

WFG Underwriting Bulletin



To: All Pennsylvania Policy Issuing Agents of WFG National Title Insurance Company
From: WFG Underwriting Department
Date: May 29, 2019
Bulletin No.: PA 2019-01
Subject: Philadelphia Judgment Records are Unavailable Due to Technical Issue

The Pennsylvania Land Title Association (PLTA) and other media outlets have reported that the Philadelphia Office of Judicial Records (formerly known as the Prothonotary) online systems are down. As a result, Common Pleas and Municipal Court cases can't be searched. It is our understanding that this glitch affects the courts only. The City has not yet said when the systems will be back up and running.

If you have commitments for any transaction in Philadelphia where the customary searches of the Office of Judicial Records has been completed, you may proceed to close those transactions, but you must obtain from all sellers and all buyers an affidavit with an indemnification provision, indicating that there are no judgments, claims or liens against that party, other than what appears on the commitment. Further, the indemnification must include a provision that in the event a judgment, claim or lien appears on record against that person, that person will pay the debt immediately and if they refuse, they will agree to pay reasonable attorney's fees incurred by us to enforce the indemnification agreement. [A sample form for this indemnification is attached.](#) Please contact your underwriter with any questions in this regard.

If there are transactions where the searches of the Office of Judicial Records have not yet been completed, the closing cannot take place until the system is up and running like normal and that search is complete. In the interim, any commitment that is issued, for which a search of the Office of Judicial Records has not been completed, must include the following exception:

"The Philadelphia Office of Judicial Records' online system is down and the records are unavailable due to a technical issue. The policy will not insure against any judgment, claim or lien that would normally appear in the Philadelphia Office of Judicial records, including those of the Common Pleas and Municipal Court of Philadelphia, until a complete search of that index is possible."

When additional information becomes available, we will let you know.

NOTE: The information contained in this Bulletin is intended solely for the use of employees of WFG National Title Insurance Company, its title insurance agents and approved attorneys. Disclosure to any other person is expressly prohibited unless approved in writing by the WFG National Title Insurance Company's Underwriting Department.

The Agent may be held responsible for any loss sustained as a result of the failure to follow the standards set forth above.