

The National NOTARY®

NationalNotary.org

IN THIS ISSUE

- 15 2018 March Fong Eu Achievement Award: Bob Murphy
- 18 22 Ways To Make Money As A Notary
- 20 Signing By Signature Stamp

**The SCAMMERS —
You Need to Watch Out For**



Expand Your Services and Grow Your Business

Enroll today in “How to Prepare Immigration Forms” and get **9 months of unlimited access!**

Learn at your own pace from your home or office.

Practice completing complicated immigration forms without the pressure to memorize. Use the tutorials in our online course to fill out the most-used immigration applications accurately.



- **Form I-130:** Family Petition
- **Form I-485:** Application for Permanent Residency
- **Form N-400:** Application for Citizenship





Help change people's lives by offering a service that requires attention to detail.

Our course was developed with practicing immigration attorneys to help you build the confidence and skills to handle immigration forms.

"Very beneficial, detailed, and timely. A great bunch of information. I plan to get some clients — getting flyers and cards made."

— Michael C.

- Get an overview of the immigration process and culture at United States Citizenship and Immigration Services (USCIS).
- Understand the terms and language used by the USCIS.
- Know when you should consult an immigration attorney.
- Learn to assemble submission packages that meet USCIS requirements.

Don't miss out on this career growth opportunity.
Visit NationalNotary.org/Immigration or call **1-844-855-6761**.



**NATIONAL
NOTARY
ASSOCIATION**



NATIONAL NOTARY ASSOCIATION

The National
NOTARY
Vol. LVIII, No. 3, May 2018 Magazine

Published by the National Notary Association

MILT VALERA Chairman

THOMAS A. HEYMANN President and Chief Executive Officer

DEBORAH M. THAW Vice Chair and Executive Vice President

ROB CLARKE
Vice President and
Chief Financial Officer

DAVE STEPHENSON
Vice President and
Chief Information/Technology Officer

JULIE HERTEL
Vice President, Human Resources

WILLIAM A. ANDERSON
Vice President, Government Affairs

THOMAS K. HAYDEN
Vice President, Marketing

STEVEN BASTIAN
Vice President, Product Management

CHRIS STURDIVANT
Vice President, Business Development

KELLI BARABASZ
Vice President, Customer Care

PHILLIP BROWNE
Vice President, Communications

THOMAS A. HEYMANN
Executive Publisher

PHILLIP BROWNE
Editorial Director

MAGGIE SOLDANO
Creative Director

THOMAS HAYDEN
Advertising Director

MICHAEL LEWIS
Managing Editor

DAVID S. THUN
Associate Editor

MOSES KESHISHIAN
Social Media Manager

KAT GARCIA
Content Strategist

CINDY MEDRANO
Social Media Coordinator

KELLY RUSH
Contributing Editor

NELS RAMOS
Senior Graphic Designer

DANIEL LAVENTURE
Lead Designer

JAN BRATSLAVSKY
Graphic Designer

SHERYL TURNER
Copy Editor

VANESSA SANTANA
Mail Coordinator

MILT VALERA
Founding Editor and Publisher

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.

NNA® HOTLINE (888) 876-0827

Hotline@NationalNotary.org
Monday - Friday 5 a.m. – 7 p.m.
Saturday 5 a.m. – 5 p.m.
Bitly.com/NNALHotline
Answers to your questions about notarization

CUSTOMER CARE (800) 876-6827

Services@NationalNotary.org
NationalNotary.org
Service on membership, supplies, insurance, training

TRUSTED NOTARY (877) 876-0827

TrustedNotary@NationalNotary.org
NationalNotary.org/Business
Supplies, training, insurance and compliance programs for businesses

SIGNING PROFESSIONALS

SIGNINGAGENT.COM

(800) 876-6827
For mortgage finance companies seeking a qualified professional to facilitate loan signings

NATIONAL NOTARY FOUNDATION

Bitly.com/NNFoundation
Make a difference in philanthropic causes

SOCIAL MEDIA

NationalNotary.org/SocialMedia

9350 De Soto Avenue
Chatsworth, CA 91311

(800) US NOTARY
(800) 876-6827
NationalNotary.org

(818) 739-4000
(818) 700-1942 fax

Publications@NationalNotary.org
NationalNotary.org/Bulletin
Article submissions, feedback, letters

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

The National Notary (ISSN 0894-7872), May 2018 Vol. LVIII, No. 3, 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.

TABLE OF CONTENTS



FEATURES

15

2018 March Fong Eu Achievement Award: Bob Murphy

Cindy Medrano

In the 1960s, Bob Murphy was a loan officer in western Pennsylvania trying to serve his community's coal miners who often had a hard time getting to the office to sign the papers for their personal loans. So Murphy found an innovative solution: recruiting Notaries to go to the miners' homes. Since then, he has been a pioneer in building the mobile Notary profession.

COVER STORY

10

The Scammers You Need To Watch Out For

Michael Lewis

Notaries have always been an important line of protection against fraud. And no matter how technologically advanced society becomes, your instincts and actions are still the best defense against the daily barrage of scammers, con artists and corner cutters. It doesn't matter whether you are a Signing Agent, a bank teller, a school administrator or a parcel service store employee. You never know when someone will show up with bad intentions. When they do, they will use any number of tricks and strategies to try to dupe or manipulate you into doing something you shouldn't. If they succeed, the consequences can be enormous. To understand the risks and how to deal with them, *The National Notary* is presenting five common scenarios and people who might try to trip you up.

13 Real-Life Scams

DEPARTMENTS

YOUR COMMUNITY	6
ASSOCIATION NEWS	8
YOUR WORLD	9
BEYOND THE BASICS	23
HOTLINE	24
NOTARY ESSENTIALS	26

18

22 Ways To Make Money As A Notary

Daniel Lewis

"How can I make more money?" That's one of the most common questions veteran mobile Notary Daniel Lewis hears from other Notaries. Lewis offers up a handy list of things you can do right now to boost your brand, make yourself known to more customers — and build your Notary business — whether you're new to the profession or a seasoned vet.

20

Signing By Signature Stamp

Michael Closen

Would you know what to do if a client wanted to use a signature stamp to sign a document rather than sign by hand? Is it a legitimate signature? Are there special procedures? Notary law expert Michael Closen discusses a case in which the Notary was unsure and failed to follow all the proper steps. Here's what you need to know.

Getting Your First NSA Assignment

OUR NOTARY SIGNING AGENT GROUP ON LINKEDIN IS A GREAT RESOURCE for new and existing Notaries. An active discussion in the group this month has been about getting your first NSA assignment.

Real estate lending runs in cycles — sometimes it is very, very busy, and sometimes it is dead slow. Also, you may be in an area saturated with Signing Agents. Keep marketing to your local title insurance companies and to the online signing services. It does take time to build up your business and reputation. Partner with a local attorney who handles a lot of real estate and needs an occasional non-staff Notary helping hand.

