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# The National NOTARY<sup>®</sup>

November 2008



THE MAGAZINE FOR PROFESSIONAL NOTARIES

**Introducing The  
NNA's New Chief  
Executive P.18**

**Protecting Patients'  
Identities With  
EHRs P.20**

**Cyberbullying  
Leads To Suicide  
P.27**



# VERIFIED

**Notaries — The New Identity Managers**

# The National NOTARY

Vol. II, No. 6, November 2008

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## THE NATIONAL NOTARY

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

## PUBLICATION POLICY

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

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## From The Managing Editor



## The Tragic Costs Of The Identity Crisis

Every day we hear reports of corporate data breaches and multi-million-dollar mortgage fraud rings aimed at robbing good citizens of their identities and bank accounts.

While each incident is shocking, the enormous number of such cases has served to numb many Americans to the cruel severity of these identity crimes. Sad to say, this numbness is even evident at times among Notaries, some of whom have let their guard down personally and professionally.

What's unstated in the headlines, and little appreciated by most Americans, is that identity fraud is one of the greatest threats we face in the 21st century, requiring new, innovative systems to protect our assets and, indeed, our very lives. Sadly, deficiencies in our current identity management systems have caused some to pay the ultimate price.

They include the 184 people killed in the Pentagon and on American Airlines flight 77 after a crooked Virginia Notary helped four of the September 11 hijackers obtain fake driver's licenses — identity documents they used to enroll in flight school.

They include the Maryland couple who was tortured and murdered just so the killers could assume their identities, and the Missouri teen who took her own life because of an online social networking hoax (page 27).

Luckily, government and industry have at long last come to the realization that the nation's Notaries are a valuable and under-utilized national resource in the non-stop battle against identity theft. Increasingly, corporate and government agencies approach the NNA to enlist Notaries in the fight.

That's why your Association has taken aggressive steps to prepare Notaries for a greater role, like strengthening the NNA's Certified Notary Signing Agent Program and creating the Trusted Enrollment Agent™ Program (page 14). And in further preparation for a future of secure electronic transactions, the NNA has significantly strengthened its Executive Team (page 18).

The Notary's role as part of the solution to the nation's identity management crisis is critical. It's a tragedy that the nation has been slow to take action on identity security. As a result too many Americans have lost not only their futures and good names — but in some cases their lives.

*Phillip W. Browne*

Notaries are a  
valuable and  
under-utilized national  
resource in the battle  
against ID theft.

## COVER STORY

### 14 • Notaries — The New Identity Managers

Continuing its efforts to professionalize the Notary Public office, the National Notary Association has launched the bold, new Trusted Enrollment Agent™ (TEA) Program that is effectively creating a new class of “Super” Notaries. These specially trained Notaries are forging a new level of trustworthiness as global organizations recruit them to protect our most important industries and valuable resource — our identities.



## FEATURES



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The National Notary Association’s new Chief Executive Officer, Larisa B. Gurnick, is ready to lead the organization’s executive management team to maximize current and future opportunities.

### 23 • Standing Up To A Stampede Of Errors

Dealing with government agencies can be like facing down a pack of angry rhinos. This is especially true for Notaries who are asked by clueless officials to make improper notarizations. The only defense is to stand your ground and adhere to best practices.

### 27 • An Online ID Ruse Ends In Tragedy

MySpace and social sites like it thrive by allowing the denizens of the Web to be anybody they like. Mostly, it’s just harmless fun. But sometimes it turns tragic. A controversial courtroom drama raises serious



questions about the identities we assume. When does an alter ego go too far and who is responsible when it does?

## TRENDS & OPPORTUNITIES

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### ELECTRONIC PRESCRIPTION FOR SUPERIOR HEALTH

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Electronic health records are among medicine’s best lifesavers, particularly in an emergency. But are they safe from prying eyes? Security may necessitate background screening for all medical providers, even doctors.



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**OUR MISSION**

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

# OUR READERS' RIGHT

## More Signing Service Hassles

Like other readers, I also have had problems with signing agencies. They expect Notaries to act professionally and responsibly. But they don't provide the same courtesy to us. It makes us look bad when we don't arrive on time with the correct documents. I feel that this is very unprofessional on their part.

I have tried to contact agencies only to find that their voicemail is full or eMail them with no response. This is certainly poor business practice.

Signing agencies expect us to wait for our fees, but they want us to jump quickly to take these jobs. My time is as valuable as theirs.

As Notaries, we are looked upon as trusted individuals, but I find that I cannot depend on these signing agencies as trustworthy companies.

**Sheila L. Gosa, Elizabethtown, Kentucky**

## Conference Congratulations

I was delighted when the September 2008 issue of THE NATIONAL NOTARY arrived. The articles and pictures that recapped the 30th Conference were fantastic!

As is evident by the pictures and stories, I would encourage all Notaries to attend next year's Conference in Las Vegas. You will learn a lot, make new friends and have a fantastic time. This was an experience that I will never forget. Thank you, NNA!

**Claudine Osborne, Madison, Ohio**

## Fees Need To Keep Up With Cost Of Living

As a Notary, I have noticed that over the years the fees that we charge for a signature are still the same, but the cost of living has gone up significantly. Do you see this changing in the near future? Why is it that we are charged more for our supplies, but our notarial fees are never allowed to go up?

**Elaine Dickinson, San Francisco, California**

*Several states are currently working on legislation to raise the fees that Notaries can charge for notarizations. The NNA will keep our readers informed. — The Editors*

## Letters To THE NATIONAL NOTARY

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

Contact us at [publications@nationalnotary.org](mailto:publications@nationalnotary.org) or by fax at (818) 700-1942. Mail can be sent to National Notary Association, Editorial Department, 9350 De Soto Ave., P.O. Box 2402, Chatsworth, CA 91313-2402.



## Civility Is An Important Part Of Public Service

Almost every Notary I know or have met is friendly, courteous and polite. Equally, they are knowledgeable and professional.

Yet, each has a story of the “most horrible notarization ever” — an experience of inexplicable bad attitude, anger, or sometimes outright hostility on the part of a signer. I think I know why this happens.

It's that feeling we all get at airline ticket counters and the department of motor vehicles. Often, when we are in a situation where we don't have control, and the other person is readily conversant with the necessary procedures and policies, we get nervous and anxious. We're ready to fight, and we may lose our civility.

As Notaries, we know all about impartiality, honesty and integrity, but just how do we go about instilling calmness and courtesy in a signer?

Because most signers don't really know what a Notary does, and call us rarely except at the most urgent and pressing times — when purchasing real estate, signing powers of attorney, executing a will — they may be completely out of their comfort zone. They become frustrated, anxious and testy ... or worse.

Similarly, Notaries get annoyed at the airline counter because we get a sense that the agent doesn't care. We arrive at the department of motor vehicles anticipating, sometimes with justification, that the clerk will be slow and unresponsive to our sense of urgency. This can result in a lack of civility on our part. The problem is so pervasive that various groups throughout the nation have been making concerted efforts to change the whole equation. Consider just one example — campus civility initiatives, in which colleges across the nation are

developing standards of civility.

The final objective of such initiatives is that “each individual must be responsible and accountable for her or his own actions and words.”

