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# The National NOTARY

July 2013



Complete  
NNA 2013  
Coverage

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THE MAGAZINE FOR AMERICA'S NOTARIES

You Are

# 'CRUCIAL'

To The Loan Signing Process





# NATIONAL NOTARY ASSOCIATION

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## ON THE WEB



Photos and videos of NNA 2013 can be found at

[Facebook.com/NationalNotary](https://www.facebook.com/NationalNotary)  
or by scanning the QR code.

## NSA Frustrations

I share the frustrations of Notaries Veronica L. Walvatne in the March 2013 issue and Angela McLeod in the May 2013 issue concerning the issues experienced by Notary Signing Agents in the field.

The highest standards for NSAs are required by lenders and title companies (and they should be), such as background checks, errors and omissions insurance coverage and professional decorum. However these “champagne level” requirements are rewarded with “beer level” compensation — and cheap beer, at that!

Today we receive barely 50 percent of the fees paid just a few years ago. To add insult to injury, we must now print documents at our expense and all too often they aren't sent in a timely fashion.

Kelle Schillaci wrote a dynamite article, “A Brave New World For Signing Agents” (January 2013) which eloquently illustrated the adage “You get what you pay for.” Perhaps the NNA could offer an equally in-depth article from the perspective of Signing Agents, telling the rest of the story.

**T. Ralph Meetze, Columbia, South Carolina**

## Payment For Services

Like other Signing Agents, I have been plagued by the practice of not being paid for services rendered due to an escrow or loan cancelling. We did our job — in some cases, printed the docs, drove to wherever the client needed us to drive, many times after hours, and then sat with the signers while they read every document from start to finish (I had one signing take three hours because the customer read everything) and notarized all the documents that needed it. And then the deal is cancelled and we are out all that time and expense? I don't think so. I found a way to avoid this issue. At the bottom of my invoice I add wording that states I will be paid for services in the event of a cancellation. MAKE SURE THEY SIGN IT! So far it has worked every time.

**Michael Strong, San Bernardino, California**



**Share Your  
Conference Experiences  
On Social Media**

Did you attend NNA 2013? What did you think and what were your experiences there? Share your thoughts on NNA 2013 and what you'd like to see at future Conferences at [www.Facebook.com/NationalNotary](http://www.Facebook.com/NationalNotary)



## 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 business opportunities, 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.

# NNA 2013 Helped Notaries Be Part Of The 'In Group'



Group therapy, groupthink, group tours. None sound very positive until you get to the in group. Now that sounds like something everyone wants to be a part of.

And you were, if you had spent last week at the NNA's 35th annual Conference in Austin like I did. It gave a whole new meaning to the word group.

The energy and enthusiasm of the Notary attendees was obvious. Concentration was evident in the silent but rapt attention during the general sessions, the interchange was spirited during the panel discussions, and the exchanges in the breakout workshops were lively.

For a *group* of professionals who are largely autonomous and independent, this was truly an anomaly. Notaries, having come from different occupations and vocations — real estate, law, banking, mailing service enterprises, health, insurance — here had one thing in common: being Notaries.

Each Notary works separately. The commission belongs to the Notary only, not an employer or whoever might have covered the cost of the bond, insurance or supplies. We are reminded consistently that the liability we carry as public officials is *personal*. Typically, during a notarization, apart from the signer, we are the expert, the specialist as it were, who carries the responsibility and ultimate accountability for that moment in time: the execution of a proper and trustworthy notarization.

Three hundred and sixty-one days a year, Notaries act alone. The office requires practical knowledge of procedures that cannot be eroded by criticism from an uninformed signer and a confidence that can stand up against demands by aggressive employers who don't understand the role of the Notary.

At work, we are members of teams or departments or groups. As Notaries, we are self-sufficient.

We must schedule our own time. We must push ourselves to accommodate a request because, after all, there isn't anyone else to which we can delegate a notarization. And, if we are a signing professional, we must market ourselves if we want to be successful.

Recognizing the inestimable value of the notarial act, high level executives from the country's largest banks, title companies and mortgage service providers added their voices to the dialogue during panel discussions and networking sessions.

And, we took an important moment to recognize those most special individual Notaries — the five nominated Honorees of the Year and, the Notary of the Year recipient, who was selected from among that esteemed company.

For four days every year, Notaries get together in one huge gab-fest. We talk shop. We share stories — the best, and worst, of our notarial experiences. We review best practices and how to implement them most efficiently.

There is a reason we call our Conference the Notary Event of the Year. It is a remarkable collection of individuals who assume great personal responsibility but never forget their civic obligation as dedicated professionals and public officials.

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

## Immigration Reform Talks Could Cause Spike In 'Notario' Fraud

As Congress mulls over immigration reform measures, many state and local officials are responding to the threat of a resulting surge in *Notario* fraud, in which scam artists use the Notary Public title to bilk unsuspecting immigrants out of hefty fees in exchange for bogus legal advice.

The Connecticut General Assembly recently passed a bill that, if approved by the state's governor, would prohibit nonattorney Notaries from offering or providing legal advice on immigration matters and advertising themselves as *Notarios*. In many Latin countries, *Notarios* are highly trained legal professionals akin to lawyers.

In Oregon, Assistant Attorney General Diane Schwartz Sykes has warned the public that unlicensed *Notarios* attempt to build trust within the Hispanic community, which they can then use to offer shoddy, illegal, or costly assistance that can often sabotage or derail the immigration process.



## Despite Downward Q4 2012 Trend, Mortgage Litigation Expected To Remain High

Pending, mortgage-related lawsuits dropped in the fourth quarter of 2012, due in part to better compliance with new regulations, according to *MortgageDaily.com's* Litigation Index. But experts predict that litigation activity is likely to remain high in the near future.

"Even though mortgage delinquencies and foreclosure numbers are moving in a lower direction, the level of foreclosure- and delinquency-spawned litigation may continue to persist at its current high levels," wrote Ballard Spahr analyst Christopher Willis in a recent white paper, noting that litigation is still occurring at a higher rate than at any point between 2007 and the third quarter of 2011.