Bobbi Shorthouse, Moodus, CT

Resister with a couple signing services to get started. Equity National



was the first company to contact us after we completed our NNA Signing Agent training!

Carlos & Laura Ajero, Green Bay, WI

The first thing I did was to get free listings on Google, Bing and Yelp (and a few others — all free). Get business

cards. I got signs for my car. I almost had a job on my first day except my stamp didn't arrive until that afternoon!

Robert Pryor, Los Angeles, CA

Access all our social media pages at NationalNotary.org/SocialMedia.

Bad Weather Traveling Advice

NOTARIES ON FACEBOOK POST THEIR BEST SAFETY ADVICE for traveling during bad weather.

It's been very challenging the past months here in the Santa Barbara/Montecito area in California post-fires and mudslides. My best advice is to be aware of road conditions, keep nonperishable snacks and bottles of water in your car along with an emergency flashlight, poncho and blanket. Make sure your car and tires are in great running condition with regular maintenance and a charged, backup bat-

tery for your phone. Have your itinerary accessible so someone can find you (friend, spouse, assistant, etc.) in the case of an emergency. Allow plenty of time in case of road collisions or delays, and have a roadside assistance phone number saved in your cell phone contacts list. Have your client's contact information handy in case you are running late or need to reschedule due to weather conditions.

Lisa Christensen Morrill, Santa Barbara, CA

Make sure your car is in good working order, but life



happens so make sure you have a AAA membership roadside service.

Diamond Mobile Notary, San Jose, CA

If the weather prediction

is bad, I don't accept an assignment. I also don't take assignments at night in areas of heavy moose concentration.

Donna Runnels, Burnham, ME

Getting Repeat Business



WE ASKED NOTARIES IF THEY'RE REGULARLY CHOSEN for NSA assignments offered through phone, texts or emails, and, if so, why they thought they were chosen.

I get a mix, but mostly phone text. The majority are from long-time clients that

moved over to the Snapdoc platform. I would say it is because of the business relationship bult over years of working with each other. They know they can expect me to be reliable and responsible; keep them updated; calling in when questions/ issues arise; always dress appropriately; be organized; review and prepare eDocs as time permits; being polite; not throw the documents at the signer; be thoroughly knowledgeable about the documents; state the purpose of each document; review the documents in front of the clients at the end of the signing to ensure each instrument is signed, dated, sealed as needed; always be trustworthy; and always obtain receipts from the shipping clerks, etc. when dropping off documents.

Dianna Hanson, North Richland Hills, TX


Past history with the company (with no mistakes), including quick turnaround (immediate shipping) experience, and great feedback from the borrower and client company. That's how it works!


Susan Fentress Witcher Bonfil, Houston, TX


Experience is the key. My friend always gets assignments, but she has 18 years of experience. I recently responded "available" to an assignment that was 10 miles from me. Then my friend let me respond using her text link (so they thought it was her), and she lives 30 miles away. They still assigned it to her.


Laci Lihue Porter, Kirkland, WA


Join our online communities and interact with the NNA and Notaries everywhere!


 facebook.com/nationalnotary


 linkedin.com/company/national-notary-association


 twitter.com/nationalnotary

 plus.google.com/+nationalnotaryorg

 instagram.com/nationalnotary

 pinterest.com/nationalnotary

 youtube.com/nationalnotary

 yelp.com/biz/national-notary-association-chatsworth

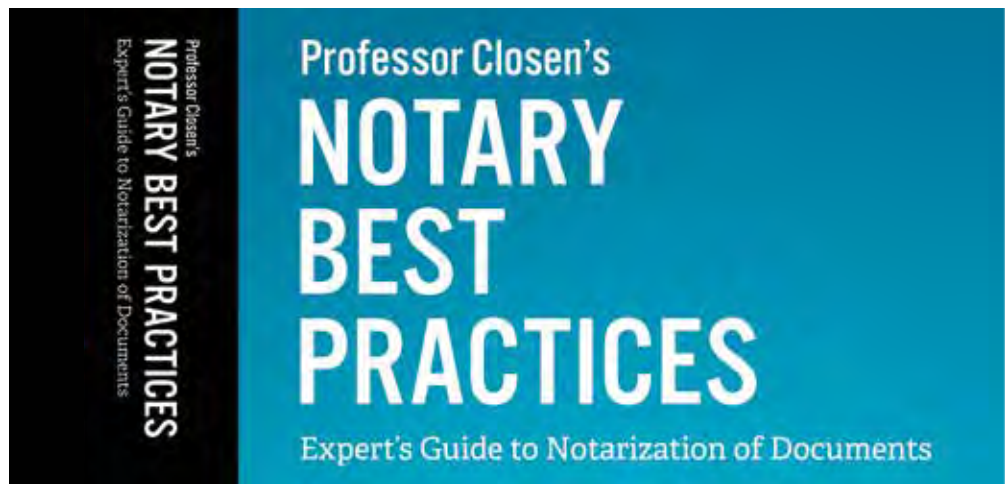


Relive All The Fun From NNA 2018!

If you were unable to attend this year's Conference, you can catch all the fun by visiting our photo album on Facebook at **Facebook.com/NationalNotary/Photos**. You can also search #NNA2018 on your favorite social media network. Hope to see you next year!



Professor Closen Writes Book For Expert Notaries



A PROFESSOR OF LAW EMERITUS, JOHN MARSHALL LAW SCHOOL, MICHAEL CLOSEN'S role as an educator shines in his new book *Professor Closen's Notary Best Practices: Expert's Guide To Notarization Of Documents*. The respected law professor is one of the nation's leading legal scholars on notarization, and he's served as an expert witness in Notary-related cases throughout the U.S.

Using his 30+ years of experience as an attorney and Notary, Closen uses real court cases as examples of how — and

why — professional best practices help shape the legislation that eventually becomes law. He reviews what actually happened in each case and describes how the Notary could have handled the situation to avoid ending up in a courtroom.

Closen unveiled the book at NNA 2018 in Las Vegas. If you've ever wondered why your state has so many Notary laws, or why we recommend following best practices when your state's law is silent, this book is for you.

Refining The Code

IN HONOR OF ITS 20TH ANNIVERSARY, A SPECIAL COMMITTEE OF NOTARY EXPERTS will come together this year to review and update *The Notary Public Code of Professional Responsibility*.

The Code is designed to guide Notaries when state statutes, regulations and official directives do not provide details about how Notaries should perform their official duties. It addresses common problems, issues and questions encountered by today's Notaries and establishes standards and suggests how to apply them in helpful, specific examples. The Code also educates non-Notaries about their roles and responsibilities and can be used as a catalyst for change by legislators.

Have Notary Training, Will Travel

EVERY YEAR, THE NNA HITS THE ROAD TO HELP EDUCATE AND TRAIN NOTARIES across the U.S. through special appearances, panels and workshops at various state-specific conferences.

