

HIGHLIGHTS:

NEW FORECLOSURE PROCESS—PUBLIC TRUSTEES SET DECEMBER CUT-OFF DATES FOR NEW FILINGS

BUDGET FORCES END-OF-YEAR CLOSURES FOR EL PASO COUNTY OFFICES

SECRETARY OF STATE UCC FILINGS AGAIN ACCESSIBLE

REAL ESTATE SECTION NEWSLETTER PRACTICE ALERT

NEW FORECLOSURE PROCESS—PUBLIC TRUSTEES SET DECEMBER CUT-OFF DATES FOR NEW FILINGS

Colorado's new foreclosure law becomes fully effective as of January 1, 2008, but the law affects new foreclosure filings starting in December. In anticipation of the effective date, each of Colorado's public trustees has set a cut-off date in December by which any new foreclosure must be filed in order to be processed under current law. The cut-off dates range from December 13 to December 31. Any new foreclosure filed after a public trustee's cut-off date must be filed using new forms and will be processed under the new law. Attorneys filing new foreclosures on or prior to December 31, 2007, should call the public trustee's office for the county in which they are filing to verify the cut-off date and procedures that are applicable on the foreclosure filing date.

The Colorado Public Trustees Association has prepared a list of the cut-off date established by each public trustee, available at:

www.e-ccta.org/CPTA/CPTA_home_page.htm.

BUDGET FORCES END-OF-YEAR CLOSURES FOR EL PASO COUNTY OFFICES

Anyone needing to record documents or having other business involving El Paso County before the end of the year, beware. Most El Paso County offices will be closed on numerous business days in December.

Of particular concern to real estate practitioners is the closure of the County Clerk & Recorder's office. The downtown office (the only location where real estate documents are accepted for recording) is currently scheduled to be closed all Fridays in December and the entire week of December 24. **With this schedule, it will not be possible to record documents in El Paso County from December 21 through December 30. The County Clerk & Recorder will be open and accepting recordings on Monday, December 31.**

According to the Clerk & Recorder's office, the El Paso County Commissioners are considering changes to make recordings possible the week of December 24. Updates should be available on the El Paso County website www.elpasoco.com.

SECRETARY OF STATE UCC RECORDS AGAIN ACCESSIBLE

The Secretary of State's office has restored access to electronic images of UCC, electronic financing statements (EFS) and other lien filings. The Secretary of State suspended access to these images earlier this year, to purge social security numbers from the public record. Access was restored November 21.