

www.NationalNotary.org

The National NOTARY

March 2009

**Revolutionary
Changes To
IDs P.18**

**Digital Strategies
To Trump
Paperwork P.28**

**Best Practices Are
Answer To Risky
Situations P.31**



THE MAGAZINE FOR PROFESSIONAL NOTARIES

2009 Notary Of The
Year Special Honorees



2009
Notary Of The Year

Elaine Wright

National Notary Association

The Emerging Identity Manager

Las Vegas

Conference 2009



The 2009 March Fong Eu Achievement Award Receiptant
The Honorable Mark Bennett
Attorney General of Hawaii



General Session Keynote
Mr. Paul Donfried
Vice President and Principal
of Identity and Access
Management Solutions

Science Applications
International Corporation

THE NATIONAL NOTARY ASSOCIATION Conference 2009

and 5th International Forum on eNotarization, eSecurity and eApostilles

June 9-12, 2009 • Bally's Las Vegas

RETHINK

your role as a Notary Public

Move from being a commodity to a trusted steward of identities

REPOSITION

your services and acquire new clients

Notarize with greater authority and relevant expertise

REALIZE

the full potential of your money-making ability

Discover how to flourish in a challenging economy



Who says you can only
take **ONE DIRECTION**
to success?



NATIONAL
NOTARY
ASSOCIATION

Register Today! Call Toll-Free: 1-800-US NOTARY (1-800-876-6827)

Rethinking Your Role as a Notary Public

Two Serious Threats — One Unique Opportunity

The Internet has given rise to two increasingly prevalent forms of crime: identity theft and digital fraud. The convergence of these two factors has put the security of official documentation at a much greater risk than ever before.

And yet, this seemingly bad news is actually great news for you. Why? Because it offers you a unique opportunity to rethink how you view your role as a Notary and to



reposition the important services you provide — so you can generate more income.

Shift Your Perspective — Advance Your Career

That is precisely why we themed Conference 2009 “The Emerging Identity Manager.” We designed this year’s Conference to help you take the next step: from the signing and stamping of documents to an established, trusted public steward and authoritative resource that verifies identities and guards against fraud and theft.

This year, consider changing the way you think about being a Notary.

Explore Every Opportunity — Build Relevant Expertise

This is your career and your commitment, so it’s truly your Conference. Our goal is to facilitate your success and help you reach your objectives. The education process requires personal exploration and discovery, and that’s why we decided to add a special “Build Your Own Track” for 2009.

This track gives you the flexibility to select and complete any six or more workshops from any of the five tracks to obtain a unique Conference certificate. You will also receive a Certificate of Completion for attending four or more workshops in any track.

Certificate Tracks and Workshops

1: Identity Proofing and Trusted Enrollment Agents™

- The Importance of ID Proofing
- TEA 101: The ID Proofing Appointment
- Understanding Identification Documents
- The Trusted Agent and eID Proofing
- I Did It, So Can YOU: TEA Success Stories

2: You as Notary Professional

- Perfecting Your Pitch: 30 Seconds to Seal the Deal
- Beyond Loan Signings — Surviving Hard Times
- Build Your Network: Boost Your Business
- Make Your Business Google-Friendly and Succeed
- Computer Skills for the Self-Employed Notary
- Managing the Corporate Notary Team
- More Income Now with Onsite Inspections

3: Signing Agent Success

- Growing Your Business in Today’s Economy
- Shirt and Shoes Required: Professionalism Gets Hired
- Move Your Business Forward with Reverse Mortgages
- The Notary and Mortgage Fraud Prevention
- Collect and Negotiate: Getting Paid in Any Market
- Federal Laws for Signing Agents

4: Notary Best Practices

- How to Respond to Improper Requests
- Notarize with Confidence and Accuracy
- Your Journal vs. Fraud: You Win
- First Look at the 2009 *Model Notary Act*
- ‘It’s a Crime?’ Notaries and Criminal Law
- Acceptable or Fraudulent: How Can You Tell?
- Ever-Changing Identity Standards
- Your Role as Identity Manager — Are You Ready?

