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FLOOR DEBATE

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Senator Beutler.

SENATOR BEUTLER: Senator Cudaback. Senator Flood, just a last quick comment, and a question. First of all, do all lawyers have to have malpractice insurance these days, or not?

SENATOR CUDABACK: Was that a question, Senator?

SENATOR BEUTLER: Yes.

SENATOR CUDABACK: Senator Flood.

SENATOR FLOOD: No, I don't believe they do. But if you don't, you probably shouldn't be a lawyer. Because you've got bigger problems if you're practicing. But I certainly have malpractice insurance.

SENATOR BEUTLER: Okay. Let me ask you this, in terms of your intent. This certificate that will be filed in Gage and Madison and Lincoln, when I'm a title company person in one of those counties, and the property is being sold, and I see this certificate filed against the property in my county, and it references the divorce decree and...but it also describes the property, as a title examiner, are you intending that I can rely upon this certificate that identifies the ownership to an exact, legally described piece of property, that I can rely upon this for purposes of determining title to a prospective buyer?

SENATOR FLOOD: I do not want the certificate of dissolution of marriage to operate as a deed evidencing the actual transfer of real estate, because I don't think it can in this situation, when the decree from the district court is actually the document...legal document that transfers that. So I think it would be in your best interest, if you were a land title association, to go back and grab the decree, and cross-check it again, if that's...

SENATOR BEUTLER: Okay. So they're going to have to go back to the original county, or, in Senator Loudon's country, to get a copy of the decree to facilitate that sort of transaction anyway?