

# GSCCCA Update

Vol. 10, No. 1  
August 2006

An update on the activities of the Georgia Superior Court Clerks' Cooperative Authority

## Board of Directors

### Chairman:

Tom Lawler  
Clerk of Superior Court  
Gwinnett County

### Vice Chairman:

F. Barry Wilkes  
Clerk of Superior Court  
Liberty County

### Secretary/Treasurer:

Jean H. Rogers  
Clerk of Superior Court  
Crisp County

Cindy Mason  
Clerk of Superior Court  
Columbia County

Quintus W. Sibley  
Director of Legal Affairs  
Georgia College & State  
University

Huge W. Stone  
Chief Judge  
Superior Courts  
Enotah Judicial Circuit

Rhett Walker  
Clerk of Superior Court  
Dodge County

Dave S. Wills, Jr.  
Chairman  
Webster County  
Commission

Dwight S. Wood  
Clerk of Superior Court  
Hall County



GSCCCA

1875 Century Blvd. Suite 100  
Atlanta, Georgia 30345  
Tel: 404.327.9058  
Fax: 404.327.7877  
www.gsccca.org

## Online training a valuable tool

To increase the ease and availability of training, the Authority developed an online training course titled *Introduction to Real Estate Indexing Standards*. The online course became available in January and 34 counties have already taken advantage of this new tool. We discussed the course with **Beverly Logan**, clerk of Superior Court of Clarke County. Beverly and her entire staff successfully completed the course earlier this year. Below are her comments.

### ❖ *Why did you decide to use this form of training?*

First, let me thank the Authority for providing such a valuable tool. When I heard they were offering an online course, I went to the site and checked it out. What I found was a wonderful tool for teaching and refreshing our knowledge of the standards.

### ❖ *Was training convenient & easy to use?*

I originally went to the online course to refresh myself on the standards, but then realized it was so convenient and so accessible that my real estate staff needed to see it. My staff ranges from individuals who were raised on computers to those who had never seen a computer until they started working in the clerk's office. But every one of them was able to maneuver through the modules with ease and understanding.

### ❖ *Were the modules organized in a way that made sense?*

The training sensibly flowed through the standards in a way that made the learning informative and enjoyable. At the end of each section, the module provided for reinforcement of the standards by giving you self-check questions. You were able to see immediately which standard needed further review and training. And you could do it in the privacy of your own workstation or home.

### ❖ *Was the course truly beneficial?*

We found the training to be so beneficial that I wanted all my staff to have the opportunity of experiencing the modules. We incorporated the online training into our annual performance evaluation. Completion of the modules and the final test score became one of the employee's job-specific performance criteria. Even the civil

and criminal division employees found the training to be helpful in their day-to-day jobs as well as providing them with cross training. All my employees including myself completed the training, took the final test and passed with a score of 90% or better. They all commented on how "user friendly" it was. They feel a sense of accomplishment and more confident in the standards. What I liked best about the training was that you could repeat the sections where you missed questions and

then retake the final test. I could follow my employees' progress and assist them if needed.

### ❖ *Would you recommend this course?*

I most definitely would recommend the online training for indexing standards to other clerks. It is a simple and easy way to train. With online training, an employee can work during or after office hours, in the office or at home. I encourage the Authority to consider e-training for other topics such as TPO's, Fines and Fees, and notary to name a few. I appreciate the opportunity to share my observations with others. Thanks again for providing us with a wonderful training tool and doing what you do for us everyday.

Take advantage of this new training tool by visiting <http://training.gsccca.org>. The information can also be accessed through the Clerk Resource Center by clicking on the link for Training Workshops. Contact Rachel Gittner at 404.327.9058 x1010 if you need assistance. ■



## April board meeting review

The Authority Board of Directors met on April 12 for its quarterly meeting. Following is a summary of the reports and actions.

❖ **General Business** – The minutes of the January 11, 2006, board meeting were approved unanimously, and Greg Morgan, with the accounting firm Mauldin & Jenkins, presented the Auditor's Report. The Board questioned the need to increase the amount of funds in the equipment reserve account and asked if there were any major costs to be expended in FY 2007 for the data center. IT Manager Andy Wightwick stated that there were no major upgrades planned although the Authority will upgrade the storage capacity of the data center.

