

House Political Subdivisions Committee
March 20, 2025
By: Laurie Good, LaMoure County Recorder

RE: SB 2259 Relating to the provisions of blanks and records

Good morning, Chairman Longmuir and Committee Members.

My name for the record is Laurie Good and I am the LaMoure County Recorder. Thank you for allowing me to provide testimony before you today and to speak in support of SB 2259.

SB 2259 seeks to repeal of ND Century Code 44-04-16.

How could this code have slipped by for so many years! Upon hearing of such a code, this really opened our eyes. In days long ago it was common practice for there to be blank fillable deed forms and other types of forms supplied to the public in the Auditor's and Recorder's offices. Providing such forms are not in our best interest nor in our scope of daily work.

The code states we should have "such blanks and records as are necessary for making proper records and for transacting any official business connected with the office." This opens the door for customers to potentially rely on us for instructions as to which document to use. It is our belief that would be providing legal advice and worse yet there is not a cut and dried one document fits all for each transaction.

So, I live in a small community and my constituents know me personally and that I have been in the real estate world for 30+ years, as an abstractor for 25 years, currently a realtor for 19 years and now in my 15th year as a County Recorder. They press me hard to help them with their legal work. I get a lot of the "Well I know you know so why can't you just help me." I tell them my job is to record the legal document they bring me if it meets all our requirements and not to create the document to be recorded.

My question is, could the impact of having these forms available open up potential legal issues for us? Might they argue that what we provided them wasn't the correct form and now they have a cloud on the chain of title because of what we recorded. Preparing legal documents should be left to the professionals who are properly trained in this area. Leaving this code in place sets our office, the county or ourselves personally for a potential lawsuit for incorrect legal advice given.

For these reasons I urge you to please give SB 2259 a DO PASS recommendation. I would greatly appreciate your support.

I thank you for your time and consideration on this bill.

At this time, I will stand for any questions.