

# The National NOTARY®

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**Michelle Naturally Me**  
@agnes726

Networking is so natural at #NNA2015. That's important to a shy person.  
@nationalnotary

Wed Jun 03 2015 on Twitter

**Julie Brickley**  
@Signed\_N\_Sealed

Having a wonderful time and learning so much at #NNA2015. Can't wait to get home and put it all to good use.

Mon Jun 01 2015 on Twitter

**Joseph Reeves**  
@CenTexNotary

Hope my fellow Notaries are having as much fun as I am at #NNA2015 !

Tue Jun 02 2015 on Twitter

**MortgageDocs**  
@Mortgage\_Docs

It was great to meet all you Notaries at the #NNA2015! It is always nice to put a face with a voice! @Mortgage\_Docs

Mon Jun 08 2015 on Twitter

**#NNA2015**





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\*\*Background screening for current New York residents will include an additional \$65 New York Office of Court Administration Fee.



# NATIONAL NOTARY ASSOCIATION

# The National NOTARY

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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 the highest ethical standards of conduct and sound notarial practice.

## OUR CORE VALUES

The National Notary Association serves its membership by promoting five essential core values that empower and protect Notaries when they assume their responsibilities of the office and perform their official notarial acts.

Our Core Values of Membership promote:

- **Compliance** with state laws and regulations
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- **Risk Management** to reduce fraud and identity crimes
- **Professionalism** with reliability, competence and integrity
- **Opportunities** to increase earning potential

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Michael Lewis

The federal government's new mortgage Closing Disclosure was the hot topic at NNA 2015 Conference in June. Industry executives and other experts offered their viewpoints and discussed the form in great detail while attendees soaked up every bit of information they could gather. The key message that came out of the event was that NSAs should educate themselves on the Disclosure so they are ready when the industry starts using it.

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Michael Lewis

LaQuita Gaskins lives by a simple philosophy: "The more you receive, the more you have to give back." It has guided her through a career in the U.S. Army, a second career building a Notary business and the founding of a non-profit, community assistance organization.

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NNA Staff

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David Thun

Recent acts of violence against real estate agents have raised awareness of the potential danger of meeting strangers in strange locations — something they share in common with NSAs. *The National Notary* recently asked several veteran real estate professionals how they minimize the risks they face on a daily basis.



## Model Notary Act Influences State Lawmakers

**WEST VIRGINIA'S RECENT ENACTMENT OF THE RULONA** represents progressive reform of the state's Notary laws that were originally based upon the NNA's *Uniform Notary Act* of 1973. Secretary of State Natalie Tennant also published extensive emergency rules about eNotarization based on the *Model Notary Act* of 2010 in order to implement the RULONA provisions.

West Virginia isn't alone. For more than 40 years, the NNA has been a go-to resource for state lawmakers who want assistance in modernizing outdated Notary laws. The NNA collaborated with Yale Law School to create the *Uniform Notary Act*, first published in 1973 and updated in 1984, 2002 and 2010 as the *Model Notary Act*.

After the Uniform Law Commission published the *Revised Uniform Law on Notarial Acts* (RULONA) in 2010, the NNA's *Model Notary Act* started to serve as a complementary guide for states writing rules to implement RULONA provisions. More than 40 states have adopted significant parts of the MNA.

## Be a Presenter at NNA 2016!

**NNA 2016 WILL BE HELD IN SUNNY ANAHEIM**, California, and we want you to be involved in preparing the valuable content and workshops the Conference will have to offer.

The Call for Presenters is open to people with expertise in Notary practices, digital marketing, social media, law enforcement, business building, government, title and mortgage or the Signing Agent profession. If you have an idea or topic you'd like addressed at NNA 2016, we encourage you to submit your NNA 2016 Presenter Application before the deadline on August 31, 2015.

Visit: [www.nationalnotary.org/conference/speakers/call-for-presenters](http://www.nationalnotary.org/conference/speakers/call-for-presenters).



## NNA Launches New Course to Help Applicants Pass NY Notary Exam

**THE NEW YORK NOTARY** Public License Exam is one of the most rigorous Notary tests in the U.S. The NNA now has an online prep course to help NY Notary applicants prepare for and pass the exam.

The course provides Notaries with downloadable flashcards, a Law Glossary of legal terms used in the exam, and other test-taking tips. The prep course also gives an overview of the new TRID Closing Disclosure and how it affects Notaries who work with loan documents.

The course is available at [www.nationalnotary.org/new-york/training](http://www.nationalnotary.org/new-york/training).





## Submit Your Nominations for the 2016 Notary of the Year!

**DO YOU KNOW A NOTARY** who you feel sets an example for integrity, community service and strong notarial ethics? If so, be sure to submit your nomination for the 2016 Notary of the Year.

A candidate for Notary of the Year should follow the highest professional and ethical standards when performing notarizations, be active in volunteer efforts, and serve as a mentor and role model to colleagues. Five honorees will be chosen from the nominees, with the Notary of the Year announced at NNA 2016 in Anaheim, California.



Nominations can be submitted by email to [publications@nationalnotary.org](mailto:publications@nationalnotary.org) and may include yourself. NNA membership is not a requirement. Please include the nominee's name and contact information, why you feel the candidate qualifies as Notary of the Year, along with a description of any volunteer, charitable or community service the nominee participates in. [www.bitly.com/NOTYNomination](http://www.bitly.com/NOTYNomination)



## We'd Like Your Feedback on Our New 'Policy Tracker'

**THE NNA'S ONLINE NEW LAW DATABASE** now includes a "Policy Tracker" tool that allows you to follow updates to proposed laws, rules and regulations that impact your work as a Notary — and we'd like to hear your feedback on this new feature.

You can access the policy tracker through your NNA profile at [NationalNotary.org](http://NationalNotary.org), where you'll see the "Policy Tracker" logo on the right side of the screen. Once there you'll be able choose between two links, Proposed Notary Bills and Proposed Notary Laws.

If you've used our Policy Tracker, let us know what you think at [social@nationalnotary.org](mailto:social@nationalnotary.org).



## NNA Vice President Spotlights eClosings

**BILL ANDERSON, THE NNA'S VICE PRESIDENT** of Legislative Affairs, recently took part in an eClosing panel discussion at the National Settlement Services Summit (NS3) in Atlanta, Georgia, where he emphasized the continued need for NSAs in a world of paperless mortgage transactions.