Let's keep in mind that every time we perform a notarization, we represent every Notary. We are ambassadors responsible for engendering respect and recognition for our office every day, in every way.

Granted, it may not always be easy. Maybe traffic was bad getting to our assignment. Perhaps the signer had a bad day. Regardless, we have a responsibility to diffuse all the unfocused, negative energy and leave with everyone having had a positive experience.

In a brusque, digital world, where time waits for no one and life-changing decisions often must be made in minutes, we are all apt to accept this decline in civility.

But as Notaries, because we interact with the public in a direct way, we must strive constantly to show courtesy, competence and consideration to our signers and all members of the public whenever we have the opportunity.

The experience we leave with our signers is the one they will take away and the memory they will carry with them the next time they seek a Notary's services. It's up to each of us to make certain it is a positive one.

This could be our latest and greatest contribution to public service: civility.

---

*Deborah M. Thaw can be reached at [dmtbaw@nationalnotary.org](mailto:dmtbaw@nationalnotary.org)*

## Nation's Wellbeing Calls For Fingerprinting, Education

Recovery Act of 2008

When the massive federal Housing and Economic Recovery Act of 2008 became law, most of the nation focused on how many homeowners would be rescued from foreclosure. Few noticed the provisions that would create a nationwide licensing and registration system for all mortgage originators, including a fingerprint requirement.

The law requires that anyone seeking to originate mortgages would have to submit fingerprints; undergo a background check; go through 20 hours of training on such topics as ethics, fraud, and consumer protection; and pass a test. Originators also would have to undergo annual continuing education.

The reform measures grew out of a realization that the collapse of the mortgage market was partly fueled by predatory and fraudulent lending practices.

The federal measure builds on various state licensing requirements that make sure that originators across the country meet minimum standards for working in the mortgage industry. Already, 26 states fingerprint mortgage originators, according to the National Association of Mortgage Brokers (NAMB).

Both the NAMB and the National Notary Association have been advocating for higher screening, educational and professional conduct standards for their respective spheres for many years. However, only California requires applicants for Notary commissions to submit fingerprints and go through extensive background checks.

## Vertical ID Program More Than A Minor Success

Michigan residents under the age of 21 have been easy to spot by traffic police, bar bouncers and convenience store clerks who sell cigarettes. The reason: Driver's licenses and state-issued IDs for minors have a vertical rather than horizontal design.

That simple tweak — called the Vertical Identification Program — prevents minors from purchasing alcohol, tobacco and other age-restricted products, said

Michigan Secretary of State Terri Lynn Land.

Land's office began issuing driver's licenses and identity cards in a vertical format to the under-21 crowd five years ago because the design provides an instant visual cue for those checking IDs.



## Repossessions: Good News For Signing Agents

Banks across the nation are looking to offload a record number of repossessed homes, and that could spell good news for Notary Signing Agents.

According to RealtyTrac Inc., lenders repossessed 197,800 homes in the first four months of this year, 107,000 more than in the same period the previous year. Because banks don't want to be in the real estate business, they often accept offers far below market value just to get the homes off their books. But that may end up creating an uptick in sales activity.

The National Association of Realtors® reported a 3.1 percent bump in existing home sales in July from the previous month. This coincides with steep declines in home prices across the country.

Standard & Poor's/Case-Shiller home price index posted a 15.4 percent drop from the same period last year in sales prices for the second quarter of 2008.

NSAs should check with their industry contacts to find which banks have the biggest inventories of foreclosed homes.

# Is Your Vehicle Among The 'Most Stolen?'

## Time To Clear Out Those Important Items

Considering how much time we spend in our cars, it's little wonder that we've turned them into mobile storage lockers, housing everything from emergency kits and workout clothes to briefcases and consumer electronics. Some Notaries even leave their journals or seals in their vehicles, which could prove to be a serious problem if your car is on the hot list for auto thieves.

The 1995 Honda Civic is the most stolen car in America, according to the National Insurance Crime Bureau (NICB), although, overall, auto theft declined dramatically for the

fourth year in a row.

In its annual "Hot Wheels" report, the NICB said the '95 Civic was followed by the '91 Honda Accord, the '89 Toyota Camry and the '97 Ford F-150 as the nation's most stolen cars in 2007. For the fourth year in a row, the '95 Civic has been in the top 10.

Vehicle theft dropped 8.9 percent in 2007, the fourth consecutive annual dip, according to the FBI's preliminary Uniform Crime Report. But some unlucky individuals are still losing their cars and the valuables that are in them.

## Putting The Lockdown On Personal And Client Data

If you use a computer to perform or keep track of your notarial duties and business, a malicious cyber attack can compromise your and your clients' personal information.

State and federal law can hold even the smallest business accountable for breached consumer information, which is why many small business owners are starting to invest in information technology security.

Computer consulting firms nationwide offer "managed services" that function as a kind of "health" insurance for small business computers. The consultants aim to eliminate big IT bills by providing constant checks for spam, spyware and viruses.

Unlike large companies, Notary entrepreneurs typically cannot afford their own IT departments. Considering the importance of electronic data — such as client records or an electronic Notary journal — it's a good idea to consider some of the managed services available.



## By The Numbers

**\$79 Million** Federal grants received by states in fiscal 2008 to improve identification cards and driver's licenses.

Amount Bank of America's profit fell in the second quarter of 2008.

**41%**

Estimated U.S. retail eCommerce sales for the first quarter of 2008.

**\$33.8 BILLION**

Percentage of Americans who have a cell phone, but no land line.

**14.5%**

Number of people with criminal records allowed to work as mortgage professionals in Florida.

**10,000**

Amount the Mortgage Bankers Association wants the U.S. Department of Justice to spend combating fraud through 2013.

**\$31.25 MILLION**

Average number of minutes it takes for a Trusted Enrollment Agent™ to identify an applicant seeking an electronic credential.

**15**

Number of small-business owners that use Facebook to network.

**80,000**

# Counties Breaking eGovernment Barriers

When it comes to getting wired, not all counties are created equal.

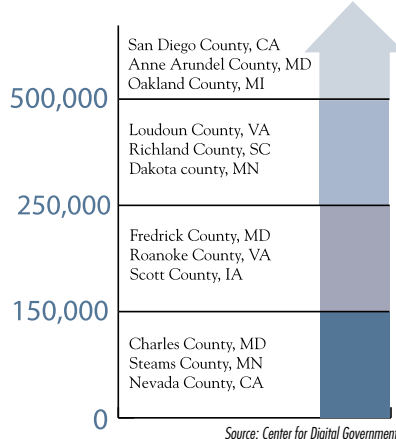
eRepublic's Center for Digital Government recently recognized San Diego County, California; Loudoun County, Virginia; and Fredrick and Charles counties in Maryland as having the most user friendly eGovernments. Each county ranked first in its population category.

All of the nation's 3,141 counties were invited to take part in the center's annual digital Counties Survey, which examined the efficiency of online service delivery, the overall design of each county's Internet system and innovative uses of information technology to improve service to citizens.

A closer look at the winners suggests that money helps create good eGovernment. All the top-ranked counties have median household incomes well above

## The Best eCounties

Here are the top counties by population.



the national average of \$50,233. Loudoun County, for example, with the highest median income in the nation — \$107,207 per household — clearly has the resources to commit to Web infrastructure.

