

www.NationalNotary.org

# The National NOTARY<sup>®</sup>

March 2011



THE MAGAZINE FOR AMERICA'S NOTARIES



**Chrissey Ladd**  
2011 Notary of the Year



# Manage Your Risk



# Over 45 All-New Workshops

## One Conference



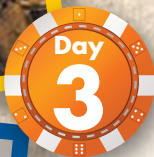
### Sunday, May 22

- Registration opens
- *Optional Excursion* — Champagne Dinner Cruise on Lake Mead (additional fee required)
- *Optional Excursion* — Penn & Teller Show at the Rio (additional fee required)
- *Optional Excursion* — The Lion King at Mandalay Bay (additional fee required)



### Monday, May 23

- Trusted Notary for Employees
- Inside the NNA: How the NNA Works for You
- Introduction to Sections
- Controlling the Fraud Epidemic
- Detecting and Preventing ID Fraud
- The Notary Supervisor: Role and Responsibilities
- Sorry, Boss, No Can Do!
- What to Look for When Selecting a Notary
- Trusted Notary for Employers
- A Day in the Life of a Notary Employee
- Interactive Learning Lab
- Welcome Reception



### Tuesday, May 24

- Keynote: Honorable Beth Chapman
- The Fundamentals of Notarization
- The Most Commonly Notarized Documents
- Understanding the Use of Witnesses in Notarization
- When and How to Say No
- Liability and Ethics
- Handling Ethical Dilemmas: An Open Forum
- You, Your Employer, Your Customers and Liability
- Sorry, Boss, No Can Do!
- Troublesome Notarizations
- The Journal as Fraud Deterrent
- Controlling the Fraud Epidemic
- Detecting and Preventing ID Fraud
- Sorry, Borrower, No Can Do!
- Smooth Signing: A Walk-Through of Loan Documents
- Signer Challenges
- Certification: Your Key to Success
- Notarizing Healthcare Documents
- Notarizing Family Documents
- Interactive Learning Lab



To view a full Conference schedule and register today,  
 visit [NNAConference.com](http://NNAConference.com)  
 or call  
**1-800-US NOTARY (1-800-876-6827)**

**SPECIAL  
 KEYNOTE SPEAKER**

Tuesday, May 24th

**Honorable  
 Beth  
 Chapman**

Alabama  
 Secretary of State  
 President Elect,  
 National Association of  
 Secretaries of State



Discuss, debate, learn and get hands-on experience  
 with other Notaries and industry experts.

Day  
**4**

## Wednesday, May 25

- The State of the Notary Public Office Address
- Guarding the Public
- An Update on Healthcare Reform
- An Introduction to Dodd-Frank
- The County Dotted Line
- Why Home Ownership Matters
- The Foreclosure Solution
- Certifying the Paralegal
- The Unauthorized Practice of Law
- How Trade Works
- Helping Families Achieve Inter-Country Adoptions
- Professional Sections Roundtables
- Interactive Learning Lab
- Gala Banquet



Day  
**5**

## Thursday, May 26

- The Power of Networking
- What SCORE and SBA Can Do for You
- Creative Marketing for Businesses
- Advantage: Social Media
- How to Create a Business Plan
- Make the Most of Your Web Site
- Strategic Planning for Businesses
- Business Accounting



## 2011 NNA Conference

### Conference Registrations

Full Conference #850 .....	\$539
Two-Day Pass for Monday & Tuesday #851 .....	\$350
May 23-24	
Two-Day Pass for Wednesday & Thursday #852 .....	\$350
May 25-26	

### Guest Passes

Welcome Reception #853 .....	\$125
Gala Banquet #854 .....	\$125
Complete Guest Pass: Welcome Reception and Gala Banquet #855 .....	\$225

Hotel reservations just \$69 a night at the

### Rio All-Suites Hotel & Casino

Call 1-888-746-6955 and refer to group code SRNNA11 to receive this rate  
 or visit [NNAConference.com](http://NNAConference.com).

Note: NNA Conference program information subject to change.



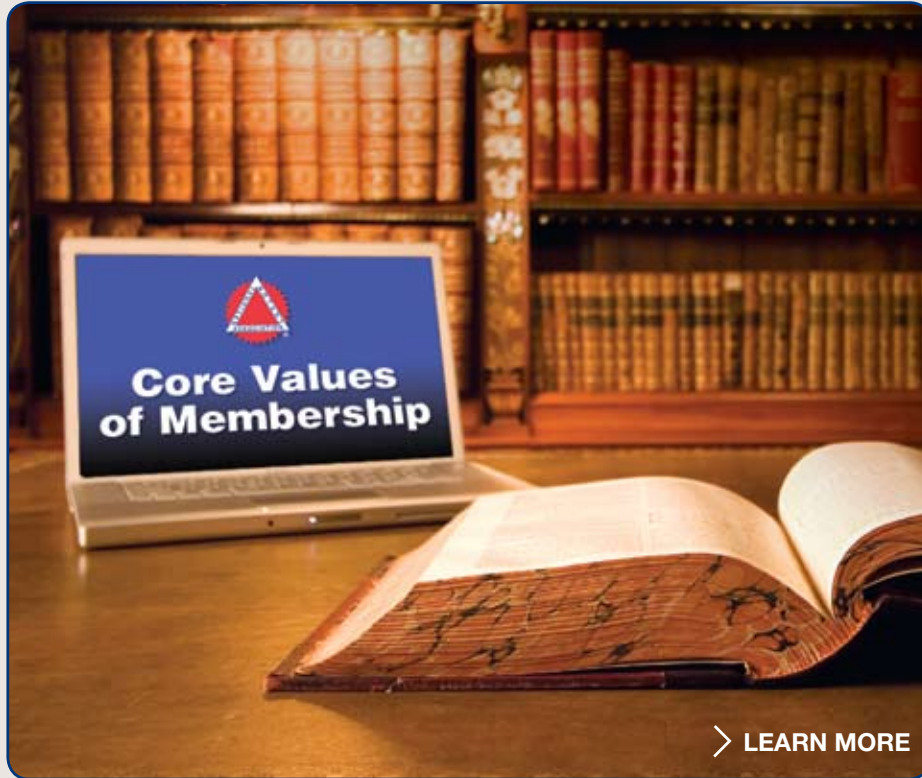
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 Convention and  
 Visitors Bureau

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HOME

# NNA MEMBERSHIP



[> LEARN MORE](#)

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As a Notary and officer of the state, you play a crucial role in law, commerce and everyday life. And today, more than ever, the importance of understanding standards of professional practice, complying with state laws and regulations and protecting yourself, your signers and your employer from risk and liability has never been greater.

NNA membership is the single most important action a Notary can take when assuming the important responsibilities of the office and performing official notarial acts.

## JOIN OR RENEW TODAY!

Call 1-800-US NOTARY (1-800-876-6827)

[SELECT YOUR STATE](#)

### CORE VALUES OF MEMBERSHIP



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**Visit our new Web site!**  
[NationalNotary.org](http://NationalNotary.org)

## COVER STORY

### 14 • Manage Your Risk

As important as you are to ensuring the integrity and authenticity of important documents, many of your co-workers and constituents still may not fully understand what you do and why. Yet when something goes wrong with a notarized transaction, those same individuals you worked to protect could be the first to blame you — even if you've done everything right.

### 17 • Standing Up For Standards



## FEATURES



### 22 • Notary Of The Year: Chrissey Ladd

Chrissey Ladd was appalled at the lack of resources for Notaries in New Jersey, so she became champion for best notarial practices and ethics — and even helped spearhead state legislation.

