

Conveyancing Software

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Notaries: Going Public

With the Land Title Office (LTO) moving steadfastly toward its Electronic Filing System (EFS) and protocols for legal professionals being revamped in light of “the Wirick matter,” BC real estate conveyancing procedures are being dramatically and irrevocably altered. In the face of these changes, The Society of Notaries Public is adopting a proactive stance—systematically preparing and equipping its membership to best serve the interests and needs of their respective clientele. One such progressive initiative nearing roll-out is the development of *Pro-Convey*, a new Web-based software package designed to combine the most useful features of existing conveyance software with the advantages available through direct integration with the LTO’s EFS.

G. Wayne Braid, Secretary/Executive Director of The Society, offers insight into the reasoning behind the Board of Directors’ decision to proceed with the software venture. “In my own experience as a Notary, I had occasion to experiment with the various conveyancing programs available at that time but each left something or other to be desired. The one I eventually settled on was then later abandoned by its parent company, leaving its users without support. When I assumed the position of Secretary, I found my frustration in this regard was shared by many of our members, which prompted us to seek an in-house solution.”

Braid’s research into the highly competitive conveyancing software market led him to theorize that because potential users are a relatively select group of legal professionals, program vendors, usually smaller companies, each vie for market share with limited staff resources. Accordingly, each is vulnerable to the loss of key personnel; any one of them would find it challenging to rationalize a sizeable investment in research and/or significant redevelopment. As a result, the initial plans were conceived for Notaries to own, design, build, control, support, and customize their own software to meet the public’s increasing expectation of technical delivery beyond legal expertise.

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Enter Infokey Software Inc., cutting-edge programmers experienced in document generation within conveyancing applications—the ideal skill set to complement Braid’s enthusiasm and move The Society through the design and build stages.

With team assembled and vision intact, all has so far progressed without incident, though it would be unreasonable to expect a project of this

magnitude to be entirely without challenge. Coordinating with the LTO for the particulars and testing essential for integration with their database required a concerted but worthwhile effort from all involved. Then there’s the fact that the document generator will support only MS Word and Adobe Acrobat formats. Am I the only one who will miss WordPerfect?

Ironically, the obstacle concerning Braid most is the reservation felt from Notaries themselves about the delivery and support of the new program. “Member feedback is always positive but often couched in hesitation. Notaries are also businesspeople, thus wary of relying too heavily on any one technology to serve their clients. Once past the inevitable learning curve, however, our in-house control of the product will offer reliability and advantages not currently available from other software vendors.”

Perhaps the concern raised most often by members is the potential impact of downtime by Shaw or Telus, the primary suppliers of high-speed Internet service. While it is relatively rare for these providers to be down for long, Braid and programmers are conscientiously addressing the issue because being Web-based is *the* feature that sets this program apart, and opens the door to a limitless array of possibilities and seamless functionality not available to a desktop application.

Integration with the EFS is just a beginning. A variety of online resources

can be accessed to maintain the currency of information in the program's shared database; internal program or template updates will be ongoing. In addition, practitioners will be invited to contribute local knowledge for the benefit of all users, pooling resources to save each other time researching local service providers for adjustment information, and reducing risk of oversight when transacting out-of-area. Ever wonder who supplies water or garbage collection to residents of a particular Gulf Island?

Of prime importance is the strict confidentiality of the database content. Client matters will not be available to anyone other than the client's own Notary, whose USB storage device holds the necessary passwords and connectivity software to access them. Security and backup procedures will be rigorous. Further, the option will exist for individual practitioners to download from The Society server onto their own computer any files in their private portion of the database.

To keep things in perspective, Braid reminds us that like any other software, *Pro-Convey* is a tool, not a panacea. Use of The Society-owned program will be optional, though encouraged, and while basic templates will be provided, customization is expected. Individual practitioners will continue in their own style to deliver their services in the manner they deem most appropriate. Greater participation would, however, result in a broader knowledge base and lowered support costs for the membership as a whole.

Transitioning practices in BC have stimulated resurgence in conveyancing software development. *Pro-Convey* must, therefore, prove itself against possible contenders. Adopting a new industry-specific program requires a substantial commitment from professionals and their staff; therefore existing vendors are making efforts to accommodate impending changes to retain their existing Notarial clientele. It is anticipated that even BC Online will be

offering a document preparation option in its menu. So far there has been no discussion as to whether or not The Society's new program will be made available for use by legal professionals other than member Notaries Public.

The project remains on schedule with a prototype currently being beta-tested in anticipation of its launch at The Society's AGM/Fall Conference. This initiative is but one example of how the current leadership of The Society is taking steps to ensure its members have the ongoing capability to provide the highest standard of service to the public in an evolving legal environment. ▲

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