

March 2019

The National NOTARY®

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GUARDING

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OUR MISSION

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

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The National Notary Association serves its membership by promoting five essential core values that empower and protect Notaries when they assume their responsibilities of the office and perform their official notarial acts.

Our Core Values of Membership promote:

- **Compliance** with state laws and regulations
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- **Risk Management** to reduce fraud and identity crimes
- **Professionalism** with reliability, competence and integrity
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2019 Notary Of The Year: Judy Chapman

Cindy Medrano

There are very few Notaries in the country who have both served the public and worked tirelessly to ensure that Notaries are the best they can be. For more than 40 years, Judy Chapman of Monroe, North Carolina, has performed countless notarizations, trained Notaries and worked with state officials to modernize her state's laws. For her notable accomplishments, the NNA is proud to name her as the 2019 Notary of the Year.

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Introducing your 2019 Notary Of The Year Honorees

Phillip Browne

Each year, the National Notary Association honors special Notaries who go above and beyond their duties as public officials. Learn more about the exceptional public service, charitable work and legislative achievements of our 2019 NOTY Honorees.

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Ordinary Notaries Make An Extraordinary Difference

David Thun

Many people simply assume Notaries stamp and seal documents, and nothing more — but that's not true. To show the many ways Notaries make a positive difference in the lives of those around them, *The National Notary* magazine asked state officials, Notaries and signers to share stories about the different ways notarization has changed lives for the better.

COVER STORY

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Guarding Against Real Estate Fraud

Michael Lewis

Imagine being questioned by police because a document you notarized a year ago was used in a fraud scheme. It can happen — sometimes criminals trick Notaries or fake an honest Notary's seal and signature. A New York grand jury report recently took a comprehensive look at the problem of real estate fraud, how it affects Notaries, and how Notaries can prevent crime through careful performance of their duties.

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Mixed Feelings About Remote Notarizations

AS WE BEGIN 2019, 10 states have authorized remote online notarizations. Notaries shared their thoughts and concerns as more states consider passing laws authorizing remote notarizations. Share your thoughts here: bitly.com/RemoteNotarizationsFB

“It’s amazing how technology keeps changing the way we do things.”

Flutterby Mobile Notary, Brandon, FL

“It makes me nervous. I like to see, touch and feel the energy in the room. Otherwise, how do you know?”

Lynn Myers, West Allis, WI

“I’m not sure about this. There is nothing like a wet signature right in front of you in person.”

Deborah Marshall, Valencia, CA

“Remote notarizations are bad all the way around. I would not perform it. You never know if someone has a gun pointed at them or there is some other circumstance going on to coerce the signer. Also, there being Notaries galore everywhere, I don’t see the NEED for someone to remotely notarize anyone when there is probably a mobile Notary within reasonable driving distance.”

Maria Regine

Away At Conference?

WITH CONFERENCE QUICKLY APPROACHING, many of you are wondering what to do with incoming business appointments while you’re away.

Multiyear Conference attendee, Conference speaker and 2010 Notary of the Year Daniel Lewis of Carmel, Indiana, shared valuable advice to keep business flowing.

“When I am at the conference and receive calls and texts from clients, I always let them know that I am currently taking self-development training with the NNA. This does several things for my business. First, it makes my clients appreciate my services more because, even though I am not available, I am improving my skillset to provide better service to them.

Secondly, by ensuring that they know that I am receiving quality training each year, several of my clients then turn to me as an expert in my area. For example, one year when I was attending the conference, an attorney called me for one-time mobile assignment. When I told him that I was at an NNA Conference, he asked me several questions about workshops and events there. Since that time, he has used my services repeatedly and sends his clients to me, telling them that I am the best in this market because of my training.”

Notary Coach, Conference speaker and owner of At Your Service Mobile Notary Laura Biewer of Modesto, California, shares her tips.

“I have a prerecorded text message that shoots out with one push of a button that I am with a client and unavailable now. I will get back to them as soon as possible.

My voicemail, if they choose to go there, will give them a text option for faster response.

I alert my Notary colleagues of my absence and forward any general assignments I get to one of them. That can be as many as 10-15 assignments over the time I am not available.

I see no issue with letting clients know I am increasing my knowledge and skill at a conference and they appreciate my transparency and desire to be the best Notary possible.”

Visit the NNA 2019 event page at bitly.com/NNA2019FB to stay up to date with all the latest news on the Notary event of the year. Join a growing group of Conference attendees at an attendee-only group on Facebook. Visit bitly.com/NNAConferenceGroup and optimize your networking opportunities.

What Do You Keep In Your Notary Bag?

A NOTARY'S BAG CAN carry many things. From supplies to reference books, we asked the community to share with us what they carry in their bag. bitly.com/NotaryBag

"I carry a journal, legal size clipboard, plus my stamp, pens (both blue and black), a mini stapler, business cards, a small notepad, all in a school box like you had in elementary school. My three-ring binder, with rescission calendar on the front, contains my State Notary Handbook, Notary reference guide and various company specific work guides. In sheet protectors, I have a copy of my



commission certificate and E&O policy, individual acknowledgments, copy certifications and other useful forms."

Meigan First, Gilbert, AZ

"I have a logbook, my stamp, pens, a receipt

book, forms, blank invoices, Post-it Notes, a small envelope of \$5 bills for making change. I keep thinking about adding a small Ziploc of dog treats."

Keithley Notary Services, Tulare, CA

Unlikely Place To Perform A Notarization

WE ASKED THE NOTARY COMMUNITY TO share the strangest place they have completed a notarization. From hospitals to construction sites and restaurants, you just never know where you'll meet clients to perform your duties as a public official. What is the strangest place you've done a notarization? bitly.com/StrangeNotarizations

"I met a farmer during harvest season in the middle of a field, and he was on a combine. There was nothing around except fields and a combine."

Steve Graham, MN

"The craziest one was on a construction



site where the borrower set up a makeshift table on an upside-down bucket with a board on it for me to sit on. It was so cold the ink in the pens froze and the pens wouldn't write. We ended up moving to the golfclub house nearby to use their table."

Joy Olsen, Lakewood, WA

"I was asked to go to a structure fire. The signer (a firefighter) was allowed to break away from duty, and he knelt down by my passenger seat and signed loan docs."

Cindy Saldivar, Camarillo, CA

"I had a signing in the lobby of an indoor rock climbing facility!"