He noted that errors at the signing table largely will be eliminated with eClosing systems, and emphasized that Notaries provide value during the signing experience and will continue to play a key role in mortgage closings.

Anderson also presented information about the history of eClosings, eNotarization Law, and Notary eSignature standards.

NS3 is an annual conference for the title insurance and settlement services industry.

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## Auto Experts Pick the Best Cars for Notaries

**AS A MOBILE NOTARY**, traveling to your appointments is your business, and a safe, reliable automobile is vital. Experts offer the following suggestions for Notaries in need of new transportation:

“Purchase a vehicle that has a superior safety rating,” said Tim McCarthy, owner of CarSense auto consulting in Leesburg, Virginia. McCarthy recommends the Volvo line of autos, but Notaries can also find information on other brands’ safety ratings through the National Highway Transportation Agency or the Insurance Institute for Highway Safety.

Both newer Honda and Toyota compact models have great reputations for car dependability, McCarthy adds. He once saw a Honda with 300,000 miles on it that was still going strong.

For Notaries concerned about gas mileage, smaller cars are definitely for you, says Tony Langerfer, owner of Expert Auto Consultants. For the best numbers, he says, think compact or even sub-compact. He praises Kia vehicles, which he says have steadily improved. Kia compact models include the Rio (starting at \$13,990) and Forte (starting at \$15,890) which claim 31 combined miles per gallon.

## Preparing for — and Passing — a Notary Exam

**IF YOU LIVE IN A STATE THAT REQUIRES NOTARIES** to take an exam to renew their commissions, there’s a lot of pressure to pass the test. But there are basic strategies for preparing to pass an exam within a short amount of time that can help you, including the following:

1. Be sure to study your state’s Notary laws and procedures beforehand. Being fully prepared helps reduce feelings of panic or worry.
2. Be sure to eat healthy and get plenty of rest prior to test day to boost your chance of success.
3. When taking the exam, take your time, stay calm, and double-check your answers.

These simple steps may ease your anxieties and help you ace any exams you confront in the future.

## Quiz: Oaths and Affirmations Cause Confusion

**WHAT NOTARIAL ACTS CAUSE THE BIGGEST CONFUSION** for Notaries? According to the results of an online NNA quiz, more than half of the respondents struggled with the difference between oaths and affirmations.

When asked what the difference between an oath and an affirmation was, more than fifty percent of respondents responded incorrectly. The most common mistake chosen was that an oath is verbal while an affirmation is in writing, with others guessed incorrectly that an oath is only taken in court or before a judge.

Forty-eight percent of Notaries correctly answered that an oath is a declaration made to a higher power while an affirmation is a promise made on personal honor. Both oaths and affirmations carry the same legal effect.

## Small Talk Is a Big Help in Building Business

**THE FOUNDATION FOR GREAT CUSTOMER SERVICE** begins with the first interaction. If you make a connection with the signer — whether it is commenting on house décor, pets, or asking about their day — you’ll be on your way to gaining their trust.

“I have heard numerous times from referrals that it was my interaction with their friend or family member that led them to call me rather than head over to the nearest FedEx store,” Notary Zoanne Kulhman of Santa Rosa, California, wrote on our Facebook page.

A Notary and retired bank manager from Whiting, New Jersey, John Keegan said you should keep your small talk simple. “Never ask questions that invade their personal lives.”

Although small talk may not be needed for all signings, providing clients with great customer service is still important because it sticks in people’s minds. If you are personable during the first meeting, people will come back for your business and refer your work to others.



# INDUSTRY PANEL: **CLOSING DISCLOSURE MASTERY COULD BE A 'COMPETITIVE ADVANTAGE'**

WHAT TO EXPECT COME OCTOBER 3

By Michael Lewis

**T**HE FEDERAL GOVERNMENT'S NEW MORTGAGE CLOSING DISCLOSURE was one of the hottest topics at NNA 2015 Conference in June, with industry executives and other experts offering their perspectives and attendees trying to soak up every bit of information they could gather.







Ray Callahan  
Chief Compliance Officer,  
Prospect Mortgage, LLC.



Sally Freudenberg, Vice  
President, Home and Consumer  
Finance Group, Wells Fargo



T.J. Harrington  
Vice President,  
Vendor Management,  
Bank of America



Brian Hughes  
Chief Operating Officer,  
Title Source

The key message was that Notary signing agents should learn everything they can about the new Disclosure to get the widest number of signing assignments.

“As Notary signing agents, if you read up on the Closing Disclosure, ask questions, take some training, you will turn it into a competitive advantage,” Ray Callahan, Chief Compliance Officer, Prospect Mortgage, LLC., said during the Industry Panel discussion titled, “Lenders Share How the New CFPB Closing Disclosure Affects Loan Signings.”

The Closing Disclosure is part of the CFPB’s new TILA/RESPA Integrated Disclosures (TRID) Rule, and it is the piece that most impacts signing agents. The Disclosure combines the existing HUD-1 Settlement Statement and final Truth In Lending Statement.

The nearly 1,900-page rule is now expected to go into effect on October 3, and it also includes a new Loan Estimate, the other part of the TRID rule, that combines the initial Truth in Lending Statement and the Good Faith Estimate of Closing Costs. The new forms are intended to make it easier for borrowers to understand key terms of their mortgages.

### The Good News

Most of the details about the Disclosure have been available for some time, and you can learn as much as you need to know from the NNA’s coverage in the *Notary Bulletin* ([NationalNotary.org/bulletin](http://NationalNotary.org/bulletin)) and in the June edition of *The National Notary*.

Panelists described the implementation of the CFPB’s rule as a sea change for the mortgage industry.

Brian Hughes, Chief Operating Officer of Title Source, said the rule is requiring the company

to completely overhaul its procedures. But ultimately it is expected to make a better process for everyone, particularly its requirement that the borrower receive the Closing Disclosure at least three days before the closing.

In reality, said T.J. Harrington, Vice President of Vendor Management for Bank of America, the Disclosures will go out seven to 10 days before the closing to make sure borrowers receive them on time.

“That really means, from the bank’s perspective, that we will need to be ready to close at least 10 days in advance of the closing date,” he said.


