

December 2015

# The National NOTARY®

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

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THE CASE FOR  
**EDUCATION**

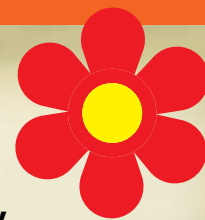
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# NATIONAL NOTARY ASSOCIATION

## The National NOTARY

Vol. LVIV, No. 6, DECEMBER 2015 Magazine

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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
- **Liability Protection** for Notaries, signers and employers
- **Risk Management** to reduce fraud and identity crimes
- **Professionalism** with reliability, competence and integrity
- **Opportunities** to increase earning potential

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The National Notary (ISSN 0894-7872), December 2015 Vol. LVIV, No. 6, is published bimonthly by the National Notary Association, 9350 De Soto Ave., Chatsworth, CA 91311, a non-profit organization, to educate Notaries about the legal, ethical and technical facets of performing notarial acts and to instill in them a sense of self-respect and professional pride in their important role of public servant. • ALL RIGHTS RESERVED. Reproduction in whole or in part without the express written permission of the publisher is prohibited. • SUBSCRIPTION to all NNA members in the United States and its possessions comes out of their \$59 annual dues. International subscriptions are \$76 annually. Six dollars of membership dues are designated for a one-year subscription to the publications. • For address changes, send new and old addresses including ZIP code, suite or apartment number, and mailing label, if possible, to the NNA. PERIODICALS POSTAGE paid at Chatsworth, CA, and at additional mailing offices. • POSTMASTERS: Please send address changes to Customer Service, 9350 De Soto Ave., P.O. Box 2402, Chatsworth, CA 91313-2402.

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## The Case for Education

*David Thun*

Imagine how safe our roads would be if all you had to do to get a driver's license was pass a written test about the rules of the road. There would be no driver's education or driving test to prove your skill behind the wheel. That's the reality for Notaries, but only in states that require any kind of training or testing. Most states do not, and even those that do only teach Notary law, not Notary practice. In short, a majority of Notaries are woefully unprepared to carry out their duties, putting countless daily transactions at risk.

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## The Most Common Questions Notaries Ask

*Michael Lewis*

The NNA Hotline gets nearly 130,000 calls a year, and our counselors have become adept at answering all kinds of questions. But some questions come up more than others, so we thought we would share the four most common along with general advice offered for each.

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## Anatomy of an ID

*NNA Staff*

Checking a signer's ID is one of the most important tasks any Notary performs. In recent years, the security features on driver's licenses and ID cards have been upgraded. *The National Notary* looks at a couple examples to highlight various security elements.

# 20

## How One Stay-At-Home Mom Built Her Notary Business

*Kelle Clarke*

For Kamilla Lucero of Ripon, California, the road to success as a mobile Notary meant making some big life changes — and in the end, this stay-at-home mom was able to take her Notary career from “making ends meet” to securing a solid monthly profit.

## Test Yourself: How Strong Are Your Data Security Practices?

**THE NNA HAS DEVELOPED A COMPREHENSIVE NOTARY SIGNING AGENT Self Assessment tool ([bitly.com/NSASelfAssessment](http://bitly.com/NSASelfAssessment))** to help Notaries evaluate their data security practices.

It is divided into 10 sections that focus on various aspects of data security, such as handling documents, computer and network practices, and securing your mobile devices.

Each section includes space to record any actions you may be taking to address or correct your current practices.

The NNA developed this Notary Signing Agent data security self-assessment because the real estate finance industry is strengthening its requirements related to how you handle and store sensitive consumer information.

Although the assessment is geared toward NSAs, many of its sections are applicable to Notaries in every industry.



## NSA Course Wins Excellence Award

**THE NATIONAL NOTARY ASSOCIATION WAS HONORED** in the “Best Certification Program” category for our Notary Signing Agent Certification Course at the 2015 Brandon Hall Group Human Capital Management Excellence Awards ([bitly.com/BestCertificationProgram](http://bitly.com/BestCertificationProgram)).

The Brandon Hall Group is a global business research and analyst firm. It recognizes organizations each year for achievements in training, leadership, talent management, technology and other development programs for business professionals. Now entering its 21st year, the HCM



Excellence Awards are among the most prestigious awards programs for learning in the business field.

Major new changes to mortgage Closing Disclosure forms that started in October are changing the way signing agents perform assignments. Mortgage industry executives are urging signing agents to get additional training to gain a competitive advantage.

## More than 1,100 Notaries Participate in Study to Spot Imposters

**MORE THAN 1,100 NOTARIES TESTED** their identification skills in a face-matching, research survey conducted by Megan Papesh, an Assistant Professor of Psychology at Louisiana State University.

Papesh said she was thrilled with the level of participation. Her study is designed to better understand the difficulties people encounter when trying to match a face to a photo ID card. A major challenge stems from the fact that ID photos can be more than a decade old and a person’s appearance changes substantially in that time.



Megan Papesh

Visit the *Notary Bulletin* to see the results of her study.

Papesh is scheduled to present a workshop at the NNA 2016 Conference in Anaheim, California, to provide more tips for accurately identifying signers.

# YOUR COMMUNITY

## National Coffee Day with the NNA

### NOTARIES NATIONWIDE

shared how they take their coffee for National Coffee Day. One lucky Notary received a special prize that included an NNA Mug along with your favorite Notary Seals, Neil and Camille! How do you take your coffee?

Share with us at [www.bitly.com/NNACoffeeDay](http://www.bitly.com/NNACoffeeDay).