### 24 • Keep Your Guard Up

The workplace can create many conflicts for you, and there are many important “dos” and “don'ts” of being a Notary on the job.



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## HOW TO CONTACT US

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 Employer Services: [EmployerServicesSupport@NationalNotary.org](mailto:EmployerServicesSupport@NationalNotary.org)  
 (877) 876-0827

## ON THE WEB

Take a look at the all-new NNA Professional Sections at:

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



## Standing Firm

Recently, someone asked me to notarize a signature on a car title. Unfortunately, the person who was supposed to sign it was not there when I showed up. I refused to perform the notarization and told the seller that personal appearance by the signer is a requirement. The acknowledgment clearly states “appeared before me.” I pointed out to the seller that meant that the person had to be standing before me and that I would have to verify his or her identity face to face in order to perform the notarization.

**Mildred Sapp, Phoenix, Arizona**

## Under Pressure

Years ago I was reprimanded by my manager when a customer became upset at me for refusing to notarize a document. The customer asked me to notarize her husband’s signature on a document when the husband was not present. I was with that business for 16 years and still feel that I did the correct thing, even though I got into trouble for it.

**Lydia Escalante, Valley Center, California**

## Advice For Notaries

When notarizing, always ask for a picture ID, stick to your guns and listen to what your gut tells you. It never fails. Remember to do the same when notarizing for friends as well as strangers.

**Carol Ann Rohr, Neodesha, Kansas**

## Sovereign Citizens

Please continue to cover and inform Notaries about the “sovereign citizen” notarization issue. At this point, if I received a request to notarize a “sovereign citizen” related document, I would refuse it. Notaries are supposed to just scan the document to look for missing information and are not responsible for the contents of the document. But if the document is obviously fraudulent or bogus, we can refuse.

**Carol Angier, San Bernardino, California**

## Help From The NNA

I find the NNA’s publications very helpful. Your articles help me to know in most cases whether or not I can perform a notarization. If I am ever in doubt, I am thankful for the additional assistance I receive from the NNA Hotline.

**Karen Knick, Hampton, Virginia**

## AKA Signatures

I was interested in your suggestions on dealing with signer name discrepancies in the Nuts and Bolts section of the January 2011 magazine. I’ve used the “Also Known As” or “AKA” option as an alternate way of notarizing when these issues come up. I’ve also had to use an “AKA” when having my own signature notarized as well, such as when the name appearing on a deed I signed was my maiden name. Fortunately, the local county clerk’s office accepts this and said it’s fine to use this option, since with an “AKA” the Notary still writes the name appearing on the ID in the acknowledgment certificate.

**Stephanie Hulme, Huntington Beach, California**

## WE WANT TO HEAR FROM YOU!

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

THE NATIONAL NOTARY (ISSN 0894-7872) is published bimonthly by the NATIONAL NOTARY ASSOCIATION, a non-profit educational 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 \$52 annual dues. International subscriptions are \$75 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. 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.



# Personal Appearance Is No Anachronism In Techy World

At the beginning of this year, Apple announced that 10 billion “apps” had been downloaded from its App Store. If there was ever a question about the omnipresent impact of

technology, this was surely a resounding and definitive answer.

And, it was accomplished in a mere two-and-a-half years since the app craze began with the introduction of the iPhone.

Technology is cool and it has changed nearly every facet of our daily lives. When one can book an airline ticket or pay a bill on a device no larger than a credit card and communicate with friends and family without seeing or speaking to them, we cannot dispute its social pervasiveness.

As Notaries, it would be natural for us to feel like a bit of an anachronism. After all, we work with paper and ink. We interact personally with our signers and frequently with those for whom the documents will be intended. Are we cool...or not?

Of course we are. ESignatures were legalized over a decade ago and eNotarization has been implemented everywhere, even though rigidly controlled.

Because of the integration of high technology into the notarial act, the most basic requirement of notarization — personal appearance — is regularly challenged with seemingly sound arguments that video-conferencing and other forms of electronic communication should replace the “archaic” conventions of the signer’s physical presence before the Notary.

Legislators and enterprising businesses are striving to sell document-authentication shortcuts that may sound appropriate but actually weaken consumer safeguards.

Every segment of society has been

captivated by the promise of electronic efficiency, particularly those that are paper-intensive and have archiving responsibilities. And Notaries have been involved in all of them — real estate, law, banking and other fields that require agreement, promise and signature.

But with every new seductive app advanced for the electronic media, there is a price to be paid — a loss of the protections afforded by human interaction. We only have to look at the past two years and the current foreclosure crisis to see the damage that can be wreaked by the lack of the proper third-party oversight provided by a Notary Public.

We can but shake our heads and wonder how the most common and effective protection provided by notarization — that of personal and physical appearance — could be challenged at all.

Business and government does not have to reject the capabilities of electronic tools and Notaries need not stand against the tide of progress.

Rather, the fundamental safeguard of a signer’s face-to-face personal appearance before the Notary should be protected as the last and most vital component of lawful transactions and should be secured for a public that is vulnerable when this principle is abandoned.

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

## E-Verify Becoming Law In More States

2011 had barely begun when new Florida Governor Rick Scott ordered all state agencies to use the federal E-Verify system to verify the employment eligibility of their current and prospective employees. Florida became the 13th state to enact some type of E-Verify mandate.

E-Verify is the federal government's online system that employers can use to check the Social Security numbers and other information of individuals against national databases to verify that they are authorized to work in the U.S.

Scott's Executive Order also applies to state contractors.



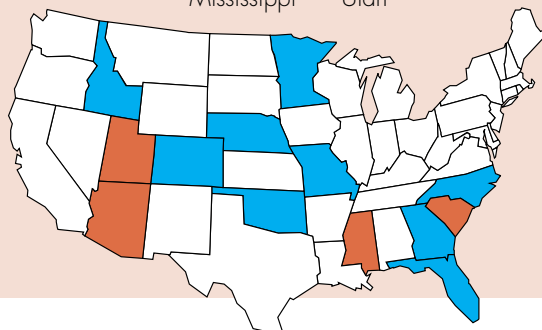
### States With E-Verify Mandates

**Blue** State agencies and/or government contractors required to use E-Verify

**Orange** All employers required to use E-Verify

Arizona  
Mississippi  
South Carolina  
Utah

Colorado  
Florida  
Georgia  
Idaho  
Minnesota  
Missouri  
Nebraska  
North Carolina  
Oklahoma



## You'll Need An ID To Ship That Package

UPS recently implemented a new policy requiring anyone shipping a package from a retail location to show a government-issued, photo ID. The move comes after explosives were found in a package on a Chicago-bound cargo flight.

The directive will apply to UPS Store franchises, Mail Boxes Etc., and all other retail outlets offering UPS service.

Many retail shipping outlets have Notaries on staff, so verifying customers' identities should be fairly straightforward.

### Acceptable ID

- State-issued driver's license or Department of Motor Vehicles ID
- U.S. or foreign passport
- U.S. Permanent Resident Card or "Green Card"
- U.S. military ID
- Native American tribal photo ID

Source: UPS

## The National NOTARY

Vol. LIV, No. 2, March 2011

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MILT VALERA, President  
 DEBORAH M. THAW, Executive Director

### 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 CORE VALUES OF MEMBERSHIP

COMPLIANCE  
 LIABILITY PROTECTION  
 RISK MANAGEMENT  
 PROFESSIONALISM  
 OPPORTUNITIES



# Foreclosure Respite Only Temporary

Foreclosure activity posted a sharp drop toward the end of 2010, but that's only a temporary respite, according to the California-based national foreclosure listing firm, RealtyTrac Inc.