“From where you (NSAs) sit, that’s revolutionary.”

The comment elicited applause from the hundreds of Notaries in the audience.

The panelists reiterated the expectation that borrowers will come to the closing table better informed about their loans and with their questions already answered. That should result in smoother signings.

**“As Notary signing agents, if you read up on the Closing Disclosure, ask questions, take some training, you will turn it into a competitive advantage.”**

— *Ray Callahan, Chief Compliance Officer of Prospect Mortgage, LLC.*



### Closing Disclosure Resources

The most popular workshops at NNA 2015 were the sessions on the Closing Disclosure presented by David Shean, a long-time escrow officer, NSA and former president of the California Escrow Association. They proved so popular an additional session was put on the schedule.

Shean and the panelists urged NSAs to continue their education about the Disclosures.

“I would recommend taking the forms for a test drive — take a look at them,” Harrington said. (See the April edition of *The National Notary* for a copy of the Closing Disclosure.)

Because the industry has been so focused on preparing to implement the rule, there are



David Shean,  
NNA Notary of the Year 2014



Joan Ann Baffa, Marcy Tiberio, LaQuita Gaskins, Bridget Outlaw and Mike Phillips –  
Notary of the Year Honorees



NNA President and CEO Tom Heymann presents  
March Fong Eu Award to Tom Wrosch

considerable resources available, including the CFPB’s website.

Callahan recommended the NNA’s Notary Signing Agent Continuing Education Course. “I have taken the NNA’s course and found it very good, right to the point.”

Even though the implementation of the Closing Disclosure rule had been delayed two months, Shean, the NNA’s 2014 Notary of the Year, urged NSAs to prepare and market themselves to their potential clients right away.

“You need to talk to your lenders, your settlement agents and tell them you’re familiar with the Closing Disclosure,” he said. That will let them know you’re able to meet their needs.

For all the frantic activity and confusion surrounding the Closing Disclosure, the experts portrayed it as a genuine opportunity for NSAs.

“The future belongs to those who show up,” Harrington told attendees, “and you’re doing that.”

## Looking Beyond the Closing Disclosure

Amid all the activity surrounding the CFPB’s rule, government regulators and lenders alike are placing a growing emphasis on protecting consumers’ personal financial and identity information — called Non-public Personal Information (NPPI).

And that trend is expected to impact NSAs.

Keeping the borrower’s information out of the wrong hands is “all important,” Callahan said, adding that every loan package an NSA gets is loaded with NPPI.

Shean said that NSAs will be expected to have written policies documenting the measures they take to protect NPPI.

The underlying message of the speakers stressed the need for NSAs to be prepared for change. The industry is evolving along with expectations from government regulators and consumers.

To stay relevant and competitive, signing agents have to be willing to evolve with them.

## Conference Highlights

### Third Annual Veterans Program

In what has become a tradition at NNA Conferences, more than two dozen U.S. Military veterans took advantage of complimentary Notary training funded by the National Notary Foundation. The vets were trained on how to become Florida Notaries Public, how to complete the state’s application, and how to start their own Notary business. They were also invited to attend the Conference’s annual Welcome Reception to network with Notaries, industry representatives and state officials. Information: [www.NationalNotary.org/Veterans](http://www.NationalNotary.org/Veterans).

### NNA 2016 Returns To California

The secret is out! At this year’s Closing General Session, NNA President and Chief Executive Officer Tom Heymann announced that NNA 2016 will be in Anaheim, California. The Conference will be held June 5-8 at the Hyatt Regency Orange County, in the heart of Anaheim’s theme park, shopping, dining and attraction district. Information: [www.NationalNotary.org/conference](http://www.NationalNotary.org/conference).

### Congrats To Our Giveaway Winners

Several NNA 2015 attendees left Orlando with valuable prizes and giveaways following a random drawing conducted live at the Closing General Session. Denise Maloy of Illinois and Barbara Terry of New York were both proud winners of Apple iPad Minis, which Signing Agents and mobile Notaries find particularly valuable. Barbara Vanderputten, of Wisconsin, and Gwendolyn Reinert of Florida also had their names pulled during the iPad Mini giveaway, but were not present. Their iPads are in the mail. The big winner, though, was Jean Janneck of Ohio, who won an all-expenses-paid trip to NNA 2016 next year in Anaheim, California. Congrats to all!





# KEYNOTE: 'YOU HAVE TO PUT YOUR BEST SELF FORWARD'

## DR. WOODY TALKS 'THE YOU PLAN' FOR NOTARIES AND HOW TO RISE ABOVE THE COMPETITION

By Phillip Browne

**W**ITH INCREASING COMPETITION IN THE MOBILE NOTARY and signing agent market, and the federal government placing more consumer protection mandates upon the entities that hire you, it's essential to identify new opportunities and become a smarter business person to ensure growth.

To help NNA 2015 Conference attendees gain this edge and rise above the competition, the NNA invited acclaimed organizational psychologist and author Michael "Dr. Woody" Woodward, Ph.D., to deliver the keynote address at the Conference's Opening General Session. Woodward, author of "The YOU Plan: A 5-Step Guide to Taking Charge of Your Career in the New Economy," discussed specifically how Notaries could apply these five steps to their professional development and growth.

"You have to keep your eyes open for opportunities," Woodward told the rapt audience of Notaries from across the nation. "Your focus should always be on putting your best self forward and thinking about how you do that, and how you can continue to learn."

Woodward's five career-building recommendations for Notaries include:

### **Avoid 'Functional Fixedness'**

Functional fixedness is defined as seeing an object only for its intended purpose — a perception that often blinds us to opportunity and efficiency. Woodward offered the example of a can opener, which most of us use simply for opening cans. But that same tool can perform many different tasks,



View the Keynote at [www.bitly.com/drwoody](http://www.bitly.com/drwoody)

like breaking those pesky sealed plastic casings we wrestle with when opening products from big box stores.

"Functional fixedness can blind us to opportunity because you fail to see what something could be," Woodward said. "If you see yourself so specifically that you only consider performing notarizations, do you think that might limit the possibilities of what you might do with your Notary commission or your skill set?"

He recommends breaking down what you do to its simplest form: consumer protection, public service, integrity, reliability, security. Then look for opportunities beyond your "functional fixedness." Some Notaries do this already by diversifying their services in areas like mystery shopping, field inspection, virtual assistant, officiating weddings and proctoring exams, among others.