This April, Bill Anderson and Laura Biewer traveled to Big Sky Country, where they joined the Notary community at the state's

annual Montana Notary Conference.

In June, they head to the Kansas Register of Deeds' annual conference. Alongside Kathy Sachs from the Kansas Secretary of State's office, they will provide Notary training and an update on the current state of eNotarization and remote notarization.



The NNA's Bill Anderson; Danielle Fusco, Notary Public Administrator for the Arkansas Secretary of State's office; Notary educator Laura Biewer; and Carol Salter, NNA 2005 Notary of the Year.

More States Join The Webcam Notarization Club

INDIANA HAS BECOME THE LATEST STATE TO ENACT LEGISLATION authorizing their Notaries to perform remote online



notarizations, and measures passed by Nevada and Texas last year are set to go into effect on July 1, 2018.

Remote online notarizations, also known as “webcam notarizations” have been a controversial topic among state officials and Notaries. Webcam notarizations permit a signer to communicate with a Notary and present proof of identity remotely, using online audio-visual communication technology instead of personal appearance.

Supporters of webcam notarizations claim they are more efficient and convenient for signers, while critics argue that webcam notarizations increase potential fraud risk by removing the personal appearance requirement for signers. Virginia and Montana were the first two states to authorize remote online notarizations.

While the Nevada and Texas laws take effect on July 1 of this year, the Indiana Bill (Senate Bill 372) takes effect on July 1, 2019.

For more details of individual state webcam notarizations, please see our articles on webcam notarizations in the *Notary Bulletin* (NationalNotary.org/Bulletin).

Arizona Raises Maximum Notary Fees

A NEW ADMINISTRATIVE RULE IN ARIZONA RAISES THE FEES NOTARIES MAY CHARGE, but also adds new requirements when charging signers.

Arizona Notaries may now charge a maximum fee of \$10 (the previous maximum was \$2). However, Notaries must also set a fee level — from “no charge” up to \$10 — and will be expected to charge no more than this fee to all customers.

Notaries must also post their new fee schedule using a mandatory format required by the state. Fee schedules in the proper format can be downloaded from the Secretary of State’s office or purchased from the NNA.

Washington State Notaries Must Now Keep Journals

UNDER A NEW LAW EFFECTIVE JULY 1, WASHINGTON STATE NOTARIES WILL BE REQUIRED to keep a journal of their acts.

The Notary journal may be kept in either a physical or electronic format, but

physical journals must be in a permanent, bound format with numbered pages and electronic journals must use a tamper-evident format that complies with rules set by the state Department of Licensing.

Journals must be kept in a locked and secure area under the Notary’s exclusive control, and stored for 10 years after the date of the last entry recorded, after which the journal must be destroyed.



The **SCAMMERS** — You Need to Watch Out For

By Michael Lewis

NOTARIES HAVE ALWAYS BEEN AN IMPORTANT LINE OF PROTECTION AGAINST FRAUD. And no matter how technologically advanced society becomes, your instincts and actions are still the best defense against the daily barrage of scammers, con artists and corner cutters.



While the overwhelming majority of requests for notarization are legitimate, the U.S. economy generates \$20 trillion a year in goods and services, and the opportunity to commit fraud is enormous.

Every Notary needs to look out for those rare instances when someone tries to pull the wool over your eyes or get you to do something you shouldn't. It doesn't matter whether you are a Signing Agent, a bank teller, a school administrator or a parcel service store employee. You never know when someone will show up with bad intentions.

But when they do, they will use any number of tricks and strategies to try to dupe or manipulate you into doing one of four things:

- Notarizing a document without the signer being present.
- Notarizing the signature of an imposter by failing to properly identify them.
- Notarizing a signature of someone who is unaware of what they are signing or being pressured to sign.
- Giving the scammer access to your Notary seal and/or journal records.

Most scams target high-value transactions such as real property transfers, mortgages, estate documents and powers of attorney. If you fall for one of these scams, the consequences can be enormous, not just to the victims of the scam, but to yourself.

To understand the risks and how to deal with them, *The National Notary* is presenting five common scenarios and people who might try to trip you up.



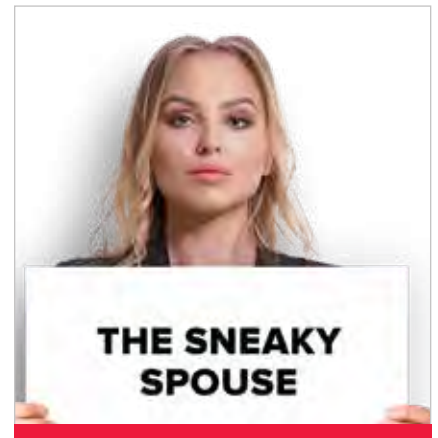
Most Notaries get their commissions as a requirement of their jobs. But notarizing at work can present special challenges, particularly if your boss is demanding and views your Notary seal and journal as company property. While this predicament isn't technically a "scam," it can land you in just as much trouble if you're not careful.

Imagine you work in a law office, and your attorney boss insists that you leave your Notary seal and journal in a locked drawer to which you both have keys. You don't want conflict with your boss, and you don't think it will do any harm if he has access to your Notary tools.

Then suddenly, several clients file lawsuits over improper court filings and diverted assets. You are named because the clients say they never signed the documents even though they bear your Notary seal. But you never notarized the documents in question. Either your boss or someone he directed used your seal. Your boss ends up disbarred, and you face disciplinary proceedings from the Secretary of State's office and a claim against your bond.

Dealing with bosses and coworkers can be tricky. They often don't understand the duties and responsibilities of a Notary and expect you to cut corners for the convenience of customers or their own purposes. But your Notary seal is yours and must be kept in your exclusive control at all times — even if your employer paid for your commission. If you keep your seal in a locked desk drawer, this means that only you keep the keys.

This is only one issue that can come up at work. It is your job to respectfully educate you employer and coworkers about all your duties, such as requiring personal appearance and properly identifying all signers.



Marital discord can lead to all kinds of shenanigans between estranged spouses. One of the most common scams involves one spouse forging the name of the other spouse on loan documents to refinance their mortgage and siphon equity from the home. But scams can also involve something more personal: child custody.

In this scenario, you're approached by a long-time neighbor as you're about to leave for work. She's supposed to fly to Argentina that day with her two daughters to visit relatives. Her husband signed a permission letter allowing her to take their daughters out of the country without him. The only problem is that they didn't realize it needed to be notarized, and he is out of town on business. She all but begs you to notarize the signature on the letter.

The Code: Providing Guidance For Notaries For A Generation

Since 1998, *The Notary Public Code of Professional Responsibility* has been a source of guidance to Notaries, government officials and the general public alike. As *The Code* turns 20, the NNA is beginning the process of updating and revising its 10 Guiding Principles to address a wide range of 21st century issues.

Go to Bitly.com/Notarypubliccode for a copy of the Code.

