

**MINUTES OF SMALL FIRMS & SOLO PRACTITIONERS
SECTION MEETING OF OCTOBER 9, 2007**

The meeting commenced at 12:15 p.m. Attendees at the meeting were: Bill Brady, Richard Franta, Lee Goldstein, Susan Kaufman, Clark Kingery, Doug Shachtman, and Suzanne Seubert, and Jo Donoghue and Chris Loizides (by teleconference).

Discussion involving Superior Court's "Project Rightful Owner" – there is \$5,000,000 in escrow with the State concerning Sheriff's Sale proceeds. Prospective owners must petition the Court for the return of excess funds. This was a program spearheaded by Judge Del Pesco as well as Don Gouge who is the attorney for the Sheriff's office. A website was created (see HYPERLINK "http://www.courts.delaware.gov" www.courts.delaware.gov homepage for DE State Court and click on Superior Court). Petitions are required within five years of the sale else funds would be subject to escheat by the State. The site sets forth the petition requirements. Social security numbers are held under seal. A title search within 60 days of the filing of petition is required to identify senior liens and the filing fee is \$75 (there is no fee required if the retention is less than \$1,000). Dan Kristol has been appointed Special Master to resolve petitions and notice hearings if necessary. Interest should be retrievable from the date of sale. The Prothonotary contact is Margaret Derrickson 255-0796 (HYPERLINK "mailto:Margaret.Derrickson@state.de.us" Margaret.Derrickson@state.de.us). As of this date there were no e-filing requirements for this procedure.

2. Our next meeting on 11/15/07 will be a CLE presentation by Joseph McCullough, Auditor for the Lawyers' Fund for Client Protection who will be discussing attorney recordkeeping and compliance requirements. The registration fee of approximately \$40 will include lunch.

3. We are planning a December 2007 program involving Harvey Rubenstein and Mike McGinnis of ODC concerning records retention. There will be no CLE credit, but lunch will be provided.

4. Miscellaneous

(a) There is a new Delaware Association of Realtors Agreement of Sale form effective 11/1/07 which mandates radon disclosure and also indicates that the losing party in litigation pays attorney's fees. If you would like a copy contact Bill Brady.

(b) New Court of Common Pleas Civil Rule 70 (effective 5/26/07) involves the confirmation of arbitration awards in actions arising from contract to provide consumer credit. A copy of the Order is available by contacting Bill Brady or retrieving same from CCP website.

Meeting concluded at 1:15 p.m.

LEE C. GOLDSTEIN, SECRETARY