That's because the fallout from the controversy over faulty court filings "forced many lenders and servicers to hit the pause button while they scrambled to revamp their procedures," said RealtyTrac CEO James J. Saccacio.

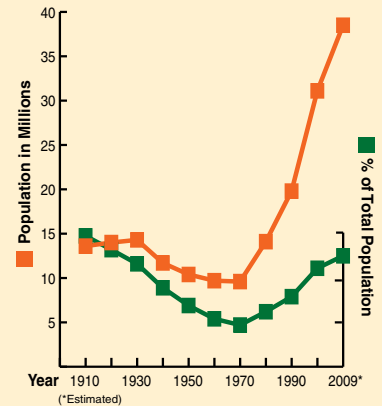
The number of foreclosure filings in November dropped 21 percent from the previous month and 14 percent from the previous year. December's tally was 2 percent lower than November and 26 percent below the prior year. Still there were a record number of foreclosure filings (2.87 million) and repossessions (1.05 million) last year.

RealtyTrac expects 2011 to be another record-breaking year.



## Then & Now

### U.S. Foreign-Born Population



### U.S. Population

1990...	245 million
2010...	309 million

### Visitors To U.S.

2003...	180.5 million
2009...	162.6 million

### Estimated Unauthorized Residents

1990...	3.5 million
2009...	10.8 million

### New Citizens

1990...	270,101
2009...	743,715

### "Green Cards" Issued

1990...	1.54 million
2009...	1.13 million

### Fact:

There are 1,039 federally accredited representatives authorized to assist individuals with immigration matters.



### Unwanted Record

For the 48th straight month, Nevada was the hardest hit by foreclosures, with one out of every 11 homes subject to some type of filing.

Source: RealtyTrac



## Sprucing Up Customer Appeal With Notary Services

The economy may still be struggling, but when it comes to boosting customer appeal, it helps to offer Notary Services. Just take a walk through the Minneapolis-St. Paul International Airport. That's right, the airport.

MSP, as it's known to locals, has been working hard to transform its concourses into an upscale dining and shopping

destination, according to local media. And nestled amid the swanky eateries, designer clothing stores and children's book stores is a Conference Center that offers, among other amenities, on-site



Notary services.

Travelers can get that last-minute contract or those travel documents notarized while waiting for their flights.

## Blocking Privacy Invasions 21st Century-Style



Privacy and identity security have become the leading consumer concerns of the 21st century, and the rapid evolution of technology is only aggravating matters. But the Privacy Rights Clearinghouse has issued some tips about preventing common technologies from being used against us.

### Smartphones

Some of the hugely popular smartphone applications (apps) sell data about you — such as your phone number, current location and name — without your knowledge or consent.

- Restrict your friend list on geosocial apps, which can automatically share your location and activities with the world.
- Only share updates with approved friends.
- Don't automatically push updates to your Facebook, Twitter or other social network accounts.



### Behavioral Targeting

Just about anything you do on the Internet can be — and usually is — tracked by someone. Marketers do this to build detailed profiles on you,

which they use to send “targeted” ads. They also often sell or trade your information.

- Always use the latest version of your browser.
- Turn on your browser's privacy protection plugins (also called add-ons or extensions), if offered.
- Use your browser's “do not track” feature.



### Facebook

The social networking site has more than 500 million users, and we tend to store large amounts of personal information on our pages that can be a treasure to unscrupulous people.

- Choose the “Friends Only” option for all of your settings, unless you are sure you want the information to go public. A good rule is to ask, “Would I want my boss to see this?”
- Be very careful about allowing third-party applications to access your account. You run the risk of exposing your personal information and your friends' to the wrong people.



# Millions Enter U.S. Without Proper ID

Millions of travelers are being allowed into the United States without proper ID because “other priorities” have prevented border agents from fully implementing strict federal identity rules, according to a recent report from the U.S. Department of Homeland Security (DHS).



The report examined how Customs and Border Protection was enforcing the Western Hemisphere Travel Initiative (WHTI) at 39 high-volume land ports of entry between

June 2009 and January 2010. During that period, more than 2.1 million people claiming to be citizens of the United States, Canada or Bermuda crossed the border without presenting IDs that meet the WHTI standards.

Under the WHTI rules, as of June 1, 2009, travelers from those nations could no longer make simple declarations of citizenship to enter the U.S. WHTI was established to help prevent terrorists from entering the U.S. under false guises.

## ID Please

Under the Western Hemisphere Travel Initiative, citizens of the United States, Canada and Bermuda must show approved ID when entering the U.S. Among the approved IDs are:

- A passport or passport card
- An enhanced driver's license
- A Trusted Traveler Card
- A Military ID

Source: U.S. Department of Homeland Security



## Introducing the new NNA Web site

The NNA Web site is revolutionized...

Your destination for all things related to your Notary Public profession features:

improved functionality • better organization • more helpful information  
easier navigation • new sign-in process • improved shopping experience  
new myNNA Account pages • improved access to NNA Publications  
and educational resources • member community and much more

Log on today to view your personalized profile!



**All New! NationalNotary.org**



## Redesigned NNA Web Site Launches New Features

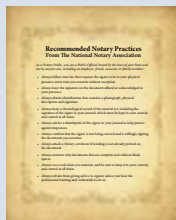
The all-new NationalNotary.org Web site is now online, giving you access to essential supplies, information and services better than ever before.

The upgraded site includes easier navigation, up-to-date status reports on NNA membership and Notary commission status and allows members to renew commissions and obtain Notary supplies more easily, as well as customize supply packages to suit their individual needs. The new site also features easy-to find educational materials and resources providing you with essential information at the click of a mouse.

You will find the new site helpful and easy to use. Check it out at NationalNotary.org.



## Recommended Practices Offer Key Guidance



The NNA's Recommended Notary Practices — key guidelines to help you perform your duties ethically and professionally to avoid liability — are now available on the NNA's Web site for quick and easy access.

The Recommended Practices, which include tips for identification, recordkeeping and completing and sealing certificates, can be found by going to NationalNotary.org and clicking "Resources for Notaries" at the top of the page.



## Your Benefits:

### Trusted Notary Training Available

For Notaries seeking advanced knowledge and tools to ensure ethical compliance and liability protection in their official duties, the NNA offers its Trusted Notary™ Training program.

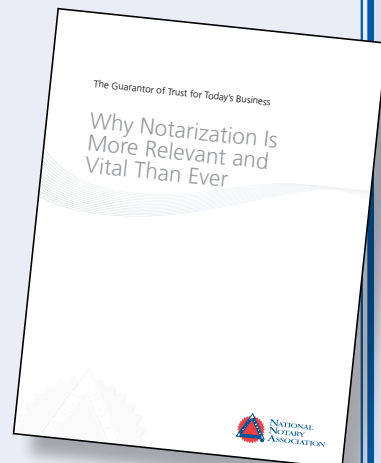
Trusted Notary Training provides a thorough grounding in best practices along with solutions to problems and questions that aren't always spelled out in state law.

For a free sample and more information about Trusted Notary Training, visit [NationalNotary.org/trusted\\_notary\\_training/index.html](http://NationalNotary.org/trusted_notary_training/index.html).

## NNA Releases Notarization Whitepaper

The National Notary Association has released a Whitepaper entitled, "Why Notarization Is More Relevant And Vital Than Ever," to help build public and industry understanding about the function of notarization, and the role and responsibilities of Notaries Public.

In the wake of the foreclosure crisis — which revealed a widespread lack of public understanding about notarization — the Whitepaper provides straightforward explanations of what occurs during a notarization and the three main notarial acts. It also spells out how Notaries ensure the integrity of millions of daily transactions.