You know you're not supposed to do it because the husband is not present, but you've known your neighbors for years, and your children have grown up with theirs. You've regularly socialized with them. So you make an exception. What could it hurt?

But when the husband returns, you discover that they are divorcing, and the wife forged his signature on the permission letter to take their daughters out of the country to deny him custody.

As much as you want to be a good friend and neighbor, you must always require the signer to appear before you at the time of the notarization.



Real estate fraud can occur in any number of ways. Notaries often get tripped up when the scammer is somebody they know at least casually.

Imagine that you work in an office building. You're acquainted with the man who works down the hall in an insurance brokerage. You only know him as "Tom," and you share chit-chat when you encounter him in the elevator or in the hall.

One day just before quitting time, Tom asks you to notarize several documents for a real estate deal. He signs them as "James T. Wilson" and explains that his middle name is Thomas and he's always gone by "Tom."

He says he forgot his wallet, "but you know me." He promises to bring his ID tomorrow. Then he changes the subject to ask about your recent vacation. Then your kids. As you chat, he

pulls your journal around and takes out a pen to sign the entries for his notarizations. That's when he realizes he forgot another document and reaches into his briefcase for it, but a bunch of papers fall out. You help pick them up.

Then he notices the time and says he has to pick up his kids. You do, as well, so you finish notarizing the documents. He grabs them and hurries out.

It isn't until the next day that you realize he never signed the journal entries. And you stop seeing him in the building. Months later, you get contacted by law enforcement and find out that Tom pulled a mortgage fraud scam. Then you're served with a lawsuit.

In this case, Tom exploited a very casual relationship to get you to forgo proper identification procedures. And he distracted you so that you didn't notice that he failed to sign your journal.

The best way to handle this situation is to follow the same notarization procedure every time, and proceed slowly and carefully. Never let anyone rush or distract you. And before you finish the notarization, review everything to make sure every step was followed properly. Always verify the signer's identity at the time of the notarization.



Elder financial abuse is an all-too-common issue today as baby boomers reach their golden years. And it often requires the unwitting assistance of a Notary.

Imagine you're called to the home of a man in his 80s. It's a nice home, filled

Scammers rely on the willingness of Notaries to ignore required procedures.

with pictures of family and lots of mementos. A young woman answers the door and says she's the man's granddaughter. The man makes his way into the living room using a walker. He asks who you are. His granddaughter reminds him you're there to notarize "those papers we talked about."

The man thinks a moment, then says, "Do I really have to?"

The granddaughter helps him to a table where he signs a power of attorney authorizing her to handle his financial affairs. You complete the journal entry, notarize the document and leave.

You later find out the granddaughter used the power of attorney to drain the man's financial assets, and now other family members have filed a lawsuit against you claiming the man was coerced and pressured into signing.

This is a tough situation, but in this case there was a warning sign. You're not a trained medical or mental health professional, but you should still pay attention to indications, no matter how small, that a signer might not want to go through with a transaction.

Engage the signer in a friendly conversation, introduce yourself, ask them to explain what they want. If someone else answers your questions or prods the signer, that could be a red flag. If you are unsure that your signer wants to do this, your state's laws may require or permit you to refuse the notarization. If your state's laws are silent on the matter, the best practice is to refuse the notarization. In any event, make a note in your journal of the situation and the steps you took.



While many scammers approach Notaries they know, others target strangers, particularly if they work in busy environments.

In this scenario, imagine a well-dressed man comes to you on a particularly busy day. He asks you to notarize his signatures on several grant deeds for investment properties he owns. He hands you his driver's license, and you write down the information in your journal. But you do not compare the photo and description on the ID with the signer. He signs the entries. You complete the notarizations. He pays your fee and leaves.

Sometime later, you're visited by federal investigators, who inform you that the man was an imposter involved in a multimillion-dollar mortgage fraud scheme. And that's just the beginning of your trouble.

Notaries often spend more time recording information from the ID than checking and comparing it to the client. But verifying a signer's identity is a crucial responsibility. Failing to do so is a common reason claims are filed against Notaries. So always make sure to pay attention to the details on the ID and compare them to the signer.

All of these scenarios are drawn from real-world situations, and they highlight the fact that scammers rely on the willingness of Notaries to ignore required procedures. But they all can be avoided as long as you follow all the essential steps of a proper notarization every single time. Cutting corners is a recipe for disaster. ■



- REAL-LIFE SCAMS -

Fraud schemes that Notaries encounter can range from the sensational to the bizarre to the mundane. Here are some examples:

Murder Mixed With Fraud

One of the more sensational cases occurred in 2008 when a wealthy Palm Springs, California, resident was murdered by a group of conspirators who stole his home, money and other assets, including valuable works of art. In order to pull off the scheme, one of the conspirators, a San Francisco attorney, impersonated the victim to forge a power of attorney. The California Notary recorded the imposter's thumbprint in the journal entry — as required by state law. That thumbprint helped unravel the case. Ultimately, six defendants were convicted, with several receiving life sentences. To learn more about this case, go to Bitly.com/Protectingthepublic.

The Real Mrs.

In this case, a Florida Signing Agent was called to a home of a married couple for a refinance signing. Both the husband and wife handed over their IDs, and the NSA proceeded with the signing. Before the NSA could finish, a second woman showed up, and a loud fight erupted. It turned out the "wife" was actually the husband's sister, and she just happened to have the exact same name as the second woman, the real wife. The husband was attempting to strip equity out of the home without his wife's knowledge to pay for his gambling addiction. And it wasn't the first time he had done it. The NSA left without completing the signing. To learn more about this case, go to Bitly.com/Samenameimpostor.

Sovereign Citizens

The so-called sovereign citizens movement is a group of individuals who believe they are immune from federal, state and local laws. They often seek to have documents that make outlandish claims notarized. The claims can assert that local governments owe them billions of dollars or that they have immunity from arrest or other actions by law enforcement. Some group members even try to use real-looking IDs issued by non-existent organizations. Adherents mistakenly believe that a notarization legitimizes their claims. To learn more, go to Bitly.com/bizarredemand. ■



Find Your Freedom and Flexibility



Make More Money with Your Existing Notary Credentials

Have a Notary commission? Turn your Notary commission into cash. Learn how to perform loan closings for the mortgage finance industry and earn more money as a part-time or full-time Notary Signing Agent.



The NNA® Has You Covered

We provide the most widely accepted qualification program for Notary Signing Agents. And once you have completed the program, you'll get a listing on SigningAgent.com, *the* place title and signing services look for qualified NSAs.



Your Business, Your Way

Determine your availability and make your own schedule. Choose when and where you work, and who you'll work with.

Have the lifestyle you want while maximizing your earning potential as a Notary Signing Agent for as little as \$179.



