Electronic Recording Operating Procedures

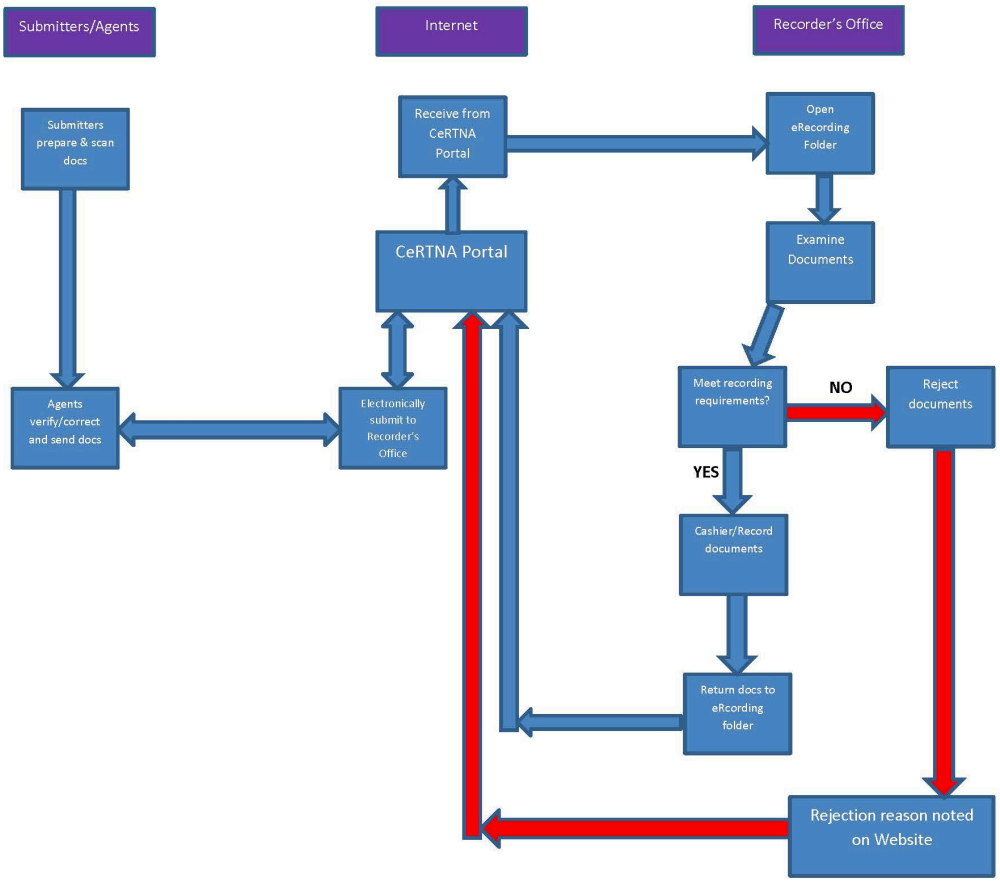
Recorders Address Here
Street Address
City, CA 99999
Recorder: (999) 999-9999 / Fax: (999) 999-9999

01/18/2024

1.0—OVERVIEW OF ELECTRONIC RECORDING

Electronic Recording (ER) is a process that provides the capability of submitting documents electronically from the Submitting Organization to the <County Name> Recorder's Office.

1.1—ELECTRONIC RECORDING FLOWCHART



1.2 THE ELECTRONIC RECORDING PROCESS

The process for electronic recording of documents is simple.

1.2.1 Preparation and Submission – The Submitting Organization:

- Prepares the documents for scanning,
- Scans the documents and enters minimal, required, information,
- Verifies/corrects any scanning errors, and
- Submits the documents to the Recorder's Office electronically.

The original documents never leave the Submitters office.

1.2.2 Examination and Recording – The Recorder:

- Examines the documents for recording requirements
  - If the documents DO NOT meet recording requirements the document(s) are rejected and the reason for rejection is noted online.
  - If the documents DO meet recording requirements, cashiering information is entered and the document(s) are recorded. Document numbers are assigned at the time of recording and recording information is available in APEX for all authorized Submitter employees to access.

1.2.3 Recorded Documents and Rejected Documents – The Submitter:

- Recorded Documents
  - The first page of each document (face sheet) with recording information must be printed by the Submitter.
  - The face sheet must be attached to the original document and mailed to the person named on the document.
  - Recording information (document number, time recorded, fees, etc.) are posted in APEX for access by all authorized Submitter employees.

- Rejected Documents
  - The rejection reason is noted for all rejections for the problem/deficiency to be corrected.
  - After the problem/deficiency is corrected, the document is resubmitted. Because the Submitter has the original document, the turn-around time for resubmission can be very quick.