The three most active categories of litigation include foreclosure, servicing, and investor lawsuits. Loan modifications have also hit their highest levels in seven quarters, adding to a more dismal picture than the Q4 activity dip might otherwise indicate.



### Leading Causes Of Mortgage Litigation

Category	Number of Lawsuits Q4 2012
Foreclosure Complaints.....	120
Servicing Complaints.....	90
Investor Complaints.....	63

Source: *MortgageDaily.com*

## The National NOTARY

Milt Valera, Founding Editor and Publisher

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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.

### MEMBERSHIP CORE VALUES

Membership in the National Notary Association is the single most important action a Notary can take when assuming the important responsibilities of the office and performing official notarial acts.

Our Core Values of Membership:

COMPLIANCE

LIABILITY PROTECTION

RISK MANAGEMENT

PROFESSIONALISM

OPPORTUNITIES

### NATIONAL NOTARY FOUNDATION

MILT VALERA, President

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## NNA 2013 Attendees Get 'Coolidge Membership' Surprise

Chairman Milt Valera's unexpected recognition with the Lifetime Achievement Award wasn't the only surprise at the NNA 2013 Conference (see page 19). In fact, every single Notary who registered for the 35th annual conference went home with an unanticipated gift from the National Notary Foundation: a complimentary membership to the Calvin Coolidge Memorial Foundation.

The surprise announcement was made during the Conference's Gala Banquet as part of Valera's recognition. He sits on the CCMF Board of Trustees, and he firmly believes that every Notary should draw inspiration from President Coolidge's legacy of public service, integrity and due process.

Valued at \$35, the Calvin Coolidge Memorial Foundation memberships help the organization expand its efforts to educate the public about Coolidge's leadership, which in the 1920s led to the longest period of prosperity in U.S. history. This year the CCMF is offering a discounted membership rate of \$10 for all Notaries. For more information about CCMF membership, benefits, or the legacy of our 30th President, please visit: [www.calvin-coolidge.org/NNAoffer.html](http://www.calvin-coolidge.org/NNAoffer.html)



## First Live NSA Training Seminar Held In California

The NNA recently presented its first live Notary Signing Agent seminar at NNA headquarters in Chatsworth, California. More than 50 Notaries participated in the course, with most taking the California state exam online and undergoing the background screening immediately following the completion of the seminar.

The seminar featured hands-on training, an NSA course notebook, the California certification exam, background screening and a one-year membership in the NNA. This initial seminar was praised by the participants and more seminars have been planned for the future.

If you are looking for a means to increase your income as a Notary, visit [www.NationalNotary.org](http://www.NationalNotary.org) and click on the "Become A Notary Signing Agent" link to learn about training options in your own state.



## New Law Alerts

State legislatures were busy this past spring with at least two dozen laws enacted in 20 states affecting the notarial profession in some manner.

In order to keep members updated on current notarial practices, the National Notary Association continually tracks state statutes and administrative rules and sends out a "New Law Alert" via email to the Notaries in each state where a change has been enacted.

For information about receiving these alerts, visit [NationalNotary.org](http://NationalNotary.org) and search "Email Preference Center."

# MENTORING

## 'A Smart Investment' For All Involved

By Kelly Rush

It's hard to be the new guy. Signing Agents who are just starting out have a lot of questions: they may struggle with confidence, with their knowledge of the law, or they may be looking for better information on how to build their businesses.

But they're not alone. The profession is filled with many people eager to share their expertise and take fledgling NSA's under their wing. Enter the mentor.

A mentor is a type of guide who helps newer Notaries navigate the wilds of strange paperwork, multiple signers and difficult clients. They may have the answers, or just be able to point an NSA in the right direction.

In interviews with *The National Notary* magazine, a number of Signing Agents involved in mentoring spoke about why they do it and what they get out of it.

It turns out that many mentors were themselves mentored when they were rookie Signing Agents and believe it's their duty to pay it forward. Other experienced signing professionals say they were approached by someone who may be struggling or looking to network. In all cases, Notaries say the relationships prove mutually beneficial in terms of increasing knowledge, confidence and their bottom lines.

Melissa Lawson, an NSA from Virginia who has been in the field eight years, often meets people who are looking for a change in profession or dealing with unemployment. She loves to promote NSA work as a viable option, but she doesn't leave them hanging after urging them to take the plunge.

"It's really important to show people what you know," she says. "My parents have always helped people, and it's something I've always followed."

She gets a lot of questions about paperwork new Signing Agents see for the first time, such as complicated forms for members of the armed services and HUD forms. She also gets asked about how to find clients.

Melissa often finds herself in the role of cheerleader and has developed a maxim she shares with her mentees: "I tell them, 'You're going to be





Melissa Lawson



Kathy Fletcher



Marissa de Luna

scared for your first 10 closings, then you'll be fine." She often invites mentees to her house after an appointment with a borrower and offers to go through the paperwork. Most of the time, it's correct, she says, but the meeting helps boost their confidence.

Kathy Fletcher has performed around 2,900 loan closings and mentored people throughout the country, but she didn't start out with the experience she now imparts to others. It took her a long time to become the Signing Agent she is today, and she recommends that new Notaries remember that when they're seeking mentors.

"You're asking them to give you information it's taken them years to know. They want to know why they should take time out of their busy schedule to answer your

questions," she says. "Mentoring should be an avenue by which both of you are receiving something of benefit."

One of Fletcher's mentees, Linda McCullough, has more business these days than she knows what to do with. She credits her relationship with Fletcher as being an integral part of her success.

"Kathy has been such a great help," she says. "Still to this day she calls, and we chat to see if there are issues that arise from our daily signings and general Notary work."

A few gestures that can pave the way for a positive relationship include offering to take the prospective mentor to lunch, dressing professionally and taking notes on the advice being given. Notaries want to look like they're

*Continued on page 26*



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# 2013 Notary Of The Year

## KATHY FLETCHER

**K**athy Fletcher understands what it means to help others. After three elderly relatives developed Alzheimer's and age-related dementia, Fletcher stepped in and helped care for them for almost a decade, drawing on 18 years of experience working for the senior health care center at John C. Lincoln Hospital in Phoenix, Arizona.

