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Second Supplement to Memorandum 87-101

Subject: Topics and Priorities for 1988 and Thereafter (Additional
Topics for Study)

Attached to this supplementary memorandum is a letter suggesting Commission study of several problems in the land title area, a matter which is on the Commission's calendar of topics.

The first suggestion is that the index of persons in whose name an instrument is recorded should be supplemented by each person's social security or driver's license number, for purposes of identification. One problem with this proposal is that it would result in the complete loss of the privacy ordinarily given these numbers.

The second suggestion is that there be a statewide computer link between county recorder offices to enable statewide title searches. Among the problems with this proposal are the cost of implementation and the likelihood of opposition from the title insurance industry.

Respectfully submitted,

Nathaniel Sterling
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August 12, 1987

California Law Revision Committee
4000 Middlefield Rd., Room D-2
Palo Alto, CA 94303-4739

re: Identification for real property.

Dear Sir,

One of the difficulties attorneys, title companies and escrow have with recordings in the offices of the County Recorder is identification of the grantor or grantee, or other persons involved in real estate recordings.

If there is a common name, such as John Smith, he will have difficulty in say obtaining a loan on the security of his real property, as he has to prove he is not one and the same person as the several other people of the same name against whom abstracts of judgment have been filed.

Again when doing a probate to ascertain what assets there are in the estate, and one does a search in the office of the County Recorder, how does one know if there is real property in name of a person bearing the same name as decedent whether the property actually belongs to decedent.

The SOLUTION is simple. Every person referred to in a deed or document should be identified by his or her social security number or alternatively driver's license number. Every corporation, firm, or business should be identified by its employer identification number. Even a non-resident alien can obtain a social security card endorsed "employment not authorized". Other countries have adopted similar solutions, e.g. dates of birth for individuals.

Another suggestion is that with modern day computers, it should be easy to link up the offices of all county recorders, so that if one wants to do a search, it can be done statewide, instead of county by county.

Sincerely,



JULIUS G. WULFSOHN
JGW:ew