerns the Integrity case where an agent was liable for negligent misrepresentation. Negligent misrepresentation is a legal theory that is not based on contract (for example, a title commitment or policy), but is a tort. Language has been drafted, and the GA Committee with Charlie Hiltunen are considering the best ways for this issue to reach our legislators.

As always, if you would like to join the GA Committee, please e-mail Elizabeth Berg at eberg@agentstitle.com. The best way to stay as current as possible is to be a member of this committee!

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