That natural empathy and passion for serving the public carries into her professional life as well. She selflessly devotes countless hours to mentoring new Notaries, ensuring they are well-prepared to serve their clients. She is also one of Arizona's strongest advocates for Notary education and is committed to improving the professionalism of the Notary Public office. For these reasons, the National Notary Association is proud to name Kathy Fletcher the 2013 Notary of the Year.

Fletcher describes her business background as

"coming up through the school of hard knocks," gained during 45 years in the workforce. She and husband Larry have owned three separate businesses and Fletcher's been the full charge bookkeeper for each.

Today, as an NSA and owner/partner of Arizona Document Signing, LLC, she has covered a territory of about 2,500 square miles in her environmentally-friendly car. Yet she always finds the time for the three major objectives in her life — serving the seniors in her community, promoting the role of Notary Public, and mentoring new Notaries.

"I always advise my mentees to do the job as if they were sitting in the signer's chair," said Fletcher, who helps Notaries across the country.

"I started my business without a cell phone, without a car, computer or printer," said mentee and long-time

friend Shawna Smith. "Kathy guided me and taught me how to greet clients, talk to vendors, perform



*Kathy Fletcher with NNA President and CEO Tom Heymann.*



*Fletcher reacts to the announcement.*



*Mentee and good friend Shawna Smith presents Fletcher with the award.*



*From Left, Notary of the Year Honorees Marissa De Luna, Fletcher, Tonie Boaman, John Cole and Carolyn Barton.*

notarial acts, present loan docs, return error-free loan packages and become an expert in Arizona notarial law.”

Fletcher also makes sure to keep up on the latest developments in the Notary profession, and for many years has been actively working to bring about needed changes to state notarial law, sending suggestions to state legislators and Arizona Secretary of State Ken Bennett.

Among other things, she is advocating for mandatory training for every Arizona Notary as well as an increase in Notary fees. “I would also like to see it made compulsory that thumbprints be taken for every journal entry.”

Over the years, Fletcher has built up a network of 350 Notaries around the state, and she regularly communicates with them. She periodically checks the Arizona Secretary of State’s website to see if there are any changes to the law, and then registers for a training workshop. She then contacts her network about available classes, often taking several others with her when she attends. When she discovers any potential changes in the law, she reads it “word for word” to fully understand its implications.

Ironically, Fletcher was initially reluctant to become a Notary. Her cousin, who was an NSA, urged her to become one but Fletcher didn’t want to compete with a relative. But she finally got her commission and became a Certified NSA through the NNA.

“Within hours of signing up through the NNA website, I had my first call and the rest is history.”

In spite of considerable mentoring responsibilities, the constant demands of running her own business and working full-time as an NSA (often handling up to 45 closings each month along with 15 or more private notarizations), Fletcher is never too busy to see to the needs of the seniors in her community.

Fletcher advises “her” seniors on many issues, assists them



*Fletcher (holding award) with a group of fellow Arizona Notaries.*


showing them how to apply to drug companies that have a patient assistance program.

Fletcher’s inventory of undertakings for the Phoenix-area senior population is impressive. “I help them organize their paperwork, write letters, run their errands, drive them to appointments, tell them about benefits such as Meals on Wheels, and even offer advice on how to select a long-term care facility. I also provide free notarizations to those in nursing facilities or who are indigent.”

She also brightens the lives of her elderly friends on another level. She visits senior centers and senior health facilities, bringing along her extensive Barbie doll collection to present a fun and entertaining program.

Shortly after joining a new church, Fletcher became involved in its outreach efforts to the under-privileged in her community, and assisted in obtaining donations for a Domestic Violence Center. She is also a very active member of a hiking group, and just prior to Conference completed a hike to the bottom of the Grand Canyon.

This kind of “to-do” list would likely weigh heavily on the average person. But Fletcher thrives on staying busy, and believes that promoting the profession and helping out in the community should be part of every Notary’s role.

When accepting her award, Fletcher attributed the honor to many others in her life. “I do my job with caring, integrity and compassion,” she said. “But my greatest assets are those I mentor. I learn from all of your stories and I learn from you. This honor belongs to all of you as well.” 

in obtaining free eyeglasses from the Lions Club, and finds them free home repair services. She has even helped some receive free prescription medications they couldn’t otherwise afford by



# NSA First Person: Protect Yourself When In An Unfamiliar Location

By Che E. Presant

When you think about it, a Notary Signing Agent's job can be pretty scary sometimes. You're sent to the homes of strangers, in a number of cities and counties, at all times of the day or night. If you're at a stranger's home, in an unfamiliar neighborhood late at night, what do you do if the signer becomes upset or angry about a problem with the documents? That's why it's important to plan your assignments in order to keep yourself safe in strange places.

The following is a true story that happened to me. I was asked to perform a jurat for a well-to-do attorney. I arrived at the signer's office and asked him to take an oath, per California law and standard procedure for a jurat.

The attorney got very upset and refused. He said he was a Notary and an oath or affirmation was "not necessary." I called the NNA immediately and asked if I had to administer an oath or affirmation, as I was taught. They said I had to, or I could not complete the notarization. The borrower was yelling at me at the top of his lungs.


I was afraid and embarrassed to be treated this way. He started to throw a tantrum — his face was totally red and the veins were popping out of his skin on his face. He said he had a Notary upstairs that would notarize the jurat without requiring him to take an oath. I started quickly packing up all of my Notary supplies, and he screamed, "GET OUT OF MY OFFICE, GET OUT OF MY OFFICE," so loud my ears were ringing. I was now really terrified. Tears were running down my face, as I

quickly left his office, with him still screaming behind me. I was almost ready to give up my Notary commission that day.

I've learned that it doesn't matter where you go, when you travel to notarize signatures you may be walking into a situation where you could be put at risk at a moment's notice. After the incident with the attorney, as a safety precaution, I started working with a male assistant so I have someone else I trust present during the notarization. He has been working with me for the past eight years, and I am so grateful to have him there when the going gets rough. I called the NNA and they said there was no law on the books preventing me from bringing another person with me for safety on assignments.

