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The National NOTARY

September 2009

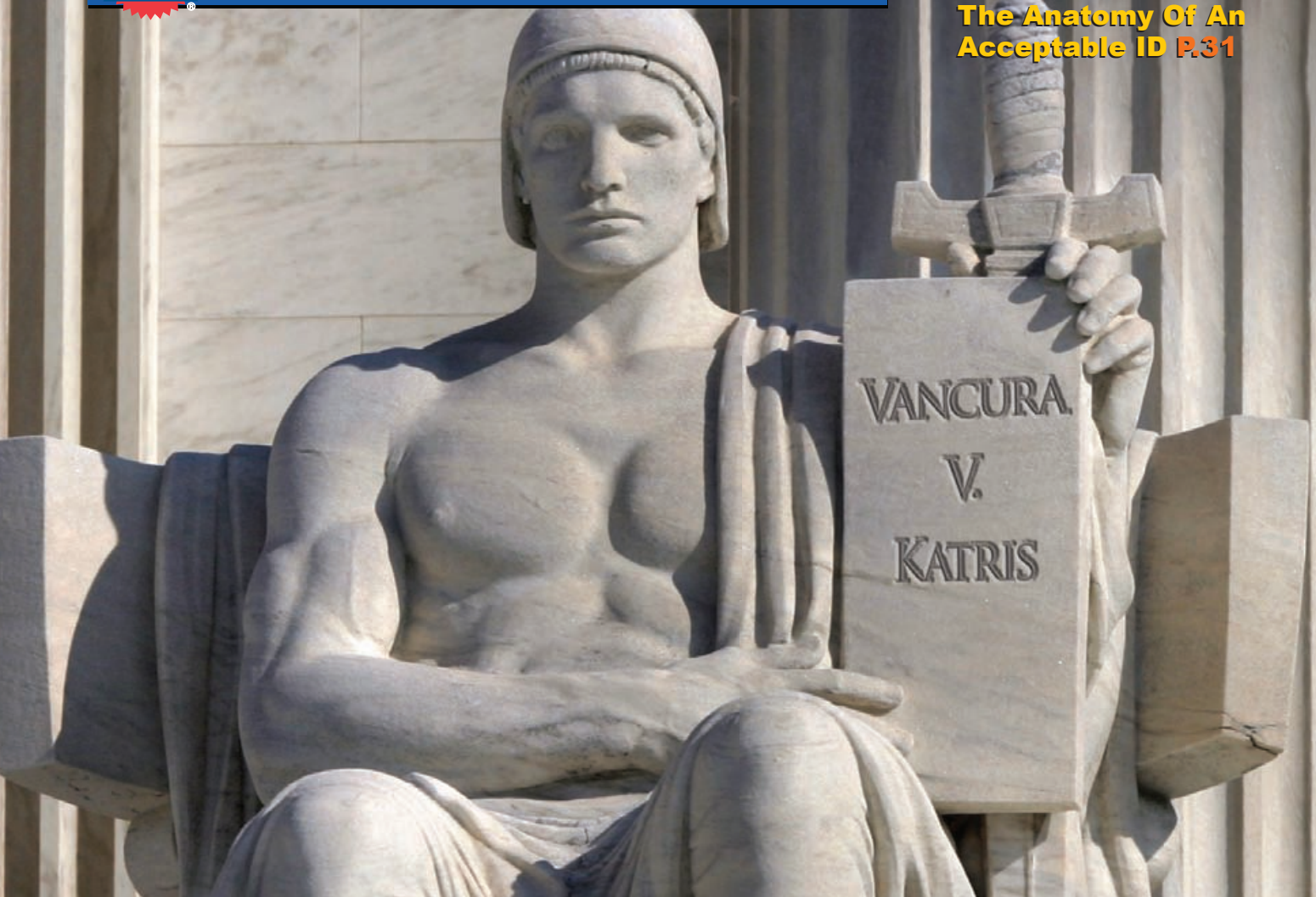


THE MAGAZINE FOR PROFESSIONAL NOTARIES

**Identity
Management
Paves New Road
To Professionalism
P.14**

**Five States Where
Money, Lifestyle
And More Affect
Notaries P.21**

**The Anatomy Of An
Acceptable ID P.31**



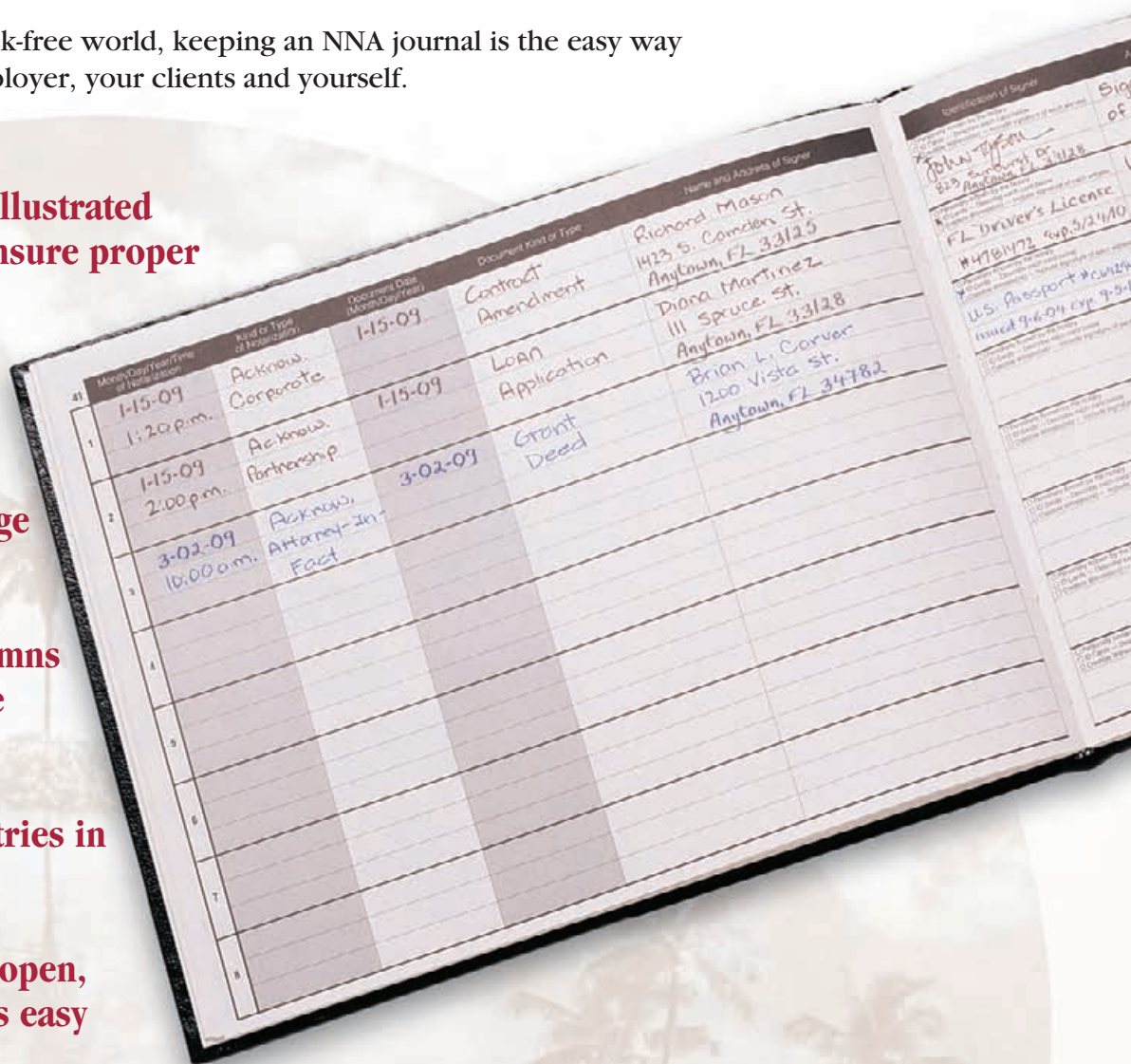
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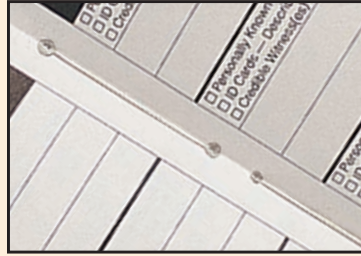
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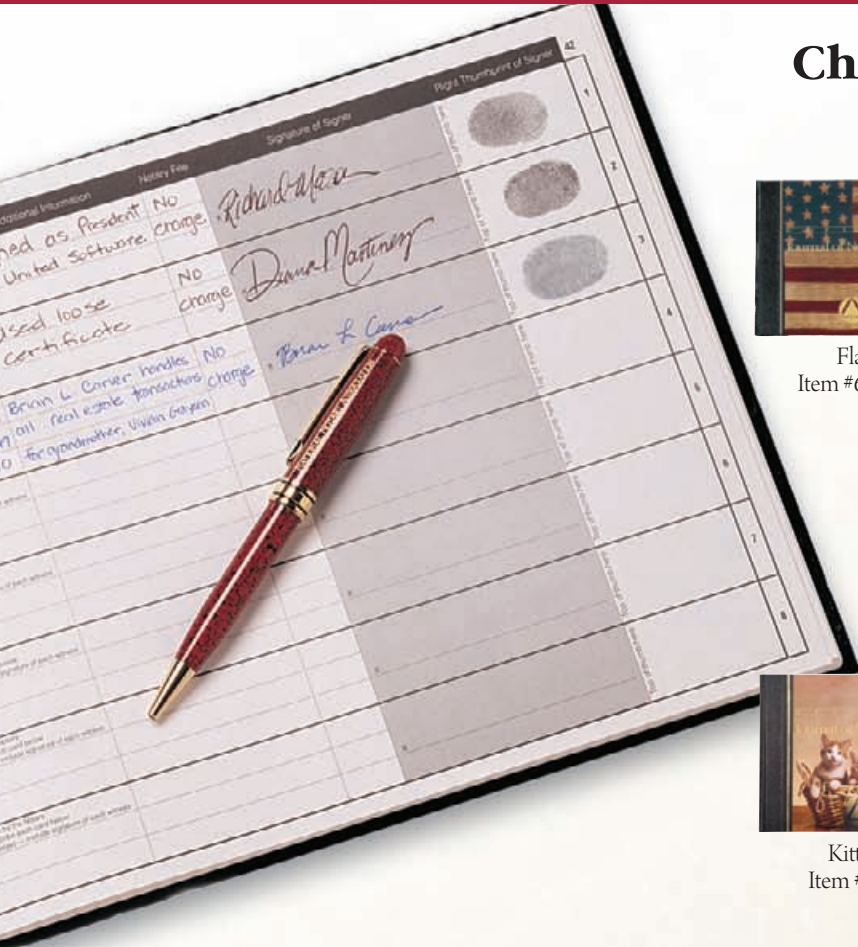
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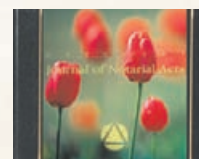
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THE NATIONAL NOTARY is the official publication of the National Notary Association. We enjoy a nationwide circulation, with subscribers in several foreign countries as well, and welcome the readership of all those interested in the important work of Notaries.