❖ **FY 2007 Budget** – David Williams presented the FY 2007 budget and noted that the non-revenue producing projects' expenses are covered by revenue received from other projects. He also stated that the Fines & Fees Division budget may need to be re-examined with the advent of SB 203 which grants the Fines & Fees Division the authority to conduct limited audits of courts therefore increasing the division's costs.

Mr. Williams emphasized that the amount of revenue returned to the clerks' offices for online document prints, approximately \$1.3 million, was almost twice as much as anticipated in the FY 2006 budget. The budget was approved unanimously as presented.

❖ **Project Reports** – The Historical Deed Project Report was presented by Mr. Williams providing an update on how counties are faring with regards to moving their "good-from date" back to 1993. The UCC Monthly Report was also presented by Mr. Williams. The number of UCC documents and UCC Certified Search requests has increased slightly during the first quarter of 2006. The number of UCCs filed has remained stable over the last several years.

❖ **Fines & Fees Division** – John Earle presented the report for the Fines & Fees Division and stated that the average monthly recurring expenses for the F&F Division is approximately \$22,000 per month. He stated that the performance audits conducted by the State Audit Department are complete, and have been reviewed by Authority staff. Suggested changes contained in the audit report will be implemented where appropriate.

Mr. Williams noted that the F&F staff spends many hours per week contacting delinquent courts in an effort to help those courts that are late reporting and are therefore non-compliant. Suggestions were made including a notification form letter being sent to the chief judge of a judicial circuit that would alert the judge to the fact that a particular court within the judge's circuit was non-complaint in regards to reporting and remitting funds to the F&F Division. Another suggestion included the F&F Audit Committee incorporating an alert letter in its process of identifying courts to be audited.

A motion was approved unanimously to adopt a resolution establishing the Fines & Fees Audit Committee and procedures to be followed by the committee. The committee includes the following board members: Hugh Stone, Dave Wills and Jean Rogers.

❖ **2006 Legislative Session** – David Williams presented a report on the 2006 Legislative Session.

- **SB 203** contains two major provisions that will affect the F&F Division: 1) authority is granted to the F&F Division to audit courts, and 2) funds from the Local Victims Assistance Program (LVAP) are redirected to keep that money local and make the LVAP a reportable fund instead of a remittable fund.

"... the amount of revenue returned to the clerks' offices for online document prints, approximately \$1.3 million, was almost twice as much as anticipated in the FY 2006 budget."

GSCCCA  
Customer Support:

1.800.304.5174  
or  
help@gsccca.org

"Board" continued from Page 2

- **HB 989** provides for the extension of the sunset provision in regards to the real estate deed filing fee. Mr. Williams stated that Ms. Mason deserved credit for assisting in the passing of HB 989. The sunset date was extended to June 30, 2012.
- **SB 306** provides that hospital liens be included in the Authority's online lien index, and therefore, be considered just another type of lien added to the index. Hospital liens will no longer be required to be segregated from other types of liens. The effective date is July 1, 2006.
- **SB 588** restricts the display of social security numbers by businesses. However, a

provision included in the legislation holds harmless clerks of Superior Court and the Clerks' Authority for displaying social security numbers on the internet as part of publicly recorded documents.

- **HB 1282** (Notice of Settlement) provides for the implementation of the settlement document as another real estate document added to the real estate index.

❖ **1992 Historical Project Procedures** – The 1992 Historical Project Procedures were presented by David Williams. The committee compiled standard forms to be used by clerks in the process of selecting and/or changing vendors. The Board postponed the adoption of the forms and process pending further study and will address the issue at the next board meeting. ■

### Removal of bogus UCC filings

The Authority is seeing an increase in the number of civil orders issued in order to remove bogus or harassing UCC filings. Not only is the Attorney General's office making a concerted effort to rid the UCC index of these types of filings in association with elected officials, we are seeing an increase in requests in general. If you receive a court order to remove a UCC filing from the index, it is suggested that you take the following steps in order to comply with the order:

- Mail a copy of the court order to Mike Smith at the Clerks' Authority. We will consider receipt of the court order as our authority to make the UCC in question inaccessible online.
- Physically remove the paper-based UCC document from your files to make it inaccessible to the public.
- Note in your index that "UCC # \_\_\_\_\_ has been removed from the index pursuant to an order of the Superior Court of \_\_\_\_\_ County Civil Action No. \_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_\_, 2006."
- You may also replace the paper-based copy of the UCC document with a copy of the court order. This will ensure that a searcher will see that the UCC in question was, in fact, at one time in the index but is no longer effective pursuant to a court order and not just missing from the index.