Karen D. Williams, Santa Ana, CA

"I met a couple who were playing a winning slot machine at a casino. They were desperate for a Notary, and I was the closest one available!"

Kelly Wilson, Aubrey, TX

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



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



NNA Hotline Consultant Completes More Than 70,000 Notarizations



MOST OF AMERICA'S NOTARIES WORK in offices, often carrying out their duties for their employers. But how many perform thousands of notarizations a year? NNA Hotline Consultant Denese Turner has. In fact, she reached an impressive milestone in January, breaking the 70,000-notarization mark.

"To be exact, it was 70,019 — I counted through my journals to make sure," said

Turner, a veteran Hotline Consultant who has been notarizing since 2005. She's completed 144 journals.

Turner puts her longtime experience and knowledge of Notary rules and procedures to good use every day, answering questions from Notaries across the nation on a wide variety of subjects.

Turner regularly notarizes signatures on surety bond documents, which make up the bulk of her notarizations, at the NNA's Chatsworth, California, office. To reach her milestone, Turner averaged about 5,000 notarizations a year, or nearly 100 a week. She also performs notarizations outside of work, including visits to a local assisted living facility to help elderly residents with any Notary services they might need.

While storing her massive collection of journals can be challenging, Turner says she loves being a Notary. And the NNA is grateful to have a Notary with her experience available to help our members when they turn to the Hotline Team for help.

NOTY Presentation Revised

AS A RESULT OF FEED-BACK from our community over the years, the NNA has made changes to how we announce our Notary of the Year and Notary of the Year Honorees.

Starting with this issue of *The National Notary*, the recipients will be announced in the March magazine each year. The awards will be presented at the NNA's annual Conference.

This change upholds the ideal of celebrating the accomplishments and stories of the Notary of the Year and Honorees.

The Notary of the Year program was launched in 1990 and honors outstanding Notaries who set a high standard of professional excellence, serve their communities and advocate for the Notary office.

Real Property, Mortgage Documents Explained In Signing Agent Sourcebook

WHETHER YOU'RE A NEW NOTARY Signing Agent, or if you've been handling loan signings for years, *The Notary Signing Agent's Loan Documents Sourcebook* is a valuable resource.

The *Sourcebook* contains sample loan packages for the most common real estate transactions: purchases, sales, refinances, reverse mortgages, home equity lines of credit, and commercial deals. Each



sample has a detailed explanation of the loan type and highlights each

document that requires notarization.

In addition to 250 sample loan documents, the book includes examples of various affidavits, conveyance deeds, security instruments, several other forms and the entire *Code of Conduct* created by the Signing Professionals Workgroup. For more information, go to NationalNotary.org/loan-document-sourcebook.



Judy Chapman,
2019 Notary of the Year



Ohio Enacts Major Notary Law Changes Starting September 2019

A NEW LAW TAKING EFFECT SEPTEMBER 19 makes sweeping changes to Ohio's Notary laws, including requiring Notaries to take a training course and exam, transferring commissioning of Notaries from individual counties to the Secretary of State, raising the fees Notaries may charge and authorizing electronic and online notarizations.

Previously, an individual applied for an Ohio Notary commission with the court of common pleas in each county, which meant each county had its own processes

and requirements. Senate Bill 263, signed into law by Governor John Kasich last December, transfers commissioning of Notaries to the Secretary of State's office moving forward.

In addition, SB 263 authorizes online notarizations and requires the Secretary of State to adopt rules for implementing them. Ohio Notaries will be permitted to charge a maximum fee of \$25 for an online notarization, and an increased maximum fee of \$5 for pen-and-paper notarizations.

19 More States Propose Remote Notarization In 2019

Many states introduced new remote notarization bills this year. If passed, these bills could potentially make online notarization a reality in over half the U.S.

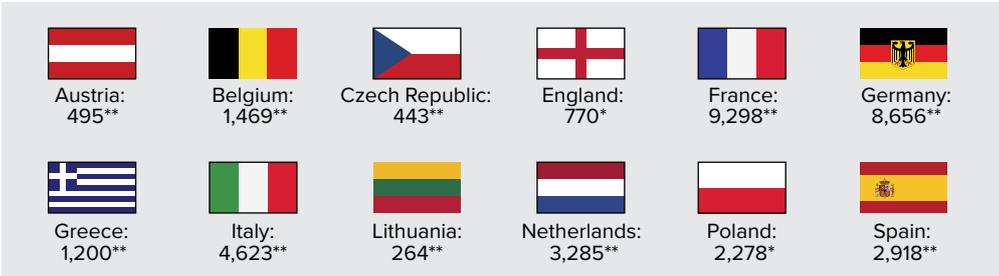
Lawmakers in Arizona, California, Colorado, Florida, Hawaii, Idaho, Iowa, Kentucky, Maryland, Missouri, Nebraska, New Jersey, New York, North Dakota, Oklahoma, South Carolina, South Dakota, Utah and Washington have all proposed remote notarization bills at press time. If enacted, these states will authorize Notaries to perform notarial acts for signers using online audiovisual communication technology.

At press time, 10 states have enacted remote notarization laws, and five — Nevada, Minnesota, Montana, Texas and Virginia — are operational. Indiana, Michigan, Ohio, Tennessee and Vermont will come online this year.

Be sure to check the *Notary Bulletin* (NationalNotary.org/notary-bulletin) for the latest news and updates on remote online notarization developments.

Notary Numbers Around The World

THERE ARE MORE THAN 4 MILLION COMMISSIONED NOTARIES IN THE UNITED STATES today. But have you ever wondered how many Notaries there are in other parts of the world? Here's a look at the Notary populations in different countries:



*Source: The Notaries Society (www.thenotariessociety.org.uk)

**Source: Notaries-Europe (www.notaries-europe.com)

GUARDING

Against Real Estate Fraud

By Michael Lewis



IMAGINE GETTING A VISIT FROM A LOCAL POLICE INVESTIGATOR WITH QUESTIONS

about real estate documents you notarized a year ago. It turns out the documents were part of a fraud scheme, and the notarization is coming under scrutiny.

It happens more often than you might think.

In December 2018, the Manhattan District Attorney's office released a grand jury report noting that law enforcement authorities in New York City had received 2,000 complaints of deed fraud in the previous four years. Virtually every case of fraud involved a "faulty" notarization.

The fraud problem is so serious that the grand jury called it an "epidemic." New York City is not alone.

