

The National NOTARY

September 2012



THE MAGAZINE FOR AMERICA'S NOTARIES



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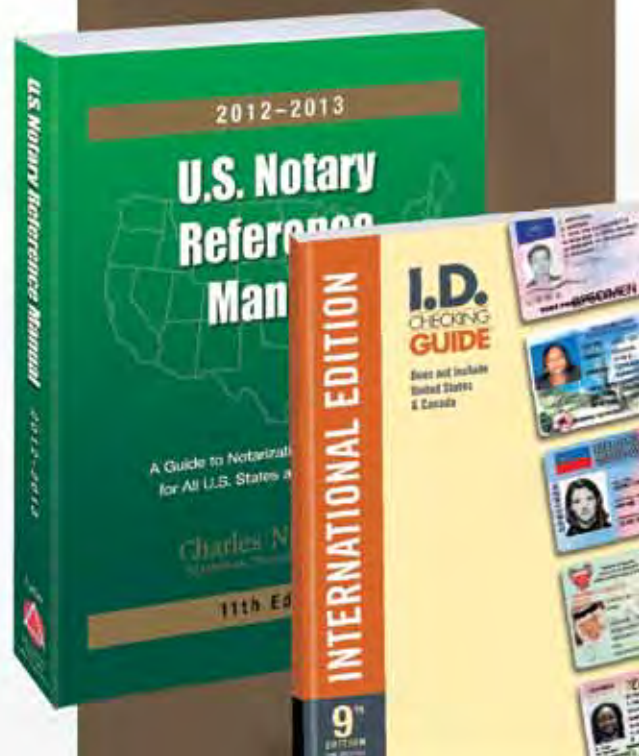
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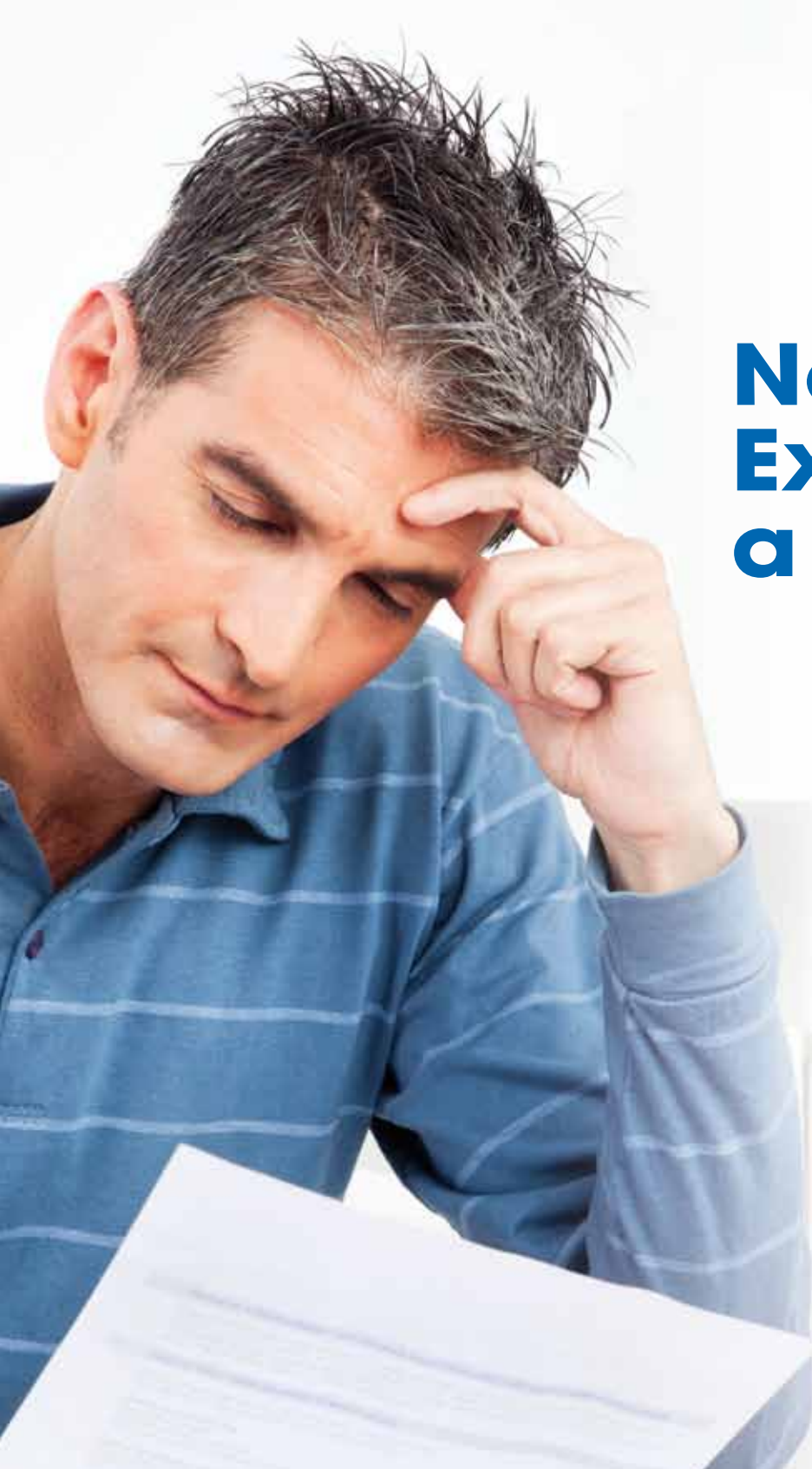
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Nancy Rosengren
Bakersfield, California





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ON THE WEB

Check out the NNA's Webinar Archives.

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ID Complaints

In New York State, you can renew your driver's license through the mail. They just use the picture on file and send you a new license.

Men come in for a notarization with an ID photo showing a full head of hair and clean-shaven but the signer is bald with a beard and 40 pounds heavier. Women come in with a picture on their license from when they were in their twenties and now they are twice as old and twice the weight with a different hair style and or different hair color.

How does the state expect use to use these old pictures as IDs?

Edmund Singer, Staten Island, New York

Conference Thanks

I would like to say a big "thank you" to the NNA for organizing this year's Conference which recognized the work of Notaries Public all over the nation. Instead of choosing just one Notary of the year, recognizing five Honorees was a great idea and it meant a lot to me to be among the five.

Every seminar I attended was filled with excellent material and well-trained instructors. The NNA provided exceptional service and teamwork throughout the Conference, whether they were at the lab, the supply store or at a seminar or the front desk.

Under the leadership of Mr. Tom Heymann, I witnessed a totally new Conference. I have heard the same from other attendees who attended Conference over the last five-plus years.