5: Issues and Advances in eNotarization

- The ABCs of eNotarization Law
- The Efficiency of eNotarization
- Digital Certificates — Learn the “What” and “Why”
- eNotarization Rules: State by State
- The Latest eEquipment
- The Digital Journal — Meet Enjoa® Live

6: Build Your Own Track

Complete any six workshops from the five tracks and earn a certificate.

Register by
April 4, 2009
SAVE
\$15200!

Pre-Conference Programs

TRUSTED NOTARY CERTIFICATION PROGRAM

Monday, June 8, 9:00 a.m.–4:00 p.m., Tuesday, June 9, 9:00 a.m.–4:00 p.m., \$199
(includes Certification plus one of the following Specializations and background screening)

Businesses need knowledgeable, verified and screened Notaries. Become an NNA Certified Notary with an emphasis in the following areas.

- **Signing Agent Specialization***

Monday, June 8, 9:00 a.m.–4:00 p.m.

Get certified and earn extra income. Learn the steps to a loan signing and how to handle common loan documents.

Opportunities may be limited in some states. Visit www.NationalNotary.org/Conf2009/NSA/States for state restrictions.

Opportunities may be limited in some states. Visit www.NationalNotary.org/Conf2009/eNotary/States for state restrictions.

- **Trusted Enrollment Agent™ Specialization***

Tuesday, June 9, 8:30 a.m.–11:30 a.m.

Set yourself up for an exciting new line of business. Learn the steps to perform identity verification for important clients across multiple industries.

- **NNA eNotary Specialization***

Tuesday, June 9, 1:00 p.m.–4:00 p.m.

Practical training to take advantage of this expanding field. Learn the how-to's and where to find the opportunities.

CALIFORNIA NOTARY TRAINING

Tuesday, June 9, 8:30 a.m.–4:00 p.m., \$159

The most complete state-required training offered... now available in Las Vegas! Required state exam and fingerprinting administered at convenient locations throughout California.

ILLINOIS NEW LAW OVERVIEW

Tuesday, June 9, 1:00 p.m.–4:00 p.m., \$59

On June 1, 2009, new legislation will take effect that will open up new opportunities for Illinois Notaries. Are you ready?

*Every participant will have access to an online Certification and Specialization exam after Conference.

WHO SHOULD ATTEND?

The NNA Conference is ideal for Notaries, executives, managers and professionals whose daily business decisions require the management of risk or the verification of identities. Workshop subjects also include eNotarization, electronic documents and signatures, best practices, digital credential management, compliance and supplemental income opportunities. Professionals from the following industries will find the NNA Conference invaluable:

- Mortgage & Banking
- Real Estate, Title & Escrow
- Health Care
- Insurance
- Court & Legal Services
- Education Administration
- Law Enforcement
- Local, State & Federal Government
- Immigration
- International Adoptions
- Government Contractors
- Homeland Security

Your Conference...

Your Voice...

Your Experience...

Your Path to Success

NNA Executive V.P. Deborah M. Thaw (far right) with (left to right): Notary of the Year Special Honorees Sharon Winslow, Stephen O. Cole, Claudine C. Osborne, Norma Luginbyhl and Notary of the Year Liz Adams.

Register Today! Call Toll-Free: 1-800-US NOTARY (1-800-876-6827)

Not Just an Event — an Experience

Signature Events

Dozens of outstanding programs including professional workshops, the eNotarization lab, the Growth and Opportunity Expo and exciting excursions are features of the NNA's annual Conference that strive to unite Notaries seeking new paths to professionalism and opportunity. And highlighting Conference every year are the NNA's special "Signature Events" that offer additional opportunities to learn, network and have fun. They are special events that you won't want to miss!