A recent article posted on Philly.com described real estate fraud as an "especially virulent problem." Kansas City, Chicago and Detroit, among other cities, have been plagued with similar waves of deed fraud. California, Florida and Nevada are among the states hardest hit by mortgage fraud, which often involves a bad notarization.

"This is an everywhere problem," said Kim McPartland, a Claims Examiner for Merchants Bonding Company. "Getting caught up in a fraud scheme could happen to any Notary anywhere in America."

In rare instances, the Notary is a willing participant in the fraud. In most cases they are unwitting participants who are tricked by the fraudsters. In other instances, the Notary plays no part at all. Instead, scammers forge the Notary's signature and seal.

The grand jury report represents one of the first times any government entity has taken a comprehensive look at the problem of real estate fraud and the Notary's role in it. While the fraud risks and Notary issues identified in the report are specific to New York City, the lessons apply to any high-value property fraud anywhere in the country that involves a notarization.

"This report really gives Notaries inspiration to do good in their role as public officers," said Assistant Manhattan District Attorney Gilda Mariani, who worked with the grand jury. "Notaries are unsung sentinels. By performing their duties carefully, they can prevent a lot of this fraud."

Criminal Tactics That Put You At Risk

For honest Notaries who are not active participants in frauds scams, there are two key risks.

First, criminals try to trick you into not performing your duties. That typically involves trying to get you to notarize the documents without the signer being present or accepting the bogus ID of an impostor standing in for the property owner. The grand jury report also cited "disturbing cases" in which blank documents were notarized.

Fraudsters use all sorts of strategies to charm, distract, confuse or pressure Notaries into skipping a vital step (see page 13).

"I've seen people try all kinds of tricks," McPartland said. "'This is my dad's ID, but he can't come into sign because he's sick.' Things like that."

The grand jury report noted cases in which the Notary was duped by someone regarded as a respectable member of the community, such as an attorney or a police officer.

Michael Closen, Professor Emeritus at the John Marshall Law School in Chicago, Illinois, and one of the nation's leading Notary law experts, said Notaries often lack the training to understand the importance of their role.

Most states do not require any education to become a Notary (see page 12), and those that do focus on the law and what a Notary's duties are rather than how to perform those duties and follow best practices.

Even more disturbing is the second risk: Criminals forging a real Notary's signature and seal on fraudulent documents.

"Perpetrators have lifted valid Notary commission information from public documents and used it to purchase a phony Notary Public seal," the grand jury report explained. In fact, an undercover law enforcement officer easily was able to purchase a fake New York Notary seal from an out-of-state online vendor.

This is not a new development. In 2007 the National Notary Association's editorial team easily purchased a fake seal online for \$9.99 (see the January 2008 edition of *The National Notary*).

"Getting caught up in a fraud scheme could happen to any Notary anywhere in America."

— Kim McPartland,
Merchants Bonding Company

Read the Manhattan Grand Jury Report at bitly.com/DeedFraudReport.

Forging a seal amounts to Notary identity theft, and the Notary victim won't find out about it until a lawyer or member of law enforcement comes calling.

Regardless of how the Notary is involved, the fraud may not come to light for months or years, said Closen, who has served as an expert in numerous legal cases involving notarizations.

who is desperately trying to recoup their property and any other damages suffered.

Notaries who unwittingly performed a faulty notarization could face stiff fines, civil judgments and risk the suspension or loss of their commissions along with other legal consequences.

Notaries who had their seals and signatures forged may still be

The paperwork included the signatures of fictitious people and a fake notarization. Today, real estate fraud remains just as easy.

"It can take as little as a forged deed to transfer ownership of real property," the grand jury report noted. "It is extremely challenging, and sometimes impossible, to undo a fraudulent transfer."

The cases that make headlines typically involve criminals who are on the prowl for vulnerable properties to steal. They search the obituaries for deceased homeowners, cruise neighborhoods for unoccupied or run-down properties and pour through public records.

Many frauds are committed by the relative or caregiver of a property owner. "A lot of the cases I see involve family disputes," said McPartland, who handles Notary claims for Merchants nationwide.

There are cases of children taking the property of their parents, individuals trying to co-opt inheritances from their siblings and people trying to cheat their spouses. "Nothing surprises me anymore."

In any case, the scammers create bogus documents — including fraudulent or improper notarizations — to transfer ownership and then head to the nearest property recording office.

The notarization is crucial. "If the documents had not been notarized, the City Register's office wouldn't have accepted them," Mariani said.

Once the title is transferred, the fraudsters take out a mortgage, sell the property or sometimes even rent it.

Becoming A Guardian

The grand jury report recommended a host of significant reforms, and top on the list was a series of sweeping changes to the state's Notary laws. They included such things as mandatory education for all Notary applicants — new and renewing; a requirement for Notaries to keep a journal; a

"It can take as little as a forged deed to transfer ownership of real property."

— Manhattan grand jury report

Some forged documents don't come to light for a decade or more. That's because many of the victims are seniors or seriously ill or are heirs of deceased homeowners. As such, they may not uncover the fraud immediately. In the case of fraud against a family member, it often is not discovered until the property owner dies and the heirs realize their inheritance is gone.

Once the fraud comes to light, the Notary can become ensnared in a legal mess along with the victim,

burdened with time, grief and legal costs to prove they did not perform the fraudulent notarization.

How The Fraud Works

It is remarkably easy to commit real estate fraud. That was starkly illustrated in 2008 when a reporter for the New York *Daily News* "stole" the Empire State Building by submitting bogus documents to transfer ownership of the building to the City Register's office. The transfer was duly recorded, and the title was transferred — a process that took 90 minutes.

State Notary Requirements

States Requiring Education

California
Colorado
Florida
Indiana
Missouri
Montana
Nevada
North Carolina
Oregon
Pennsylvania

States Requiring Journals Or Records Of Notarial Acts

Arizona	Missouri
California	Montana
Colorado	Nevada
District of Columbia	New Jersey*
Hawaii	Ohio*
Kentucky*	Oregon*
Louisiana*	Pennsylvania
Maine*	Tennessee*
Maryland	Texas
Massachusetts	Washington
Mississippi	

*Journal or records requirement applies to certain notarial acts or under limited circumstances.

requirement for Notaries to obtain a bond and more.

The recommendations specifically address New York state's Notary laws and don't apply to the rest of the country. But many of the recommendations could apply to other states.