Again, thank you NNA for this great platform to network with so many other Notaries across the country and get to know more about their experiences in the Notary field. I'm looking forward to attending the NNA Conference next year.

Nathan Ganeshan, San Jose, California

Notary ID Feedback

I agree that Notaries need an official identification document to be recognized as the professionals that we are. I found out in my state of Tennessee there is hardly any way for a person to know whether a Notary is currently commissioned unless they look it up online. During a notarization, the public has no way of knowing

who they are talking to, and if the Notary is who they say they are. We have had cases here where seals have been stolen and people assume the identity of that Notary. I feel that a nationally recognized ID card would help in deterring fakes and putting the public at ease to know they are dealing with a professional with integrity.

I do mobile signings and I am dealing with people who have never had a Notary come to their home before. They expect credentials! I feel a nationally recognized ID badge from the NNA would be a great idea.

Sabrina Jacal, Nashville, Tennessee

I concur with Celeste White of Pennsylvania about issuing ID Cards for Notaries. I suggest that when we have our fingerprint and photo taken when renewing a commission that an ID card be issued to verify who we are. In California we pay \$98 for the fingerprinting and photo.

The NNA issues a paper card identifying an Association member's name and member number. Why not provide a plastic card with the photo and fingerprint, and a hologram of the respective state seal?

Victoria Plock, El Granada, California

Because Notaries are state-commissioned officials, any IDs would need to be issued by the state. Some states, such as New York, already issue identification documents to Notaries. If your state does not issue an ID, you might consider addressing the issue with your commissioning authority. — The Editors

WE WANT TO HEAR FROM YOU!

In our continuing efforts to address the topics and issues facing Notaries today, *The National Notary* wants to hear from you! Whether it's your thoughts on business opportunities, challenges in your office or on signings, we want to know about your day-to-day experiences and observations, and what information and resources you may need to help guide you through them. You can send us comments via e-mail at publications@nationalnotary.org. Or write us at: National Notary Association, Attention: Editorial Department-David Thun, 9350 De Soto Avenue, Chatsworth, CA 91311. Please be sure to include your city and state and if you are willing to have your letter published.

Attention To Detail Distinguishes The Value Of Notarization



How we measure the scope of a problem is often determined by how it affects us personally. This is only natural. Hearing about a natural catastrophe is never as frightful as living through

it — just ask a Californian about earthquakes or someone from coastal North Carolina about hurricanes.

Today, we may hear the numbers reflecting national foreclosure rates, deficits and retail sales but unless our livelihood directly relies on such numbers as mortgage interest rates, we may not be fully aware of how we can be impacted by the economic figures we regularly hear on the news.

Though the prominent headlines heralding the foreclosure-related National Mortgage Settlement have ceased, for Notaries the settlement remains one of those watershed moments that forever changed the rules of the game.

For many of us, the idea of the necessity of education is nothing new, but for a surprisingly large number of others, it will be. And such education increasingly will be mandated by the corporate entities who are the main consumers of Notary services. As a result, the well-trained and certified Notary Signing Agent may not notice any appreciable change in his or her daily document signing process, but for many other Notaries, the changes will be significant.

This must not, though, signal a time for panic or anxiety. Whether performing one notarization a month or one every few hours, the way to operate under the new rules of the game is familiar and simple: sound practices and attention to detail.

As Alexis de Tocqueville, the keen French 19th century observer of the United States said — and it bears relevance to Notaries today — “it is not so much the marvelous grandeur of some undertakings, as

the innumerable multitude of small ones.”

Notaries may certainly act in the grandeur of a moment — as, for example, when helping finalize a property transfer worth hundreds of millions of dollars — but it is the diminutive and the detailed for which we are most often identified and valued. We are less often recognized as a pivotal functionary in moving transactions through commercial and legal channels than a small cog in an immense apparatus.

The immediate publicity and hype in the aftermath of the foreclosure crisis did nothing to change this reality, but since the settlement details began to be disclosed, the office of Notary Public is being distinguished more and more for the value it imparts to important private and public transactions.

Notarization remains the key component in fighting deception and fraud in the execution of document transactions, and those all-important small details (e.g., a signer’s identity, willingness, awareness) for which we have so long been accountable are now being recognized.

We can foresee a future when Notaries will no longer have to battle family and friends, or their employer, to maintain sound notarial procedures, whether embedded in statute or not.

Some thought that the “robo-signing” crisis of recent years spelled the end of the Notary Public office. As it is turning out, however, it is spelling a rebirth.

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

States Move To Criminalize Mortgage Misconduct, Protect Public

In an effort to protect the public from mortgage fraud, more states are creating laws enforcing compliance standards set forth by the National Mortgage Settlement. The laws establish stringent regulations and impose greater penalties on those who knowingly commit fraud, including robo-signing and other forms of notarial misconduct.

California's recently passed California Homeowner Bill of Rights provides legal protection to homeowners and borrowers, and levies strict civil penalties against those who commit fraud.

New York's Foreclosure Fraud Prevention Act of 2012 imposes similar penalties — including loss of commission and jail time — for those who knowingly engage in mortgage-related fraud or misconduct, and a proposed bill in Oregon would require more transparency in lending statements and a tightening of documentation standards.



More Counties Adopt E-Recording Technology

Over 800 U.S. counties are now able to record property documents electronically, according to the Property Records Industry Association (PRIA). Benefits of eRecording include improved data quality, reduced turn-around times, and significant cost savings.

With 23 percent of the roughly 3,500 U.S. jurisdictions now capable of eRecording, this growing trend paves the way to a broader acceptance of electronic notarization as a way to expedite the authentication process, improve quality, and enhance the overall security of document transactions.

Notarizations Scrutinized During Election Season

With election season in high gear, notarizations are coming under scrutiny as various political factions challenge nomination petitions, affidavits, and other essential election-related documents.

A recent case occurred in Florida where three state Supreme Court judges found themselves under fire for using on-duty court employees to notarize their election documents. Although law enforcement officials cleared the judges of wrongdoing, political opponents filed a lawsuit to keep them off the ballot.

In South Dakota, a state lawmaker's re-election bid is being challenged after he notarized the signature of a campaign worker who was circulating the lawmaker's nomination petitions.



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Milt Valera, Founding Editor and Publisher

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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.

MEMBERSHIP CORE VALUES

Membership in the National Notary Association is the single most important action a Notary can take when assuming the important responsibilities of the office and performing official notarial acts.

Our Core Values of Membership:

COMPLIANCE
LIABILITY PROTECTION
RISK MANAGEMENT
PROFESSIONALISM
OPPORTUNITIES

NATIONAL NOTARY FOUNDATION

MILT VALERA, President
DEBORAH M. THAW, Executive Director

NNA Welcomes Notary Delegation From China

The NNA recently hosted a delegation of Notaries from Beijing, China, who visited the United States to learn about the American Notary office and participate in a cultural exchange.

