

GSCCCA Update

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May 2008

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

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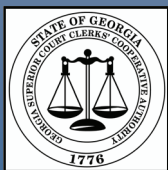
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Notary Division Serves Public

The GSCCCA Notary Division was created in 1997 when the Georgia Legislature, via SB 284, transferred certain centralized record keeping and certification functions relating to notaries public from the Secretary of State to the Authority.

In Georgia, notaries public are commissioned for a four-year term by the Clerk of Superior Court in the notary's county of residence.

Each county sends a copy of the notary certificate of appointment to the GSCCCA, either by mail for scanning and data entry, or electronically, through the Notary Online System developed in-house by the Authority IT staff. To fulfill the centralized record-keeping mandate, the Authority developed a searchable database that is a state-wide repository for notaries public containing the notary's name, address, age, sex, term of office, plus an image of their signed, notary certificate of appointment.

Each year over 45,000 notaries public are commissioned

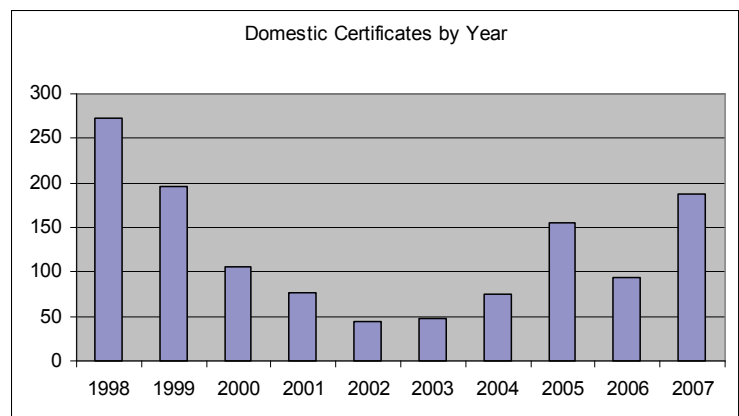
in Georgia, with about 190,000 active notaries in the state. Notary records are retained for seventy years.



Notary Division Staff (from left to right): Lawana Pitts, Notary Clerk; Peter Keesom, Notary Project Manager; and Chey Neal, Notary Specialist

The second function of the Notary Division is to certify or authenticate the signature and seal of public documents. O.C.G.A. 45-17-19 allows the GSCCCA Notary Division to issue two types of certifications. One is used exclusively within the United States or U.S. territories, and is called a notary certificate of authority or domestic certification. This authenticates the official signature and term of office of a notary public by matching the notary signature on the document to the signature on file with the GSCCCA. It is important to understand that this does not authenticate or validate the contents of the document per se, but rather it verifies that the notary holds a valid license in this state. Typically, the Notary Division issues

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April Board Meeting Review

The Authority Board of Directors met on April 9 for its quarterly meeting. Following is a summary of the reports and actions of the meeting.

General Business

The minutes of the January 9, 2008, board meeting were presented and approved unanimously by the board.

Greg Morgan, with the accounting firm of Mauldin & Jenkins, presented a review of financial reports for the Authority. He concluded that the overall financial health of the Authority is on solid ground and the immediate future appears to be good.

The proposed 2008-09 budget was presented. Anticipated revenues for 2009 were projected to decrease by 5.9% compared to 2008 because of the reduction in real estate filings. A motion to adopt the budget as presented was approved unanimously by the board.

Project Updates

❖ **1992 Historical Deed Project:** The completion of the project is running behind due to data issues and indexing errors which resulted in the quarantine of the 1992 data. Contracts for the 1991-1990 Historical Deed Project are ready to be sent to vendors. The new contract requires that vendors use certified indexers who have successfully completed the indexing certification test. Some vendors have had several indexers successfully complete the exam while other vendors have had no one successfully complete the test.

❖ **UCC Project :** The number of annual filings has remained steady and is expected to remain steady during 2008.

❖ **Fines and Fees Division:** A brief overview of the Fines and Fee organizational structure was given followed by a current financial report on the division.

❖ **Redaction Project:** An overview was given on the Authority's progress in indentifying a redaction software solution/vendor.

Two proposals have been made by vendors and the process of making a recommendation to the Authority board should be completed by the July 2008 board meeting.

