



2501 Aerial Center Parkway, Suite 103, Morrisville, NC

877.997.7742

How to Get Ready for Electronic Recording

Part 1

The Recorder's Guide

Adopted by the PRIA Board on July 14, 2009

<http://www.pria.us>

PRIA Copyright Notice, Disclaimer and End-User License

Version 1.1 November 2003 (the "PRIA License" or the "License")

This document or software (the "Work") is published by the Property Records Industry Association ("PRIA"). Copyright © 2010 - writers listed in the Work (collectively or individually, a "Licensor"). All rights reserved.

Subject to this License, Licensor hereby grants any user of this document or software ("Licensee") a worldwide, royalty-free, irrevocable, perpetual, non-exclusive license to reproduce the Work in copies, to prepare proprietary derivative works based upon the Work, to distribute copies of the Work to the public by sale or other transfer of ownership, and to display the Work publicly.

If the Work is software published by PRIA as codes in source and binary form, the License includes the right for Licensee to distribute copies of, and use, the codes in source and binary forms, with or without modification.

Any distribution of copies of the Work, or of a derivative work based upon the Work, shall reproduce verbatim the above copyright notice, the entire text of this License and the entire disclaimer below under the following header: "This document includes works developed by PRIA and some of its contributors, subject to PRIA License, Version 1.1 November 2003 published at www.pria.us/license.htm or any subsequent applicable version of such License." Any software application developed by Licensee based upon the Work shall include the following notice in its end user documentation and in its codes: "This software product includes software or other works developed by PRIA and some of its contributors, subject to PRIA License, Version 1.1 November 2003 published at www.pria.us/license.htm or any subsequent applicable version of such License." Upon publication of a derivative work, Licensee shall inform PRIA of such publication and address to PRIA a copy of Licensee's derivative work and any relevant documentation.

"PRIA" is a trade name of the "Property Records Industry Association." No derivative work or altered versions of a Work by Licensee may be trademarked or labeled in reference to PRIA or any of its trademark(s) or service mark(s) without PRIA's prior written approval. No reference to PRIA or any of its trademarks by Licensee shall imply endorsement of Licensee's activities and products.

DISCLAIMER: THIS WORK IS PROVIDED "AS IS." PRIA, THE COPYRIGHT HOLDER, THE AUTHORS OF THIS WORK AND ANY STANDARD -SETTING BODY CONTRIBUTORS TO THIS WORK MAKE NO REPRESENTATIONS OR WARRANTIES (i) EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, TITLE OR NON-INFRINGEMENT; (ii) THAT THE CONTENTS OF SUCH WORK ARE FREE FROM ERROR OR SUITABLE FOR ANY PURPOSE; NOR THAT IMPLEMENTATION OF SUCH CONTENTS WILL NOT INFRINGE ANY THIRD-PARTY PATENTS, COPYRIGHTS, TRADEMARKS OR OTHER RIGHTS. IN NO EVENT WILL PRIA, THE COPYRIGHT HOLDER. ANY AUTHOR OF THIS WORK, OR THE STANDARD-SETTING BODY CONTRIBUTORS TO THIS WORK BE LIABLE TO ANY PARTY FOR ANY DIRECT, INDIRECT, SPECIAL OR CONSEQUENTIAL DAMAGES FOR ANY USE OF THIS WORK, INCLUDING, WITHOUT LIMITATION, ANY LOST PROFITS, BUSINESS INTERRUPTION, LOSS OF PROGRAMS OR OTHER DATA ON YOUR INFORMATION HANDLING SYSTEM OR OTHERWISE, EVEN IF PRIA, THE COPYRIGHT HOLDER AND/OR ANY AUTHORS AND/OR ANY STANDARD-SETTING BODY CONTRIBUTORS TO THIS WORK ARE EXPRESSLY ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