Coinciding with their significant use of high-tech business solutions, the four first-place winners all are in states that allow electronic notarizations.

## Recordkeeping Builds Better Associations

Homeowners associations can be cantankerous organizations, with members feuding over shrubbery, color schemes and parking. And things can get downright ugly when it comes to money, like when people ask why their dues have not been spent on fixing the communal swimming pool.



Like most small businesses and non-profit organizations, homeowners associations are highly vulnerable to internal fraud. The Association of Certified Fraud Examiners noted in its 2008 "Report To The Nation" that conflicts of interest, bribery and billing issues are particularly thorny obstacles for small organizations.

Because the number one priority of many homeowners associations is image, a great deal of general fraud is swept under the carpet. The fraud typically is committed by a board officer, manager or employee, and associations often lack the appropriate checks and balances that exist in bigger businesses. In fact, the fraud often is discovered by accident.

Legal experts and the NNA say association boards should practice keeping accurate records, have important transactions notarized and operate as transparently as possible. One way to do that is to have meeting minutes and other records notarized. Some associations even have the results of board elections notarized.

## Flash Drives Make It Easy For Insiders To Steal Identities

They are as small as a fingernail and fit on key chains, charm bracelets or in the smallest of pockets. Despite their diminutive size, USB flash drives are becoming the bane of the corporate world because they make it easy for insiders to pilfer enormous amounts of data without anyone being the wiser.

Just ask Countrywide Home Loan, which recently discovered that one of its employees used a simple flash drive to walk off with

the sensitive personal information — including Social Security numbers — of approximately two million mortgage applicants over a period of about two years.

The case underscores how insiders often pose a threat to consumers' most sensitive data as great as outside hackers. In office environments, everyone from senior executives to Notaries need to be mindful of securing access to their computers — even when they step away for a coffee break.



## Notaries Called Upon To Assist With Homeland Security Directive

The federal government is working hard to issue all its 2.2 million employees and contractors enhanced ID cards to comply with a sweeping presidential mandate, and Notaries are being called upon to help.

The deadline for issuing Personal Identification Verification (PIV) cards was October 27, but many agencies fell behind. As of last July, barely 1.5 percent of civil servants and contractors had received activated cards.

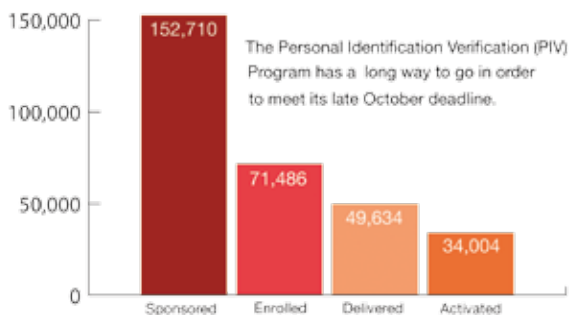
Under Homeland Security Presidential Directive 12, the PIV "smart cards" — embedded with biometric data such as the bearer's fingerprints — are intended to control access to federal computer databases and facilities and keep unauthorized

individuals out.

Everyone obtaining a PIV card needs to be properly identified with a high degree of assurance and security. This opens up the door of opportunity for Notaries acting as Trusted Enrollment Agents™ (TEAs).

TEAs are specially trained and background-screened Notaries who take on identity proofing assignments for the defense and pharmaceutical research industries. Consequently, they are perfectly suited to help the federal government meet its requirements.

### PIV Program Statistics



Source: Personal Identification Verification Program

## IRS Announces Needed Mileage Relief For Mobile Notaries

Traveling professionals such as mobile Notaries know the cost of traveling, especially when assignments and fees are way down and fuel prices are on a rollercoaster. So the IRS elicited a huge sigh of relief when it boosted the optional standard mileage deduction for the last half of the year.

The income tax deduction is now 58.5 cents-a-mile for all business travel after July 1, 2008. That's a hefty hike from 50.5 cents-a-mile.

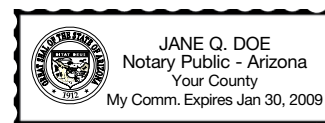
The IRS typically updates mileage rates each fall for the next calendar year. But the agency made the special adjustment because of wildly fluctuating gas prices. The optional business standards mileage rate is used to calculate the deductible costs of operating a car for business purposes. The rate is also used as a benchmark by NSAs and other Notaries traveling to different companies to identify individuals.



Bestseller!

## Get the Most Impressions with Our Best-Selling Elite Notary Seal Stamp

Our best stamp. Clearest impressions. Easiest to use. The Elite stamping surface releases an absolutely even coat of ink with every press. And its small, easy-to-hold handle and simple operation make stamping effortless. Black ink; not recommended for onionskin or mylar documents. Also available as a round stamp (not shown).



Actual impression 2 1/4" x 7/8".

### ELITE NOTARY SEAL STAMP\*

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Non-members: \$32.00

#### Elite Stamp Handle Color Choices:

Rectangular	Round (not shown)
A Violet Item #5270V	Violet Item #5409V
B Jet Black Item #5270JB	Jet Black Item #5409JB
C Royal Blue Item #5270RB	Royal Blue Item #5409RB
D Crimson Item #5270C	Crimson Item #5409C

\*Round seals are not permitted in all states; round seals are required and available for HI, MS, OH, and TN and also available for FL, PR and SC.

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## Upgraded, More Secure ENS Developed By NNA And SAIC



NATIONAL  
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# ENS

The Electronic Notary Signature  
for Secure eNotarization

SAIC  
From Science to Solutions

A new, enhanced Electronic Notary Signature (ENS®), incorporating globally recognized security features, soon will be available to Notaries throughout the country.

The upgraded ENS was developed by the NNA and Science Applications International Corporation (SAIC). The upgraded ENS, with its SAFE digital certificate, is cross-certified with the Federal Bridge Certification Authority (FBCA), the federal government's electronic credential management power. This allows the ENS to meet security requirements to perform eNotarizations for government related documents and transactions.

The new ENS also complies with European Union standards, guaranteeing the widest legal admissibility of eDocuments notarized with it.

These enhanced security features make it among the most trustworthy tools available to help verify electronic signatures and prevent eDocument tampering.

The new ENS is in a unique position to be used as a standardized tool for eNotarizations of documents exchanged between different organizations both here and abroad. The NNA anticipates that the upgraded ENS will help establish a multinational standard for secure eNotarizations worldwide.

## Members Protected By ID Theft Insurance



With identity theft victimizing millions of Americans every year, your NNA membership is proving more valuable than ever.

That's because of the \$5,000 annual Personal Identity Theft Insurance policy that is included with every NNA membership.

Consumer groups estimate that losses from identity theft total from \$50 billion to \$55 billion a year and that at least 8 million people have their identities compromised annually.

So the NNA policy could come in handy. Among other things, it reimburses lost wages — up to \$500 a week for four weeks — that result from taking time off work to deal with the theft.

The policy also allocates \$2,500 toward legal fees and expenses, and covers a variety of other costs, including notarization fees for affidavits or other similar documents.

