TILE News

# What is the most important thing you need before signing this contract?

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Policy Number ABC123

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hereunder, by reason of: Title to the estate described in Schedule A:

- 2. Any defect in or lien or encumbrance on such title:
- Lack of a right of access to and from the land; or

IN WITNESS WHEREOF, the said Title I

4. Unmarketability of such title. has caused its corporate name and seal to be hereunto affixed by its duly a the date shown in Schedule A, the policy to be valid when countersign agent of the Company

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8112 Maryland Avenue

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Editor: Adina Conn

### **FEATURES**

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War, a topic which seems to evoke black and white issues. But for those stationed in the Gulf, and for the families of loved ones in the Gulf, the issue is never black and white. In this montage, ALTA members; veterans of foreign wars, as well as relatives of those stationed in the Gulf, share their thoughts on this controversial topic with **Title News** readers.

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Written by a former UPI correspondent, this article provides readers with a real behind-thescenes view of the media corps during war time in the 20th Century.

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There are times when there should be no higher priority than taking the time to say thank you...

To our troops in the Middle East, To their families and friends,

# Thank you.

Synn Skrifenan Jan Stage
Sinda S. Niffenogger D. Ame Cross Julie Bouma
Winda S. Niffenogger Morne Stretter Julie Bouma
William O. Isage Rebecca & Mills Mya M. Hencuck
Jan Rahm Jon Himelaugh May Ledmann
Fromil Name Jane Wright Many Ledmann
Jane M. Jurgens

The staff of Genesis Data Systems, Inc.



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Adina Conn

# A MESSAGE FROM THE ABSTRACTER AND AGENT CHAIRMAN



t is mid-February in the upper Midwest as I write this message. The hounds of spring have yet to chase winter's last traces from our lands. A fire dances and crackles over oak logs in our hearth while the strains of Beethoven's 3rd symphony pulses and glides throughout the room. All is well.

Or is it?

The war in the Middle East is going full scale and is brought vividly into our homes via television. Yellow ribbons adorn our homes and businesses reminding ourselves and all the community of our support of our young men and women who are called upon to duty in strange lands and far from home. Some of them will never see these

shores again. Anyone who has served in the military knows what is in the hearts and minds of these people, who for the most part, are in the flower of their youth. We also know as parents, grandparents, relatives, friends and employers the ache of seeing them leave our homes and communities.

The problems within our industry pale in relation to this turmoil. We will address them at another time, hopefully in a more serene atmosphere.

Let us therefore be united; united in supporting our armed forces, united in asking God for their safe and speedy return and united in our efforts to make this world and our individual communities a better place to be.

Sincerely

Dick Oliver

January 17, 1991—a day that will forever remain in the memories of millions of Americans. At approximately 6 PM (EST), war was declared on Iraq. Saddam Hussein proved how easily friends of today can become enemies of tomorrow.

"Operation Desert Storm," as it was called, deployed more than 150,000 American and Allied troops to the Gulf. Military fleets and troops went silently across the Gulf, fighting for what President Bush deemed "global peace and stability, as well as international security." As our troops fought for peace, back on the home soil, loved ones of those stationed in the Gulf wrestled with their own fears for the safety of their relatives. Young people quietly "disappeared" from their place of work within 24 hours. The only known destination—"Operation Desert Storm."

Bill English of Lawyers Title Insurance Company in Las Vegas, had been employed only one month when he was recalled to active duty. English had a very high security clearance, with a background in logistics, involving transporting personnel. On November 1, 1990, English was notified he was being recalled and was asked to report to the nearby Nellis Air Force Base for a meeting. That afternoon, the office ordered a large cake with a flag on it, to give to English at his going-away party. English never returned. Several weeks later, the office received a letter from an Air Force major, "To whom it may concern: Sergeant English's civilian responsibilities, such as educational and any civilian employment, should be terminated as of the present date... Sergeant English's position is critical and confidential.... We appreciate your patience and cooperation in this time of a government crisis..." The only mailing address for English was Operation Desert Shield.

Americans became obsessed with news of the war, holding daily "vigils" by their television sets. Although antiwar protests and demonstrations existed, for the first time in 46 years, Americans seemed unified. Whatever the sentiment regarding the war, all supported the troops stationed in the Gulf. Yellow ribbons caught one's eye almost everywhere. The Dallas office of Ticor Title Insurance Company implemented their own program in support of the troops. "Operation Desert Aid," a national support group for American military personnel in Saudi Arabia, received donations of food items, games, toiletries and postage for mass mailings through the Dallas office. All goods were then shipped to the Persian Gulf. At Minnesota, Chicago, and Ticor Title Insurance Companies, names of employees' immediate family serving in the Gulf were printed in news briefs, in-house newsletters, and company magazines. At Lawyers Title-Richmond headquarters, yellow ribbons adorned the desks of many employees. Small flags pins were worn on employees' lapels, and posters with addresses to write to servicemen hung on the company's walls. Zenith Abstract Company, Inc., of Philadelphia, announced that it would receive mail for general delivery to any service man or woman stationed in the Middle East.

The support for our troops in the Gulf seemed to come as an exorcism of the 16-year-old demons of Vietnam. The Gulf war proved that the mistakes of Vietnam would not be repeated. It was as though this time around, Americans felt the driving need to "put things right." The public's skepticism of deception was assuaged by General H. Norman Schwarzkopf's updated war briefs. And unlike Vietnam, mass rallies, parades, ticker tape, and special events for returning troops were planned. All of this is a far cry from the abandonment, silence, resentment and shame that Vietnam veterans were confronted with upon their return home.

Almost six weeks to the day, on February 27, 1991, Saddam Hussein and his army surrendered to the Allies. America declared a glorious victory over Iraq. The people of the United States welcomed the triumph in the Gulf. It has been the first time in 46 years since America has celebrated a victory in a war. In Vietnam, we paid dearly for a defeat; in Korea, the U.S. settled for a draw. But at what price did we pay for victory and the events of these six weeks? The death count of American and Allied soldiers in the Gulf amounted to 149; 513 were wounded. This is contrasted to the estimated 100,000 deaths and injuries of Iraqis.

Certain news magazines printed photographs of those who died in the Gulf. The photographs served as a reminder that these deaths were not just statistics. Each of the 149 Americans killed in the war, represented real people with passion, idealism and hopes of a future.

Now that Hussein is defeated, this country must face the challenge of keeping the peace in the Mideast. But after the fact, can we say that the events in the Gulf will really achieve global peace, international security, and stability? President Bush stated that war would be declared only after deeming any form of diplomacy a failure. But what does this say for us? For no matter how one dances around the issue, war is never black and white. War is something which evokes the most passionate reactions from individuals world-wide. And, no matter how one tries to conceal it, war continues to be a most tragic defeat for humanity.

I see this whole business as a matter of International Morality.

The unprovoked invasion and annexation of Kuwait by Iraq was a brazen and illegal act by a member of the United Nations Organization. The other member nations rose up in protest and passed Resolutions, unanimously, to censure and protest the action taken by Iraq. It was an expression, through the United Nations Organization, of the free world's judgment and determination to act quickly and decisively to halt the path of aggression and avert the potential escalation of hostilities.

By their thoughtful and courageous action at the UN the nations of the world declared that they would not tolerate the illegal action of a member nation to disturb the Peace the UN is pledged to maintain to the best of its ability. In my mind the Gulf War has been a matter of necessity. The military build-up of Iraq and the capture of its neighbor Kuwait is much too reminiscent of the historical prelude to World War II to be ignored.

War is always a tragedy, however there are times when the use of military force becomes necessary as a solution and then it is justified. I think this is one of those times.

Edward S. Schmidt First Sergeant of the 4th Tactical Reconnaissance Squadron, U.S. Air Force, World War II Willow Grove, Pennsylvania

My military career started as a private in the Army Air Corps when I volunteered in 1942 during World War II. It ended as a sergeant in 1946 after the war had ended. The greater part of my time in the army was spent as a photographer in the China-Burma-India theatre of operations. Those years seemed long at the time. Looking back now, they seem short.

As I now look back on the wars that have involved our country during my lifetime, it becomes evident that the reactions of our citizens have changed dramatically with each succeeding war. It is the changing attitudes I choose to address.

World War II was the only one that presented no problem for our national conscience after we were attacked at Pearl Harbor. That was was thrust upon us. We defended ourselves in a conflict that we did not initiate. We quickly became totally dedicated to mobilization and armed conflict. There existed a degree of total unity as a society that we experienced then. The average citizen was willing to make almost any sacrifice for the war effort. The few that were not willing kept silent.

In contrast, the Vietnam war started out as a little kitty, and grew to be a vicious tiger. That tragic conflict caused a dichotomy in our country—the likes of which has not been seen since the Civil War. For the first time in our history, we saw the wrath of many Americans directed against the individual soldiers who without any choice in the matter fought, bled and died for a cause they did not fully understand. To this day, the social wounds of this war have yet to heal.

As this is written, we are engaged in a ground, sea and air war in the Persian Gulf. It is labeled the "Operation Desert Storm", it looks like a war to me. The opposition to this war, while not so widespread or radical is of sufficient magnitude to indicate that the social wounds of the Vietnam era

Photo on this page and through page 8 by Art Stein



have not yet healed. Almost everyone can easily see that if Saddam were not restrained, he could have ultimately controlled a substantial portion of the world's oil supply. He would then be in a position to hold the world hostage and trade oil for nuclear weapons. He had no difficulty in using oil dollars to buy technology and manufacturing facilities for chemical and biological weapons. The major division of public opinion lies in timing. Should we have waited for sanctions and embargoes to run their course or immediately head the villain off at the pass? Could armed conflict have been avoided by negotiation? We will never know.

We can, however, look back at history to seek an answer to that question. Those of us who personally saw history in the making prior to World War II can recall that in 1939, the armed might of Hitler was inferior in nearly all respects to that of Saddam Hussein in August, 1990. In that period of history that Winston Churchill called "the gathering storm", the proponents of negotiated settlements prevailed. Hitler was provided with enough time to build a war machine that nearly conquered the world. He could have easily been stopped in 1939. Unfortunately, our social bleeding still continues because the lessons of history are ignored by many in our society.

