

Local News

Probate judge candidates differ on putting probate documents online

By Dan Whisenhunt
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Candidates for the probate judge's seat in Calhoun County say they will consider carefully a proposal by current Probate Judge Arthur Murray to use the office's \$142,295 discretionary fund to put probate documents online.

Murray said it will be up to the new probate judge to decide whether documents such as deeds, mortgages, wills and marriage records, should be put on the Web.

Democrat Alice Martin and Republican George Salmon both say they are concerned about identity theft consequences of making the information so easily accessible. Professionals who use the probate office for research are worried that having the information available online could put their jobs at risk.

According to probate office employees, anybody can go to the Calhoun County probate office, pull up certain public records, and get a person's name, birthday, and social security number.

The only documents off limits to the public are military discharge and adoption records. Records of commitments for the mentally ill are available if they are requested, probate office clerk Natasha Burt said.

According to **David Ziegler, a fraud investigator** based in Trenton, N.J., information contained in the documents currently available to the public could lead to identity theft.

He suggested putting public documents online with safeguards to protect privacy and said he routinely



Varlene Miller, an abstractor for a local law firm, sits among stacks of mortgage and deed books at the Calhoun County Probate office. Photo: Kevin Qualls/The Anniston Star

uses such public-information databases in his line of work.

“My opinion would be if they can put the documents on without revealing Social Security numbers, then I would say that would be a reasonable way to proceed,” Ziegler said.

Democratic Probate judge candidate Alice Martin supports using Murray’s discretionary fund, which contains the \$3 fees collected when documents are filed at the probate office, to put probate documents online. But she said she would need to consider the implications first.

“It won’t be something I attempt to do immediately,” Martin said.

She also supports safeguards to prevent identity theft.

Her opponent, Republican George Salmon, said he is concerned about identity theft, but he does not want to work against what might be best for Calhoun County.

“As an elected official of the county, my responsibility would be to run the office as efficiently as possible, and if bringing the office into the modern age means putting the records online, then that’s what we’ll do,” Salmon said.

But he questioned whether all of the money in the discretionary fund is needed for that purpose.

Murray said he doesn’t know how much uploading documents will cost. He said letting the discretionary fund accumulate was “prudent” because “When it does get online, (the new probate judge) will have some money to do it with.”

Martin said she talked with Revenue Commissioner Karen Roper during the Democratic primaries about uploading the records. County tax records currently are available online.

Roper said putting tax information online has been beneficial for her office and for the public.

“A lot of people call (me) on the weekends and ask questions, and this way you can take care of the customer,” Roper said. “It helps surveyors; I’ve been told the police department uses it because it has pictures.”

She said she’d received “two or three” complaints from people who did not want their information published online. She said putting probate records online would be a “wonderful idea.”

“It’s not really anything you can’t walk into the probate judge’s office and get anyway,” Roper said. “It’s public record.”

Shelby County’s probate office has made its documents available online, according to deputy clerk Suzanne Smith.

While the public response has been positive, she said some people do call the office with privacy concerns. People who file documents in the probate office have the option of removing such personal information as Social Security numbers, she said. She said there are no special safeguards on the information, but she is unaware of the records being used to commit crimes.

“We let them know it is public information,” Smith said. “We ask them if they would like to wipe that

out before we even scan it into the system. Now if they mail it in, they don't have that option."

She added that she was unsure whether people could have personal information removed from documents after they've been scanned into the system.

"We can't change a document once it's been in the system," Smith said. "We'd have to get an attorney general's opinion about it."

Verlene Miller works as an abstractor for Young Wollstein Jackson Whittington Robinson and Russell, an Anniston law firm. She checks public records in the probate office for liens and judgments on properties. She worries that if the records go online, it eventually could endanger her job.

"There would always be the possibility of, if they (put these documents online) could this job be outsourced," Miller said.

Martin has said that the threat to jobs like Miller's is something she would think about when deciding whether to go online. Salmon said it would be a consideration for him as well, but repeated that he favors what is best for the whole county.

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