2018 MARCH FONG EU ACHIEVEMENT AWARD RECIPIENT

BOB MURPHY

By Cindy Medrano



GREAT INNOVATIONS OFTEN COME FROM THE MOST UNLIKELY PLACES, and they usually rise out of the need to solve a problem. That's exactly what happened with the mobile Notary industry, which, surprisingly, has roots in the Pennsylvania coal mines of the 1960s. The mines of that era employed more than 24,000

workers and produced upward of 20 million tons of coal each year, mostly in western Pennsylvania. But the industry was in decline, and those hard-working, blue-collar workers and their families were faced with a growing need for financial assistance.

Bob Murphy — then a loan officer for a consumer finance company in Brownsville — served countless clients who regularly needed personal loans. Many of

“It is an honor to be recognized with this distinguished award,” Murphy said. “My goal was to solve a problem, and I’m glad that that solution led to new business opportunities for Notaries.”

The Solution That Created An Industry

Truth be told, Murphy’s innovations in the lending industry go beyond Notaries.

In the late 1970s along with a partner, he founded Lender’s Service, Inc. (LSI) as a pioneer of “vendor management” for mortgage lenders, and a centralized provider of appraisal, title and settlement services. Then in 1996 he founded ValuAmerica to improve on his centralized services concept by using new technologies to improve vendor management, appraisals and settlement services.

“ValuAmerica was founded on the idea that we would bring technology and efficiency into the process that had been manual,” he said. His company became the industry leader and, as a result, he launched fourteen subsidiaries to support the nation’s largest lending institutions.

But this accomplished career remains rooted in those days in Brownsville when he worked tirelessly to fund loans for

“Every mobile Notary and Notary Signing Agent has Bob Murphy to thank.”

— Bill Anderson, NNA Vice President of Government Affairs

them were suffering from black lung disease, or were retired, on welfare or disability, and these loans were vital to their lives.

He provided top-notch, compassionate customer service to his clients, but there was one big problem: Some of his clients had an extremely difficult time getting to the office for a loan closing.

Always forward-thinking, Murphy jumped through several hoops on his way to discovering he could send Notaries to the homes of his clients. That’s why Murphy is largely credited with creating the mobile Notary industry that today supports thousands of full-time professional Notaries and countless others who offer mobile services as a source of extra income.

For his pioneering innovation that sparked careers for mobile Notaries and his unwavering dedication to solving a challenging customer service need with quality Notary services, Bob Murphy of Bonita Springs, Florida, has been named the National Notary Association’s 2018 recipient of the March Fong Eu Achievement Award.

The Award was established in 1979 in honor of the late California Secretary of State March Fong Eu. It is given annually to an individual who strives to improve the standards, effectiveness, and professionalism of the Notary Public office in the United States.

“Every mobile Notary and Notary Signing Agent has Bob Murphy to thank,” said Bill Anderson, once a Notary Signing Agent and now NNA Vice President of Government Affairs. “Bob’s story reminds Notaries that their mission every single day is to creatively and compassionately serve their customers.”





his ailing clients. And one of his first big problems: How to provide his clients with quality, mobile Notary services.

His first solution was to mail the loan documents to clients so they could meet a Notary at their local magistrate's office. Once the signatures on the documents were witnessed, the client would mail the documents back and the loan would be funded. This worked for some coal workers, but many could not leave their homes as their illnesses progressed.

He then tried to have attorneys provide witnessing services, but that made the problem more difficult in other ways. "The attorneys were too expensive for my clients and they wouldn't provide services outside of normal business hours," said Murphy. "It was not an acceptable solution."

His next idea: What about sending Notaries to clients' homes?

Murphy had built a network of local Notaries that he would send his clients to, but they worked out of offices in banks, insurance companies, libraries and other locales. "Traveling" Notaries were unheard of.

Murphy went to his executive board and pitched his solution: Notaries would travel to the coal miners' homes. It was

a hard sell, but eventually his leadership team gave him the green light to find out if Notaries would actually do it.

To his surprise, they agreed to travel. As a result, the mobile Notary profession was born.

"These Notaries were open to traveling and were willing to perform their services in a timely and efficient manner, and at reasonable prices," Murphy said. "They didn't have fancy names like 'Signing Agents' or 'mobile Notaries,' but we relied on them to get the job done. And they certainly did."

A Legacy That Continues To Grow

While official numbers are difficult to establish, the NNA estimates that there are between 30,000 and 50,000 full-time mobile Notaries across the country, and tens of thousands more that provide mobile services part time or for extra income.

They travel to clients around the clock to handle mortgage loan signings, advance directives, job applications, business contracts, travel permission slips for minors, identity proofings for digital credentials, and the list goes on. Most mobile Notaries are over 40, and they make good money, but there are signs that "Millennials" and "Generation Z" are becoming more interested in the profession.

As the "gig economy" continues to grow and consumers increasingly rely on on-demand services, many who have never considered being a Notary before are peppering message boards and social media with questions about the opportunities opened by becoming a mobile Notary.

While the needs of the coal miners in western Pennsylvania that created the first traveling Notaries may be a thing of the distant past, today's service economy continues to drive consumers to demand personalized, around-the-clock Notary services. Notaries today who

"There is a great future for mobile Notaries as business continues to evolve."

— Bob Murphy, Former CEO of Lender's Service (LSI) and ValuAmerica

take advantage of the opportunity — and those who will in the future — owe it all to Bob Murphy.

"There is a great future for mobile Notaries as business continues to evolve," Murphy said. "I don't see a time where there would ever be a situation where someone does not verify the identity of a person." ■

22 WAYS TO MAKE MONEY AS A NOTARY

By Daniel Lewis



HOW CAN I MAKE MONEY AS A NOTARY? That's one of the most common questions I hear from Notaries. Whether you're a new Notary or a seasoned Signing Agent, here is a list of things you can do right now to boost your brand, make yourself known to more customers and earn more money as a Notary:

1. Tell people that you are a Notary.

This sounds so simple, but if you were to survey half the people you encounter each day, many of them do not know that you are a Notary who can help them.

2. Have promotional pens made.

Hand them out to bank tellers, post office clerks, insurance agents, financial advisors, FedEx/UPS personnel, restaurant staff, grocery cashiers and everywhere else you visit that sees a large group of people during the day. You will be surprised at how much business you will receive by doing this.

3. Attend networking meetings in your area.

Business and trade events are excellent opportunities to promote your Notary commission with other professionals.

4. Join your local Chamber of Commerce and volunteer to be on the membership committee.

Attending Chamber of Commerce meetings regularly adds credibility to your business and your branding strategy. I would highly recommend attending ribbon cutting events for new businesses opening in your area. This will allow you to welcome the new business owners to the area and gives you yet another opportunity to share your services.

5. Provide free notarizations for the local high school athletics department.

It keeps your business in the minds of your community and affects the civic-minded parents in your area.

6. Perform free notarizations for the American Legion and Veterans of Foreign Wars members in your area.

This is just a great way to give back to veterans and local leadership.

