



# Fidelity Attorney Roundtable

## **EXECUTIVE SUMMARY**

The Fidelity Attorney Roundtable held a teleconference on **Monday, April 23, 2007 at 1:00 PM ET**. The attorney members of the Roundtable include the following firms:

**Bierman, Geesing & Ward [DC,MD,VA]  
Fein Such Law Group [NJ]  
Hughes Watters & Askanase [TX]  
McCabe Weisberg & Conway [NY,NJ,PA]  
Shapiro & Kirsch [TN]  
Sirote & Permutt [AL]  
Tiffany & Bosco [AZ]  
Trott & Trott [MI]**

**The next Roundtable meeting is scheduled for Monday, May 21, 2007 at 1:00 pm ET.** If you have any comments or items of concern you would like added to the agenda for discussion, please contact any member of the Attorney Roundtable who you are comfortable reaching out to, or contact FNFS Attorney Relations at [AttyFeedback@FNFS.net](mailto:AttyFeedback@FNFS.net).



**Attorney Roundtable Meeting  
Monday, April 23, 2007  
1:00 PM ET – 2:00 PM ET**

**TOPICS OF DISCUSSION**

**BK APR Chapter 7 versus Chapter 13 Timelines –  
Submitted by Carrie Ward, Bierman Geesing & Ward)**

- ✓ Topic Submitted: There is some concern that firms may have an unfair advantage or disadvantage depending on whether the firm has received more Chapter 7 versus Chapter 13 bankruptcy files. In some states, the Chapter 13 case will require a hearing while Chapter 7 cases follow either a bar date process, no asset, no objection or no hearing required process. Consequently, firms with a larger percentage of Chapter 7 cases can complete the Referral to Hearing and Referral to Results stages (which make up a large percentage of the overall score) faster than firms in the state that have a larger Chapter 13 referral volume. Due to vast differences in timeframes involved with the different processes (Hearings on a Chapter 13 versus no Hearing on a Chapter 7), the Roundtable would like Fidelity to consider two separate templates in Process Management (fka NewTrak); one for Chapter 7 cases and one for Chapter 13 cases.
- ✓ FNFS Response: Chris Hymer and John Cody will review the bankruptcy volumes between the Chapter 7's and Chapter 13's across the network. Findings will then be discussed in the Roundtable.

**New Bankruptcy Holds**

- ✓ Network Update 2007-087 was sent out to all network attorneys on April 6, 2007 stating that three new hold types were added to FIS Desktop: Process Management (f/k/a NewTrak) titled "New Century Bankruptcy," "People's Choice Bankruptcy," and "ResMae Bankruptcy." Firms should raise these hold types in Process Management when a foreclosure action cannot proceed as a result of a New Century, People's Choice or ResMae bankruptcy filing. Within the hold comments, firms must indicate how the Servicer's lien is affected by the bankruptcy filing. For example, "New Century holds a junior lien on title and relief from the BK must be obtained prior to continuing with foreclosure." FNFS Attorney Management will review and approve the hold and based on the firm's recommendation will obtain direction from the client as to how the firm should proceed.

**6<sup>th</sup> Annual Attorney Summit**

- ✓ The 6<sup>th</sup> Annual Attorney Summit will be held from June 13, 2007 – June 15, 2007 at the Marriott City Center in Minneapolis, Minnesota. The Marriott address is: 30 South 7<sup>th</sup> Street, Minneapolis, Minnesota 55402. The direct number is 1-612-349-4000.
- ✓ The registration site is: <http://fndsportal.com/AttorneySummit>.



## STATUS UPDATES

### ➤ **Unrecorded Mortgages versus No Mortgage**

- ✓ Two firms have reported concerns that they are not receiving 100% credit for the “unrecorded mortgage” hold.
- ✓ Lynn McNamee confirmed that there are certain situations in which the client will take the process back in-house and the file will be moved from FNFS Managed to Client Managed. Lynn stated that in such instances, when the file is changed back to FNFS Managed we could give the firm 100% credit at that time.
- ✓ Bill Newland agreed and stated that FNFS would solidify the FNFS internal process to ensure proper credit is given.

### ➤ **New Document Process**

- ✓ Bill Newland solicited the roundtable for feedback on how the new document process has been working. Bill explained that we hope to have all clients on this new process by July 31<sup>st</sup>.
- ✓ Bill noted that any feedback related to this new process should be funneled back to Document Retrieval Manager, Chrys Houston.

### ➤ **Upstate/Downstate Zip Codes - NY Office**

- ✓ Lynn McNamee recommended that the roundtable firms review the list of zip codes.
- ✓ Lynn expressed her concern about some of the firm responses to the zip code list. We received conflicting data.
- ✓ Lynn has decided that we would abide by the FNMA guidelines.

### ➤ **APR Project List – Top 5 Priority**

- ✓ Below is a list of the Top 5 prioritized items that our reporting team is working on:

Priority Items	Description	Projected ETA *
BK APR – MFR Recd To Results	Need to change stage to end date for: relief granted, relief denied/agreed order entered into. Additional logic changes were made.	End of 2Q
Invoicing Accuracy	Measurement of rejected invoices. This will be added as a service activity to monitor how often invoices are rejected.	End of 2Q
Upstate/Downstate New York	Separate Upstate and Downstate counties in NY for APR purposes	End of 2Q
Deed Recorded and 3 <sup>rd</sup> Party Sales stages	Add weighting for Deed Recorded and 3 <sup>rd</sup> Party Sale stages	End of 2Q
Historical Section / 13-month trend called “Color Code Trend”	Add color code trend to historical section of the APR report	End of 2Q

\*The projected ETA is subject to be changed at anytime.



### **OPEN DISCUSSION**

- ✓ Carrie Ward of Bierman, Geesing & Ward stated that there are still some concerns about firms manipulating the APR. She will forward some of the concerns to Selena Edwards to include on the next roundtable conference call.
- ✓ Carrie Ward expressed concern about changing the First Legal template to "File Referred" instead of "File Received." This would take away the ability to manipulate the system.
- ✓ Lynn McNamee agreed that further consideration should be given to this template.

### **DELIVERABLES**

- ✓ Chris Hymer and John Cody to review the bankruptcy volumes between the Chapter 7's and Chapter 13's to determine if distinction between the two is needed on the APR.
- ✓ Lynn to provide an update on the upstate/downstate APR project.
- ✓ Lynn to confirm the internal process for 100% APR credit when a file is moved from Client Managed to Fidelity Managed in the event there is an "unrecorded mortgage."