However, it is important to remember that none of the above takes effect until you receive a court order. Regardless of how unusual a filing may appear to you or your staff, UCC documents may not be removed from the index without a court order.

If you have questions regarding this issue or would like to request suggested language for the court order (as guidance for your judge), contact Mike Smith at the Authority. ■

GSCCCA  
Customer Support:

1.800.304.5174  
or  
help@gsccca.org

## Training update

It's already been a busy training year for the Authority with the introduction of the online course in January (See article on Page 1.) and 27 training sessions held around the state to date. To finish out the calendar year, the Authority will offer ten more sessions in five different locations. (See the schedule for remaining dates.) The following subject matter will be covered:

❖ **Notary Public** - May a notary public notarize for a family member? What is a notary's foremost responsibility? As the commissioning office, what are the responsibilities of the Superior Court Clerk's office? This session will cover these questions and many more in addition to taking an in-depth look at Georgia's notary public law. A demonstration of the online notary public application process will also be given.

❖ **Real Estate Indexing Standards** - This session will review the statewide standards for indexing real estate, lien and plat records. Discussion will include the GSCCCA's online training course and indexing certification, less obvious types of filed instruments – their purpose and how they should be indexed – new or pending legislation affecting filed instruments and the reasoning behind the Standards.

❖ **Fines and Fees** – This session will provide an introduction to the accounting, reporting and remitting requirements of HB 1 EX. Topics covered will include a review of the GSCCCA Board-approved Rules and Regulations, “reportable” versus “remittable” fines and fees, forms, calculations of total and base fines using the online calculator, a complete overview of information available on the Authority's website ([www.courttrax.org](http://www.courttrax.org)), recent applicable opinions issued by the Office of the Attorney General and legislative updates affecting all courts.

❖ **UCC** – This course will provide an overview and discussion of Georgia's Uniform Commercial Code statute. Items to be covered include the Revised Ar-

ticle 9 and how it relates to the processing and indexing of UCC financing statements, UCC forms, the administrative procedures, the minimum filing requirements and the reasons to reject a filing.

❖ **Protective Orders (SB 57)** - This session will provide training on how to scan and index Protective Orders and how to verify user reports. It's a great program for new employees who have never been trained to index protective orders or for those who would like a refresher course.

Training sessions are single-day sessions offered two days in a row at each location. Attendees can register for an entire day or for a morning or afternoon session only. If interested, register via fax, e-mail, phone, the Clerk Resource Center, or [www.courttrax.org](http://www.courttrax.org). If you have questions or need any assistance, contact the Authority's training coordinator, Rachel Gittner, at 404.327.9058, ext. 1010. ■

## Congrats, Tom

Congratulations to **Tom Lawler** for being named “2005 Clerk of the Year” by the Superior Court Clerks' Association of Georgia at its recent spring meeting. Tom is clerk of Superior Court of Gwinnett County and currently serves as chairman of the Clerks' Authority. ■

### Summer/Fall Training Schedule

July 19	Newnan	UCC, Notary, Fines & Fees
July 20	Newnan	UCC, Notary, Fines & Fees
August 9	Albany	Fines & Fees, Deed Indexing
August 10	Albany	Fines & Fees, Deed Indexing
Sept. 13	Brunswick	Protective Orders, UCC, Notary
Sept. 14	Brunswick	Protective Orders, UCC, Notary
October 4	Atlanta	Protective Orders, UCC, Notary
October 5	Atlanta	Protective Orders, UCC, Notary
October 18	Augusta	Fines & Fees, UCC, Notary
October 19	Augusta	Fines & Fees, UCC, Notary

GSCCCA  
Customer Support:

1.800.304.5174

or

help@gsccca.org