## Don't Miss The Ride — Get Ready For Conference '09 Today!

The excitement for the NNA's Conference 2009 is building! The Conference logo and theme have been chosen, rooms are available and booking fast at Bally's Las Vegas, and eager attendees are ready to learn about vast new opportunities in identity management, June 9–12.

2009's Conference theme, focused on the Notary's role as "The Emerging Identity Manager" will be reflected in a series of first-rate workshops and seminars presented during the Conference, offering the latest in

education, alternative income opportunities and professional training for the Notary office.

National Notary Association

# The Emerging Identity Manager

Las Vegas

Conference also includes the 5th International Forum on eNotarization, eApostilles and Digital Evidence.

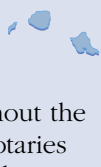
## Conference 2009

Rooms are available now. For room reservations, call (877) 603-4390 and mention the NNA Conference, scheduled for June 9–12, 2009 or go online at [NationalNotary.org](http://NationalNotary.org) and follow the link for "Conference Hotel Reservations".

## Groundbreaking New Hawaii Rules, Laws, Spur Seminars

The National Notary Association recently conducted a series of seminars throughout the state of Hawaii to help Notaries understand their new legal responsibilities.

Among the new administrative rules for Hawaii Notaries — enacted in May by Attorney General Mark Bennett — is the NNA's *Notary Public Code of Professional Responsibility*. This



marks the first time a state has formally made it part of its Notary requirements.

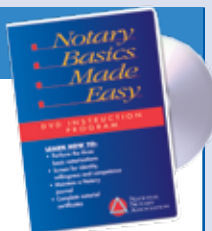
Hawaiian Notaries have new seal, record-keeping and other requirements stemming from the administrative rules and a new, fraud-prevention law — House Bill 2090. Complete copies of both the new rules and the laws can be downloaded at [www.NationalNotary.org/HI/NewRules](http://www.NationalNotary.org/HI/NewRules).

### Notary Basics Made Easy

Notaries looking to brush up on their skills now have a new resource — the “Notary Basics Made Easy” DVD from the National Notary Association.

This proven DVD program is the perfect asset for employers and their Notaries. Learn at your own pace and in the comfort of your own home or office.

From checking identification to affixing your official seal, “Notary Basics Made Easy” provides everything you need to begin or enhance your Notary career. To order the DVD, just call (800) US NOTARY or go online at [NationalNotary.org/supplies](http://NationalNotary.org/supplies).



### Publication Back Issues Available

The National Notary Association's publications are the best news, information and analysis resources for Notaries across the nation, and we have now made them more accessible than ever before. Members can now download complete back issues of THE NATIONAL NOTARY magazine and the NOTARY BULLETIN in PDF format from the NNA's Web site.

Complete issues of the BULLETIN are available for all of 2008, and archives of THE NATIONAL NOTARY can be accessed as far back as January 2006.

That means you can rely on the Web site as a handy reference library, if you want to revisit major issues, changes to Notary laws or the technological innovations that affect the Notary office. Of course, all the traditional favorites, such as the Quiz, How Tos and the Career Building column always keep their relevance.

To access the electronic versions of your publications, log on to the NNA member community at [NationalNotary.org](http://NationalNotary.org) and click on “News & Resources.”

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NATIONAL NOTARY ASSOCIATION

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**A35437**



# TEA

# VERIFIED

## Notaries — The New Identity Managers

By Chris Wolski  
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**T**he days when Notaries were viewed as mild-mannered office workers who merely verified signatures and took oaths and affirmations are over. Instead, Notaries have entered a new era in which they are being asked to serve as the nation's — and the world's — identity managers: gatekeepers of identity security and information access.

Dubbed by government and industry officials as “Super Notaries,” this new role has significantly

reinforced the first line of defense in guaranteeing the safety of global transactions.

And this class of specialized, professionalized Notaries already has started vetting the identities of those seeking electronic identity documents, which are used to gain access to highly sensitive government and private industry data. To meet the growing demand for these “Super Notaries,” the NNA created the Trusted Enrollment Agent™ (TEA) Program.

The task before the nascent TEA Program is staggering and the potential unlimited.

As Keith Ward, Director of Enterprise Security and Identity Management for Northrop Grumman Corp., said during the National Notary Association's 30th annual Conference last June, there are more than 300,000 supplier companies today just within the U.S. defense establishment's global supply chain, representing three to four million individuals geographically dispersed around the world. All of these people are in need of secure identity documents, and it will fall to TEAs to verify their identities.

The bio-pharmaceutical industry is part of an economic sector that employs more than 10.5 million people in the United States, many of whom need to exchange highly confidential and sensitive information on a daily basis.

These are just two examples of industries that need TEAs. These industries are looking to this army of "Super Notaries," to handle sensitive, secure identity proofing assignments in the most professional manner possible. And more industries are poised to seize on the trend soon.

Being on the forefront of identity security, the "Super Notary" is in alignment with national priorities and not just industry needs. Michael Chertoff, Secretary of the U.S. Department of Homeland Security, recently said that identity protection is the number one security issue of the 21st century.

Chertoff's rhetoric is not empty. Since the 9/11 terrorist attacks, the federal government has implemented a variety

of identity security programs — among them the Real ID Act, the E-Verify program and enhanced government security cards — with the goal of making individuals safe at the most fundamental level.

Identity management is about so much more than stopping some criminal from racking up thousands in credit card debt with a stolen ID. From keeping terrorists and hacker gangs at bay to verifying our right to work and ability to conduct the most basic business, identity management lies at the very heart of our social fabric and touches every man, woman and child in the country.

"The entirety of our economic livelihood in the 21st century is going to turn upon our ability to verify identity for those who want to transact business," Chertoff said.

That's why America's 4.8 million Notaries — nearly twice the number of men and women in the armed forces — will continue to be called upon to protect our identities.

Security is the hallmark of the service that the TEA will provide to clients across nearly every industry. By proofing the identity of those seeking access to sensitive information and materials, the TEA provides the most important aspect of the credentialing process, vetting individual identity using all the skills a "Super Notary" can bring to the process. The secure electronic identification credentials that the applicants will be issued will give them access to classified databases, allow them to send and receive sensitive information via eMail and other electronic means and permit them to enter secure facilities.

### **Importance Of Secure Documents**

The computer age created the potential for the unlimited exchange of information. Many electronic databases and other information channels, however, are vulnerable to being compromised. As a result, virtually every industry has been looking for ways to bolster the security of their electronically stored information. This is where secure electronic identification documents enter the picture. They function like a driver's license or employee badge by identifying bearers and showing that they have the authority





to perform a specific activity, such as driving on a public road or accessing a secure database.

But electronic credentials need a higher level of security than a normal employee ID because they give access to sensitive information and transactions.

Implementing secure identification on the massive scale required by security-conscious industries is beyond the means of even the largest organization. The federal government has been hard pressed to meet its own deadline for issuing secure identification cards, bedeviled as it is by manpower and technology problems. One of the biggest hurdles is finding a way to verify the identities of millions of people.

Whatever method is used must be efficient, consistent and reliable; and the people vetting the applicants must be trustworthy themselves. Relying on the human resources departments at countless companies proved far too cumbersome, inefficient and costly.