7. Organize a community shred day.

I am currently organizing one of these, and I'm surprised at how many people have expressed an interest in

participating. (National Shred Days raise awareness of identity fraud.)

8. Co-sponsor financial literacy seminars with banks, real estate agents, financial advisors and wealth managers.

This is a lot easier than you might think. Simply contact a business professional in these areas to host the event. You do all the (social media) marketing and they provide the expertise. This will be a win-win for all involved.

9. Offer seminars about identity theft.

As Notaries, we are experts in our local area when it comes to identity, and this allows you to build an “expert” reputation in your community.

10. Before and during every holiday, advertise on social media that you are available for notarizations.

Whether it's Columbus Day, Labor Day, Presidents Day or other holidays, all the banks and credit unions are closed. Usually, I receive the largest volume of calls for notarizations because people simply can't find anyone else.

11. Network with your local UPS and FedEx store managers.

Currently, FedEx stores are not offering Notary services, and many UPS stores only offer limited service. After receiving referrals, I have conducted Notary assignments for each.

12. Have logo shirts made and wear them to community events.

This is a great way to advertise that you are in the Notary business.

13. Join a professional Notary organization.

Joining an organization like the NNA offers opportunities to stay in touch with the latest changes in the industry and find new marketing prospects.

14. Network with other Notaries in your neighboring communities.

This is one of the most important things you can do to build your business. Professional Notaries network with other Notaries in surrounding towns in order to build their clientele.

15. Post a profile on Notary websites.

Doing this is like broadcasting your business with a megaphone to clients who use Notaries on a regular basis. SigningAgent.com is an excellent example of a website where professional Notaries can post their profile. Make sure to include a professional picture in your profile when possible.

16. Find a mentor.

Having a business mentor will not only help you make more money as a Notary, but will also help keep you from making major business mistakes.

17. Become a mentor to another Notary.

I have personally grown as a professional after becoming a mentor, and this role has helped me build a more holistic, well-integrated business.

18. Develop a business page on Facebook, LinkedIn and Twitter, and invite people to your page.

This is extremely important to your business. It will build your professional network and can drive your business into increased profits and success. Feel free to invite me to your pages.

19. Follow up with your existing customers.

This is an often overlooked must-do, but maintaining and managing relationships with your existing customers is one key to your success.

Accepting all forms of payment opens more doors and revenue streams for your Notary business.

20. Attend professional development conferences and workshops.

I attended my first National Notary Association Conference several years ago in Las Vegas, and have attended every one since. I cannot stress how important it is to be in attendance each and every year to learn from the very best in the industry. It has helped me to grow my business and partner with some of the best in the field. What you will learn at these events will eliminate years of struggling as a Notary entrepreneur.

21. Start accepting credit cards as payment.

Accepting all forms of payment opens more doors and revenue streams for your Notary business.

22. Place a large sign or Notary logo on your car for your business.

Notaries around the country frequently do this and report great successes.

Implementing just a few of these techniques is well worth the effort and will help you strategically grow your business. ■

Daniel Lewis of Carmel, Indiana, is the founder of Lewis Notary Services, Inc., a nationwide mobile service.

SIGNING BY **SIGNATURE STAMP**

By Michael Closen



A **S A NOTARY, WHAT WOULD YOU DO** if a client showed up and used a signature stamp to sign the document rather than signing by hand? That is just what happened to an actual Notary who was surprised and unprepared to deal with the situation. The Notary simply allowed the notarization to proceed like any other notarization — except for one detail.

The Notary ended up having to defend herself against a million-dollar lawsuit. While the case involved other Notary issues as well, it all started because of the signature stamp. The argument was made by the party bringing the lawsuit that the signature must have been forged. And, in this case, the impression of the signature stamp was of such high quality that it was nearly impossible to tell the signature had been stamped rather than handwritten.

This particular case revolved around a number of issues, including the definition of a signature, special requirements for signature by mark and proper journal-keeping practices.

What Is A “Signature”?

The legal definition of a signature in virtually every state focuses on the intention of the signer. Thus, a signature is any writing, mark or symbol intended by the signer to serve as his or her signature for the purpose of authenticating the instrument on which it appears. The most common kind of signature is the standard handwritten John Hancock.

However, a mark or symbol such as the image of a coat-of-arms or other graphic image that is drawn by hand, stamped or embossed onto a document would constitute a signature if applied by its authorized user with intent to serve as a signature. For instance, in ancient times, members of the clergy, the nobility and other persons of wealth often used the impressions of the unique images on their signet rings as their signatures. Today, the most common analogy is the handmade “X.” And you do not have to be illiterate or physically unable to write in order to adopt a mark or symbol as a signature.

Without question, a signature stamp applied by the individual whose name appears on the stamp constitutes a signature. Therefore, in this case, I testified that the document signer had lawfully signed the document.

Ideally signers using a mark or symbol will have their names written by the mark on the document to inform

other parties of the meaning of the mark, as some state Notary statutes require.

What Is The Notary’s Responsibility?

In Notary statutes, the states take two different views of a signature by mark.

Some state Notary laws regard a signature by mark to be an ordinary signature not requiring any special steps by the Notary to validate it. Other states, however, treat a signature by mark as out-of-the-ordinary and require the Notary to follow a specified procedure to validate such a signature. The purpose of the extra steps is to help protect against possible forgery and fraud.

Those extra steps may require the Notary to have one or two other witnesses observe the signature by mark; to have the witness or witnesses sign the notarial certificate and/or the Notary journal entry for the notarization; and for the Notary to note on the notarial certificate that the signer’s signature was made by mark and to name the signer.

Regardless the approach taken by state Notary law, Notaries should always take three precautions when notarizing a signature executed by a mark, such as with a signature stamp.

1. Always note the name of the signer on the signature line and notarial certificate. Unfortunately, not all documents contain the typed name of the signer underneath the signature line and many notarial certificates do not require the Notary to name the person whose signature was notarized. The printed name of the signer underneath the signature will identify the mark as the signer’s signature. The printed name of the signer in the notarial certificate will make it clear to everyone that you notarized that individual’s mark.

1. Always note the name of the signer on the signature line and notarial certificate. Unfortunately, not all documents contain the typed name of the signer underneath the signature line and many notarial certificates do not require the Notary to name the person whose signature was notarized. The printed name of the signer underneath the signature will identify the mark as the signer’s signature. The printed name of the signer in the notarial certificate will make it clear to everyone that you notarized that individual’s mark.
2. Always record every official act in the journal, even if not required by state law. Any out-of-the-ordinary event that occurs during a notarization should be noted in the journal as well. This applies to a signature by mark.

Without question,
a signature stamp
applied by the individual
whose name appears
on the stamp constitutes
a signature.



Professor Emeritus Michael Closen

Include the names and signatures of any witnesses. Also remember, the journal entry should be signed by the document signer using the same mark. The detailed journal entry could help you to remember the circumstances of the notarial act long after the fact and in case the matter ends up being challenged.