This year's Signature Events will again be highlighted by the definitive address on "The State of the Notary Public Office," delivered by NNA President Milt Valera.

The Welcome Reception officially kicks off the Conference with the exhilarating Roll Call of participating states and countries and presentation of the 2009 Notary of the Year and Special Honorees. Keynote and featured speakers throughout the Conference Signature Events will discuss the vital role Notaries are now filling in identity management and security. And the 5th International Forum on eNotarization, eSecurity and eApostilles continues as the premiere venue for strengthening the trust, security and integrity of electronic documents exchanged between nations.

Conference 2009 will close with its traditional Farewell Banquet — a grand finale of elegance and excitement complete with fine dining, entertainment, compelling and inspirational speakers, and the much anticipated presentation of the 2009 March Fong Eu Achievement Award.

- **5th International Forum on eNotarization, eSecurity and eApostilles**
Wednesday, June 10, 10:30 a.m.–5:00 p.m., Thursday, June 11, 10:30 a.m.–5:00 p.m., Friday, June 12, 10:00 a.m.–4:00 p.m.
- **Farewell Banquet & Reception**
Friday, June 12, Reception 6:00 p.m.–7:00 p.m., Banquet 7:00 p.m.–10:00 p.m.

eNotarization Lab

Tuesday, June 9, 10:00 a.m.–7:00 p.m., Wednesday, June 10, 10:00 a.m.–7:00 p.m., Thursday, June 11, 10:00 a.m.–7:00 p.m., Friday, June 12, 9:00 a.m.–5:00 p.m.

Don't miss your opportunity to brush up on the latest in eNotarization! In addition to a self-study lab, experts will be on hand to perform demonstrations and answer questions about ENS®, Enjoa® Live, electronic ID proofing and other eNotarization technologies and products.

Growth and Opportunity Expo

Monday, June 8, 9:00 a.m.–7:00 p.m., Tuesday, June 9, 8:00 a.m.–7:00 p.m., Wednesday, June 10, 8:00 a.m.–7:00 p.m., Thursday, June 11, 8:00 a.m.–7:00 p.m., Friday, June 12, 8:00 a.m.–5:00 p.m.

Explore products and services that benefit you and your business. Sponsors and exhibitors will show you how they can serve you and make your job easier. Plus, prizes and giveaways abound, so stop in regularly.

Major NNA Conference Sponsors



CHASE



For exhibitor and sponsorship opportunities, please contact: Bo Baikoushev at 1-877-876-0827, x4086
eMail: conference09@sponsorship@nationalnotary.org
Web: www.NationalNotary.org/sponsors

FEATURED SPEAKERS

Learn from state and local government officials who regulate and rely upon Notaries as well as highly successful and experienced Notary veterans and the nation's foremost Notary experts.

Public Officials



Terri Clarke
Maricopa County, Arizona, Attorney's Office, Prosecutor



David Fleck
Los Angeles County, California, Deputy District Attorney, Real Estate Fraud Unit



Rebekah Jenkins
Nevada Attorney General's Office, Investigative Assistant



Cathy Lucero
Maricopa County, Arizona, Recorder's Office, Customer Service Program Manager



Kay Lynn McMurray
Nevada Attorney General's Office, Investigative Assistant



Kathy Sachs
Kansas Office of the Secretary of State, Deputy Assistant Secretary of State



Gregory Smith
Nevada Attorney General's Office, Chief of Investigations



Andrew Whitfield
Colorado Secretary of State's Office, Deputy Director, Licensing & Enforcement Division



Tom Wrosch
Oregon Office of the Secretary of State, Sustainability Board, Sustainability Advisor, Corporation Division, Senior Policy Advisor

Notary Professionals

Laura Biewer

At Your Service, Mobile Notary, Owner; NNA Certified Notary Signing Agent; NNA Notary of the Year Special Honoree 2009

Jamie Johns

Notary Access Association, CEO/Founder; NNA Certified Notary Signing Agent; NNA Notary of the Year 2004