P.C. Templeton First American Title Co. Albuquerque, New Mexico

I was a Marine Corps officer for 22 years, retiring in 1984 as a Colonel. I first went to Vietnam in April, 1965, as a First Lieutenant. I commanded an artillery battery that first tour and returned to another artillery battery commander's position as a Captain for the first few months of my second tour in 1968-69. I was "volunteered" to be a General's aide-de-camp and spent the remainder of that tour observing much of the war in I Corps from the General's vantage point.

One of the great frustrations of the war in Vietnam for me and my contemporaries was that there was too much high-level military and civilian interference in local tactics. One of the most gratifying statements I've heard in the Gulf war was Secretary of Defense Dick Cheney's statement in one of the initial briefings that this war would be in the hands of the war-fighters—the military. This indicated to me that we did learn one critical lesson from Vietnam: if you must go to war, fight to win.

Of course, the most obvious difference between Vietnam and the Gulf war has been the attitude of the general public toward the Government and toward the military. During and after Vietnam, public attitude toward the military ranged from anger and hostility to ignoring their existence. By contrast, the public support for the military in the Gulf has been wide-spread and enthusiastic. The U.S. Government's position has also been better understood and accepted. In the Gulf, we have a clearly identified villain who has done something bad and we have international consensus that something must be done to correct that. Americans as a people are relatively naive in international politics; we like things to be black-and-white rather than gray. Unfortunately, when complex issues get reduced to a minute and twenty seconds on the evening news, much is lost. Fortunately, however, our State Department and military professionals are well-educated in international policy and strategy.

For example, many senior military officers are selected to attend one of

the year-long war colleges to study the use of military resources as instruments of national policy. (LtGen Walt Boomer, the commander of Marine Corps forces in the Gulf, and I were classmates at the Naval War College, Newport, R.I., in 1980-81.) One of the clear lessons from those studies is that neither international negotiations nor war-fighting can be conducted successfully without secrecy.

We Americans believe in our "right" to know everything and we struggle to accept that secrecy can be in the best interests of the nation. The unrelenting glare of the television camera on every aspect of this war has put great pressure on State Department and military spokesmen to "tell all."

I have been very impressed with the patience and understanding exhibited by all of the officials who conduct briefings. Secretary of Defense Cheney, General Colin Powell, General Norman Schwarzkopf, Major General Bob Johnston (another Marine friend), and others have all made great efforts to enlighten the press and, through them, the public.

Few people really like war (if you want to find a *real* pacifist, look in a foxhole during a firefight). But sometimes war is necessary to preserve national or international societies. When military force is needed, we should have the best trained, best equipped, and best supported armed services possible. I am confident that that is what we have in the Gulf today.

Frederick H. Hemphill, Jr. Senior Vice President Lawyers Title Insurance Corporation Richmond, Virginia

I first learned that my brother, Carl Johns, SSgt. in the U.S. Air Force, would be leaving for Saudi Arabia in late August. He was on stand-by and could leave at anytime. Luckily my parents were able to visit with him on his last weekend home.

Even though I now had a brother stationed in Saudi, since early September, war did not seem a possibility to me. It all came to light when Carl wrote in early December that he would not be home before my baby was to be born in late March. Although this was all Carl wrote, I knew in my heart he knew more. It was then I began to worry and pray.

In late December, my Manager, David Evans, SMSgt. in the U.S. Air Force Reserves was put on stand-by for deployment in support of Operation Desert Shield.

As the war started, I was thankful that David had not yet been deployed. I was, however, worried sick about my brother and our other service men and women. I listened to the news endlessly. Every time I heard a scud had been launched toward Saudi my heart would sink until the announcement of its outcome (my brother's location in Saudi is classified).

As the war lingers on, my worries increase for the safety of my brother and the rest of our troops. My prayers are for their safe return.

On February 1st, David was called to active duty. He's been stationed at Tyndall Air Force Base since and apparently will stay there for awhile. Nothing is definite as to when either my brother or David will be back home, as it all revolves around the war.

When loved ones and close friends are called to war it's a very sad and worriful time. There are hardships from all aspects, their loneliness and

OUARE NOT FORGOTTE



fear as well as our own, having to carry-on with life at work and at home as if all is normal, and trying to plan for the future. The only thing that is certain is that we would like to have them back home as much as they would like to return!

### Marty Chism Associated Land Title Group, Inc. Ocala, Florida

I think most veterans are divided into two groups upon returning to civilian life: i.e., those who will talk about their military experience and those who, for their own reasons, don't wish to. I remember my brother in law who as a 1st Lt. was a forward observer in the Marines and who returned from Korea as a shell shocked human being and another very quiet gentle person who won the Silver Star. To this day both these men refuse to discuss their experiences. Others willingly open up and relate their experiences, be they vicious combat engagements or hilarious snafus that can only happen in the military. I respect both their feelings.

Another factor that those in service go through is the violent roller coaster effect your emotions are subjected to. Here are some of my memories:

- I never knew that homesickness was until I was in service, both to see your best buddy go through it or to experience it yourself.
- The joy of mail call and receiving a letter from your family or your girlfriend back home or some of Mom's chocolate chip cookies.
- The total desperation and helplessness when a guy in your platoon got a "Dear John" letter from his wife or girlfriend.
- The unrestrained joy when you picked up your first leave papers for a chance to go home for a brief period of time.
- The tremendous periods of uncertainties when you waited and waited for your next mission or assignment.
- And finally, when you were approaching rotation or discharge date how you tended to "walk on eggshells" making extra sure that nothing, absolutely nothing in the world, would alter that date.

Dick Oliver President Smith Abstract & Title, Inc. Green Bay, Wisconsin

I believe that Saddam Hussein had to be confronted. The similarities with Hitler's aggression in the 30's is persuasive. If we had stood up to Germany when it moved into the Rhineland, World War II might never have happened. Hussein's demonstrated inhumanity, his possession and prior use of chemical weapons and possible possession of biological and nuclear capability seems to me to make it imperative that we stop him now

The most encouraging development has been the performance of our military. I have been very impressed with Cheney, Powell, Schwarzkopf and all the members of the military we have seen on television. Intelligent, motivated, dedicated, articulate men and women. The brilliant performance of our "high tech" weapons have saved lives of our service people and those of civilians in Israel and Iraq. When appropriations time comes, I hope that lessons are not lost on Congress.

We have yellow ribbons on our eight locust trees at the office and a flag in the reception area. Ribbons and flags are more and more in evidence throughout the city. Especially recalling Vietnam, it is very heartwarming to see such support for the troops.

I know we all pray for an early, successful end to hostilities and for the wisdom to then bring peace to this troubled land.

Roger Bell First Lieutenant, U.S. Air Force Korean War President Security Abstract and Title Co., Inc. Wichita, Kansas



"I feel very strongly about the efforts of our armed forces. Our people should be there and they should not stop until they are able to effectively change the leadership in Iraq."

Bajan Koepeczi-Deak
Executive Vice President
Eastern Region
Ticor Title Guarantee Co.
Headquartered in Buffalo, New York;
Veteran of the U.S. Marine Corps and
a decorated Vietnam Combat Veteran

"The thing that strikes me the most is the unreasonable attitude of Saddam Hussein. He continues to hold firm despite the overwhelming possibility of defeat. It is so unnecessary."

Robert L. Reyburn
Senior Vice President
Professional Standards
Ticor Title Insurance Co.
Headquartered in Los Angeles;
Veteran of World War II, U.S.
Marine Corp Infantry

"I feel the war is very necessary. Nobody likes war but I don't think you can allow a person like Saddam Hussein to continue his quest for power. He is too dangerous."

Jodi Kido
Customer Service Representative
Headquartered in San Diego
Ticor Title Insurance Co.
(her sister, Jackie Kido, is
serving in Saudi Arabia with the
U.S. Army, 82nd Airborne)

"We are there and we have a job to do. My son and the troops have 100% of my support in what they are doing, and I'm very proud of them."

Sue Lepley Senior Escrow Officer Headquartered in Coos Bay, Oregon Ticor Title Insurance Co. (her son, Russell J. Lepley, is serving with the U.S. Army in Saudi Arabia)

I would like to share with you a personal experience that, though small, I will never forget. I was stationed in the Orient with the Air Force for three years. I was not a volunteer for a number of family reasons. After 30 months I flew from Tokyo to Chicago. As I went through customs a faceless person in a public address announcement welcomed everyone back to the States, particularly those military personnel who have been serving overseas. I cannot begin to express how much I appreciated the welcome.

May we remember to appropriately welcome our personnel back from the Gulf War. They will have gone through hardships that will never be told for the benefit of us all.

> James C. Russick Major, USAFR Security Title and Guaranty Company Sarasota, Florida

Adina, I certainly appreciate your call concerning my two stepsons currently serving in Operation Desert Storm. My oldest, James Holloway (age 23) is in the regular Navy and is an aviation mechanic assigned to an F-15 Squadron currently attached to the USS America. My youngest, Bill Holloway (age 20), is a PFC in the Marine Corps attached to an Artillery Unit. He is in the reserves and was called to active duty the day after Thanksgiving. At the time of being called, he was attending a local college on a full time basis.

I have two different perspectives regarding this war. The first stems from my feelings having served in the Navy as a Petty Officer during the Vietnam war. At that time, I was the same age as my boys now and had just received my four year college degree. I chose enlisted because that would reduce the active time I served and it was not my intention to make the military a career. I did, however, serve 21 months active duty though our ship was never called to go to the Vietnam theatre.

Although not an advocate of war, serving in the military to preserve our country was an obligation I accepted. At 21, emotions that now affect me concerning my sons were not there. Military service was something I had to do. Since I only had to worry about myself, this was okay with me. I did not like the protests of the Vietnam war that went beyond a statement

about war but tried to make us in the military feel guilty about meeting the obligation to serve our country.