- 3. Proofread both the notarial certificate and journal entry, and make any necessary additions or corrections prior to concluding the notarial ceremony.

The Jury Verdict

In this case, the state where the notarization took place required its Notaries to take special procedural steps when notarizing a signature executed by mark, yet the Notary had not taken any of those extra steps.

However, the Notary had kept a detailed journal entry, and that entry identified the unusual circumstance of the signing of the document by a signature stamp. As a result, I told the jury the signature was lawful, there was no attempt at concealment or fraud, and, overall, the notarization was valid.

An old proverb says, "Injustice should not win on technicalities." The jury and judge agreed, and the Notary was exonerated. But not before having to go to court and defend her actions — at great expense. ■

Michael Closen is Professor Emeritus at the John Marshall Law School in Chicago, Illinois. A respected consultant on model Notary statutes and legislation, Closen served on the drafting committees for The Notary Public Code of Professional Responsibility and various editions of the Model Notary Act, and recently authored Professor Closen's Notary Best Practices: Expert's Guide to Notarization of Documents.

It Wasn't Me



Avoid Surprises.
Protect Your Finances,
Credit, and Good Name
with LifeLock.

30 Day FREE Trial*
+ 10% Off LifeLock
Identity Theft Protection

PROMO CODE: NNA30

Visit LifeLock.com or call
1-800-LifeLock
(543-3562)



POLICE REPORT

Victim: Stanley Bupkis
Crime: Tax-Related Identity Theft
Status: Married, Home Owner,
Two Kids, Never Shreds
Personal Documents.

Perpetrated Crime:

- Stanley's Social Security number stolen from documents tossed into home garbage.
- False tax return submitted in Stanley's name claiming a \$4,800 refund.

Resulting Impact:

- Spending months trying to resolve his stolen identity claim with the IRS.
- Stanley is not \$4,800 richer.
- Mother won't return calls because he has disgraced the family name.

*Event and character represent a fictitious portrayal.



No one can prevent all forms of identity theft.

[†]Network does not cover all transactions.

[‡]The benefits under the Service Guarantee are provided under a Master Insurance Policy underwritten by State National Insurance Company. Under the Service Guarantee LifeLock will spend up to \$1 million to hire experts to help your recovery. As this is only a summary please see the actual policy for applicable terms and restrictions at LifeLock.com/legal

*At the end of the no-cost 30-day trial period, your card will be billed automatically (\$8.99mo/\$98.90yr for LifeLock Standard™ service or \$17.99mo/\$197.70yr for LifeLock Advantage™ service or \$26.99mo/\$296.90yr for LifeLock Ultimate Plus™ service. All pricing excludes applicable sales tax.) You can cancel any time without penalty by calling 1-800-LifeLock. Offer is for new LifeLock members only.

Powers Of Attorney



Powers of attorney often cause confusion for Notaries — including requirements for notarizing them and how a person granted power of attorney should sign a document on someone's behalf. Here are answers to some common questions.

What is a power of attorney document?

A power of attorney is a legal document authorizing someone to make decisions and sign documents on behalf of someone else. Generally, the person creating the power of attorney is known as the “principal,” who authorizes another person, “the agent” or “attorney in fact,” to sign documents as the principal's representative.

How do I notarize a power of attorney document?

Generally, when notarizing a signature on a power of attorney document, you would follow the normal steps for completing either an acknowledgment or a jurat, depending on which

type of notarization is required or requested by the signer. You will follow the basic steps of notarization for any act you perform.

If someone signs a document as attorney in fact, whose name and signature do I notarize?

In this situation, you notarize the signature of the attorney in fact, not the principal. This may be confusing because an attorney in fact will typically write down both their name and the name of the person they are representing, such as “John Burns, attorney in fact for Mary Anderson, principal” or “Mary Anderson, principal, by John Burns, attorney in fact.”

However, since the attorney in fact has legal authority to represent the principal, you notarize only the attorney in fact's signature. This means you verify the identity of the attorney in fact — not the principal — and write only

the attorney in fact's name in the notarial certificate wording.

The attorney in fact signing your journal entry should sign only his or her name. Under the “Additional information” section of the journal entry, you should note that the attorney in fact is signing on behalf of an absent principal and include the principal's name.

Can an attorney in fact swear to or affirm the statement in the affidavit on behalf of the principal?

In most cases, one person cannot swear to or affirm truthfulness on behalf of another. If the attorney in fact requests a jurat or verification upon oath or affirmation, the attorney in fact must swear to or affirm the statement in their name only.

Using our previous example, if John Burns, attorney in fact for principal Mary Anderson, requests that you execute a jurat, he may state “I, John Burns, swear

(or affirm) ...” but he may not state “Mary Anderson swears (or affirms) ...”

If an attorney in fact in California requests a jurat, they must present proof of identity as required under California's identification rules for notarizations. Florida has a similar requirement. However, some states, such as Texas, do not require the Notary to verify identity for jurats.

If I'm notarizing the signature of an attorney in fact, do I need to ask the signer for proof of power of attorney first?

Each state's laws on proof of an attorney in fact's authority are different, so you will need to check your state's Notary handbook or guidelines. Most states, including California, do not require Notaries to verify an attorney in fact's representative capacity. Other states, such as Hawaii, require the Notary to see proof that the signer has power of attorney.



Venue Questions, Notarizing Deeds For Relatives, Probate Documents

NOTARIES NATIONWIDE

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

Q I am trying to clarify the proper way to notarize documents when it asks for the county. I live in — and my commission is registered in — Will County, but I work in Dupage County, and that is primarily where I notarize documents. Would I use Dupage or Will?
J.K., Illinois

A When completing the venue on a Notary certificate, you enter the state and county where the notarization is performed.

Q Is it legal to notarize a deed for my grandfather who is transferring the title to my aunt? How would it work if it was my mother being added to a deed?
A.V., California

A The California Secretary of State has said the following about notarizing for relatives: "A notary public may notarize documents for relatives or others, unless doing so would provide a direct financial or beneficial interest to the Notary

public" (2018 *Notary Public Handbook*, page 10).

Q Can I notarize a probate document that has handwritten paragraphs included?
S.F., Georgia

A Generally, you may notarize a signature on a document that includes handwritten paragraphs. But since you specifically asked about a probate document, it is best to seek the advice and counsel of a Georgia attorney who knows the legal requirements and formalities for creating and signing probate documents on this particular question.

Q Can Notaries notarize documents that have blanks for dates that will be filled in at a later time?
J.Y., California

A According to state law (Government Code 8205[a] [2]), "A Notary Public may not accept any acknowledgment or proof of any instrument that is incomplete."

The Secretary of State applies this prohibition to any document: "A Notary Public may not notarize a document that is incomplete. If presented with a document for notarization, which the notary public knows from his or her

experience to be incomplete or is without doubt on its face incomplete, the Notary Public must refuse to notarize the document" (2018 *Notary Public Handbook*, page 16).