❖ **Archive Project:** The project is running smoothly and monitoring tests reveal that the data is valid and useable. Two of the larger counties, Cobb and Fulton, will be brought online in the next few weeks. Forty-five counties to date are participating.

Other Issues

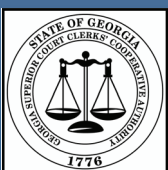
❖ **GCIC & Data Elements Transmission Issues:** The report noted that due to changes to CCH in July 2007, not only did the number of accepted filings decrease dramatically, but the number of overall filings submitted dropped significantly as well. Challenges still exist for clerks to transmit successfully.

❖ **Case Count Issue:** A checklist of issues that needs to be addressed has been vetted to ensure that local systems meet data requirements to allow the acceptance of the data.

❖ **Training Efforts:** During 2008, the Authority will conduct Deed Indexing Training at six different sites around the state. Additionally, there has been good response from the public to the Authority's Online Notary Public Course and exam. More than 1,100 individuals have signed up and completed all or parts of the course.

❖ **Authority E-mail System Usage and Internet Usage:** At present, e-mail usage among staff and clerks' offices does not adversely affect the performance of the overall system. More than 500 GSCCCA e-mail accounts have been created for use by Authority staff and clerks and their employees.

❖ **2008-09 Equipment Replacement Project:** An overview of the project was given that highlighted the requirements for clerks' offices in order to receive replacement equipment such as CPUs and monitors. (See article on "Equipment" on Page 3 for more information on this subject.)



Need Equipment?

In an effort to clarify issues regarding Authority-related equipment, the following is a summary of the Authority's inventory control procedures.

General Information

All Authority-provided equipment is supported by the Authority. If the equipment is in need of repair or replacement, the clerk should notify the Authority immediately by calling Technical Support at 800.304.5174 or e-mailing them at help@gsccca.org. Support is available Monday through Friday from 7:30 am - 6:00 pm.

Each year, the Authority conducts a statewide audit of all equipment shipped to the counties. This information is kept on file and reported to the Authority's auditors as well as the state. The Authority board authorizes distribution of equipment to clerks' offices for the purpose of supporting Authority projects. Counties must be accountable for each piece of equipment they receive from the Authority.

Regular Equipment Requests

A county may request equipment from the Authority if the county has acquired additional staff or a new project which requires additional computer equipment. In order to receive new equipment, the county must be in compliance with all GSCCCA projects at the time of the request and be within two weeks of the "Good Through Date" with deed, lien, and plat indexes and images. Equipment is provided for immediate use and is not to be stored or stockpiled for later use. The equipment remains the property of GSCCCA and the clerk is responsible for ensuring that the equipment is under his/her control at all times and is not placed in areas within the county that the Authority does not support. A "Request for Acquisition of Equipment" form must be completed by the clerk's office and submitted for approval.

Image Trades

A Superior Court Clerk may use "credits" earned from the county's image hits or deed images provided by their vendor for the purpose of purchasing equipment other than what the Authority pro-

vides. Equipment purchased by this method will not be supported by the Authority and becomes the sole responsibility of the county. The county will receive written notification of the image trade shortly after receipt of the equipment. This information should be kept on file for warranty purposes. Please note that a county cannot spend more funds than it has accumulated and that all current image trades must be paid in full before new ones can be processed. In order to receive equipment by way of an image trade, the county must be in compliance with all GSCCCA projects and be within two weeks of the "Good Through Date" with deed, lien, and plat indexes and images.

County Purchases

Equipment other than what is normally provided by the Authority may also be purchased by using county funds. The Authority's Accounting Department will send an invoice to the county for equipment purchased. The equipment becomes the sole

property of the county and is not supported by the Authority.

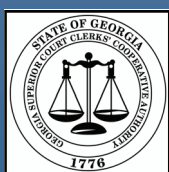
For "Image Trades" and "County Purchases," counties should first obtain an equipment price quote before submitting the respective forms. This will ensure that the county is comfortable with the specific price and configuration of the equipment before signing the contract and placing the order. Quotes may be obtained from the county's vendor or through the Authority. If the county is comfortable with the quoted price (either from its own vendor or from the Authority's vendors), then it would proceed with completing and submitting the "Image Trade" or "County Purchase" contract. Once the contract has been approved, the order will be placed and the county will be contacted when the equipment arrives.