You have to make sure to protect yourself on the job. You don't know how an unfamiliar signer will act when you are inside their home. The NNA recommends the following steps:

- Always letting someone know where you are going and how long you plan to be gone when you travel to perform a notarization.
- Carry a mobile phone with you in case of emergencies.
- Don't be afraid to ask someone you trust to come with you.

Don't set yourself up for being unprotected and vulnerable. 

**You have to make sure to protect yourself on the job.**

---

*Che E. Presant has been a Notary Signing Agent since 2003. She lives in Oakland, California.*



# Increase Your Income Become an NNA<sup>®</sup> Certified Notary Signing Agent

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— N.C., Fort Worth, TX

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# You Are 'Crucial' To The Loan Signing Process

## Senior Mortgage Origination Officials Address Notaries During Unprecedented Industry Summit

For months, Notary Signing Agents have heard rumblings about sweeping procedural changes that are rapidly heading their way — everything from increased levels of required training and certification to improved levels of customer service and professional conduct at the signing table. And for the first time ever, Notaries who attended NNA 2013 heard about that polar shift directly from senior mortgage origination executives — officials whose companies represent 80 percent of all loan closings nationwide. The assembly of nearly 1,000 Notaries, Signing Agents, industry representatives and state officials were energized by the three days of raw, candid discussions, which focused on the future of the industry and refining the loan signing process for all parties.

In the end, the industry executives had a simple, resounding message for all Notaries:

"The role of a Notary is the most crucial stage of the loan process," said Sam Zaki, Managing Director of Sales for First American Mortgage Services, who delivered the keynote address at the Conference's Opening General Session. That's "the message we get from our clients" — from the largest lender to the smallest. The signing table "is where everything can go smoothly or everything can unravel," Zaki continued.

All told, leaders from more than a dozen mortgage lenders, title companies and signing services took part in various Conference events, reflecting the growing industry-wide recognition — and newfound appreciation — of how vital Notaries are to the mortgage origination process.

"What you do on a day-to-day basis is so important, and our industry is starting to recognize that," said Cristy Ward, Execu-

tive Vice President of Mortgage Connect, who participated in a panel discussion with other industry executives entitled "Notary Signing Agent 2.0."

Ward was joined on the panel by Robert Camerota, Chief Operating Officer of the Origination and Valuations Divisions of First American Mortgage Services; Mary Eckart, Vice President of Title and Vendor Services for U.S. Bank; Mike Mackintosh, Executive Vice President of American Title, Inc.; Alan Frelix, Title & Closing Executive for Landsafe Services LLC, a subsidiary of Bank of America; Donna Davidson, Vice President of Vendor Management for Citibank; and Sally Freudenberg, Vice President with Wells Fargo Home Mortgage.



Sam Zaki of First American Mortgage Services

### Motivation For Change

Ever since the nation's five biggest mortgage servicing companies entered into the National Mortgage Settlement with federal and state regulators in early 2012, regulatory initiatives have focused heavily on protecting borrowers and improving the overall customer service at all levels of the mortgage industry. That includes the mandates of the Dodd-Frank Wall Street Reform and Consumer Protection Act and the National Mortgage Settlement; consent decrees issued by the Office of the Comptroller of the Currency; and new regulations from the Consumer Financial Protection Bureau (CFPB). (See the January and May 2013 issues of *The National Notary*.)

Frelix estimated that more than 100 regulatory changes are in place that will affect the loan closing process. "That means, ultimately, there will be more requirements of all of you for what you do on a day-to-day basis."







Senior executives from the mortgage origination industry take part in a frank panel discussion.



"All of us are facing the same challenge, whether it's lenders, title companies or Notaries, due to all the regulations that came out of the financial crisis," said Mackintosh.

The major focus of the regulations is protecting borrowers, and beginning in January 2014 the CFPB will be able to levy fines — potentially up to hundreds of millions of dollars — against financial institutions that violate consumer protection requirements, Zaki said. Adding teeth to the rules, the CFPB has set up a consumer complaint system that can take calls 24 hours a day, seven days a week.

Many of the requirements affecting Notaries are contained in new third-party oversight rules issued by the CFPB and OCC. All lenders are required to make sure that all their third-party vendors — such as title companies — their employees and contractors are properly vetted, trained and supervised to comply with federal consumer finance laws. That includes how Signing Agents protect sensitive consumer financial information.

To comply with the third-party requirements, the panelists described a new environment in which the overall qualifications of Signing Agents are checked and rechecked. That includes making sure that NSAs have the proper background screening, errors & omissions insurance coverage, current commissions and appropriate compliance training. And the scrutiny is increasing.

Citibank, for example, has doubled the number of reviews it performs of its settlement providers, said Davidson. First American Mortgage Services goes even farther by requiring all its Signing Agents to be NNA members and have background screenings from the NNA, Camerota said.

"That says you've taken the time to be dedicated to your industry," he said. "We felt that was very important to our standard of excellence, and we use it to ensure our lenders that we've done all our homework on you. Now that all these regulations have

come to fruition, that's paid off in a big way."

Another key element of the new regulatory environment is a focus on overall commitment to improving the customer experience. That's why NSAs are so important to the nation's mortgage lenders.

## Face To Face With The Borrower

For up to 85 percent of today's borrowers, the Signing Agent is the only face-to-face contact with the lender, Zaki said. In fact, many borrowers think NSAs are bank employees, said Wells Fargo's Freudenberg.

For lenders, that makes customer service at the signing table all the more important, which is why nearly all of them include questions about the Signing Agent and signing experience in their customer satisfaction surveys. For example, was the Notary on time? Was the Notary helpful in getting the transaction signed in a timely fashion? How was the overall closing experience?

Those surveys are used to track the performance of title companies, signing services and NSAs and can have an impact on compensation and continued assignments, so NSAs need to be prepared. They need to be familiar with the documents in the loan package, understand what needs to be signed and notarized, and be ready to answer the questions they are legally permitted to answer. NSAs also need to know who to contact to get answers to the other questions. "If you're having a challenge getting a response, we want to hear from you," Freudenberg said.