## Share Experience — Participate In Our Monthly Web Polls

Each month, the NNA features a new poll asking Notaries for their feedback on important issues such as dealing with suspicious ID, handling improper requests, ethical issues and more. Respondents are also invited to fill out an additional information form to share their specific experiences and views on the issue.



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

## Check Out Exciting Schedule Of Events At Conference 2011

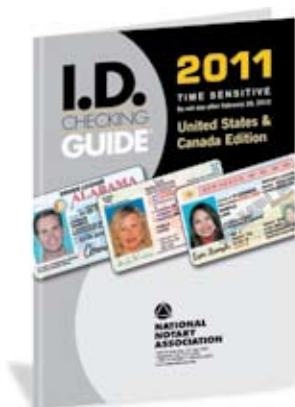
The full program of events for the NNA's 2011 Conference May 22-26 in Las Vegas is now available online to help you plan your time at the Notary Event of the Year. The schedule includes all workshops, special events and excursions so you can get the best possible experience expanding your career and learning the best ways to avoid liability in the exciting atmosphere of the Rio All-Suites Hotel and Casino!

Conference 2011 promises valuable learning experiences and fun for Notaries and their employers alike. Check out the events program and register online or call toll-free at (800) 876-6827.

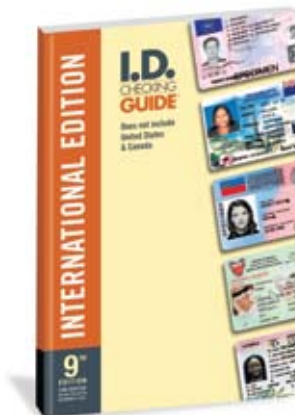


[www.NationalNotary.org/Conference2011](http://www.NationalNotary.org/Conference2011)

## Positively identify the signer each time



2011 I.D. Checking Guide  
United States & Canada Edition



International I.D. Checking Guide

## New editions available!

Stay up-to-date on the latest changes! Verify an I.D. using full color, actual-size samples.

Purchase your United States & Canada and International editions today.\*



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

\*Available only to NNA Members. Limit one per member.

# Manage Your Risk

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You Can't Stay In The Dark  
About Best Practices



“Notaries today are held directly accountable for any mistakes, misconduct or negligence.”



**A**s important as you are to ensuring the integrity and authenticity of important documents, many of your co-workers and constituents still may not fully understand what you do and why. Yet when something goes wrong with a notarized transaction, those same individuals you worked to protect could be the first to blame you — even if you’ve done everything right.

As illustrated in *Vancura v. Katris* (see THE NATIONAL NOTARY, January 2011, pg 16-17), Notaries today are held directly accountable for any mistakes, misconduct or negligence. In this case, the Court ruled that it was not the employer’s duty to ensure their Notaries understood and followed their notarial responsibilities.

This reality — along with the potential for legal issues, fines, revoked commissions or even jail time — makes protecting you and your constituents from risk one of your most important priorities.

In light of increasing legal exposure for Notaries, the National Notary Association has issued a complete set of Recommended Notary Practices (see page 19) which, if followed, is your best defense against liability. Among the most important practices are:

### **Requiring the Signer to Personally Appear Before You**

Every state requires the signer to personally appear before you at the time the notarization is performed, yet this is one of the most violated essential principles of notarization. In fact, the Colorado Secretary of State’s office recently reported that more than half the misconduct cases examined in the first half of 2009 involved a

notarization outside the presence of the signer. It’s no wonder the majority of challenged notarizations involve a situation in which the Notary did not require personal appearance.

The pressure to skip personal appearance can come from many places. Your employer may ask — or even expect — you to notarize the signature of a client who is too busy to come in. A long-time neighbor may ask you to notarize the signature of his absent wife. Complying with any of these requests is illegal and opens the door to all types of fraud. The primary function of a notarization is to authenticate the legitimacy of a signature. That’s impossible unless the signer appears before you.

### **Identifying the Signer**

Your next task is to properly identify the signer. The reason is simple: Without verifying a person’s identity, you cannot authenticate a signature.

State laws vary regarding what constitutes acceptable identification, so all Notaries must know their state’s specific requirements. Some states spell out exactly what types of IDs you may accept. For those that do not, it’s best to rely on a government-issued identification document, such as a driver’s license, identity card or passport. An ID should include a photograph, physical description, and signature of the bearer to be considered reliable.

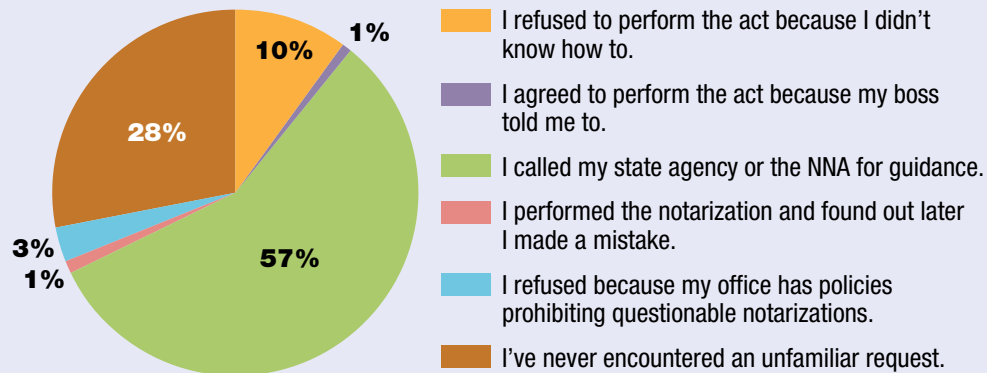
If an identity card seems suspicious, it’s permissible to quiz the signer about details on the ID or ask for a secondary ID, such as a Social Security or credit card. These cards cannot be used as primary identification documents, but people using stolen or fake IDs don’t always obtain secondary

*Continued on page 16*

## Official NNA Poll

In the NNA's official January poll, thousands of Notaries from across the nation responded to the question:

### How did you respond to a notarial request that you didn't know how to handle?



IDs in the fake name. If you still have doubts, refuse the notarization.

### Determining The Signer's Willingness And Awareness

An important part of every notarization is determining the signer's willingness to sign, as well as his or her awareness of the contents of the document or transaction. Not every person actually wants to sign a document. Sometimes, a signer may be under great pressure from a relative, friend or business partner. It is up to you to make a commonsense determination in this case.

A simple, straightforward, friendly conversation is generally enough to determine if the signer is willing to sign the document and is aware of what is being signed. If the signer appears overly nervous or stressed, or seems incoherent, you should ask more questions or decline to notarize the document.

### Ensuring The Accuracy And Completeness Of Notarial Certificates

You are not responsible for the accuracy of the content of any document you notarize. You are, however, responsible for the accuracy and completeness of every notarial certificate you execute. In fact, notarial certificates typically include wording by which you certify the accuracy of the information in the certificate. That includes the date and location of the notarization, as well as information about the signer.

Notaries often are asked to backdate or

otherwise falsify the contents of a certificate. Don't do it. It's another pathway to legal trouble.

### Keeping A Record Of Your Notarizations

A complete record of every notarization is one of the most powerful defenses you have in the event you are sued, says Richard Busch, one of the nation's leading surety attorneys who has extensive experience representing Notaries against misconduct claims. If a notarization is ever challenged, the journal record will help prove that you followed the law, that all proper procedures were followed and that you take your responsibilities seriously.


The most effective way to keep a record of your notarizations is to use a bound journal — not loose-leaf — and to record each act in chronological order. That way, it will be evident if anyone tries to tamper with your journal or remove an entry, further protecting you from liability.