Table of Contents

Overview	1
Introduction to the Issues	1
Traditional paper-based recording Model versus the eRecording Model.....	1
Benefits of eRecording.....	2
What is My Legal Authority to eRecord and Where can I Find It?	2
Models of eRecording.....	3
The Role of the Recorder in eRecording.....	4
How Will eRecording Affect My Existing Filing System?.....	4
How Will eRecording Affect My Office Policies and Procedures?.....	4
How Will eRecording Affect the Jurisdiction's Business Practices?	5
How Do I Implement eRecording in My Office?.....	6
What Departments Should be Included in the eRecording Decision and Implementation.....	8
How Do I Identify Potential eRecording Submitters?	9
What Type of Payment Options Are Available for eRecording?.....	10
How Are Submitters Notified of Rejection or Acceptance of an Electronically Submitted Document?.....	11
Who Can Answer My Questions About eRecording?	11
How Do I Select an eRecording Vendor?.....	11
ADDENDUM A - Sample "Implementation Task List"	14

Overview

The Property Records Industry Association (PRIA) is a non-profit association formed to bring together participants of the property records industry, including government entities and business concerns to formulate standards and best practices for the industry.

Among other objectives, PRIA works to identify problems, opportunities, and solutions that will make property records processes more efficient, standardized, and responsive to the public.

Electronic recording redesigns the real estate recording process and introduces new technologies, changes office procedures, and includes, in many instances, a significant investment in resources and time. Electronic recording presents a unique opportunity to bring significant improvements to the recording process to create efficiencies whereby costs are reduced for both the Recorder and the document submitter.

In the United States, land document recording may take place at the State, City, Town, County, Borough, or Parish level. Depending on the jurisdiction, the Office of the Recorder may also be known as Recorder of Deeds, Registrar-General, Register of Deeds, Registrar of Deeds, Registrar of Titles, Deeds Registry, or Deeds Office. In some states, the recording function is part of the county clerk's responsibilities. Throughout this paper, the term utilized for this role will simply be "Recorder." The term utilized for the role of the person or entity sending and receiving documents to and from the Recorder will be "Submitter."

Introduction to the Issues

Electronic recording (eRecording) brings fundamental changes to the document recording process while improving the efficiency and speed of recording. The purpose of this white paper is to guide recording offices through the process of successfully implementing eRecording by drawing on the experiences of those who have already done so. Often seminars and discussions covering this subject can be technical in nature, going far beyond the basics that are needed to implement eRecording. This guide is intended to provide a step-by-step process overview of implementing an eRecording system. Part 2 of this project will be to develop a similar guide for document submitters.

Traditional paper-based recording Model versus the eRecording Model

Traditionally, real estate document recording consists of submitting the original paper document to the recording office. Delivery of the paper document to the recording office is either "in person" delivery (e.g. employee or courier) or by using a mail delivery system or package delivery service (e.g. United States Postal Service, United Parcel Service, Federal

Express). eRecording is only a change in the medium and delivery method; most document recording rules and regulations still apply.

Benefits of eRecording

Formerly, Recorders dealt with submitters from a relatively small local region. The entities with which Recorders conduct business have changed considerably over the last few years.

Today, Recorders deal with Submitters on a national basis more than ever before. The benefits of eRecording are:

- Reducing document errors and rejections
- Eliminating or reducing mailing and other document delivery costs
- Reducing delivery delays or document loss
- Improving document recording turn-around time
- Reducing redundancy
- Improving office efficiencies -- streamlines document workflow process
- Enhancing document security

What is My Legal Authority to eRecord and Where Can I Find It?

Before implementing eRecording, the first step is to determine whether your state provides legal authority to eRecord. Your state may have enacted the Uniform Electronic Transactions Act (UETA) with Sections 17, 18, and 19¹, or the Uniform Real Property Electronic Recording Act (URPERA), or both. These laws give Recorders the legal authority to record electronically and allow your Submitters to deliver electronic documents for recording. Neither act supersedes state recording statutes regarding the acceptance and recording of real estate documents. Instead, these acts are “overlay” acts, building on existing recording statutes to ensure that electronic documents and electronic signatures are acceptable for recording. You should, however, review your state’s recording statutes and regulations to ensure your state allows for the acceptance of the eRecording model you are considering (see page 3 for the current definitions of the eRecording Models). Your state may have passed a different law impacting or permitting eRecording and you need to research that possibility.