PUBLICATION POLICY

The objectives of THE NATIONAL NOTARY are to: (1) publish only quality articles on Notaries, notarization and related subjects; (2) inform our readers of important developments in the field of notarization; and (3) focus on Notary issues and related subjects that are helpful, educational and informative to Notaries and others interested in the field.

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While THE NATIONAL NOTARY does not actively solicit articles for publication, we welcome any submissions. Please contact an editor for policy, format and other information.

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From The Senior Managing Editor



Contingency Plans Make Good Sense

There is a principle I live by that keeps me prepared and moving forward: "Hope for the best, prepare for the worst."

Many of my friends and colleagues have called me overly cautious — sometimes even paranoid. But I retort that this approach is not fearful. Making contingency plans for sudden surprises minimizes their impact on your life.

It amazes me that when life delivers unpleasant news, those who call themselves "victims" say they "never saw it coming." Our nation's financial crisis is one good example. Economic ebbs and flows have occurred throughout history, but when times are good most people greedily reap the rewards. Then, when it goes south, those same sobbing people are the first in line for bailouts.

In another example, the calls for Notary professionalism over the years were largely ignored because business, government and the public did not evaluate the risk, and felt the process was a "burden." It took a major court case — *Vancura v. Katris* (page 24) — to send a nationwide message that Notary professionalism is not a choice; it's a duty. The whole point of what Notaries do is to protect the public. It's no surprise that the demand for Notary education and training is now increasing to levels where it should have been for decades.

In practice, preparing for the worst helps prevent surprises because they become expected events. Hoping for the best is the basis of your drive toward success — and helps you persevere in the face of adversity.

The combination of the two sets your attitude and fills you with confidence to handle whatever may transpire. Additionally, embracing this ideal gives you a competitive advantage to capitalize on new or emerging opportunities (page 21). Being prepared for the worst also means being prepared for the best, and that's where the real rewards manifest themselves.

That's why the National Notary Association is continuing to rethink and reinvent its services for Notaries and its annual Conference (page 14). Our mission has always been to prepare you for the challenges and opportunities ahead. And now, more than ever, our partnership is vital as we move further into the uncharted territory of the 21st century.

Notary
professionalism
is not a choice;
it's a duty

COVER STORY

24 • A Judicial Mandate For Higher Standards

So far, 2009 has been a watershed year for both the recognition and implementation of professional standards of practice for Notaries, marked primarily by a far-reaching Illinois Appellate Court ruling delivered in December of 2008 that promises nationwide implications for Notaries and those that employ them.



FEATURES

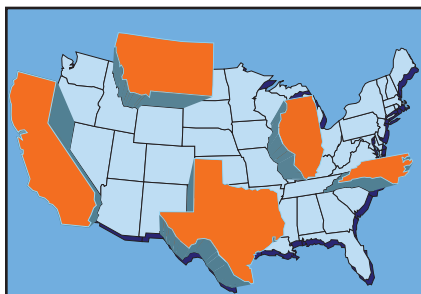
14 • Conference 2009: Identity Management Paves New Road To Professionalism



The nearly one thousand delegates, dignitaries, government officials and special guests who gathered in Las Vegas for the NNA's Conference 2009 celebrated a wide-open future and a world of opportunities for Notaries. The theme of "The Emerging Identity Manager" emphasized the importance of Notaries as trusted agents for verifying people's identities. And amid it all, they had some serious fun.

21 • Notary Hotspots

Looking forward to 2010, a handful of states — California, Illinois, Montana, North Carolina and Texas



— are emerging as areas of increased activity regarding Notary laws and regulations. A look at what's been happening and what changes are in store for the future.

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OUR MISSION

The National Notary Association is committed to the education and service of Notaries throughout the United States. As the foremost authority on the American Notary office, we are dedicated to imparting knowledge, understanding and unity among all Notaries, and instilling in them only the highest ethical standards of conduct and sound notarial practice.

OUR READERS' RIGHT

'Excellent Conference'

I commend the NNA staff for putting on an excellent Conference. The Notaries attending were friendly, knowledgeable and all-around good people. I met many people who were thirsty for knowledge. One lady told me that, after she lost her job, she became a Notary and was confident that the networking and workshops at Conference would help her build a new career and future. Her words were very inspiring to me.

Cathy Lucero, Maricopa County Recorder's Office,
Phoenix, Arizona

This was my first year attending the NNA Conference and I had a great time learning and meeting new people. The Conference was absolutely incredible. The workshops were very informative with outstanding instructors. The amazing part for me is that I still felt like I was on vacation. I plan to continue to attend each year.

Thelma D. Johnson, Cleveland, Ohio

Support For Notary ID

In the May 2009 magazine, Harriett C. Parker of Las Vegas made an outstanding suggestion to issue IDs for Notaries Public. I strongly believe that the California Secretary of State's office should include a wallet-sized color photo ID of the Notary when it issues the commission certificate. Every Notary would then have a means to identify themselves to document signers, which isn't available at present. The prestige of all Notaries would be enhanced, and the spirit of public service would increase.

This idea should be forwarded to the Department of Homeland Security for possible nationwide implementation.

Verne Hubka, La Mesa, California

Regarding the discussion of state-issued Notary identification: I feel that it should be sufficient if Notaries have business cards, but an official identification card issued by the state government would be helpful and ease the minds of clients.

Delphine D. Manigo, Jacksonville, Florida

(Visit NationalNotary.org/NNNow/stateIDstats to read more on this topic. — The Editors)

Letters To THE NATIONAL NOTARY

We welcome letters, comments and questions from you and reserve the right to edit for space and clarity.

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Conference Spirit Can Inspire Us All Year

When I'm particularly blue, I call a good friend. When I'm really blue, I throw a dinner party. Having people around takes your mind off your troubles. And in today's environment,

we seem to have plenty on our minds — financially, politically and personally.

Sometimes cleaning out a closet works, but most people like to get out and do something. We look for activity to bolster our spirits.

This year's Conference (see page 14) was just such an event. Granted, it didn't have the comprehensiveness of the 2007 affair in Los Angeles or perhaps the energy of 2008 in New Orleans, but it did have something refreshingly positive for 2009: lots of laughter and optimism.

For an office generally characterized by integrity, honesty and responsibility, it's hard for some of us to imagine that Notaries might distinguish themselves as a raucous bunch of partygoers: attendees were so high-spirited that it seemed like one big celebration.

It was indeed a celebration — of all the good things that were happening.

Well-established Notary Signing Agents were happy to report that their knowledge and recognized skills were still keeping their services in demand.

A strong presence in their community and strong business and personal relationships were ensuring that when notarial services were needed, clients, friends and neighbors knew where to find them.

Like one big support group, Notaries at this year's Conference were focused on surrounding themselves with the good friends they had made over the past years and new ones with whom they hoped to share future Conferences.

The veterans were happy to share their

tips with those who became Notaries to supplement their diminished family income and do something positive to serve their friends and communities. Newcomers were eager to fine-tune their knowledge and learn more about a field they hadn't realized had so much to offer.

Optimism was in the air and industry experts in the field of identity security were happy to reveal how new electronic technologies will require a Notary's involvement and offer yet another professional skill and credential in the Notary's repertoire.

Like the national business press waiting to hear and analyze the latest quarterly earnings report, Conference attendees were eager to hear about current trends and assess what opportunities would be forthcoming.

Modern psychologists might dismiss the simplicity of the popular musical lyric that "people who need people are the luckiest people in the world," but clearly it would seem that optimism cannot exist in a vacuum.

At a time when the business community is uncertain about the economy and government is searching for the formula to increase commercial activity, Notaries are using this period to augment professional prospects and make new personal connections.

The Conference may come but once a year but the possibilities for working in our communities and spreading laughter and optimism has no season.