"There is no state in the country where the Notary laws could not be improved," Closen said. "Every state's laws have weaknesses and gaps that can be exploited. There's no question about it."

That means it is up to the individual Notary to do things right to protect themselves and the public.

The most important thing Notaries can do is educate themselves.

"Knowledge is power," said Closen. "Knowledge is the best insurance against faulty notarizations and fraud."

That knowledge can include such things as how to attach a separate notarial certificate to a document, where to place your Notary seal, how to screen signers for willingness and awareness and how to check a signer's ID.

The next thing Notaries should do is maintain a Notary journal in which they record the details of every notarization when it happens. The grand jury described the journal as "the most important tool of the Notary Public's trade."

"Your best defense is an impeccable journal," McPartland said. "Put in more information rather than less."

A well-kept journal shows your diligence and demonstrates that you exercised reasonable care whenever you performed a notarization. It also corroborates the integrity of each notarization, helps establish the identity of your signers and can refresh your memory months or years later.

This is particularly helpful when your Notary identity is stolen.

Without a well-maintained journal,



it might be far more difficult to prove that you didn't perform the fraudulent notarization.

Closen also said that courts don't just look at an individual journal entry. They look at the entire journal. "If you have meticulously made every entry, juries look at that and see that you have been diligent."

Journal entries also can help law enforcement catch fraudsters. Such was the case of one New York City Notary who voluntarily kept a journal, according to the grand jury report. "However, the absence of a journal, or any type of record-keeping, made it difficult, and in some instances impossible, to identify the culprits and their accomplices."

Underlying the grand jury report and discussions with experts is the simple notion that the best protection for others and yourself from fraud is doing your job the right way every time. That means requiring every signer to appear before you at the time of the notarization; taking care to check their IDs; and keeping a detailed record of every notarization.

As the grand jury report noted, "The Notary Public, one of the oldest continuing professions, is the first line of defense for combating real estate deed fraud." ■

Fraudsters' Tricks

Fraudsters use any number of tricks to convince Notaries to skip the requirement to have the signer personally appear before them or accept the ID of an impostor. Here are some of the more common:

Trick 1: The fraudster could ask you to hurry

Fraudsters will often try to rush you. The hope is that you will be distracted and cut corners, perhaps forgetting to obtain proper identification or a signature in your journal.

Trick 2: The fraudster could ask for a favor

Tragically, the favor often comes from someone you know. A coworker could ask you to notarize her parents' signatures on a deed transferring title to their home to the coworker. Only the parents hadn't signed the deed, which the coworker used to take out a mortgage.

Trick 3: The fraudster could use charm

With this strategy, the scammer engages you in pleasant conversation to get you to drop your guard. The intent is to distract you so you won't look carefully at a bogus ID or question a story that doesn't quite add up.

Trick 4: The fraudster could plead with you for sympathy

One woman met a Notary at the front door and told a sob story about her husband wanting to sign loan documents, but he had just undergone wrist surgery and the cast on his wrist prevented him from signing like he normally did. The Notary bought the lie and didn't check the man's ID thoroughly. He was an impostor sitting in for the real husband. ■

2019 NOTARY OF THE YEAR
JUDY CHAPMAN

By Cindy Medrano



THERE ARE FEW NOTARIES IN THE COUNTRY WHO HAVE DEDICATED THEIR careers to both serving the public and working tirelessly to ensure the community of Notaries is the best it can be. Judy Chapman of Monroe, North Carolina, is one of those rare individuals.

With a career spanning 40 years — in which she performed countless notarizations — she also spent 35 years training Notaries, organizing and leading Notary communities, working with state officials to modernize statutes, and supporting various benevolent and charitable endeavors, among other notable accomplishments.

“Judy has been a true ambassador for the Notary profession for a long time, serving as a great mentor and instructor,” said Ozie Stallworth, eNotarization and Notary Enforcement Director for the North Carolina Department of the Secretary of State.

In August 2018, Governor Roy Cooper recognized Chapman with the state’s highest civilian honor — The Order of the Long Leaf Pine Award — for her decades of unmatched dedication and support to Notary professionalism, an effort that went far above and beyond the call of duty and significantly strengthened the state. The recipients of this prestigious award include Maya Angelou, Billy Graham and Oprah Winfrey.

“I always had a calling to serve the public. Becoming a Notary had a ripple effect in my life and allowed me to help many people throughout the years,” said Chapman.

For these accomplishments and her continued dedication to the Notary industry, the National Notary Association is pleased to announce that Judy Chapman is the recipient of the NNA’s 2019 Notary of the Year award. The award will be presented at the NNA 2019 Conference in St. Louis, Missouri, on May 7.

“It’s truly an honor to recognize Judy as this year’s Notary of the Year recipient. Her dedication and passion for the industry is unmatched,” said NNA President and CEO Tom Heymann.

Inspiration To Be Of Service

To some, being of service comes naturally. It is embedded in their DNA. They are always available to help others, no matter how big or small of a task. This is the type of person Judy Chapman is.

Chapman’s journey to becoming an influential Notary began back in 1978 when her disabled grandmother’s dedication to serving the public inspired her to do the

same. Growing up, Chapman never wanted to play outside with the rest of kids. She was always more interested in listening to her grandmother’s stories.

Her grandmother volunteered as a precinct worker, toiling long days and nights during election season. Chapman deeply admired her dedication, resolve and selflessness. Her grandmother always led by example as a public-minded individual who was there for anyone in the community. Chapman aspired to follow in her grandmother’s footsteps.

With dedication and passion instilled in her at a young age, Chapman became a powerhouse Notary.

Aside from performing notarizations, she served as an instructor in North Carolina’s mandatory training

“We’re here to enrich lives and be of service to others.”

— Judy Chapman, 2019 Notary of the Year

program for Notaries at community colleges. Although retired now, her former students still reach out to her when notarization questions arise. She’s passionate for Notary work and will continue to help students no matter how many years pass her by.

“As an instructor, I gave my students the confidence to do the job right. We’re here to enrich lives and be of service to others,” she said.

She also was instrumental in founding two organizations to help Notaries network and share information: The Southern Piedmont Notary Society and the North Carolina Notary Association. Chapman served as president, a member of the board of directors and historian.

Her commitment to the Notary industry doesn’t stop there. Chapman also worked with the Secretary of State’s office as a member of the Notary Rewrite Committee. Through her participation, she helped create a new law and educated Notaries about it.