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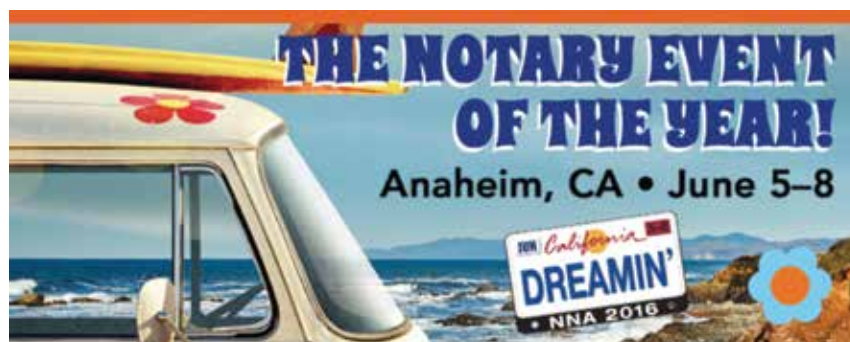
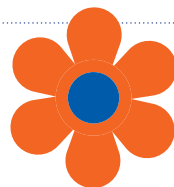


## Celebrating You, the Notary Community

**IN NOVEMBER** we celebrated National Notary Public Day! Thousands of Notaries across our various social media platforms came together to share why they love being a Notary Public. Search **#NotaryPublicDay** from your favorite social networks to connect with Notaries everywhere.

## NNA 2016 Conference Networking Groups

**NETWORK WITH YOUR PEERS** and get all the details about the NNA 2016 Conference from our Facebook event page and LinkedIn group. Join us on Facebook at [www.bitly.com/NNA2016FB](http://www.bitly.com/NNA2016FB) and on LinkedIn at [www.bitly.com/NNA2016LI](http://www.bitly.com/NNA2016LI).





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Complete training on industry standards, including TRID

Be prepared to build a thriving NSA business

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

\*\*To receive a priority, enhanced listing on SigningAgent.com you must have a NNA NSA Certification and complete the NSA Continuing Education Course.



## Avoid These Four Common Notary Certificate Mistakes

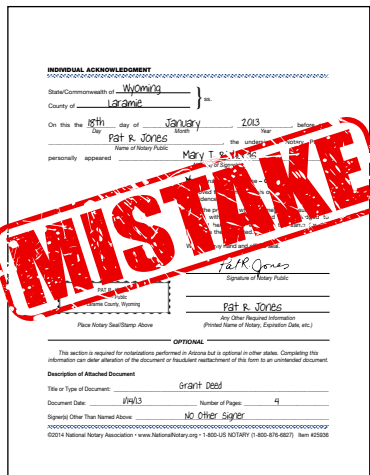
Minor errors on a notarial certificate can lead to major headaches down the road — including rejection of the documents by the receiving agency. Many errors are easily avoided if you recognize them before they become a problem.

**Mistake 1: Not entering the correct venue.** The venue space on a certificate refers to where the notarization took place. Always make sure this space is filled in accurately.

**Mistake 2: Not printing or signing your name as it appears on your Notary commission.** The name you write on a notarial certificate must exactly match the name on your official Notary commission. Also, you must sign each notarial certificate with the signature that you filed with your commissioning official.

**Mistake 3: Improperly dating a notarial certificate.** Entering the wrong date on a certificate is a serious error. Check the calendar and make sure the date is the day you perform the notarization.

**Mistake 4: Stamping over wording or signatures.** In this case, the seal or stamp impression covers other parts of the document, including the notarial wording or signature, making them illegible.



## TRID Terms for Notaries

The Consumer Financial Protection Bureau's (CFPB) integrated disclosure rule creates new terms and acronyms, and mixes them with the industry's existing vocabulary. Here are definitions of some common terms:

**TRID:** This acronym stands for "TILA-RESPA Integrated Disclosures." The CFPB's TRID rule requires two disclosure forms to be combined into a single disclosure (the loan Estimate) when a mortgage application is made — and two additional disclosures to be combined into another form (the Closing Disclosure) when the loan is consummated, or closed. The form that Notary signing agents will encounter is the Closing Disclosure.

**Closing Disclosure:** This form combines information that was in the HUD-1 Settlement Statement and TIL Disclosure. There are several variations of the Disclosure, depending on the type of transaction.

**HUD-1 Settlement Statement:** One of the two forms consolidated into the new Closing Disclosure, the HUD-1 itemizes the services provided to the borrower and the fees charged. The fully completed HUD-1 Settlement Statement usually is found in loan document packages handled by most signing agents.

**TIL Disclosure:** Stands for "Truth-in-Lending Disclosure," and the second form consolidated into the new Closing Disclosure. Required under the Truth In Lending Act, it lists costs of a mortgage, including how much the borrower pays over the full term of the loan, the initial mortgage payment and the maximum payment under the loan.

## Earn Extra Income Using Your Skills

Notary entrepreneurs are finding new ways to generate extra income using skills and knowledge they already have. Here are some examples:

### Personal Concierge

Lots of busy people need help with errands, schedules, and more. Becoming a personal concierge can be a great role for organized individuals. The National Concierge Association ([www.ncakey.org](http://www.ncakey.org)) offers training and contact information for concierges in different states.

### Bookkeeping and Tax Services

If you are a qualified tax professional (or want to become one), you can provide freelance financial services. Try the American Institute of Professional Bookkeepers ([www.aipb.org](http://www.aipb.org)) for certification programs and information on job opportunities.

### Virtual Assistant

Notaries with good communication, organization, typing, transcribing or other administrative skills can be a valuable asset to busy clients in need of a virtual assistant. Check out the International Virtual Assistants Association ([IVAA.org](http://IVAA.org)) for more information.

By David Thun



# THE CASE FOR

# EDUCATION

**IMAGINE A WORLD WHERE ALL YOU HAD TO DO** to get a driver's license was pass a written test about the rules of the road. You wouldn't need to take driver's education or pass a driving test to prove your skill behind the wheel. Take it a step further. What if some states didn't even require you to pass a test? All you needed to do is complete an application and pay a fee. How safe do you think our roads would be?