Elaine Wright

Prince George's Community College, Notary Procedures Instructor; NNA Certified Notary Signing Agent; NNA Notary of the Year Special Honoree 2005; NNA 2009 Notary of the Year

or Visit: www.NationalNotary.org/Conf2009

WORKING LUNCHEONS

Identity Theft Horror Stories

Gregory Smith, along with Rebekah Jenkins and Kay Lynn McMurray — Nevada Attorney General's Office
Wednesday, June 10, 12:30 p.m.–2:00 p.m., \$68



Why is your role as an identity manager so critical? Listen to true horror stories from the Nevada Attorney General's office about the damage identity theft can inflict. Nevada has created an ingenious Identity Theft Passport Program in response. Learn how it works during this luncheon.

The Forces that Shaped Las Vegas

Brian Paco Alvarez, Curator and Urban Historian
Thursday, June 11, 12:30 p.m.–2:00 p.m., \$68



Learn about the major events, charming personalities and cultural factors that transformed a forgotten desert oasis into one of the premier recreational locations in the country.

Maximize Your Future with a Personal Development Plan

Elaine Wright, Instructor of Notary Procedures, Prince George's Community College; NNA Certified Notary Signing Agent; NNA Notary of the Year Special Honoree 2005



Friday, June 12, 12:30 p.m.–2:00 p.m., \$68

Every great accomplishment begins with a thorough plan of action. First-time Notaries as well as seasoned Signing Agents will learn how to use powerful, convenient tools that help to build your personal brand and craft your best future.

2009 NOTARY OF THE YEAR

BALLY'S LAS VEGAS, THE JEWEL OF THE STRIP AT \$132 PER NIGHT

Save while you stay: Enjoy Las Vegas' style and glamour at an exclusive rate. Experience Las Vegas' best at Bally's which is centrally located at 3645 Las Vegas Blvd. South. Just mention "NNA" when making your reservations and receive our special room rate of only \$132 per night for one or more night stays June 7-13. Includes free self-parking.

For more information, visit NationalNotary.org/Conf2009Travel. To make reservations, phone Bally's at 1-877-603-4390 or visit NationalNotary.org/Ballys.

LAS VEGAS ENTERTAINMENT

Relax. Play. Explore. Enjoy.

Only a few minutes from Bally's await an incredible variety of entertainment opportunities ready to cater to your every whim. Visit hotels, watch shows, enjoy fine dining and create lasting memories.

Neon Night on the Town

Monday, June 8, 5:30 p.m.–8:30 p.m., \$60

Explore the infamous history of Las Vegas. Enjoy an expertly narrated drive down the Las Vegas Strip and discover the personalities who transformed a desert railroad stop into a neon wonder and Entertainment Capital of the World. Pass the Rio's "Masquerade in the Sky" Mardi Gras Parade and watch the brilliant "Fremont Street Experience" lightshow!

An Italian Escapade

Tuesday, June 9, 11:00 a.m.–3:00 p.m., \$50

A guided tour of "Italy" without leaving Las Vegas: Adventure through the Bellagio, an opulent European villa hotel surrounded by tranquil "Lake Como," and learn about the amazing botanical gardens, water fountains and chocolate cascade. Then you and your guide step back into time at Caesars Palace. Stroll through the Forum and enjoy a birds-eye view of the animated presentations of "Atlantis" and the "Fountain of the Gods" laser show.



Las Vegas Nights Helicopter Tour

Wednesday, June 10, 8:15 p.m.–10:30 p.m., \$225

Indulge yourself with an adventure that begins when your private motor coach whisks you away to an exclusive champagne reception where you mingle with fellow travelers. Then climb aboard a luxury helicopter for a 15-minute breathtaking tour of the Vegas nightscape from an all-new perspective. Take in Glitter Gulch, the Strip, Fremont Street, Stratosphere Tower and much more!