William A. Anderson, Vice President of Best Practices, offered an overview of the functions of an American Notary, and outlined the responsibilities of the profession to serve and protect the public. Director of Product Management Steven Bastian briefed the visitors about the role of the National Notary Association. In return, Yao Yankui, Director of the Hengxin Public Notary Office in Beijing, discussed the Chinese Notary system and its duties and powers to protect transactions in that country.

The NNA presented the six Chinese officials with copies of the *U.S. Notary Reference Manual* to further their understanding of the American Notary system.



Trusted Notary Program Can Assist Businesses With Compliance

The National Notary Association provides a single-source solution that helps businesses manage their Notary-employees and mitigate risk in the wake of the National Mortgage Settlement. The NNA's Trusted Notary Program can help organizations comply with state laws and accepted standards of practice through the following resources:

- **NNA Executive Consultants** — Notary compliance solutions designed specifically for each organization, helping support compliance with state laws, regulations and best practices.
- **NotaryTracker™** — Easy-to-use system tracks commission expiration dates and training, and provides third-party completion records documentation.
- **Notary Hotline** — Unlimited over-the-phone guidance for Notary employees when they need it.
- **Centralized Fulfillment** — Makes ordering supplies for employee-Notaries simple and trouble-free.

To learn how the NNA can help enhance your organization's Notary compliance program, contact Chris Sturdivant, Director, Business Development, at (818) 739-4086 or csturdivant@nationalnotary.org.

NNA Opens Nominations For 2013 Notary Of The Year

The National Notary Association has opened the nomination period for its 2013 Notary of the Year Honor.



2012

Continuing a decades-long tradition, this honor recognizes a Notary who demonstrates an exemplary level of professional conduct and ethics in serving and protecting the public. The recipient will be recognized at the NNA Conference 2013 in Austin, Texas.



2011

Nominees should exemplify a high level of professionalism, integrity and adherence to

best notarial practices.

In addition, they should demonstrate a commitment to continuing education either for themselves or professional colleagues. Past Notaries of the Year also have been honored for their dedication to community service.

To learn more or nominate a fellow Notary for this honor, visit the NNA's Notary of the Year overview and nomination page:



2009

NationalNotary.org/noty2013

The Strangest Excuses Notaries Have Ever Heard

Signers have given all kinds of reasons to ask Notaries to ignore the rules and go ahead with a problem notarization, including deadlines, absent spouses, impatient clients and more. But some excuses have gone beyond that point and into the realm of the utterly bizarre. The NNA asked members to share some of most peculiar situations they've ever encountered — and they've come up with some doozies.



Don't Blow My Cover!

Almost every Notary has encountered a signer without valid ID — but few have offered the excuse Jenn Shelton, of Sacramento, California, heard. The signer said it was impossible for him to provide Jenn with valid ID because he was in the Witness Protection Program

and didn't want to blow his cover. Of course, it's a mystery why he would be having a document notarized under his real name if that was the case. As a good Notary, Jenn knew that she couldn't waive ID requirements — cover identity or not — and correctly refused to perform the notarization.

NNA Tip: Remember, no matter the reason, if the signer cannot provide satisfactory proof of identity, the notarization cannot proceed.

Hiding Bad News

Collingswood, New Jersey, Notary Chrissey Ladd often gets requests from signers at a

healthcare facility near her home. Recently, she was contacted by a woman who said her husband needed some documents notarized. Chrissey was agreeable — but then the woman started asking some strange questions, such as “When you are here, can you not ask my husband too many questions about what he is signing?”

Because a basic part of a Notary's duty is establishing that a signer is willing and aware of the document being notarized, Chrissey asked the woman to explain further. The woman said the documents being notarized involved her mother-in-law's estate, and the husband had been named as the executor — but he didn't know the mother had died, and apparently the woman wanted to keep him in the dark. “This one had me speechless!” Chrissey said.

NNA Tip: It's important to always speak with the signer to confirm the signer appears alert, aware of the document being notarized, and willing to sign the document and proceed with the notarization. Never continue if the signer seems unaware or unwilling.





woman to notarize a spouse's signature on a power of attorney document. The woman offered to provide her husband's ID, saying she was in a hurry and needed to cash one of his checks. Velincia explained that the husband would need to personally appear for the notarization. The woman said he was in jail, but his lawyer told the couple it would be OK to do the notarization anyway. Velincia explained that this was simply not the case.

NNA Tip: Authority figures — even highly trained legal professionals such as attorneys — sometimes misunderstand what Notaries can and cannot do under state law. No matter what their position is, if someone asks you to perform a notarial act you know is illegal, you must say "no".

Double Jeopardy

It is always essential for signers to physically appear before the Notary. But the signer who came to Valeria Rodruck, of Redmond, Washington, seemed to think that one person could count for two. Valeria said the signer asked her to notarize signatures for himself and his brother. When Valeria explained that both men would have to physically appear before her, the signer left the office and returned later claiming to be his own twin! Not fooled by this "double whammy," Valeria declined the notarization. Double or nothing that the "brother" never actually showed up.

NNA Tip: There have been many reported cases of dishonest persons appearing before Notaries posing as someone else — sometimes even going so far as to wear a disguise! Always be sure to compare the photo and physical description on any identification presented to you to the signer, and watch for discrepancies. If an eighteen-year-old signer appears before you with a driver's license stating he's 45 years old, something's not right.

Unsound Advice

While Notaries should never give legal advice unless they are licensed attorneys, lawyers themselves do not always give clients the best advice, as Los Angeles, California, Notary Velincia Lee Ellis found out when she was asked by a



A Case Of Amnesia?

There can be any number of reasons a signer's ID doesn't match the name on a document: a recent marriage; a legal name change, or a simple mistake by the document preparer. But the excuse given to Beverly Ward Bergthold of San Jose, California, has to be one of the oddest. "I didn't know my real name until recently," one signer explained. Beverly politely declined the requested notarization.

NNA Tip: If there is a significant discrepancy between the name on a document and the name on the signer's ID, (such as the name "Mary Jones" on an ID but "Mary Smith" on the document), the signer must provide an alternative acceptable form of identification that matches the name on the document, or sign using an "AKA" or "also known as" signature. If neither of these is possible, the Notary must refuse the act. Note that if an "AKA" signature is used, only the name appearing on the ID may be written in the certificate wording. (See related article on page 22.) **NNA**



Thank you to all the Notaries who shared their unusual stories on our Facebook and LinkedIn communities. To see more, join the conversation with us at www.Facebook.com/NationalNotary and www.Linkedin.com.