My second perspective involves greater emotions now because it deals with my sons. I am proud that they are fulfilling their obligation. If we don't, all of the things that make America strong could disappear—including the right to protest. At this point in time, I feel the protests are centered more on the evils of war. This is understandable. If these protests start to center on our troops—MY SONS—I will have a big problem. During my time in the service I visited many foreign countries and I can tell you first hand that America is in a league by itself. Second place is a long ways

Unlike the first scenario where I had some control over what was occurring with me, I have to wait and pray, like so many parents, for the safe return of my son. I think the government, Mr. Bush and the Military, are truly conducting this war in such a manner so as to minimize losses. That will not help those that are lost but I think they are doing the best they can.

I am extremely proud of both of my boys as they freely took on this obligation to defend this great country. My youngest signs his letters with the peace sign (nobody wants war) but he is there defending his right and that of those of us at home who especially the protesters. If protesters who condemn our troops, have a real problem, and clearly do not understand the sacrifices that have to be made to have a country as great as America.

Continued support by corporate America and individuals alike has to be communicated to our troops in Harms Way.

J. Robert Walker Vice President-Marketing Operations Lawyers Title Insurance Corporation Richmond, Virginia



# Reflections on the Gulf War by a Former UPI War Correspondent

by Earnest Hoberecht

eople ask me what I think about the news coverage of the war in the Gulf.

Media coverage of this war has been entirely new and different from that of any other war. We here on the homefront are receiving instant television transmissions from the battlefield, as well as from American and other coalition reporters in the enemy capitol.

It surprises me that the enemy has *let* correspondents remain in Baghdad, transmitting news—even with a censor at hand. And, it *amazes* me that any American organization would *want* one of its representatives in the enemy capitol.

It seems to me that the enemy permits transmissions from his own capitol by our correspondents because he has found a way to use such information, which will benefit him from what is being sent out. For example, some correspondents are taken around to areas where the coalition has allegedly bombed civilians. The reporters in the enemy capitol pass on the communication from the enemy. There is no proof about the perpetrator of the killings or damage incurred.

Also, for sometime, coalition briefings were carried live. This obviously benefited the enemy because the enemy could hear what the briefers were telling coalition correspondents. Any information the enemy hears or receives directly from our side—from our military personnel, could be useful to Hussein and his men.

In World War II when I was a war correspondent in the Pacific, we had very strict censorship. I believe this was necessary. There was a saying: "A slip of the lip can sink a ship."

During this war, there was no instantaneous transmission of television action pictures. The only newsreel type film available had to be shot with a hand carried camera and then sent by airfreight back to the United States.

During the Korean War, censorship of the media occurred. With the commencement of the Korean War, General MacArthur's headquarters requested of the correspondents (via the public relations men) that we conform to an honor system...



Earnest Hoberecht, United Press General Manager for Asia and a veteran war correspondent, is shown here sitting on a pile of sandbags near a bombed-out railway bridge at the Korean front.



UPI Correspondent Earnest Hoberecht rides a camel in Karachi, Pakistan. Hoberecht is on the left. The UPI Karachi Bureau Manager is on the right.



Earnest Hoberecht types out a statement as General MacArthur reads his handwritten notes after a trip to the Korean front. Picture taken at a Far East airport.

Left to right: General Douglas MacArthur; Russell Brines AP; Pilot Tony Story and Earnest Hoberecht seated at typewriter.

Hence, certain guidelines were laid down. This system worked fairly well for a few days. Soon, however, various correspondents were dispatching any material they could find—even that which might have been beneficial to the enemy.

The situation, however, was putting the correspondents (who were conforming with the honor system), in a deep hole. It became impossible to compete with those correspondents who would send any information received, deeming it "newsworthy."

Thus, the major wire services and some of the major news magazines united, paid a visit to the public relations officer, requesting censorship of various materials. Censorship was implemented. If a correspondent suspected any of his material to be censored, he at least could go and argue with the censors.

My personal feeling was this: So long as we had American boys out there fighting, we should back them 100% and we should not pass along any information which might get in the hands of the enemy, thus jeopardizing the lives of our fighting men.

When a man puts on a uniform and goes

to war for his country, he deserves the allout support and protection of the rest of the nation. His life is at stake. It is all or nothing for him. I surely would not want any blood on my hands because I dispatched information which was detrimental to our own forces.

I read the other day where some observer commented that the television coverage of the Gulf War is "Loud, but not clear." We certainly have been saturated with coverage from all over the world. It is obvious we are in a new era—the television news era. I still turn to the newspapers for details and more organized and better edited reporting.

People ask me if I miss being out there now. I reply by saying "no I don't miss it." I am now 73 years old and I may have used up all my luck. I was shot at many times during my experiences in the various wars. I was scared each time.

Being a correspondent and following the ground troops is not a safe pasttime by any means. As a point of reference, 18 allied war correspondents were killed during the Korean War. Fortunately, none of them were United Press Correspondents. I was in

charge of our coverage of the Korean War and I worried a great deal about all of our men.

The other day I noticed a picture of me riding a camel in Pakistan. The thought came to my mind that if I were covering the war in the Gulf, I would probably be riding a camel instead of the jeeps that we used in the Pacific War, the Korean War and the Vietnam War. It certainly is a different war and we certainly have a different kind of coverage.



The author is owner and president of the Blaine County Abstract Company; Chairman of the Board of the Watonga Abstract Company, Inc., and owner of Earnest Hoberecht Insurance Agency, Inc. He is also president of the Oklahoma Land Trust, and president and editor-in-chief of Great Ameri-

can News. He is also a past president of the Oklahoma Land Title Association. A former UPI correspondent, the author covered the wars in the Pacific, World War II, Korean and Vietnamese wars. He was also vice president and general manager for Asia for United Press International.



General Douglas MacArthur and other correspondents at a Far East airfield during the Korean war.

Left to right: Russell Brines, AP; Earnest Hoberecht UP; Howard Handleman, INS; General MacArthur; Carl Mydans, Life; Bill Dunn, CBS.

### IN MEMORIAM

TitlePac and EscroPac, Inc. suffered a tragic loss, at 4:30 PM December 4, 1990 when our daughter and Senior Underwriter, Suzanne E. Cantrell Pearson was instantly killed by a car, in her lane which struck her head-on.

Christopher Hugh Pearson, her 14 month old son, was in the rear-right seat of her new Mazda, strapped securely in a baby's safety seat. He survived with a broken left collar bone (now completely healed) and some shoulder bruises from his restraining straps.

TitlePac and its families are working diligently to encourage parents (and grandparents) to assure the same safety for infants who might be traveling with them in an automobile. We have witnessed the effectiveness of such protection.

Suzanne, or 'Zann as we preferred to call her, was a tower of strength in any project with which she or Mark, her husband, became involved. She was a leader in United Methodist Church and its new building program at the time of her death. She was a mover in her Sunday School Class, and a loving, thoughtful daughter, wife and mother.

She was my "right arm" and like a good daughter, would argue a valid point to the end. She had our respect, and most of all our love, as well as many, many friends she served in providing E&O through the TitlePac Programs.

We dedicate these memories to our Suzanne.

R. Joe Cantrell & Sue B. Cantrell



Suzanne E. Cantrell Pearson February 6, 1964-December 4, 1990





R. Joe Cantrell, President (Father) Sue B. Cantrell, Exec. Vice President (Mother) Suzanne E. Cantrell Pearson, VP (Deceased) Mark A. Pearson, CFO (Husband)

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# Censorship and the Press

by Paul Duke



The following commentary is written by a former ALTA TIPAC speaker. The opinions expressed in this article do not reflect that of the Association. is time to set the record straight and to say flat out that the press helped to win the Persian Gulf War.

That's right—the much-criticized and maligned press corps that so many Americans believed was impeding the war's prosecution turned out to be good guys and gals after all. Far from giving aid, comfort and secrets to the enemy, reporters proved to be a valuable tactical asset in efforts to mislead, misdirect and confuse Saddam Hussein's high command.

True, much of this assistance was given involuntarily and unwittingly. Most of it was provided through speculative stories or stories inspired by military sources using the press for their own disinformation designs. Whatever the reason, the press coverage contributed to the Gulf victory, particularly on the ground.

The Iraqis were thrown off guard initially by reports proclaiming the allied build-up in Saudi Arabia to be bigger than it was. Then there were the widespread stories suggesting an imminent amphibious assault against the Kuwait coast, a false assumption that sidetracked a large Iraqi force anticipating a landing that never came. Similarly, reports implying that the ground campaign might be delayed while the all-out air strikes continued may have created doubts that a desert blitzkrieg was in the offing.

The press served the coalition cause in more subtle ways as well. Take Peter Arnett's CNN broadcasts that enraged some Americans who felt Baghdad was being given a propaganda pipeline to the world. In reality, the transmissions put the lie to charges of indiscriminate bombing by revealing that civilian and business areas had gone largely untouched.

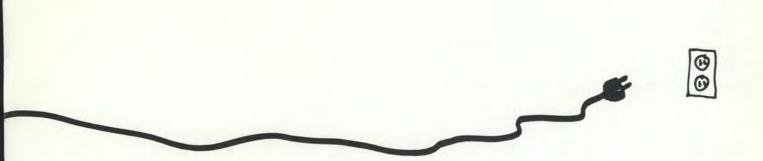
Television helped to bolster homefront morale with its portraits of the new, more polished military, its incessant interviews of lonely GIs in the desert wasteland and its graphic confirmation of U.S. technological superiority. And, it was television that introduced the country to its newest war hero, H. Norman Schwartzkopf.

So the press plainly got a bum rap from the critics, especially since it was forced to function under formidable obstacles. Reporters not only had to tread gingerly through a minefield of restrictions to inform the public, to some extent they were prisoners of the war.

The Pentagon's censorship rules meant journalists were severely restrained in what they could see, cover and report, sometimes ridiculously so. Simple facts were eliminated from newspaper dispatches. Some dispatches and film reports were held up for days.