Sunset Dinner Cruise on Lake Mead

Thursday, June 11, 5:15 p.m.–9:30 p.m., \$130

Hop aboard the Desert Princess and turn back to the Old South! She's the pride of the fleet — an authentic, three-level, Mississippi-style paddlewheeler. Take in the cool, evening air and wondrous sights on Lake Mead while the gracious crew serves excellent dining choices.



360° from Panoramic Paris Tour and Lunch

Friday, June 12, 11:30 a.m.–2:00 p.m., \$95

Experience a little touch of classic Paris right outside your hotel door by visiting the "Eiffel Tower." Enjoy 360° panoramic views of Las Vegas from the observation deck while a tour guide points out important sights and answers questions. Dine at Chef J. Joho's Eiffel Tower Restaurant and partake of the city's premier French cuisine.

No-Cover Clubbing — VIP Style

Friday, June 12, 11:00 p.m.–2:30 a.m., \$225

This VIP club experience will surely be a night to remember for years to come. Dress to impress as your private vehicle hits three of the hottest clubs in Las Vegas. Once you arrive you are officially "beyond the velvet rope." Never wait in line. Never pay a cover. Travel with a VIP host ready to cater to your every whim. You only pay for drinks!

Hoover Dam Visit and Ethel M. Chocolate Factory Tour

Saturday, June 13, 10:00 a.m.–4:00 p.m., \$80

Just a short distance from the glitter and glamour of Las Vegas lies the magnificent Hoover Dam and picturesque Lake Mead. Travel to the engineering marvel that tamed the Colorado River and enjoy the view from the observation deck. After that you're off to the Ethel M. Chocolate Factory and Cactus Garden, where you can sample chocolate in Ethel's Lounge.



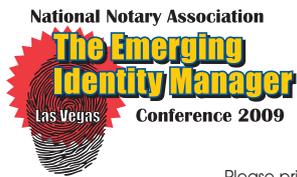
5TH INTERNATIONAL FORUM ON eNOTARIZATION, eSECURITY AND eAPOSTILLES

Wednesday, June 10, Thursday, June 11 and Friday, June 12

International Notary experts and diplomats as well as U.S. state officials analyze electronic notarization programs around the world, the latest uses of electronic apostilles, and the emerging new role of Notaries in preventing cyber attacks. If you would like to participate in, rather than observe, the Forum, please eMail iforum2009@nationalnotary.org.



Register Today! Call Toll-Free: 1-800-US NOTARY (1-800-876-6827)



The NNA Conference 2009 Registration

June 9-12, 2009 • Las Vegas, Nevada — Bally's Las Vegas

Special Conference Room Rate — Only \$132! Call 1-877-603-4390 for reservations and mention the NNA Conference for your special rate.

Please print all information clearly.

Delegate Information

NNA Member Number: _____ Gender: _____
 If you are joining today, please write "NEW." F M

First Name: _____
 Last Name: _____

Badge Name: _____
 First Last

Company: _____ Title: _____

Address: _____

City: _____ State: _____ Zip: _____

Daytime Phone: _____ Fax: _____

eMail: _____
 (required for Conference registration confirmation)

Guests for Special Events, Luncheon and Excursion Options

Guest #1
 Name: _____
 First Last State

Guest #2
 Name: _____
 First Last State

How many years have you attended the NNA Conference? _____

Special access needed? (Qty) _____ Vegetarian meals needed? (Qty) _____
 Include guest, if applicable. Include guest, if applicable.

Conference Registration

Includes all regular Conference Workshops and materials, plus the Gala Welcome Reception, General Sessions, Formal Farewell Banquet and Reception, Networking Sessions, International Forum viewing, eNotarization Lab and Growth and Opportunity Expo.