Deborah M. Thaw can be reached at dmtbaw@nationalnotary.org

Shredding Parties Help Build Business



Small businesses faced with the constant challenge of creative marketing in their neighborhoods have discovered a new tactic. With the threat of identity theft and fraud looming over everyone's head, document shredding events have become an excellent way for Notary entrepreneurs to serve the community and build their reputations.

Growing out of the Better Business Bureau (BBB)'s "Secure Your ID" days, shredding parties are becoming increasingly common events in cities and towns across America. Local BBB branches often organize shredding events and recruit companies as sponsors. But any business can host its own shredding party by partnering with a document shredding company.

In the last year, all types of organizations — including insurance agencies, neighborhood associations and local government agencies — have held shredding events across the country. Because of their role in identity vetting and identity management, Notary-related businesses are uniquely suited either to be sponsors or event hosts.

Typically, people bring in documents with signatures, account numbers, Social Security numbers or other sensitive information to be shredded and safely disposed of to ensure customer privacy. And everyone who shows up at a shredding event will learn the name of the Notary business and remember it in a positive light.

Digital Identity Proofing In Your Hand

From enhanced driver's licenses to ePassports, governments all over the world are loading IDs with computer chips chock full of identifying information all in a quest to make them harder to forge or alter. But the information does no good unless it can be read.

That's why a new generation of easy-to-use, hand-held scanners



are making their way to police and border patrol agencies in the United States and other countries. While this technology currently is largely confined to law enforcement, it could be a useful tool for Notaries and other identity managers in the near future.

While a digital identity scanner can mechanically verify a person's identity with a high level of precision, the human expertise that Notaries and other identity managers bring to the table still will be crucial to determine such important qualities as truthfulness, willingness and awareness.

ID Thieves Outwit Caller ID



Caller ID was created to give people a way to know who was calling them. In essence, it served as basic identity-vetting technology. While many people have come to trust Caller ID, those days may be gone.

The latest evolution in communications technology has created a neat trick known as "Caller ID spoofing," which permits callers to pretend to be someone else phoning from a different number — perhaps a bank's line.

There are legitimate uses for ID spoofing. Battered women's shelters, for example, use it to protect their residents. But criminals have adopted spoofing for their own gains, hijacking the names and numbers of legitimate organizations to dupe their victims.

The U.S. Senate is considering a bill that would make the fraudulent use of spoofing illegal. Florida is the only state that has banned Caller ID spoofing altogether, and has made it a criminal offense.

But the technology exists and criminals have shown themselves to be highly adept at using any new development to their advantage.

States Expand Possibilities For eNotarization

eNotarization isn't just for real estate and banking anymore. North Carolina and Minnesota have both instituted electronic notarization programs that will make dealing with government agencies easier and more efficient.

North Carolina now is allowing lobbyists and their employers to electronically submit their notarized quarterly filings. The electronic system includes a Notary's electronic signature and seal.

Law enforcement officials in Minnesota have launched a pilot eCharge program — developed in conjunction with the National Notary Association — to file charges against suspects electronically. It is being used by several county police organizations to replace the cumbersome and time-consuming paper-based system, and is believed to be the nation's first criminal eCharging system used at the county level.

The program allows police agencies to route, retain, file and print on demand all charging documents — including any electronic signatures — for all felony and many misdemeanor cases. Once they're finished preparing the documents, officers swear out the complaint, sign it electronically and have it eNotarized.



Life After Death For Forgeries

Forensic document examiners are encountering a growing trend of forgery in wills, estate plans and life insurance policies, victimizing the survivors of people who thought they had their affairs in order before they died.

This type of forgery is becoming so prevalent that Bart Baggett, founder of The International School of



Forensic Document Examination, has coined a new term for it — “phony-ficiary.” That's the crime of changing the beneficiary on

bank accounts, retirement plans and other assets with the intent to divert the money from the rightful heirs.

The fraud typically is committed before a person dies but is not discovered until afterward. Often, a person's last caretaker forges the changes or forces a sick or dying person into signing the new paperwork.

Among the measures Baggett recommends to prevent “phony-ficiary” scams: obtain multiple, notarized signatures from unrelated witnesses.



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eMortgages Answer To 'Missing Mortgages' Mess

In the past two years, hundreds of title companies have gone out of business, leaving behind thousands of boxes and file cabinets full of unrecorded and unprocessed loans. But there's a silver lining: The mess is driving increased adoption of eMortgages by lenders, which will drive additional demand for eNotarization.

That's because electronic mortgages will provide real-time tracking and recording, according to Andrew Dubinsky, CEO of Houston, Texas-based electronic mortgage application provider Encomia LLC.

The cold, hard facts are startling and bode well for the future of eNotaries across the nation. The Electronic Signature



and Records Association (ESRA) recently reported that eMortgages increased six-fold from 2007 to 2008, with 13 states having laws or regulations in place to expedite eNotarization and 77 percent of lenders indicating they will move to using eSignatures.

If the federal government embraces the technology, then eMortgages will be an everyday reality. The Federal Housing Administration (FHA) is developing a set of standards for eMortgages and plans to launch a pilot program this fall.

Same-Sex Weddings Promise New Business In Certain States

With Vermont, Maine, New Hampshire and Iowa this year joining the ranks of states where same-sex marriages are legal, a new business niche has emerged: destination wedding planner. The niche caters to couples traveling from all over the nation to tie the knot and, in at least two states, is creating a real opportunity for Notaries.

While entrepreneurs in Massachusetts in recent years have arranged the nuptials for out-of-state couples, Notaries in Maine and Iowa will be able to use their commissions as an entrée to the field.

Maine is one of three states that allow Notaries to perform marriages. Notaries there, if they want, will be able to offer their services as an officiant and wedding planner in a one-stop operation.

In Iowa, a notarization is required for the marriage license. Because any Notary can put seal and signature on an Iowa marriage license, Notaries in neighboring states can provide wedding services as well. Couples and their friends and families will need help in making travel and reception arrangements.

People Checking Out Libraries For More Than Books

The economy may be hitting most Americans hard, but for many community libraries it's proving to be a boon. Use of Internet connections, reference materials and DVDs are on the rise. And one of the ways libraries are bringing in patrons is by advertising notarial services.



That's the case for the Mary Vinson Memorial Library in Milledgeville, Georgia, and the Spencer County Public Library in Rockport, Indiana, both of which have provided notarization services for many years. The Murrieta Public Library in Murrieta, California, added notarial services in July 2008, and makes sure to promote them.

Library officials see notarizations as an important service for local residents, often filling a void in communities with few Notaries. The library system in Milledgeville paid the training costs for a librarian to get his commission when the previous staff Notary left, said spokesman Barry Reese.

Lax Computer Security Continuing To Put Immigrants At Risk Online

From Trojan horses to malware to spyware to viruses, pretty much everyone in the industrialized world knows about the threats to our global computer network. Despite this, businesses in the United States that serve the needs of immigrants continue to lag far behind in protecting their PCs.

A recent, multi-year study by Panda Security found that 60 percent of the computers at businesses that provide notarizations, wire transfers and other services to America's immigrant population are infected with malware and spyware that can be used by hackers to compromise users' data and intercept wire transfers. And the prize is significant.

The 38 million foreign-born

residents in the United States send about \$126 billion a year back to their home countries.

While many of the businesses surveyed have outdated antivirus software, the study largely blamed the infections on young, low-paid employees who use the business computers for social networking and other risky Internet activities.



The fact that victims are immigrants adds another dimension to potential breaches — and should make Notary-owners of businesses offering international services particularly vigilant. Many countries have poor identity security measures, so a thief could impersonate the legitimate recipient of the money.



By The Numbers

5 The number of fake driver's licenses that convicted forger David Grice had when he was arrested trying to obtain his sixth.

Identity discrepancies discovered by the Indiana DMV's facial recognition system so far this year. **463**

2.4 million Number of loan foreclosures in 2009 predicted by the Center for Responsible Lending (CRL).

Number of persons who became naturalized U.S. citizens in 2008. **1,046,539**

11.6 million Estimate of undocumented immigrants living in the United States as of January 2008.

States where Notaries are authorized to perform marriages (Florida, Maine, South Carolina). **3**

States where Notaries are authorized to perform same-sex marriages (Maine only). **1**

How many dealerships GM and Chrysler plan to divest themselves of through 2010. **2,789**

NNA Technology Backbone Of eCharge System

The National Notary Association's electronic notarization system is now in use by the Minnesota Department of Public Safety which has incorporated it as part of a two-year, "eCharging" pilot program.

Under the eCharging program, law enforcement and court officials in four counties will electronically create, route, file, sign and notarize charging documents for most criminal suspects. As with traditional filings, the signing police officer must appear before a Notary. Both the officer and Notary will use electronic signatures, with the Notary also using the NNA's ENS® (Electronic Notary Signature) digital certificate. The ENS will be verified through NNA's National eNotary Registry™.

The landmark program is believed to be the first county-administered, paperless charging system in the country. It also represents a pioneering introduction of eNotarization processes outside of the real estate, property conveyance and banking industries, where it has been used successfully for a number of years.



Submit Your Notary Of The Year Nominations

If you know a Notary who goes above and beyond in ethics, professionalism and community service, visit the NNA's Web site



to nominate them as a candidate for the 2010 Notary of the Year!

The NNA is looking for Notaries who are proactive in supporting the cause of Notary professionalism, are public and community spirited, embrace new technologies and mentor other Notaries.

The Notary of the Year will be profiled in the March 2010 issue of THE NATIONAL NOTARY, and will be recognized at Conference 2010 in Chicago, Illinois, as the most honored Notary in the United States.