Now imagine that same situation applied to a workforce of 4.4 million state-appointed officials who are responsible for protecting American citizens from fraud.

You don't have to imagine it. It's the reality of the Notary commissioning process. Only 18 states and the District of Columbia require any kind of testing or education (see chart on page 12) to become a Notary.

That means 32 states don't think Notaries need any kind of training or preparation to carry out their duties. Among them are Texas, which has more than 400,000 Notaries; Illinois, with 173,000; and New Jersey, with 124,000.

For the jurisdictions that do require training and/or testing, most only cover Notary law, not Notary practice.

The California Notary exam, for example, tests applicants on the fines levied for certain offenses, said Seven Bastian, Vice President of Product Development for the National Notary Association.

"But it doesn't test you on the steps you should take to avoid the offenses in the first place."

That's akin to knowing the fines for speeding but not how to operate the brakes.

In short, a majority of America's Notaries are woefully unprepared to carry out their duties. And that puts countless daily transactions at risk.

## Does It Matter?

Our society seems to have a love-hate relationship with Notaries.

On the one hand, the fact that there are so many Notaries indicates that consumers, businesses and government agencies alike greatly value — and rely upon — notarizations to lend trust to important transactions. On the other hand, so few states think it's worthwhile giving Notaries much, if any, training. When Notary education measures come up in state legislatures, some of the most vocal opponents are business groups that see training requirements as an unnecessary burden and expense.

This disconnect can have serious ramifications. When Notaries fail to do their jobs properly, homeowners can find themselves on the street; candidates are kicked off the ballot; and seniors are bilked out of their life savings.

Perhaps the most egregious example in recent years was the "robo-signing" scandal from late 2010 (see "Foreclosure Misconduct Claims Send Cold Reminders" in the November 10, 2010, edition of the *Notary Bulletin*).

The scandal arose after the housing market crash when hundreds of thousands of homes fell into foreclosure. To keep up with the necessary foreclosure paperwork, lenders hired law firms and other third-party contractors, who cut corners implementing improper notarization and document handling procedures. Among other things, stacks of documents were notarized without the signer being present; Notary stamps were shared with co-workers; and large numbers of blank documents were notarized, to be filled in later.

Ultimately, a number of major lenders entered into a \$25 billion settlement with 49 state Attorneys General. Among the non-financial terms were requirements to make sure lender employees and outside contractors were properly trained (see "Record Of Notarizations Mandated By National Mortgage Settlement" in the March 14, 2012, edition of the *Notary Bulletin*).

More recently, a Florida state legislator lost his spot on the ballot because Notaries made mistakes on his election paperwork. As a result, taxpayers had to shell out \$320,000 for a special election.

Arguably, the most essential element of any notarization is the requirement for the signer to be physically present at the time of the notarization. That's so the other requirements can be met.

That requirement seems to be a no-brainer, yet anecdotal evidence suggests that the failure to require personal appearance is the single biggest reason Notaries get in trouble.

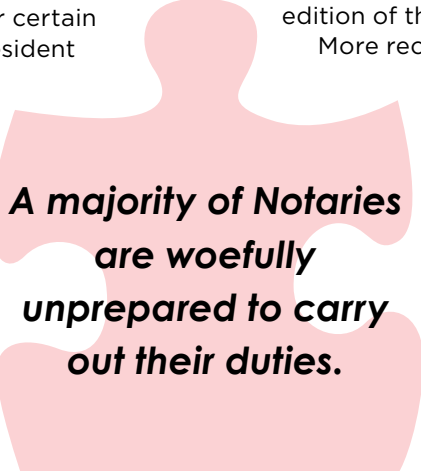
For example, more than two thirds of the complaints against Colorado Notaries involve the lack of personal appearance, according to the Secretary of State's office — one of the few agencies that releases such statistics. Those numbers are in line with the claims statistics for the NNA's bond and errors & omissions insurance program.

In so many cases, well-intentioned Notaries do the wrong thing because they don't know any better.

## Recognizing the Need for Education

Notaries themselves often understand how ill-prepared they are. The NNA Hotline receives more than 130,000 calls a year from Notaries who need help, and as often as not they ask about the most basic requirements of the office (see related article on page 15), such as the types of ID they can accept or what notarization is required.

The most popular articles posted on the NNA's *Notary Bulletin* cover the essential duties of the office, such as the "5 Steps To A Proper Notarization" (April 9, 2015); "Your Guide



**A majority of Notaries  
are woefully  
unprepared to carry  
out their duties.**

To Notary Oaths And Affirmations” (May 27, 2015); and “Understanding The Key Differences Between Notary Acknowledgment and Jurat Certificates” (April 1, 2015).

More than 100,000 Notaries view these articles each week.

“Becoming a Notary looks simpler than it really is,” said Peter Grant, a Pasadena, California, Notary and CPA. He was surprised by the sheer number of different documents he was asked to notarize — and he wasn’t always sure what to do with some of them.

Julie Brickley of Colorado Springs, Colorado, recalled that her three-hour state-required class did not prepare her for the time she had to notarize two powers of attorney documents for a hospitalized

signer who was paralyzed from the neck down and could not speak.

Fortunately, Brickley carried a reference guide to her state’s Notary laws. She worked out a way to communicate non-verbally with the signer and was able to complete the notarization based on the procedures in the reference book.

In many cases, the notarized documents do not involve large dollar amounts, but rather personal life decisions. A notarization can involve something as simple as an advanced healthcare directive for a baby boomer planning for retirement, or a permission form for a minor to travel overseas without one or both parents.

They may seem like small things, but they are important to the people involved.