- Early-Bird Registration (received by April 4, 2009) #7140 \$498 \$ _____
- Regular Registration (received after April 4, 2009) #7140..... \$650 \$ _____
- Group Discount (two or more from the same organization) #755 \$20 \$ _____
 Entire group must register at the same time (same phone order, in the same envelope or faxed consecutively). Please use separate registration application forms for each attendee (photocopies are acceptable).

Single-Day Passes, Special Events & Luncheon Options

Single-Day Passes: Includes regular Conference Workshops and materials, including the General Session, Continental Breakfast, International Forum viewing, eNotarization Lab and Growth and Opportunity Expo for the specified day. Welcome Reception and Farewell Banquet not included; see Special Event passes below. Single-Day Passes not available for International Forum participants.

- Wednesday, June 10, Day Pass #757..... \$238 \$ _____
- Thursday, June 11, Day Pass #758..... \$238 \$ _____
- Friday, June 12, Day Pass #759 \$238 \$ _____

Special Event Passes: For guests of Conference delegates and single-day Conference participants. Does not include Pre-Conference Workshops and Certification Programs, Excursions and Working Luncheons.

- Two-Event/Three-Breakfast Pass: Welcome Reception, Farewell Banquet, three Continental Breakfasts #7141.....\$158 (Qty _____) \$ _____
- Gala Welcome Reception (Tuesday, June 9) #753\$48 (Qty _____) \$ _____
- Continental Breakfast (Wednesday, June 10) #777\$20 (Qty _____) \$ _____
- Continental Breakfast (Thursday, June 11) #779.....\$20 (Qty _____) \$ _____
- Continental Breakfast (Friday, June 12) #781.....\$20 (Qty _____) \$ _____
- Formal Farewell Banquet (Friday, June 12) #754.....\$78 (Qty _____) \$ _____

Luncheon Options (you must be a Conference delegate or guest to purchase)

- Identity Theft Horror Stories (Wednesday, June 10) #760.....\$68 (Qty _____) \$ _____
- The Forces that Shaped Las Vegas (Thursday, June 11) #761 ..\$68 (Qty _____) \$ _____
- Maximize Your Future with a Personal Development Plan (Friday, June 12) #762\$68 (Qty _____) \$ _____
- Three-Day Luncheon Option — Attend all three luncheon options and save \$46 Identity Theft, Las Vegas Stories, Personal Development #7143\$158 (Qty _____) \$ _____

Pre-Conference Program Options (see schedule on page 4)

- Trusted Notary Certification including TEA Specialization #7147 \$199 \$ _____
- Trusted Notary Certification including NSA Specialization #7149 \$199 \$ _____
- Trusted Notary Certification including eNotary Specialization #7148 \$199 \$ _____
- NSA Specialization Training #764.....\$49 \$ _____
- TEA Specialization Training #765.....\$49 \$ _____
- eNotary Specialization Training #766.....\$49 \$ _____
- Illinois New Law Overview #767.....\$59 \$ _____
- California Notary Training #776 \$159 \$ _____

Excursions

- Neon Night on the Town (Monday, June 8) #769.....\$60 (Qty _____) \$ _____
- An Italian Escapade (Tuesday, June 9) #770.....\$50 (Qty _____) \$ _____
- Las Vegas Nights Helicopter Tour (Wednesday, June 10) #771.....\$225 (Qty _____) \$ _____
- Sunset Dinner Cruise on Lake Mead (Thursday, June 11) #772.....\$130 (Qty _____) \$ _____
- 360° from Panoramic Paris Tour and Lunch (Friday, June 12) #773.....\$95 (Qty _____) \$ _____
- No-Cover Clubbing — VIP Style (Friday, June 12) #774.....\$225 (Qty _____) \$ _____
- Hoover Dam Visit and Ethel M. Chocolate Factory Tour (Saturday, June 13) #775\$80 (Qty _____) \$ _____

Register

| | |
|---|----------|
| Subtotal | \$ _____ |
| 1-Year NNA Membership — \$52.00 (required if you are not currently an NNA Member) | \$ _____ |
| Group Discount | \$ _____ |
| Total Enclosed | \$ _____ |