The NNA welcomes submissions of any strong candidates who meet these standards. In order to qualify, candidates must perform their notarial duties in a professional and ethical manner, and in alignment with the NNA's best practices.

Nominations can be submitted online at NationalNotary.org/noty.

Webcasts Bring Conference To You



For the first time, the NNA broadcast seven key events via webcast at Conference 2009 to help Notaries around the globe participate, even if they didn't make it to Las Vegas.

Thousands of people from around the nation signed up to watch each Webcast.

Among the Webcast events were: the NNA 2009 Notary of the Year Award Presentation; the State of the Notary Public Office by NNA President Milt Valera; and the Conference keynote speech by Paul

Donfried, vice president and principal of Identity Access Management Solutions, Science Applications International Corp.

Important sessions from the 5th International Forum on eNotarization, eSecurity and eApostilles, held in conjunction with Conference 2009, also were broadcast on the Web, along with the presentation of the NNA's March Fong Eu Achievement Award to Mark Bennett, attorney general of Hawaii, and the Farewell Banquet's keynote address given by NNA Vice President Charles N. Faerber, titled "Full Frontal Notary: The Surprising Past & Amazing Future of a Little Understood Public Office."

Anyone interested in viewing these Webcasts can go to the NNA Web site. They are available to members and non-members who register with a valid eMail address.



www.NationalNotary.org/conf2009/webcast

'Notary Bulletin' Debuts Online

The NOTARY BULLETIN recently debuted in its exciting new, online format to better inform Notaries of the 21st century. It has plenty of reader friendly, interactive features and fresh content that make it your "go-to" place for Notary news.

Each month, the online BULLETIN will deliver monthly in-depth analysis of the events that impact your duties as a Notary, while also providing access to breaking news reports, which will be updated weekly. You will also find most of the features and departments you've come to expect and enjoy. The online format also enables us to provide an expanded focus on news, tips and legal developments from each state in the nation, which will help you stay current on all the information you need to perform your duties with professionalism and integrity.



 www.NationalNotary.org/Bulletin

New Law Seminars In Colorado

Colorado recently enacted a new law, Senate Bill 111, which includes a significant expansion of recordkeeping requirements for Notaries in the state. The law went into effect July 1.

To help Colorado Notaries stay abreast of the latest developments, the NNA has developed a seminar program that can be taken in person, via a Webinar or online.

The training covers notarial acts affected by the new record-keeping requirements along with instruction on keeping and maintaining a journal.

The seminars also will cover commission fee increases and changes to Notary application rules, commission rules and other requirements.

 www.NationalNotary.org/co/lawchanges

Your Benefits: Customer Service Hours Extended

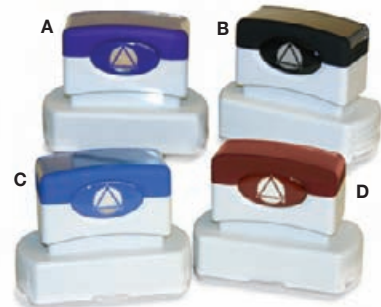
From the East Coast to Hawaii, from North Dakota to the Gulf Coast, the NNA serves Notaries throughout the United States — which is why the Association now offers extended customer service hours.

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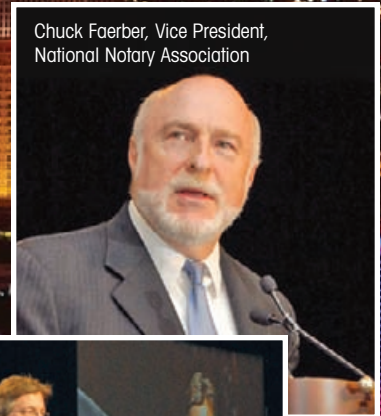
NNA Conference 2009

Identity Management Paves New Road To Professionalism

It's One For The Books As Knowledge And Memories Endure



Elaine Wright,
2009 Notary of the Year



Chuck Faerber, Vice President,
National Notary Association



NNA CEO Larisa Gurnick, March Fong Eu Honoree and Hawaii Attorney General Mark Bennett, and NNA President Milt Valera



Paul Donfried,
Science Applications
International Corp.



The nearly one thousand delegates, dignitaries, government officials and special guests who gathered in Las Vegas last June for the National Notary Association's Conference 2009 came away with a renewed sense of hope, expectation and vigor.

Despite the economy and lower than normal attendance, the "Notary Event of the Year" held at Bally's Las Vegas, June 9-12, crackled with excitement from the pre-Conference events and the Welcome Reception to the Farewell Banquet.

Apart from brushing up on their skills and professional acumen, and strengthening their business relationships, attendees were given a message of optimism and a wide-open future filled with a world of opportunities. And in the midst of it all, they had a lot of fun.

The gala Welcome Reception celebrated the special contributions made by 2009 Notary of the Year Elaine Wright, and Special Honorees Laura Biewer, Carl Kaliszewski, Samantha Klaburner, and Carolyn Puckett. These special Notaries were recognized for the combination of their notarial professionalism and commitment to serving their communities.

The NNA also recognized Hawaii Attorney General Mark Bennett as the 2009 March Fong Eu Achievement Award recipient because of his actions to professionalize the Notary Public office in Hawaii to fight the epidemic of mortgage fraud and identity theft there.

The theme of Conference 2009, "The Emerging Identity Manager," was launched in grand style when Notary delegates were called on to "evangelize" their identity vetting skills by keynote speaker Paul Donfried, vice president and principal for Science Applications

International Corporation (SAIC), one of the first organizations to utilize the NNA's Trusted Enrollment Agent™ (TEA) Program. Initiatives such as the TEA Program are the first steps toward establishing the new field of professionals who vet the identities of people who need access to secure databases and Internet communications, said Donfried, a pioneer in the field of identity management, but Notaries themselves should not be shy about letting the world know what they can do.

Donfried and others described identity management as an emerging field that will almost certainly explode as demand grows among government agencies and private industries. Delegates responded by flocking to many of the identity-related workshops.

The 5th International Forum on eNotarization, eSecurity and eApostilles — held in conjunction with Conference 2009 — echoed the identity management theme and drove home the critical importance of managing access to secure systems through identity verification.

In securing the nation's identities, the work that TEAs are doing in conducting face-to-face identity proofing is "quite literally the most critical component of the process," said Jeff Nigriny, President and Chief Operating Officer of CertiPath. Nigriny, who also serves as vice president and chief security officer of Exostar, a major provider of TEA assignments, was part of a special panel on "Identity Management and the Prevention of Cyber Attacks."

Other Forum panels included "The Emerging Role of the Notary in Complying with International Anti-Money Laundering Laws" and "EU Efforts to Promote the Authentic Act and Implications on Common Law Notaries."



Akihiko Mitsuda, Japan National Notaries Association, Tokyo



Rebekah Jenkins, Investigative Assistant, Nevada Attorney General's Office



Conference attendees enjoying the Farewell Banquet



Wayne Braid, Society of Notaries Public of British Columbia



Gregory Smith, Chief of Investigations, Nevada Attorney General's Office



Notary of the Year Special Honorees (from left) Carolyn Puckett, Laura Biewer, Samantha Klaburner, Notary of the Year Elaine Wright, NNA CEO Larisa Gurnick, Notary of the Year Special Honoree Carl Kaliszewski



Tom Wrosch, Senior Policy Advisor, Oregon Secretary of State's Office

Ugo Bechini, Council of the Notariats of the European Union, Italy

Thomas Hoyle, President, Notaries' Society of England & Wales



Thomas Smedinghoff, U.S. Representative to the United Nations Commission on International Trade Law



Mollie Shields-Uehling, President and CEO, SAFE Bio-Pharma



A second, important theme also permeated Conference: best practices. Spurred by the *Vancura* court ruling (see story on page 24) as well as economic, social and legislative developments, a big part of Conference revolved around best practice workshops, such as "How To Respond To Improper Requests."

Delegates were especially excited by the introduction of the NNA's Trusted Notary™ Certification Program. The Program is designed to instill a professional standard of practice — above the basic minimum requirements of state law — to protect the public. Hundreds of delegates thronged the pre-Conference training sessions to earn the designation as an NNA Certified Trusted Notary.

The Trusted Notary Program underscored the message NNA President Milt Valera delivered in his "State of the Notary Public Office" address when he described how governments and industries alike are advocating for greater Notary professionalism as a means of protecting society's most important transactions. But that bodes well for America's 4.8 million Notaries. As the first decade of the 21st century nears its end, Valera said, "your office of Notary Public is alive and well. Its future has never been brighter. Despite the economic challenges we all face, together we can — and we will — overcome."

Conference also served to build a bridge between traditional best practices and modern technology. The electronic notarization workshops were popular events. And Delegates took full advantage of hands-on demonstrations of the new ENS® (Electronic Notary


Signature) and Enjoa® electronic journal at the eNotarization Lab, which ran for the duration of Conference.

Of course, Conference wasn't all workshops, speeches and demonstrations. Delegates had plenty of opportunities to experience the sights, sounds, tastes and other attractions of one of the world's most exciting cities. The NNA organized numerous excursions, such as a sunset dinner cruise on Lake Mead, a "Neon Night" tour of the Las Vegas Strip, and a helicopter tour of the city.

One of the most repeated refrains from Delegates was how much they appreciated the chance to come together to make new friends and renew old friendships. That spirit carried into the Farewell Banquet.

Then NNA Vice President of Notary Affairs Charles N. Faerber regaled the festive crowd with Notary tales.