Your legal review could include additional steps. You should consider the following:

¹ Sections 17, 18, and 19 deal with creation, retention and conversion of electronic records by governmental entities (Section 17); acceptance of electronic records by governmental entities (Section 18); and interoperability (Section 19).

- Determine whether your state has enacted UETA (with or without Sections 17, 18, and 19) or if URPERA has been enacted. You can check www.PRIA.us for a list of States adopting these uniform acts into law.
- Review your state's recording statutes and any state or local regulations or ordinances.
- Find out whether there is a legal opinion from your jurisdiction's legal authority, e.g., state Attorney General or County Counsel.
- Consult with your state Recorders' Association.
- Have discussions with other recorders in your state who are and who are not accepting documents for eRecording to find out their perspective on the topic.

You should also check the status of electronic notarization (eNotarization) in your state. This status may be an important determination for the Submitter to know whether an "all electronic" real estate transaction is permissible. You need to know the status of eNotarization to determine if you can accept a Model 3 eRecording transaction. The federal Electronic Signatures in Global and National Commerce Act (ESIGN), UETA and URPERA all allow notaries to use electronic signatures in a notarial act, such as an acknowledgment in a real estate transaction. Your state may, however, have enacted additional legislation or the notary commissioning/appointing authority may have promulgated rules or regulations that could affect the status or conditions of eNotarization in your state.

Models of eRecording

PRIA has summarized the definitions of the three models of eRecording as follows:

Model 1 recordings are typically scanned paper with no index data accompanying the images. This image is a digitized copy of the paper document.

Model 2 recordings are scanned paper with index data included. Model 2 recordings are generated by the same process as Model 1, but also include sending at least some index information along with the image.

Model 3 recordings are electronic documents (they never were in paper form) with index data embedded into and extractable from the document.

For a more in-depth examination of the models of eRecording, please see the PRIA publication entitled "The Models of eRecording: A Continuum of Electronic Recording Updated" published in 2009.

The Role of the Recorder in eRecording

Every land records office has some type of filing system and record archival storage system: paper-based, microfilm, digital image or a combination of some or all. eRecording is just one more available tool, using technology to submit, receive, review, record, archive, and return real estate documents. Because eRecording has been in existence for some time, it is much easier today to locate Recorders across the country who are accepting some sort of eRecording. For the same reason, it is also much easier today to locate qualified eRecording software solution providers that are well versed in implementation and the technical requirements of eRecording.

How Will eRecording Affect My Existing Filing System?

If you currently use a software vendor for your recording system, they may have an eRecording module or software package that can be integrated into your current system. If your current vendor does not have an eRecording module or package, then you will need to do some checking to identify vendors that can integrate with your system. If you have a home-grown system, you will need to talk with your information technology (IT) department to determine integration capabilities with any outside vendors who will be submitting to your system. Places to check include the Property Records Industry Association (PRIA) at www.pria.us, trade shows, the Internet and other Recorders.

How Will eRecording Affect My Office Policies and Procedures?

You will need to determine the priority of recording methods. Do documents that are “walked in the door” currently take precedence over “mailed documents”? Do special courier service documents (such as Federal Express and United Parcel Service) currently take precedence over “snail mailed” documents? How will electronically submitted documents be prioritized?

The integration of the electronically-submitted document into the work flow may be impacted by the legal requirements of your state and the model of eRecording that you decide upon, as well as what works best for your particular office. There are different solutions available depending on your established priority for electronically-submitted documents versus how you deal with paper documents. Some eRecordable documents, such as lien releases and assignments, can be placed into a queue to be checked at specific times during the day; these eRecorded documents can be used as “fillers” during the day, during slow times, or perhaps after the mail has been processed. Other eRecordable documents, such as deeds, mortgages, and deeds of trust, may need to be synchronized with other similar paper-based documents for legal priority purposes; therefore you might need to specify particular times when these eRecordings are processed.

How Will eRecording Affect the Jurisdiction's Business Practices?

