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Courts and Recorders News

Problems for Name Searches at Chambers County (TX) Courts

The courts in Chambers County Texas have converted both their online system and in-house public access terminals to a new system - Odyssey (Tyler Technologies).

The issue is currently the system does not allow a name search. At present one can only do a search by case number - either online or on an onsite public access terminal. Also, with the move to Odyssey, Chambers is now no longer on the idocket.com system.

The court personnel are doing their best to accommodate researchers, but they have a huge, huge backlog. So I suspect there will be delays for a while.

The new online system is found at <https://txchambersportal.tylerhost.net/Portal/>

California Fee Increase for Recording Documents

Effective January 1, 2018, California is increasing recording fee by \$75 for every real estate instrument, paper, or notice required or permitted by law to be recorded, per each single transaction per single parcel of real property. The maximum extra fee allowable in connection with SB2 is to be \$225 per single transaction, per parcel. See: https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB2

Kansas Fee Increase for Recording Documents

Per state law and effective January 1, 2018, Kansas county recorders will increase the fee for recording documents as well as certain fees involving tax liens. For example, the fee for the first page (not to exceed legal size page 8½"x14") or recording deeds, mortgages, or other instruments of writing will change from \$18.00 to \$21.00 and for a second page and each additional page the fee will increase from \$14.00 to \$17.00. Fees related to UCC filings will not increase.

The fee increases are part an annual step-up in fees per legislation passed prior to 2015. An excellent web listing showing current 2017 fees and 2018 fees is available from Shawnee County at www.snco.us/rd/feeschedule.asp.

Employment Screening/Tenant Screening News

About the New Arizona Ban-the-Box Order

On November 6, 2017, Arizona governor Doug Ducey issued [Executive Order 2017-07](#) which instructs all state agencies to establish a Ban-the-Box-policy to ensure all individuals receive full and fair consideration for job openings. Per a [news release](#), the Executive Order instructs all state agencies to "adopt new hiring procedures intended to provide a second chance and increased employment opportunities to Arizonans who have served their time and been released." Per this new policy, known as the *Second Chance Box*, state agencies will delay questions related to an applicant's criminal record until after the initial stages of interviewing.

There is no set timetable when the Ban-the-Box policy must be fully implemented by the state agencies. But the Executive Order states that the AZ Department of Administration, in collaboration with the AZ Office of Economic Opportunity, is to make recommendations to the Governor's office on a methodology to measure the success of the Order no later than July 2018. The Order does not affect private employers, but the Order does encourage private employers to adopt a similar policy.

Proposed Modification to NAPBS Accreditation Standards: For Requirements Regarding Tracking Law and Regulatory Changes

On October 9, 2017, the National Association of Professional Background Screeners (NAPBS) published a proposed new standard for NAPBS Accreditation by consumer reporting agencies (CRAs). The proposed standard has 68 clauses. The previous standard contained 58. In addition, most of the existing clauses have modifications. Existing clauses may also have a different clause number than previously. The proposed new standard is a substantive change from the old.

One of the new proposed clauses is:

CRA must have and follow procedures to remain knowledgeable about and compliant with changing law and regulation. The CRA must designate an individual(s) or position(s) with the organization responsible for such knowledge and compliance or identify the external resource utilized for this purpose.

(BRB's [State Rules Register](#) is such an external resource to show compliance with this proposed clause.)

In addition, a holdover clause from the earlier standard states:

CRA must have and follow a procedure to inform client that CRA is not acting as legal counsel and cannot provide legal advice. CRA must inform client of the importance of working with counsel to develop an employment screening program specific to their needs. CRA must also inform client of the necessity to work with counsel to ensure that client's policies and procedures related to the use of CRA-provided information are in compliance with all applicable legal and regulatory requirements.

As you are no doubt aware, employers frequently inquire as to a particular federal, state or city law or regulation. While advice is prohibited, one may offer information to the employer by way of the [HR version](#) of the State Rules Register. It is an excellent tool for them and their counsel to prepare a strategy.

- If you are interested in learning more about the State Rules Register, call BRB publications at 800-929-3811 or visit www.crahelppdesk.com.
- In addition, an excellent resource for NAPBS Accreditation is www.CRAzoom.com. Call 888-368-4478 for more information.

Motor Vehicle News

Update on States' Compliance with REAL ID Act

(This article is an excerpt from the electronic version of the newly released [2018 MVR Access and Decoder Digest](#))

The REAL ID Act, passed by Congress in 2005, enacted the 9/11 Commission's recommendation that the Federal Government set standards for the issuance of sources of identification including driver's licenses. The Act established minimum security standards for license issuance and production. The Act also prohibits Federal agencies from accepting (for certain purposes) driver's licenses and identification cards from states not meeting these minimum standards. The purposes covered by the Act include accessing Federal facilities, entering nuclear power plants, and boarding federally regulated commercial aircraft.

Not all states and territories are in compliance. The Department of Homeland Security (DHS) is currently reviewing extension requests from jurisdictions with extensions that expired on October 10th, 2017. Non-compliant jurisdictions currently fall into one of these two categories:

- The jurisdiction has been granted an extension for REAL ID enforcement until October 10, 2018. This means Federal agencies will continue to accept driver's licenses and identification cards at Federal facilities, nuclear power plants and federally regulated commercial aircraft until October 10, 2018.
- At present the jurisdiction is under review. In the meantime, there is an extension from enforcement granted until January 22, 2018

States and Territories with Extensions Until October 10, 2018:

Alaska
California
Idaho
Illinois
Kentucky
Maine
Massachusetts
Minnesota
Missouri
Montana
New Hampshire
New Jersey
North Dakota
Oklahoma
Oregon
Pennsylvania
South Carolina
Virginia
Washington

States and Territories Currently Under Review by DHS for an Extension:

American Samoa
Guam
Louisiana
Michigan
New York
Northern Mariana Islands
Puerto Rico

Rhode Island
Virgin Islands

For further information, visit the Department of Homeland Security (DHS) Web page at <https://www.dhs.gov/real-id>.

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