**INSTRUCTIONS FOR INITIAL REGISTRATIONS**

Minnesota has two systems for keeping track of land ownership: abstract and Torrens. There are two methods to converting land records out of the abstract system into the Torrens system. The administrative method is *Certificate of Possessory Title.* The judicial method is *Initial Registration*.

The steps for an Initial Registrationare listed below. You will also find links to the statute, rules, forms and helpful reading materials at the bottom of this guide. However, this is a court proceeding involving complex real estate law. We recommend you hire an experienced attorney to assist you.

1. Call the Examiner of Titles to discuss your Initial Registration before you begin. The Examiner will explain the steps, fees and on-line forms. Do not order an abstract of title or survey until you’ve talked to the Examiner to decide what evidence of title is needed. If you are unclear on any step in the case, call the Examiner before you act, to save time and expense.
2. Prepare an Application for Initial Registration, have it approved as to form by the Examiner of Titles, then e-file the approved Application in District Court.
3. Purchase a certified copy of the Application from the Court Administrator, then record it with the County Recorder. This serves as notice to the world that you have started a lawsuit to convert the title from abstract to Torrens. Note: if you also requested that the boundaries of the land be determined by the court, you will be required to record a certified copy of the Application on the Torrens certificates of title for the affected lands, as directed in the Preliminary Report of Examiner.
4. When you have the evidence of title required by the Examiner, e-file it in the court file and send a paper copy to the Examiner of Titles. If your case involves a determination of boundaries in addition to registering title, e-file a Certificate of Survey from a licensed land surveyor in the court file.
5. Call the Examiner of Titles to ask the amount of the examination fee. Send the Examiner of Titles a check for that amount payable to “Ramsey County.” Include the court file number on your check.
6. The Examiner of Titles will issue a Report of Examiner which tells you who to serve as Defendants. The Report of Examiner may change the legal description of the land being registered and may require changes to the survey. Use the revised legal description from the Report of Examiner in all documents from this point forward.
7. Find the current addresses of all Defendants named in the Report of Examiner. If you learn that a Defendant is deceased, ask the Examiner who to name as Defendant in place of the deceased person.
8. Prepare a Petition for Summons and e-file it in the court file. When you e-file with the court, add the Examiner of Titles’ email address so we receive a courtesy copy. The email address is: 2ndexamineroftitlesoffice@courts.state.mn.us
9. Prepare a proposed Summons but do not e-file it in the court file; instead, email the proposed Summons to the Examiner of Titles office in Word format using the email address from Step 8.
10. When the Examiner of Titles office receives notice that you’ve e-filed the Petition for Summons and receives your proposed Summons in Word format, the Examiner of Titles office will draft an Order for Summons, will obtain the Judge’s signature on the Order for Summons, will file the Order for Summons in the Court File, and will email a copy of the signed Order for Summons to you.
11. The Examiner of Titles office will review the proposed Summons that you’ve emailed to us and may make changes to ensure that the Summons conforms to the Order for Summons. The Summons will be e-filed in the court file by the Court Administrator. A copy of the Summons will be emailed to you. When you receive the emailed copy of the Summons, use it to serve the Defendants and publish the Summons.
12. The Summons must be published in a newspaper that is printed and published in the county where the Application was filed, once each week for three consecutive weeks. The Secretary of State maintains a listing of newspapers on its website. Note: the publication requirement for a Summons in an Initial Registration action (Minn. Stat. 508.16) is different from publication for a mortgage foreclosure by advertisement (Minn. Stat. 580.033). A newspaper from an adjoining county does not satisfy the Torrens statute.
13. In-state Defendants are served according to Minn. Stat. 508.16 and Rule 4 of the Rules of Civil Procedure.
14. Out-of-state Defendants are served by the Court Administrator. You must request that service by e-filing in the court file a "Notice to Court Administrator to Mail Copies of the Summons to Non-resident Defendants." **Be sure to add the Examiner of Titles email address to your e-filing so we receive a courtesy copy of the Notice.** Deliver to the Examiner of Titles office one copy of the Notice, one copy of the published Summons, and one stamped envelope addressed to each out-of-state defendant. Examiner of Titles office staff will e-file in the court file a Certificate of Mailing when complete.
15. Service of Process is complete, and the Defendants’ time to Answer expires when all of the following time periods have ended:
16. 27 days after the date of the third publication;
17. 20 days after the last day of personal service on a Defendant residing in the state;
18. 23 days after the last day the Court Administrator mailed a copy of the Summons to a Defendant who is a non‑resident of the state;
19. 30 days after substituted service on the Secretary of State for business entities as permitted by law; and,
20. 60 days after service upon the United States of America or any of its agents and officers.

When service is complete and the time to Answer has ended, a hearing can be scheduled.

1. If any Defendant makes contact with you in any way, whether during the time to Answer or after, immediately notify the Examiner and ask how to proceed. If the Examiner determines your case is a Contested Case, it will be set for trial. A Contested Case occurs when someone claims some interest in the land that is not conceded by the Applicant, such as an easement, lien, or unrecorded contract for deed. If all parties to a Contested Case agree, the case will be tried by the Examiner of Titles sitting as Referee; if not, the case will be tried by a Judge of District Court.
2. If no Defendant makes contact with you, the case will be considered a Default Case. All default hearings are held at 2:00 o’clock p.m. on Wednesdays. Call the Examiner of Titles to schedule a date for a Default Hearing.
3. No later than one week before the Contested Case trial or the Default Hearing, e-file:
4. Affidavits of Service from the process server
5. Affidavit of Publication from the newspaper publisher
6. Certificate of Evidentiary Facts Required by Examiner
7. Certificate of Default and Non‑Military Service. To determine whether a Defendant has ever served in the military, check this website:

<https://scra.dmdc.osd.mil/scra/#/home>

1. If your case involves a determination of boundaries in addition to registering title, draft a proposed Interlocutory Orderbut do not e-file it in the court file; instead, email it to the Examiner of Titles in Word form, using the email address noted in Step 8, above. After the hearing, e-file in the court file an updated Certificate of Survey showing the locations where Judicial Landmarks were placed.
2. For all cases, draft a proposed Order and Decree of Registration but do not e-file it in the court file; instead, email it to the Examiner of Titles office in Word form, using the email address noted in Step 8 above.
3. Examiner of Titles staff will get the Order and Decree of Registration signed by the judge after the hearing; will generate the number of certified copies necessary for recording; and will deliver the certified copies to the County Recorder and Registrar of Titles for recording.
4. Check the court file in MNCIS to make sure you’ve paid for the required number of certified copies of the Order and Decree of Registration. If not, pay for them.
5. Deliver to the Examiner of Titles a check made payable to “Ramsey County” in the amount of the recording fees needed to record the certified copies. Call the Examiner of Titles office to confirm the correct recording fees.
6. Deliver to the Examiner of Titles a self-addressed envelope. We will deliver it to the County Recorder to use when mailing the recorded Order to you.

If anything about the title to the land changes while the Initial Registration case is pending – if it is sold, or transferred to a trust, or a new mortgage is given – ask the Examiner whether an Amended Application is required.

This is a short guide to a complicated process. We encourage you to call for help at any step in the proceeding. There are no dumb questions, and you’re not bothering us – we’re here to help!