You most likely have business rules for acceptance of your paper-based documents. You will want to outline your business rules for electronically-submitted documents as well. You may want to develop a Memorandum of Understanding (MOU) to be signed by Submitters to ensure they understand and will follow your rules for electronically-submitted documents. If you do not publish or require signatures for submitting paper-based documents, you should not impose more stringent requirements on electronically-submitted documents.

You must decide on a payment method for electronically-submitted documents. Most Recorders who have implemented eRecording are not willing to accept or wait for a mailed check for an electronically-submitted document. If you decide that payment for eRecordings should be made by Automated Clearing House (ACH) transaction or by the establishment of an escrow account, you need to set up this type of payment process. Will you use ACH debit transactions (your system "pulls" money for recordings completed from the Submitter's account) or ACH credit transactions (Submitters initiate the payment by "pushing" money to your bank account for documents the Submitter has sent, even if the documents have not been recorded or rejected yet). Will you require a specific minimum amount be maintained in the escrow account? Will payment options affect your current banking relationship?

If you have document formatting standards, you will want to ensure that these standards are in place for electronically-submitted documents.

Are there any document types that you are unwilling to accept electronically? Many jurisdictions have not implemented electronic recording of large-scale drawings such as plats or condominium drawings. Will you allow a re-recording to be submitted electronically? Why or why not?

How much indexing data do you expect? All? Some? None? Do you require at least one grantor and one grantee to make sure the document image matches up with the index? Do you require a document type as well as a grantor or grantee name? Do you expect the Submitter to understand and remember your jurisdiction's particular abbreviation rules or shortened legal description variations?

These and other considerations need to be addressed prior to implementing eRecording. Your particular jurisdiction may require additional procedures.

How Do I Implement eRecording in My Office?

Assuming you have obtained the necessary authorizations and resources to start eRecording, and you have the computer processes necessary to receive electronically submitted documents and integrate them to your recording and indexing systems, you are now ready to implement eRecording. (See page 11 “How Do I Select an eRecording Vendor?” for more information)

Implementation of eRecording in your office is a significant undertaking, but it need not be an overwhelming or difficult one. The key to success is to have a well-developed project plan. Like any good plan, your eRecording project plan should include the tasks to be performed, the sequence they must follow, and who is responsible for accomplishing them. Starting with an implementation project plan – your eRecording roadmap – is the first step on your path to eRecording success. Fortunately, this is a road well-traveled; there are many people and organizations that you can turn to for assistance. Addendum A contains a sample Implementation Task List to use as a roadmap starting point.

Developing a good implementation plan and staying on-task requires the leadership of an experienced Project Manager (PM). The PM is responsible for carrying out the plan, applying necessary resources at the appropriate times, and making the mid-course corrections that will inevitably be required. That PM may be someone from your office, your jurisdiction's IT department, or an independent consultant. Regardless of affiliation, the PM can only be successful if he or she is empowered to manage the entire project. As the project underwriter, you must be willing to give the PM responsibility and authority. Avoid the temptation to be your own PM!

Implementation of eRecording requires the cooperative effort of a number of both internal and external stakeholders in your jurisdiction. What departments should be included in the implementation and the final eRecording process? Representation might include: Recorder, Auditor/Treasurer, IT, Land Management, and administrative departments. (See page 8 “What Departments Should be Included in the eRecording Decision and Implementation?”) Externally, Submitters, submission vendors, and software solution providers are likely participants. An eRecording Implementation Team should be formed from these stakeholders. Use your PM to help you identify, solicit, and obtain the necessary stakeholder commitments. Keep the eRecording team small – less than 10 people if possible. Things get done quicker with fewer members. Specialized input can be obtained by applying appropriate resources on an “as-needed” basis.

Change can be unsettling to some, especially in the work environment. While you may be very eager to start eRecording, your staff may be reluctant and have questions about how their work duties will change. It usually helps when your staff understands that eRecording is just another way to receive and process documents. Moreover, eRecording

might significantly reduce mundane and repetitive tasks, such as document scanning, data entry, and re-entry verification. eRecording frees staff to deal with those exceptional or complex situations that should be handled by subject matter experts. Seeing eRecording in action and talking to peers is a great way to ease into the change. It is likely that someone nearby in your state or region has already implemented eRecording and would be willing to provide you and your staff with a demonstration. Sending your staff in small groups to visit an eRecording office is well worth the time and expense involved. Such visits should be considered a part of the cost of an implementation strategy. Another helpful strategy is to make a reluctant staff member part of your implementation team.