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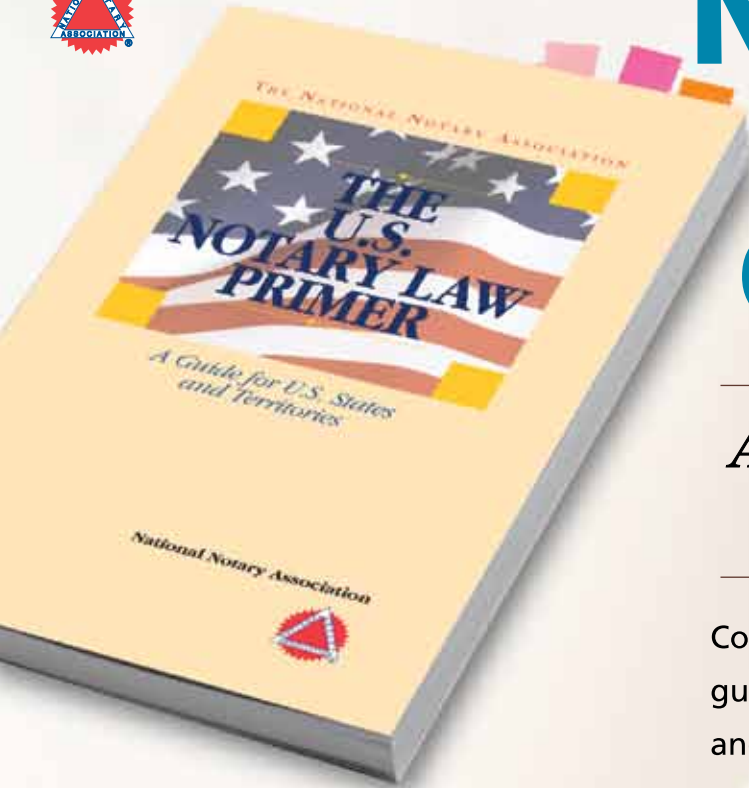
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SOCIAL MEDIA

A Growing Force In The Professional World

Social media is now one of the top forms of business communication. Notaries in every profession and industry can use it to reach a much wider community to grow their business, bolster their careers or simply stay connected. "Leveraging the power of social media is a key to your success," said social media expert Justin French, speaking at the NNA's Conference 2012. "The reality is you must jump on board with this new way to communicate with prospects and clients or get left behind."



Getting Started With Facebook

There are two types of Facebook profiles — a personal site to connect with friends and family members, and a business profile known as a Facebook page. An online menu guides a new user through the sign-up process at facebook.com. Enter details essential to your business: contact information, hours, services and professional affiliations. Encourage existing clients to “like” or “share” your postings for increased exposure. Become a “friend” of the National Notary Association at facebook.com/nationalnotary to view and share postings that will benefit your business.

Facebook users now number 800 million — 200 million were added in 2011. 50 percent of small business owners gained new customers through social media.



National Notary @nationalnotary

22h

Congrats to the NNA's expert Seminar Instructor Team that made it possible, achieving a 97.1 percent "passing rate."

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View photo



Learning To "Tweet"

There are several convincing reasons to establish a Twitter account: customers receive instant business updates; a "tweet" can link directly to your Notary website or Facebook page, generating more visits; it strengthens your business connections; it allows you to follow industry trends and your competition. Establish an account at twitter.com. Create a user name, add your email, business logo or photo, and join the millions who enjoy and profit from the easiest and fastest form of social media.


Twitter now has over 500 million users worldwide and is one of the fastest growing forms of social media.



Linking In

Visit LinkedIn.com to join. Helpful tips: use your full name to make it easier to find you; add a photo; have a headline that describes what you do; post your work experience and credentials and acquire some connections to strengthen your credibility. Then, join one or more of the NNA's LinkedIn groups that specialize in your area of interest. These groups facilitate discussions, answer questions and provide valuable networking.

LinkedIn is the largest professional network on the Internet. Executives from all Fortune 500 companies are LinkedIn users.

Although these three social media sites are the most widely used at this time, new ones are added constantly. Notaries who take advantage of this free form of communication increase their business exposure, cement relationships and discover new opportunities to promote their careers. An added bonus: Notaries can use content from NNA sites and share across all of their social platforms to gain the reputation as a leader in their profession. 



AFTER THE CRISIS

Where Notarization Stands Now



Since late 2010, notarization in the U.S. has received global scrutiny although, at face value, not necessarily the kind it deserved.

The abuses and misconduct that helped fuel the foreclosure “robo-signing” crisis, and resulting National Mortgage Settlement, cost \$25 billion to five banks, and untold billions to governments, consumers and businesses at all levels. In California alone the crisis has cost more than \$630 billion in lost home values, property taxes and costs to local governments, and that’s not counting the impact on consumers, according to the Center for Responsible Lending. That number could rise to \$1 trillion in the coming years — all tied back to a predicament that emerged, in part, due to improperly executed and often fraudulent notarizations.

The dark cloud cast over notarization wasn’t deserved — it was more about the people who abused and diminished its valuable function in the national economy. But the scrutiny was needed because it has forever changed the way we view the notarial act.

Today a massive nationwide movement has emerged to strengthen the trust and security that notarization provides to our system of commerce, and it’s being driven by a cast of characters that, for once, aren’t Notaries or directly tied to notarization themselves. They are federal regulators, state officials, legislators, risk managers, corporate compliance officers, educators, mid-level supervisors and a nation of consumers who are demanding that today’s notarizations are performed properly — and within the letter of the law — to preserve the rights and assets of American consumers and businesses.



To be sure, the drilldown on legal and proper notarial procedures is no longer just confined to the signatories of the National Mortgage Settlement (See the July 2012 issue of *The National Notary*). These mandates are cutting across all industries and walks of life, from healthcare to immigration to the legal field and even retail operations. In fact, since January 2011 state legislatures passed 94 new laws that strengthen notarization practices and consumer protections — the most ever recorded by the NNA in a two-year period.

Amid all of this activity, individual Notaries are beginning to notice positive changes in their day-to-day worlds. *The National Notary* magazine recently spoke to five of them to hear their own experiences and impressions about where Notarization stands now.



'The Culture Of Ignorance Is Drying Up' — Daniel Lewis

Daniel Lewis recalls the time not too long ago when companies he worked for scoffed at the idea of Notaries keeping a journal because it was a nuisance for their customers. "Some companies even said they wouldn't use my services if I kept a journal," said Lewis, a Notary Signing Agent from Carmel, Indiana. But recently the light bulb illuminated, and many companies now recognize that recordkeeping is an essential protection for everyone.