Each entry should include the following information:

- The date, time and type of notarization
- The date and title or type of document or transaction
- The name and address of each signer and witness
- The method used to identify each signer and witness
- The signature and thumbprint of each signer and witness
- Any other pertinent information



The NNA also recommends that you complete your journal entry before filling out the notarial certificate so your signer doesn't leave with a notarized document before you can collect all the required information.

Each of these practices is intended to protect the public by reducing instances of fraud, forgery and imposture. Ongoing education and training also has a significant impact, especially if your state does not require it. Regardless of where you're commissioned and what your state laws are, the public depends on you to properly uphold your duty — even if they do not fully understand or respect the process of notarization. 



## Standing Up For Standards

One of the conflicts Notaries face is saying “no” when a signer — especially a boss — insists on a notarization that can't be performed for legal or ethical reasons. Though it can be challenging, people today are more reliant upon notarization to protect them, and more signers listen when Notaries discuss law and liability concerns. THE NATIONAL NOTARY asked Notaries around the country to share stories of how they stood up for professional standards.



### **Beth Mau (Roseville, California)**

“A loan broker wanted me to notarize a document for a Spanish-speaking borrower, but he wanted the signer to use an interpreter. I explained to the broker that I must be able to communicate with the borrower directly and cannot use a translator. The broker's response was “Other Notaries allow it!” My response? “I'm not other Notaries!” I called the signing service, told them I could not perform the notarization and informed them that they needed a Spanish-speaking Notary.”



### **Rose Tully (Wakefield, Massachusetts)**

“A co-worker asked me to quickly type up and notarize a document that would verify my company's change of name for the Registry of Motor Vehicles. I told my co-worker that he would need to contact our legal department for assistance, and after he presented me with a document they confirmed was acceptable, I would notarize it.

“The co-worker insisted that having me type something up on my own and notarize

*Continued on page 19*

# Where do you turn when you have a challenging notarization?



NNA Hotline counselors are dedicated to answering your toughest questions.

Unlimited use available for all NNA Members, now with expanded hours.



Monday – Friday, 5:00 a.m. – 7:00 p.m. PT  
Saturday, 5:00 a.m. – 5:00 p.m. PT

Hours subject to change without notification.

**NNA Hotline/  
Informational Services  
1-888-876-0827**



**NNA Hotline/Informational Services  
1-888-876-0827**

it was acceptable to the Registry. He said, "They don't really care — they just need a piece of paper." I responded that even if the Registry didn't care, I did. I reiterated that we had to follow the proper procedure.

"The requester was quite insistent and asked if I would do him a "favor" to save time. It turned out the registration was due to expire the next day and he was afraid he would not make his deadline. I asked him if he would be willing to support me if I was fired from my job or my notarial commission was revoked for performing an improper notarization. He wasn't — he gave in and deferred to our legal department."



### **Kathy Parker (Eureka, California)**

"More than 14 years ago, when I was a new Notary, my elderly boss asked me to notarize his wife's signature on a deed transferring her right to their property to him — without her being present. I refused. I had limited experience as a Notary and not much confidence in my abilities in my new commission. He insisted that "Notaries used to be able to do this," but I flat-out told him I would not do it and walked away. He did not pursue it further with me. I moved on to a different job and he has since passed away, but it is sad that my memory of him is of someone who asked me to do something improper."



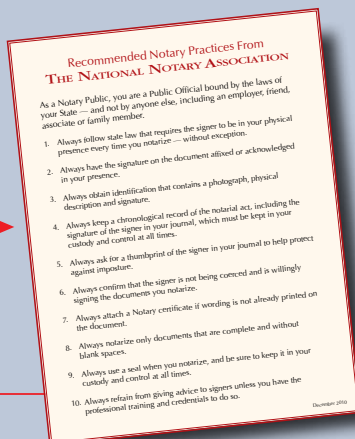
### **Ira Wasserman (Brooklyn, New York)**

"A young man from my neighborhood asked me to notarize a document he needed in order to apply to a graduate program. The application fee was \$110 unless the applicant could prove that he was not able to afford it. The university required the applicant to submit the proof to a Notary, who in turn, was to review the material and verify that the applicant could not afford the fee. I explained to the applicant as a Notary I could not comply. Instead, I had him write and sign an affidavit stating that he was not able to afford the fee. I notarized his sworn statement, attached it to his document, told him that was the best I could do for him and wished him luck."



### **Lee Morris (St. John, U.S. Virgin Islands)**

"A man once asked me to notarize some documents that he and his wife would both have to sign. But his wife didn't come with him, and I said that she had to personally appear. He said she wouldn't come in. So I refused to notarize the documents and he walked out and never came back. I'm sure he was trying to put something over on his wife! I don't know if he tried to go to another Notary or not — I'll probably never know."



Recommended Notary Practices From  
**THE NATIONAL NOTARY ASSOCIATION**

**NationalNotary.org/Practices.html**

# NNA PROFESSIONAL

Providing you with the opportunity to grow in  
the industries and environments in

**Coverage of news stories that no one else does** — We not only cover the current headlines, **we include up-to-the-minute industry news feeds** that can affect Notaries and those who work with them, and we use these stories to dig deeper to find the solutions you need for your business and career.

**Guidance from industry leaders and experts** — Avoid problems and develop a thorough understanding of your profession and industry, building **the skills you need to expertly perform your duties**.

**An even-sided perspective of ethical concerns** — Actively debate what you should do when business needs and Notary laws and regulations don't meet.



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*“The National Notary Association’s professional sections are a valuable tool to keep one up to date on changes and reminders of the rules and regulations for being a Notary, especially in specific industries.”*

— **Mozell Starks, Notary Public, Tennessee**

*“I am really, really looking forward to the NNA’s new Professional Sections, particularly the Legal Professionals Section. I appreciate the NNA’s information and newsletters, its presence in the Notary world, and our collective efforts to raise the standards of the Notary profession.”*

— **Robert T. Koehler, Notary Public & Commissioner of Deeds, Florida**

# NEW SECTIONS

Gain an in-depth look at the new sections which you notarize.

## FINANCIAL & CORPORATE SERVICES SECTION

Receive news, resources and strategies for working within the increasingly complex banking industry. You will be exposed to industry leaders with expertise in banking, finance, customer service, commerce and other specialties.

## HEALTHCARE PROFESSIONALS SECTION

This Section represents an important industry that is rapidly growing. It addresses issues important to nursing home administrators, home health aides, hospices, assisted living facilities or anyone who works with retirees and the elderly.

## IMMIGRATION SECTION

This Section will include Notaries, consultants, paralegals, secretaries, translators or attorneys working with complex documentation in immigration. You'll receive information from expert immigration leaders on immigration issues, federal regulations, identification documents and border security among others.

## LEGAL PROFESSIONALS SECTION

News and resources that will help you keep current about notarial law and legal documents. You'll receive information from experienced leaders in law practices, office management, handling evidence and other specialties.

## INTERNATIONAL SECTION

Anyone working with international documents and laws will find perspectives on cross-border issues, free trade agreements, language and communication barriers, and the tough national and international requirements that lend trust to notarized documents.

## NOTARY SIGNING AGENTS & SMALL BUSINESS SECTION

NSAs, others in real estate and small business owners find news, resources and strategies that affect you and allow you to diversify and improve your bottom line. You'll hear from experts in real estate, business development and entrepreneurship among other specialties.