Among other things, Faerber compared the state of the Notary office to the Mohawk tribe in upstate New York, who turned out to have no fear of heights whatsoever. As a result, they were recruited to help build skyscrapers in many Eastern cities, including the Empire State Building and the World Trade Center. They possessed an ability that they initially did not know could benefit them in new and profitable ways. So, too, Notaries possess abilities that will open opportunities that nobody could have imagined just a short time ago.

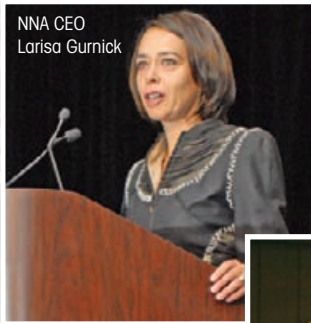
Conference 2009 may be in the books, but the memories and lessons will carry forward with those who attended. And they will serve as a bridge to future Conferences. 





Deborah M. Thaw,
NNA Executive
Vice President

Thomas Lockwood, Director, National
Capital Region Coordination, U.S.
Department of Homeland Security



NNA CEO
Larisa Gurnick



Dr. Alvaro Gutierrez-Zaldivar, Colegio de Notarios de Argentina (center) with
NNA President Milt Valera and Executive Vice President Deborah M. Thaw

Dominik Gassen,
International
Union of Latin
Notaries (UINL),
Germany



Mike Shea, Director
of Licensing and
Enforcement,
Colorado Secretary
of State's Office

Celebrating The Good Times And Benefits At Conference

Notaries from 36 states and the District of Columbia and 20 nations gathered at Bally's Las Vegas for the NNA's 31st annual Conference to hone their skills, get ideas, reconnect with old friends and make new friends. Delegates took time from their busy Conference schedules to share what they found most valuable, informative and memorable.

For more comments about Conference 2009 please visit www.nationalnotary.org/conf2009/



"The classes are very motivating and informative." — Carrie Taylor, Darby, Pennsylvania



"After returning from Conference, I feel more dignified in dispensing my duties." — Vijai Lilliah, Queens, New York



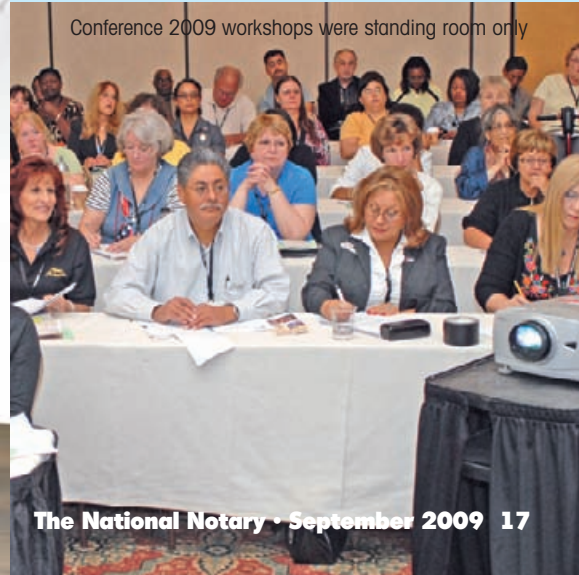
"I can't wait for future conferences." — Maria Stoneking, Fremont, California



"I usually see a 10 to 20 percent bump in my NSA business because of Conference." — Daniel Lewis, Carmel, Indiana



Conference 2009 workshops were standing room only



National Notary Association
**The Emerging
Identity Manager**
Las Vegas Conference 2009

Good Times, Good



"I've learned so much and I'm having such a great time." — Jane Beasley, Patterson, New Jersey

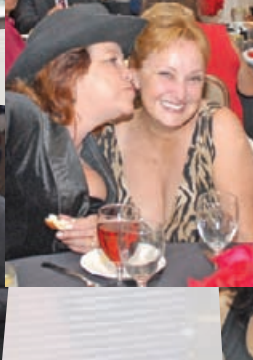


"I keep coming back to Conference because of the camaraderie I have with other Notaries." — Sandra Frazier, Charlotte, North Carolina



"The Conference has been absolutely informative and well worth the price." — Charles Pratt, Baltimore, Maryland

Friends In Las Vegas



"There's so much more to being a Notary than stamping papers." — Erica Murnin, Long Beach, California



"I've found NNA membership to be the best resource." — Dick Loomis, Los Angeles, California



"I maximized the number of courses I took, and my brain is overflowing. Ideas are flowing already." — Brenda Charles, Seattle, Washington

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You've all helped to
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We look forward to your
participation in 2010.

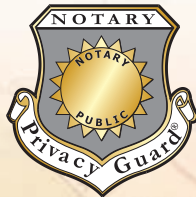


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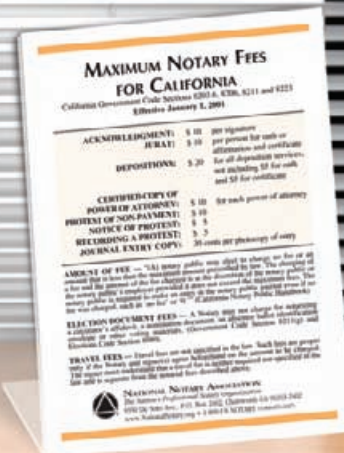
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FIVE STATES TO WATCH IN 2010

By David S. Thun
dihun@nationalnotary.org

IN A ROLLERCOASTER YEAR, THESE REGIONS' CHANGES AND TRENDS STAND OUT

2009 HAS BEEN A YEAR OF CHANGE FOR Notaries. An uncertain economy has prompted many to rethink their role as Notaries and branch into new fields, with developments in technology and identity management opening new avenues. THE NATIONAL NOTARY took a look at five states where legal developments, professional standards and the economy may significantly impact Notaries as we approach 2010.

CALIFORNIA

Notary Population: 238,315

State Population: 36,457,549

Maximum Fee Notaries May Charge: \$10

Important Provisions: Mandatory education and testing, background checks, journal, signer's thumbprint required in journal for real-estate-related notarizations, ID required for all notarizations



California is filled with both positive and negative extremes. Its professional standards are among the highest in the nation — it was one of the first states to require Notaries to keep a journal of their acts, the first to require a signer's thumbprint for real estate notarizations, and the first to require satisfactory evidence of identity for all notarizations. Over the past decade, California's Notary population shot up from 159,000 in 2002 to 292,170 in 2007 — an 84 percent increase.

However, the state was among the worst hit by the mortgage meltdown, and its 11 percent unemployment rate is among the highest in the nation. While these circumstances, combined with a high average cost of living, pose a real challenge for Notaries, there are signs of a turnaround. Homes sales in the state this year have surged significantly from 2008, posting 50 to 100 percent year-to-year gains in some months. As the state comes out of its economic doldrums, Notaries with the highest professional training and skills should find plenty of opportunities.

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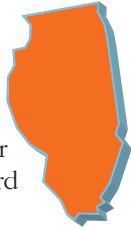
ILLINOIS

Notary Population: 198,421

State Population: 12,831,970

Maximum Fee Notaries May Charge: \$1 for most notarizations, \$25 for creating notarial record for certain Cook County real estate documents

Important Provisions: “Notarial Record” and signer’s fingerprint for certain Cook County real estate transactions



Illinois has been the site of two major Notary-related events this year. The first is a new state law requiring Notaries who notarize conveyances for residential real property in Cook County to create a “Notarial Record” and take a signer’s thumbprint — a service for which the Notary may charge \$25, one of the highest fees permitted for a notarial act in the United States.

Another key development which potentially affects Notaries nationwide is a recent Illinois Appellate Court ruling that stated an employer is directly liable for negligent Notary training and supervision — even if such standards are not spelled out in state law. The ruling sends the message that Illinois Notaries, their employers and, potentially, Notaries in other states must adhere to the highest standards of professionalism when performing their duties, and that employers have a responsibility to train and supervise their Notary employees. The message is clear: Sloppy notarial standards will not be tolerated, even if they fall within the minimum requirements of state law.

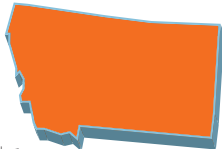
MONTANA

Notary Population: 21,000

State Population: 944,632

Maximum Fee Notaries May Charge: \$5

Important Provisions: Journal (effective October 1, 2009), mandatory training for new and renewing Notaries (effective July 1, 2010)



Montana has been a state of surprises this year. While tourism — an important part of the state’s income — has taken a hit in the current recession, unemployment has remained comparatively low. In fact, Montana actually saw an increase in employment (0.3 percent) in April 2009, according to the Bureau of Labor Statistics, and economists have predicted the state will weather the recession relatively unscathed.

While Montana has fewer Notaries — 21,000 — compared to other large states, lawmakers there recently signed new education and journal requirements for Notaries, clarifying their duties and strengthening the professionalism of the office. Notaries may particularly want to explore possible careers in healthcare — one of Montana’s largest areas of employment.

NORTH CAROLINA

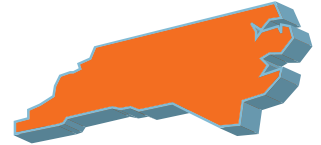
Notary Population: 164,070

State Population: 8,856,505

Maximum Fee Notaries May

Charge: \$5 pen-and-paper notarizations, \$10 eNotarizations

Important Provisions: eNotarization, mandatory education for Notaries



North Carolina has always been a trailblazing state for Notaries. An early advocate of mandatory Notary education, the Tar Heel State also has spearheaded development of eNotarization. North Carolina offers a lot to its Notaries — strong professional standards, support for eNotarization and an above-average economic picture. North Carolina is home to six of the top 20 cities rated by *Forbes* magazine as best for business and careers — Raleigh (first), Durham (third), Asheville (sixth), Wilmington (13th) Winston-Salem (18th) and Charlotte (19th). The state recently started accepting electronically notarized reports from lobbyists, and eNotarization opportunities are likely to increase in the near future, given the Secretary of State’s support of technology initiatives.