"It's a total about-face from what it used to be," Lewis said. "And Notaries are getting the message, too. They used to tell me that journals take too much time. Now the feeling is, 'I can't do notarizations without one.'"

A growing belief in recordkeeping isn't the only change Lewis is seeing. The "robo-signing" crisis has put a lot of bad companies out of business. The surviving companies tend to employ sound ethical practices, like demanding personal appearance of the signer before the Notary.

"The culture of ignorance is drying up," he said. "Notaries are more educated, title companies are more educated. I used to be asked why employers couldn't just let people use each other's seals. Not anymore. A lot of signing companies know there have been changes. They want to know what the laws are before they send someone out. Companies are listening to us now, instead of saying 'We'll just find somebody else.'"

'Notaries Are Standing Up for Themselves' — Carol Salter

Carol Salter works for McKee Medical Center in Loveland, Colorado, and regularly notarizes documents for patients. She says her employer — and the healthcare industry at large — is taking Notary training and education much more seriously because of the volume of documents being notarized and the potential for liability.

"I don't think it's just healthcare," said Salter, who has testified before state lawmakers on a variety of subjects including recordkeeping, education and strengthening Notary statutes. "More organizations are becoming aware of the real need for education for Notaries." That widespread awareness about the risks of liability is resulting in more support for sound Notary policies.

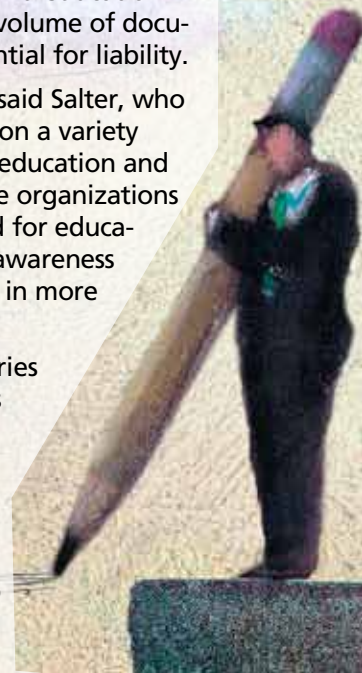
At McKee, Salter trains staff Notaries and she still occasionally encounters a healthcare employee or manager that demands Notaries skip proper procedures. Rather than have to uncomfortably face that individual on a one-to-one basis, the hospital now has a structure in place to help Notary employees mitigate and resist such pressures, she said.

In fact, Salter believes that Notaries in most industries are becoming more confident about standing up for themselves and best practices because support systems are finally emerging. That trend will be all the more important in the healthcare industry because demand for notarizations of critical decision-making documents for medical treatment is on the rise as the baby boomer population ages.

"We're seeing a huge increase in living wills and powers of attorney already," Salter said, adding that many hospitals make it a policy to present health care directive forms — which require notarization — to every patient undergoing a surgical procedure. "I think it's only going to increase as the Affordable Care Act is implemented."

'People Are Finally Beginning To Understand The Risks' — Ed Newsom

Ed Newsom of Calabasas, California, knows notarization well. As a longtime Notary and an owner of a UPS Store, he has seen a marked increase in understanding



about the risks of an improper notarization — from both consumers and his colleagues.

Newsom described one signer who had relied on another Notary before coming to him. When he asked why she didn't simply use the other Notary's services, she said her documents had previously been rejected due to a notarial error, and she thought because Newsom was better educated he would be less likely to make a mistake.

It's different from the height of the real estate boom a few years ago, when convenience and speed trumped ethics all too often, he said. "The risk was always there before, but people were less aware or were unwilling to enforce the laws because of all the money being made, and because of the convenience. Everyone turned a blind eye."

More often than not, the blind eye was turned to seemingly little things. Newsom recalled the time when he was asked to notarize a signature that didn't quite match the ID. "His driver's license had 'Junior' on it," Newsom said. The signer insisted that the bank didn't have a problem with the discrepancy. But Newsom retorted: "If there ever was a legal problem with this document, I'd have to explain in court why I notarized a document with a name that didn't match the ID. Little stuff like that gets you in trouble," Newsom said.

As a small business owner, Newsom also appreciates the need for care — an ideal he spreads infectiously to all of his employees. Twice he has been named in lawsuits over questionable documents. Both times, he was dropped from the suits because of his exemplary diligence, strict adherence to state law and careful documentation of his acts in his journal.

Newsom follows three simple rules to stay out of legal trouble and avoid liability: know state law, follow state law, and refuse any notarization if there's anything questionable. Even then, a shady signer can get a document notarized.

Newsom described a case in which his customer was actually impersonating the individual named in the document. The man in front of him looked like the picture on the ID, so Newsom notarized the document and obtained the signer's thumbprint in his journal. Two years later the police showed up investigating a fraud and murder case involving the notarization and the sale of a multi-million dollar property in Beverly Hills. The thumbprint helped them track the imposter, and Newsom was excused from further involvement in the case.

'There's A Lot Of Liability In What We Do' — Kathy Fletcher



Kathy Fletcher's suspicions were recently piqued when a company called and asked her to make an atypical correction to the certificate wording on a loan document. The Signing Agent and mobile Notary from Glendale, Arizona, asked if she could first review a copy of the document. Noticing a signature discrepancy, she informed her client that she would need to contact the signer.

"That's not my signature," Fletcher recalled the signer saying. "Someone's trying to forge my name on this document." She did not go through with the notarization and later discovered that the documents had been submitted to the District Attorney's office for criminal investigation.

While this incident occurred within the past year, such scams are much less common than in previous years. "I have borrowers frequently tell me that they didn't realize how important my job was," she said. "More care is being taken to prepare loan documents prior to getting them to the Notary."

Kathy said she would like to see more Notaries educate themselves about their state laws in order to protect themselves. "There's a lot of liability in what we do. When someone thinks of cutting corners, they should ask themselves, 'If I'm called into court about this, what will I say to the judge?' If you're worried about what you will have to say, you're not doing your job right."


'The Conversation Is Beginning' — Kelcia Cannon



Kelcia Cannon of Minneapolis, Minnesota, sees a silver lining to the foreclosure crisis: It has sparked a substantive dialogue about notarial practices within workplaces everywhere.

"Notaries are starting to understand their own liability, and they are educating their employers about issues and building workplace programs," said the 2012 Notary of the Year honoree. "The conversation is beginning, and the publicity about 'robo-signing' gives it teeth. Notaries can tell their bosses about real risks."

As the Executive Point Notary for Ameriprise

A hand holding a pen is the central focus of the top half of the page. The background is a textured, light-colored surface. In the lower right, a vibrant rainbow arches across the frame. In the lower left, a man in a green suit stands with his arm raised, looking towards the rainbow. The overall scene is surreal and artistic.