"I always stressed to my students to follow the law not for convenience, but for good practice," she said. "They have to do it, to get the notarization done right."

Heart Of Gold

Her charitable contributions and giving nature reaches far beyond the Notary world. She is an active church volunteer and participates in numerous philanthropic events. Such events include helping families in need during Christmas time as well as providing food items for an assisted living facility. She also contributes shoes, pencils, and supplies to local students. To give back to those who serve and protect the community every day, Chapman has also helped organize lunches to honor the local sheriff's department, firefighters, and other first responders.

Her giving is not only community based, it extends beyond that. As a member of the Rotary Club, she has participated in fundraisers for water projects in underdeveloped

countries. She also helps charitable organizations affiliated with the council of aging organize different ways to receive federal funding.

She has served as a committee member on a criminal justice panel in which she researched ways to improve rehabilitation success rates, provided meals for patients at substance abuse counseling centers, and has driven patients to sessions. Together the committee helped drug convicts approved by a judge rehabilitate through the panel.

Chapman truly is one of a kind. A selfless person who lives to serve those around her in any way, shape or form possible. She embodies everything a Notary of the Year candidate should be. An individual who goes above and beyond to be of service to others and the world around them.

"We will never have enough Notaries to serve the people. It is an honor to be the 2019 Notary of the Year," she said. ■

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**NATIONAL
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INTRODUCING YOUR 2019 NOTARY OF THE YEAR HONOREES

By Phillip Browne

EVERY YEAR THE NATIONAL NOTARY ASSOCIATION honors an extraordinary group of Notaries who go above and beyond their duties as public officials. They demonstrate a profound commitment to serving their communities. Join us at the **NNA 2019 Conference in St. Louis, Missouri**, this May to honor these dedicated individuals along with our 2019 Notary of the Year.



Catherine Colón

State: Florida

Occupation: Notary Public,
Assistant Property Director

Years as a Notary: 6

A Passion For Public Service

In her early 20s, Catherine Colón earned a bachelor's degree in criminal investigation and was ready to begin her career in forensics. But that hard work and aspiration was dashed when she was first diagnosed with cancer and, as a result, experienced a high-risk pregnancy.

Unable to pursue that passion, Colón set her sights on a new professional endeavor: Becoming a Notary and a wedding officiant. "When I was a little girl, I used to play with my dolls and pretend I was the one conducting the wedding," Colón said. "It was always a dream of mine to officiate weddings. Becoming a Florida Notary helped me achieve that dream."

While today she works as an assistant property director, during the past six years Colón has officiated 11 weddings — an official notarial act in Florida — and has done more to improve the knowledge and professionalism of Notaries than most people do throughout their commissions. She co-leads a local Notary focus group that meets once a month to examine new laws and regulations, discuss professional practices, share stories and offer advice. And she serves as a Notary mentor to help train, enlighten and inspire up-and-coming Notaries.

But the roots of her passion lie in serving her community and helping people. She performs free notarizations for her community, primarily serving the underprivileged, church members and college students. She also travels to local senior centers, hospitals, libraries and jails to help anyone who needs a document notarized.

Now a two-time cancer survivor, first uterine and second breast cancer, Colón does whatever she can to support her community beyond being a Notary. She coordinated a breast cancer awareness 5k fundraising event and rallied 35 friends and family to join her. She has organized food drives to benefit the Human Crisis Center in Orlando, and every year she participates in an annual food drive to feed the homeless on Thanksgiving.



Sonita Leak

State: South Carolina

Occupation: Owner, GreenvilleNotary.com

Years as a Notary: 9



Roger Rill

State: Ohio

Occupation: President, Ohio Society of Notaries

Years as a Notary: 41

Making A Difference In Her Community

A decade ago Sonita Leak was living in a domestic violence shelter with her children after escaping an abusive relationship. Faced with moving forward on her own, she sought a profession that would allow her flexibility with her time, and enough income to support her family. She did her research and chose to become a Notary, and that decision changed her life.

Today Leak is one of the most accomplished Notaries in South Carolina, and an influencer of Notaries nationwide.

“I started my Notary business to support my family, but now I’ve accomplished so much that I spend a lot of time sharing my knowledge with other Notaries,” Leak said. “I would rather help Notaries instead of compete with them. There’s plenty of work for everyone.”

Today she is owner of GreenvilleNotary.com, which provides notarial and wedding officiant services. She has a steady stream of business due to her professionalism as a mobile Notary and signing agent. To date, she has performed more than 4,500 notarial acts.

One of her earliest challenges was finding signing agent work, as South Carolina is an attorney-only closing state. She implemented a smart business tactic to network with as many law firms as possible so that she is the first Notary they call when they’re performing a closing.

Since being a Notary has been good to her, she firmly believes in giving back. She coordinates Community Center events to help people with powers of attorney, wills, trusts, quitclaim deeds, HIPAA authorization forms, declaration statements and advance directive forms. She also performs free notarizations for veterans and the underprivileged.

Leak also consults with businesses on Notary issues, is a contributor to the *Notary Bulletin*, and shares knowledge of business development, marketing and entrepreneurship through her blog and podcasts.

Defender Of The Public Trust

A third-generation Notary first commissioned in 1978, there’s not much Roger Rill hasn’t seen in the signing world. A U.S. Navy veteran, Rill founded the Ohio Society of Notaries in 2009 to address the lack of resources for the state’s 240,000 Notaries. A not-for-profit, professional association, OSN provides professional development, promotes advocacy and pride, and has become the primary resource for Ohio Notary information.

He also created telephone and email helplines to assist with questions regarding signing situations, unusual documents, and best practices. The free service is available day or evening, seven days a week, and is the only such resource in the state.

Rill also writes articles and presents Notary seminars statewide as well as for the Ohio State Bar Association, and notes that everyone at OSN, including himself, is a volunteer.

In his most recent, and possibly most influential accomplishment, Rill conceived and co-authored the *Ohio Notary Modernization Act of 2018*, that was signed into law by former Governor John Kasich in December. This landmark legislation provides the most sweeping reforms to Ohio Notary laws in over sixty years, including a complete overhaul of the state’s antiquated commissioning system, and the advent of remote online notarization.

“Mr. Rill was the driving force behind the recent major revisions of Ohio’s Notary laws”, said Professor Mike Closen, a leading authority on Notary ethics, law and practice. “He has many notable accomplishments in his career, and is truly a champion of Notaries.”

