

LEGISLATIVE POSITION REQUEST FORM

GOVERNMENTAL AFFAIRS OFFICE

Date Form Received _____

GENERAL INFORMATION

Submitted By Real Property, Probate and Trust Law Section, Problem Studies Committee
(RPPTL Ex Coun. August 1, 2009)

Address Alan B. Fields, First American Title Insurance Company, 7360 Bryan Dairy
Road, Suite 200, Largo, FL 33777, 727-549-3243, abfields@firstam.com

Position Type The Florida Bar, RPPTL Section and Committee

CONTACTS

Ed Burt Bruton, Jr., Greenburg Traurig, 1221 Brickell Ave, Miami, FL 33131-3224 (305) 579-0593
Michael J. Gelfand, Michael J. Gelfand, Gelfand & Arpe, P.A, Regions
Financial Tower, Suite 1220, 1555 Palm Beach Lakes Blvd., West Palm
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Peter Dunbar, Pennington, Moore, et al, P.O. Box 10095
Tallahassee, Florida, 32302-2095 (850) 222-3533
Martha J. Edenfield, Pennington, Moore, et al, P.O. Box 10095
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Board & Legislation Committee Appearance Contacts Above
(List name, address and phone number)

Appearances before Legislators Contacts Above
(List name and phone # of those appearing before House/Senate Committees)

Meetings with Legislators/staff Contacts Above
(List name and phone # of those having face to face contact with Legislators)

PROPOSED ADVOCACY

All types of partisan advocacy or nonpartisan technical assistance should be presented to the Board of Governors via this request form. All proposed legislation that has *not* been filed as a bill or a proposed committee bill (PCB) should be attached to this request in legislative format - Standing Board Policy 9.20(c). Contact the Governmental Affairs office with questions.

**If Applicable,
List The Following** _____

(Bill or PCB #) _____ (Bill or PCB Sponsor) _____
Indicate Position _____ Support _____ Oppose _____ Technical Assistance _____ Other _____

Proposed Wording of Position for Official Publication: Support legislation retroactively and prospectively ratifying the validity of all electronic documents submitted to and accepted by a county recorder for recordation, whether or not such electronic documents were in strict compliance with the statutory or regulatory framework then in effect and that all such filings be deemed to provide constructive notice.

Reasons For Proposed Advocacy: Several of the state's clerks of the court and county recorders were accepting electronic recordings prior to the 2006 adoption of the Uniform Real Property Electronic Recording Act, §695.27 (URPERA) and others began accepting electronic documents for recording before the rules contemplated in the Act were formally adopted. Because of the complexity of the rules governing the mechanisms for electronic filing, it is often difficult if not impossible to prove strict compliance with the rules.

PRIOR POSITIONS TAKEN ON THIS ISSUE

Please indicate any prior Bar or section positions on this issue to include opposing positions. Contact the Governmental Affairs office if assistance is needed in completing this portion of the request form.

Most Recent Position Last year the Section and the Bar approved the committee's recommendation.

Others

(May attach list if more than one)

_____ (Indicate Bar or Name Section) (Support or Oppose) (Date)

REFERRALS TO OTHER SECTIONS, COMMITTEES OR LEGAL ORGANIZATIONS

The Legislation Committee and Board of Governors do not typically consider requests for action on a legislative position in the absence of responses from all potentially affected Bar groups or legal organizations - Standing Board Policy 9.50(c). Please include all responses with this request form.

Referrals

1. Florida Land Title Association Expect Support
(Name of Group or Organization) (Support, Oppose or No Position)

2. Florida Clerks of Court
(Name of Group or Organization) (Support, Oppose or No Position)

3. _____
(Name of Group or Organization) (Support, Oppose or No Position)

Please submit completed Legislative Position Request Form, along with attachments, to the Governmental Affairs Office of The Florida Bar. Upon receipt, staff will further coordinate the scheduling for final Bar action of your request which usually involves separate appearances before the Legislation Committee and the Board of Governors unless otherwise advised. For information or assistance, please telephone (904) 561-5662 or 800-342-8060, extension 5662.