A **Time** photographer was blindfolded and held at gunpoint for 36 hours by military police after taking pictures of a tank convoy near an Army encampment. A **New York Times** reporter was detained for five hours merely for asking to speak to a military hospital spokesman. A French television crew, risking their lives to film the fighting at Khafji, had the tape confiscated because they were not members of a Pentagon assignment pool.

These episodes were in keeping with a Pentagon policy to manage the news as much as possible. By holding the press at bay, censors saw to it that the public received only limited, carefully screened snapshots of the war. While tapes were released showing bombs striking their targets with surgical precision, there were none of



the bombs that went astray. Almost all pictures of slain Iraqis were barred; likewise enemy casualties were played down and underestimated.

In fact, little of the actual face of combat was recorded because most photographers and cameramen were kept away from the climactic closing battles. "If this is what happens when the news is good, what will happen when it's bad?" asked NBC's Rick Davis on the **Today** show.

Accordingly, the public received a largely sanitized version of the Gulf operation. Almost all reporters chafed under the curbs and the feelings of many were reflected by ABC's Jackie Judd when she said: "We were guilty until proven innocent and worthwhile." Some journalists, like columnist Fred Reed, decided the prohibitions were too strict and returned home early. "I decided to bow out rather than sell out," he said.

No one can quarrel with the military's legitimate security concerns and its duty to protect lives. Reporters are well aware that some censorship is essential, especially in this age of world-wide instantaneous communication. The difference this time was the concerted attempt to give a sunny side up spin to words and images in order to spare the public the darker side of war. The irony is that the few newsmen stationed in Baghdad actually experienced this darker side more than those based in Saudi Arabia.

A motivating force in controlling the information flow was the Bush Administration's desire to shore up public support for the war. Hence, the repeated promises that "this will not be another Vietnam" and that U.S. soldiers "will not fight with one hand tied behind their backs." Such remarks

seemed calculated in part to perpetuate the myth that Vietnam was lost because the press was too candid and made that war politically unacceptable.

The gulf controls may have angered the press but not the public, with polls showing eight out of every 10 Americans supporting the restrictions. This sent an even more disturbing message—that most people believed too much information was being sought and that journalistic responsibilities should be subordinated to dictates of the government. The opinion surveys also underscored the image problems of the press. Among other criticisms, some reporters at the televised military briefings were singled out as rude, pushy and insensitive to the need for secrecy. In contrast, the briefing officers were praised as polite gentlemen.

Nor was press credibility helped by stories that exaggerated the power of the antiwar movement and magnified prospects for disaster in the Gulf. The pressure on television correspondents to get on the air quickly caused numerous gaffes and overreporting of the Scud missile attacks. In some ways, as the **New York Times** said, TV coverage amounted to "Instant War as Instant Amusement." At times, TV reporters were a bit too intrusive, prompting the **Los Angeles Times**' Howard Rosenberg to say: "Never has a war produced less real news and more news stars."

Despite these sins and shortcomings, the war coverage raised an important issue: The maintenance of an independent press free to relentlessly pursue the truth, both good and bad.

By muzzling the press, the government is free to tell the people what it wishes and to put the best face on everything. Two notable examples were the military operations against Grenada and Panama. In each instance, reporters were kept at a distance and initial announcements of low casualties proved to be erroneous. In the case of Panama, only much later was it disclosed that 23 soldiers died and 265 were wounded in the very first day. The number of civilian casualties, in the hundreds, remains unknown to this day.

The fear is that the military is becoming comfortable with this new model of offlimits press coverage and will adopt it as standard practice. Any notion that war news must be filtered through military eyes certainly violates the spirit, if not the letter of the Constitution's First Amendment designed to assure the public's right to know.

It also violates two centuries of tradition. As the emissaries from the homefront, reporters were at Bull Run, in the trenches in Europe in World War I, at Iwo Jima and Normandy in World War II. A free press remains indispensable to a free nation. Even in its excesses, a press that goes too far is much less of a danger to democracy than a government that goes too far. As Abraham Lincoln put it: "Let the people know the facts and the country will be safe."



The author is senior correspondent for public television in Washington, D.C., and moderator of Washington Week In Review—winner of the DuPont-Columbia Award as television's outstanding public affairs program.

# Better Safe Than Sorry: Antitrust Guidelines for State Land Title Associations

by Phyllis K. Slesinger, ALTA general counsel

rade and professional associations by their very nature are combinations of competitors joined together for a common business purpose. Therefore, state and federal antitrust enforcement agencies often subject the activities of these groups to close scrutiny. The cost of defending an antitrust action can be astronomical and the liabilities great—association officers and staff can be found criminally liable, assessed large fines, and serve hard time under federal mandatory sentencing guidelines.

Because members of trade associations need to be sensitive to antitrust issues, this article is the first in a series that will appear in *Title News* periodically to provide some general guidance on association antitrust matters. The articles will address some hypothetical fact patterns based on conventional antitrust principles. However, real life problems require consultation with competent antitrust—not real estate—counsel.

### The Case of Pete the Predatory Price Cutter A. The Problem

You're the president of a state land title association in a state that does not regulate search and examination fees. An agent member of the association who has a multi-county operation has started to steeply discount his search and examination fees. Other members of the association have started to complain bitterly that the agent is practicing *predatory pricing*. Pete's prices are so low in that he cannot possibly make a profit with them. His competitors charge that his intent is to eliminate them. Pete is a highly competent title agent, and the quality of his service remains high. The smaller members of the association are really hurting. They want to file a grievance procedure against him and his company and expel him from the association on the grounds that he is violating the association's code of ethics, which is identical to the ALTA Code of Ethics. The Fifth paragraph of the ALTA Code of Ethics provides:

Members shall not engage in any unfair or deceptive acts or practices and shall conduct their business so as to promote the public interest and the continuing integrity and stability of the Title Profession.

You are located in a different part of the state and don't feel any financial effect from Pete's practices. You don't believe any unfair or deceptive acts or practices are being perpetrated against customers. However, there seems to be objective evidence that the stability of the Title Profession in your state is being undermined—some of those small agents might go under. Moreover, you think that a basic tenet of the antitrust laws is to prevent monopoly and offer customers a choice in selecting service providers. Should the association's grievance committee be convened to expel Pete and his company from membership in the association?

### B. Discussion

Be very careful here. Last year, the American Institute of Architects (AIA) entered into a consent judgment in response to a civil antitrust suit filed by the Justice Department. The suit alleged that the AIA had violated Section 1 of the Sherman Antitrust Act by conspiring unreasonably to restrain price competition among AIA members. In its complaint the Justice Department alleged that the AIA and its co-conspirators had entered

into an unlawful agreement to prohibit AIA members from engaging in competitive bidding, discounting fees, or providing free services. The complaint stated that the Chicago Chapter of the AIA had adopted in 1984 a Compensation and Fee Policy Statement which prohibited such practices and that various national officers of the AIA had endorsed and assisted in promoting and disseminating the statement. The consent decree enjoins the AIA and its local and state affiliates from having any code of ethics or statement that has the purpose or effect of prohibiting or restraining AIA members from engaging in competitive bidding, discounting, or providing free services or states or implies that such practices are unethical, unprofessional, or contrary to any policy of the AIA or its affiliates. As part of the settlement, the AIA agreed to pay the United States \$50,000 for the costs of the investigation. If the AIA violates the consent judgment, the court may impose a civil fine against the AIA or its affiliates without the need to show any willful violation or intent.

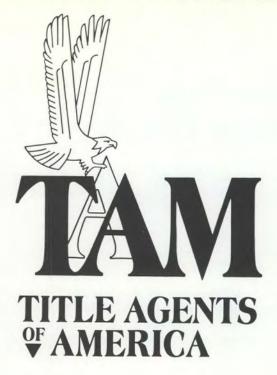
Although the Justice Department has not brought many cases against trade associations recently, this suit clearly indicates the conduct that excites its concern. The ALTA Code of Ethics on its face does not state or imply that discounting is unethical, unprofessional or contrary to any policy of ALTA, but your members are asking you to interpret Paragraph 5 with respect to specific facts in a way that would permit the conclusion that discounting is improper. Therefore, I think that expelling Pete under these facts could get you into serious trouble.

However, regardless of the legal merits of Pete's position, a state land title association should also think of the P.R. perspective. If your group seeks to characterize Pete's conduct as unethical or unprofessional, he could have a field day in the local press denouncing his competitors who seek to maintain "unnecessarily" high prices. Your small members would in all likelihood find no help in a grievance proceeding. Any emotional satisfaction would almost certainly be short-lived.

Even in a state where fees are regulated, discretion is the better part of valor. Instead of the state association trying to expel Pete in this context, the state regulator should be notified of the conduct by *individual* members to avoid the appearance of conspiracy. Under conventional antitrust doctrine, an association cannot expel a member for illegal conduct before a court or administrative body concludes that the conduct is in fact unlawful. An association is not a private attorney general and cannot undertake to enforce the law itself.

Are associations completely powerless? The antitrust laws do not leave associations and their members without recourse with respect to problems affecting the industry. The *Noerr-Pennington* doctrine allows associations and their members to petition the government (lobby) for corrective legislative or administrative action. Therefore, in the state where fees are not regulated, action can be taken to obtain regulation. Even in states where regulators are not responsive to reports of violations, lobbying activities are an alternative. However, you would need to consult with antitrust counsel, in addition to your lobbyist, regarding any lobbying or other political or legal action that might be undertaken by the association to remedy the situation. The next column on the subject of association antitrust law will discuss the *Noerr-Pennington* doctrine in more detail.

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# LTI Introduces New Correspondence Course

by Patricia L. Berman

ALTA director of Education and Membership Services

From the little sleepy town in Florida to metropolitan DC—learn how LTI has taken shape throughout the years. From all the hard work and effort comes LTI's exciting new . . . correspondence course.

or over 20 years, when someone mentioned the Land Title Institute's correspondence courses, one thought of those little green text booklets—mailed to you one at a time with your graded answer sheet. Not any more! The former Basic and Advanced Course text-books have been reorganized and updated into one, "new and improved," introductory level course.