Rill sits on the Notaries Public Committee of the National Association of Secretaries of State, and is the owner of Notary One Mobile Signature Services in Columbus. He stated, “I eat, sleep, and breathe all things Notary, and I’m passionate about helping people become better Notaries.” ■

ORDINARY NOTARIES MAKE AN **EXTRAORDINARY DIFFERENCE**

By David Thun



I F YOU ASKED SOMEONE TO TELL YOU WHAT A NOTARY DOES, THEY'D PROBABLY say "They just stamp and sign documents." They couldn't be more wrong. Notarization may not seem very glamorous or exciting, but a notarization done right changes people's lives for the better. Without a reliable Notary, there's no assurance that a signature is

genuine or that a signed document can be trusted. Ask anyone who's ever needed a power of attorney notarized for an ailing parent, or any homebuyer who's needed loan documents completed quickly to lock in an interest rate and they will tell you just how vital notarization is. And many Notaries go above and beyond their regular duties when volunteering to help people in need.

To show the many ways Notaries impact the lives of those around them, we asked state officials, Notaries and signers to share stories about how Notaries have made a difference in their communities.

Making A Difference Against Document Fraud

Without Notaries, most people don't realize how vulnerable their important business, financial and personal documents would be to fraud and forgery, said Ozie Stallworth, director of Electronic Notarization and Notary Enforcement with the North Carolina Secretary of State's office.

"The thing I try to impress upon folks who want to become Notaries is that their primary role is to protect the public from fraud and forgery," Stallworth said. "Once the Notary puts a seal and signature on the document, it will be accepted by businesses and public enterprises — even across the border in other countries — without question. That is because it carries the mark and seal of a trusted public official."

Diligent Notaries have helped prevent real estate fraud and elder abuse — and in one grim California case, a Notary's journal helped catch a group of killers who murdered an elderly Palm Springs man and used an impostor to visit a Notary and sign documents transferring the victim's assets to the crooks. But one of the criminals left a thumbprint in a Notary's journal, and the thumbprint helped police find and arrest the conspirators.

Making A Difference By Inspiring A New Career

If there's someone who knows just how much of a difference a Notary can make in someone's life, it's Melissa Engeseth of Colorado Springs, Colorado — who was inspired to take a new career path thanks to a Notary's kindness during a tough time in her life.

Decades ago, Engeseth got a Notary commission herself, but quit after a few years when she was told Notaries don't do anything important. But nearly 20 years later, Engeseth was going through a divorce and refinancing her home. With her world in turmoil, she was uncertain about what direction her life would take next. But the Notary Signing Agent who notarized her refinancing documents inspired her.

"The NSA was very kind, professional and understanding," Engeseth said. "She could have come in, done the signing and left, but she was warm and kind. I was terrified by the refinancing process, but she knew what she was doing, and she made the situation much better."

During the signing, Engeseth talked about her situation and mentioned that she had been a Notary years ago. The NSA encouraged Engeseth to reapply for a commission and use it to start a new career.

"She opened up a door I thought was totally closed because it wasn't useful. She totally proved me wrong," Engeseth said. Engeseth applied for a new commission and started her own business, Bijou Courier and Notary Service. "It gave me new hope and a new opportunity to provide for my family."

Making A Difference On A Couple's Wedding Day

A wedding is one of the most momentous events in a couple's lifetime. If it goes well, it can be a beautiful

memory, but if it goes wrong, it can become a nightmare. When things started to go awry at one South Carolina wedding, the Notary conducting the ceremony stepped up to save the day.

Last June, Sonita Leak was asked to officiate a wedding in the city of Greenville. As soon as she arrived, she realized there would be challenges — the rehearsal was taking place in the morning

and the wedding was scheduled for the evening of the same day. To make matters worse, when the couple arrived for the rehearsal they found out there was no wedding coordinator. But Leak stepped in and offered to handle the duties of the wedding coordinator while also performing the ceremony. And with Leak's help, the ceremony went beautifully.

"Looking at the smiles on the faces of the couple and their family and seeing that it all went off without a hitch was great," said Leak, who is one of the NNA's 2019 Notary of the Year Honorees (see page 19).

Making A Difference For People In Need

Apart from deterring fraud, many Notaries make a difference by helping people in need. Stallworth recalled the recent floods that hit North Carolina, which led to several counties being designated as disaster areas.

"Many local Notaries volunteered their time and services to help people notarize documents to apply for relief funding or submit reports on their losses to insurance companies," he said. "There was a great outpouring of assistance with Notaries providing services at no cost."

Many Notaries go above and beyond their regular duties when volunteering to help people in need.

Making A Difference For Adoptive Families

Adopting a child is a tough process. It's time-consuming, stressful, costly and full of uncertainty. On top of that, prospective parents must complete a virtual mountain of documents. Finding a conscientious, compassionate Notary who understands the stress and challenges these hopeful parents face and accommodates their schedule can make an enormous difference.

Tara Bradford of Bozeman, Montana, has experienced this first hand — as an adoptee, an adoptive parent and a Notary who has helped many other parents by notarizing their paperwork.

"I've been told numerous times that offering to notarize documents for them helped lift a tremendous burden from them," said Bradford, a 2014 NNA Notary of the Year Honoree. "One family's father could only meet briefly to sign documents during his lunch hour, so I met him and his wife at the husband's work so they could both sign at the same time. Another family had a very short deadline due to the urgency of their circumstances, so I was able to notarize their documents that same day. These were small ways I was able to make the process less stressful for them."

Many adoptive parents remember the help provided by Notaries during adoptions. At the office of the Pennsylvania Department of State in Harrisburg, there is a wall full of photos of newly adopted children sent by parents as a token of appreciation to Notaries.

"Notarized documents submitted to the Department for authentication are an important part of adoption dossiers," said Deputy Press Secretary Kaitlin Murphy at the Pennsylvania Department of State. "Customers have sent hundreds of photos of their newly adopted children to our office, and Notaries are a large and critical part of the process."