Forms and Questions

To request forms or with questions about Authority-provided equipment, please contact Richard Dunn or Sharon Fort at 404.327.9058 or Technical Support at 800.304.5174 or e-mail our support team at help@gsccca.org.



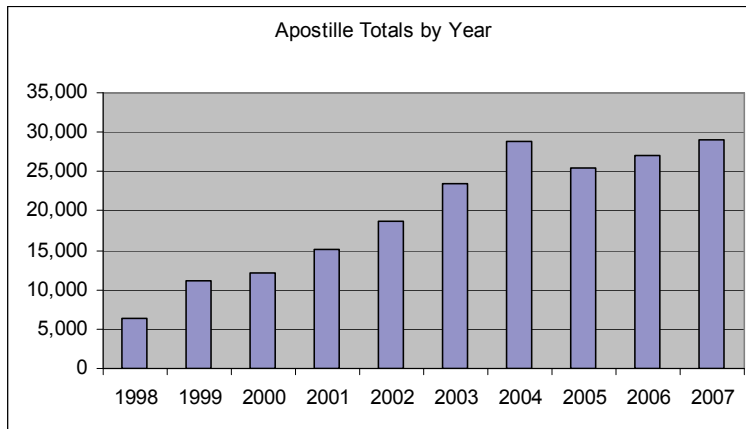
Sharon Fort, Authority Ombudsman/Communications Assistant, and Richard Dunn, Inventory Control Manager



(Notary Division—Continued from Page 1)

only 10 to 20 of these per month, the majority of these are documents destined for Puerto Rico.

The other type of certification is called an apostille (*uh-pos-til*) and is used internationally and can only be issued to countries that participate in The Hague Convention No. 12. So, what is an apostille, what does it do, who needs them, where do they go and for that matter, what is the Hague Convention?



Documents issued in one country which need to be used in another country must be "authenticated" or "legalized" before they can be recognized as valid in the foreign country. Such documents range from powers of attorney, affidavits, birth, death and marriage records, incorporation papers, trademarks, deeds, school transcript records, adoption papers and other legal papers. Authentication is the process of verifying a county official, a state official, or a notary public from the State of Georgia that certifies or notarizes a document and that they are authorized to issue such a document. It does not authenticate the contents of the document.

Prior to The Hague Treaty Convention 12 (or for those countries who currently do not participate in the treaty), authenticating international documents required a cumbersome and lengthy authentication process. In 1961, the Hague Conference of Private International Law Convention developed a simplified method called the Apostille Process. (The Hague Conference is an international treaty organization that oversees a series of dozens

of conventions, 39 in total, aiming to rationalize certain aspects of civil law between signatories.)

Convention 12 eliminates the need for authentication above the level of the Secretary of the State (or designated competent authority), and is only accepted by countries that have signed the treaty. There are 92 countries who have signed this treaty. The signatories are all the European countries, nearly all former Soviet Union countries, Mexico, Japan, Israel, and a few Central and South American countries. Notable countries or regions missing from this list are: Canada, China, Africa and Islamic countries.

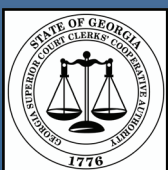
The United States signed the treaty in 1981 and became a party to the Hague Convention 12. Between 1981 and 1997,

the Georgia Secretary of State issued apostilles. As a result of SB 284, in 1998, the GSCCCA became the only designated competent authority to issue apostilles for documents originating or executed in Georgia.

For the purposes of the Convention, public documents include: (a) documents emanating from a court, (b) documents issued by an administrative authority (such as civil records), and (c) documents executed before a notary. The apostille format is structured by the treaty so that the issuing country, name of the person signing the public document, the capacity in which they act and the date of issue appear in a standard template.