## States with Notary Exam and Education Requirements

State	Exam	Education
California	New and renewing Notaries	New Notaries — 6 hours Renewing Notaries — 3 hours
Colorado	New Notaries only	New Notaries must take an educational course
Connecticut	On commission application	
Delaware		Yes for electronic Notaries, including continuing education
D.C.	Scheduled orientation session	
Florida		3 hours live or interactive; New Notaries only
Guam	Yes	
Hawaii	Yes	
Louisiana	Yes (nonattorneys)	
Maine	On commission application	
Missouri		Yes: New and renewing Notaries; online or written course
Montana	Yes	
Nebraska	Yes: Open-book	
Nevada		3 hours: New Notaries and existing Notaries who violate any provision of chapter 240, NRS
New York	New Notaries and Notaries whose commission have lapsed by more than 6 months	
N. Carolina	Yes	New Notaries: 6-hour course; New education requirement for Notaries wishing to perform electronic notarizations
Ohio	Yes: In most counties; Type of exam varies by county	Not required by law, but offered in many counties as preparation for the examination
Oregon	On commission application	3 hours for new commission applicants
Pennsylvania		Currently new Notaries only — 3 hours live or interactive
Puerto Rico	Yes (civil law tradition)	Educational requirement for attorneys
Utah	Yes	
Wyoming	Completion of at-home test is “encouraged, but not mandatory”	

Note: States not listed do not have any testing or education requirements for Notaries.

Source: National Notary Association

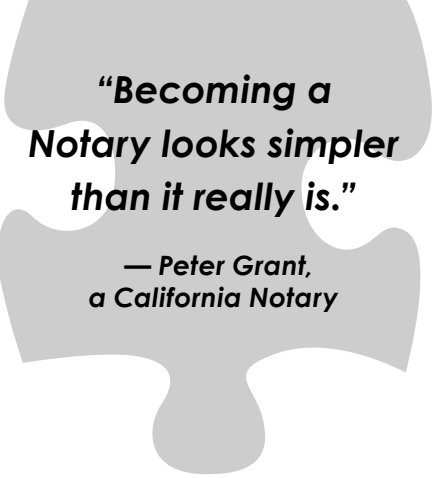
Recognizing the shortfall in “how-to” knowledge, the NNA created its “Notary Essentials” online course to help fill in the gaps of knowledge that the state’s don’t require you to learn. This tutorial teaches students how to perform their core duties.

So far this year, thousands of Notaries have taken the course. A major impetus for that training is coming from businesses. Many of the NNA’s corporate clients, including national companies, are requiring their staff Notaries to go through Notary Essentials to make sure they follow professional standards of practice.

## Keeping up with Change

Major changes have begun to transform the workplace, as a growing number of companies that do business in multiple states, or nationwide, are creating standardized corporate Notary procedures for both consistency and security. Corporations see these policies as necessary but challenging, because every state has its own Notary requirements.

A company’s policy may go above and beyond state laws in order to meet liability and legal requirements. If you work for one of these firms, you may be expected to keep a journal,



**“Becoming a  
Notary looks simpler  
than it really is.”**

**— Peter Grant,  
a California Notary**

even if it is not required by your state. Or you may need to require multiple forms of satisfactory evidence of identity.

This trend is particularly evident in the financial industry, where technology has enabled lenders to consolidate their loan origination operations in one or two offices. These offices receive and process applications from all over the country, and direct the activities of other departments or outside vendors, such as title and settlement services companies.

These same lenders have hundreds, even thousands, of Notaries on staff who must keep up with the evolving demands of the workplace while fulfilling their duties as a Notary.

## Continuing Education Resources for Notaries

Looking for ways to continue your Notary education and training? Here are some resources to help you:

### State Notary Agencies

The Notary commissioning agencies in many states — usually the Secretary of State’s office — provides guidelines, at no charge, to their commissioned Notaries. These resources usually can be found on the commissioning agency’s website. You can find links to state agency websites at the NNA website’s Knowledge Center ([bitly.com/StateNotarySites](http://bitly.com/StateNotarySites)).

### Local Notary Training Courses

Many states provide free or low-cost Notary education courses. These often are designed for new or renewing Notaries, and generally cover state laws and Notary basics. You’ll need to visit your commissioning agency’s website to see if there are any educational events scheduled. You also can check with your local community college or continuing education centers for any Notary training courses.

### National Notary Association Resources

The NNA provides a plethora of resources designed for both new and experienced Notaries and signing agents:

**Publications:** The NNA’s online *Notary Bulletin* and *The National Notary* magazine produce state-specific and general educational content on a wide range of Notary-related topics.

**Website Tutorials and Webinars:** Detailed online tutorials and webinars walk Notaries through a variety of subjects, such as administering oaths, correcting certificates, understanding the difference between acknowledgments and jurats, and more.

**New Law Updates:** The Notary Law section allows you look up the latest rules and legislation enacted in any state. The updates include a summary of the law or rule along with the actual text. The resources above are available at [NationalNotary.org/knowledge-center](http://NationalNotary.org/knowledge-center).

**Notary Books and Handbooks:** A variety of Notary handbooks are available for purchase such as the *2015 I.D. Checking Guide* at [NationalNotary.org/supplies](http://NationalNotary.org/supplies).

**NNA Hotline:** For questions requiring immediate answers, you can call the NNA Hotline and speak directly to a Notary expert. This service is free to NNA members, or Notaries who are commissioned or renew their commission through the NNA.

**Notary Essentials:** If you want to brush up on the elements of performing a notarization, you can take the NNA’s Notary Essentials course. For more information, go to [NationalNotary.org/notary-essentials](http://NationalNotary.org/notary-essentials).