2.0—BENEFITS

The benefits of using this process can be significant:

- The documents never leave the submitter's office and remain under their complete control. This lessens the possibility of lost or misplaced documents.
- Recorded or rejected document notifications occur electronically, allowing for improved productivity and provides the ability to quickly react to the situation.
- The submitter has the ability to monitor and track all documents through the process of recording. This tracking provides information regarding the time the submission was received by the Recorder's Office, the time it was recorded, the fees involved, and notification of and reason for a rejected document.
- Rejected documents can be corrected and re-submitted. There is no waiting for the paper documents to be returned before they can be re-submitted.
- Documents can be submitted throughout the day as a part of normal business practices. Recording hours are 8:00 am to 4:00 pm but documents are not guaranteed to record the same day they are submitted. Documents will record or be rejected within the timelines established by California law.
- The recording process, from beginning to end, operates much faster for both the submitter and the Recorder.

- There is no need to transport documents from the Submitter's office to the Recorder's Office.
- Recording costs can actually be less:
    - Prior to submission, pages scanned in error can be eliminated. For example, stamps on some documents "bleed through" to the other side of the paper. The scanner senses there is something on the page, and creates an image. These can be deleted in your office prior to incurring a recording charge. "DO NOT RECORD" pages may be removed if the Submitter wishes, thereby eliminated a recording charge for those pages.
    - Issues are addressed at the "front" of the process, rather than at the "back end", after Recording fees have been assessed.
    - Rejections can be easily tracked and evaluated allowing the Submitter to find ways to lessen the number of rejections. For example, if the Submitter experiences a high number of rejections due to illegible notary seals, they may decide to implement new internal procedures to correct this.
- Document transportation costs and time involved are lessened and/or eliminated.

3.0—ROLES AND RESPONSIBILITIES

Both the <County Name> Recorder's office and the Submitter play a vital and active role in the success of this electronic recording system. It is essential the procedure for electronic recording is consistent with all applicable laws, regulations, standards, and procedures used in the conventional method of recording. Failure to comply may result in the revoking of the privilege of using electronic recording.

3.1—SUBMITTER

The Authorized Submitter will:

- Execute a Memorandum of Understanding (MOU) with the Recorder's Office via agent and CeRTNA. An Authorized Submitter may not be a DOJ approved Computer Security Auditor, County Recorder Designee, ERDS Account Administrator, ERDS System Administrator or Vendor of ERDS.
- Ensure only original documents are scanned and submitted. These documents must bear original signatures and notary seals, except as provided by law.
- Ensure the integrity of all notary acknowledgments. Acknowledgments must have original signatures and seals and must not be cut and pasted onto the document.
- Safeguard the integrity and security of the electronic recording operational system by preventing fraud and deceit in recording.
- Ensure all users of the system have been authorized to do so by the County Recorder's Office and that user access will be modified only by the Recorder's Office.

- Verify no unauthorized users be permitted to access or use the system at any time.
- Appoint a Security Liaison who is authorized to request changes to add/delete user access to the system.
- Immediately notify the County Recorder's Office when an individual who has access to the system is no longer employed by your office or is no longer authorized to use the system so the Recorder's Office can remove that person's access rights.
- Establish and enforce procedures to safeguard user ID's and passwords. This should include periodically changing passwords.
- Notify the County Recorder's Office within one (1) working day, in writing and by telephone of any problems or potential problems that could affect the quality of the work, services, or performance levels.
- Perform the functions of document scanning preparation, scanning, and entering data for transmitting the documents.
- Perform the functions of online viewing of recording information and distributing document face sheets.
- Return recorded original documents to applicable parties with a copy of the first recorded page affixed thereto as a new cover page.
- Verify staff has the required basic skills prior to training. These skills include:
    - Basic Windows PC skills, including the operation of a mouse.
    - Ability to operate a web browser; in particular: Internet Explorer.
- Provide first level technical support for Submitter's staff on hardware, software, and use of the system.
- Provide up-to-date anti-virus protection on all PC's connected to the electronic recording system.
- Support and maintain the hardware and software, including up-to-date patches.
- Promptly install/apply enhancements/changes to all necessary PC's upon instruction from the Recorder's Office.
- Provide physical access of the electronic recording equipment to the Recorder's Office upon request.
- Provide Internet access for the stations using this system.
- Ensure that only those software applications which are pre-approved by the Recorder are installed on the scanning workstation.
- Ensure that all software applications are updated and that any conflicts with software/hardware are resolved.
- Only submit documents through an approved CeRTNA Agent.

3.2—RECORDER'S OFFICE

The Recorder's Office will:

- Examine and record electronic documents under the same criteria, statute, and law as that of paper submission.
- Provide timely confirmation of recordings, rejections, and fees.
- Retain ownership of the electronic recording software.
- Be responsible for and provide to the Submitter, via CeRTNA or the Agent, all upgrades, modifications, or enhancements to the electronic recording software.