Financial, Inc., Cannon set up her company's Notary training program long before the "robo-signing" crisis emerged and made Notary education a national issue. That foresight and hard work has paid off.

"We almost never hear of a boss going to a Notary and saying, 'I don't care, just do the notarization whether it's lawful or not,'" Cannon said. "People are now respectful, they make appointments with Notaries and know they need to bring proper identification."

For some, the training did not come soon enough, as Canon was reminded recently. One of her co-workers was fined thousands of dollars for performing an improper notarization at the request of her employer several years earlier. "She told me how a program like this would have saved her so much grief and heartache," Canon recalled. "It really hit home with me. That's why I've always resolved to train our Notaries and give them the support to do their jobs right."


While progress has been made in many corporate environments, the risks aren't over just because major banks have accepted the National

Mortgage Settlement.

"There's another crisis sitting out there waiting to happen," Cannon said. "Financial companies that do not deal with mortgages probably still don't know a lot about the Settlement mandates."

Cannon said that employers are not the only ones to blame and are not the sole key to reform.

"There is a propensity to blame everything on employers and say they are all bad. But where are the states? Why don't more states require training or journals for Notaries?" And ultimately Notaries are responsible for their own actions.

"We need a three-pronged effort to keep the next 'robo-signing' crisis from happening," Cannon said. "States need to train and test Notaries; Notaries need to take responsibility for their actions; and employers need to ethically supervise the Notaries in their employ." 

Follow Your State's Requirements with Notary Certificates

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:

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

- Individual Acknowledgment — #25936
- Corporate Acknowledgment — #15937
- Partnership Acknowledgment — #5938
- Attorney in Fact Acknowledgment — #5939
- Credible Witness Acknowledgment — #5943
- Signature-by-Mark Acknowledgment — #5945
- Proof of Execution by Subscribing Witness — #15944*
- Copy Certification by Document Custodian — #5946
- Copy Certification by Notary — #5922**
- Jurat with Affiant Statement — #25924

Arizona: (8½" x 11")

- Translator's Affidavit with Jurat — #5955
- Jurat with Affiant Statement — #25924
- Individual Acknowledgment — #25936

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")

- All-Purpose Acknowledgment — #5907
- Proof of Execution by Subscribing Witness — #5908
- Copy Certification by Document Custodian — #5911
- Copy Certification of Power of Attorney — #5242
- 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)

- All-Purpose Acknowledgment — #5921
- 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 — #25936
- Acknowledgment by Corporation — #15937
- 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 — #25924

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") — #25924

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") — #25924

North Dakota: (8½" x 11")

- Witnessing or Attesting a Signature — #5956

Ohio: (8½" x 11")

- Jurat with Affiant Statement — #25924

Ohio (continued): (8½" x 11")

- Individual Acknowledgment — #25936
- Corporate Acknowledgment — #15937
- Partnership Acknowledgment — #15938
- Attorney in Fact Acknowledgment — #15939
- Credible-Witness Acknowledgment — #15943
- Proof of Execution by Subscribing Witness — #15944
- Signature-by-Mark Acknowledgment — #15945
- Copy Certification by Document Custodian — #15946

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 — #15944
- Copy Certification by Document Custodian — #5946
- Copy Certification by Notary — #5922
- Jurat with Affiant Statement (8½" x 11") — #25924

Washington: (8½" x 11")

- Individual Short-Form Acknowledgment — #5906
- Representative Short-Form Acknowledgment — #5905
- Disabled Person's Acknowledgment — #5904
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A World Of Change Ahead For Signing Agents

For much of the past two years, the mortgage servicing industry has grappled with the fallout from the “robo-signing” crisis. The National Mortgage Settlement imposed a series of sweeping reforms on five of the nation’s largest financial institutions that include everything from the way servicing employees communicate with borrowers to how documents are notarized.

The Settlement has spawned a nationwide effort to expand its reforms beyond the servicing-foreclosure side of the industry to every facet of how mortgages are handled — from the minute the application is taken to when the last payment is made, according to a leading title industry executive.



“I’m seeing the (National Mortgage Settlement) standards coming to the origination side of the industry,” Al Verkuylen, Senior Vice President of LSI Title Company, told a gathering of hundreds of Signing Agents at the NNA’s 34th Annual Conference last June. He said federal regulators have started looking closely at settlement and closing practices of third-party vendors such as title and closing services, “and they are especially focusing on the Notary process.”

Risk Management And Compliance

In 2002, the Office of the Comptroller of the Currency enacted a set of rules covering third party vendors working in the mortgage industry. But during the boom years, few people applied the rules at the grassroots level. That is changing in the post-foreclosure crisis environment, and Notary Signing Agents can expect to deal with a variety of requirements, Verkuylen said.

A key element is training and certification — a lack of which was highlighted by

the “robo-signing” crisis. Verkuylen noted that risk management executives at major financial institutions are exploring ways to create a centralized training and certification process for Signing Agents that would insure they are in compliance with federal standards and guidelines. Certification also will likely include periodic background checks and continuing education.

Signing Agents also will be expected to know and follow rules for protecting sensitive consumer information. “When you hold a set of loan documents, you have a lot of personal information,” Verkuylen said. “How is it stored? Is it protected? Can somebody get into your computer system?”

Signing Agents eventually will need to address these issues and more in the new regulatory environment.

A Focus On Professionalism

In addition to the compliance and risk management mandates, lenders are taking a hard look at their customer service. Banks are beginning to seek ways to improve the customer experience at the closing table as well, Verkuylen said. Lenders realize that as they increasingly centralize their loan origination operations, the Signing Agent may be the primary face of the bank with the borrower.

That improved experience could start with something as simple as wearing business attire to closings and having professional-sounding voicemail greetings. Lenders and closing services also recognize the need to improve communication with Signing Agents. Consequently, face-to-face meetings with local loan officers may become a more common occurrence.

In the final analysis, the impression NSAs make at the closing table will set the tone for how borrowers and the general public perceive the mortgage industry.



Handle Signature Discrepancies Properly

WHAT DO YOU DO WHEN THE NAME ON THE DOCUMENT DOESN'T QUITE MATCH THE NAME ON YOUR SIGNER'S IDENTIFICATION?

Even the most seasoned Notaries can find themselves in a sticky situation if the name or signature on a document doesn't match up with the one on the signer's ID. In some cases, a slight discrepancy is perfectly acceptable. In others, it is not.

'LESS, NOT MORE' RULE

A slight name discrepancy is usually acceptable so long as it follows the general rule of "less, not more." In other words, the name or signature on the document can contain less information than the name on the ID, but not the other way around. For example, if the name on the document reads "Harry J. Smith," and the ID reads "Harold James Smith," this is acceptable, because the ID contains more information than the document. If the name on the document reads "Joyce Lynette Jones" and the signer's ID reads "Joyce L. Jones," that is not acceptable, because you have no way of knowing if Joyce's middle name is Lynette or Laura or Lilith.