The Implementation Task List contained in Addendum A constitutes the working document of your implementation plan. It was developed from “real world” installations, but will most likely need to be tailored to meet your specific situation. Look to your PM for assistance with tailoring, if required. Once developed, the task list should drive weekly task team meetings hosted by your PM. Teleconferences and web conferencing are not only convenient, but save time and money for everyone. Meetings should be short. After the first few, less than half an hour should be sufficient.

The following is a brief explanation of the four implementation phases covered by the task list contained in Addendum A. Again, your PM should help you tailor your plan.

- **Phase 1:** Project initiation gets your project underway by identifying team members, determining meeting schedules, and establishing project milestones. Project initiation also helps to get a jump start on any mandated approvals your state may require. Importantly, this phase moves quickly to identify Submitters that are willing to take this journey with you. Without submissions there are no eRecordings.
- **Phase 2:** The design phase identifies the rules under which your office will process eRecordings. This phase documents your current paper recording practices and specifies how eRecordings will fit into your work flow. eRecording payment rules are defined and recording specifications are established with your submission and reception vendors. This phase also involves your jurisdiction's IT resources by identifying the hardware, software, security, and certification specifications. Testing plans are developed in which your submission and reception vendors should play a major role (see Phase 4). Lastly, this phase determines who is responsible for how you will announce your project to the public. This public announcement serves to generate future Submitter interest, which is essential to getting a greater positive return on your investment.
- **Phase 3:** In the build phase of your implementation, the IT and vendor technicians will work closely together to acquire, assemble and configure your

installation infrastructure. All the hardware and software components are completed and tested. A test environment is built for you and your trusted Submitter(s) to use in the next phase.

- **Phase 4:** Once the hardware and software pieces have been assembled, you are ready to deploy the system, starting with the exchange of test documents. All of the document types you intend to process electronically should be tested. Test documents containing errors should be run to ensure your software is applying accurate edit and validation rules. While these tests are underway, it is time to train your staff in the use of the system. The best way to do so is to have them perform the system testing. Repeat the tests until everyone is satisfied that the application is running correctly. You are now ready to “point” your systems away from the “test” and to your “production” environments, and process your first electronic recording. Your IT and vendor technicians should be on hand and ready to resolve any problems that might occur, including “undoing” a transaction that fails to process correctly. “Fix-and-start-over” is nothing unique in this situation and only serves to further error proof your new system. Lastly, do not forget to celebrate your success and let your internal and external stakeholders know you are now an eRecording jurisdiction! Take some photos to document your eRecording journey.

What Departments Should be Included in the eRecording Decision and Implementation

Purchase of eRecording Software and Hardware –

Acceptance of documents submitted electronically may necessitate the purchase of additional computer software or hardware for your land records system. Your jurisdiction may have specific guidelines to follow for any such procurement. Check with your purchasing department, administrator, or other appropriate official(s) as required.

Follow the Document –

Any department that completes any type of review or approval process prior or subsequent to the recordation of the document must be involved in the eRecording decision and workflow development. These may include:

- **Assessor or Tax Map Department:** If the legal description requires review or approval prior to recordation.
- **Auditor or Conveyance Department:** If the transfer of property or parcel is completed in a department other than the Recorder's Office.

- Treasurer or Finance Department: If any other department is responsible for assessing and/or collecting any fees or taxes not collected by the Recorder.

Follow the Money –

Just as the inclusion of any department that touches the physical document is necessary, so is the participation of any department that is involved in the monetary aspect of recording. Any department involved in the collecting, processing, auditing, or depositing of any monies must be involved. The most prevalent form of electronic payment of fees and taxes for eRecording is through ACH or wire transfer. If your jurisdiction does not have an ACH or wire transfer process in place, it may require changes to the jurisdiction's financial operations. Check with the appropriate official(s) in your jurisdiction.