3.3—CeRTNA

The California Electronic Recording Transaction Network Authority (CeRTNA) is the legal entity established to govern the California Electronic Recording Transaction Network. It is established as a Joint Powers Authority, enabling member counties to collectively govern.

3.3.1—CeRTNA Member Counties

As of the time of publishing, CeRTNA member counties include the following (in alphabetical order):

- Alameda
- Butte
- Calaveras
- El Dorado
- Glenn
- Humboldt
- Inyo
- Kern
- Madera
- Mendocino
- Modoc
- Mono
- Monterey
- Napa
- Placer
- Plumas
- Sacramento
- San Francisco
- San Luis Obispo
- Santa Cruz
- Sonoma
- Stanislaus
- Tehama
- Tuolumne
- Yolo
- Yuba

3.3.2—THE CeRTNA Portal

- The California Electronic Recording Transaction Network Portal is the Electronic Recording Delivery System built by CeRTNA. The CeRTNA Portal is authorized by the Electronic Recording Delivery Act of 2004.

3.4—AGENTS

An Agent is a representative and his/her employees who are authorized by CeRTNA to submit documents on behalf of an Authorized Submitter who has entered into a contract with the County Recorder to deliver, and return submitted payloads via Electronic Recording Delivery System (ERDS). An Agent may not be a DOJ approved Computer

Security Auditor, County Recorder Designee, ERDS Account Administrator, ERDS System Administrator, or Vendor or ERDS Software.

4.0—GETTING STARTED

The following is a checklist outlining the steps necessary for a Submitter to participate in Electronic Recording.

1. Select an Agent.
2. Receive Electronic packet, Unified MOU, and Declaration from Agent.
3. Return completed and signed MOU and Declaration to Agent.
4. Receive confirmation of signed Unified MOU by CeRTNA Executive Director after submission to CeRTNA by Agent.
5. Select Secure Access individuals.
6. Selected individuals complete the following forms:
    a. Live Scan
    b. ERDS Form 0012 (Acknowledgment of Responsibilities)
7. Selected individuals are Live Scanned at a location chosen by the Submitter. Return selected individual scanned Live Scan copies and signed ERDS Form 0012 to CeRTNA.
8. Selected individuals cleared by ERDS program receive user accounts, passwords, and Security Tokens from CeRTNA.
9. Receive Technical Contact from CeRTNA and Agent.
10. Develop internal policies and procedures.
11. Provision equipment per workstation requirements.
12. Coordinate equipment testing with CeRTNA and Agent.
13. Attend necessary training provided by CeRTNA or Agent.
14. Go Live with CeRTNA.

5.0—DECLARATION

5.1—INSTRUCTIONS

As soon as possible submit Unified MOU to the Agent. MOU will include the necessary Declaration.

6.0—MOU / DECLARATION

The Memorandum of Understanding (MOU) and Declaration used by the <County Name> Recorder will be delivered to the Authorized Submitters by their Agent.

6.1—INSTRUCTIONS

The Agent will coordinate obtaining the appropriate signed originals and copies of the Unified MOU from the Submitters and forward them to the CeRTNA Executive Director for approval. The CeRTNA Executive Director will communicate to the Recorder newly approved submitters for specific agents.

6.2—WHAT HAPPENS NEXT?

Shortly thereafter, the Submitter will be contacted by the Agent and CeRTNA to set up the security workstation, accounts, payment methods, training sessions, and begin the electronic recording process.

7.0—ACCOUNTS

7.1—METHODS OF PAYMENT

Acceptable methods of payment are determined by the Recorder's office and are subject to change. Contact Recorder's office for additional information.

7.2—HOUSE ACCOUNT PAYMENT

Payment may be made using a "house account" which acts as a charge account. Depending on your type of agency, the following options are available:

- Pre-Pay Draw Down Account: Funds pre-paid by check will remain on account and will be applied as documents are electronically recorded.

- NTE (Not to Exceed) Check Payments: Signed checks made payable to the <County Name> Recorder may be provided. The payment amount and date will be completed by the Recorder.

8.0—E-RECORDING EMPLOYEE SELECTION GUIDELINES

8.1—TABLE OF DISQUALIFYING OFFENSES

8.1.1—Text of the Law

Title 11, Division 1, Chapter 18, Article 4, Section 999.121:

> "If the state or federal criminal records contain a conviction of a felony, or a misdemeanor related to theft, fraud, or a crime of moral turpitude, or a pending criminal charge for any of these crimes shall be justification for denial to an individual to serve in an ERDS role that requires fingerprinting. A plea of guilty or no contest, a verdict resulting in conviction, or the forfeiture of bail, shall be a conviction pursuant to Government Code section, 27395(a), irrespective of a subsequent order under section 1203.4 of the Penal Code. All other state or federal criminal records containing a felony or misdemeanor conviction involving dishonesty, fraud or deceit, 'moral turpitude' [People v. Castro (1985) 38 Cal. 3d 301], including pending charges, shall be justification for denial to an individual to serve in an ERDS role that requires fingerprinting."

