



7-29-2024

<p><b><u>Odyssey is continuing with Track 6 (Oct. 14, 2024)</u></b></p> <p><b>NC ADMINISTRATIVE OFFICE OF THE COURTS (AOC) ENTERPRISE JUSTICE (ODYSSEY) TRANSITION FROM VCAP:</b></p> <p><b><i>Are You Watching?</i> (Part VII)</b></p>	<p>ENTERPRISE JUSTICE (ODYSSEY) ROLLOUT PLAN</p> <table border="1"><tr><td>1</td><td>February 13, 2023</td></tr><tr><td>2</td><td>October 9, 2023</td></tr><tr><td>3</td><td>February 5, 2024</td></tr><tr><td>4</td><td>April 29, 2024</td></tr><tr><td>5</td><td>July 22, 2024</td></tr><tr><td>6</td><td>October 14, 2024</td></tr></table>	1	February 13, 2023	2	October 9, 2023	3	February 5, 2024	4	April 29, 2024	5	July 22, 2024	6	October 14, 2024
1	February 13, 2023												
2	October 9, 2023												
3	February 5, 2024												
4	April 29, 2024												
5	July 22, 2024												
6	October 14, 2024												

Tracks 1, 2, 3, 4, and 5 are LIVE (and VCAP is no more for those counties).  
The AOC has now further announced that e-Courts Track 6 will be going live on October 14, 2024.  
See press releases and further information at: [nccourts.gov/ecourts](https://nccourts.gov/ecourts)

**START PREPARING NOW!**

**ENTERPRISE JUSTICE (ODYSSEY) PORTAL IS NOT LIKE VCAP.**  
**SmartSearch and NC Judgment Search are VERY DIFFERENT.**

**The transition will not be easy, and the “standard of practice” is unclear.**

**PROTECT YOURSELF AND YOUR CLIENTS**

**FREE TRAINING!!**

Watch the NCBA Real Property Section [“Return to the Vault”](#) on Wednesday, August 14, 2024, at noon, for **Section members**. Encourage other paralegals and attorneys in your firm to participate. NCBA membership is not required for registration, and recording should be posted on-line soon thereafter.

The **presenter, Teri Bowling**, is an experienced paralegal, has provided numerous CLEs and classes on title examination. Teri has been on the “front line” of studying, gathering comments, and reviewing hundreds of submitted examples from paralegals and attorneys across the state from the onset. She is a member of the **NCBA Enterprise Justice Task Force**, as a liaison from the Real Property Section. The **Task Force** was formed last year with the charge to coordinate with the NC AOC to help make the Enterprise Justice (Odyssey) system work to the best of its ability for NC lawyers, all court personnel, and the citizens of North Carolina.

Chicago Title will continue to provide ongoing information and presentations. For more information, see our Chicago Bull “NC Administrative Office of the Courts (AOC) – Odyssey Transition from VCAP – Are You Watching? (Parts I, II, III, IV, V, and VI)” on-line at: <https://www.northcarolina.ctic.com/legal-articles> under “Title Search & Opinions.”

## **ONGOING RISKS – DISCLOSURE AND INDEMNITY TO PROTECT YOU AND YOUR CLIENTS!!**

Given the ongoing post-migration problems in obtaining reliable results on a “reasonable” search in Portal (even though more extensive than VCAP), **ATTORNEYS** are at risk of their clients and others misunderstanding their limited ability to assure they have captured all relevant filings in Enterprise Justice (Odyssey) in their title examination. **CLIENTS** need an understanding of the limitations of the attorneys’ ability to search reliably. Seller “title affidavits” are **ESSENTIAL** to identify any potential issues not found in the search (such as claims of lien, litigation, or even judgments).

**REMEMBER:** *The standards of practice for an adequate title examination in this fluctuating environment are questionable. YOU NEED TO PROTECT YOURSELF AND YOUR CLIENTS.*

NCLTA has created a form “**AFFIDAVIT OF UNDERSTANDING AND INDEMNITY AND HOLD HARMLESS AGREEMENT REGARDING COMPUTER DATA MIGRATION (VCAP to E-COURTS ODYSSEY PORTAL)**” on-line at [www.nclta.org](http://www.nclta.org) for use at **every closing** regarding property in the migrated counties. This form is not just for the “blackout” dates when the systems are off-line for migration but is also an essential disclosure and added protection during the ongoing Portal search issues as the standard of practice and ability to search the systems evolves. This is to **PROTECT YOU AND YOUR CLIENTS**, to **DISCLOSE** to your Buyers the limitations on your ability to search and verify information in your search, and to **OBTAIN VERIFICATION** from the Sellers (or Borrowers on a refinance) that they have disclosed any applicable issues you might have been unable to find.

## **SEARCH, DOCUMENT, RE-SEARCH AGAIN**

For those performing title examinations in migrated counties, **PLEASE REMEMBER:**

- **KEEP A PRINTOUT/PDF COPY OF YOUR SEARCHES AND RESULTS**, EVEN IF (ESPECIALLY IF) NO RESULTS.
- **BE PREPARED TO SEARCH A MULTITUDE OF CONFIGURATIONS OF EVERY NAME**, in both SmartSearch and Judgment Search, and to exercise additional due diligence in talking with your clients and sellers. Even the wildcard differs among the different search engines.
- **FOR ENTITIES, separate searches may be required both with and without the “Business” filter**, as well as with multiple variations of the name, with and without punctuation and abbreviations.
- **REPORT any problems or discrepancies to the AOC at [eCourts@nccourts.org](mailto:eCourts@nccourts.org)**. Don’t hesitate to share with us. We will relay to the Task Force on your behalf.

As always, **contact our North Carolina Chicago Title Counsel** to discuss at any time. This is a developing situation. We are working diligently to keep you informed of the latest information available.

View this and more articles on our website at <https://www.northcarolina.ctic.com>