Accuracy also counts. It can be very costly to have to go back and redo all or part of a signing, and can leave the customer unhappy.

One of the biggest issues faced by Signing Agents, which

*Continued on page 22*





From left, NNA Director of Business Development Chris Sturdivant, Sam Zaki, NNA President and CEO Tom Heymann



2013 Notary of the Year Kathy Fletcher (center) with past Notaries of the Year



Texas Secretary of State John Steen



Montana Secretary of State Linda McCulloch



Colorado Secretary of State Scott Gessler

## NNA 2013 Highlights

NNA 2013 was one of the most exciting and engaging Conferences the National Notary Association has hosted. Here are some highlights from June 2-5.

- The Notary Signing Agent industry summit was a powerful draw for many attendees, with guests from 45 U.S. states and Canada gathered to hear the opening General Session by NNA President Tom Heymann and Keynote Speaker Sam Zaki, Managing Director of Sales for First American Mortgage Services. NNA 2013 provided Signing Agents with valuable classes and training, and several nationwide lenders and financial institutions were on hand to recruit NSAs.
- As a gesture of thanks for the service of our nation's armed forces, veterans were offered free Notary training. Nearly 70 veterans took advantage of the offer.
- Montana Secretary of State Linda McCulloch was recognized as 2013's March Fong Eu Achievement Award recipient, honoring a public official who has brought positive changes and support for Notaries. McCulloch was recognized for spearheading new Notary education requirements in her home state, fighting in the Legislature against efforts to repeal journal recordkeeping requirements and for her continued efforts to maintain quality education for Notaries.
- Two more Secretaries of State joined us for NNA 2013. The Honorable John Steen, Texas Secretary of State, addressed attendees from across the nation at the Conference Welcome Reception, and the Honorable Scott Gessler, Secretary of State of Colorado, spoke with McCulloch on a much-anticipated Secretary of State panel, in which they discussed Notary training, recordkeeping and progressive legislation.
- Kathy Fletcher of Glendale, Arizona, was named as 2013's Notary of the Year. Fletcher's efforts to mentor other Notaries in her state, support for positive new law changes in Arizona and volunteer work with adult day care and aiding women and children who are victims of domestic violence clearly demonstrated her outstanding service as both a Notary and community volunteer. (See page 12.)
- In a surprise presentation, NNA Chairman Milt Valera was presented with a Lifetime Achievement Award for his decades of leadership of the National Notary Association, during which he tirelessly worked to raise public awareness of the Notary's vital role in commerce and legal transactions, and spearheaded the creation of pioneering guidelines such as the *Model Notary Act* and *The Notary Public Code of Professional Responsibility*. (See page 19.)



Interested in learning more about NNA 2013? Check out Facebook.com/NationalNotary and YouTube.com/NationalNotary for photos and videos from Conference.

## Chairman Milt Valera 'Surprised,' Receives Lifetime Achievement Award At NNA 2013



A highlight of the National Notary Association's 2013 Gala Banquet was the surprise presentation of the "Lifetime Achievement Award" to NNA Chairman Milt Valera, which garnered a standing ovation from the nearly 1,000 banquet attendees. Valera, who was unaware that NNA executives and editors had conspired to bestow this honor upon him, reacted with shock and disbelief when President and CEO Tom Heymann made the announcement.

"I love Notaries. I love the Association. I love our staff. I love everyone involved with Notaries," Valera said during his acceptance remarks. "This has been a major part of my life ... and this means one heck of a lot. Thank you everyone."



Milt Valera

Milt was recognized for his leadership and resolve, and for dedicating his professional life to changing the world for Notaries. He joined the NNA in 1969 and took over as President in 1982. During his tenure he has transformed the Association into the nation's leading organization for training and support, serving and advocating for a community of 4.4 million Notaries.

The award presentation featured a video summarizing Milt's years of leadership, with accolades provided by former Governor of Vermont Jim Douglas, North Carolina Secretary of State Elaine Marshall, NNA Vice President of Notary Affairs Chuck Faerber, and 2010 NNA Lifetime Achievement Award recipients Malcolm Morris, Professor Emeritus, Northern Illinois University College of Law; Mike Closen, Professor Emeritus, John Marshall Law School; and Dr. Dianne F. Harrison, President, California State University, Northridge, Milt's alma matter.

Milt's list of accomplishments span nearly five decades, with possibly his greatest achievement being the creation of two influential sets of standards for Notaries: *The Model Notary Act* legislative model and *The Notary Public Code of Professional Responsibility*.

He initiated almost all of the Association's major programs and, under his leadership, the NNA created the most comprehensive Notary education platform in the country. He has helped facilitate legislation and rules of ethical conduct, the foundations of Notary best practices. Milt also pioneered a number of other services which assist Notaries in their profession — Notary primers, a hotline providing expert advice, and the creation of the nation's most comprehensive Notary Signing education.

Milt is also the founder of the Association's two flagship publications: *The National Notary* magazine and the *Notary Bulletin*, the weekly online newsletter to members.

Today, in addition to supporting the NNA with his expertise and innovative ideas, Milt serves as the President of the National Notary Foundation, the independent, nonprofit philanthropic arm of the Association, and is a trustee of the Calvin Coolidge Memorial Foundation.

The National Notary Association is proud to recognize its Chairman Milt Valera, with its coveted Lifetime Achievement Award.



Valera with Tom Heymann



Nearly 1,000 attendees embraced the spirit of change and opportunity that permeated NNA 2013.

## Veterans Say 'Thank You' For Complimentary Training At NNA 2013

Nearly 70 U.S. military veterans took advantage of the NNA's complimentary Notary training at NNA 2013, and they walked away with the foundation for a new skill that will help them find work or become an entrepreneur.

"From the bottom of my heart, I want to say thank you to the NNA," said Christine De Angelis of Houston, Texas, who attended the training with her husband. "It was a wonderful opportunity and a great experience."