### **Become Opportunity Focused**

There are generally two types of mindsets when approaching business: Those that are prevention focused versus those who are promotion focused, Woodward said. Prevention focused people are accurate, reliable and conscientious, but they focus on "playing not to lose," he said.

Promotion focused people are optimistic, forward thinking, always looking for opportunity and not afraid of taking risks. They play to win. Woodward argues that most successful business people he works with are promotion focused, "which means they are opportunity focused."

"You have to get out of your comfort zone. You will make a lot of mistakes when you are opportunity focused. You have to expect it and plan for it.

And you have to be willing to learn from it,” Woodward said. “Every entrepreneur I have ever interviewed has embraced those mistakes and losses.”

## Build Your Network

Most Notaries know what it means to build a professional network to help secure new business and boost their professional development. But Woodward argues you shouldn't stop there, because there's a lot more to building “the right network.”

Many people build networks that Woodward calls “echo chambers”: Networks where everyone knows everyone else. These restrict the potential for opportunity. Woodward instead endorses building “diverse networks” in which you become a central hub between influencers in several disciplines or industries that rely upon what you do. For Notaries, that could mean targeting real estate agents, title representatives, auto dealers, health care professionals, attorneys and more.

“You must have access to things or people that others in your network don't have,” Woodward said. “You want to be an information broker, and that means connecting with people who are influencers. Try to find people who can open doors for you. That is when your network becomes powerful.”

## Spot Trends

Generally, Woodward classifies this tip as being “proactive” versus “reactive.” You can wait for your cell phone to ring for a mobile signing assignment, or you can work to connect yourself with market segments that you know will need your services.

He pointed to the Baby Boomer generation as a prime example (see the October 2014 issue of *The National Notary*). There are 77 million Boomers in the nation, and 8,000 of them turn 65 every day. This is an aging market segment with increasing needs for notarizations on documents like powers of attorney, advance health care directives, trust, and reverse mortgages, among others.

“Immerse yourself in their world and build relationships in places where Boomers are going to be, like retirement communities and clinics,” Woodward said. “Then become their ‘go to’ person in your community, or become the in-house expert on notarization in places where they congregate.”

## Stand Out

Standing out means doing things that your competitors don't and creating multiple channels of business that help you grow.


“It is all about diversifying so that you can generate more business,” Woodward said. “For you, that could mean coaching or training new Notaries, overseeing homeowners association elections, and partnering with local law firms or hospitals that have a regular need for Notaries. Look for things you can do and services you can provide that your market needs, and do them.”

Your accessibility is also a key component of standing out. Being mobile, for example, is a huge benefit in our ever-increasing convenience society.

But the real key to standing out is being the best you can be and providing top-notch customer service, Woodward said.

“Do what you do best and do it the best. Deliver them integrity, trust, reliability and security for their documents,” Woodward said. “Keep yourself educated and informed about all of the changes happening in your industry. By being at this

conference you are already showing your dedication to staying informed. Believe me, your dedication will be evident to your customers, and that will keep them coming back.”



**“Do what you do best and do it the best. Deliver them integrity, trust, reliability and security for their documents.”**

— Michael “Dr. Woody” Woodward, Ph.D.

## Check Out the #NNA2015 Action and Share Your Photos, Videos, Posts

[www.NationalNotary.org/NNA2015](http://www.NationalNotary.org/NNA2015)

NNA 2015 was a truly interactive and shareable event — and it lives on through the eyes (and lenses) of the people who attended. Everyone who came to Conference was encouraged to share their photos and videos on a dedicated media gallery, and hundreds did just that. Check out the Conference excitement at [NationalNotary.org/NNA2015](http://NationalNotary.org/NNA2015). You can still share your memories of Conference. Just post your pictures to your Facebook, Instagram or Twitter account and use our official Conference hashtag #NNA2015!





# ID-Face Matching Sessions a Hit

Among the more intriguing workshops at NNA 2015 were the sessions on matching faces to IDs presented by Megan Papesh, an assistant professor of psychology at Louisiana State University and expert in facial recognition.

Papesh's workshop, "Challenges of Facial Recognition in Identification," dealt with the core responsibility of every Notary: verifying the identity of every signer.

She and her research partner, Stephen Goldinger, a psychology professor at Arizona State University, last year published the results of a study that examined how difficult it was to match faces to ID photos. Their test subjects often failed to spot imposters — as much as 45 percent of the time — when comparing faces to ID photos.

"I really enjoyed speaking to people who do this for a living and getting from them what they look at when they try to match faces," Papesh said. "Speaking to experts about it has been really informative for our science."

Papesh and Goldinger also had a booth at Conference to conduct research with Notary subjects. Dozens of attendees tried their hand —

and eyes — at the face-matching test.

Papesh said she spoke to everyone who came by the booth and asked them what they looked for when checking a person's ID. It turned out that many of the best practices she and Goldinger recommend are being applied by Notaries.

"So many people told me that the first thing they look for is the person's smile because the smile doesn't change," Papesh said. "That's the first thing on our list."

Papesh and Goldinger are continuing their research with Notaries and have posted their face-matching test on [meganpapesh.com](http://meganpapesh.com). Anyone who wants to test their skill can use the password NNA\_2015 at the link under "Recent Events." ■



Megan Papesh



Save the Date  
**NNA2016**

Anaheim, CA

June 5-8



# 2015 NOTARY OF THE YEAR

# LAQUITA GASKINS

By Michael Lewis



**A**SK ANY LITTLE GIRL what she wants to be when she grows up and she's liable to say doctor or lawyer, ballerina or movie star, astronaut or president. Notary Public probably doesn't make the top of many lists.

But it did for LaQuita Gaskins of Radcliff, Kentucky, and that's exactly what she became, getting her first Notary commission at age 18.

"I learned about Notaries when I was very young," Gaskins recalls. As a toddler, she used to accompany her grandfather, Willie Richard, to his office in Memphis, Tennessee, where he worked on real estate deals. She became fascinated by the Notaries in the office performing their duties.

"Every day I would go to work with him and learn," she said. Eventually, she started handling documents, answering phones and keeping records of signings and notarizations.

