

THE TITLE STANDARDS COMMITTEE: A STATUS REPORT

By Kraettli Q. Epperson, Vice Chairman Title Standards Committee

The Title Standards Committee of the Real Property Section of the Oklahoma Bar Association has the responsibility to make recommendations each year to the Section and, in turn, to the House of Delegates of the State Bar Association at the Annual State Bar Convention. These recommendations include suggested deletions, revisions and additions to the official Title Examination Standards.

In 1980 eight new or revised Standards were approved (i.e., 4.2, 4.3, 6.5, 9.4, 10.7, 13.8, 14.1 & 18.2), and in 1981 five more revisions were adopted (i.e., 1.5, 2.3, 6.1, 8.1 & 14.1). During the year the Committee also undertakes other special projects relating to real property, either at the direction of the State Bar Association Board of Governors, the Real Property Section Executive Committee, or at the request of individual attorneys and layman groups.

The Committee currently is working on the following projects.

1. Making revisions to these existing Title Examination Standards:
 - a. **Partnerships** (10.2 & 10.3)—how to identify partners in past and current conveyances, and what changes are needed due to passage of law moving fictitious name filings to County Clerk's Office.
 - b. **Divorce Money Judgement Liens** (12.1)—whether such judge-made liens must be recorded per 12 O.S. §706 to become valid liens.
 - c. **Estate Tax Liens** (8.1, 17.2 & 17.3)—when 8.1 affidavit filing act was applicable and whether other corrections and clarifications in 17.2 & 17.3 were necessary.
2. Drafting new Title Examination Standards on:
 - a. **Power Of Attorney**—when and if powers of attorney are acceptable to convey homestead and non-homestead property.
 - b. **Bankruptcy**—how to convey property during and after bankruptcy and how to be sure property has been discharged in Bankruptcy from prior liens.
 - c. **Joint Venture**—how to handle title to real property erroneously conveyed to a joint venture, which is an entity not capable of holding title.
 - d. **Lot Split**—when to require lot split approval.
3. Reviewing proposed legislation on:
 - a. Title Insurance, and
 - b. Use of Affidavits to cure title defects.
4. Assisting the Young Lawyers Division in revising the Real Property Sample Instruments in the OBA Lawyer's Desk Manual;
5. Preparing, after a lapse of over 10 years, an up-to-date, codified booklet, including all of the official Title Examination Standards, to be published annually immediately after adoption of any changes at the annual Bar meeting, and
6. Reviewing and commenting on the proposed draft of the Tulsa Uniform Real Estate Purchase Contract.

The Committee holds a working session approximately once a month on a Saturday morning from 10:00 a.m. to 12:00 noon. The exact date and location of the meetings are announced in the Bar Journal. All attorneys interested in the above topics are invited to attend the working sessions or to send or call your comments to any officer or member of the Committee. Additional ideas and workers are always welcome.

The current Committee Officers are

CHAIRMAN

Richard Cleverdon, Tulsa (918) 584-4716

VICE-CHAIRMAN

Kraettli Epperson, OKC (405) 270-5421 Toll Free Watts 1-800-522-3505)

SECRETARY

David Rowland, Bartlesville, (918) 336-4550