MARRIED, MAIDEN NAMES AND MORE

People often legally change their names because of marriage, divorce or other reasons. It's also common for people to use nicknames or other variations of their legal names. This can result in different names on documents and identification cards.

Regardless of the circumstances, you still must be able to identify signers by the name on the document. The simplest way is for the signer to provide an acceptable ID that matches the name on the document or use credible identifying witnesses.

'JR. VS. SR.' AND HYPHENATED NAMES

If a document reads "Billy Blunder, Jr." but the signer's ID only says "Billy Blunder," you may have a problem. Name similarities can be used to commit fraud.

Similarly, if a document reads "Linda Smith-Jones" but the ID card says "Linda Smith Jones," that also could be a problem. ID cards for names that are legally hyphenated should always contain the hyphen, as it is a critical part of that person's identification.

Unless your signers can prove they are who the document states they are, you must refuse to notarize.

THE 'AKA' OPTION

If the signer does not have any ID that matches the name on the document, and if credible identifying witnesses won't work either, then you may be able to use the "AKA" option. The signer signs the document with both names — the one on the ID and the one on the document — and links them together with the acronym "AKA," or "also known as." In this case, you are notarizing only the name that appears on the ID, and that is the name you put on the notarial certificate.

While this option may be permissible, you may only explain it to the signer. You may not recommend it. In addition, it is up to the signer to confirm with the receiving agency if this solution is acceptable. And you should always check your state laws before exercising this option.

If the "AKA" option is not acceptable and you have no other means to identify your signer as the person named in the document, then you must refuse to notarize.

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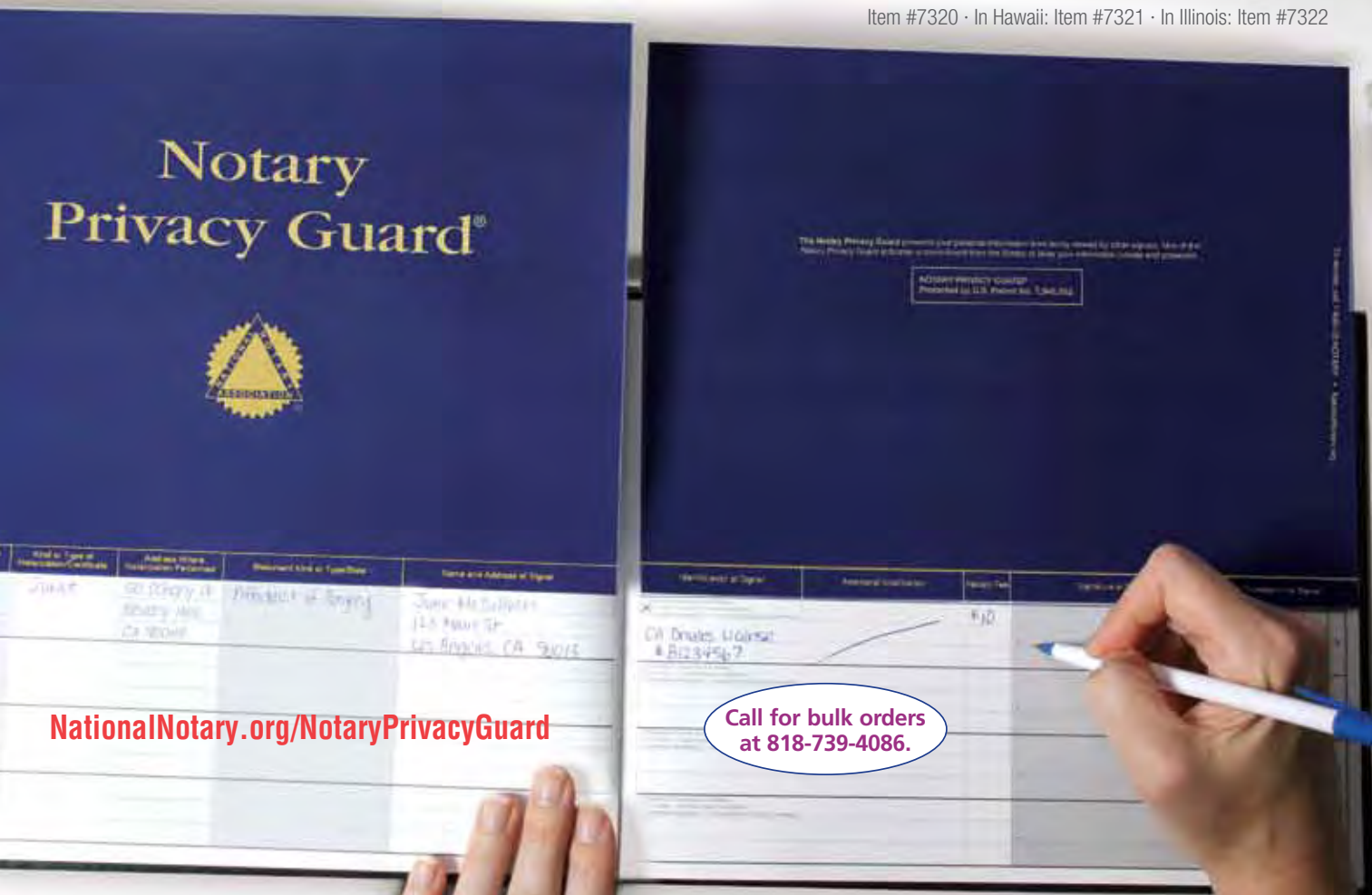
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Dealing With Absent Signers, Vehicle Titles And Conflicts Of Interest



Notaries across the country rely on the NNA's Notary Hotline to answer challenging questions. The following questions are among the thousands our Information Services team receives each month.

My supervisor asked me to notarize documents for a client who was unable to be present at the time of the notarization. When I told her that I am unable to perform notarizations for signers who do not physically appear before me, she seemed upset because I had met the client several times. How should I handle this situation, without risking losing my job?

D.C., Plano, TX

This is a sticky predicament that, unfortunately, happens all too often to Notaries in the workplace. You were correct to refuse the notarization, as you should never notarize for a signer who doesn't appear physically before you. You should explain to your boss that, as a Notary, you are a public official who has pledged to follow the Notary laws prescribed by your state. Remind your boss that, by following the law, you are upholding the ethical obligation of your appointment and thereby protecting yourself, the company, and the public.

I will be executing a California Copy Certification by Document Custodian for a birth certificate. Do both parents need to sign or can just one sign?