Making A Difference Can Be As Simple As Doing Your Job Well

When it comes to making a difference, you may be asking, "What can I do as a Notary?" The simplest way is to do your job with courtesy, kindness and professionalism and always follow your state laws. A properly performed notarization gives a signer trust and reassurance in their documents that they wouldn't otherwise have. And you can be satisfied knowing that you are just one of many ordinary Notaries out there making an extraordinary difference. ■



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How To Deal With Unreliable Or Suspicious ID



Notaries in all states must positively identify signers as part of their duties. Yet states don't train Notaries to tell the difference between genuine and suspicious IDs. In these situations, reasonable standards of professional care can help you when making judgment calls.

Know Your State's ID Rules

The first rule for identifying signers is to know (and follow) your state guidelines. Some states, such as California and Florida, specify by name the ID cards you can accept. Many other states just prescribe what elements must be included in an acceptable ID.

If your state doesn't offer specific guidelines, the standard of professional care would be to request a current ID issued by the state or federal government that contains the signer's photograph, physical description and signature, such as a state-issued driver's license, passport, or a federal ID such as a military identification card.

When The ID Photo Doesn't Resemble The Signer

There are situations where you'll be asked to make a judgment call about a signer's ID. For example, the photo and description on the ID may not resemble the signer. This could be due to fraud ... but it also might be due to a legitimate change in the signer's appearance due to age, health reasons, or a new hairstyle or hair color.

The first step is to examine the ID presented and if there's a doubt, ask yourself these questions:

Do I have reason to suspect the signer isn't who they claim to be? In Florida and California, satisfactory evidence of identity is defined as the absence of any suspicious circumstances that would lead a reasonable person to doubt the identity of the signer. This is a good standard to follow even if you are in a state that does not provide statutory ID guidelines. If you have a reasonable suspicion, ask your signer

for another form of state-approved ID.

Have I taken all of the evidence on the ID into account? When making the final judgment call, take all of the evidence on the card into account, not just the photo. Is the person's height reasonably the same as on the ID? Is the listed eye color on the ID correct? Do all signatures match? If not, you may need to find an alternative way to identify the signer.

When The ID Card Doesn't Look Right

If something about the ID itself seems off, ask yourself the following questions:

Does the ID look unusual or different? While you can't be expected to be an expert on all forms of ID, you should familiarize yourself with your own state's identification documents since you'll likely encounter those most often. You can also compare the ID's appearance to the official state version using an identification reference book such as the *Keesing Documentchecker Guide*.

Has the ID been modified?

If you observe damage or abnormal features on an ID such as peeling or missing card laminate, unusually thick coating around the ID photo, misspelled text or anything else that suggests the ID may have been altered, you should not accept it as proof of identity.

When The Signer Has No Acceptable Form Of ID

Some signers (such as elderly signers who no longer drive) may not have any kind of acceptable ID. In these situations, some states permit a signer to be identified by one or more credible witnesses who vouch for the signer's identity before the Notary. Not all states permit the use of credible witnesses, and some restrict who may serve as a credible witness. Again, always make sure to follow your state law if a signer asks to be identified by a credible witness.



Homeless Signer, Notarizing In Mexico, Travel Documents

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

Q I recently became a Notary and will be performing my first loan signing. The individual is a homeless person who does not have an ID or proper identification. If the person is identified by a credible witness, would I have the witness or the homeless person sign my journal?

S.M., California

A The signer always must sign your journal. If you are identifying the homeless individual through a single credible witness, the credible witness must sign the journal or you must enter the type of ID presented by the witness, the governmental agency that issued the ID, the serial or identifying number on the ID and the date the ID expires. If you are using two credible witnesses to identify the homeless individual, then you must have both witnesses sign your journal and you must also record the information noted

above from each of their IDs.

Q Can a Notary from El Paso, Texas, notarize documents in Juarez, Chihuahua, Mexico?

F.F., Texas

A No, the Texas Notary cannot notarize a signature while in Mexico. The Texas Notary may only notarize while physically in Texas (GC 406.003).

Q I have a question. A client wants to sign a letter granting permission for his 9-year-old daughter to travel with her aunt to Mexico. Can I notarize a letter for the father

without the mother and aunt being present?

J.L., New Mexico

A Yes. If the father — not the mother or aunt — is the signer of the document who has personally appeared before you, you may notarize his signature. If the mother and aunt's signature must be notarized as well, and they are not personally present before you, they must either appear before you to have their signatures notarized at another time or must go to another Notary to have their signatures notarized.

Q Can I use a round seal if it still has the same border as a rectangular seal?

F.L., Illinois

A No. Illinois requires a Notary seal to be rectangular in shape (5 ILCS 312/3-101[a][4]).

Q I've noticed that I recorded the number of the driver's license and the address of my clients in my log book by accident. I was only supposed to write the issuance and expiration dates. How can I correct this information in my log book?

E.E., Pennsylvania



A You can strike out the inapplicable information and date the strikeout. Be aware, however, that statute requires you to record the address of each person for whom a notarial act is performed (57 Pa.C.S. 319(c)).

Q Am I allowed to have an image of my Notary seal on my business cards?

U.N.K., California

A No. A Notary Public cannot use the official notarial seal except for the purpose of carrying out official duties and responsibilities (Gov't Code 8207).

Q If I have two original copies of the same exact agreement that are to be notarized, will I need two journal entries? Or one journal entry since the signer is signing the same exact document twice?

C.T., California

A Even though the documents are exactly the same, they require two separate signatures, two separate notarizations and therefore two separate journal entries (Gov't Code 8206).

Q Can a Notary accept a photocopy of a valid ID as identification?

D.B., California

A No. A Notary may rely only on original identification documents to identify signers.

Q Can I notarize a living will that my spouse is signing as a witness?

A.W., Wisconsin

A Wisconsin law does not prohibit a Notary from notarizing the signatures of a spouse or relatives. If the document was questioned for any cause, however, the notarial act may be scrutinized more closely than if the Notary were not a spouse or relative. (Notary Public Information booklet published by the Wisconsin

Department of Financial Institutions.)

Q I recently received my Notary license in the State of Arizona, but have recently moved to Washington. Is there a way to transfer my Notary commission from Arizona to Washington? Will I have to pay for another commission in my new state?

S.J., Washington

A No, you cannot transfer your Arizona Notary commission to Washington state. You will need to resign your commission in Arizona and then apply for a Notary commission in Washington.

Q My wife was a Notary Public. She passed away in August 2018. Is there anything that I should do with her Notary stamp and log book? The last entry I see in her log book is from 2016.

C.H., Maryland

A Notary journals should be retained for at least five years. (Maryland Secretary of State's website, "Duties and Responsibilities"). The Notary seal/stamp should be defaced so it no longer makes a clear impression and then it may be discarded.