Rather than loose subject booklets, the new textbook is one unit—an attractive, burgundy and silver, three-ring binder. The notebook houses 18 chapters, a glossary, index tabs, a designated section for "additional reference material," test questions, answer sheets for machine grading, and mailing labels addressed to the LTI. Easy-to-follow assembly instructions familiarize the student with the layout of the program. Students may progress at their own pace, because all the course materials are in hand.

Appropriate candidates for LTI's Course 1 would include everyone in your office—from receptionists, secretaries, and newly-hired personnel to your searchers, examiners, closers, and sales and marketing staff.

The objectives of the new Course 1 are

- Introduce the student to the many facets of the land title industry
- Familiarize the student with the unique terminology of the industry
- Improve communication between the student and the employer

The evolution of the revised course program began in 1988, when the ALTA Education Committee determined it was time to update some of the booklets. First, the topics were reviewed for their accuracy and timeliness. Then, in 1989, 10 committee

members (Phil Bronson, Stanley Friedlander, Myron Ely, Barbra Gould, Debbie Leonard, Tim McFarlane, Jim McKillop, Peter Norden, and Jack Rattikin, Jr.), under the leadership of Chairwoman Cara Detring, spent a memorable working weekend at an Atlanta airport hotel comparing the Basic and Advanced courses for duplications and omissions.

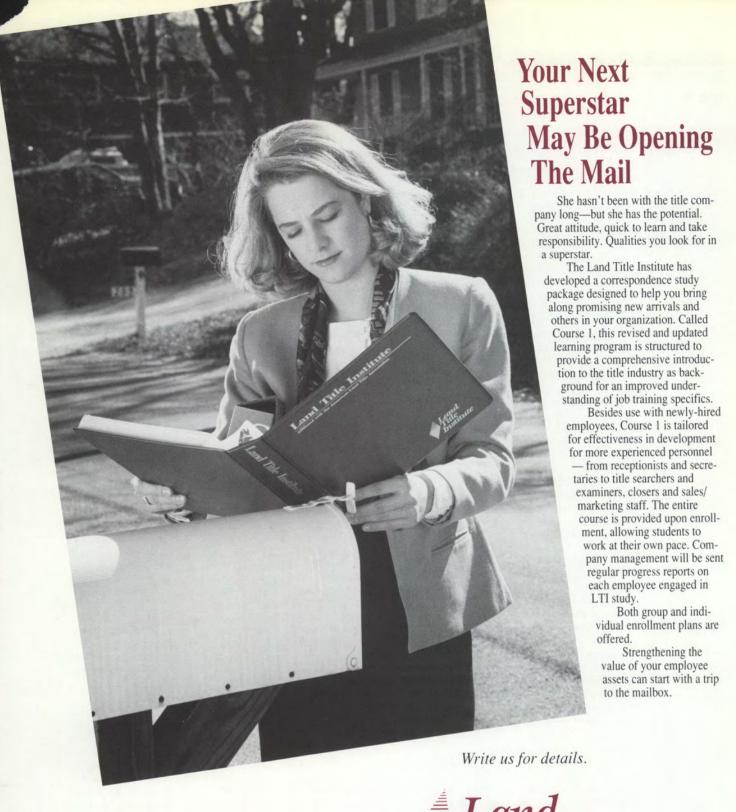
The decision was made to combine the two courses into one, more in-depth study of the title industry, but above all, to retain the basic integrity of the program. The key words were "to improve" rather than rewrite.

Next, Committee members each were assigned chapters to edit or rewrite; some persons were asked to provide new photographs and exhibits. A temporary typist was hired to input all the text material into WordPerfect, so that corrections and editing could be done by LTI staff.

Slowly the new chapters began to take form. As with most long-term projects, delays developed. Some committee members' efforts were sidetracked to the video subcommittee. During the summer months of 1989, two title employee-oriented educational videotapes were produced.

At the beginning of 1990, the correspondence course work resumed. The missing chapters were completed and reviewed. ALTA Past President Phil McCulloch assumed the huge task of editing the rough text. A special "thank you" goes to Phil, who spent hours and hours reading, comparing, correcting, and shuffling chapters. When the editing corrections were made, another temporary employee was hired to

continued on page 35





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### NAMES IN THE NEWS



Michael A. Lewis has been named the new president and chief executive officer of Ticor Title **Guarantee Company** (New York). Based in New York City, Lewis also becomes an executive vice president of **Ticor Title Insurance** Companines, and will continue as the North Eastern Regional manage and senior vice president for Chicago Title Insurance Company (CTIC). He assumes the Ticor Title Guarantee responsibilities following the recent purchase earlier this month fo all Ticor Title **Insurance Companies** by the CTIC parent, Chicago Title and Trust Company. "I am delighted that Ticor Title Guarantee Company is now a member of the **Chicago Title and Trust** family of title insurers,' said Lewis. "I look forward to working with the dedicated, professional people who've made the company so highly respected." Richard Pollay is the chairman of **Ticor Title Guarantee** Company. Richard P. Toft, chairman and CEO of Chicago Title and Trust Company be-



comes chairman of all the Ticor Title Companies. Jimmie O. Brumett. senior vice president, has been named Southern Pacific Area Manager for **Ticor Title Insurance** Company, it was announced by Richard C. White, executive vice president, Western Region. Headquartered in the company's Rosemead office Brumett will oversee operations in the counties of Los Angeles, San Bernardino, Riverside, Orange and Ventura. Brumett joined the company in 1985 as an exam-



Koepeczi-Deak

Cannon

ining manager after serving 27 years in various positions with other title companies. He was named a vice president and district manager for Riverside, California in 1986 and in 1989 was promoted to senior vice president and northwestern region manager.

Bajan Koepeczi-Deak. senior vice president, has been named Eastern Region Manager for Ticor Title Guarantee, it was announced by Winston V. Morrow, chairman and chief executive. Headquartered in the company's Buffalo office. Kopeczi-Deak will oversee operations for the States of Delaware, New Jersey, New York, Ohio and Pennsylvania. Koepeczi-Deak joined the company in 1973 as a branch manager in New York City. In 1978 he was appointed senior vice president and in 1989 was designated a region manager. He is a member of the Niagara Builders Association, Mortgage Bankers Association of Western New York, Greater Buffalo

Veteran. Devereaux D. Cannon, Jr. has been named assistant vice president and associate title counsel for Title Insurance Company of Minnesota (Minnesota Title) in Tennessee by William T. Bozeman, vice president and state manager. Cannon will be responsible for underwriting and claims decisions for Minnesota Title's agency operations throughout Tennessee. He will also

provide supplemental le-

Board of Realtors and

a veteran of the U.S.

Southtown Builders Asso-

ciation. Koepeczi-Deak is

Maine Corp and a deco-

rated Vietnam Combat

gal assistance to Attorneys Title Company, Minnesota Title's affiliate in Nashvile. An 11vear veteran of the Tennessee title insurance industry, Cannon brings an extensive background in real estate law, underwriting, and claims to Minnesota Title. Prior to joining the Company, he had been Tennessee state counsel for another national title insurance underwriter in Nashville.

Charles D. Hoyum, assistant vice president, (Minnesota Title) has been promoted to division counsel by William F. Faust, vice president and Midwest North Division manager. Hovum, who was named assistant vice president in 1989 and associate counsel for the Company in 1987, had been supervising the Hennepin/Ramsey Branch's legal department and overseeing underwriting for the branch and commercial examiners. He will now be responsible for all underwriting and claims for Minnesota Title's branch offices and agency operations in the states of Minnesota, North Dakota, and South Dakota.

John R. (Jack) Zachow, assistant vice president and associate counsel, has been promoted to Minnesota Title's Corporate Legal staff by Department Head James C. Uecker. Zachow will now be responsible for providing underwriting supervision and assistance to Company personnel and agents located in the states of Alaska, Idaho, Iowa, Minnesota, Montana, Nebraska, North Dakota, South Dakota, Tennessee, Washington, and Wyoming. He had been responsible for all underwriting and claims for the Company's branch offices and agency operations in the states of Minnesota, Nebraska, North Dakota, and South Dakota.

Lawyers Title Insurance Corporation announces the followign appointments: counsel in the company's Fredericksburg, VA office. Dewing transferred to Fredericksburg from Norfolk. VA, where he was senior title attorney. before joining the company in 1987, Dewing was engaged in the private

practive of law in Norfolk.



tice of law. John T. Kieley has been appointed branch manager and branch counsel of the company's office in Baltimore, MD. Kieley joined Lawyers Title in 1987 as branch counsel in Baltimore. He was previously engaged in the private practice of law in Elmwood, NJ.

Dale P. King has been appointed operations manager in the Georgia state office, in Atlanta, GA. King has 23 years of experience in the title insurance business. She

joined Lawyers Title in Atlanta in 1970, and served in several different capacities. In 1977 she was named senior underwriter, and 1986 she wa promoted to advisory title officer in Atlanta. In 1988 she transferred to the company's former Decatur office as manager. She transferred to Atlanta to assume her current position on January 1. King is a member of the Education Committee of the Dixie Land Title Association. She is also a member of the Delkalb Chamber of Commerce and of the Decatur Business Association.

Jo-Ann Mangen has been appointed branch counsel in the company's Hartford office. Mangen joined Lawyers Title in New Haven in 1975. In 1977 she was promoted to sales representative, and in 1980 she was named New Haven branch manager.

Joseph S. Petrillo has been promoted to vicepresident-New York state counsel. He is assigned to the company's state office in White Plains. Petrillo joined Lawyers Title as state counsel in 1985. He was previously assistant vicepresident-associate title counsel of TICOR in New York, NY. Prior to that he had been engaged in the private practice of law.