**Social Media:** Notaries often share and discuss their experiences through social media. You can ask questions and get advice from online Notary communities on Facebook, LinkedIn and Twitter (at [NationalNotary.org/socialmedia](http://NationalNotary.org/socialmedia)).

Moreover, the Closing Disclosure rule from the Consumer Financial Protection Bureau that went into effect in October has changed the look and information of the loan document packages. Many lenders and title companies now require the NSAs they work with to be able to show proof that they are familiar with these changes in order to get loan signing assignments. As a result, many signing agents are going through the NNA's NSA Continuing Education.

In today's multi-cultural world, it's also much more likely that any Notary will encounter unfamiliar documents and strange situations.

That's why ongoing learning is so important. In fact, many employers expect — and even insist — that employees keep educating themselves, says Jay Halfond, Associate Professor of Administrative Sciences at Boston University and an expert on continuing education.

"Continuing education is a means of staying in touch with developments in your profession and acquiring new skills," he said.

The workplace isn't the only driver of change. In 2015 alone, 21 states have enacted 40 Notary laws or rules — and the measures in more than a dozen states have a real impact on how Notaries do their jobs on a day-to-day basis.

Washington State, for example, amended its administrative rules to permit Notaries to accept current U.S. or foreign passports. A Tennessee measure made important changes to the state's journal-keeping requirements. Nevada added advertising restrictions. And Montana became the second state to authorize webcam notarizations.

Notaries who don't keep up with these changes could encounter serious problems. If, for example, your state changes the wording of acknowledgment certificates, but you don't know about it, you'd keep using the old certificate language — until documents started getting rejected by the receiving agencies.

LaQuita Gaskins of Radcliff, Kentucky, the NNA's 2015 Notary of the Year, noted that it is also important to keep up with trends other than Notary laws.

"State driver's license formats have changed a lot in recent years," she said. "Now some licenses have a bar with graphics, and some include a thumbprint."

## Prepare for the Unexpected

At some point in your career, you will surely run into a situation that wasn't covered in your basic Notary training — if you had any. No matter how thorough your original training may have been, you'll probably be presented with an ID you don't recognize, encounter a signer who can't communicate clearly, or face other unusual situations that aren't covered in a textbook.

Joseph Reeves of Sherman, Texas, chose to take a Notary education class when he first applied for a commission, even though it's not required in his state.

Reeves described one situation where he was asked to notarize the signature of a borrower taking out a reverse mortgage, but the only identification the signer had was an expired passport issued in Mexico. On top of that, the signer was bedridden and heavily medicated.

"Knowing that the signer has to be coherent and understand what they are doing goes all the way back to the basic Notary course I took when I was first commissioned, and has been reinforced in training since then," Reeves said.

Had he not taken regular refresher courses, he might not have realized the signer's condition and passport were a problem.

"Any skill can get rusty if it's not used or refreshed regularly," he said. "Laws change. Technology advances. Notaries need to stay 'in the loop' so the knowledge they possess doesn't become outdated." ■

***"Any skill can get rusty if it's not used or refreshed regularly."***

***— Joseph Reeves,  
a Texas Notary***





# THE MOST COMMON **QUESTIONS** NOTARIES ASK

By Michael Lewis

**T**HE NNA HOTLINE GETS NEARLY 130,000 CALLS a year, and our counselors have become adept at answering all kinds of questions. But some questions come up more than others, so we thought we would share the four most common and general advice offered for each.

Keep in mind that each state has its own Notary laws and guidelines, so it's always a good idea to familiarize yourself with the requirements of the state where you are commissioned.

### Number 1: What Is Acceptable ID?

This clearly takes the top spot. One of the key reasons it comes up so often is that Notaries are confronted with a growing array of identity cards.

Consider that every state and U.S. territory issues driver's licenses and ID cards.

On top of that, there are inmate IDs, tribal IDs and identity cards issued by federal government agencies. Then there are the identity cards and passports issued by every country in the world.

Given the mobile nature of our society and the fact that there are 43 million foreign-born residents living in the U.S., there's a good chance most Notaries will encounter an unfamiliar ID.

Deciding whether an ID is acceptable depends on where you are commissioned, so you will need to know the requirements and guidelines of your state.

Some states — such as California, Florida and Tennessee — provide specific lists of acceptable IDs. In these states, if the ID is not on the list, it is not acceptable.

**Most clients who come to you simply say, "I need this notarized." They have no idea that there are different notarial acts.**

Other jurisdictions — such as Kansas, Wisconsin and the District of Columbia — "recommend" types of ID or offer guidance about the elements of an acceptable ID.

Still other states, including New York, do not offer any guidance. For these states, the NNA recommends that an acceptable ID be issued by a government agency and include the bearer's recent photograph, signature and physical description.

### Number 2: Can I Notarize This Document?

This is a frequent question asked by both new and experienced Notaries. It can come up if you're used to notarizing certain types of documents in your day-to-day work and someone brings you a document you've never seen before. Often the document comes from another state or country. Sometimes it's handwritten.

While there are exceptions, generally speaking the type of document doesn't matter. As the

Notary, you are not responsible for the contents of the document. You are only responsible for performing the notarial act and completing the notarial certificate.

As long as the type of notarization you're asked to perform is permitted in your state, it is okay to proceed. You should be familiar with the notarial acts you're authorized to perform, and then follow your state's requirements for them.

Another exception is a proof of life certificate. This document — typically from a foreign government or company — asks you to verify that a U.S. resident is still alive in order to collect a pension. No state authorizes Notaries to certify whether a signer is alive.

### Number 3: What Kind of Notarization Is Required?

Most clients who come to you simply say, "I need this notarized." They have no idea that there are different notarial acts.