8.1.2—Felony Conviction/Pending Charges

A felony conviction or pending charges involving the following offenses shall be justification for denial:

- Homicide
- Robbery
- Assault
- Kidnapping
- Burglary
- Theft
- Motor Vehicle Theft
- Escape
- Identity Theft
- Forgery
- Arson
- Drugs (Sale of)
- Sex
- Driving under the Influence
- Hit and Run
- Weapons
- Bookmaking
- Unauthorized Access to Computers

8.1.3—Misdemeanor Conviction/Pending Charges

A misdemeanor conviction or pending charges involving the following offenses shall be justification for denial:

- Misdemeanor Manslaughter
- Assault and Battery
- Theft
- Drugs (Sale of)
- Sex
- Checks and Access Cards
- Vandalism
- Identity Theft
- Liquor Laws
- Disturbing the Peace
- Malicious Mischief
- Driving Under the Influence
- Gambling
- Trespassing
- Contributing to the Delinquency of a Minor
- Unauthorized Access to Computers

8.2—LIVE SCAN INSTRUCTIONS (to be handled by Agent)

8.3—USER MANAGEMENT

According to the MOU signed between the Submitter and the County Recorder, it is the responsibility and duty of the Submitter to complete these forms with their Agent as soon as possible upon any staff changes in order to maintain the highest level of security in the system.

9.0—TECHNICAL REQUIREMENTS

9.1—HARDWARE

Refer to CeRTNA Website for further information regarding hardware requirements and recommendations:

http://wiki.certnadocs.org

9.2—WORKSTATION SECURITY REQUIREMENTS

For all ERDS that serve both Type 1 or Type 2 instruments (i.e., every type of document), the County Recorder/Submitter shall ensure that all endpoints are secure. As such, workstations used to submit, retrieve, or if applicable, return the ERDS payloads must be protected from unauthorized use and access. At a minimum, all workstations shall meet all the following requirements:

1. Anti-malware software configured to start on system boot-up.
2. Operating system software with the most up-to-date patches and hot-fixes.
3. Host-base firewall configured to restrict inbound and outbound connections.

For ERDS that serve Type 1 instruments only (i.e., only those documents affecting title, such as Deeds, Deeds of Trust, etc.), installed applications shall be limited to the purpose of performing the necessary operational needs of the recording process as defined by the County Recorder.

The County Recorder shall include this requirement as a mandatory provision in all contracts with Authorized Submitters. All Submitters shall ensure that an Agent, if any, complies with these requirements. The contents of the contract provision are subject to audits and local inspections.

10.0—DOCUMENT PREPARATION

The preparation of the documents for scanning is an essential, and often, the most time-consuming part of electronic recording. Documents not prepared correctly may require rescanning, additional work, additional fees, and can cause paper jams in the scanner.

10.1—DOCUMENT PREPARATION TIPS

- Verify that each document has original signatures, original notary seals, and an original notary signature as appropriate.
- Carefully remove all paperclips and staples, taking care to not tear or damage the documents.
- Verify dark or hard to scan highlighters, such as pink, blue, green, purple, or red, have not been used on any of the pages. If highlighted area is not legible when scanned, the document must be redone.
- Verify any stamps have not “bled through” to the other side of the page. Only submit the pages that you wish to record. Any pages submitted will be considered part of the document to be recorded.
- Repair any damaged or torn corners or edges of the documents. If you use tape, ensure that the tape does not cover any printed areas of the document. The tape must not extend beyond the edge of the document, as this may cause the paper to jam in the scanner.
- Remove any post-it notes, or “sign-here” tabs.Verify document does not contain social security numbers (as prohibited by law).
- Scanner Requirements:
    - File Type: TIFF
    - DPI: 300

10.2—DOCUMENT SCANNING TIPS

- Place the documents in the scanner’s feeder in the order in which they are to be submitted for recording. Documents may then be saved as files in a pre-assigned folder/destination on the secured workstation for later or immediate submission to the Recorder’s Office.
- The images will appear briefly on the page as they are scanned. Monitor the quality of the images as they appear. Watch for:
    - Poor images
    - Streak lines through the image
    - Skewed images
    - Blurred images
    - Bleed throughs (If a stamp or writing, etc. has ‘bled through’ to the reverse side of a page, the scanner will sense that there is something on the page and will create an image for it. It may also obscure text on the reverse side.)
    - Missing signatures

    - Missing seals or markings (Sometimes, some scanners will not recognize certain colors or will not recognize very light information. Contact your technical support if this occurs.)
- When the document has been completely scanned, verify that the page count is correct.

10.3—QUALITY CHECKING SCANNED DOCUMENTS

- **Legibility:** Make certain that EVERY page of the file is clearly legible. Legibility does **not** mean that it can simply be read, but that the image can be reduced to microfilm size and successfully enlarged back to normal size without any loss of content. This includes any and all individual letters and numbers that appear throughout the document, including all information on any map.