Departments that may be involved include:

- Treasurer or Tax Department: If they are responsible for the collection of any conveyance or mortgage taxes.
- Auditor or Finance Department: To develop a financial workflow for the monies collected.
- Your Bank: To discuss a change in how monies may be deposited.

Technology Staff Support–

Include your IT staff in any new computer system or system module that will be incorporated or interfaced into your current land records recording system.

How Do I Identify Potential eRecording Submitters?

Companies or individuals that currently record paper documents in your office are your future eRecording Submitters. You may have already received inquiries from some of your customers about the availability of eRecording. Letting your customers know that eRecording is available builds your base of Submitters and keeps them informed. This notification can be accomplished in a number of ways, including:

- Announcements by your eRecording vendor.
- Host an eRecording demonstration for those that frequently record paper documents.
- Notices sent with the return of your recorded paper documents, much like a fee change notice.
- A press release or local news coverage.
- The Recorder's page on your jurisdiction's website.

- Announcement at a Property Records Education Partners (PREP) meeting or trade conference.

What Type of Payment Options Are Available for eRecording?

When implementing eRecording there are often questions on how payments are received and how these payments for eRecording may impact the existing work flow processes within the jurisdiction. There are three viable methods for accepting payment with eRecordings.

Escrow Accounts –Escrow accounts are one payment method which can be used with eRecording. If using this payment method, there are a few things to keep in mind. An escrow account will need to be established for each Submitter that submits documents for eRecording. These escrow accounts will need to be in place prior to commencing eRecording. The Submitter's escrow account can be funded either through the deposit of funds via check or the deposit of funds via ACH (see next section). When utilizing escrow accounts for payment of eRecordings, it is important to keep in mind that many submitters will need to replenish their escrow account on a regular basis, and the replenishment of funds should be as easy as the eRecording of the documents. For this reason submitters may be hesitant to establish escrow accounts for eRecording as it potentially inserts a manual step (paper check) into an otherwise automated process.

ACH – The second payment option that works well with eRecording is ACH, which is an electronic funds transfer method of payment. You will have to decide if you will use ACH Debit, ACH Credit, or either. The distinction between the two is important to you and your Submitters. If using ACH for the payment of fees associated with eRecording, there are three very important things to keep in mind.

1. To accept ACH payments, your accounting or finance personnel must be prepared to reconcile ACH transmissions just as they reconcile check transactions today.
2. You must have an ACH-capable bank account. Many banks automatically ensure that all of their accounts can accept ACH transmissions, but it is important to check with your bank.
3. Your cashiering system must have an ACH payment method (just as it may have a cash, check, credit card, or escrow payment method already), and ensure that the daily reconciliation and accounting can take place as needed. ACH is a very reliable payment method when used in conjunction with eRecording as it allows the recording jurisdiction and the Submitter to employ a fully automated process for eRecording all the way from payment of fees to recording.

Wire Transfer – Your jurisdiction's financial system may be enabled to accept wire transfers from Submitters to the recording account. Often wire transfers are used for large dollar transactions as a fee is typically charged by the sending or receiving bank institution. Check with your financial staff to see if this is possible.

How Are Submitters Notified of Rejection or Acceptance of an Electronically Submitted Document?

When implementing eRecording, it is important to understand how your Submitters will receive notification that the submitted documents have been recorded or rejected. To enable eRecording your land records system must have the ability to interface with eRecording vendors. Thus, as part of the eRecording business rules, your land records and indexing system will send back the recorded document or the rejected documents to the Submitter. If the document is returned rejected, the rejection notice will state all reasons why it was rejected.

As you begin your evaluation of eRecording, it is also important to understand how the electronic packages arrive within your land records and indexing system so that you can adjust your processes to ensure that the proper attention and priority is given to the documents that arrive for eRecording. Many systems have a method of notification when a new document arrives for eRecording and others have integrated the eRecordings into the same priority queue as those documents that arrive via traditional methods.

Who Can Answer My Questions About eRecording?