But the notion of public service always was front and center in her life. "My granddaddy always said, 'The more you receive, the more you have

to give back,'" Gaskins recalled and her father Earnest Greene Johnson was just as ambitious. He instilled the same values as her grandfather.

She joined the U.S. Army and held a Notary commission for most of her 21 years in uniform. After she retired from the military, she and her husband, Lonnie Gaskins Sr., started a signing agent business together.

She also founded and runs Shiloh City of Peace, a faith-based community organization that helps people in need with shelter, food, healthcare, job assistance and more. She even turned over seven homes that she owns to be used as shelters.

In addition, Gaskins has helped dozens of people across the country get started as NSAs.

It's this selfless, unequivocal dedication to serving the public and her commitment to the Notary Public office that inspired the NNA to recognize Gaskins as the 2015 Notary of the Year.

"LaQuita Gaskins is an incredible person," said NNA CEO and President Tom Heymann. "From her military service to her work with Shiloh City of Peace to her success as a Notary business owner, she is a true inspiration."

"I am truly, truly grateful," said Gaskins, fighting back the tears. "I never knew what success tasted like, only what it looked like. And to me, this is a taste of success."



Her soft-spoken words evoke the deep humility of a person who has dedicated her life to helping others. Not only has she had success, but she has helped so many others succeed.

Since those modest, childhood beginnings in her grandfather's office, Gaskins has fully embraced a philosophy that combines ongoing personal improvement with service to others.

As a teenager, she wanted to support the charity, Feed The Children. She decided how many children she wanted to help and then calculated how much of her allowance she would have to sacrifice. To make her goal, she started taking on extra jobs.

During her time in the Army, she became the go-to person for anyone who needed a Notary on the base. In her spare time, when the mother of four (and grandmother of two) wasn't busy raising her family and tending to her military duties, she began making investments and gradually building up her portfolio.

She also strived to become a better Notary. As a young soldier, Gaskins got a three-day pass to attend her first NNA Conference. She couldn't afford the registration fee, but she went to the venue to network and see what was going on.

"Walking around I was so excited, meeting people and talking to vendors," Gaskins recounted. "Then came the day of the Gala. That's when reality sunk in. You had to have a ticket to get in and I didn't have a ticket. And I prayed to God and said one day I would like to know what they do in there."

Years later, she planned to attend another Conference, but at the last minute the Army sent her to a week-long leadership training course. She managed to get to the Conference on the last day.

"I got to talk to a few people and ask questions." But then came the Gala, and once more the doors closed, leaving her on the outside. "I walked away and this time I was crying. And I told God, 'One of these days, I'm going to make it to the Gala.'"

Of course, her first Gala banquet — and full Conference — came this year.

Despite Gaskins' lifelong commitment to helping others, it didn't resonate with her

personally until she experienced her own crisis. In 2008, she was in a bad car accident and suffered serious brain injuries.

"I didn't know my own name," she recalled. "I never thought I would be a person who needed somebody to take care of me. During that time, there were some great people who took care of me. If they hadn't, I wouldn't be the person I am today."

Now, when someone asks for help, she knows how easily she could have been in their shoes.

Several years ago, an Army friend and Texas Notary, Angela Spence, called Gaskins seeking help for an elderly homeless woman Spence had encountered on the streets of Austin. Gaskins didn't hesitate. She arranged for a bus ticket, met the woman at the station in Kentucky, put her up in one of the Shiloh shelters, and arranged

for medical treatment.

The only clue to the woman's background was the doctor's name on an old prescription bottle. But that was enough. Gaskins spent two years making countless phone calls and working social media, until she finally reunited the woman with her family.

"I never question anybody's situation," Gaskins said. "If they say they need help, it's not my place to judge why. If they need it and I have it to give, I will."

Being a Notary plays an integral part of giving back.

She often helps clients get back on their feet by mentoring them to become Notaries and signing agents.

She also is an ardent believer in education and self-improvement, which is why she also is a strong supporter of the NNA. "The NNA has a lot of knowledge. You can call them with questions from any state and they know the answer."

Gaskins' education isn't limited to notarial subjects. Gaskins has a double master's degree in Mental Health Counseling and Education and is currently working on a double Doctorate degree in theology and Biblical counseling.

Of course, her example has inspired two of her children to become Notaries, including college student Lonnie Jr., who wanted to earn enough to live off campus. He recruited some classmates to become NSAs, too.

So the family tradition continues. ■

**"LaQuita Gaskins is an incredible person — from her military service to her work with Shiloh City of Peace to her success as a Notary business owner, she is a true inspiration."**

**— NNA CEO and President  
Tom Heymann**





# 5 SOUND PRACTICES

## THAT STEER YOU CLEAR OF LAWSUITS, COSTLY ERRORS

By NNA Staff

**I F A NOTARY MAKES A MISTAKE,** it's likely to happen during the first year of the commission, when it's easy to get tripped up due to lack of experience and knowledge. To help you avoid costly errors and lawsuits, we asked our veteran Notary ambassadors and experts to weigh in on several of the most common issues (both big and small) that Notaries run into today. The NNA Hotline and Customer Care teams also participated in our poll to uncover, investigate and help solve your most pressing issues.

### 1) Demand Personal Appearance

Before you can notarize someone's signature, a signer must personally appear before you, face-to-face, in the same room. That's the only way you can verify your signers are who they say they are, signing of their own free will and fully aware of what's happening.

"Signers cannot 'personally appear' over the phone, via email or from their office down the hall," says Bill Anderson, the NNA's Vice President of Legislative Affairs.

Newer Notaries are often confused by this, and it's common for Notaries to be asked to make 'just one exception' to the personal appearance rule by signers — but you need to stick to your guns. Be pleasant and straightforward when you tell your client that all signers must appear in the flesh, at the time of the notarization, and not before or after — but be firm.



## 2) Master Identification Issues

To do your job in verifying a signer's identity, you need to know the types of identification state law allows you to accept in the first place. Primary sources to check are your state's Notary laws, or official handbook if one is published by your state's Notary regulating agency. A secondary source, says Anderson, is the NNA's online *U.S. Notary Reference Manual*, to which every NNA member has access as a member benefit.

