

**TITLE EXAMINATION STANDARDS COMMITTEE  
of the  
Real Property Law Section of the Oklahoma Bar Association**

**Minutes of the Meeting of April 18, 2020**

**VIA ZOOM**

The Committee Chairman, Kraettli Epperson, and the following members were present by video:

Barbara Carson, Kraettli Epperson, Ralph Keen, Dan Woska, Jack Wimbish, Ryan Schaller, Robert Seda, Terrell Monk, Rusty Brown, Stephanie Alleman, Monica Wittrock, Brian Huddleston, Jim Tack, Michael McMillin, John Garvey, Dale Astle, Tim Dowd, Ann Kilpatrick, Jeff Hand, Charis Ward, Faith Orłowski, Suzanne Grimes, Jack Freese, Fred Kempf, Caron Loffland, Alvin Files, Scott McEachin, Deborah Reed, Andy Carruth, Jacob Charney, Jay Struckle, Matt McDonald, Jennifer Jones, Noma Gurich, Shannon Taylor, Valerie Behrnes, Stephanie Goins, Sarah Moore, Rhonda McLean, Mike Tinney, Jason Baker.

**Discussion of Current Events and Hot Topics**

**1. Remote Online Notary**

Ryan Schaller started the presentation.

- The essence of this new law does not take into consideration the witnessing of will.
- The Secretary of State has put out detailed regulations.
- The RON works best with a third party vendor.

Monica stated that there is a movement with ALTA and mortgage bankers to have federal legislation for Ron's, providing a RON "for all", as it were. This would trump state law. Monica sent out a video she made giving a more depth explanation for RON's.

Charis stated that there are quite a few hidden costs to a RON. Sample documents were sent out.

Dan Woska presented regarding the physical presence requirement for a will. Concerned that video is violative of 85 §55

Kraettli is asking for an article. Big surprise!!

The Honorable Justice Noma Gurich gave the committee a few opinions and guidance in this time of uncertainty:

- Can a court reporter appear remotely with stipulation? YES
- Rule 34 (video conferencing rule): Judges have great discretion.

**2. Probate Procedure in the Time of Corona**

Kraettli presented. Kraettli referred everyone to SCAD Order No. 2020-29 and the email from the Marshall.

The Honorable Justice Noma Gurich presented:

- The period from March 16 thru May 15 if the “suspicious period”. All deadlines imposed on Courts throughout the State are frozen in time for that period.
- Anything after May 16, they anticipate it to be on scheduled time.
- She fully expects a transition period after May 16.
- File a Motion for determination of time of continuation of time if you have concerns.
- They will meet before May 15 to determine what the next SCAD Order will contain.
- Her suggestion is no juries until August. Does not know what jury trial will look like after this.
- She encourages counsel to work out agreements to be honored, if there are objections.

Roberto asked about filing of new probates during this time. She recommends contacting the judge and asking how they have decided to handle these cases and dockets.

She has asked Kraettli for some language for the next SCAD Order. Anything we can give her next week. She would like something to go out the first week of May. Broad concepts, general transition concepts. Kraettli will put together a committee.

### **Approval of Minutes**

Nope.

### **Agenda Items**

#### **TES 30.13. Abstracting.**

Ralph Keen presented. This will be blended in the Indian Law Sub-Committee. Add Matt McDonald to this Committee. They have been meeting and reviewing the title standards that may need to be modified. Will also work with Rusty in the SLTA Committee because there is overlap. Matt McDonald is also added on SLTA Committee. May report.

### **Adjournment (well... everyone just hung-up)**

Respectfully submitted,

Barbara L. Carson