Before you ask them what type of notarization they want, quickly peruse the document to see if it includes notarial wording, which is generally found after the signature line. If it does, look it over to see what it is asking you to do. For an acknowledgement, it will generally have some variation of "acknowledged before me." Jurat wording typically will include a version of "subscribed and sworn" language.

If you recognize the wording and it meets the requirements of your state, proceed.

If the wording is not clear, or the document doesn't contain a notarial certificate, you will have to ask your client what type of notarization is needed.

Your client often will ask you what to do. You may describe an acknowledgment and a jurat (or signature witnessing, if the act is allowed in some states), but never recommend or suggest which one should be used. That would be the unauthorized practice of law, unless you are a licensed attorney.

### Number 4: How Do I Complete the Notarial Certificate?

It doesn't matter if you're a new or experienced Notary, sometimes you'll encounter certificate wording that is confusing. Out-of-state certificates, for example, may be formatted differently than the wording you normally use. However, every certificate should have certain common elements:

- The venue: A proper venue clause indicates where the document was notarized (usually the county and state but in some places, the city and the state, or simply "District of Columbia" in Washington, D.C.).



- The body: Sometimes called the “statement of particulars”, this contains the name of the signer, the date of notarization and wording to indicate the type of notarization — plus facts surrounding the notarization that are important to record.
- The Notary’s official signature.
- The Notary’s official seal: This last element is not always included because not all states require Notaries to use a seal. If your state requires you to use a seal but the certificate does not contain space for it, you may need to attach a separate or loose certificate.

As mentioned above, you are responsible for the notarial certificate. So take your time to make sure you complete every element of it according to the requirements of your state.

Here are a few questions that did not make the cut but are frequently asked:

- How do I handle a credible identifying witness?
- Can I notarize for only one person if there are several names in the certificate?
- Can I certify a copy of this document? ■

## Helpful No-Cost and Low-Cost Resources

There are a number of resources available to get more detailed answers to these questions and more.

1. Your state Notary agency website ([bitly.com/StateNotarySites](http://bitly.com/StateNotarySites))
2. NNA “Commonly Asked Questions” Webinars ([bitly.com/NNAWebinars](http://bitly.com/NNAWebinars))
3. The *Notary Bulletin* ([NationalNotary.org/notary-bulletin](http://NationalNotary.org/notary-bulletin))
4. NNA Hotline ([NationalNotary.org/membership/hotline](http://NationalNotary.org/membership/hotline))
5. Notary law primers ([NationalNotary.org/supplies/notary-handbooks](http://NationalNotary.org/supplies/notary-handbooks))
6. Notary Essentials ([NationalNotary.org/notary-essentials](http://NationalNotary.org/notary-essentials))

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

Did you know a group of NNA **members** are called Savers? Now that’s intriguing. Join your group in saving even more on car insurance with a **special discount** from GEICO.



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# California IDs

Small, lighter color UV image

Names on two lines



Tactile, laser engraved signature and date of birth

Illustrations of landmarks



## Back of DL/ID Card

1D barcode



Laser perforation outline of the California brown bear

2D barcode

Magnetic stripe

Vertical format for cardholders under 21



Security features vary from state to state, so it's a good idea to check with the ID-issuing agency in your state to make sure you know what to look for. For IDs from other states, you can visit the relevant state agencies, contact the NNA Hotline or pick up an **ID Checking Guide** ([NationalNotary.org/id-checking-guide](http://NationalNotary.org/id-checking-guide)). ■



Kamilla Lucero and  
her daughter, Rilynn

# HOW ONE STAY-AT-HOME MOM **GREW HER** **NOTARY BUSINESS**

By Kelle Clarke

**F**or Kamilla Lucero of Ripon, California, the road to success as a mobile Notary and signing agent meant making some big life changes — and in the end, this stay-at-home mom was able to take her Notary career from “making ends meet” to securing a solid monthly profit.

After working over 20 years as a retail store manager, Lucero found herself at a crossroads: Would she continue working long hours and tackling a grueling two-hour daily commute, or quit her job to start a family?

The decision to quit meant a major cut to the family’s income, so she and her husband worked to pay off their existing debt before she transitioned out of the full-time work force. After a year at home with her daughter, the new mom found herself in need of a job that offered flexibility as well as enough income to meet the needs of their expanding family.

A few short years later, with the help of a mentor and her own business experience, Lucero now has a successful — and profitable — career as a Notary signing agent.

### The Value of Mentorship

It was a dream that first inspired Lucero to become a Notary — one in which she envisioned herself as “the person who showed up at our door when we refinanced our mortgage.” Without even knowing the name of the role, she knew that’s what she wanted to become.

The brand new mom embraced the challenge of balancing family and work from the get-go. She booked a room at the hotel where she attended her very first NNA Notary training course in Modesto, California.

“I’d run up to my room during each break and nurse,” says Lucero.

During this very first training session, she got to know the course facilitator, Laura Biewer, who quickly became a valued mentor.

“At the beginning of that first course, she asked each student why they were there,” says Lucero. “I told her it was to be a stay-at-home mom, and she validated my decision by giving examples of how it could be done. There was not even a pause.”

Later, Lucero went on a ride-along with Biewer to a hospice facility. Lucero watched notarizations being performed first hand and gained confidence before booking her first assignments.

Having a strong mentor has proven invaluable in shaping Lucero’s career. She received everything from hands-on marketing tips to a list of recommended loan signing agencies.

“The number one signing agency that I get work from now came from that list Laura gave us in class,” says Lucero.

### Marketing — and Expanding — Her Business

Lucero’s experience with customer service helped when she launched her new career. She understood the value of professionalism in attire and attitude, and didn’t approach her new profession as an afterthought.

“You have to treat it as a business,” says Lucero of her Notary career, “and I’m always setting new goals, creating new plans, and watching my profits.”