Join today at [NationalNotary.org/NewSections](http://NationalNotary.org/NewSections)

## Explore the Benefits of the NNA's Professional Sections

Inspired by our new Professional Sections, the 2011 Conference will feature a full day devoted to industry-focused workshops on **Wednesday, May 25th:**

### Notary Signing Agent & Small Business

- Why Home Ownership Matters
- The Foreclosure Solution

### Immigration and International

- How Trade Works
- Helping Families Achieve Inter-Country Adoptions

### Healthcare

- Guarding the Public
- An Update on Healthcare Reform

### Legal Professionals

- Certifying the Paralegal
- The Unauthorized Practice of Law

### Financial & Corporate Services

- An Introduction to Dodd-Frank
- The County Dotted Line

### PLUS — Industry Roundtables

Includes a two-hour interactive discussion on the issues, trends, and opportunities facing each industry sector represented by the NNA's Professional Sections. *Roundtables are open to all Conference attendees; however priority seating will be given to current Section members*

See full workshop descriptions and register today at [NNAConference.com](http://NNAConference.com)

2011 NOTARY OF THE YEAR:

# CHRISSEY LADD

*A Passion For Notarization,  
Helping Others*



**C**hrissey Ladd's enduring quality is her dedication to serving the public and those in need. Whether she volunteers to help abused women rebuild their lives, fights for strengthened Notary legislation, or mentors her colleagues to properly perform their state-appointed duties, she approaches every task with passion and resolve.

As a highly experienced Notary who's held commissions in three states — California, Oregon and her current home state, New Jersey — Chrissey takes notarization seriously. She guides co-workers in adhering to state laws and notarial best practices, and is credited for taking the initiative to design and implement Notary workplace policies at her bank. Those company-wide policies now ensure that all notarizations are performed ethically, and that Notary-employees are supported when they must refuse an unethical or illegal request.

Chrissey has also tirelessly lobbied state lawmakers to enact journal requirements and improve education standards, and is recognized as the "knowledge base" behind two important bills pending before the New Jersey state legislature.

Because of her enthusiasm to guide fellow Notaries, her devotion to serving those in need, and her dedication to advancing the American Notary office, Chrissey Ladd of New Jersey has been named as the National Notary Association's 2011 Notary of the Year.

Born in Sacramento, California, Chrissey grew up and went to school in Creswell, Oregon. In the late 1990s she returned to California to work as a portrait photographer in a town called Hollister. Then came a life-changing twist of fate.



A major mudslide near her home resulted in the closure of local roadways for several months, forcing her to commute more than two extra hours a day to work. Also facing severe financial and personal challenges, she made a bold move to switch careers and took a job as a bank teller, beginning her years-long career as a bank officer and Notary. She never looked back, and today is a successful assistant vice president at a bank in Mount Laurel, New Jersey.

Early in her new career, Chrissey's boss asked her to become a Notary — a prospect she says was intimidating. But getting a commission in California, with its reputation for stringent requirements and standards made her a strong Notary from the get-go. "In California, I was made aware of the liability risks and other concerns I never even considered, but the training gave me confidence in my new role," Chrissey said.

When she relocated back to Oregon and applied for a new commission, she was surprised to learn the state had much less strict application and training requirements. This fact planted the seeds for her growing Notary advocacy, as she realized differing laws, standards and training requirements from state to state put Notaries, and the public, at risk.

In 2006 Chrissey reunited with old high school classmate named Roger Ladd and moved to New Jersey to be closer to him. She was eager to continue notarizing in "The Garden State," but soon found there were virtually no resources to help her make sense of her state's requirements. Remaining steadfast with her spirit and determination, she volunteered to research state Notary laws and help train Notaries at her workplace — even though her superiors believed her efforts had little value.

She quickly reached out to the National Notary Association, seeking its expertise in New Jersey Notary law and eventually applied to become an NNA Notary Ambassador®. She also encouraged her co-workers to join her in a grassroots lobbying campaign to modernize and strengthen her state's Notary laws.

"At one of my previous employers, it was a common practice for home equity loan documents to be signed over the weekend, and then presented for notarization on Monday morning without the signer being present," she said. "When I asked my supervisor why this was allowed, I was told 'it's always been that way.'

That's what prompted me to learn about notarial best practices and develop training programs for Notaries. Once better training was in place,

the Notaries improved their practices."

In November 2008, she changed jobs and again offered to train Notaries in her new office. Her employer not only took up Chrissey's offer, but recruited her to draft an in-house training course and workplace ethics policy based on the NNA's *Notary Public Code of Professional Responsibility*. She also launched an online newsletter, "Empowering Notaries" offering other New Jersey Notaries tips and information on best practices and avoiding common notarial errors.

In 2009, her grassroots efforts really began to pay off. She began sharing her Notary knowledge with State Assemblywoman Joan

Voss and made recommendations on how New Jersey's Notary laws could be significantly strengthened.

The Assemblywoman listened.


Her efforts helped lay the groundwork for the introduction of two important bills in 2010: A463, sponsored by Voss; and A2008, sponsored by state Senator Nicholas Scutari. Both bills, if made law, would set new education and testing

requirements, and strengthen the commissioning process by requiring background checks and fingerprinting, among other provisions.

"My office felt there should be more stringent requirements for Notaries because there seemed to be no rules or training — other states have more oversight," Voss said. "I would not have had the knowledge and insight to craft this bill without Chrissey's knowledge and suggestions."

Today, Chrissey and Roger have a blended family of five children: Devan, 21; Dakota, 17; Elizabeth, 14; Randy, 12 and Rhiannon, 7. The children are involved in many activities, including football, baseball, equestrian, soccer and cheerleading, but one of the favorite family activities is BMX bike racing. Roger had raced in national competitions in his youth, and when son Randy became interested as well, the family started attending races. Now not only is Roger racing again, but children Elizabeth, Randy and Rhiannon all compete.

In 2010, she founded Notary Power, a business that offers mentoring services, with her wedding officiant Patrick Anthony, whom she was surprised to find already maintained a Web site for a local Notary group.

Chrissey also serves as treasurer for the local Parent-Teacher Association and volunteers with the charitable organization, Career Wardrobe in Philadelphia, Pennsylvania, which provides job placement and assistance to adult women who are homeless or leaving abusive relationships. She also volunteers to teach financial literacy issues in schools and senior living communities. Chrissey said that her own tough financial and personal challenges taught her a valuable lesson — to strive to be the best possible person she can, and extend a hand to those amid a run of bad luck. "Everything I do is dedicated to giving to those in need, and improving life for myself and my family," she said. 

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## "I would not have had the knowledge and insight to craft this bill without Chrissey ...."

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— New Jersey State Assemblywoman Joan Voss

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# Keep Your Guard Up In The Workplace

## You Can't Notarize By Phone

Notarization always requires the signer's personal appearance before the Notary to verify identity, willingness and awareness. Not only is notarization without personal appearance illegal, there's no way to determine if signers are who they say they are. If a document is notarized without the signer's presence, the Notary becomes exposed to serious legal, and even criminal, consequences.



## Don't Gossip

When you're chatting with friends at the coffee machine or in the break room, don't gossip about signers. Notaries have a responsibility to protect the privacy of their constituents, and that means not discussing details of notarizations with outside parties.

## Don't Lend Your Seal To Co-Workers

Only you are authorized to use your Notary seal. Even if your employer paid for your commission, that does not give bosses or co-workers the right to use your seal. Your unsecured seal could be used to improperly notarize countless documents, and if it is used for fraud, you will be the first person that investigators and lawyers come after.



Notaries working in an office setting often face ethical, and even legal hurdles stemming from improper requests from bosses, signers and co-workers. These issues frequently conflict with the state-appointed duty to protect signers by following proper notarial procedures. Here are examples developed to illustrate how adhering to state laws and best practices can protect you from compliance and liability issues.