- **Direction:** Make certain that all pages are right-side-up in the correct direction.

- **Page Count:** Ensure that every page of the document was scanned, including any reverse side pages (containing vital information, certification seals, etc.).

- **Page Size:** The only two sizes allowed for recording are letter size (8½ in. by 11 in.), or legal size (8½ in. by 14 in.).

- **Margins:** A ½ in. margin is required on EVERY page on ALL four sides of the page.

- **Label Space Reservation:** A 2½ in. tall by 5 in. wide blank space is required in the upper right-hand side of the first page of EVERY document. NOTHING can appear in this space or the document will be rejected (parts of notary seals, signatures, etc.).

- **Notary Seals:** Every number/letter in the notary seal must be legible. Be certain that every notary seal is present and legible for recording.

- **Notary Seal Ink:** Only use dark inks for scanning purposes; light inks will not show and may cause the document to be rejected.

- **Embossed Seals:** Very lightly use the side of a pencil tip or a piece of carbon paper to shade over the embossed seal to ensure that it will legibly scan. Otherwise, it may cause the document to be rejected for a missing notary seal.

- **Double-sided Pages:** Make certain that every page is scanned in order for all double-sided page documents. This also applies to court documents (with court seals) and death certificates from other states.

- **Death Certificates:** Because most death certificates are printed on security paper (bank note), special attention must be given to all death certificates

(contained in Affidavits of Death, etc.). Be certain that the "void" marks are light, text is legible and that any shading does not obscure any text to prevent the document from being rendered illegible for recording.

- **Preliminary Change of Ownership Reports (PCOR):** All pages of the PCOR should be scanned and submitted with any document(s) requiring submission of a PCOR.

- **Claim for Reassessment Exclusion or any additional Assessor's Office forms: If submitting additional Assessor forms, such as** the Reassessment Exclusion, scan and submit along with the PCOR.

- **Documentary Transfer Tax Affidavits:** All pages should be scanned and submitted with the document, if required.

10.4—MANUAL SUBMISSIONS

Some documents cannot be processed through the scanner. These documents must be submitted in paper form to the Recorder's Office. Examples of these types of documents are:

- Documents that have tears or holes which cannot be repaired.
- Bankruptcy papers (or foreign documents) with brads and/or ribbons.
- Documents with attachments or labels that are taped onto the paper.
- Fragile paper documents (old documents), or documents which cannot be put through the scanner.
- Documents with very large page counts.
- Documents with "fill-ins" (i.e., those which require recording information to be inserted immediately after recording).

Important: Documents larger than 8½" x 14" will **not** be accepted for recording. Documents larger than 8½" x 14" scanned to 8½" x 11" size, will not convert legibly to microfilm and will **not** be accepted for recording.

11.0—DOCUMENT SUBMISSION

11.1—TYPE 1 INSTRUMENT / TYPE 2 INSTRUMENT

Type 1 Instruments are instruments affecting a right, title, or interest in real property and must be delivered as **digitized** electronic records.

Type 2 instruments are instruments of Reconveyance, Substitution of Trustee, or Assignment of Deed of Trust. They may be delivered as **digitized** electronic records **or digital** electronic records.

> **Digitized Electronic Record:** a scanned image of the original paper document.
>
> **Digital Electronic Record:** a record containing information created, generated, sent, communicated, received, or stored by electronic means, but not created in original paper form.

11.2—CeRTNA DOCUMENT TYPES

11.2.1—TYPE 1

Recordable

- Abstract of Judgment
- Affidavit of Death
- Agreement (any type of agreement document)
- Assignment (all general assignments other than an Assignment. of Deed of Trust)
- Deeds (any and all types, Grant, Quitclaim, etc.)
- Deed of Trust
- Judgment
- Modification (of any type)
- Notice (of any type)
- Power of Attorney
- Request (of any type)
- Lien Satisfaction (of any type)
- Subordination Agreement
- Other

NON-Recordable

- Preliminary Change of Ownership Report (PCOR)
- Affidavit of Documentary Transfer Tax
- Any other Unrecorded Disclosure

11.2.2—TYPE 2

- Assignment of Deed of Trust
- Reconveyance
- Substitution of Trustee

11.3—CeRTNA STANDARD REJECTION REASONS

The following list is current at time of publishing. Please see http://wiki.certna.org for the most current list of CeRTNA standard rejection reasons.