The veterans had a choice of two training options: to either become a new Notary, able to handle the duties of the Notary Public office, or the training to become a Certified Notary Signing Agent (NSA). Many of the participants also attended the evening networking event to meet with lenders and title company representatives and learn about job opportunities.

United States Senator John Cornyn of Texas commended the veterans for taking advantage of the training, and thanked them for their honorable service. "The sacrifices of our men and

women in uniform must not be forgotten when they return to civilian life," Cornyn said. "We must stay vigilant as new generations of veterans return and seek employment. I commend the National Notary Association for its commitment to offering training for veterans."

The vets were primarily from the Austin area, but some came from as far away as Houston and Dallas-Ft. Worth. Participants included younger veterans recently separated from the service, as well as older retirees, and even a husband/wife team attended with the goal of starting their own business.

The complimentary training, offered for the first time at Conference, was made possible by the National Notary Foundation, an independent philanthropic arm of the NNA. Since 1997, the NNF has donated hundreds of thousands of dollars to charitable endeavors. This year, as part of its annual giving program, the NNF provided the training to veterans in gratitude for their service to our country.



Scores of veterans took part in the training opportunity at NNA 2013.



Excitement and enthusiasm were in abundance at NNA 2013.





## Nearly 200 'Lone Star State' Notaries Converge In Austin For 'Texas Notary Day'

There's an old saying that "everything is bigger in Texas." That was true at NNA 2013 as more than 200 Texas Notaries descended on Austin in June to take advantage of the NNA's exclusive Texas Notary Day.

The program was particularly important for Notaries in the Conference's host state because Texas does not require Notary training, which can lead to serious legal and liability issues. The slate of workshops, created especially for Texas Notaries, helped them learn about the most common mistakes that Notaries make, understand their liabilities as a Notary, and discover extra income opportunities.

"I want to say a special thank you to all the Texas Notaries here," said Texas Secretary of State John Steen, who addressed Conference attendees. "With more than 400,000 commissioned Notaries, Texas could simply not do business without you. And to all Notaries from across the United States, you help maintain the trust in business and legal proceedings to keep the wheels of commerce and justice moving."

The Texas Day training included "Texas Notary Essentials 1 and 2," designed to introduce the practices and concepts that every Notary needs to know. Attendees included those seeking their first commission as well as some who wanted a refresher course.

"This was very important for Texas," said Lone Star State Notary Tonie Boaman, owner of Dash Notary and one of the NNA's 2013 Notary of the Year Honorees. "There is no mandatory education in Texas, and a lot of Notaries don't know what to do. We've needed something like this for a long time."

Texas Notaries choosing to become Notary Signing Agents participated in a full-day workshop which prepared them to take the Texas state certification exam.



*Texas was well represented at NNA 2013, with nearly 200 Lone Star Notaries making their presence felt.*



# National Notary Association Conference



Continued from page 17


can affect a borrower's perception of the Notary, is late documents. In a recent online survey conducted by the NNA, 52 percent of the respondents said they "often" received loan packages late, and another 40 percent said documents were "sometimes" late.

"This is an area that really needs to be focused on," acknowledged Ward, eliciting a burst of applause from the audience. "I think there are a lot of things that we can do as an industry to really streamline the process."

But ultimately, it falls on NSAs to provide a high level of customer service. The panelists said that they track and score the performance of Signing Agents based on how well they meet the standards of service because regulators use consumer feedback to determine how well lenders comply with the new regulations.

"We get scored and graded on your performance, and we can lose business because of a poor signing," said Mortgage Connect's Ward. Signing Agents who perform well will attain preferred status with Mortgage Connect and be in line for "more work and better fees."

That was a common theme from the industry executives. Camerota said First American's White Glove Program pays incentives and gives preferred assignments to NSAs who score consistently high marks in their rating system. "We look to incentivize for the work you do."

As Zaki noted, the ultimate message from the industry leaders is that Signing Agents who are certified and trained, and demonstrate a high level of performance, professionalism and customer service will not only survive in the new mortgage lending world, they will excel. 

## Strange, But True Signing Tales

While most of the "Notary Signing Agent 2.0" discussion focused on serious matters, the panelists shared some lighter stories about signing table experiences.

"A female Notary went to the borrower's home wearing a very revealing top. During the signing she put her cell phone on vibrate and placed her phone in a place where it shouldn't be. And it continued to vibrate throughout the signing."

--**Donna Davidson**, Citibank

"We had to look into a customer complaint about a Notary who took the documents back from a wife who was trying to get her husband to sign when he obviously was not capable. The documents were returned to the bank and were shredded. The bank backed up the Notary and said they did the right thing."

--**Mike Mackintosh**, American Title

"A Notary sent someone else in their place to handle a signing. The borrower was a Department of Homeland Security staff member. Needless to say, four months later we are pursuing criminal charges against both Notaries."

--**Cristy Ward**, Mortgage Connect

Attendees reconnected with old friends, made new ones and went home with great memories.

# GETTING STARTED AS A NOTARY SIGNING AGENT: THE FIRST STEPS

By Kelle Schillaci

You passed your Notary Signing Agent certification course. You've received your necessary supplies. You even had new business cards made....Now what?

Getting started as a Notary Signing Agent (NSA) can feel overwhelming, and even a bit intimidating at first. Whether you have questions about procedures and supplies, or need advice on how to advertise your services or muster the courage to perform your first closing, our network of industry insiders and experienced Notary Signing Agents provides helpful advice on how to get started, find work, and begin growing your business.

**Network With Colleagues:** Industry-specific Internet discussion groups like the NNA's LinkedIn groups offer a nationwide forum of helpful Notary professionals willing to share information and provide answers to your questions. "Finding the NNA Forum on LinkedIn was a real eye opener," says Washington D.C. Notary Juanita Lyons, a seasoned Notary who used LinkedIn to connect with and learn from her NSA colleagues. "They share best practices, shortcuts, and processes that make really good sense. You can learn more in six months on a good forum than a year of field experience."

Expand your networking reach by joining local or national associations within your industry and attending professional conferences and events that allow you to meet face to face with other Signing Agents in a professional setting.