Most states provide guidelines on what constitutes acceptable ID from a signer, so do your homework. Once you're clear on which IDs you may accept, always be careful during notarizations to confirm the information on the ID matches your signer's description, and be alert for any discrepancies. Take your time and stand your ground if you're confused. NNA members can call the NNA Hotline with questions about ID issues at 1-888-876-0827.

## 3) Avoid the Pressure to 'Rush'

Even experienced Notaries can still get rattled when asked to notarize a large number of signatures by a signer or employer who's stressed and in a hurry. But when you rush to finish things too quickly, it's easy to miss a basic step that can invalidate the notarization and even lead to legal or financial consequences later on if a signer holds you liable for invalidating a transaction due to a faulty notarization.

"A good rule of thumb is to make sure you do not allow signers to hurry you at any point," advises Arizona NSA Kathy Fletcher, 2013 NNA Notary of the Year. "As a Notary you must be in control. I always check each document after each page is signed and once again before I leave the signer's location. This universally decreases errors."

"Proper care should be taken to sidestep hassles and wasting your own time," says New York Notary Linda Mattera. During one signing, her clients chose to rush and signed the documents incorrectly. Upon discovering the errors, Mattera took charge and politely asked the signers to re-sign the documents correctly.

## 4) Use Proper Certificate Wording

When completing Notary certificates, always scan the document in order to:

- Check for blank spaces. Some states mandate there are no blanks on a document while other states strongly recommend it.

- Note any details (such as the document title) that your state requires in your journal entry.

"When completing the certificate, make sure all the details are correct," says NNA Compliance Specialist Patti Wulfestieg. She clarified that scanning the document does not mean reading it for details. "Just glance over it sufficiently to get the information you need."

## 5) Know How to Handle 'Emotional' Signers

Notarizing certain documents — deeds, mortgages, trusts and powers of attorney — presents another challenge to a Notary: stressful situations.

"One emergency situation we hear a lot about lately is the elderly parent who has suddenly become catastrophically ill and there's no power of attorney in place," says Wulfestieg. "The grown children of incapacitated seniors are usually desperate to get the paperwork notarized before it's too late."

While that's understandable, if the aged, sick parent is not aware or able to communicate clearly when the Notary comes to notarize, you have no choice but to refuse to complete the notarization. "Any adult child in that position would be extremely frustrated by the Notary's refusal, and some may become belligerent as a result," Wulfestieg says.

"When I get rude or anxious clients, I immediately put a calming strategy in place," says Laura Biewer, an NNA seminar instructor and a traveling Notary. You can, too. Try Biewer's tips:

- Ask if the Notary's office is the environment they wish to sign in. Some clients prefer a more public venue like a coffee shop.
- Slow down, allowing several minutes for settling in and getting everyone comfortable.
- Listen more than you think you need to, make eye contact and smile often.
- Acknowledge your client's emotions by saying something like, "I understand how this makes you feel," without inflaming your signer further. Try being extra sensitive to the stressors that they may be experiencing.

Paying close attention to your signer and communicating calmly and openly about any confusion can allay anxieties and ensure a successful and pleasant appointment. ■

"A good rule of thumb is to make sure you do not allow signers to hurry you at any point."



# STRANGER DANGER

By David Thun

## REAL ESTATE PROFESSIONALS FACE INCREASING RISKS

**R**ECENT ACTS OF VIOLENCE IN THE REAL ESTATE INDUSTRY have raised the question: Do Notary signing agents need to do more to ensure their safety?

Last September, Little Rock, Arkansas, real estate agent Beverly Carter called her husband to let him know she was meeting a prospective buyer at a home in a farming community outside the city.

When she didn't return, her concerned husband went to the location and found her car abandoned with her purse and wallet inside, but her cellphone gone. He contacted the police.

Days later Carter's body was found in a shallow grave in the town of Cabot, about 20 miles from where she disappeared. Police arrested and

charged a parolee, Arron Lewis, with Carter's murder. According to news reports, police believe that Lewis was the man scheduled to meet Carter to see the home prior to her disappearance.

Carter's death shocked real estate agents throughout the country. She had been a well-liked professional who lost her life simply by doing what thousands of her colleagues do every day on the job. It also prompted Notary signing agents — who often travel to the homes of strangers to deliver and notarize home loan



documents — to raise concerns about their safety while on assignment.

Notary signing agents — whose work often takes them to the homes of strangers to deliver and notarize signatures on loan documents — periodically encounter serious risks to their personal safety.

In the past five years, there's been a significant increase in cases of violence against people who handle real estate transactions, said Linda Rheinberger, a Las Vegas, Nevada, Realtor and regional vice president for the National Association of Realtors (NAR). Since Carter's death, the NAR has developed new safety training programs and other resources for real estate professionals. Some Realtors are also now using emergency signal devices to contact 911 in the event they can't reach their phone in an emergency.

"The Beverly Carter case has made safety one of the top issues NAR is concentrating on," Rheinberger said, noting that working in the real estate industry has gotten much riskier.

"A decade ago, I'd meet people for the first time at a showing," Rheinberger said. "We wouldn't think twice about leaving a home open for display if the owner wasn't home. I would never do that now."

Today, Rheinberger says she always meets prospective buyers at her office first, where there are other people around, asks to see their ID and lets her employees know where she is going. She drives separately from the customer when showing a home. If the house is vacant and she doesn't know the person, she always has them go inside first.

Signing agents on social media have described incidents ranging from signers getting upset and yelling at them regarding issues with documents to attempts to prevent a signing agent from leaving the home — which is what happened to Sybil Boudreaux, a signing agent from Houma, Louisiana, last year when she visited a man's house to notarize documents for a refinancing.

"He was a nice person at first. In fact, I had notarized for him previously and he remembered me," Boudreaux said. Though the initial stages of the signing went well, things turned ugly when Boudreaux asked the signer if he had two witnesses available — a requirement that Boudreaux said she had discussed with him by phone prior to the appointment. The signer became angry and insisted that he hadn't been told witnesses were needed. Boudreaux told him the notarization couldn't proceed without

the witnesses, and the man tried to stop her from leaving.

"He got in front of me and grabbed at my lapel," Boudreaux said. "I told him I was going to notify the authorities, he said he was joking and tried to back off."

Boudreaux left immediately and went straight to the police. It turned out the signer was a sheriff's department employee. Boudreaux reported the man's conduct at the signing, though she ultimately declined to press charges. She was notified a week later that he had admitted to his conduct and had been fired from his job.

