**Official Records procedure for customers with un-recordable documents**

**Purpose** – To standardize steps and language used when handling customers with unrecordable documents and refusal to record situations.

**Specialist – First point of contact (front counter)**

Identifiable issues: Does not meet recording requirements, atypical document type, no Orange County legal description, red thumbprint, or terms “freeman” or “Moorish”, excessive dollar amounts, etc.

Action: Trust your training and experience to handle the situation. Do not rely on the title of the document but rather peruse the document to confirm its contents. Verbally inform the customer that their document does not meet recording requirements.

Escalation step: Do not become engaged in an argument or debate with the customer. Ask for assistance from Recording Production Lead, if one is not available escalate to Coordinator.

**Production Lead – 1st point of escalation**

Review the document for recordability.

Action: If the document is sovereign in nature or otherwise unrecordable present customer with [Unrecordable Document Notice.](https://www.occompt.com/download/OR%20Forms/Unrecordable-Document-Notice-2017-09-25.pdf) Inform the customer that you agree with the Specialist that the document is not authorized for recording. Do not offer escalation, the customer should request it.

Phrases to use:

*“We are ministerial in duty and cannot provide assistance with the preparation of your legal document.”*

*“You may want to seek legal counsel in the preparation of your legal document.”*

*“We are only authorized to record documents that meet recording requirements.”*

**Coordinator – 2nd point of escalation**

Action: Confirm the decision to not record document and reiterate Unrecordable Document notice.

Scan image of document to email for possible escalation and potentially save in the sovereign folder.

Phrases to use:

*“We are not making a legal determination; we are making a recording decision”*

**Manager – 3rd point of escalation**

Confirm to customer that the document will not be recorded today. As a last resort, offer legal counsel review document to confirm decision.

Example phrases: “We *will contact you* ***if*** *legal counsel advises that the document should be recorded.”*