Exostar and SAFE BioPharma Association — organizations that issue electronic identity credentials to major industries — turned to the one group that could tackle this task: Notaries.

### Uniquely Qualified

That two global powerhouses in secure identity management contacted the NNA to set up the TEA Program is, in retrospect, not surprising. Notaries are uniquely qualified to provide the services they need.

But despite their experience, qualifications and reputation for honesty and integrity, Notaries face their own challenge. The laws governing their commissioning, training, recordkeeping requirements, best practices and a host of other performance issues vary greatly from one state to another, leaving a stark void of professionalism among some subsets of Notaries. Some states, for example, require background checks and education for Notary applicants. Many others do not.

The result is that there are too many Notaries that are not qualified to carry out TEA assignments needed by the aerospace and bio-pharmaceutical industries. That's precisely why Exostar and SAFE BioPharma came to the NNA.

The education, certification and background screening programs implemented by the Association establish an unmatched, uniform standard of Notary professionalism that cuts across all state lines. When Exostar and SAFE BioPharma sought the Association's help, they found a large, dynamic network of Notaries renowned across the country for their exemplary professionalism, reliability and integrity.

The initial wave of TEAs were recruited from the ranks of NNA-Certified Notary Signing Agents because most are background screened by state and federal governments and have undergone extensive training. They also have proven their honesty over many years, and many make a living





traveling to assignments, identity proofing the parties to mortgage and real estate transactions. NNA-Certified Notary Signing Agents are among the most professional, skilled and conscientious Notaries in the country.

The very foundation of every notarization rests on identifying individuals in person and through a variety of documents. That gives Notaries a level of professional skill in verification unmatched by any other group.

The fact that TEA Notaries act as impartial witnesses adds a layer of security to the credentialing process. TEAs have no vested interest in their applicants' electronic credentials. That means the organizations issuing the credentials, such as Exostar and SAFE BioPharma, have a much higher degree of assurance that the people asking for the credentials are who they say they are.

### More Than A Notarization

When TEAs receive assignments, they make contact with the applicants and discuss how they will be identified. Exostar and SAFE BioPharma both have a large menu of acceptable identification documents.

Proofing is done by comparing identifying information: a photograph, description and unique biometric data — such as a signature — to the person appearing before the TEA.

Personal appearance guarantees that applicants have been identified properly

and can be authorized safely to access secure or classified information.

While TEAs' expertise as identity proofers makes digital credential enrollments run smoothly and efficiently, it is their role as a Notary that secures the process.

That comes into play at the end of an enrollment assignment. The TEA notarizes the Authorized User Agreement (for Exostar assignments) or the Applicant Identification Verification form (for SAFE BioPharma assignments); then creates a journal entry to record the notarization. The journal entry serves as an official record and helps protect the integrity of the credential application process.

While some states do not require Notaries to keep a journal, TEAs must, at least for their credential enrollment assignments. For those TEAs who already keep a journal, the credential enrollment entries will be made in the same book as their other notarizations.

### A Respite From Hard Times

The creation of the TEA Program came from a practical need for secure identity credentials. The reason to become a TEA is just as practical — assignments eventually will be spread across many industries, making the

Continued on page 32



## The National Notary Association's

# New Chief Executive

## Larisa B. Gurnick



**P**reparing for a future that will be accelerated by increasing national demands for secure electronic transactions, the National Notary Association has named a new Chief Executive Officer. Larisa B. Gurnick, a veteran executive with extensive experience in high-level marketing and organizational management, has been selected to lead the NNA's efforts in capturing opportunities brought about by eNotarization and new requirements for identification verification and security in domestic and global transactions.

Gurnick's appointment as CEO positions the NNA to fully maximize current and future opportunities brought about by emerging technologies. Her appointment was announced by Association President Milt Valera, who has relinquished his CEO role to focus on his increasing governance and strategic planning responsibilities as President and Chairman of the expanding NNA organization.

As the only accredited resource for electronic identity

credentials designed for use in eNotarizations, the NNA is poised to leverage its leadership role. And concurrent with Gurnick's appointment is Valera's announced reorganization of the NNA's diverse executive management team. (Pictured are members of NNA Executive Management.)

Gurnick is only the third person in the Association's 51-year history to become CEO, after founder Raymond C. Rothman and Valera. She also becomes the first person from outside the Association to be named to the post, bringing more than two decades of experience in marketing, financial management, corporate leadership, and operational planning to the NNA. Most recently, she was the Executive Vice President of the California Bankers Association, where she established priorities for California's bankers and developed innovative solutions to a number of major challenges. Gurnick was also successful in increasing membership in the CBA, despite a difficult economic climate for the nation's banking industry.

Previously, Gurnick served as Executive Vice President and Chief Marketing Officer for Countrywide Bank, Thousand Oaks, California, where she was instrumental in developing branding initiatives; establishing marketing programs for its retail banking network, and developing landmark deposit programs. Gurnick also served as



President

city, MA

Jane F. Eagle, Chief Financial Officer  
Loyola Marymount University, BS  
Certified Public Accountant

Keith M. Roberts, Director of  
Information Technology  
California State University  
Northridge, BA, MA

Patrizia L. DiMolfetta, Controller  
and Finance Manager  
California State University  
Northridge, BS  
Certified Public Accountant



Jumana Sweis, Director of  
Marketing and Member Services  
University of Redlands, BS  
University of LaVerne, MBA

William A. Anderson, Director of  
eNotarization and Best Practices  
Point Loma College, BA  
Westminster Theological Seminary, MA

Steven J. Bastian, Vice President  
of Strategic Planning  
California State University  
Northridge, BS

Mark A. Valera, Vice President  
and Chief Operating Officer  
San Diego State University, BA

Senior Vice President for Strategic Planning and Marketing at First Federal Bank of California in Santa Monica, and Vice President for Loan Accounting at Gibraltar Savings and Loan in Simi Valley, California.

“The demands on the NNA from governments, industries, and the general public are growing dramatically and, while we are excited about the many opportunities that await us, we are mindful of the critical responsibilities we have to meet our important obligations,” said Valera. “Larisa is a strong leader with a proven track record. We view her knowledge and ability as important assets that will capitalize on our leadership position in eNotarization.”

The announcement of the new Chief Executive Officer comes at a time when the NNA is enhancing its programs in support of its membership and stepping up efforts to advance the identity management capabilities of the Notary office.

The NNA has established several important initiatives including its high-demand Trusted Enrollment Agent™ Program, which empowers a specially-trained and authorized network of Notaries to formally establish the identity of individuals applying for electronic identity

credentials (“digital certificates”).

“These programs and initiatives will continue to grow along with the NNA, and solid leadership at all levels of the organization is vital to our continued success,” said Valera. “Larisa will play a key role in providing that leadership.” She is a certified public accountant and earned a degree in business administration from California State University Northridge. [NNA](#)



NNA President Milt Valera, from left, with new Chief Executive Officer Larisa B. Gurnick, Executive Vice President Deborah M. Thaw and Vice President and Executive Director Timothy S. Reiniger.