P.N., Foster City, California

Copy certification by document custodian is not appropriate for vital records (birth, marriage, death certificates), since

originals of these documents are retained by public agencies. Anyone requesting certified copies of vital records should be directed to the agency that holds the original — either the Bureau of Vital Statistics or county clerk where the birth, death or marriage occurred. (Health and Safety Code, Section 103545) If the vital record is from a foreign country, then you should tell them to contact that country's government for information on how to obtain a certified copy of a vital record, or they could contact the embassy or consulate of that country to see if a Notary working there could assist them.

I recently moved to a different county in Pennsylvania and no longer work in the county where I initially received my commission. Do I need to make a change to my commission?

D.A., Danville, PA

You must inform the Secretary of the Commonwealth and the recorder of deeds in the county of original appointment. Notification of the address change must be made within five days after the change (57 PS 153). When you change your office address to a new county, you must register your official signature with the prothonotary's office of the new county within 30 days. In counties of the second class, you must also register your signature with the clerk of court's office within 30 days (57 PS 153 and 57 PS 155).

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— The Editors*

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¹ Social Security Administration. "Identity Theft And Your Social Security Number." SSA Publication No. 05-10064. August 2009.



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These books present concise responses to common requests for improper notarizations.

To order, visit NationalNotary.org/Sep12/Supplies
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Online: NationalNotary.org/supplies

Mail: **National Notary Association
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NNA Supplies Order Form

Source Code
A47926

Name _____ Organization _____
 Address Business _____
 Home _____
 City _____ State _____ Zip _____
 Daytime Phone _____ Home Phone _____ Fax _____
 Email _____ NNA Member Number _____
(required for member prices)
 Sorry, but we cannot accept purchase orders to bill on account.

| Item # | Quantity | Description | Price | TOTAL |
|--------|----------|-------------|-------|-------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Check Enclosed/Money Order (payable to: National Notary Association)

Visa MasterCard AMEX Discover

Card Number _____
 Name on Card _____ Card Expires _____
 Billing Address _____
 City _____ State _____ Zip _____
 Signature _____

Sub-total of Supply Items

Shipping Charges (see rates below)
 Ground 2-Day Air Next-Day Air†

Add State/Local Taxes
(delivery to CA & WA*)

TOTAL

| Item Total | Shipping Rates* | | |
|---------------------|-----------------|------------|---------------|
| | Ground | 2-Day Air† | Next-Day Air† |
| \$0 - \$15.00 | \$6.95 | \$11.95 | \$20.95 |
| \$15.01 - \$40.00 | \$7.95 | \$12.95 | \$23.95 |
| \$40.01 - \$65.00 | \$9.95 | \$13.95 | \$26.95 |
| \$65.01 - \$95.00 | \$11.95 | \$15.95 | \$29.95 |
| \$95.01 - \$120.00 | \$13.95 | \$17.95 | \$33.95 |
| \$120.01 - \$150.00 | \$15.95 | \$19.95 | \$38.95 |
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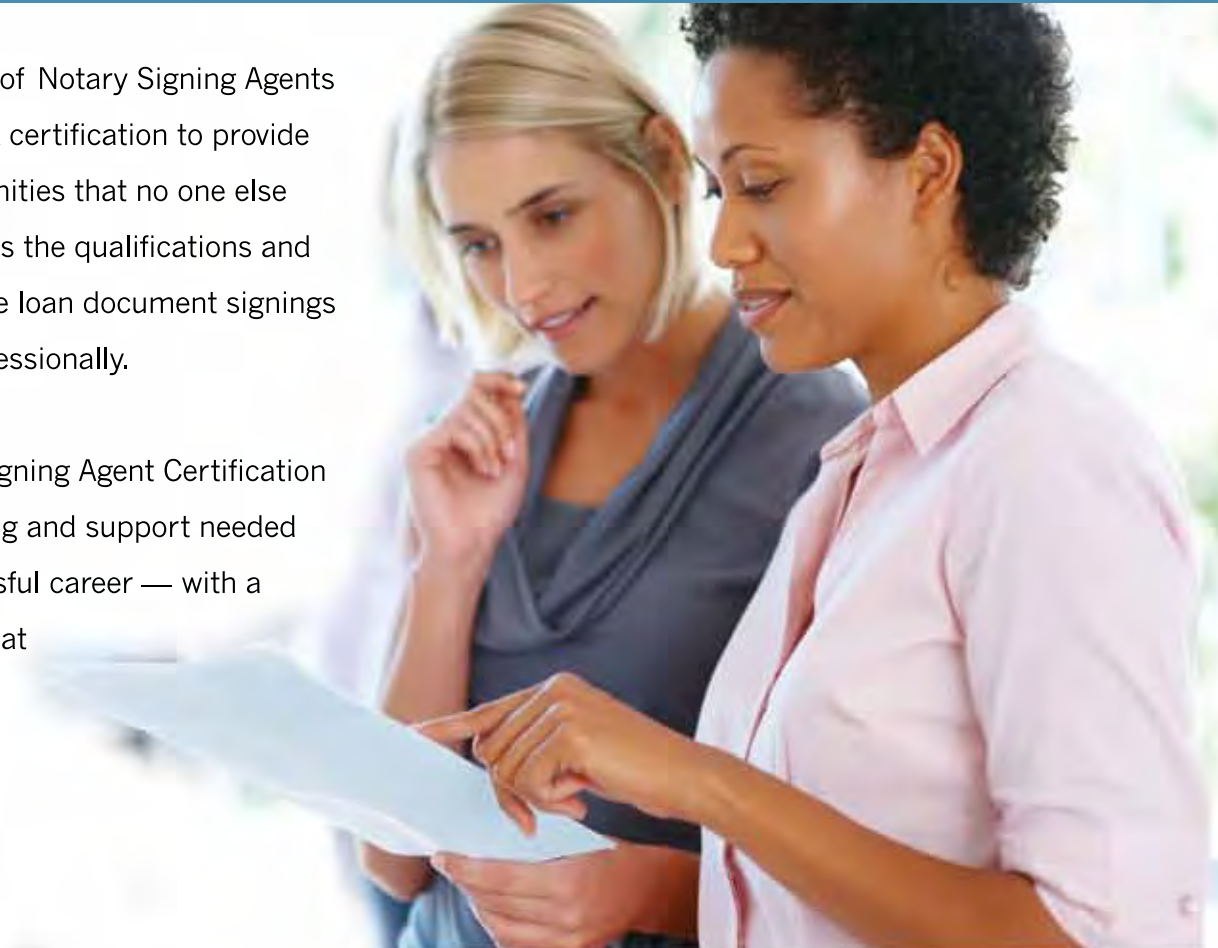
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