

Senate State and Local Government Committee  
January 31, 2025  
By: Laurie Good, LaMoure County Recorder

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

Good morning, Chairwoman Roers and Committee Members.

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

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

Much to our surprise, this code opened our eyes for sure. Many years ago, it may have been a 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.

Living in a small community my constituents know that I have been in the real estate world for 30+ years and press me hard to help them with their legal work. I tell them my job is to record the document they bring me not create the document to be recorded.

As the code currently stands it 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." Customers could potentially rely on us for instructions as to which document to use. In our opinion that would be providing legal advice. There is not a cut and dried one document fits all for each case.

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.

Thank you again for your time and I will stand for any questions