**Find a Mentor:** A veteran Signing Agent in your area or even a "virtual" online mentor can provide one-on-one insider advice on procedures, supplies, laws, regulations, and other questions you might have when getting started. "It's important to teach new Signing Agents to perform their job well," says Illinois Notary Tia Martin, a self-taught Signing Agent who now enjoys mentoring others. "It helps keep Notary standards high and professional." Martin educates new NSAs on how to provide knowledgeable customer service that goes beyond simply telling clients where to sign. She has even brought her mentees along with her on signings — both in person and over the phone, (with prior permission from the client) — to help illustrate proper procedures firsthand.

**Get Listed:** Many larger signing agencies won't accept cold calls from new NSAs, but you can build your business reputation by getting listed in reputable directories that allow clients to come to you. Signing Agents certified by the NNA are automatically listed in the nationally recognized SigningAgent.com directory.

"Don't limit yourself to companies located in your city," suggests Martin. "Find companies further away that may need closers in your area." Before agreeing to an assignment, research the company to make sure they are reputable. (You'll find lots of advice regarding listing directories and signing companies in the NNA's LinkedIn discussion threads.)

**Create An Advertising Strategy:** From colorful car decals to strategically distributed flyers to a professional and well organized website describing your background and services, advertising can help build your business and reputation. Create a Yelp business page and solicit client reviews to share with potential new business. Find local organizations catering to clients in need of Signing Agents and ask if you can leave your flyers, brochures, or business cards. NNA members can download an NNA "badge" to include on business cards, webpage, or your email signature, to illustrate your affiliation with the industry's most widely recognized association.

**Educate Yourself:** The role of Signing Agents is under more scrutiny than ever. As industry regulations continue to evolve, stay informed by taking advantage of NNA resources, including informative expert-led webinars, the online *Notary Bulletin* and *The National Notary* publications, NNA Hotline support, and a NSA-specific online portal on NationalNotary.org.

"Continue learning as much as you can," says Martin, who encourages new Signing Agents to not only educate themselves, but pay that knowledge forward by helping other Notaries. "There's enough work out there for everyone. Let your work speak for you." 

## Resources To Help You Get Started

**NNA Facebook Profile:**

[www.facebook.com/nationalnotary](http://www.facebook.com/nationalnotary)

**NNA LinkedIn NSA Group:**

[www.bitly.com/NSAGroup](http://www.bitly.com/NSAGroup)

**Find A Mentor:**

[www.bitly.com/notarymentors](http://www.bitly.com/notarymentors)



# What To Do When The Signer Lacks Proper ID

## ALTERNATIVE APPROACHES TO VERIFYING A PERSON'S IDENTITY

Positively identifying a signer is arguably the most important part of notarization. However, there are many times when a signer doesn't have appropriate proof of identity. Perhaps their ID has expired, or the signer is elderly and hasn't needed an ID card for many years, or the signer just got married and their ID doesn't match their new name.

A Notary should never rely on unsatisfactory evidence to identify a signer. At the same time, many signers are unfamiliar with the rules of notarization, and providing valid ID can be difficult at times. Here are some recommendations when you encounter a signer who lacks appropriate proof of identity.

The first step is to ask if the signer has another identification document permitted by state law. If the signer has an alternate form of ID that meets all state requirements, the signer can use that instead. If the Notary resides in a state where ID requirements aren't specified in statute, the NNA recommends asking for a current government-issued ID that includes the signer's photo, physical description and signature.

All states except California allow a Notary to identify a signer based on personal knowledge. If you wish to identify a signer based on your personal knowledge and your state allows it, first check to see if the statute in your state defines "personal knowledge." The definition may say you personally know someone if you have become familiar with the individual over a period of time. Thus, it's reasonable to rely on personal knowledge for a neighbor you've spent time and spoken with for years, but it would be unwise to assume you personally know someone you met for the first time a day

ago. As a general recommendation, if you have a doubt whether your acquaintance with someone would qualify as personal knowledge, play it safe and ask for an acceptable form of ID instead.

If the signer doesn't have an alternate form of ID and can't be identified through personal knowledge, the next step is to determine whether one or more credible identifying witnesses can be used. The requirements for a credible witness vary from state to state. In Texas, a single credible witness may be used to identify the signer, but the credible witness must personally know both the signer and the Notary. Florida allows a signer to use two credible witnesses not personally known to the Notary, but also requires the witnesses to present a valid state-approved ID card and a sworn written statement about knowing the signer to the Notary. A credible witness swears or affirms the identity of the signer before the Notary, and the credible witness' information is typically entered in the journal under the section detailing how the signer was identified. Credible witnesses ideally should not be named in the document being notarized or receive a benefit from the notarized document (in some states, such as Florida, this is a statutory requirement.)

ID documents, personal knowledge and credible witnesses are the methods of identification permitted in most states, although you should check your state's rules to verify if there are others. If you exhaust all means for identifying the signer allowed by your state, then the notarization can't proceed. You can offer to reschedule the notarization for another time when the signer can produce the required identification.





# The Question Of Wills Credible Witnesses, And AKA

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

**I work at a bank and am occasionally asked by clients if I can notarize wills. Am I authorized to do so?**

**A.P., Santa Fe, NM**

You may notarize a will if clear instructions and a notarial certificate are provided. If the signer of the will asks you for advice on how to proceed, you should refer the individual to an attorney. The danger in notarizing wills is that would-be testators may believe that notarization makes their wills legal and valid, and this might not always be true. In many instances, signers will ask a Notary to notarize a will when it is not the will itself but an affidavit to make the will self-proving that must be notarized. You may notarize a self-proving affidavit to a will as you would any other document.

**I was asked to perform a signing in which the signer does not have a valid form of identification. Can I use two credible witnesses to identify the signer?**

**C.E., Modesto, CA**

According to California law, you may use two credible witnesses to identify the signer. Both witnesses must be impartial to the transaction and provide acceptable identification. They will also need to take an oath or affirmation attesting that they know the principal signer by that name, that it would be hard for the principal signer to get acceptable ID, and that they are impartial to the transaction.