"I don't think anyone should ever feel intimidated during an assignment," she said. "If you do feel your safety has been compromised, just leave immediately and contact someone as soon as you leave. I would not hesitate one second to walk out."

At the same time, Boudreaux also makes sure to take safety precautions both before and during an assignment. When traveling at night, she usually



**"In the past five years, there's been a significant increase in cases of violence against people who handle real estate transactions."**

— Linda Rheinberger, Realtor and Regional Vice President for the National Association of Realtors (NAR)

asks her husband to accompany her and wait in the car during the signing. "I'm very careful to let people know I'm not alone. I like to have someone with me," Boudreaux said.

Another situation that sparked a nationwide discussion of signing agent safety was the case of Indiana signing agent Ashley Manfre. In a March 11, 2015, *Notary Bulletin* article ("A Mobile Notary's Nightmare: A Signer With A Gun"), Manfre described how a signer became upset with her regarding money he believed he was owed by a loan officer. Drawing a gun, he brandished it at Manfre, demanding she tell him where his money was.

Fortunately, Manfre kept her head and was able to calm the signer down to the point she was able to leave. When she contacted the title company, their first question was not about Manfre's safety, but whether the man who held her at gunpoint had signed the loan documents.

Howard Blum, owner of Pro Mobile Notary, a signing service based in Novato, California, said that it would be helpful if lenders warned signing services and NSAs about any "red flags" such as

unusual or hostile behavior by a borrower during the loan application process.

“We would be most appreciative if lenders paid a bit of attention to the situations they force signing agents into that are not always good,” Blum said. “They know what the people are like from dealing with them.”

Blum said that he does not have a formal company policy per se regarding unsafe situations during signings, but tells Notaries he works with that they should leave if they do not feel safe in a particular neighborhood, or feel threatened or in danger in any way during a signing. He also encourages Notaries to keep their phone turned on and handy, and to carry mace or pepper spray in case of emergency.

Signing agent Maria Alanis of Fresno, California, said that in a few situations where a signer became hostile toward her, she’s had companies insist she get the person to sign the papers regardless of their behavior. “The lender should not expect the Notary to stay and complete the signing in the event of a hostile signer,” she said.

*Do you think the industry needs to take other steps to ensure the safety of Notaries? Join our Notary Signing Agents Group on LinkedIn to share your thoughts: [www.bitly.com/notarysafety](http://www.bitly.com/notarysafety).*

## Five Important Safety Tips To Follow

Following these important steps can help keep Notaries safe when traveling on assignment:

1. Always let someone know where you are going, and how long you’ll be gone.
2. Always make sure to carry a charged mobile phone. A mobile phone is essential if you need to contact someone in an emergency. Some signing agents schedule a “check-in” time during assignments, asking a trusted friend or relative to call during an assignment to confirm everything is going OK.
3. If you have concerns, meet at a neutral, well-lit public location with other people around, such as a coffee shop.
4. Never let a stranger know details of your schedule — for example, if a signing is your last appointment for the day or if you plan to go straight home after the notarization is finished.
5. Always prioritize your safety. If you feel yourself to be in danger during a signing, find a way to leave immediately and contact someone. Don’t put yourself in danger trying to complete a notarization or collect documents — just leave as soon as possible. ■

# Did you know a group of kittens is called an *intrigue*?

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## *Important Facts about Copy Certification*



Sometimes Notaries are asked to certify a copy of a document — that is, to vouch for the fact that the copy is true and accurate. But before accepting a request to do this, you need to know a few important facts:

### **Fact 1**

Whether you are authorized to certify copies of documents depends on the laws of the state where you are commissioned. Most states permit it but others, including Alabama, Alaska, Illinois, Indiana, Kentucky, Michigan, Mississippi, Nebraska, New Jersey, New York, North Carolina, Ohio, South Carolina, South Dakota and Tennessee, do not. Be sure to familiarize yourself with your state's laws, so if someone asks you to certify a copy, you know whether you may do so or if you must turn down the request.

### **Fact 2**

Some states prohibit or restrict Notaries from certifying copies of certain types of documents. Even in states that permit Notaries to certify copies, there are sometimes prohibitions against copy certification for specific categories of documents.

Florida and Pennsylvania authorize Notaries to certify copies of most documents, yet both states prohibit certifying copies of birth, death and

marriage certificates. California limits Notaries to certifying copies of powers of attorney or, if requested by the Secretary of State or a court, entries in the Notary's journal. Hawaii and Maryland limit Notaries to certifying copies of their Notary journal entries only. Rhode Island prohibits Notaries from certifying copies of any document that can be recorded publicly, while Maine allows only "private" documents to be copy certified by a Notary. Virginia prohibits certifying a copy of court-issued documents.

### **Fact 3**

It's illegal to make unauthorized copies of certain immigration forms — such as a Certificate of Naturalization, Certificate of Citizenship or Declaration of Intention to Become a Citizen — and doing so may carry criminal penalties regardless of whether they are or are not certified as copies by a Notary.

### **Fact 4**

While prohibiting Notaries from performing copy certifications on documents such as vital records and publicly recorded documents is common, two states don't stop there. Colorado and West Virginia uniquely require a Notary to obtain a written and signed request for the copy certification from the requestor prior

to performing the notarial act and specify the contents of this written request.

The request must state that a certified copy cannot be obtained from a recorder or custodian of public documents and that production of the copy doesn't violate state or federal law. In these states, you must retain a copy of the document presented for copy certification in your records. Colorado additionally requires a Notary to retain the signed, written request as well.

### **Fact 5**

If state law does not authorize a Notary to certify a document copy, you may notarize the signature of a person who has written a statement attesting to the accuracy of the copy.

The signer should present you with the written attestation statement, a proper notarial certificate and the photocopy of the document in question. If the signer's statement doesn't contain a notarial certificate, then the signer must instruct you which notarial act to perform.

If you are asked to execute a jurat, remember to have the signer swear or affirm to the truth of their written statement.