- A.P.N. not found
- Acceptance required
- All-Purpose Acknowledgment required
- Attachment part of document
- Insufficient space for recording stamp
- Unaltered death certificate required
- Document image is illegible
- Document is incomplete
- Document requires verification
- Documentary Transfer Tax (DTT) is incorrect
- Legal description missing
- Missing completion date
- Name and return address missing
- Name must be typed or printed
- Name of company or trust missing
- No name set out for…
- Notary acknowledgment incomplete
- Notary acknowledgment required
- Notary seal illegible/altered
- Notary signature and/or seal missing
- Preliminary Change of Ownership Report (PCOR) missing
- Property not in this County
- Recording reference missing/incorrect
- Re-recording problem
- Signature missing
- Tax statement address required
- UCC perfect security interest
- Type 1/2 mixed in transaction
- Original document required
- Original certified copy required
- No provision to record
- Names must agree
- Related payload not received

- 2015 All Capacity Acknowledgment Requirements
- 2015 Hidden Tax Letters
- Multiple reject reasons
- Pulled with order
- Free form

11.4—MANUAL SUBMISSIONS

There are many reasons why manual submissions may be necessary from time to time. While the goal of Electronic Recording is to record as many documents electronically as possible for efficiency, the Recorder recognizes the following exceptions:

- Power Outage or Natural Disaster at the Agent, Submitter or Recorder
- Hardware Malfunctions
- Voluminous Documents
- Fragile Documents
- Documents with Brads and/or Ribbons
- Documents with Fill-ins
- Other Emergencies

12.0—USER GUIDE (will be provided by Agent or CeRTNA)

APEX User Guides are available online at http://wiki.certnadocs.org. A user ID and password for the wiki will be provided.

13.0—SUPPORT PROCEDURES

All support issues will be handled via Agent

13.1—HELP SUPPORT PROTOCOL

13.1.1—At the Submitter's Office

RECORDING AND TECHNICAL ISSUES:

- Submitters must try to resolve the issue first within their own office.
- If the submitters are unable to resolve the issue within their own office, they should reach out to their agent for assistance.
- If the agents are unable to resolve the issue, they may contact the Recorder's Office for further assistance.

  <County Name>:
  Telephone: (999) 999-9999
  E-mail: <recorder e-mail address>

- If the issue must be addressed by technical support Recording Staff will refer the call as appropriate.

13.1.2—At the Recorder's Office

- RECORDING ISSUES:
  - Recording Staff will address the issue or refer the matter to their immediate supervisor.
  - If the Recording Staff is unable to resolve the issue, they will contact the Submitter for the batch in question.
- TECHNICAL ISSUES:
  - Recorder staff will address the issue or refer the matter to their immediate supervisor.
  - If Recorder staff is unable to resolve the issue, they will contact CeRTNA directly.

13.2—WHOM TO CALL

If Applicable, Agent will handle all contacts with Recorder except in special circumstances where Submitter must be involved with Agent participation.

13.3—COUNTY CONTACT LIST

13.3.1—Recording Administration

- County Clerk/Recorder (999) 999-9999
- Deputy Clerk/Recorder (999) 999-9999

13.3.2—Recording Staff

- Senior Recorder Clerk (999) 999-9999
- Main Recorder Line (999) 999-9999

14.0—GLOSSARY

ACH	*See "Automated Clearing House"*
Automated Clearing House	An electronic network for financial transactions in the United States; processing large volumes of both credit and debit transactions, payroll, and payments.
AG	*See "Attorney General"*
Agent	A representative and his/her employees who are authorized to submit documents on behalf of an Authorized Submitter who has entered into a contract with a County Recorder and assigned a role by the County Recorder, to deliver, and, when applicable, return the submitted ERDS payloads via an ERDS. An Agent may not be a Computer Security Auditor, County Recorder Designee, ERDS Account Administrator, ERDS System Administrator, or Vendor of ERDS Software. (Refer to the definition of "Vendor of ERDS software (or Developer)" within this section.)
Approved Escrow Company	An escrow company approved pursuant to the California Code of Regulations, Title 2, Division 7, Chapter 6, Article 3, D, List of Approved Companies and Facilities, Section 20639.
Attorney General	The Attorney General of the State of California. Acronym: "AG".
Authorized Access	A role assigned by the County Recorder to an Authorized Submitter and Agent, if any, who is authorized to use ERDS for only Type 2 instruments. This role does not require fingerprinting.
Authorized Security Representative	AKA: "Security Liaison". The person authorized to request the Agent or CeRTNA to add, change, or delete User security for the system.
Authorized Submitter	A party and his/her employees that has entered into a contract with a County Recorder and assigned a role by the County Recorder through an Agent, to deliver, and, when applicable, return the submitted ERDS payloads via an ERDS. An Authorized Submitter may not be a Computer Security Auditor, County Recorder Designee, ERDS Account Administrator, ERDS System Administrator or Vendor of ERDS Software.
CCISDA	California County Information Services Directors Association
CCR	California Code of Regulations
Certificate Authority	A certificate authority that issues digital certificates for the purpose of establishing secure Internet sessions between an Authorized Submitter and an ERDS. Certificate authorities also validate digital certificates presented as proof of identity.
CFE	Certified Fraud Examiner
CeRTNA	Acronym for "California E-Recording Transaction Network Authority". The provider of the ERDS for the County Recorder.
CIA	Certified Internal Auditor
CISA	Certified Information Systems Auditor
CISSP	Certified Information Systems Security Professional
Computer Security Auditor	(1) California DOJ approved computer security personnel hired by the County Recorder to perform independent audits. (2) A role assigned by the County Recorder to the Computer Security Auditor who is authorized to review transaction logs and conduct tests on computer security mechanisms. A Computer Security Auditor may not be an Authorized