Both credible identifying witnesses need to sign your journal (not the document) in the area where you would normally include the identification information from the signer (as the two credible identifying witnesses are serving as the signer's identification). You must include in your journal the type of written identification used to identify each witness and the serial or identifying number and issuance or expiration date of the ID.

Once both witnesses take the oath and sign your journal, you can proceed with the notarization.

**Are there any situations for which you wouldn't suggest or use the AKA option that was outlined in last September's *The National Notary* magazine?**

**B.B., Denver, CO**

An AKA ("also known as") option generally should not be used when signing documents for a real property transfer or loan without the express permission of the closing agent or lender. As a rule, you should never recommend using the AKA. If the customer asks about it, you can explain what it is, but you should let the customer know that he or she should contact the receiving agency to find out directly from them if the AKA is an acceptable solution. In some cases, they might reject the use of the AKA. If you do use the AKA option, the individual signs the name as it appears on his or her ID, then writes "AKA" and signs the name as it is shown on the document.

*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*

*or please visit*

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

*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

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† Network does not cover all transactions and scope may vary.

1 2013 Identity Fraud Survey Report, Javelin Strategy & Research, February 2013.

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## MENTORING — Continued from page 11

ingesting the information instead of looking for a quick fix that they may forget a few months later, Fletcher said.

"(Note taking) shows me they are interested in good notarial practices and my time is not being spent unwisely," Fletcher said. She also recommends that mentees develop a well-organized filing system so they can find appropriate notes later when they have questions.

The advice Fletcher imparts could even go so far as to help a Notary avoid jail. She always shares a bit of wisdom that her mentor gave her: "When someone asks you to cut a corner, always put yourself on the witness stand — what am I going to tell the judge?"

Advice may be compelling, but first Notaries need to find their mentors.

Marissa de Luna, a Notary from California, had a very difficult time finding a mentor when she first started out. She would cold call Notaries in her zip code, but they were sometimes unfriendly on the phone, and she wondered if they believed she was trying to invade their territory. She finally attended a local Notary group meeting and met someone who was willing to take her on.

She recommends joining networking organizations and attending Notary conferences where people are coming together specifically to meet new people and share experiences.

"Read up on these people you find. What's your common interest besides being a Notary? Start the conversation there," she notes. "If this person gives unsolicited tips and tricks, or offers to do something for you without you asking, this is your mentor."


Ann McGinn of Illinois hooked up with a mentor at a Notary conference and she admired his work ethic, his energy and enthusiasm. He was an inspiration to her, she says, and the contacts and information she received at the conference introduced her to the finer points of working as a Notary, including the need for errors and omissions insurance and keeping a journal, even though Illinois law doesn't require one.

"People are looking for added income, but they want to make sure they're doing it right," she says. "That's the most important thing."

Many experienced Notaries see mentoring as training their competition, but that's not true, say those involved in mentoring.

"Some of the Notaries I've mentored early on have become an extremely important part of my success in the business," Fletcher says. "I know Notaries four hours away that send me business because I mentored them. It's been a tremendous return investment in my career."

She encourages new Signing Agents to look for mentors who belong to several different organizations because they may be more willing to volunteer their time, and also may be getting newsletters or information that helps them stay up to date on law changes.

Lawson also agrees that mentoring is a smart investment to make, especially when scheduling conflicts crop up. Because she has built up a large network of Signing Agents through her mentoring, "I can tell a signing company or title company, 'Call us first, and one of us will take the assignment.' We all do that. It's a wonderful benefit." 

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9350 De Soto Avenue  
P.O. Box 2402  
Chatsworth, CA 91313-2402**

Fax: **1-800-833-1211** (24 Hours)

## NNA® Membership

Not a member? Stay up-to-date and informed. Add one of the membership options below to your order and write "new" in the NNA® Member Number space.

One-year NNA® Membership.....**\$59**  
Item #1600-012

Two-year NNA® Membership.....**\$99**  
Item #1600-024

Three-year NNA® Membership .....**\$139**  
Item #1600-036

Four-year NNA® Membership .....**\$179**  
Item #1600-048

## NNA® Supplies Order Form

Source Code  
**A50260**

Name \_\_\_\_\_ Organization \_\_\_\_\_  
 Address Business \_\_\_\_\_  
 Address Home \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Daytime Phone \_\_\_\_\_ Home Phone \_\_\_\_\_ Fax \_\_\_\_\_  
 Email \_\_\_\_\_ NNA Member Number \_\_\_\_\_

Sorry, but we cannot accept purchase orders to bill on account.

Item #	Quantity	Description	Price	TOTAL

Check Enclosed/Money Order (payable to: National Notary Association)

Visa  MasterCard  AMEX  Discover

Card Number \_\_\_\_\_  
 Name on Card \_\_\_\_\_ Card Expires \_\_\_\_\_  
 Billing Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Signature \_\_\_\_\_

### Sub-total of Supply Items

**Shipping Charges** (see rates below)  
 Ground  2-Day Air  Next-Day Air

**Add State/Local Taxes**  
 (delivery to CA)

**TOTAL**

Item Total	Shipping Rates*		
	Ground	2-Day Air**	Next-Day Air**
\$0 - \$15.00	\$6.95	\$11.95	\$20.95
\$15.01 - \$40.00	\$7.95	\$12.95	\$23.95
\$40.01 - \$65.00	\$9.95	\$13.95	\$26.95
\$65.01 - \$95.00	\$11.95	\$15.95	\$29.95
\$95.01 - \$120.00	\$13.95	\$17.95	\$33.95
\$120.01 - \$150.00	\$15.95	\$19.95	\$38.95
\$150.01 - \$250.00	\$17.95	\$22.95	\$44.95



**Return Policy**  
 Visit [www.NationalNotary.org>Returns](http://www.NationalNotary.org>Returns) to view our complete return policy. Cancellation, transfer and refund policies are subject to change without notice.

\*Rates subject to change.  
 \*\*For U.S. states and Washington, D.C. For shipments to other destinations, call for rates.



# NATIONAL NOTARY ASSOCIATION

The Nation's Professional Notary Organization®

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

www.NationalNotary.org

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