# ELECTRONIC PRESCRIPTION FOR SUPERIOR HEALTH

By Michael Mink  
mmink@nationalnotary.org

SECURE ELECTRONIC MEDICAL RECORDS ARE CRUCIAL TO  
ENSURE QUALITY HEALTHCARE IN THE YEARS TO COME

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A 26-YEAR-OLD WOMAN IS RUSHED TO THE emergency department of Stormont-Vail Regional Medical Center in Topeka, Kansas. She's unconscious and bleeding internally from a three-car pile-up on I-70. And she's about six months pregnant.

Her driver's license says she's from Indiana, so the hospital does not have her medical history, no information about allergies or pre-existing medical conditions, and there's no one to answer questions. She is rushed into surgery and hospital staff members pray that there won't be any complications.

This common scenario plays out countless times a day — all across America. But it doesn't have to.

We are among the most technologically advanced nations in the world. An estimated 71 percent of Americans are wired to the Internet. But when it comes to making our medical records available in life-threatening situations, we remain buried deep in the paper age.

Online we can easily find the latest gossip about

“Brangelina,” buy everything from Tupperware to a new home and even earn a college degree. In many places around the country, electronic notarizations are being performed. But too many emergency department physicians cannot use the Internet to see if their patients are allergic to general anesthesia, have a pacemaker or diabetes.

In an ever-increasing initiative to marry technology to critical services, government agencies are partnering with healthcare providers to change that.

## THE TREND

President George W. Bush has set a goal that by 2014 every American having a secure, interoperable electronic health record (EHR) — an electronic version of a patient's medical history that is maintained by the healthcare provider.

Advocates argue that EHRs reduce medical errors through improved accuracy and clarity, reduce duplication of tests and delays in treatment and keep patients

well informed so they can make better decisions. But all appropriate providers — from primary physicians to specialists to emergency department staff — need access to EHRs in a safe, secure manner to realize those benefits.

“The use of electronic health records has the ability to transform the way healthcare is delivered in our country,” said Michael O. Leavitt, secretary of the U.S. Department of Health and Human Services (HHS).

HHS recently launched a five-year pilot project in 12 states and multi-county regions to provide financial incentives to physicians who use EHRs.

Elsewhere, Wisconsin officials have been urging healthcare providers to use EHRs by granting tax credits and other incentives. A non-profit group in Texas has created a data repository so participating clinics can access records for the region’s 700,000 indigent patients.

But more needs to be done.

## THE CHALLENGE

Right now, many doctors’ offices and healthcare organizations keep patient files electronically. The problem is that they keep them on their own, closed systems that do not allow providers to easily exchange patient information.

Imagine depositing your paycheck at your local bank branch, but the only record of the deposit stays at that branch. You would be hard pressed to get money from another branch, let alone another bank. That’s how much of the healthcare industry operates.

The federal government is pushing to create a private industry-based system to easily share records. HHS has contracted the non-profit Certification Commission for Healthcare Information Technology to certify the interoperability of privately developed EHR systems. So far it has certified 136 different systems from 93 vendors.

Consumer advocates have raised red flags about the security and privacy of electronic medical records — with good reason. In an egregious case, the California Department of Public Health recently discovered that 127 workers at the UCLA Medical Center in Los Angeles snooped through the medical records of 938 patients — including celebrities Britney Spears, Farrah Fawcett and Maria Shriver — between April 2003 and May 2007.

The Certification Commission recently adopted a range of recommendations for improving its certification process that include “a strong focus on patient privacy.” Many government and industry officials also are turning to eNotarization to satisfy security requirements, like California which recently approved eNotarization for use on advance health care directives. But computers alone won’t keep things secure.

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**We remain  
buried deep in  
the paper age.**

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In the UCLA case, an administrative assistant used her supervisor’s password to routinely view hundreds of records. It’s one thing to protect electronic records from hackers. It’s another to protect them from people who can “borrow” the keys to the database.

This reflects the dilemma faced by the Notary organizations around the world — including the National Notary Association — as they work on developing a global standard for electronic Notarization. The task — for both Notaries and healthcare personnel — is balancing technology and the human element. Effective eNotarization goes far beyond applying a digital signature to a document. It can only work if a business executive in Hong Kong can trust that the person who electronically notarized a contract is authorized to do so and did it correctly.

The same applies to EHRs. The primary care physician in Austin needs to know that his patient’s records are being reviewed by the leading oncologist in New York and not an administrative assistant.

The day may come when medical professionals who need access to confidential patient records will be required to obtain the kind of digital credentials that are being used in the defense, aerospace and pharmaceutical research industries (See related story on page 14). [NNA](#)





# STANDING UP TO A STAMPEDE OF ERRORS

By David S. Thun  
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DON'T LET GOVERNMENT AGENCIES TRAMPLE YOU  
WITH IMPROPER REQUESTS FOR NOTARIZATIONS

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**D**EALING WITH GOVERNMENT AGENCIES CAN be like facing down a herd of charging rhinos — they are ponderous, intimidating and you really don't want to get in their way. They can also be shortsighted, especially when it comes to asking for the services of Notaries.

As much as the “rhino” may bellow and bluster, it still won't make a bad notarization acceptable. And all too often, those very agencies ask — and even require — that Notaries take actions that are strictly prohibited by law.

What confuses bureaucrats is the fact that each state has different laws and rules determining what Notaries can and cannot do. Adding to the confusion, American Notaries have far more limited powers than their counterparts in much of the rest of the world.

## **PROOF OF LIFE**

A common conundrum for U.S. Notaries is a document known as a “proof of life certificate.” Foreign

governments and organizations that pay pensions to U.S. residents often require annual proof that they are still alive in order to continue receiving payments. That proof comes in the form of a certificate.

Outside the United States, civil law Notaries with broad legal powers often complete the certificates and personally verify that pensioners are alive. Because of this, foreign governments often send requests for life certificate documents to foreign pensioners, along with specific instructions to take the documents to a U.S. Notary Public.

Unfortunately, U.S. Notaries cannot always fulfill those requests. Only one U.S. state — Washington — allows its Notaries to certify that an individual is alive. Notaries should verify what their state allows before proceeding because, if your state does not allow you to complete a proof of life, you must decline the request.

The best alternative is to refer the client to a consulate or embassy of the nation providing

the pension, which generally can provide the necessary verification. However, Notaries should be aware that not all consulates are aware of the discrepancy between notarial duties in their home country and the United States, and may insist that U.S. Notaries verify a “proof of life.” Proving someone is alive is something the vast majority of U.S. Notaries just cannot do.

### HOME-GROWN CONFUSION: THE I-9 FORM

Bigger headaches sometimes originate from our own government agencies, which can be as clueless about U.S. Notaries as foreign governments. An example is the I-9 form issued by U.S. Citizenship and Immigration Services (USCIS).

An I-9 is submitted by an employer to verify that a person applying for a job is legally authorized to work in the United States. What makes the form confusing is that the instructions included with it state that an employer may also designate a ‘third party agent’ to look at an applicant’s ID, verify they did so and sign a statement attesting to this. Suggested ‘third party agents’ in the instructions include Notaries.

The problem is that verifying a person’s work credentials is not an official notarial act. Also, Notaries who sign such a statement and then affix a seal would effectively be notarizing their own signatures, which is prohibited in most states.