Questions will arise when developing an eRecording implementation plan. When this occurs, there are a number of resources you can turn to. PRIA provides eRecording information through its web site (www.PRIA.us) and through the Property Records Education Partners (PREP) chapters. To see if there is an active PREP chapter in your region, check the PREP link on the PRIA web site. Other good resources include eRecording counties within your state, your land records and indexing management system vendor and eRecording software solution providers.

How Do I Select an eRecording Vendor?

In addition to the actual application software that will enable eRecording in your office, your jurisdiction's IT infrastructure may also require the addition of a server, communications, and security hardware and software. However, you need not become a computer expert to move ahead. It is the responsibility of the eRecording vendor and your jurisdiction's IT department to provide the technical requirements and expertise needed

for your eRecording implementation. Consequently, selecting the right eRecording vendor is likely the most important decision you will need to make in this process. The following information will help you with that decision.

This discussion assumes you already have a computerized recording, indexing, and archiving system. If you do not, and are planning to implement one, or you are considering changing your existing "backroom" system, it is important to understand that the eRecording and the recording and indexing systems must "talk" to each other as well. In computer jargon, the two systems need to "interface seamlessly." Additionally, they should compliment your document imaging system. If you are pleased with your existing recording and indexing system, and the vendor provides an eRecording interface, that vendor would be the obvious first company to consider. If not, the most important thing to look for in an eRecording vendor is the vendor's ability and willingness to interface with another vendor's recording and indexing application. Ask your IT department to review the vendor's interface(s). From a technical perspective, communications between the systems should utilize current industry-based eXtensible Markup Language (XML) and be fully functional with either Application Program Interface (API) calls or Web services – none of which you need to understand, but your IT department should. Those interfaces should be well documented and available from your vendor.

If the eRecording and the recording and indexing vendors are different, they should be able to convince you that they are willing and able to work well together. An existing reference would be an excellent way to confirm that. Even more desirable is a reference installation that approximates your recording volumes. Take the time to visit a jurisdiction that uses the eRecording software you are considering.

In addition to the standards noted above, the eRecording vendor's software should be based on the PRIA electronic document standard. This standard was developed so that the industry would use one seamless set of open eRecording standards nation-wide. The standards are published and can be downloaded from the PRIA web site. The vendor's eRecording product should support all three currently defined models of eRecording. Finally, the vendor should follow commonly recognized eRecording security technology. Ask your IT department to check adherence to security standards.

As detailed above, your eRecording vendor needs to be part of your Implementation Team. The eRecording vendor will help with developing a project plan, attending frequent progress meetings, and being onsite when you go "live." The technical requirements for the eRecording system should be fully documented and reviewed with your IT department. All costs should be documented, including implementation, training, and travel expenses. Additionally, the terms and conditions of the vendor's on-going support are vital to your on-going success.

Be sure all fees are documented and reviewed with your accounting department before making your final selection. Besides support fees, the vendor's help-desk offerings should be understood. Are they available to you during your normal working hours regardless of time zone? Are there long-distance charges for calls? Do they have the ability to access your system remotely?

Through the use of the procedures and processes outlined here, your planning for eRecording should be complete. Good luck with your eRecording implementation project.

ADDENDUM A – Sample “Implementation Task List”

Phase I: Project Initiation

<i>Task</i>	<i>Responsible</i>	<i>Scheduled Completion</i>	<i>Actual Completion</i>	<i>Status</i>
Kick-off meeting				
Identify project team and assign roles	Project team			
Determine meeting frequency/schedule; note taking and distribution	Project team			
Discuss jurisdiction specific & State requirements	Project team			
Review hardware and software requirements, discuss timing and priority	Project team			
Schedule milestones	Project team			
Distribute project task list	PM			
Seek approval from State ER task force				
Identify State requirements and define state approval process	PM			
Submit application to ER task force	PM			
Receive approval documentation from ER task force (if needed)	PM			
Identify potential trusted submitters				
Evaluate and prioritize trusted submitter and submission vendor alternatives	Recorder/Registerer			
Schedule demos with potential trusted submitters	PM and Recorder/Registerer			
Identify contact persons at trusted submitter and submission vendor	PM			