## Protect Your Tools

This Notary is taking the right approach by locking his/her tools away after finishing a notarization. Leaving your seal or journal unattended means they can be stolen and misused by someone else, exposing your signer's records to identity theft and fraud.



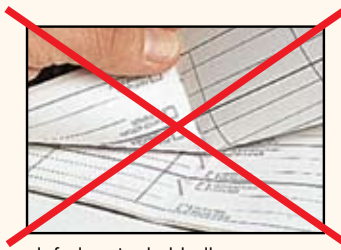
## Don't Give Out Loose Certificates

A co-worker or supervisor might ask for a loose certificate so they can "correct" or "pre-notarize" a document. Don't do it — only the Notary who performed the official act can affix a certificate or correct it. Giving out a loose, unattached certificate is against the law in many jurisdictions. Once it's out of your hands, there is no way to know how it will be used.

# Journals & Record Books



Smyth-sewn binding guards against undetected page removal



Inferior staple binding as seen in most other journals

## Journals

While not required in every state, it is essential for a responsible Notary to keep accurate records of all notarizations. Our journals include:

- Step-by-step, illustrated instructions to ensure proper procedures
- Two-tone columns for at-a-glance recording
- Room for nearly 500 entries in 122 pages
- Seven different styles of hardcover available



Kittens  
#7020



Executive Black  
#6697B



Tulips  
#6808



Classic Burgundy  
#6665



Sunset Beach  
#6696



Traditional Green  
#5373



Flag  
#6697F

NNA Members: **\$23.95**  
Non-members: \$27.00



#5661

## Thumbprinters

Capturing the signer's thumbprint is required in certain transactions, and can provide extra security.

- Inkless thumbprinter features a compact touch pad
- Special inking solution wipes away clean
- Prices starting at **\$9.95**

# Seal Stamps & Embossers

## Notary Seal Stamps

Ensure your seal is crisp and clear every time.

- From correct placement on a page to a stamp that can withstand high usage, we have stamps to fit every need.
- A variety of sizes and colors are available.



Style Stamp  
#5404C



Elite Stamp Notary Seal  
#5270V



Flip Stamp Notary Seal  
#5470



Hand-Held Notary Seal Embosser  
#5300



Portable/Desk Notary Seal Embosser  
#5297

## Embossers

Add an extra layer of protection to your loose certificates by leaving a crisp impression in addition to your seal stamp.

- Desk, hand-held and portable styles are available
- Gold foil seals add a touch of professionalism to the embossment
- Prices starting at **\$17.95**

Source Code  
**A39894**

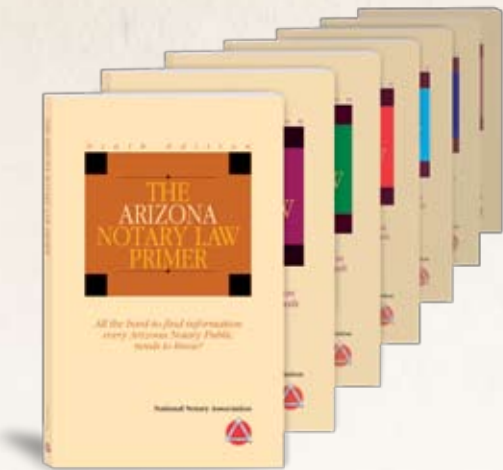
# Notary Certificates



No room for your seal on the document? Signers appearing at different times? Incorrect wording? No certificate at all? Notary certificates are the convenient solution to a common problem, and follow each state's requirements.

- Individual Acknowledgment
- Corporate Acknowledgment
- Partnership Acknowledgment
- Attorney in Fact Acknowledgment
- Credible Witness Acknowledgment
- Signature-by-Mark Acknowledgment
- Proof of Execution by Subscribing Witness
- Copy Certification by Document Custodian
- Copy Certification by Notary
- Jurat with Affiant Statement

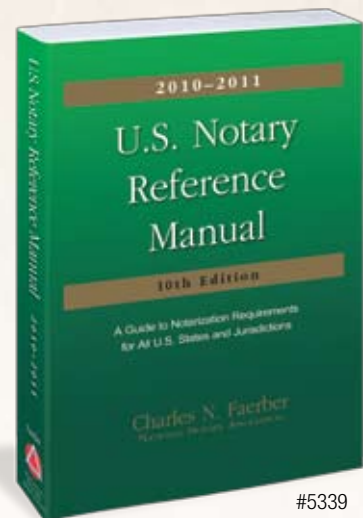
## Handbooks & Guides



### Notary Law Primers

State-specific information every Notary needs. Requirements for notarial acts, certificate wording for every notarization, wording for oaths and affirmations, how to renew your commission, and all laws that regulate Notaries in your state, including text from the official state handbook.

NNA Members: **\$14.95**  
 Non-members: \$20.00



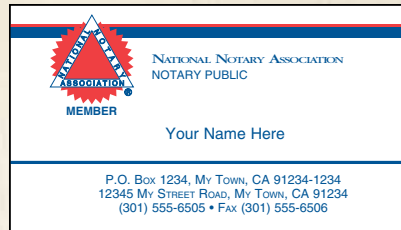
#5339

### U.S. Notary Reference Manual

The most comprehensive guide for Notary procedures, with Notary seal specifications and samples, certificate wording requirements, Notary powers and limitations, and fees for all U.S. states and other jurisdictions.

NNA Members: **\$69.95**  
 Non-members: \$79.00

# NSA Supplies



## Business Cards

Promote your business and stay at your customer's fingertips. Professional and elegant, NNA business cards help you stand out from the crowd. Available in three styles — Notary Public, Notary Signing Agent, and Notary Signing Agent — Certified and Background Screened.

*Traditional • Deluxe • Magnetic • Rolodex®*

Prices starting at **\$49.95**



#5839

Supplies shown  
not included.



Gold-Tone Business  
Card Case  
#6662

## Notary Carry-All

Convenient and classic, our carry-all fits all of your supplies in one place, with room for your journal, seal stamp, reference guide and more.

NNA Members: **\$29.95**  
Non-members: \$41.00

NNA Members: **\$9.95**  
Non-members: \$16.00

Source Code  
**A39894**

# What would you do if you were named in a lawsuit concerning a document you notarized?

## What if the mistake was yours?

Fact: Even if the mistake wasn't yours, you could still incur personal expenses.

If you had Errors & Omissions Insurance, you wouldn't have to worry. E&O insurance from the NNA means your judgement, attorneys fees, court costs, and other defense costs are covered (up to the limit of your policy), if you make a mistake or if a false claim is filed against you.

Get peace of mind today with E&O Insurance.

BONDS AND E&O POLICIES UNDERWRITTEN BY MERCHANTS BONDING COMPANY (MUTUAL), DES MOINES, IOWA. PENNSYLVANIA BOND AND E&O POLICIES UNDERWRITTEN BY NATIONS BONDING COMPANY, AUSTIN, TEXAS, A SUBSIDIARY OF MERCHANTS BONDING COMPANY (MUTUAL). AGENT FOR ALL BONDS AND E&O POLICIES IS NNA INSURANCE SERVICES, INC. ALL RATES SUBJECT TO CHANGE WITHOUT NOTICE. COMMISSION NUMBER AND COMMISSION EFFECTIVE AND EXPIRATION DATES REQUIRED PRIOR TO E&O INSURANCE ACTIVATION.



