

TITLE EXAMINATION STANDARDS COMMITTEE
of the
Real Property Law Section of the O.B.A.

***“FOR THE PURPOSES OF EDUCATING
AND GUIDING TITLE EXAMINATION ATTORNEYS”***

MARCH 16, 2019 AGENDA--draft
(As of March 7, 2019)

[NOTE: SEE MEETING DATES & LOCATIONS AT THE END OF THIS AGENDA]

***[Note: if you want to download a free pdf copy of the current 2019 TES handbook, go to
www.eppersonlaw.com]***

_____ ***SATURDAY, MARCH 16, STROUD (OKC OKLAHOMA BAR CENTER)*** _____

Speakers (Sub-Comm.)	Standard#	Status	Description

BUSINESS/GENERAL DISCUSSION OF CURRENT EVENTS

9:30 a.m. – 10:15 a.m.

Hot Topics: General Questions: Kraettli Epperson

Legislative Report: Ryan Schaller

Previous Month’s TES Committee Minutes: Barbara Carson

PRESENTATIONS

=====PENDING=====

10:00 a.m. – 10:45 a.m.

<u>Astle Wittrock Ward</u>		Mar Report	<i>RECORDING SCANNED COPIES OF “WET” SIGNED INSTRUMENTS IN THE LAND RECORDS ??</i>
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<u>Sullivan & Reed Kempf</u>	14.10	Mar Report	<p><i>LLC WITH SERIES</i></p> <ol style="list-style-type: none"> 1. Resolving situation where a conveyance is made to a Series LLC when it was not allowed. 2. There are cases suggesting that the presence or absence of “periods” in the “LLC” portion of the name of a limited liability company is significant and creates two different company names. This issue needs to be discussed and perhaps covered in the existing TES. 3. There is a growing practice of LLC operating agreements authorizing corporate officer titles (e.g., president or vice president) for what should be the “manager”. This issue needs to be discussed and perhaps covered in the existing TES.
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10:45-11:00 a.m. BREAK*****

PRESENTATIONS (CONT'D)

11:00 a.m. – 12:00

<u>Astle</u> ??		Mar Report	<p><i>REGISTRATION OF FOREIGN JUDGMENTS</i></p> <p>Impact of recent Oklahoma case holding the life of a foreign judgment is not Oklahoma’s 5-year dormancy statute, but the dormancy statute where the judgment originates.</p>
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<u>Brown McLean Wimbish</u>		Mar Report	<p><i>AUTHORITY FOR STANDARDS</i></p> <p>Should there be a Standard explaining whether the TES Committee relies upon only “precedential” appellate opinions, but also on “persuasive” opinions:</p> <ol style="list-style-type: none"> 1. COCA unpublished opinions; 2. COCA opinions published by authority of COCA; 3. COCA opinions published by authority of OK SUP CT; and 4. OK SUP CT published opinions. <p>Impact of COCA case holding: PROBATE CASES BEING FILED IN COUNTY OTHER THAN RESIDENCE -- see <i>In Matter of Estate of Walker</i>, 2018 OK CIV APP 63</p>
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<u>Shields & Schaller Keen</u>	NEW	Mar Report	<p><i>STIGLER ACT AMENDMENTS & MURPHY CASE</i></p> <p>??</p>
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<u>Monica?</u> ??	NEW	Mar Report	<i>REMOTE ON-LINE NOTARY</i> ??
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***** END OF PRESENTATIONS *****

SECOND SATURDAY, APRIL 13, STROUD (STROUD CONFERENCE CENTER)

<u>Astle</u> <u>Schaller</u>	14.8	Apr Report	<i>FOREIGN LIMITED LIABILITY COMPANIES...</i> ??
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<u>Schaller</u> <u>McMillin</u> (Schuller)	30.14; 34	Apr Report	<i>BANKRUPTCY STANDARD UPDATE</i> Revising typos and incorrect references in Standard 34. Other sub-committee topics include potential changes to Standard 34 based on 11 USCA §549, and whether Standard 30.14 “Federal Court Proceedings” should be revised.
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SATURDAY, MAY 18, TULSA (TULSA COUNTY BAR CENTER)

<u>Seda?</u> ??	30.1 et seq	May Report	<i>MRTA/SEVERED MINERALS</i> ??
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<u>Seda &</u> <u>Williams</u> ??	??	May Report	<i>AFFIDAVIT OF HEIRSHIP</i> An effort is being made to revise and clarify the existing statute (16 O.S. §67) authorizing the use of an Affidavit of Heirship in lieu of a probate in both testate and intestate settings. If such legislation is adopted, the current title standard will need to be revised accordingly.
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===== ~~APPROVED~~ =====

===== ~~UNSCHEDULED~~ =====

===== ~~REJECTED~~ =====

<u>Brown &</u> <u>Epperson</u> ??	??	Feb Drop	<i>RELEASE OF LIS PENDENS</i> Should the new TES be clarified regarding the possible need to extinguish or release an improper lis pendens; meaning filed where no land is involved? (see <i>Bock v. Slater</i> , 2010 OK CIV APP 90)
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(??) ??	7.2	Feb Drop	<i>MARITAL INTERESTS...</i> (purchase money mortgage -- see <i>Wilmington v. Marshall</i> , COCA, 9/18/18 ??
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(Sullivan?) ??	30.1 et seq	Feb Drop	<i>MRTA--self-executing: See Corban v. CHK</i> , 149 Ohio St. 3d 512 ??
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=====TABLED TO 2020=====

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COMMITTEE OFFICERS:

Chair: Kraettli Q. Epperson, OKC
(405) 848-9100
kqe@meehoge.com

Vice Chair -- Legislative Reporter: Ryan Schaller

Vice Chair -- OBA Bulletin Board Highlights: Faith Orłowski

Vice Chair -- Handbook Editor: Rhonda McLean

Vice Chair -- Title Update Seminars: Kraettli Q. Epperson

Comm. Secretary: Barbara Carson, Tulsa
(918) 605-8862
barbaracarson@yahoo.com

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2019 Title Examination Standards Committee

(Third Saturday: January through September)

Time: 9:30 a.m. to 12 noon

<u>Month</u>	<u>Day</u>	<u>City/Town</u>	<u>Location</u>
January	19	Tulsa	Tulsa County Bar Center
February	16	Stroud	Stroud Conference Center
March	16	OKC	Oklahoma Bar Center
APRIL	13*	STROUD	STROUD CONFERENCE CENTER
May	18	Tulsa	Tulsa County Bar Center
June	15	Stroud	Stroud Conference Center
July	20	OKC	Oklahoma Bar Center
August	17	Stroud	Stroud Conference Center
September	21	Tulsa	Tulsa County Bar Center

***NOTE: THIS IS THE SECOND SATURDAY, NOT THE THIRD SATURDAY TO AVOID EASTER WEEKEND!**

Tulsa County Bar Center
1446 South Boston
Tulsa, Oklahoma 74119-3612

Stroud Conference Center
218 W Main St.
Stroud, Oklahoma 74079

Oklahoma Bar Center
1901 N. Lincoln Blvd.
Oklahoma City, OK 73152-3036