

Temporary Changes to In-Person Notarizations

May 2020

under Executive Order 2020-74 lasting through May 6, 2020

On May 5, 2020, Governor Whitmer issued Executive Order 2020-74 ("order") which temporarily suspends the in-person requirement for notarizations and provides for changes to how notarizations may occur. The order allows notaries to conduct notarizations using two-way real-time audiovisual technology so long as certain conditions are met. As a notary, there are several requirements that are placed on you in order for the notarization to be valid.

To properly notarize a document using videoconference technology, all of the following conditions must be met:

- 1 The audiovisual technology must allow direct interaction between the signer and the notary by sight and sound.
- 2 The notary must create an audio and visual recording of the notarization which must be maintained for 10 years.
- 3 The notary must keep a journal of each transaction conducted using the video conference technology. The journal should state the name and address of individual, the date of the notarization, the type of document being notarized, the identification documentation provided, and the program used to conduct the video conference (e.g. skype, zoom, etc.)
- 4 Satisfactory evidence of identity must be presented during the video conference. The evidence used to verify identity is the same as it is currently, but it must be shown during the live video.
- 5 The individual seeking notarial services must state whether he or she is physically located in this state. If the person is located in another state, the document must relate to a matter going before a court, governmental entity, public official or an entity in this state, or the document must involve property located in this state.
- 6 Signatures must be affixed in a manner that renders the any future changes or modification to be evident
- 7 The notary must place the phrase: "Notarized using electronic/remote technology" under the notary bloc.

The individual seeking the notarial service must immediately transmit (fax, mail, email) a legible copy of the entire signed document on the same date that it was signed. This applies regardless of how the document itself is signed. On receipt of the document, the notary must notarize the document and send it back to the individual. The date and time of the notarization is the date and time the notary witnessed the person sign during the video conference.

Please note that as of now, this method of notarization is only allowed through June 30, 2020.

QUESTIONS?

If you have questions regarding the information presented here, please contact the Bureau of Elections. Answers to your questions may also be found in the [Michigan Law on Notarial Acts](#) which is available at [Legislature.Mi.Gov](#)