So what does it mean if a Notary is asked to perform this service on an I-9 form? Acting as a “third party agent” to attest to a job applicant’s credentials is not a notarial act. If a Notary chooses to accept this work, they must do so as a private individual, and should not use their Notary seal or write the title ‘Notary Public’ when signing the statement.

Private businesses and organizations often add extra instructions to those already on the I-9, directing Notaries to affix a seal to the document. Regardless of who asks, verifying someone’s work credentials falls outside your official Notary powers. If you take on an I-9 assignment, leave your seal behind.

### SOMETIMES EVEN GOVERNMENT OFFICIALS MAKE MISTAKES

When dealing with misguided document instructions, be patient even if the signer is unhappy or angry. Explain the reasons why you can’t notarize the document, and that government officials sometimes misunderstand the official duties of Notaries.

Don’t let yourself be intimidated into performing an improper act. You shouldn’t break the rules of your state so that a signer stops being angry, or because the misdirection comes from an official source. If you do the wrong thing, being chased by a herd of rhinos will seem preferable compared to the legal problems that could arise as a result. So know your state laws, be polite but firm ... and do the right thing, no matter who tells you otherwise. **NNA**

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What confuses bureaucrats is the fact that each state has different laws and rules determining what Notaries can and cannot do.

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# An Online ID Ruse Ends In Tragedy



**T**INA MEIER OF DARDENNE PRAIRIE, MISSOURI, HAD always been skeptical of MySpace. She knew there was no sure way to verify the identities of its 70 million users or confirm they were being honest when visiting the popular social networking Web site.

Despite her misgivings, Tina allowed her 13-year-old daughter Megan to join the site. That was a decision she soon came to regret and one that underscores the persistent dilemma facing Internet users, whether they are curious high schoolers or multinational corporations. How do you trust the identity of the person communicating with you?

In Megan Meier's case, the tragic answer was that she couldn't.

Although the site has nine pages of rules, terms and conditions — including a requirement that users must be at least 14 years old — MySpace largely relies on the honor system to enforce them.

When Megan met a boy named Josh on MySpace, she was in heaven. For six weeks, the two got to know each other online. Then Megan started receiving devastating messages from Josh. The last one ended, "The world would be a better place without you." She didn't know that there really was no Josh. He was a fictional character created by 47-year-old Lori Drew, Megan's neighbor and the mother of her former best friend. Drew, her teenage daughter and another teen were using the "Josh" account to torment her. The hoax resulted in Megan's suicide on October 16, 2006.

Federal authorities in Los Angeles, California, where MySpace is headquartered, have charged Drew on charges of conspiracy and accessing computers without authorization — laws commonly used to target hackers and other cyber criminals. She has pleaded not guilty and her attorneys are seeking to get the case dismissed. Essentially, they are arguing that the government wants to punish Drew for doing something that millions of Americans do every day: pretend to be someone they're not on the Internet.

## PLENTY OF DANGER AND RISK AT YOUR FINGERTIPS

The Internet has always been a freewheeling place where people can reinvent themselves. There are even sites, such as Second Life, where visitors can create entirely new alter egos for themselves, taking on a different gender, age,

## A YOUNG GIRL'S SUICIDE FOCUSES ATTENTION ON THE RISKS OF FALSE IDENTITIES OVER THE INTERNET

race, species or socio-economic status. But the Internet also has become the single most important link for virtually every essential transaction — from paying utility bills and registering for classes to buying property and negotiating multibillion-dollar contracts to making friends and finding a spouse. With more than 219 million Internet users in the United States, according to Internet World Stats, the potential for fraud is great.

Unfortunately, you never really know who you're dealing with, said Sydney Jones, a researcher for Pew Internet & American Life Project. One out of 10 adults admit using social networking sites. But their motives are not always entirely clear or truthful — as the popular television show "To Catch A Predator" proves.

## THE MOVEMENT TOWARD CONFIRMED IDENTITIES

Megan Meier's case shines a bright light on the identity challenge of life on the Internet. While concerned parents are pressuring social networking sites to tighten their identification policies, global businesses and national governments may be leading the way.

Doing business, making friends or finding love on the Internet always will require a certain degree of blind trust. Everyone who logs on has to trust — within reason — that the people they communicate with are who they claim to be. Retail commerce sites instill trust by obtaining security certificates, which verify a basic level of protection against prying eyes and are illustrated by the small lock symbols posted on their secure Web pages.

But several major industries, which need a much higher level of security, are turning to a more trusted method to verify people's identities: Notaries. Such moves have resulted in the creation of the NNA's Trusted Enrollment Agent™ Program (See related story, page 14).

Still, while it may be impractical to have Notaries personally vet the identities of the 1.4 billion Internet users worldwide, the Megan Meier case and pioneering efforts by governments and big business are focusing more attention on the issue. **NNA**



# Planning Vacations Means More Than Buying Sunscreen

NOTARIES, JUST LIKE ANYBODY ELSE, GO ON VACATION. BUT WHEN IT COMES TO PLANNING THE DETAILS, THEY HAVE TO THINK ABOUT MORE THAN FLIGHT SCHEDULES, HOTEL RESERVATIONS AND SUNSCREEN.

## Lock It Up

Don't forget to lock up your stamp and journal. Leaving them unsecured could prove too tempting for corner-cutting co-workers or others contemplating dishonest schemes.

If you work at home, the neighbor who waters your plants and feeds your cats or an opportunistic burglar might see a Notary's tools as a treasure trove for fraudulent activity — like a kid left alone in a candy store.

You should, of course, always lock away your Notary tools whether or not you're on vacation. It's just when you're gone for weeks, the window of opportunity for committing fraud is wide open because you're not around.

Failure to take these steps can have personal consequences. In California for example, a Notary whose seal is used to commit a crime can be charged with a misdemeanor if reasonable steps were not taken to secure the seal. In New York, it's a Class A misdemeanor.

## PLAN IT OUT

Just because you can't be there for your clients doesn't mean another Notary can't. If you work in an office, ask another Notary to cover for you while you're away. If you have your own business, you might consider leaving the forwarding information of another Notary.

You also should leave voice and eMail messages informing clients

about your plans and the arrangements you made.

As an aside, Louisiana Notaries have to inform the state's governor and receive a leave of absence prior to taking a vacation. They must also designate another Notary to fill in for them.

## WRITE IT DOWN

When it comes to recordkeeping, a Notary's journal not only tells you what you did, it can also tell you what you didn't do. Translation: Enter the dates of your vacation in your journal. This way, if someone gains access to your seal or just performs a notarization under your name, you'll have a clear record that you couldn't have done it, because you were on vacation.

## DON'T DO IT

It's hard to imagine, but some Notaries believe they can authorize a friend or co-worker to use their seal and Notarize documents for them. A commission isn't transferable. It belongs to you and no one else, not even your employer. But that does not mean you can do as you please with it.

As a general rule, avoid Notarizing on the road. With commissions from most states, you leave your jurisdiction once you cross that state line. In a few states, a Notary commission is limited to a smaller jurisdiction, such as a county.

When you get back from vacation, you might just return to a stack of documents that your boss wants you to backdate and notarize. Needless to say, don't do it. While it might be inconvenient for some offices, Notaries go on vacations, too.