**NationalNotary.org/Insurance**  
**1-800-US NOTARY (1-800-876-6827)**

# Matters Of Identification

NOTARIES ACROSS THE COUNTRY RELY ON THE NNA'S NOTARY EXPERTS EVERY DAY TO ANSWER THEIR IMPORTANT QUESTIONS. THE FOLLOWING WERE AMONG THE THOUSANDS WE ANSWERED LAST MONTH



**Will the new passport cards have the same ID number as a regular passport? Would some people have both?**

**K.H., Altadena, California**

According to the U.S. State Department, a single citizen can be issued both a passport card and a passport book. The passport card is only used for entering the United States at land border crossings or seaports-of-entry from select adjacent international destinations: Canada, Mexico, the Caribbean, and Bermuda. The passport book is still used for all international air travel. The State Department notes that while a single individual can be issued both passport formats, each one would bear a different serial number. Both forms meet the requirements of satisfactory evidence of identity for notarizations.

**I was asked to back-date a mortgage signing. That's not legal is it? I refused, and I put the actual date of notarization, which was the day after they wanted it dated, so now they won't pay me.**

**C.T., Philadelphia, Pennsylvania**

Your response was the right one. Back-dating a loan signing is both unethical and illegal, as you would be knowingly notarizing a document that contains false information.

Furthermore, a document dated after the date of notarization risks rejection by a recorder, as it indicates it was notarized before it was signed. This occurrence would cause delays in the document processing, and you could be held liable for any resulting legal damages.

**Can I accept a driver's license with an out of state address on it? For example, a New York driver's license with a Baltimore, Maryland, address?**

**N.R., Baltimore, Maryland**

While unusual, this would be acceptable. It bears mentioning that you are not responsible for verifying the signer's current address. Indeed, a Notary may notarize for a homeless person even though he or she does not have an address.

**Is a Notary required to record the signer's Social Security card number?**

**P.D., Mt. Laurel, New Jersey**

No, a Notary is not required to collect this information, nor should you ever give out your own Social Security number. Sometimes on a notarial certificate, near the venue (State of New Jersey, County of...) you will see the letters "SS." This is not an abbreviation for "Social Security number—it stands for the traditional Latin word "Scilicet," meaning "in particular" or "namely."

**Do I need to make copies of IDs or documents I notarize?**

**R.S., Sayre, Pennsylvania**

Keeping copies of documents notarized and ID cards is not recommended, since it may violate the signer's privacy. However, all the pertinent information on every notarization should be noted in your journal which, when kept properly, will include the type of document and how the signer was identified, with ID number and expiration date.

*You can reach all our experienced Notary Hotline counselors at*

**1-888-876-0827**

*5 a.m. to 7 p.m.*

*Monday to Friday and*

*5 a.m. to 5 p.m.*

*Saturday, Pacific Time*

*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*

**Enhance** your productivity.  
**Boost** your career.  
**Serve** society responsibly and ethically.



The NNA offers Notary training and education, including state-mandated programs, as well as certification courses for those looking to broaden their knowledge and skills.

Only the NNA's education programs are certified by the Accrediting Council for Continuing Education & Training (ACCET), meeting strict quality standards for institutions of higher education.

**We invite you to learn more at [NationalNotary.org/Training](http://NationalNotary.org/Training).**



**[NationalNotary.org/Training](http://NationalNotary.org/Training)**





## Sealing The Deal The Right Way

TO AVOID DOCUMENT REJECTIONS, ENSURE THAT YOUR NOTARY SEAL IS USED PROPERLY AND MEETS STATE REQUIREMENTS

County recorders often reject documents due to problems with Notary seal formats or improperly placed seal impressions, so it's important to ensure that your seal meets state regulations and your impressions are affixed appropriately.

### IT BEGINS WITH COMPLIANCE

Every state has its own requirements governing seal formats, so your first step is to verify that your seal is the correct size and shape, and that it bears all required information. For example, Florida requires the seal image to include the words “Notary Public — State of Florida,” the Notary’s name, commission number and commission expiration date. Other states may require less or more information in the official seal.

Some states also require the use of a specific seal type. For example, Arizona requires a rubber inking stamp, but allows an optional embossed seal to be used in addition to the stamp. A few states allow either an inking stamp or an embosser as an official seal. Some do not require seals at all, and simply accept the Notary’s signature, title and commission expiration date as proof of an official act.

However, most states require or allow inking seals because the impression they make is photo-reproducible on a copy machine, fax or scanner. An embossed seal impression will not show up on a photocopy unless it is “smudged” with carbon or other photocopiable substance.

### MAKING THE RIGHT IMPRESSION

Normally your seal is affixed beneath or beside your signature, below the notarial certificate wording. Notaries may see the

letters “L.S.” printed on some notarial certificates. This is an abbreviation for the Latin *“locus sigilli,”* meaning “location of the seal,” and marks the area where a seal impression should be affixed.

To avert illegibility, be sure the seal image doesn’t cover any written or printed wording on the document or notarial certificate (including the “L.S.” on the certificate wording, if present). If there’s not enough room for a seal impression immediately under or beside the notarial wording, it’s acceptable to affix your seal “in the vicinity” where there is sufficient room. If you have a rectangular seal, you might even turn the seal on end if that’s the only way it will fit. The official seal must fit completely on any “loose” certificate.

### IF IT ISN’T CLEAR

If your seal impression is smudged or unclear, the Notary may affix a second seal impression to correct the error. The second seal impression should be affixed as close to the first as possible without overprinting. The Notary should never attempt to “correct” an imperfect seal impression using pen and ink.

### THE ‘PRE-SEAL’ NO-NO

The Notary should never affix a seal on a document prior to notarization, and should never provide pre-sealed loose certificates. This is an open invitation to fraud. So is allowing any other person to use your official seal of office while you are on vacation or out of the office on business travel.

Your seal provides proof that you are a commissioned Notary and your official acts are authentic. It’s up to you to ensure that it is used properly.



# Planning For A Smooth Mobile Assignment

SIMPLE COMMUNICATION BEFORE TRAVELING TO A SIGNER CAN HELP PREVENT MISTAKES, MISUNDERSTANDINGS AND DELAYS

## DETAILS OF THE ASSIGNMENT

Many people assume all notarizations are the same. They also may not be aware that you cannot advise them or recommend the notarial act they need. When you arrange an appointment, ask what type of document the assignment involves and what notarial act you'll be performing. If the signer doesn't know, the individual or whoever hires you must find out before you arrive.

## IDENTIFICATION

One of the more common issues with mobile assignments is that signers do not know they need to prove who they are. When you arrange the appointment, explain to the would-be signer which identification documents are necessary. If they lack the necessary IDs, you can discuss alternatives, such as credible identifying witnesses.

## FEES

Most states set specific maximum fees you are allowed to charge per notarial act. Many also permit you to charge a travel fee and recoup other costs. Before traveling to perform the notarization, be sure to discuss and agree on any fees that will be charged in addition to the fee for the notarial act(s). By agreeing in advance, your signer won't be surprised.

## DOCUMENT PREPARATION

On many traveling assignments — particularly mortgage closings — Notaries courier the documents to the signer. Make sure the company that hires you will send you the documents in a timely fashion.

Once they arrive, you should skim them to determine where they need to be signed and notarized and to make sure that the certificates provided conform with state law.

## SPECIAL NEEDS

Many Notaries travel to hospitals, nursing homes and other locations where a signer may be seriously ill or physically or mentally impaired. Knowing these special circumstances will help you determine if the notarization can proceed. Signers whose impairment makes them physically incapable of writing a legible signature may still be able to sign the document by mark. You should be aware of any special procedures or certificates that your state may prescribe for signers by mark.

## THE I'S AND T'S

No matter how much you plan, you cannot anticipate every problem. Bring your reference materials with you, like your state's Notary handbook and a copy of the state Notary law. It's also a good idea to bring some blank notarial certificates in case the notarial wording on the document is absent or incorrect.



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