Lucero’s pathway to profitability was built on slow and steady growth — and hard work that included some creative marketing techniques.

She advertised with her local Chamber of Commerce, created eye-catching signage for her car, handed out magnetic calendars containing her contact information (easier to hold on to than a business card), and created a \$4-a-month website through Vista Print, which has helped expand her online marketing reach. A minimal monthly fee further ensures her name shows up first in search engines.

“Almost all of my mobile signing work is in my small town,” says Lucero. “So I wanted to make sure that when someone does an online search for a local Notary, mine is the first name that comes up.”

By the time she started performing loan signings, Lucero had built a strong reputation in her town, and transitioned smoothly into working for major signing agencies.

### Juggling Work Life and Family Life

One of the biggest motivations that Lucero had for transitioning from full-time work to a “work-from-home” signing agent, was that she didn’t want to place her daughter in day care. Joining a local MOMS group quickly ensured her a network of trustworthy sitters, and even some potential new clients.

“If I get a call for a signing, I can generally drop my daughter off for a play-date with one of the

Having a strong mentor has proven invaluable in shaping Lucero’s career.

moms," says Lucero. "I'm often back in 20 minutes, and I've made up to \$75. I return the favor when they're in need."

Her MOMS group, along with her husband's flexible work schedule, offers plenty of time, Lucero says, to take on last minute appointments and loans signings.

"In all my years at this, I've never had to hire a babysitter," says Lucero. "I am able to still keep my family as my number one priority, and I love being able to help the companies I work for and the clients I serve."

### Increasing Her Profit Margin

These days, Lucero makes enough money from general Notary appointments to pay the expenses — printer ink, office supplies, etc. — associated with her loan signing business. So the income she makes performing loan assignments is pure profit.

"I get offered about 40 to 50 loan signings in a given month," says Lucero. She has been

accepting about 30, in order to continue her role as a stay-at-home mom. But that may change soon.

"My little one is in school now, and I love it," says Lucero, whose five-year old daughter just started kindergarten. "I'm ready to take on more work!"



### Words of Advice to New Notaries

While business is strong for Lucero at the moment, she acknowledges that the industry is cyclical in nature. She warns Notaries that it's not unusual to hit dry spells, but to always remain prepared and ready for the next big workflow to come along.

Another bit of advice Lucero has for new Notaries is to find a mentor to help guide them through the early part of their career, as Laura Biewer did for her.

"Laura helped me transition from a new Notary to a Notary with a successful and confident business." ■

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I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including civil penalties).

## *Can I Notarize Documents Outside My State?*

Most U.S. states and jurisdictions only authorize commissioned Notaries Public to perform notarial acts within the borders of the commissioning state or jurisdiction. For example, a Notary commissioned by the state of Florida may perform notarizations anywhere within the state's borders, but may not perform a notarization in the state of Georgia.

There are a handful of states that permit notarizations outside the state, but only under specific conditions, or for certain types of documents only:

- Idaho permits Notaries to notarize outside the state only in connection with a deed or other document to be recorded in the state of Idaho (IC 51-107[2]).
- Kentucky Notaries may apply to get a Special Commission, which authorizes them to notarize documents inside or outside the state as long as document will be recorded in Kentucky (KRS 423.110[6]). Special Commission Notaries may be nonresidents. While they can perform a notarization outside the state, they cannot notarize a document unless it will be recorded in Kentucky.
- Montana allows its Notaries to perform notarial acts in a bordering state that recognizes the Notary's authority

— currently only Wyoming and North Dakota do this (MCA 1-5-605[2]).

- North Dakota allows its Notaries to perform notarial acts in a state that recognizes the Notary's authority (NDCC 47-19-55).
- Virginia Notaries may notarize a document inside or outside the Commonwealth if the document will be recorded in the Commonwealth (COV 47.1-13[B], 47.1-13.1).
- Wyoming allows its Notaries to perform notarial acts in a bordering state that recognizes the Notary's authority — currently only Montana does this (WS 32-1-109).

### **Notarial Acts in Other Countries**

Certain individuals may hold special commissions from the federal government to notarize overseas. Some serving U.S. military personnel are authorized to notarize for military members and their families on U.S. bases in other countries. Those appointed by a U.S. state are not able to use their Notary commission overseas.

Also, U.S. foreign service officers and consular agents at U.S. embassies and consulates are authorized under federal law to notarize documents abroad. However, these specialized commissions are not available to



Notaries commissioned by U.S. states and jurisdictions.

### **Having More than One Notary Commission**

Some jurisdictions allow individuals to apply for a Notary commission in more than one state.

In New York, nonresidents may apply for a New York Notary commission, provided they have an office or place of business in the state. So for example, a New Jersey resident who has an office in New York could hold a New Jersey Notary commission and a New York Notary commission, authorizing the person to notarize in both states.

If you wish to obtain a Notary commission in another state, always check the laws of both the state you reside in and the state you wish to be commissioned in to make sure it is permitted in both jurisdictions.

To learn more about your Notary requirements, visit the NNA's "State Law Summaries" page at [bitly.com/StateNotaryLaw](https://bitly.com/StateNotaryLaw) or check out the Notary law primers ([NationalNotary.org/supplies/notary-handbooks](https://NationalNotary.org/supplies/notary-handbooks)).



## *Weddings for Noncitizens, ID with No Signature, Moving Out of State...*

*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.*

**Can I perform a marriage ceremony for an undocumented alien? The groom is a U.S. citizen, but the bride is not.**  
— S.M., Orlando, Florida

Yes, you may perform the ceremony. There are two qualifications for you to perform the ceremony: The couple must obtain a valid Florida marriage license to present to you, and then the bride and groom should present identification. The Florida Governor's Reference Manual states (p. 16), "The notary should also require identification if the bride and groom are not personally known." If the bride has an appropriate ID then you may proceed with the ceremony.