Submission Vendor contracts and agreements signed	PM and Recorder/Register			
---	--------------------------	--	--	--

Phase II: Design

<i>Task</i>	<i>Responsible</i>	<i>Scheduled Completion</i>	<i>Actual Completion</i>	<i>Status</i>
Review recording process				
Review jurisdiction recording paper process	Recorder/Register			
Compare electronic recording process to paper process	Recorder/Register & vendors			
Review batching rules	Project team			
Review Recepton software configuration options	Reception software vendor			
Define payment processing				
Determine ACH requirements	Recorder/Register			
Determine escrow requirements	Recorder/Register			
Determine invoicing requirements	Recorder/Register			
Determine payment frequency	Recorder/Register			
Present Payment Processing Questionnaire to submission vendor	PM			
Define recording specifications and coordinate with vendor				
Obtain recording specifications questionnaire from submission vendor	PM			

Complete recording specifications questionnaire	Recorder/Register			
Review questionnaire with vendor and answer questions	PM			
Present completed questionnaire to submission vendor	PM			
Write Memorandum of Understanding	PM & Recorder/Register			
Supply jurisdiction with software server specifications and define security				
Review Server Specifications Checklist	Vendors & IT			
Discuss network, SSL and access through firewalls	Vendors & IT			
Discuss document security	Vendors & IT			
Identify testing responsibilities				
Review the types of testing that will be done	Recorder/Register and vendors			
Assign testing responsibilities and testing timeline	Project team			
Develop public notification plan (optional)				
Schedule events	PM			
Plan press release	PM			
Develop notification materials	PM			
Identify recipients/attendees	PM			

Phase III: Build

<i>Task</i>	<i>Responsible</i>	<i>Scheduled Completion</i>	<i>Actual Completion</i>	<i>Status</i>
Configure new server at jurisdiction				
Acquire Reception hardware and run environment (infrastructure) software	Jurisdiction IT			
Install infrastructure software	Jurisdiction IT			
Install Application Server	Jurisdiction IT			
Install web infrastructure software	Jurisdiction IT			
Ensure network connections with server	Jurisdiction IT			
Resolve any firewall issues	Jurisdiction IT			
Apply for and deploy digital and SSL certificates for the server & recorder's office	Jurisdiction IT			
Contact Imaging vendor and integrate	Reception software vendor			
Configuration and installation of Reception software on jurisdiction server				
Install Reception Software	Reception software vendor			
Configure Reception Software	Reception software vendor & Jurisdiction team members			
Configure web server	Reception software vendor & IT			
Generate test environments	Reception software vendor & IT			

Set up integration with trusted submitter/submission vendor				
Provide web service URL	IT			
Implement submission vendor software	Submission Vendor			

Phase IV: Deploy

<i>Task</i>	<i>Responsible</i>	<i>Scheduled Completion</i>	<i>Actual Completion</i>	<i>Status</i>
Execute test plan				
Setup environment data and values from backroom system	Reception software vendor & IT			
Point Reception software to tests environment	Reception software vendor & IT			
Test internal connectivity	Reception software vendor & IT			
Test external connectivity	Reception & submission software vendor & IT			
Send test document to test environment	Reception & submission software vendor			
Test Document Status web service	Reception & submission software vendor			
Go Live Checklist				
Configure recorder endorsement stamp	Reception software vendor & Recorder/Register			

Notify submission vendor of go-live	PM			
Ensure funding in escrow accounts	Trusted submitter, PM & Recorder/Register			
Clear jurisdiction database files to ensure no test data is in system	IT			
User training				
Reception software documentation delivered	Reception software vendor			
On-site training	Reception software vendor			
Process live documents				
Point Reception software to live jurisdiction server	Reception software vendor & IT			
Record first document	Project team			
Execute Public Notification Plan (optional)				
Send press release	PM			
Hold open house	Project team			
Project Completion Sign-off				
Present jurisdiction with Project Completion Document	Vendor (s)			
Jurisdiction approves document	Jurisdiction team			