When To Use A Separate Notary Certificate

A core part of notarization is filling out information on the Notary certificate wording. While this wording is often printed on the document, sometimes you may need to attach a separate certificate form — sometimes referred to as a “loose certificate” — to the document. Here are some guidelines on when to use or not to use separate certificate wording for a notarization.

When To Attach A Certificate Form

You may need to attach a certificate form to a document in the following circumstances:

When the document contains no certificate wording: This is the most obvious case, since the requirement for Notaries to complete a certificate for each notarization is virtually universal. However, there are exceptions (see the information on Maryland below).

When the certificate does not comply with state requirements: Some states, such as California, have laws prescribing exact

certificate wording. In these states, Notaries must ensure the certificate complies with the law and add the correct form or certificate statement if it doesn't.

When the pre-printed wording calls for an act the Notary can't perform: One example is the act of “signature witnessing,” which Notaries can perform in approximately 20 states. Notaries in states that don't permit signature witnessing, such as Arizona and Texas, would have to perform an acknowledgment or oath (or verification) instead and add the appropriate acknowledgment or jurat certificate to the document.

When there is no room for the Notary's seal: Many states have laws requiring a Notary's seal to be legible. If the seal will be placed over text or signatures in the document, complete and attach a separate certificate form.

When there are multiple signers appearing at different times: In this case, a document may be signed in one place by an individual

and notarized, and then presented to other signers appearing at another time and place before a different Notary. In these cases, a separate certificate must be completed and added to the document to be used by anyone who will sign the document later.

When a Notary makes a mistake: A Notary who mistakenly places the wrong date in a certificate, for example, may be asked to correct the error by attaching a new certificate to the original document when the signer and Notary meet again. In Florida and California, changes or amendments to a notarial certificate may not be made after the notarization is complete or the signer and Notary have left each other's presence.

When there isn't enough room for the names of all signers: Most certificates have ample space to write

in the names of one or two signers having their signatures notarized at the same time. But what if you run out of room? In this case, you'll have to add a separate certificate to accommodate the names of any extra signers.

Always Comply With Your State's Notary Requirements

While most states allow Notaries to use separate certificate forms, Maryland does not. In Maryland, if the document doesn't contain notarial wording, for example, the Notary must perform a “signature witnessing,” in which they verify the signer's ID and observe the signing of the document.

Michigan does not require certificate wording for a notarization, though Michigan Notaries may complete certificate wording if it appears on the document.

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

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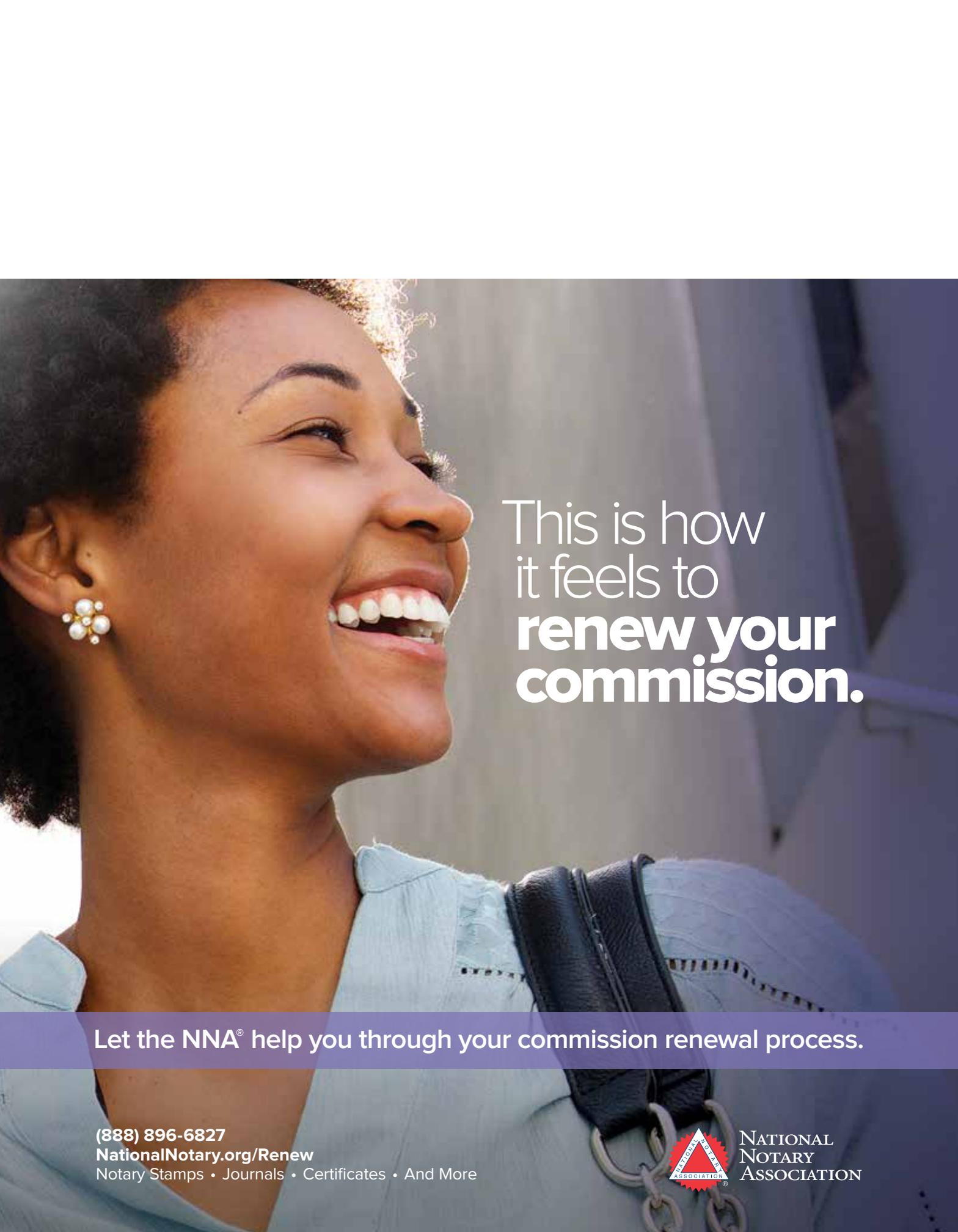
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