

Finding Nemo no more

Darise Ogden speaks with two innovative lawyers who are assisting New Zealand lawyers to automate their conveyancing

Long gone are the days of the law-writer, ensconced in his draughty attic, dutifully copying in meticulous penmanship the details of a conveyance. The conveyancing of today has moved into a digital realm; no longer are our titles stamped 'discharged' across the mortgage entry with the date handwritten in pen.

There is no mystery about conveyancing, says Jim Simpson of Simpson & Co, who developed Brookers Convey, "it's a straightforward process, so it lends itself to computerisation". KeyTrack's Richard Galbraith obviously agrees as he has developed a revolutionary communication solution that updates nearly all parties to a transaction with the mere clicking of a mouse.

Automating the process

Simpson's conveyancing system automates the entire process from the minute a deal comes into the office. Tracking the process, it sends documents out by email or by fax, and even tells you when to make a phone call. "It automates the entire conveyancing process, and eliminates a lot of the human error," says Simpson. And if someone is away, you can immediately see where they are up to in a particular transaction. "You know exactly what steps are being completed, when they were completed, by whom, and what report has been given to the client at any particular time, so you can just take over."

Communication is the key

As every property lawyer knows, when a matter finally settles, there are a myriad of people to whom information must be provided, "you might have 10 people that want that information... and in the past, you used to fax this person, ring this person, fax that person, now we just go online and click 'update', and everybody finds out at the same time," says Galbraith. Also, by simultaneously communicating with all the key parties within a real estate agency, KeyTrack's email and SMS text service avoids the frustrations often experienced by lawyers having to take yet another call from the real estate agency managing the sale. At this stage, however, KeyTrack does not communicate with the lawyers on the other side of the transaction because, explains Galbraith, "KeyTrack is a little bit ahead of its time, since we use email and texting, and the current agreement for sale and purchase says that you can email fulfilment of conditions, but that you

have to get an acknowledgement from the other side that they've got it." As such, says Galbraith, it is still easier to send a fax.

However, Galbraith hopes to convince REINZ and ADLS to include a clause in the standard agreement for sale and purchase that enables the fulfilment of the finance condition simply by clicking the relevant button online. Then, "with the drop-down button, you'll be able to choose the lawyer on the other side," provided, of course, they are also a licensed KeyTrack user.

Saving costs

The computerisation of conveyancing also provides significant cost savings to the client. With KeyTrack, the savings come from being able to communicate with nearly all the parties to a transaction at the same time. And with Brookers Convey, "you don't have to employ highly qualified staff to run it," says Simpson, "A person with a lower level of qualification can actually carry out a lot of the work and the person with the higher qualification can oversee a number of those people."

Sharing data

Since KeyTrack was launched, its database of real estate agents, managers and administrators has had 32,000 updates made to it by all the various users of the KeyTrack site. A check is made of each change to ensure the integrity of the data. The database is evolving, says Galbraith, because people from all over New Zealand are working on it. Its unique shared file, held in a secure data centre in Albany, enables the real estate industry to make notes, as well as the lawyer and the client, with the system recording who made the note and at what time. And, says Galbraith, this is just the beginning. "Each new month, new functionality crops up." Recently, they developed the ability to attach the digital certificate of title to the KeyTrack Transaction Status Report.

Last week, Galbraith announced that KeyTrack will be releasing "complete online workflow documents, all produced in Microsoft Word". Included in these documents, which are fully editable templates unique to each firm, are client letters, council letters, and all LINZ e-dealing documentation. Through these, says Galbraith, "KeyTrack [will continue] to set the standard in bringing the property professionals together online".

Sadly, then, we must farewell forever the likes of Dickens' Nemo, the poverty-stricken law-writer with the beautiful handwriting who, overwhelmed by his lonely, miserable existence, fell victim to an overly strong brew of opium tea.

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