

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

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

**VIA ZOOM**

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

Barbara Carson, Kraettli Epperson, Roberto Seda, Jack Freese, Sarah Stuhr, Alvin Files, Rusty Brown, Ralph Keen, Suzanne Grimes, Jim Tack, Jacob Charney, John Garvey, Shannon Taylor, Tim Dowd, Faith Orlowski, Michael McMillan, Stephanie Goins, Scott McEachin, Jack Wimbish, Rhonda McLean, Caron Loffland, Dale Astle, Monica Wittrock, Deborah Reed, Fred Kempf, Robert White, Brian Huddleston, Matt McDonald, Jay Struckle, Anita Anthony. Special guest include 405-596-6296 and Iphone (I have no idea who you are).

**Discussion of Current Events and Hot Topics**

1. The McGirt Case heard around the world

Ralph Keen and Deborah Reed presented this issue for us. There is a Memorandum of Law from the Attorney General's office. The Five Civilized Tribe's and the Attorney General's Office will work together on legislation (or maybe not?). McGirt did NOT change title law at all.

Kraettli would like the Real Estate Section to hold an entire seminar on the Indian Issues, perhaps in a year or two.

Obviously, the existing Indian Law Sub-committee will keep on eye on this.

2. Schweigert Decision and Motions for Default

How are the title standards handling this? No Committee formed and we are moving on...that's how.

3. Tax Sales valid during shut down.

SCAD Opinion does not affect Tax Sale as it is not a court proceeding.

4. Title Examination Standards Handbook.

Rhonda McLean is working on cleaning it up, checking on citations and the proper form thereof (I'm sure there is much to do if you are cleaning up after Wimbish).

**Legislative Report**

Nope.

## **Approval of Minutes**

The June Minutes were approved as lovingly prepared by Rhonda McLean (show off).

## **Agenda Items**

### **TES 24.14. Incomplete Mortgage Foreclosure.**

Dale Astle presented. Third reading. APPROVED.

### **TES --. Indian Titles.**

Deborah Reed, Ralph Keen and Jack Wimbish are going thru the handbook to determine what needs to be updated in light of the Indian Titles. Committee will narrow down some first draft issues and come back. Stay tuned!

### **TES 3.2. Affidavit of Heirship with Will Attached.**

Roberto Seda presented. (HB 1223). Big discussion by many people. Lots of blah blah blah. Is the topic worth considering further, is there anything we can do or should do (asks Kraettli as is his way). It has been determined there is a need to look at it further. Committee formed with Tim Dowd, Jim Tack, Jacob Charney, Fred Kempf, Matt McDonald, Anita Anthony, Stephanie Goins, Rusty Brown, Scott McEachin, Faith Orłowski, Sarah Stuhr, Michael McMillan and Caron Loffland (must be a much more interesting topic that I thought!). Report back in August.

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

Ralph presented. Ralph says the entire standard is obsolete and could be misleading. There will be some rearranging and rewriting. Ralph was then immediately and involuntarily appointed the Chair of this committee, but will be supported by Scott McEachin, Roberto Seda, Chris Jones and Ryan Schaller who join the committee. Proposed draft in August.

## **Adjournment**

Respectfully submitted,

Barbara L. Carson