Steven H. Winkler has been promoted to vice-president-Connecticut state counsel, at the state office in Bridgeport. Winkler joined Lawyers Title in 1972 as title attorney for the company's Bridgeport, New Haven, and Hartford, CT. offices. He was named Hartford branch counsel in 1974. He was promoted to assistant



Bear

state counsel in 1978, and in 1983 was named state counsel.

Commonwealth Land Title Insurance Company and it affiliate. Transamerica Title Insurance Company are pleased to announce the following appointments. Teri S. Bear has joined Commonwealth as assistant vice president and branch manager at the company's newly opened Kansas City, MO, office. Bear is responsible for all company operations in the Kansas City Metropolitan area. Bear has 13 years experience in the title insurance and mortgage banking industries, most recently as branch manager for another national title insurer in Kansas City.

Glen W. Cochran Jr. has been appointed president of Commonwealth Land Title Company of Dallas, and vice president of the parent, Philadelphia-based Commonwealth Land Title Insurance Company. Cochran has responsibility for company operations in the counties of Dallas, Collin, Rockwell, Denton and Tarrant. Cochran has 15 years of experience in the title insurance industry, most recently as vice president and Dallas-Ft. Worth district manager for another





Dewing

Kendrick



Petrillo



Kieley

Cochran

Conroy

Conrov joined Commonwealth in 1985, and most recently held the position of general auditor for Commonwealth and Transamerica Title. Previously, he was ayditor with Dow Jones, Inc. and Price Waterhouse. He has 10 years of experience as an auditor.









Hall

Harrington

fore that, he was regional vice president in charge of Philadelphia County branch offices for a local title insurance underwriting company. Bruce H. Hall has

joined Commonwealth as assistant vice president and West Palm Beach branch manager, responsible for company operations throughout Palm Beach County. Hall has 15 years of experience in the title insurance industry. He comes to Commonwealth from a local title insurance agency, where he was vice president of title operations for 10 years.

J. Michael Harrington has been promoted to vice president at Commonwealth Land Title **Insurance Company** and its affiliated company, Transamerica Title In-



Hendrickson

surance Company. Based in Commonwealth's Philadelphia headquarters, he is responsible for maintaining internal accounting systems and controls for

Commonwealth Land Title, Transamerica Title and their subsidiaries. Harrington, who is the assistant controller for the two companies, joined Commonwealth in 1986. Previously, he was a senior auditor at CertainTeed Corporation in Valley Forge, Pa., for three years, and was a staff auditor at Arthur Andersen & Co. in Philadelphia for two years.

Terry R. Hendrickson has joined Commonwealth as senior vice president for the company's National Title Services (NTS) division. Based in the Chicago of-



Ende

Fromhold



Geller

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fice. Hendrickson is responsible for major national accounts. NTS provides specialized title services for large commercial, multisite and interstate real estate projects. Hendrickson has 16 years of experience in the real estate and title insurance industries. most recently as senior vice president and regional manager for the national title services division of another major title underwriter.

Frank L. Hernandez has been named senior vice president of Commonwealth Land Title Company of El Paso, a new Texas subsidiary of Philadelphia-based Commonwealth Land Title Insurance Company. He is responsible for title operations and customer service. Hernandez comes to Commonwealth from another national title insurer in Texas, where he was vice president. He has 17 years of industry experience.



Jean Scherdin has joined Commonwealth as branch manager, responsible for all company activities in Pinellas County, Florida. She is based in the Pinellas County office in Seminole. Scherdin has 27 years of experience in the title insurance industry. She most recently held the position of Pinellas County manager for another national title insurer. Scherdin is a resident of

Safety Harbor, FL.



Vachout



Foster

Jr. has joined Commonwealth as vice president and underwriting counsel for the company's National Title Services (NTS) division. Based in the Chicago office, Vachout is responsible for coordinating underwriting for major national accounts. NTS provides specialized title services for large commercial, multisite and interstate real estate projects. Vachout has 18 years of experience in the title insurance industry. He most recently held the position of vice president, associate title counsel and manager of the commercial/national closing department for another national title insurer. Commonwealth Land Title Insurance Com-

Charles J. Vachout





Casbon

16 years of experience in the title insurance industry, 13 of them with Commonwealth Land Title. Most recently, Foster was assistant vice president and Phoenix branch manager for Commonwealth Land Title.

John N. Casbon, regional vice president for First American Title Insurance Company, has added three states in southeastern United States and the Commonwealth of Puerto Rico to the territory he supervises, according to First American President Parker S. Kennedy. Casbon, who has been regional vice president for Alabama, Georgia, Louisiana and Mississippi since 1986, has added Florida, North Carolina and South Carolina to the list. In addition, title services provided by First American in the Bahamas, Bermuda, Puerto Rico and the U.S. Virgin Islands are now directed by Casbon. The area was previously under the management of J.H. "Skip" Boos, who retired. Casbon has 19 years of experience in the title industry. In 1977 he joined First American as a state manager of three states now in his region. His working relationship with Boos goes back to 1972, after he graduated with a bachelor's in business from Florida State University. He has lived in New Orleans, where the regional office is located, for 14 years. Boos will continue as a consultant to the region. He is a 37year veteran of the title industry, with 14 years as a regional vice president and counsel for First American.





Hernandez

Scherdin



Purcell

have been announced by President Parker S. Kennedy. Kenneth R. Purcell, former Fresno County manager, has been promoted to the National Accounts Division. Purcell will be based at national headquarters in Santa Ana, California, servicing Los Angeles County clients whose projects cross state or county lines. Purcell, a vice president, has been with First American since 1961. He had been Fresno County manager for 13 years, after spending five years in Colorado as the manager of the Colorado Springs office. He also has had six years of sales experience with the company. He was very active in community and civic organizations in Fresno, including the California Raisin Bowl. He was president of the Bowl in 1984, a board member for the past 10 years, and vice president of marketing and promotions for the past two years. John F. Prenovost is the new



Lafore



Miller

manager for Fresno, transferring north from Tulare County, where he has served as manager since 1985. He will also continue as regional counsel for Kern, Fresno and Kings, Madera, Mariposa and Tulare counties. Prenovost began his career with First American in 1976 at national headquarters. He received his juris doctor degree from Western State University College of Law in Fullerton, CA, and is a member of the California Bar as well as three county bar

Lawrence Latore has been appointed an assistant title officer of the Newark Office of New Jersey Realty Title Insurance Company. Latore is responsible for the North Jersey operations in the counties of Essex, Union and Hudson.

associations.

Denis M. Miller has also been appointed an assistant title officer of the Newark Office of New Jersey Realty Title Insurance Company. Miller is responsible for satisfying the title requirements of lenders and borrowers on major construction and permanent financing.

James A. Brown has been named president of the Independent Abstract & Title Co. Independent Abstract is located in Des Moines, Polk County, Iowa. James succeeds Cleo A. Brown, who has been president for more than 25 years. Jon D. Brown has been named vice president of the firm.

American Realty Title Assurance Company (ARTA) is pleased to announce the appointment of John Michael Schafer as staff counsel for ARTA North, an independent agency. Schafer most recently was the cofounder of Landco Title. Inc., an ARTA agency. Schafer will be responsible for providing legal assistance to ARTA North in connection with all title and closing matters, serving as the north area marketing representative, coordinating communication

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with area lenders, and will also serve as a closing officer.

Gateway Title Company announces the appointment of Glyn Nelson as vice president and manager of the Company's Santa Clara County operations. He succeeds Anthony Rapoza who remains with the Company as senior vice president and Northern California Regional manager.

The Board of Directors of Clay County Title Corporation is pleased to announce the appointment of Jeffrey L. Reese to the position of president. Reese succeeds Arthur L. Reppert who assumes the new position of consultant to the firm, and will remain on its Board of Directors. Reppert began his career with the Company on May 1, 1936 and is marking his 55th year with the firm.

Reppert is a past president of both the Missouri Land Title Association and the American **Land Title Association** and has received an honorary membership from both of those trade associations. Reppert served for many years on the Board of Directors of the **ALTA Group Insurance** Trust. Jeffrey L. Reese assumes the position of president after having joined the firm in July, 1985 having previously been with Ticor Title Insurance Company in Kansas City. He is a member of the Missouri Land Title Association and is currently serving the 2nd year of a 2 year term on its Board of Directors, and is serving as the associations Zone chairman for Northwest Missouri. In March of 1990 Reese was named the Missouri Land Title Association "Young

Title Person of the Year". Sandra S. Holden, president of Guaranty Land Title Insurance of Columbia, Inc., announced today that two new officers of the Corporation were named at the recently held annual meeting of the Stockholders. Teresa D. Long was promoted to assistant vice president-Closing Department. She has been on the Board of Directors of the Columbia Home Builders Association, where she presently serves as Secretary. Long also recently attended the National Home Builders Association Annual Convention in Atlanta. Georgia. Alice C. Richardson was promoted to assistant vice president-title production. Richardson has over ten years of experience as an abstractor and title examiner.



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### **MERGERS & ACQUISITIONS**

Commonwealth Land Title Insurance Company and its affiliate. Transamerica Title Insurance Company, have expanded their Southeast Region in order to solidify operations throughout the area. Headquartered in Atlanta, the realigned region is comprised of the states of Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina and Tennessee, along with the Virgin Islands and Puerto Rico.





Based in the Atlanta branch office, Georgia State Manager James T. Petropoulos will be the new Division manager for Georgia and South Carolina. Petropoulos has 18 years of experience in the title insurance industry.

Emil V. Rackay, who has been with the company since 1988, has been appointed Florida-Caribbean Division manager, based in the company's Orlando office.



Heard



Levins



Bryant



Petropoulos



Rackay

### Tilley Receives Award from HBAM

Arlene Tilley, assistant vice president of administration at Commonwealth Land Title Insurance Company, has

been named Associate of the Year for the Home Builders Association of Maryland. Based in Commonwealth's Baltimore office, Tilley was chosen from the ranks of approximately 45,000



Tilley

individuals representing the nearly 1,100 associate firms of the **Home Builders Association of Maryland**. The Associate of the Year is chosen by a committee of former award recipients who base their decision on the criteria of continuous activity, dedication and level of involvement.