TEXAS

Notary Population: 398,159


State Population: 23,507,783

Maximum Fee Notaries May Charge: \$6

Important Provisions: Journal requirement (with a ban on recording numbers from IDs)



With almost 400,000 Notaries commissioned, Texas boasts the second-highest number of Notaries Public in the nation. The state has been at the forefront of strong laws to fight identity theft, including strict rules to protect signers’ privacy that limit the information Notaries may enter in their journals.

Texas, like the rest of the nation, was adversely affected by the economic downturn. However, the Lone Star State still enjoys many advantages and potential opportunities that have drawn people to relocate there. Several cities, including Austin, Dallas, Fort Worth-Arlington, Houston and San Antonio, have a positive reputation as job-friendly. At 6.9 percent, Texas unemployment rates are well below the national average. The state comptroller’s office reports that Texas unemployment has remained comparable to or below the national rate for 28 consecutive months. Combined with low taxes and cost of living, a reduced rate of housing foreclosure and a burgeoning technology industry, Texas offers Notaries job opportunities and relatively affordable living. 

A JUDICIAL MANDATE FOR PROFESSIONAL STANDARDS



By Chris Wolski
cwolski@nationalnotary.org

FOR DECADES, PROFESSIONAL NOTARIES ACROSS THE NATION HAVE URGED GOVERNMENT, INDUSTRIES, ENTREPRENEURS — AND EVEN LESS DEDICATED OR EXPERIENCED NOTARIES — TO EMBRACE PROFESSIONAL AND ETHICAL STANDARDS OF NOTARIAL PRACTICE. IT'S A SIMPLE, YET IMPERATIVE IDEAL

that helps ensure a valuable result: Trust in the public's most important transactions, and confidence in the nation's commercial and legal systems.

These calls were largely unheeded because businesses, government and the public did not understand the risks of ignoring best practices, and because of the perceived "burden" that sound recordkeeping, seal requirements, privacy and security measures, identification standards and other best practices would inflict on employers and business systems.

But those days are over. So far 2009 has been a watershed year for both the recognition and implementation of professional standards of practice for Notaries, marked primarily by a far-reaching Illinois Appellate

Court ruling delivered in December of 2008 that has had an immediate impact on Notaries in that state, and promises nationwide implications for Notaries and those that employ them.

The judicial mandate now being discussed from coast to coast is that, in order to protect the public, Notaries must follow professional standards of practice that usually go far beyond what state laws require.

Notaries now have a fundamental need to perform their duties ethically and professionally, and their employers are obligated to make sure their Notaries are properly trained and supervised to do so. The cost of ignoring the court's ruling is increased legal and liability risks for Notaries and their employers, and the

public's heightened vulnerability to fraud and forgery, which puts their assets, property and identities at risk.

The irony is that following professional and ethical standards is actually a fairly simple and straightforward matter for Notaries in the know. All it takes is the proper training and a strong commitment to doing the right thing.

So to help Notaries and their employers protect the public, shield themselves from liability and meet the obligations of the Appellate Court ruling — a case known as *Vancura v. Katris* — the National Notary Association has launched a comprehensive training program that will professionalize Notaries and prepare them for growing opportunities to increase their bottom lines.

That training is called the Trusted Notary™ Certification Program.

THE IMPORTANCE OF TRUST

The news about greed, scams, graft, identity crimes and fraud is unavoidable. And it's no surprise that these crimes have taken hold at the highest levels of business, government and celebrity, costing our nation dearly in both economic and moral terms.

We are all paying the price for the widespread absence of professionalism and ethical standards in virtually every aspect of our lives.

Wall Street guru Bernard Madoff has begun a 150-year prison sentence for his \$65 billion Ponzi scheme. The former CEO of Countrywide Financial and several of the firm's executives are facing a sweeping federal lawsuit over allegations that they doctored records to cover up hundreds of billions in bad mortgages. Even the recent death of pop star Michael Jackson has brought the scrutiny of federal authorities who are investigating whether his multitude

of doctors gave in to profits over medical ethics by allegedly supplying him with dangerous sedatives.

The Notary Public office has its own image problems, especially when Notaries choose greed and crime over professionalism:

- A Notary and 24 others in San Diego, California, were indicted earlier this year for a fraud scheme that involved 220 properties and \$100 million in losses.
- Federal authorities in Chicago, Illinois, recently indicted 67 people, including two Notaries, for allegedly perpetrating massive mortgage fraud schemes.
- And in Pennsylvania at least nine Notaries pocketed vehicle registration fees instead of sending them to the state.

From the public's point of view, there is good reason to be cautious with any public official or person in a position of trust. Whenever an electoral office-seeker turns in a ballot petition with a dubious notarization or a business has its staff Notary perform an acknowledgment on a routine contract without the client being present, it further diminishes public trust.

'VANCURA V. KATRIS'

While these high-profile crimes are staggering, it was a civil case born out of gross negligence and ineptitude that is having a major national impact on Notaries and their employers. The events that propelled the precedent-setting ruling in *Vancura v. Katris* might have seemed routine and innocent, but they prompted the Illinois Appellate Court to deliver a ruling that has implications for Notaries and employers across the nation.

It all began more than a decade ago when the forged signature of Richard P. Vancura was purportedly notarized by a Notary employed by a Chicago-area photocopy shop. Vancura sued the Notary, the Notary's employer and



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several others. The Notary later testified at the trial of his former employer, during which revealed his habitual carelessness and negligence, including trusting a supervisor to safeguard his seal and identifying a signer merely by “comparing” two signatures.

As a result, the company was found liable because it failed to train and properly supervise the employee-Notary. While the employer didn’t violate the employer liability statute in the Illinois Notary Public Act, the court ruled that, based on the “common law,” the company failed to supervise its Notaries to ensure they were following professional standards of practice, particularly those found in the National Notary Association-sponsored *Model Notary Act* (MNA).

The Notary also paid a steep price for his carelessness. As the facts proved his culpability, the Notary found himself in an untenable situation and settled with Vancura out of his own pocket for \$30,000.

This case also illustrates a much wider problem. Many states have archaic, inconsistent or inadequate laws, giving scant guidance to Notaries and little protection to the public. In the crucial areas of seal requirements, recordkeeping, and satisfactory evidence of identity, Notaries are left to their own devices in determining how to fulfill these requirements in a way that will protect their signers and the public. That leaves the door open to document and identity fraud.

Most stunning of all, Notary education, which would eliminate many of these problems, is required in only a handful of states.

ENSURING PROFESSIONAL STANDARDS

Recent highly publicized financial scandals have prompted the public to demand a higher level of ethics, honesty and professionalism in every area of their lives. Notaries can increase their professionalism through education, training and adherence to the standards outlined in *The Notary Public Code of Professional Responsibility* and the *Model Notary Act*, regardless of whether their state statutes impose such a requirement.

A significant aspect of the court’s Vancura ruling is that it embraced the ethics and practices contained in the *MNA* as a “pervasive authority” that employers and Notaries should follow because Illinois identification laws were inadequate.

Even before *Vancura*, state legislatures around the nation have been updating their Notary statutes — in many cases adopting large portions of the *MNA* — and they have been adding the *Acts*’ educational components to make sure that Notaries are adequately prepared to serve the public. The net effect has been

Continued on page 29

The NNA’s Trusted Notary Certification Program

The National Notary Association has launched the Trusted Notary™ Certification Program in response to calls from the courts, industry and government leaders for Notaries to abide by professional standards of practice that go beyond the requirements of state laws.

Why Trusted Notary Certification Is Important:

- It fulfills employer obligation to train employee Notaries
- It helps shield employers from risk caused by employees’ improper or negligent acts
- Certification training helps protect Notaries from risk
- Notaries gain a competitive differentiator

Trusted Notary Certification Provides:

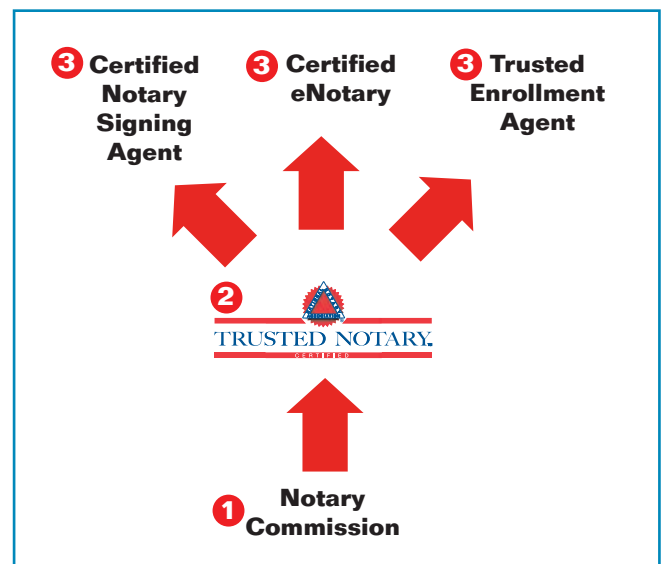
- Proven best practices refined over decades — guided by the NNA’s *Notary Public Code of Professional Responsibility*
- Skills to address common problems and questions that cannot always be answered by following specific state statutes
- Fully accredited, convenient self-paced online training and certification exam
- Two-year NNA membership with updates on law, rule and procedure changes
- Two-year NNA Hotline support

For More Information Or To Register:

- Online: nationalnotary.org/TrustedNotary
- Phone: (800) US NOTARY (800-876-6827)

Notaries seeking certification take a four-hour online course, covering their individual state laws, best practices and professional standards as outlined in the *Model Notary Act* and *The Notary Public Code Of Professional Responsibility*. Applicants then take an exam to receive the valuable NNA Certified Trusted Notary designation.