The apostille process works in the following manner. The GSCCCA authenticates documents by matching the original signature and seal on the document to the signature on file with the GSCCCA. The apostille is attached to the document. (In addition to having an image of all notaries public in the state, the

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More R.E. Standards Training Offered

The Authority continues to offer training on Real Estate Indexing Standards around the state and has added several more dates and locations:

- ❖ June 18 in Fayetteville
- ❖ August 20 in Washington
- ❖ September 10 in Valdosta
- ❖ October 2 in Cartersville

These training classes will be held from 9:00 a.m. to 12:00 noon and will review the GSCCCA Statewide Standards for indexing real estate, lien and plat records. Taught by Phil Kobierowski or Gary Yates, two of the authors of the Standards, and suitable for new and experienced indexers, the course will include:

- ❖ the reasoning behind the Standards;
- ❖ the latest changes to the Standards;
- ❖ various deed and lien instrument types and their purpose;
- ❖ indexing difficult instruments such as those from securitization trusts; and
- ❖ displaying the Online Standards Training Course.

Go to www.gsccca.org/training to register online. With questions, contact Training Coordinator Rachel Rice, at 404.327.7322 or 800.304.5175, x1010, or rachel.rice@gsccca.org.

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GSCCCA maintains a database of nearly 5,000 signatures consisting of Clerks, Deputy Clerks, Superior Court Judges, Probate Court Judges, State DHR and County Health Department personnel). The document with the attached apostille is entitled to recognition in any other Convention country without any further authentication.

The GSCCCA issues almost 30,000 apostilles per year. The fee for an apostille remains \$3 and has not changed since 1998.

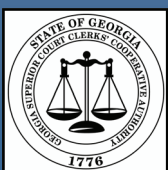
What type of documents are they and where do they go? Adoption documents are by far the most common, accounting for one-third of all apostilles issued. Adoption dossiers consist of a myriad of documents and foreign courts require two or three copies of each document. It is not uncommon for a complete

adoption to require upwards of 50 to 75 apostilles.

The Notary Division offers walk-in service, issuing apostilles in minutes and accepts requests via mail or other courier service. The processing time for mailed requests is one business day. About 20% of all requests come via the mail; the remaining come in person to our office.

The authentication process continues to evolve. The advent of secure digital signatures is opening up a new process called electronic apostilles. It is still in its infancy, but the advantage of secure, fast authentication is pushing all the participating countries in this direction. The GSCCCA is actively investigating this technology to ensure that Georgia meets the needs of its citizens in this globalized world.

(See Apostille Tables on Page 6)



Apostille Destination Countries

Country	Count	Percent of Total	Typical Type of Document
RUSSIA	7788	26.53%	Adoption
MEXICO	5660	19.28%	Birth Certificate
COLOMBIA	2538	8.65%	Spanish Language
KAZAKHSTAN	2033	6.93%	Adoption
ROMANIA	1353	4.61%	Power of Attorney
VENEZUELA	1072	3.65%	Spanish Language
UKRAINE	1051	3.58%	Adoption
ARGENTINA	826	2.81%	Power of Attorney
LATVIA	649	2.21%	Adoption
BULGARIA	488	1.66%	Bulgarian Language
INDIA	485	1.65%	Adoption
SPAIN	439	1.50%	School Documents
ITALY	388	1.32%	Birth Certificate
EL SALVADOR	354	1.21%	Adoption
PANAMA	332	1.13%	Certified Copy
NETHERLANDS	272	0.93%	Birth Certificate
ECUADOR	263	0.90%	Spanish Language
HONDURAS	233	0.79%	Letter
GERMANY	231	0.79%	Marriage Certificate
CZECH REPUBLIC	196	0.67%	Birth Certificate

Types of Documents

Document Type	Count	Percent of Total
ADOPTION	9824	33.47%
BIRTH	3965	13.51%
SPANISH LANGUAGE	2106	7.18%
POWER OF ATTORNEY	1471	5.01%
LETTER	1455	4.96%
MARRIAGE	1171	3.99%
CORPORATE	756	2.58%
FOREIGN LANGUAGE	705	2.40%
RUSSIAN LANGUAGE	668	2.28%
TRANSLATION	655	2.23%

Authority Hires Manager for Archive Project

The Authority has hired Chris Redd as its full-time manager of the Archive Project. This project is designed to protect clerks' data from catastrophic loss. In addition to monitoring the local data and nightly back-ups, Chris is available to answer any questions about the archive system and to assist with design and installation of the system. He can be reached by e-mail at chris.redd@gsccca.org.