	Submitter, Agent, County Recorder Designee, ERDS Account Administrator, ERDS System Administrator or Vender of ERDS Software. This role requires fingerprinting. A Computer Security Auditor shall be issued a certificate of approval by the ERDS Program.
County Recorder	A public official responsible for administering an ERDS, ensuring that all ERDS requirements are met and who oversees the assignment and delegation of the responsibilities by determining the necessary resources and means.
County Recorder Designee	A Secure Access role assigned by the County Recorder to retrieve, and, when applicable, return submitted ERDS payloads. A County Recorder Designee may not be a Computer Security Auditor, Authorized Submitter, Agent or Vendor of ERDS Software. This role requires fingerprinting.
Department of Justice	The Department of Justice of the State of California. Acronym: "DOJ".
Developer	Refer to Vendor of ERDS Software.
Digital Electronic Record	A record containing information that is created, generated, sent, communicated, received or stored by electronic means, but not created in original paper form.
Digital Signature	A set of electronic symbols attached to, included in, or logically associated with one or more Type 1 and/or Type 2 instruments, inclusive of information related to and intended for association with the Type 1 and/or Type 2 instruments, that is the result of a process, or processes, designed and employed for the purpose of verifying the integrity, accuracy or authenticity of the Type 1 and/or Type 2 instruments with related information. For the purpose of an ERDS, a digital signature is generated by encrypting the hash value of an ERDS payload.
Digitized Electronic Record	A scanned image of the original paper document.
DOJ	*See "Department of Justice".*
Electronic Signature of the Notary	A field or set of fields, containing information about the electronic signature of the notary who notarized a Type 1 or Type 2 instrument.
Electronic Recording	AKA: "ER". The electronic submission of official documents for recording from an Agent to the Recorder's Office.
ER	*See "Electronic Recording".*
ERDA	Electronic Recording Delivery Act of 2004.
ERDS	*See "Electronic Recording Delivery System".*
Electronic Recording Delivery System	Electronic Recording Delivery System – An ERDS Program certified system to deliver digitized Type 1 and/or Type 2 instruments to a County Recorder, and, when applicable, return to the Authorized Submitter.
ERDS Account Administrator	A secure access role assigned by the County Recorder to an individual authorized to configure accounts, assign roles and issue credentials. An ERDS Account Administrator may not be a Computer Security Auditor, Authorized Submitter, Agent or Vendor of ERDS Software. This role requires fingerprinting.
ERDS Payload	An electronic structure designed for the purpose of delivering Type 1 or Type 2 instruments to a County Recorder via an ERDS. The structure is also used to return, and, when applicable, Type 1 or Type 2 instruments to an

	Authorized Submitter via an ERDS.
ERDS Program	The program within DOJ designated by the Attorney General to certify, implement, regulate and monitor an ERDS.
ERDS Server	Computer hardware, software and storage media used by the County Recorder to implement an ERDS. The ERDS server executes the primary functionality of the application software associated with an ERDS. The ERDS Server includes software for encrypting, decrypting, hashing, submitting, and, when applicable, returning the ERDS payloads. It also includes storage media for the ERDS payloads in the process of being delivered to the County Recorder or, when applicable, being returned to the Authorized Submitter via the Agent. Separate physical servers dedicated to performing ERDS server functions are not required provided that the ERDS server functions can be isolated from other server functions, as evidenced by audit.
ERDS System Administrator	A secure access role assigned by the County Recorder to an individual who is authorized to configure hardware, software, network settings and to maintain ERDS security functions. An ERDS System Administrator may not be a Computer Security Auditor, Authorized Submitter, Agent or Vendor of ERDS Software. This role requires fingerprinting.
FIPS	Federal Information Processing Standard
GIAC	Global Information Assurance Certification
GSNA	GIAC Systems and Network Auditor
HMAC	Hash Message Authentication Code
Incident	An event that may have compromised the safety or security of an ERDS.
Instrument	A “Type 1” instrument is defined to mean an instrument affecting a right, title or interest in real property. Type 1 instruments shall be delivered as digitized electronic records. Individuals given role-based privileges for a Type 1 instrument shall be fingerprinted. A “Type 2” instrument is defined to mean an instrument of reconveyance, substitution of trustee or assignment of deed of trust. Type 2 instruments may be delivered as digitized electronic records or digital electronic records. Individuals given role-based privileges for a Type 2 only instrument shall not be fingerprinted.
Lead County	The County Recorder in a Multi-County ERDS responsible for administering an ERDS, ensuring that all ERDS requirements are met and who oversees the assignment and delegation of the responsibilities by determining the necessary resources and means.
Live Scan	A DOJ system used for the electronic submission of applicant fingerprints. This system is outside of the ERDS Program.
Logged	An auditable ERDS event.
Logical	The way data or systems are organized. For example, a logical description of a file is that it is a collection of data stored together.
MAC	Message Authentication Codes
Multi-County	An ERDS application where County Recorders collaborate and make use of a single ERDS serving multiple counties.
NIST	National Institute of Standards and Technology