The Trusted Notary Certification Program is now the backbone of the professional specializations offered by the NNA — which currently consists of the Certified eNotary, Trusted Enrollment Agent™ and Notary Signing Agent.



Organizers that Work for You



NNA Members

\$29.95



Notary Carry-All...Compact Convenience

Compact carry-all bag with mini padlock and ID tag. Slip your pens or pencils into designated areas and store your stamps in one of two Velcro pockets. Heavy duty construction. 12 1/4" W x 9 1/4" H x 2 1/4" D.

Item #5839
Non-members \$41.00

NNA Members

\$59.95



Deluxe Briefcase...An NNA Classic

This functional 17-compartment briefcase with shoulder strap and embroidered NNA insignia expands to nearly double its capacity. Includes mini padlock and ID tag. Strong and durable. 16" W x 11 1/2" H x 3 1/2" D.

Item #5888
Non-members \$78.00

Messenger Bag...Roomy and Comfortable

This messenger-style bag offers all-day comfort with a specially padded shoulder strap and convenient detachable cell phone case. Four zippered compartments with Velcro overlap. 15" W x 11" H x 3 1/2" D.

Item #6735
Non-members \$62.00

NNA Members

\$43.95



Office on Wheels... Ultimate Mobility

Tote your necessities with ease. Durable with plenty of storage space to keep your Notary essentials close at hand. Telescoping handle is there when you need it and gone when you don't. 16 3/4" W x 14" H x 8" D.

Item #7258
Non-members \$130.00

NNA Members

\$99.95



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The Nation's Professional Notary Organization®

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Mail or Fax: Complete the order form on page 35

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Continued from page 27


to bolster and enhance Notary professional standards — particularly in regard to identifying signers and recordkeeping — that will protect the public and limit Notaries' liability.

Notaries today need to provide assurance of their professionalism and competence, particularly in states that do not mandate Notary education. Many industries rely on certifications to denote competence and professionalism among practitioners. And, thanks to the mortgage meltdown, Congress enacted legislation mandating that all loan originators be trained, licensed and required to follow strict standards — a move applauded by the Mortgage Bankers Association.

That's why the NNA created the Trusted Notary Certification Program. This certification will undoubtedly increase the stature and regard for the Notary Public office — and help rebuild trust when the Notary Public

office needs it most.

"The new Trusted Notary Certification will provide all qualifiers with a professional status allowing for special benefits, innovative work options, and new compensation opportunities," NNA President Milt Valera said during his State of the Notary Public Office address at Conference 2009. "Besides the important standards of notarization, this program will comprise specific education on ethics imperatives, specialized training on electronic notarization, new instruction on security and privacy issues and, of course, address the concerns of emerging identity management."

The road to rebuilding trust will not be easy in the years ahead. But Notaries are poised to guide others on the right path to a stronger, more ethical business world and, at the same time, reap the rewards of many emerging opportunities. 

**NOTARIES TODAY
NEED TO PROVIDE
ASSURANCE OF THEIR
PROFESSIONALISM
AND COMPETENCE,
PARTICULARLY IN
STATES THAT DO NOT
MANDATE NOTARY
EDUCATION.**



Lockdown Stamp Keeps Your Seal Secure

The Secure Locking Notary Seal Stamp produces the cleanest impression...but only for you. Once you secure the stamp with its interlocking security rings and sturdy mini padlock, no one else can use it.

Mini padlock comes with two keys.
Stamp comes in Royal Blue, Jet Black, Violet and Crimson.



Mini padlock safeguards your seal



NNA Members:

\$26.95

Royal Blue Item #7240RB

Jet Black Item #7240JB

Violet Item #7240V

Crimson Item #7240C

Non-Members: \$34.00

To order, visit NationalNotary.org/supplies
or call 1-800-US NOTARY (1-800-876-6827)



**NATIONAL
NOTARY
ASSOCIATION**

The Nation's Professional Notary Organization®

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Notary Certificates that Come with Goof-Proof Instructions

Preprinted Notary wording that meets your state's requirements

Illustrated instructions on the back

A large space makes it easy to affix any size or shape Notary seal

Important optional data helps protect you and your signers from fraudulent misuse:

- Type of document
- Document date and number of pages
- Other signers
- Space for signer's thumbprint

Select from the following certificates to meet the requirements of your state:

CALIFORNIA AND HAWAII NOTARIES: Order updated certificates that meet the latest state requirements.

All States: except AR, CA, FL, HI, MA, MO, NV, NY, TX & VA, see state lists; (8½" x 11", unless noted)

- Individual Acknowledgment — #5936
- Corporate Acknowledgment — #5937
- Partnership Acknowledgment — #5938
- Attorney in Fact Acknowledgment — #5939
- Credible Witness Acknowledgment — #5943
- Signature-by-Mark Acknowledgment — #5945
- Proof of Execution by Subscribing Witness — #5944
- Copy Certification by Document Custodian — #5946
- Copy Certification by Notary — #5922
- Jurat with Affiant Statement — #5924

Arkansas: (8½" x 11")

- Individual Acknowledgment — #5947
- Proof of Execution by Subscribing Witness — #5948
- Copy Certification by Notary — #5949
- Jurat with Affiant Statement — #5950

California: (8½" x 11")

- REVISED!** • All-Purpose Acknowledgment — #5907
- Proof of Execution by Subscribing Witness — #5908
- REVISED!** • Copy Certification by Document Custodian — #5911
- Copy Certification of Power of Attorney — #5242
- REVISED!** • Jurat with Affiant Statement — #5910

Florida: (8½" x 7")

- Individual Acknowledgment — #5181
- Corporate Acknowledgment — #5182
- Official/Trustee Acknowledgment — #5185
- Partnership Acknowledgment — #5183
- Attorney in Fact Acknowledgment — #5184
- Signature-by-Mark Acknowledgment — #5931
- Disabled Person's Acknowledgment — #5933
- Certification of Photocopy — #5187
- Jurat — #5186
- Signature-by-Mark Jurat — #5930
- Disabled Person's Jurat — #5932

Hawaii: (8½" x 7", unless noted)

- REVISED!** • All-Purpose Acknowledgment — #5921
- REVISED!** • Jurat with Affiant Statement (8½" x 11") — #5935

Massachusetts: (8½" x 11")

- All-Purpose Acknowledgment — #5951
- Signature Witnessing — #5953
- Jurat — #5952
- Copy Certification by Notary — #5922

Missouri: (8½" x 11")

- Acknowledgment by Individual — #5936
- Acknowledgment by Corporation — #5937
- Acknowledgment by Partner — #5938
- Acknowledgment by Attorney in Fact — #5939
- Acknowledgment by Individual Who Cannot Write Name — #5940
- Acknowledgment Through Affidavit of Executing Witness — #5941
- Certification of Facsimile — #5942
- Jurat with Affiant Statement — #5924

Nevada: (8½" x 7", unless noted)

- Individual Acknowledgment — #5915
- Attorney in Fact Acknowledgment — #5927
- Representative Acknowledgment — #5917
- Credible Witness Acknowledgment — #5918
- Proof of Execution by Subscribing Witness — #5919
- Copy Certification by Document Custodian — #5946
- Copy Certification by Notary — #5920
- Jurat with Affiant Statement (8½" x 11") — #5924

New York: (8½" x 7", unless noted)

- All-Purpose Acknowledgment — #5925
- Proof of Execution by Subscribing Witness — #5926
- Copy Certification by Document Custodian — #5946
- Jurat with Affiant Statement (8½" x 11") — #5924

Texas: (8½" x 7", unless noted)

- Ordinary (Individual) Acknowledgment — #5243
- Credible Witness Acknowledgment — #5943
- Signature-by-Mark Acknowledgment — #5945
- Proof of Execution by Subscribing Witness — #5944
- Copy Certification by Document Custodian — #5946
- Copy Certification by Notary — #5922
- Jurat with Affiant Statement (8½" x 11") — #5924

Washington: (8½" x 11")

- Individual Short-Form Acknowledgment — #5906
- Representative Short-Form Acknowledgment — #5905
- Disabled Person's Acknowledgment — #5904
- Copy Certification by Document Custodian — #5923
- Copy Certification by Notary — #5922
- Jurat with Affiant Statement — #5924

PAD OF 100 CERTIFICATES

Per pad, mix or match. Complete illustrated instructions included.
Provide item number **\$9.95 ea.**
\$14.00 for Non-members

3 OR 4 PADS — SAVE 10%

Per pad, mix or match.
Provide item number **\$8.95 ea.**
\$12.60 for Non-members

5 OR MORE PADS — SAVE 15%

Per pad, mix or match.
Provide item number **\$8.45 ea.**
\$11.90 for Non-members

NNA Notary Certificates

The convenient solution for common problems:

- No room for your seal
- Signers appearing at different times
- Incorrect wording
- Signers with multiple representative capacities
- No certificate at all



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The Anatomy Of An Acceptable ID Card



WHILE NOTARIES MAY RECEIVE A VARIETY OF IDS IN ANY NUMBER OF DIFFERENT DESIGNS AND FORMATS, THE FUNDAMENTAL ELEMENTS OF AN ACCEPTABLE IDENTITY DOCUMENT ARE SURPRISINGLY UNIFORM.