## *Subpoenas for Journal Entries, Overseas Signatures, Choosing Notarial Acts...*

*Notaries nationwide rely on the NNA's Notary Hotline to answer their most challenging questions. The following questions are among the thousands our Information Services Team receives each month.*

**I've been subpoenaed to provide copies of my Notary journal entries where a certain person signed. But instead of asking for specific entries, the attorney requests all entries involving this signer from April 2006 to the present. Does the attorney need to give me exact information on what entries she wants or is she allowed to be so vague? Am I expected to search through my journals for the past nine years?**  
— S.K., Orange, California

You must follow the directions of the subpoena for providing certified copies of entries in your journal. If the attorney's request is separate from the request for entries in the subpoena, the attorney must comply with Government Code Section 8206(c), which states that a member of the public requesting a line item from a Notary's journal must specify the names of the parties, the type of document and the month and year the document was notarized in a written request. If the attorney is able to meet the requirements, you must provide a copy of

the requested line item in your journal within 15 business days or acknowledge that no such line item exists (Government Code Section 8206.5).

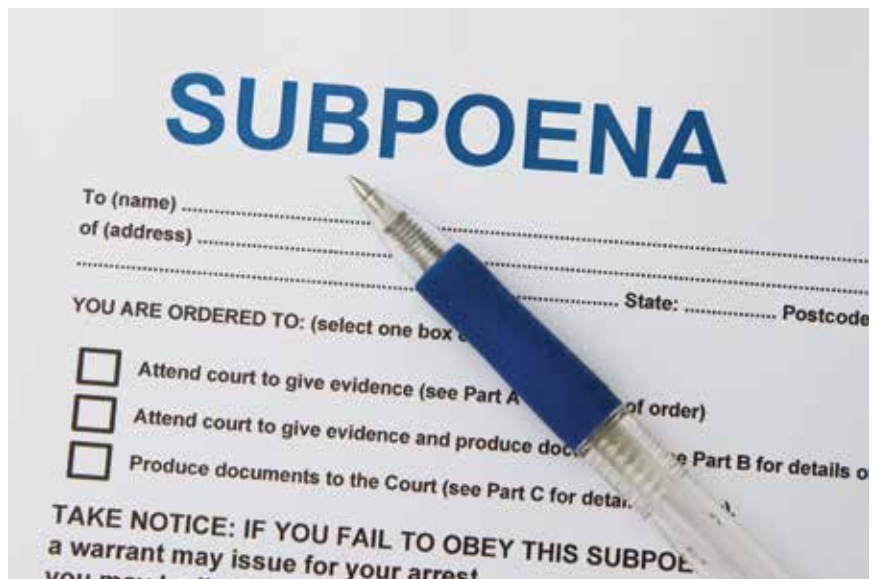
**If documents generated in New Jersey are emailed to a co-worker in Germany for signature, can the New Jersey Notary then notarize those documents?**  
— D.H., Newark, New Jersey

To notarize a document, the signer must appear physically before the Notary. If you are in New Jersey and your co-worker is in Germany, it would not be legal for you to notarize the signature. One option is for the co-worker to travel to an American Consulate in Germany to get the document notarized.

If that is not possible, a local Notary in Germany could notarize the document.

**Is it correct that a Notary cannot decide what type of notarial act a document requires? The signer must know and inform the Notary what act is needed?**  
— G.T., Guadalupe, Arizona

You are correct. A non-attorney Notary should never decide what notarial act is needed; the signer always makes the decision. If you are not an attorney, you would be engaging in the unauthorized practice of law by deciding what notarial act to perform. If you were to provide incorrect advice, you could then be held liable for resulting damages.







If a signer is ever unsure of which notarial act to perform, you may describe the difference between a jurat and acknowledgment and let the customer choose. Your signer may contact the agency receiving the document if she's still unsure.

**Can I charge a travel fee if I have to walk to a different location to perform a notarization? The business I work for has moved about a block away from my address and they have employees who require notarial services in the other building.**  
— E.G., Los Angeles, California

Yes; charging a travel fee is entirely up to each California Notary. California statute does not stipulate the circumstances

for which you may charge a travel fee or any amount of the fee itself. However, whether or not you charge a travel fee in this circumstance will depend upon your customer agreeing to pay a fee for you to walk to their location. As with any travel fee, the NNA recommends that you discuss the amounts clearly with your customer before you leave to perform the notarization.

**Texas Notaries are not allowed to record a driver's license number in their journals. Are Arkansas Notaries required to document a driver's license number in a journal entry?**  
— K.H., Atlanta, Texas

No. Since the state of Arkansas does not require a journal (though

it is recommended), using a journal is optional. Therefore, any specific entries made in the journal are not required or prohibited by Arkansas Notary law.

**May I notarize for any members of my family in Florida? If so, do I need to do anything special?**  
— M.C., N. Miami Beach, Florida

Notaries may not notarize the signatures of their own spouses, sons, daughters, mothers or fathers (FS 117.107[11]). However, according to state officials, they may perform marriage ceremonies for relatives.

**Today someone came into my office asking me to notarize a power of attorney document written in Spanish and destined for Mexico. I'm worried because I know the receiving agency in Mexico is very strict when accepting notarized documents. What language should the notarial certificate be in?**  
— M.G., Watsonville, California

As a Notary in California, the statute requires you to complete a jurat or certificate of acknowledgment exactly in the form prescribed in statute. Since these certificate forms appear in the statute in the English language, you must use an English-language certificate.



# YOUR COMMUNITY

## Welcome to the Club!

**WE WELCOME THE NEW-EST ADDITION** of Notaries to the NNA family! We have created a special album to congratulate those who've chosen to become part of our Notary community and embark on the journey of public service. Let us know if you're a new Notary by visiting [www.bitly.com/clubnna](http://www.bitly.com/clubnna).



## NNA 2015 Conference Media Gallery



**DID YOU MISS NNA 2015?** Don't worry! Conference attendees and NNA staff shared photos and video using the official hashtag #NNA2015. You can catch all the fun at [www.NationalNotary.org/NNA2015](http://www.NationalNotary.org/NNA2015).

## Pinterest Bulletin Board

**AS A PROFESSIONAL NOTARY,** it's important to stay up to date with the latest industry trends, topics and tips. Follow our Pinterest board, *The Notary Bulletin*, and pin your favorite articles so that you'll always have them bookmarked for future reference. Visit: [www.bitly.com/notarybulletinboard](http://www.bitly.com/notarybulletinboard) to get access today!



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