Q Am I legally allowed to notarize items for family members? If so, do I need to have or attach any additional sort of documentation stating that I am related to them?
S.D., Texas

A The Texas Secretary of State says the following about notarizing for relatives: "There is no specific prohibition against





notarizing a spouse's or relative's signature or notarizing for a spouse's business. However, notarizations should not be performed by a notary public who is a party to the instrument or financially or beneficially interested in the transaction. The facts in each situation will determine whether the notary's action was proper" (TX Secretary of State's website, "Frequently Asked Questions").

Q I've been asked to witness a bank safe deposit opening. What forms are needed or required? Do I take IDs?

Who inventories the contents?

N.C., New York

A Witnessing the opening of a safe deposit box is a notarial act performed almost exclusively by Notaries employed by banks and other financial institutions, but any Notary may do it.

The bank may open and inventory the contents of a safe deposit box in the presence of a Notary Public if the rental fee on the safe deposit box has not been paid and at least 30 days have transpired since the bank gave proper

notice to the lessee and received no response. So, to answer your question, the bank opens and inventories the contents, but the Notary is present and creates and signs a certificate stating the lessee's name, the date the box was opened, and lists the items removed from the box and any other relevant facts (Banking Law Section 335). New York law does not provide specific wording for the certificate. The law doesn't require you to identify the officers of the bank who are present when the safe deposit box is opened and inventoried.

Q What are the guidelines for notarizing forms signed by minors that require notarization? What are the guidelines for Texas?

S.J., Texas

A Texas doesn't have specific laws or guidelines for notarizing the signature of a minor. In general, if the minor can be properly identified and understands what they are signing, you may notarize their signature. A rule in the Texas Administrative Code authorizes you to refuse to notarize if you have concerns about the signer's capacity to understand the contents of the document (1 TAC 87.30[a][3]). This applies to minors as well as adults.

Q I work in a long-term care facility, and one of my patients is unable to sign a power of attorney. He cannot even make a mark or hold a pen. What are my options to notarize his power of attorney form?

A.J., California

A If the patient is unable to make a mark of any kind, you cannot notarize his signature. Unlike several states, California doesn't have a specific provision allowing a signer to direct the Notary or a third party to sign on his behalf.





Notarizing For Family Members

A Notary is an impartial witness to the signing of important documents. But how do you stay impartial if the signer is a family member? Spouses, parents, siblings and children often need documents notarized. Here are some helpful tips for handling notarization requests from family members.

Not Every State Allows Notarizing For Relatives

If asked to notarize for a family member, the first thing to do is check your state's laws. A few states, like Michigan, prohibit Notaries from notarizing for family members. Michigan also prohibits notarizing for a Notary's in-laws, step-relatives and half-relatives. Others only prohibit notarizing for specific family members or acts. For example, Florida does not allow notarizing the signatures of a Notary's spouse, parents or children, but permits Notaries to officiate marriages for family members. North Dakota, Oregon and West Virginia prohibit notarizing for spouses only.

On the other hand, many states, such as Texas, do not restrict Notaries from notarizing for relatives at all. However, some states that permit notarizing for family members, including Alabama, California, Delaware, Montana and Washington, still caution Notaries against notarizing documents for relatives even though the law doesn't specifically ban it.

If You'll Benefit, Don't Notarize It

Even if your state doesn't restrict you from notarizing for a family member, you shouldn't do it if you will benefit from the transaction in any way. If you are in a community property state, any transaction involving your spouse could potentially benefit you as well — even if your name isn't on the document.

Some states, such as California and Pennsylvania, don't specifically ban notarizing for relatives, but do prohibit it if the Notary has involvement in the notarized document. For example, California prohibits its

Notaries from notarizing a document if they have a direct financial or beneficial interest, such as being named in the document or receiving a gift or benefit from a transaction detailed in the document apart from the Notary's statutory fee.

If you're not sure whether you'd stand to benefit from notarizing a document for a relative, it's better to be safe and refer the relative to another Notary who's not related or involved in the transaction.

The Notary Public Code of Professional Responsibility offers helpful guidance on this thorny subject. It urges the Notary to decline to notarize for close and step-relatives (see Standard II-B-5). It also calls for Notaries to avoid even the appearance of partiality, which happens in many cases involving family members (see Standard II-C-1).

Always Follow The Rules

If your state allows notarizing for a relative, remember that you still must follow all the normal rules for identifying the signer and completing the notarization. Just because the signer is your spouse, child or other family member, it doesn't give you the right to ignore Notary laws. Your relative will still need to appear in person before you, be identified according to state law and sign your journal entry if a journal record is required in your state.

If You Have Questions, Ask

Don't be afraid to ask questions if you're unsure about notarizing for a family member. Your state Notary agency may be able to help you, and NNA members can contact the NNA Hotline for assistance at 1-888-876-0827 or email: hotline@nationalnotary.org.

Learn more about best practices and procedures in the NNA's Notary Essentials course:
[NationalNotary.org/Notary-Essentials](https://www.nationalnotary.org/Notary-Essentials)

Financial Damages



Court Costs



E&O

Insurance Protection

Loss on Notary Bond



Legal Fees



Protection is within your reach
for as little as \$3.00 a month.

If you make an unintentional mistake, or are the victim of a false claim or the fraudulent use of your commission, it could cost you thousands of dollars to defend yourself in a lawsuit simply to prove you acted responsibly. With E&O insurance from the NNA, you don't have to worry.

Request a Quote

1-888-896-6827

NationalNotary.org/Insurance



NATIONAL
NOTARY
ASSOCIATION

BONDS AND E&O POLICIES UNDERWRITTEN BY MERCHANTS BONDING COMPANY (MUTUAL), WEST DES MOINES, IOWA. PENNSYLVANIA BONDS AND E&O POLICIES UNDERWRITTEN BY MERCHANTS NATIONAL BONDING, INC., AN AFFILIATE OF MERCHANTS BONDING COMPANY (MUTUAL). AGENT FOR ALL BONDS AND E&O POLICIES IS N.N.A. INSURANCE SERVICES, INC. COMMISSION NUMBER AND COMMISSION EFFECTIVE AND EXPIRATION DATES REQUIRED FOR E&O POLICY ACTIVATION. THE COVERAGE PROVIDED BY ANY POLICY ISSUED SHALL BE DETERMINED IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE POLICY ISSUED, ANY CONTRARY REPRESENTATIONS HEREIN NOTWITHSTANDING.



Time to Renew?

Don't wait until it's too late
to renew your commission.

The NNA will provide you with everything you need to meet your state's requirements and protect yourself from liability.

Application • Bond • E&O Insurance • Training • Supplies

NationalNotary.org/Renew | 1-888-896-6827



**NATIONAL
NOTARY
ASSOCIATION**