Non-Substantive Modification	A change that does not affect the functionality of an ERDS.
ORI	Originating Agency Identifier
Physical Access	Access granted to an individual who has physical access to an ERDS server. This level of access requires fingerprinting with the exception of a county data center or an outsourced county data center in which physical access is already managed by security controls.
Public Entity	Includes the State, the Regents of the University of California, a county, city, district, public authority, public agency, any other political subdivision or public corporation in the State and federal government entities.
PKI	A Public Key Infrastructure is a framework for creating a secure method for exchanging information based on public key cryptography. The foundation of a PKI is the certificate authority, which issues digital certificates that authenticate the identity of organizations and individuals over a public system such as the Internet. The certificates are also used to sign messages, which ensure that messages have not been tampered with.
Reportable	An incident that has resulted in the compromise of the safety or the security of an ERDS and shall be reported to the ERDS Program.
RSA	A public-key encryption technology developed by Rivest, Shamir and Adelman (RSA). The RSA algorithm has become the de facto standard for industrial-strength encryption especially for data sent over the Internet.
Role	A security mechanism, method, process or procedure that defines specific privileges controlling the level of access to an ERDS.
SANS Institute	Systems and Network Security Institute
Secure Access	A role assigned by the County Recorder to an individual which requires fingerprinting to: 1) an Authorized Submitter and Agent, if any, who are authorized to use an ERDS for both Type 1 and 2 instruments (excludes Type 2 instruments only) or Type 1 instruments only; 2) a Computer Security Auditor hired by the County Recorder to perform independent audits; 3) an ERDS System Administrator authorized to configure hardware, software and network settings; 4) an ERDS Account Administrator authorized to configure accounts, assign roles and issue credentials; 5) an individual who is granted physical access to an ERDS server; 6) a County Recorder Designee authorized to retrieve, and, when applicable, return submitted ERDS payloads.
Security Liaison	*See "Authorized Security Representative"*
Security Testing	An independent security audit by a Computer Security Auditor, including, but not limited to, attempts to penetrate an ERDS for the purpose of testing the security of that system.
SHA	Secure Hash Algorithm
Source Code	A program or set of programs, readable and maintainable by humans, translated or interpreted into a form that an ERDS can execute.
Source Code Materials	Source Code Materials must include, but, are not limited to: 1) a copy of all source code that implements ERDS functionality; 2) a copy of the compiler needed to compile the ERDS source code in escrow; 3) instructions for installation and use of the ERDS source code compiler; and 4) instructions that facilitate reviews, modification and/or recompiling the source code.
Sub-County	The collaborating County Recorder(s) in a Multi-County ERDS operation.

Substantive Modification	A change that affects the functionality of an ERDS.
TLS	Transport Layer Security (formerly known as Secure Socket Layer)
Type 1 Instrument	A Type 1 Instrument is defined to mean an instrument affecting a right, title, or interest in real property. Type 1 instruments shall be delivered as digitized electronic records. Individuals given role-based privileges for a Type 1 Instrument shall be fingerprinted.
Type 2 Instrument	A Type 2 Instrument is defined to mean an instrument of Reconveyance, Substitution of Trustee, or Assignment of Deed of Trust. Type 2 Instruments may be delivered as digitized electronic records or digital electronic records. Individuals given role-based privileges for a Type 2 only instrument shall not be fingerprinted.
Uniform Index Information	Information collected by a County Recorder in the recording process. Every Type 1 and Type 2 Instruments delivered through an ERDS shall be capable of including uniform index information. The County Recorder shall decide on the content of uniform index information.
User	A person who uses a computer to access, submit, retrieve, or, when applicable, return an ERDS payload.
Vendor of ERDS Software (or Developer)	A person and personnel, supporting and/or acting on behalf of the certified Vendor of ERDS Software who sells, leases, or grants use of, with or without compensation therefore, a software program for use by counties for establishing an ERDS. A Vendor of ERDS Software may not be a Computer Security Auditor, Authorized Submitter, Agent, ERDS Account Administrator, ERDS System Administrator, County Recorder Designee, or internal county resources used as a Developer of an ERDS in lieu of a Vendor. This role requires fingerprinting.
Workstation	A computer used to connect to and interact with an ERDS.