Tilley has been involved in the Home Builders Association of Maryland for more than 10 years, the past six as a member of the Board of Directors and the past three as Associate Committee Chairwoman. She is also an association representative on the state board of the Maryland Builders Association. In 1990, Tilley became the first woman to hold the position of senior vice president, representing the associate membership of the Home Builders Association of Maryland. In the past, Tilley has served as the association's Membership Chairwoman for both Anne Arundel County and for the organization as a whole.

A resident of Severna Park, Md., Tilley currently is attending the University of Baltimore. She is also a licensed real estate broker and a member of the Mortgage Bankers Association of Maryland.

Title Insurance Company's subsidiaries into the parent, located in Santa Ana, California, an established title insurer in Arizona will be using a new name. First American **Title Insurance Com**pany of Arizona will now be known as First American Title Insurance Company. The merger serves to increase the financial strength backing the policies of all of the companies involved. In 1960, First Ameri-

William M. Heard Jr.

bama-Mississippi Division

wealth for 35 years, will

retain his position as pres-

ident of Title Insurance

of Commonwealth in Mo-

As a result of a merger

of five of First American

Company, a subsidiary

bile, Ala.

manager. Heard, who has

has been named Ala-

been with Common-

In 1960, First American bought Arizona Title Guarantee & Trust Company, which had been incorporated in 1892. Twenty years later, the company name was changed to reflect its relationship to First American.

can.
United General Title
Insurance Company,

the newest title insurance underwriter to be licensed in the State of Texas is pleased to announce: Kent Altemus has been named Southwest Regional vice president and manager responsible for United General's westward expansion of operations into Texas, Colorado, Oklahoma, New Mexico, Arizona, Nevada, California & Hawaii. Altemus will be setting up and staffing the regional office of United General in the Houston area within the next several months.

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### ACROSS THE HOMEFRONT

The Louisiana Land Title Association elected the following officers during the Association's recent Convention: President Earle A. Thompson, Jr., United General Title Insurance Company, New Orleans; First Vice President Peter C. Keenan, First American Title Insurance Company, New Orleans: Second Vice President Cornelius "Bill" Hyde, Baton Rouge Title Company, Baton Rouge; Secretary-Treasurer Charles E. Cabibi, Jr., Cabibi Title Insurance Agency, Inc., New Orleans; Directors-One Year Term John E. Wakefield, Lawyers Abstract & Title Co., Inc., Alexandria; Charles E. Cabibi, Jr., Cabibi Title Insurance Agency, Inc., New Orleans; John N. Casbon, First American Title Insurance Company, New Orleans; Directors-Two Years Term Mack J. Marsh, Lawyers Title Insurance Company, New Orleans; James K. McKay, American Title & Escrow of Baton Rouge, Inc., Baton Rouge; L. K. Clement, Jr., Sessions & Fishman Law Firm, New Orleans: Directors-Three Years Term Richard H. Himes. Jr., United General Title Insurance Company, Baton Rouge; Michael A. Grace, Jr., Commerce Title, Baton Rouge; and John E. Settle, Jr., ARK-LA-TEX Title Company, Shreveport.

# Genesee Abstract Turns 86

One of Batavia, New York's oldest businesses recently celebrated an anniversary, marking more than eight decades in the abstract title business.

It was back on March 7, 1905, that Frank S. Wood first opened the Genesee Country Abstract Company. The business now has its headquarters on Washington Avenue in Batavia and serves both Genesee and Orleans counties.

Today, Genesee Country Abstract is owned by James B. Isaac, the third in a line of family presidents that began in 1950.

"It's one of the longest-running title businesses in the country," Mr. Isaac said Friday. "It's right up there."

In Genesee County, a full search on a piece of property requires the company to delve into records from the past 60 years, he said.

To facilitate easy access to deeds, titles and other documents, the company has employees stationed at the county clerk's office in Orleans and Genesee counties. Genesee Country Abstract, though, is a private corporation and not affiliated in any way with government, he noted.

The business has been family owned for more than 40 years. Mr. Isaac's grandfather, Harold F. Isaac, purchased it in 1950 and served as president until 1978. Ronald H. Isaac, James' father, was president from 1978 to 1986, when James took over.

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toll free at (800) 628-5136 for information. If you are not currently a member, call the Association at (202) 296-3671 for an application. It's your business. And you haven't time for the E&O hassle.



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### VanBuskirk Dies At Age 41

Scott A. VanBuskirk, vice-president and general corporate counsel of Lawyers Title Insurance Corpora-



tion, Richmond Virginia, died February 17, after a brief illness. A memorial service was held for him in Richmond on February 19.

VanBuskirk,

who was 41, is survived by his wife, Debra VanBuskirk, who works at National Headquarters as Region 1 quality control coordinator, and by his four children, Charles, Cory, Emily and Amy. He is also survived by his parents, Mr. and Mrs. William S. VanBuskirk, of Speedway, Indiana, and by his brother, John VanBuskirk, of Indianapolis, Indiana. Scott's father, Bill VanBuskirk, retired in 1982 as assistant vice-president sales in the Indiana state office, after a 24-year career with the company.

The younger VanBuskirk's career with Lawyers Title began as a title examiner in Indianapolis in 1974. while he was still in law school. He held several positions before being promoted to assistant state counsel in 1981. He transferred to Richmond in 1982, when he was appointed assistant counsel in the Law Division at National Headquarters. In 1984 he was named associate corporate counsel, and in 1987 he was promoted to corporate counsel. He served the company in a number of areas; he assisted with contracts in the company's acquisitions of subsidiaries, and seved as a legal advisor on personnel issues. His expertise in creditor's rights and bankruptcy issues was widely respected.

Russ Jordan, senior vice-president—general counsel, Lawyers Title, noted, "Scott was known as an excellent lawyer and a good listener. Customers and our own employees appreciated that he gave people the opportunity to explain an issue before he began to talk. You always got an answer from Scott. He could accomplish his work with a minimum of fanfare."

# **CTTC Acquires TTIC**

Chicago Title and Trust Company announced it has completed the purchase of the Los Angeles-based Ticor Title Insurance Companies from Westwood Equities Corp. for a cash purchase price of approximately \$52 million, which may increase by up to \$18 million subject to post-closing adjustments, and a promissory note in the principal amount of \$15 million, also subject to adjustment.

"The culmination of months of hard work has brought together two of the nation's foremost title insurance companies. The united efforts of our employees and agents will create an outstanding organization in the title insurance industry with enhanced protection for our policyholders. We look forward to the years ahead with great enthusiasm," said **Richard P. Toft**, president and chief executive officer of **Chicago Title** and **Trust Company (CT&T)**.

Toft will assume the additional role of chairman of the Ticor Title Insurance Companies. Richard L. Pollay, president of Chicago Title Insurance Company, will serve as president and chief executive officers of the Ticor Title Insurers. They succeed Winston V. Morrow, who has resigned as chairman and chief executive officer of the Ticor Title Insurance Companies, but remains chief executive officer of Ticor Title's former holding company, Westwood Equities Corp.

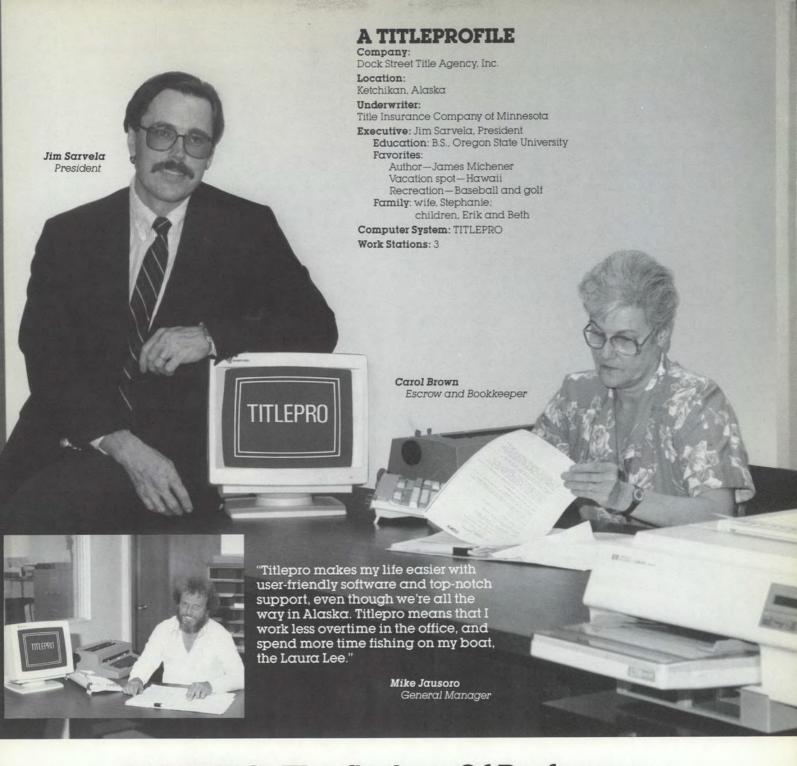
The **CT&T Family of Title Insur-ers**, the industry leader prior to this transaction, now has a consolidated total of statutory premium reserves and policyholders' surplus of approximately \$550 million.

Chicago Title and Trust Company, a subsidiary of New York-based Alleghany Corporation (NYSE-Y), is the parent of Chicago Title Insurance Company and Security Union Title Insurance Company (formerly Safeco Title Insurance Company).

The Ticor Title Insurance Companies include Ticor Title Insurance Company of California, Ticor Title Insurance Company and Ticor Title Guarantee Company (New York).



Richard P. Toft, Chairman and CEO of Chicago Title and Trust Company signs the documents completing the company's acquisition of the Ticor Title Insurance Companies in Los Angeles. Flanking Mr. Toft are (left) Winston V. Morrow, chairman of Westwood Equities, former Ticor Title owner, and Richard Pollay, President of Chicago Title Insurance Company. Standing (L-R) are: Henry A. Knebel and John W. Uhlman, Ticor Title; Leonard C. Donohoe and Robert B. Scherer, Chicago Title and Trust.