GOVERNMENT-ISSUED

In most jurisdictions, Notaries are only allowed to accept documents issued by the federal or state government. There are some minor variations to this rule of thumb. But even if an employer-issued document is acceptable, for example, it should include the same elements required on a government-issued card.

DATE OF ISSUE AND ID NUMBER

Make sure the ID is valid. In some states, an expired ID is still acceptable if it has been issued during a specified timeframe. The ID number is a key piece of data that you should include in your journal. If there is a question about your notarization, law enforcement officials will be able to use this number to track your signer. But keep in mind that in some jurisdictions — notably Texas — it is prohibited to record the ID number.

PHOTOGRAPH, DESCRIPTION AND ADDRESS

The ID should have an easily identifiable photograph. Carefully compare the photograph to the signer standing before you. Typically, the description includes a birth date, gender, height and/or weight, and eye color. Though it's not specifically necessary to have an address on an ID — for instance, a U.S. passport includes place of birth instead — this data is useful when quizzing a suspicious signer about the details of the ID. If a signer cannot answer a fundamental question about his or her address, birthplace or birth date, for instance, the signer may not be lucid or, more ominously, could be attempting to commit fraud. In either case, it's a warning that you need to stop the notarization.



SIGNATURE

Use the signature on the ID as a check against the signed document. The signature should be similar enough that you can make a commonsense judgment that it belongs to the same person. Keep in mind that signatures can change over time due to age, illness or injury.

Typically, the IDs that Notaries may accept from signers include driver's licenses; nondriver's IDs; passports; federal IDs; state, county and local government IDs; and lawful permanent resident cards also known as "green cards." You should always review the laws governing your jurisdiction to verify the specific types of identification documents that you may accept. In this age of ID theft and fraud, federal and state government agencies have been vigorously updating and revising statutes related to acceptable identity documents.

Fraud Deterrence Made Easy

Required in some states, NNA Seal Embosser are an effective fraud deterrent when used in addition to your seal stamp. Especially effective with loose certificates, NNA embossers give you clear, crisp embossing every time. Impression size: 1½" diameter.



A. Desk Style,
Matte-Black

A. Desk Style,
Brass-Plated

B. Portable Desk
Black/Chrome

A. Notary Seal Embosser, Desk Style

Easiest to use. Stylish design.
Matte-Black. Item #5310
Brass-Plated. Item #5308

NNA Members: \$39.95
Non-members: \$49.00

B. Notary Seal Embosser, Portable Desk

Easier to use than hand-held
embossers. Folding handle makes
for convenient storage. Black/
Chrome. Item #5297

NNA Members: \$26.95
Non-members: \$34.00

C. Gold Foil Seals

Display a professional touch with
distinctive permanent adhesive
seals. 72 seals per package. 2"
diameter. Item #5844

NNA Members: \$4.95
Non-members: \$8.00



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A Notary Has Got To Know The Office's Legal Limitations

By Remy Matzen
NNA Hotline Counselor
rmatzen@nationalnotary.org



It is our duty on the Notary Hotline to guide you in difficult situations. But we do so carefully because being overeager is the best way to fall into the unauthorized practice of law (UPL)

trap. The road to UPL has many on-ramps, and we have to be aware of all of them. One of those simple requests that may seem innocuous and innocent could be rife with the potential to cross the line. As Notaries, your authority generally is limited to properly completing the notarial act each client requests. You cannot even suggest what type of notarization is needed, since that would be giving legal advice, something you cannot do unless you are a lawyer. **E.D. from Springhill, Florida**, asked me a typical question about UPL:

Do I, as a Notary Signing Agent, have the responsibility to insert the marital status of the borrower on page one of the mortgage and in the Notary clause? Or is it the title company's responsibility?

You are correct. It is the responsibility of the issuing agency to make sure the documents are drafted properly. As Notaries, we cannot help complete, draft, prepare or explain documents. By doing so we could be held liable for the unauthorized practice of law. See Florida Statute 117.01[4][f].

Can a Notary working in a bank refuse to notarize a document for a non-customer? This happened recently. I thought a Notary should be able to act without discrimination for a so-called non-customer?

N.V., New Haven, Connecticut

A Connecticut Notary may not "unreasonably refuse to perform notarial acts in

lawful transactions for any requesting person who tenders payment of the statutory fee (CGS 3-94h)." The information regarding refusal of service can be found on pages 25 and 41 of the Connecticut Notary Public Manual at the following link: www.ct.gov/sots/LIB/sots/LegislativeServices/forms/NotaryManual.pdf.

I thought that a Notary couldn't also be an immigration consultant, but I see that you offer a package to become one. Please clarify this issue.

C.R., Merced, California

In California, non-attorney Notaries, paralegals and others may register as immigration consultants with the state Secretary of State's office. An immigration consultant is able to enter data provided by a client on state or federal immigration forms, translate information for clients and file forms. However, immigration consultants who are also Notaries must take great care how they advertise their services.

Government Code, Section 8223 (a) states "No Notary Public who holds himself/herself out as being an immigration specialist, immigration consultant, or any other title or description reflecting an expertise in immigration matters shall not advertise in any manner whatsoever that he/she is a Notary Public." The law is intended to keep unscrupulous operators from taking advantage of immigrants. So in California, you may either advertise as a Notary or an immigration consultant but not both.

You can reach Remy and all our experienced Notary Hotline counselors at

1-888-876-0827

5 a.m. to 5 p.m. PST
Monday through Friday.

Hotline answers are based on laws in the state where the question originated and may not reflect the laws of other states. If in doubt, always refer to your own state statutes.
— The Editors



Four Ways To Guard Your PC From ID Thieves

There was a time when all a Notary had to do to keep sensitive information secure was lock a journal and seal in a safe, secure place. Now, however, electronic

information is an essential part of our lives. We communicate through eMail and Web sites, we store documents on our computer hard drives instead of file cabinets and we're more likely to turn to Google or Yahoo! instead of a telephone book.

Unfortunately, criminals — who constantly search for the next easy scam — have come to realize that all the information flowing through our computers is low-hanging fruit, ripe for the picking. A stolen password can be used to loot a victim's bank account. A carelessly guarded Social Security number or address can be used to get credit cards and embark on a spending spree. Criminals even use their own phony eMails and spyware programs to trick people into either giving up their sensitive information or steal data without their knowledge.

However, many of these can be prevented through some commonsense steps.

1) Don't leave your computer unattended. Because so many of us use laptops and handheld devices for day-to-day work and home activities, any portable computing device is a priority target for thieves looking for fast cash. Multinational companies have suffered millions in damages as a result of pilfered customer information. So never leave your laptop or PDA unguarded. Don't step away from it even for a few minutes at the airport or neighborhood Starbucks, don't leave it visible in your car, and be careful not to leave it out in the open when staying at a hotel. It's also a good idea to use passwords to restrict access to any sensitive information

on your portable devices. Even if a thief doesn't steal the computer, you don't want someone reading sensitive information when you're not there.

2) Firewalls. Firewalls are security programs that prevents unauthorized access to your computer. While they may sound overly complicated, firewalls are easy for even casual computer users to install. A firewall keeps unwanted users from remotely snooping through your computer.

3) Anti-spyware. If direct access or viruses fail, many online snoopers try to trick Internet users into downloading spyware; often disguised through glitzy ads or online messages. Instead of getting a cool prize, the user unwittingly downloads a program onto the computer that will track and relay information to someone else without the victim's knowledge. Anti-spyware protection is available from numerous companies; just make sure you obtain it from a trusted vendor.

4) Don't carelessly open or respond to strange eMails. Many people give their most sensitive information to ID thieves without even knowing it. In "phishing" schemes, crooks send messages that appear to come from reputable companies, asking you to click on a link or send them your password or other information. In reality, that information is simply stolen and used to commit fraud.

While the thought of online ID thieves might seem daunting, putting these four steps into place will go a long way to keeping them out of your hair — and out of your computer as well.



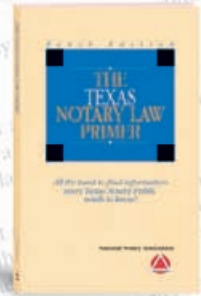
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Get the Right Answer Right Now



Never scramble to find the information you need again. Keep your state's Notary Law Primer on your desk or bookshelf and enjoy instant access to crucial information, including:

- Requirements for every notarial act
- Certificate wording for every notarization
- Wording for oaths and affirmations
- How to renew your commission
- All laws that regulate Notaries in your state, including text from the official state handbook

Arizona	Item #5130	Nevada	Item #5134
California	Item #5120	New Hampshire	Item #5151
Colorado	Item #5143	New Jersey	Item #5131
Florida	Item #5121	New Mexico	Item #5145
Georgia	Item #5148	New York	Item #5125
Hawaii	Item #5132	North Carolina	Item #5129
Illinois	Item #5137	Ohio	Item #5141
Massachusetts	Item #5146	Oregon	Item #5128
Michigan	Item #5135	Pennsylvania	Item #5136
Minnesota	Item #5149	Tennessee	Item #5142
Mississippi	Item #5152	Texas	Item #5123
Missouri	Item #5122	Utah	Item #5127
Montana	Item #5161	Virginia	Item #5150
Nebraska	Item #5147	Washington	Item #5124

State-Specific Notary Law Primers

NNA Members: **\$14.95**
Non-members: \$20.00

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