

To: House Government Operations Committee
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Date: April 3, 2020

COVID-19 Response Updates

LAND RECORDS

Beginning the middle of March, as more and more communities were making the decision to limit public access to their town halls, there was concern voiced by those involved in real estate transactions: VT Bar Association, VT Bankers Association, VT Realtors Association, etc. They were concerned about being able to continue their work, and wondering about a central clearinghouse for information on clerks' office hours. Working with these groups and the Secretary of State's office, a survey was sent out for clerks to provide information on their hours and any restrictions related to access of land records. The spreadsheet with results is housed on the Secretary of State's website, and they continually update it as they receive notice from clerks.

With the issuance of Governor Scott's Stay Home Stay Safe order, I believe all clerks offices are now closed to the public. Most offices have also closed access to their vaults, however are working to find alternate ways for researchers to get the documents they need. Some of us have some form of online access. Many of us have relaxed our "no research" rules, in light of the current situation. We are providing documents via scan and email when possible. Clerks have long been taught not to do research services as there could be issues of liability if we were to provide incorrect or incomplete documents. Most of us who have relaxed our processes are included a disclaimer with any documents we send, noting we bear no responsibility or liability for missing or incorrect information.

Documents continue to be received for recording: deeds, mortgages, license, releases. As a baseline, clerks are receiving their mail on a regular basis and are date and time stamping documents to ensure clear timelines for chain of title. Some clerks are able to maintain full recording services.

DOG LICENSES

As per statute, all dogs in Vermont are to be licensed by April 1st each year. Municipalities don't have the authority to extend the deadline, and so most clerks have instead waived the late fees for at least a month. The late fees are kept by the towns, so don't impact state revenues, but will have a negative effect on town revenues.

VITAL RECORDS

Vital records requests are being processed through the mail or online. Forms are available on websites, and payment can be made in a number of different ways.

LIQUOR LICENSES

All liquor licenses in the state expire on April 30th. Clerks receive the renewals from the Department of Liquor and Lottery in January and mail them out. The applications are received back to our offices for local approval before being sent along to DLL for final approval. With many local establishments closed and experiencing financial hardships, DLL has issued information on a new system they've put in place. License holders can renew in the usual manner, by mailing their applications and payments to their town clerk, who will process it in the usual manner.

Alternately the license holder can go to the DLL website and submit their license renewal application online without needing to make payment at the moment. State law allows DLL to issue a “valid after expiration” status to any license holder who has submitted their application by April 30th, either through the clerks’ offices or via the website. All license renewals submitted without payment will have this “valid after expiration” status until after the Governor’s executive order – and any subsequent COVID-19 order – is lifted. At that time DLL will contact license holders to settle up payment and carry out the renewal process.

NOTARY SERVICES

Recent emergency legislation related to COVID-19 included approval of remote notarization. This has little impact on clerks, as most clerks do not have the equipment necessary to provide the service. However, we do continue to get calls for notarizations, and have been trying to come up with ways to meet the need while protecting ourselves, our staffs and the public. Some clerks are meeting people in parking lots or at the front door of their town halls. We ask people to bring their own clipboards and pens, and gloves are usually worn.

MARRIAGE LICENSES

Similar to providing notary services, marriage licenses have an in-person component that clerks are working around through a number of creative ways. Statute requires clerks to have one of the parties to a marriage sign the license in our presence. The initial application can be downloaded from our websites, or the Department of Health website. The couple can fill it out, sign it, scan it and email it to us. We’ll prepare the license and then meet them on the porch or at the front door, and again the clipboards and pens are involved.

I believe most clerks are trying to maintain business as usual. I heard the phrase “leaning into normal” the other day, and I think that describes what all of us are doing these days, as we strive to find innovative ways to continue providing service to our fellow Vermonters.