# Being Too Helpful Can Endanger Your Commission

By Terilynn Garrett  
NNA Hotline Counselor  
tgarrett@nationalnotary.org



Because NNA members deal with important, sensitive transactions, we often speak with Notaries who are feeling increasingly “obligated” to overstep their bounds in the spirit of

helpfulness. While Notaries can offer limited forms of assistance to their clients, they must be careful to steer clear of giving legal advice or assistance — which is the unauthorized practice of law. This illegal act could result in the loss of a notarial commission and/or substantial fines. Fortunately, **S.C. from Glen Allen, Virginia**, called the NNA’s Notary Hotline before making this mistake.

**I am performing the title work and closing service for a property located in Orlando, Florida. The borrower would like to know if he would be allowed to sign the closing documents while visiting the Bahamas. I am researching what Notary services are available in the Bahamas and the costs associated with a witness-only closing. I will prepare the closing statement and forward all documents for execution. Is there a specific format needed for the acknowledgment pages?**

It is up to the receiving agency to decide if it will accept a document notarized in a foreign country. If the receiving agency prefers the document to be notarized by a U.S. Notary, your signer can go to any U.S. Embassy or Consulate in the Bahamas and have it done there. Unfortunately, I cannot advise you in regards to the format or what type of notarization will be required. Remember, as a non-attorney Notary, you may not help a signer draft, prepare, select, complete or understand a document or transaction. By doing so, you risk prosecution for the unauthorized practice of law.

**I was just asked if I could notarize mortgage documents. Can I notarize these documents?**

**D.C., Federal Way, Washington**

Any Washington Notary can notarize loan documents. There are no special requirements. However, the NNA recommends that Notaries who want to take on Notary Signing Agent (NSA) assignments get training. In addition, most lenders require NSAs to comply with federal privacy and information security guidelines. That means that you will need compliance training and a background screening. If you would like more information go to [nationalnotary.org/NSAcertification](http://nationalnotary.org/NSAcertification).

**Can a California Notary certify copies of diplomas sent to another country?**

**L.J., San Diego, California**

No. As a California Notary, you may only certify copies of a power of attorney and line entries of your own journal. An alternative to this request is copy certification by document custodian. To perform a copy certification, the permanent keeper of the document — the document custodian — certifies the copy, not the Notary. The custodian makes a photocopy of the original document; makes a written statement about the correctness and completeness of the copy; signs that statement before a Notary; and takes an oath or affirmation regarding the truth of the statement. The Notary, having witnessed the signing and administered the oath or affirmation, executes a jurat on the custodian’s written statement.

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

**1-888-876-0827**

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

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

— The Editors





Continued from page 17  
identity proofing business more resilient amidst the ups and downs of the economy.

There is no question that today's economic climate is rocky. Notaries know this all too well. Mortgage closings have plunged. Gas prices are rollercoasting. Consumer confidence continues to fall. Taken together, there is little to be optimistic about. What makes the TEA Program such an exciting opportunity for Notaries is that the need for secure credentials is so fundamental that it is doubtful there will ever be a lack of jobs, no matter the economic climate.

While the initial assignments will come almost exclusively from the defense, aerospace and bio-pharma industries, eventually there will be a need for secure credentials — and identity proofers such as TEAs — in sectors ranging from healthcare and construction to government and education. The first assignments for a Northrop-Grumman subcontractor were completed in May, and despite a pace slower than originally anticipated due to standard bureaucratic issues and some unforeseen bottlenecks, the rollout of jobs for the TEA Program are picking up, notably with recent ramp-ups in New York, Georgia and elsewhere. An increase in the pace of assignments is expected to follow soon, and TEAs all over the country will be called upon to handle the expansion.

For all the benefits that the TEA Program offers to industry and the country as a whole, it is only the beginning of the transformation of the Notary office into a full-time career.

### The True Professional

Notaries pursuing TEA assignments truly fall into a category of their own — the “Super Notary” or Notary professional. Because many TEAs were recruited from the ranks of Notary Signing Agents (NSAs), they were already on the professional path. But the NSA Program was only a baby step compared to the TEA Program.

Though both groups have striking similarities — they're background screened, prepared to travel almost anywhere for an assignment, and are more likely to be at the vanguard of technologies like eNotarization — the primary difference between TEAs and NSAs is that the former will have an expanded role to play across numerous industries.

Because of the level of professionalism needed for the sensitive and important nature of their work, TEAs will be in high demand by just about everyone.

The TEA is becoming the standard by which the Notary office is measured, and those who first wear this mantle will have set the bar for those who follow afterward. **NNA**

## Say NO with Confidence!



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## In Identity Theft Crimes, There's No Racial Profile

If a study by the U.S. Secret Service is to be believed, 54 percent of the nation's identity thieves are black, 38 percent white and the remaining are Asian or Hispanic. But the

national study was seemingly short sighted. Identity theft is a multi-billion dollar, international crime wave that is, in many cases, insidiously anonymous, nefariously multicultural and has the potential to reach every individual with an established identity.

Monetary gain is the most common reason to steal an identity. As a recent case shows, it wasn't statistics but the great equalizer, greed, that motivated a criminal melting pot to pull off the biggest known identity heist in history. TJX Companies, the parent company of TJ Maxx, reported that it lost \$256 million when thieves broke into its computer system and stole the credit and debit card numbers of more than 45 million customers. But none of the 11 culprits fit the Secret Service's neat profile—three were U.S. citizens with the others being a veritable United Nations of crime, heralding from Estonia, the Ukraine, Belarus and China.

Mortgage fraud via identity theft is on the rise and cuts across demographic lines. Identity theft for simple survival is becoming commonplace among illegal immigrants, who steal the identities of U.S. citizens with a similar ethnic background and use it to establish a legitimate identity in order to work.

But the rise in spectacular identity theft schemes is also a simple cost-benefit game for criminals. According to a recent FBI report, the rise in identity theft coincides with the increased involvement by organized crime. The cost of identity theft to these criminal organizations is much lighter—identity thieves serve a tenth of

the prison time as traditional crimes like armed robbery and burglary—and the payoff is much higher. According to the FBI, armed robbery and burglary account for losses of \$52.2 million while white collar crimes, like identity theft, account for \$2.7 billion.

As Michael Chertoff, Secretary of the U.S. Department of Homeland Security recently told a crowd at the University of Southern California, identity protection is the number one security issue of the 21st century. Chertoff's rhetoric is not empty. In the wake of the 9/11 terrorist attacks, the federal government implemented a variety of identity security programs—Real ID, E-Verify and enhanced government security cards—with varying degrees of success, but all with the goal of making individuals safe at the most fundamental level. It is likely that Chertoff or his successor will face continuing pressure to guarantee identity security.

Notaries have long been the first line of defense in protecting individuals' identities and their important financial transactions: as Notary Signing Agents witnessing mortgage closings; as Trusted Enrollment Agents™ identity proofing those seeking access to secure data and as Third Party Agents for the government's E-Verify Program to vet potential employees. As identity security becomes a national priority, there is little doubt that Notaries increasingly will see their roles as the guardians of identity increase over the next decade and beyond.

— Chris Wolski