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### NEW ALTA MEMBERS

(The names listed in parentheses are recruiters who have now qualified for membership in the ALTA President's Club.)

ACTIVE

D.C.

Gillman Title Agency, Washington, D.C.

Kansas

Butler County Title, Augusta, KS

Michigan

Mackinac Abstrat & Title Co., St. Ignace, MI (Carol Wosniak, Ticor Title Insurance Co., Birmingham, MI)

Minnesota

Regency Title, inc., Eden Prairie, MN (Chuck Hoyum, Title Insurance Co. of Minnesota, Minneapolis, MN)

New Hampshire

Liberty Paralegal & Title Services, Inc., Nashua, NH

South Dakota

Edmunds County Abstract Co., Ipswich, SD

### **ASSOCIATE**

California

Jeffrey H. Lowenthal, Lelannd, Parachini, Steinberg, Flinn, Matzger & Melnick, San Francisco, CA

Colorado

Stephen H. Jonas, InsFlo, Inc., Englewood, CO

Connecticut

Ernest J. Wright, The Travelers Insurance Company, Hartford, CT

D.C.

Daniel C. Smith, Fannie Mae, Washington, D.C.

Florida

Andrew M. Smulian, Jorden Schulte & Burchette, Miami, FL (J. H. Boos, First American Title Insurance Co., Plantation, FL)

Illinois

John McCann, Kalinich & McCluskey, P.C., Glen Ellyn, IL (John Semple, Chicago, IL)

Minnesota

John B. Lundquist, Larkin, Hoffman, Daly & Lindgren, Ltd., Minneapolis, MN

Missouri

Rock Title Consultants, Ltd., Arnold, MO

New York

Stanley M. Lenkowicz, Home Life Insurance Company, New York, NY (John H. Calica, Cadwalader Wickersham & Taft, New York, NY)

Texas

J. Brian Sokolik, Vinson & Elkins, Austin,



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Administrator



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### LTI CORRESPONDENCE COURSE

continued from page 18

read the text from front to back. A few more typos and inconsistencies were located and corrected.

Cara Detring and the members of her committee are hard-working people, dedicated to providing quality educational tools for ALTA's members. While taking a break from text work during the 1990 summer, three more educational videotapes were produced by the Education Committee.

By late fall, the text content was in good shape. Producing a textbook is a lot like building a house—you need a blueprint, layout and shell, interior treatment, land-scaping, and roof.

**Blueprint**—The overall plan to retain the basic concepts and core chapters of the course was paramount in all decisions. Obsolete phrases and references such as "10 years ago" unnecessarily date the text. It was recognized that several chapters needed to be updated and readdressed.

Layout and shell—The former Basic and Advanced courses were structured in the booklet format—each booklet being sent one at a time. Under the new Course 1, the format changes to a notebook style with 18 chapters. The student receives all course materials up front.

Interior treatment—Completing the interior of a new house (whether its selecting kitchen cabinets or appliances, locating electrical outlets, or designing the stairway) entails considerable planning, patience and persistence. The same three P's are applicable to finishing the book. Type styles were selected; chapters were printed (over and over again); bids were obtained and a printer was selected. For the book itself, a multitude of decisions were made: weight of text paper; index tab paper stock and whether or not to reinforce the holes and tabs; notebook-color, size of rings, one or two pockets inside, design on cover and spine, clear overlay on spine to insert "Course 1" identification card; style of machine-graded answer sheets.

"Landscaping," or preparing the grounds, was the next step. The instruction letter to the student was written and rewritten. A new descriptive course brochure was designed and printed. The idea for the full page advertisement on the next page was conceived and coordinated by ALTA's inhouse marketing expert Gary Garrity, ALTA Vice President—Public Affairs.

**Roof**—The top or outside package, in this case, had to be considered. A special carton was designed which included printing the LTI return address and the words

"correspondence course" on the outside, so there is no mistaking the course box. To ensure that the student does not damage the notebook when opening the carton with a knife, letter opener or other sharp object, a piece of cardboard or other packing material is being placed between the binder and the box seam.

If we carry the analogy further, the printer (now operating as the fulfillment house because it stores the books) represents the "settlement clerk." As students enroll in the course, the printer closes the deal by sealing and mailing the carton. LTI assistant registrar Teresa Gant prepares the student welcome letter, which includes the necessary instructions for the course, and encloses the pre-coded answer sheets.

And, finally, there is the title insurance company. In this case the insurance company is Teresa, who grades and scores the test papers and issues the Certificate of Achievement to each student who satisfactorily completes the course.

How strong is the foundation for this LTI house? The cement was poured in 1970, when the Land Title Institute was founded by Hart McKillop, a retired director of Continuing Education for Lawyers Title Insurance Corporation. McKillop recognized the void of accurate, easy-to-understand, basic industry education. He designed the concept of the correspondence course for title industry employees. He wrote the booklets, and he and his assistant, Ramona Chergoski, administered the LTI courses until 1980. Then, LTI was presented to the American Land Title Association by its founder, and it became a subsidiary of ALTA. Between 1980 and June 1989 when she retired, Ms. Chergoski completely supervised the LTI operation. In June 1989, the Land Title Institute was moved from Winter Haven, Florida, to the ALTA headquarters office in Washington, DC. Throughout these 20 plus years, LTI has continued to grow and prosper. The ultimate goal continues to be providing solid, basic education on the land title industry.

Congratulations to the members of the Education Committees for the years 1988-89, 1989-90, and 1990-91 for a job well done! The new textbook is ready to be rediscovered.

Not to rest on their laurels, the ALTA Education Committee is looking forward—Course 2 is in the development stage. Oscar Beasley of First American Title Insurance Company is writing a more advanced set of chapters—suitable for more experienced title personnel or new attorneys. Course 2 is expected to be finalized by late 1992.

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## CALENDAR OF MEETINGS

### 1991

April 28-30 ALTA Eastern Regional Title Insurance Executives Meeting Kiawah Island Inn Charleston, South Carolina

May 19-21 Title Counsel Executives Meeting Chicago, Illinois

June 5 ALTA Board of Governors Meeting The Broadmoor Colorado Springs, Colorado

June 6-7 ALTA Southwestern Regional Title Insurance Executives Meeting The Broadmoor Colorado Springs, Colorado

**September 25-28** ALTA Annual Convention, The Westin Copley Place, Boston, Massachusetts

### 1992

March 25-27 ALTA Mid-Year Convention, The Mayflower Hotel, Washington, DC

October 14-17 ALTA Annual Convention, Hyatt Regency and Maui Marriott, Maui, Hawaii

### 1993

March 24-26 ALTA Mid-Year Convention, The Westin Peachtree Plaza, Atlanta, Georgia

October 13-16 ALTA Annual Convention Marriott's Desert Springs Resort and Spa Palm Desert, California

# 1991 AFFILIATED ASSOCIATION CONVENTIONS

### April

**18-20** Oklahoma, Marriott Hotel, Oklahoma City, OK

25-27 Arkansas, USA Inns, Eureka Springs, AR

### May

2-5 Texas, Westin Galleria Hotel, Dallas, TX

**3-5** Palmetto (SC), Radisson Hotel/Kingston Plantation, Myrtle Beach, SC

**5-7** Oregon, The Coeur d'Alene Resort, Coeur d'Alene. ID

5-7 Iowa, Sioux City Convention Center/Hilton Inn, Sioux City, IA

8-11 California, Hotel Del Coronado, San Diego, CA

16-18 New Mexico, Sagebrush Inn & Quality Inn, Taos, NM

**16-18** Virginia, The Patrick Henry Inn, Williamsburg, VA

### June

**2-4** New Jersey, Harrah's Marina Hotel Casino, Atlantic City, NJ

**6-7** South Dakota, Holiday Inn of Mitchell, Mitchell, SD

**6-8** Tennessee, Chattanooga Convention Ctr./ Marriott, Chattanooga, TN

**9-11** Pennsylvania, Hamilton Princess, Bermuda

14 Alaska (has not been determined), Anchorage, AK

20-22 Colorado, Red Lion, Durango, CO

20-22 Illinois, Westin Hotel, Chicago, IL

**20-23** New England, The Balsams, Dixville Notch, NH

### July

**14-16** Michigan, Boyne Highlands Resort, Harbor Springs, MI

17-20 Wyoming, Holiday Inn, Riverton, WY

18-20 Utah, Sun Valley Resort, Sun Valley, ID

**25-28** North Carolina, Shell Island Resort, Wrightsville Beach, NC

### August

1-4 Idaho, Sun Valley Resort, Sun Valley, ID

15-17 Minnesota, Hotel Sofitel, Bloomington, MN

15-17 Montana, Huntley or Shoshoni Lodge, Big Sky, MT

23-24 Kansas, Overland Park Marriott, Overland Park, KS

25-28 New York, The Equinox, Manchester Village, VT

### September

**5-8** Missouri, University Plaza Hotel, Springfield, MO

12-14 Dixie, Sandestin Beach Hilton, Destin, FL

12-14 North Dakota, Hospitality Inn, Dickinson, ND

13-15 Maryland, The Sheraton, Ocean City, MD

**14-17** Indiana, Omni Severin Hotel, Indianapolis, IN

15-17 Ohio, Sawmill Creek Resort, Huron, OH

15-18 Washington, Campbell's Resort & Convention Center, Chelan, WA

### October

9-11 Nebraska, Holiday Inn, North Platte, NE

24-25 Wisconsin, Hyatt Hotel, Milwaukee, WI

### November

13-16 Florida, Marriott at Sawgrass Resort, Ponte Vedra Beach, FL

### December

**5-6** Louisiana, Omni Royal Orleans, New Orleans, LA Arizona (has not been determined) Nevada (has not been determined)



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Landata as the supplier without any hesitation."

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For further information call David Tandy, President at (713) 871-9222.

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