



PretiFlaherty

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News Release

Plans for a Statewide Registry of Deeds Website Announced

Cumberland, Maine (September 9, 2009) – Today Maclmage of Maine LLC announced plans to expand its www.RegistryofDeeds.com website to provide access to all land records (deeds, mortgages, liens etc.) in the State of Maine. Ten years ago, Maclmage of Maine built the first website in Maine to provide Internet access to documents filed in a registry of deeds. For several years, the website Maclmage hosted for Hancock County was the only Maine registry of deeds website. Title researchers, real estate professionals, bankers and others who needed copies of deeds from other counties had to go to their county courthouse and search for those documents in registry books.

A statewide registry of deeds website will be another first for Maclmage of Maine. In recent years, all Maine counties have made land records available on websites. However, there is no one website which provides fast and efficient access to all land records in the State. According to Maclmage of Maine's general manager, John Simpson, this is a problem for those who perform statewide property searches or need copies of land records from several counties. Those persons could have to set up accounts with as many as 16 separate registry websites, each of which has its own fee structure. And, since five different companies currently host registry websites for Maine counties, there are five different computer systems to master.

Attorney Sigmund Schutz, whose law firm Preti Flaherty represents Maclmage, said a decision in Maine's Superior Court just recently made it possible for Maclmage to obtain copies of all the electronic records needed for a statewide registry website.

The Superior Court ruled on September 1, 2009 in *Maclmage of Maine v. Hancock County*, that documents in Maine registries of deeds are public records within the meaning of the Freedom of Access Law and, therefore, Maine counties may not prevent Maclmage of Maine from obtaining copies of those documents at a reasonable cost.

Prior to the *Maclmage v. Hancock County* decision, registry of deeds offices in Maine refused to provide bulk access to electronic copies of their documents. Copies of documents had to be purchased one at a time for prices as high as \$3.00 per page. The court decision did not address whether a price of \$1.50 per page for copies purchased individually was reasonable, but did find that charging \$240,000 for a bulk purchase of copies of all documents filed during 2007 and 2008 was not reasonable and constituted constructive denial of access to public records and thus violated Maine's Freedom of Access law.

Maclmage of Maine intends to acquire copies of recorded documents from all Maine Registry of Deeds offices and then provide access to those documents on the company's www.RegistryofDeeds.com website. There will be no fee to search for and view documents on the website. Website users will pay a fee for purchasing printable copies, but that fee will likely be lower than the fees charged on county websites. Maclmage currently charges 75 cents per page to print documents recorded in Hancock County (half of what that County charges on its website).

Despite clear benefits, not everyone is happy with the planned statewide registry website. Each year Maine counties collect tens of thousands of dollars from the sale of copies of deeds and other land records. County officials across the state are very concerned that their counties may lose a significant amount revenue if people purchase copies from a statewide website instead of individual county websites.

According to Simpson, county officials need not be so concerned. Simpson expects revenue from individual county websites to decline substantially after implementation of a statewide website. However, his company intends to share income from the statewide website with counties and provide other ways to offset lost copy revenue.

John Simpson intends to meet with county officials as soon as possible to discuss his company's plans and the many benefits of a statewide website. "My goal is to create a win-win situation for all involved," says Simpson. "One website that provides efficient access to land records statewide will be a great benefit to several thousand people whose work includes researching property records. There are definitely ways to accomplish this goal which protect or improve the financial bottom line for Maine Counties."