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Administrative Staff:

Amy Moran, Department of Administration
Jim Pahl-Washa, Department of Revenue

April, 2008

Dear Reader:

We wish to acknowledge the many people who have shared their expertise with us as we work to fulfill our mission to offer an administrative rule for electronic recording that sets reasonable, timely standards and makes the process secure and efficient for all involved in real estate transactions.

We wish to thank Mark Ladd, the Technology Coordinator for the Property Records Industry Association (PRIA) who has generously shared updates on guidelines of this standard-setting organization that we agree should be the cornerstone of technical requirements for the State of Wisconsin's electronic recording of documents.

We thank the numerous county officials across the Midwest and East and West Coasts for sharing their experiences and suggestions regarding electronic recording systems.

We thank Tim Reiniger of the National Notary Association for explaining his group's desire for increased education for notaries and implementation of electronic notarization.

We thank Susan Churchill of the Wisconsin Secretary of State's Office for explaining plans to create a database of Wisconsin notaries.

We thank Phil Dunshee, for his presentations on the Iowa Recordors Association's statewide portal for accessing information and recording electronic documents.

We thank the Wisconsin Register of Deeds Association (WRDA) for inviting us to attend their 2007 Summer Seminar and allowing us to give a presentation on our work.

We thank Bruce Olsen of the Wisconsin Department of Administration for his presentation on the open meetings law.

We thank Cari Anne Renlund, Chief Counsel for the Wisconsin Department of Justice for answering our request for an opinion. Her opinion affirmed our conclusion that the Uniform Electronic Transaction Act (UETA) and the Uniform Real Property Records Act (URPERA) gave authority for register of deeds offices to accept deeds and mortgages via model 2 technology where a signed and notarized document is scanned and sent electronically to the register of deeds. (We should note that upon receiving this opinion, we sent a letter to the WRDA members cautioning them about the need to integrate the transfer return system with their electronic recording systems.)

We thank Marc Aronson from the US Notaries organization for his presentation on the National Uniform Committee's work on uniform notary law and his perspective on a range of acceptable methods for notaries.

We thank Lisa Nelson and Luann Kohlmann of Associated Bank in Middleton for explaining electronic funds transactions that can be used to make payments for electronic recordings.

We thank Bush Nielsen, counsel for the Wisconsin Land Title for his presentation on the importance of the prompt and proper order of recording documents and for providing case law to illustrate his points.

Thanks to Mark Saunders, deputy legal counsel and Donna Sorenson, paralegal, for the Wisconsin Department of Administration, for their review of the administrative rule process and timeline.

Thanks to our administrative staff persons, Amy Moran of the Department of Administration and Jim Pahl-Washa of the Department of Revenue for their suggestions, guidance, and initiatives that have been so valuable to our work.

Thanks to Governor Doyle for establishing this council and selecting us to fulfill the mission.

Thanks those who attended our meetings and to those who have offered and will offer thoughtful comments about our proposed administrative rule regarding electronic recording.

We look forward to hosting a meeting for vendors of electronic recording software to invite them to incorporate the Wisconsin Real Property Transfer Return into their systems.

We look forward to working with the Legislative Reference Bureau regarding the drafting of our administrative rule and we look forward to working with the Legislature regarding statutory changes to facilitate electronic recording.

Yours very truly,
The Electronic Recording Council of Wisconsin