**I have a signer who has presented me an ID with no signature on it. May I accept it as proof of identity?**  
— C.E., New York City, New York

Yes. New York law does not specify the exact elements which must appear on an ID presented for a notarization. However, since a Notary should compare

the signature on the ID with the signature on the document, it is preferable that you ask for a supplemental ID with a signature if available.

**I have a client who needs to have his signature notarized on an affidavit. He is Amish and has no ID. He does have a hunting license. Can I use it? — D.S., New Castle, Pennsylvania**

Yes, provided the hunting license is current. Pennsylvania requires signers to present an ID that is current, issued by a government, bears a serial or identification number and contains a photograph, signature or physical description (57 PS 158.1). A Pennsylvania resident hunting license contains a signature and

customer identification (CID) number, and is issued by the Pennsylvania Game Commission, a state government agency. Therefore, it meets the minimum requirements of the law.

**I was a Notary from 2002-2006. I am moving out of state. What can I do with my journal, stamp and embosser?**  
— C.M., Moorpark, California

Journals containing any entries must be filed with the office of the county clerk where you initially filed your oath of office. California law requires Notaries who allow their commissions to expire without obtaining reappointment within 30 days to file their journals and notarial papers with the county clerk. The law







also requires you to destroy the stamp and embosser.

**I live in Virginia and work in Washington, D.C. Can I be commissioned in two states? — S.B., Washington, D.C.**

Yes. You qualify for a commission in Virginia because you are a legal resident. In addition, you qualify for a commission in Washington, D.C. because your place of employment is located there. While you may hold commissions in both places in your case, the same may not be true in all other states. Some states, such as Florida and California, do not permit persons living outside the state to apply for Notary commissions.

**I ran out of my journal space and didn't have a spare book on hand. Someone told me that I could go online and print pages to add to my book, is this legal for a Notary to do in California? — S.G., Victorville, California**

The NNA contacted the Secretary of State's office in 2013 to ask and this is the response they sent regarding loose journal pages:

"California Government Code section 8206(a)(1) requires that a California Notary Public maintain one active sequential journal under the Notary public's direct and exclusive control, which means that the journal must be bound and continually contain all of its pages and every line item recorded. Loose separate

pages removed or added at a later time are not in sequence and considered not an active journal. All of the information prescribed by California Government Code section 8206 must be completed in the journal sequentially, at the time each notarial act is completed, and all previous entries must be continuously maintained in one bound journal.

A California Notary Public cannot maintain multiple active journals. A California Notary may have access to a spare blank journal; however, once a notarial transaction is recorded in the spare journal, the Notary public cannot use the previous journal again."

**My signer has brought two credible witnesses as his ID. How do I record this information in my journal? — C.E., Oxnard, California**

Information about the credible witnesses should be entered in the section of the journal entry where you would record details about the signer's identification. You will record the type of ID each credible witness presented to you, the serial number, issuance or expiration date, and the signature of each witness. This information may be placed in one journal line or two lines, if necessary.



## *How Do I Handle a Credible Identifying Witness?*



In an ideal world, every signer would present ID that is unquestionably acceptable for a notarization. But that is often not the case, which means that an alternative method needs to be found to verify the signer's identity — such as using one or more credible identifying witnesses.

Notaries often have questions about the suitability of credible identifying witnesses because many states don't provide detailed rules. Here are tips for dealing with questions and gray areas regarding credible witnesses:

### **What Is a Credible Identifying Witness?**

A credible identifying witness is an individual who knows and can verify the identity of a signer.

The witness appears at the time of the notarization and takes an oath or affirmation before the Notary that the signer is who he or she claims to be but lacks other forms of ID. Essentially, a credible identifying witness serves as a human ID card for the signer.

Typically, an identifying witness must personally know the signer and be known by the Notary. However, some states, such as California and Florida, permit the use of two credible identifying witnesses who aren't personally known by the Notary but do know the signer and present proof of their own ID (such as a driver's license).

### **What if the Witness Is a Family Member?**

Being related to the signer doesn't automatically disqualify a witness, but several states have laws stating that an identifying witness must be "impartial" (Massachusetts, Mississippi and New Mexico) or be unaffected by the transaction (Hawaii, Nebraska and North Carolina). Witnesses in California and Florida must swear as part of their oath that they do not have a financial interest nor are parties to the underlying transaction. Depending upon the nature of the transaction, a close family member may not qualify to be a credible identifying witness.

For example, if a person asks you to notarize a document transferring ownership of a vehicle from the signer to his father, the father would not be "credible" as a witness because he stands to benefit from the transaction. However, if the father isn't named in the title transferring the vehicle, he could serve as a witness.

### **How Well Should the Witness Know the Signer?**

Technically, this isn't the Notary's call. If you personally know a credible identifying witness you may know that the witness also knows the signer. However, you do not have a duty to investigate the relationship between a signer and witness. Your only duty is to properly administer

the oath or affirmation compelling the witness to swear or affirm that he or she knows the signer. Of course, if the witness lies in swearing to know the signer, the witness will be subject to the penalty of perjury.

### **What Kind of ID Can I Accept from a Witness?**

Many states that allow only one credible identifying witness require the witness to be personally known by the Notary. In these states, witnesses are not required to present ID. However, in some states such as Arizona, Iowa, Montana, North Dakota, Oregon and West Virginia, one witness may present an identity document.

In these states as well as the states that allow for two identifying witnesses, a witness' ID must come from the same statutory list of acceptable identification documents that applies to the signer.

In states that don't specify a particular form of ID, you may accept the same type of ID that you would ask of any signer.

Learn more about best practices and procedures in the NNA's Notary Essentials course  
**NationalNotary.org/  
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