- | | | | |
|---|---|---|---|
| ONLINE... www.NationalNotary.org/ Conf2009 Credit Cards Only | CALL... 1-800-US NOTARY (1-800-876-6827) Credit Cards or Check-by-Phone | FAX... 1-800-833-1211 Credit Cards Only | MAIL... National Notary Association P.O. Box 541032 Los Angeles, CA 90054-1032 |
|---|---|---|---|

Payment Information

- Check/Money Order (payable to National Notary Association — mail-in only)
- Visa American Express MasterCard Discover

Credit Card #: _____ Expiration Date: _____

Name on Card: _____

Billing Address: _____

City: _____ State: _____ Zip: _____

Signature: _____

You will receive your confirmation by eMail.

If You Attend Only One Notary Event, Make This the One!



REGISTRATION APPROVAL POLICY — The NNA does not discriminate in employment, admission of members, or admission of speakers or registrants to its programs on the basis of race, color, religion, gender, age, sexual orientation, national or ethnic origin, veteran status or any other basis prohibited by national, state or local laws.

CONFERENCE REFUNDS AND CANCELLATIONS — Requests for refunds must be received in writing. Requests for full refunds must be received before April 30, 2009. Refund requests received May 1 through May 22, 2009, will be assessed a \$50 service charge. No refunds will be made for requests received after May 22, 2009. Policy applies to Conference registration, day passes, guest passes and excursions.

NNA MEMBERSHIP — National Notary Association membership is required to attend the NNA Conference workshops and events and pre-Conference workshops. If not an NNA member, you may join now with your Conference registration.

PROGRAM COPYRIGHTED — All sessions of the NNA Conference program, related events and all related materials are copyrighted by the National Notary Association. Tape recording, photocopying or reprinting information is not permitted without express permission from the National Notary Association.

Note: NNA Conference program information subject to change.

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THE NATIONAL NOTARY

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

PUBLICATION POLICY

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

ARTICLE SUBMISSIONS

While THE NATIONAL NOTARY does not actively solicit articles for publication, we welcome any submissions. Please contact an editor for policy, format and other information.

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NATIONAL NOTARY ASSOCIATION

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From The Managing Editor



Providing A Layer Of Trust And Security

As a longtime journalist and editor, not much surprises me anymore, but I was astonished in December when a reporter from the *New York Daily News*

successfully stole one of the most iconic parcels of real estate in the country: the Empire State Building.

When we first brought you the story at NationalNotary.org, it was revealed that the paper needed only a few dollars, some cleverly faked documents and a bogus Notary seal to pilfer the enduring American symbol of strength and ambition.

Of course, the paper immediately returned the building to its rightful owner, but the resulting investigation exposed a glaring weakness in the New York City's recorder's office, and illustrated the crying need for everyone involved with property and mortgage transactions to embrace best practices and the latest technological advances — such as electronic notarization — to staunch the \$4 billion-year mortgage fraud epidemic.

This incident affected me deeply, as it illustrated that we have not yet learned our lessons from the economic meltdown, caused largely by failures in transaction security, disregard for best practices and substandard identity management programs. All of this, of course, made it easy for the greedy and criminal-minded to drive the economy into recession.

Despite that grim reality, there's plenty to be optimistic about. Professional Notaries, like this year's Notary of the Year and four Notary of the Year Special Honorees (page 21), are playing a pivotal role in our economic recovery by embracing the very best practices and identity management initiatives designed to prevent the security lapses that led to the current economic crisis.

As a result, new opportunities are emerging and the demand for professional Notaries is increasing dramatically as industries and governments across the nation put in place new requirements for transaction security (page 31) and identity management (page 18).

The perception of Notaries has certainly evolved to where they are now seen as an irreplaceable layer of trust, security and integrity in American commerce. Let's hope everyone reacts quickly to professionalize their own business practices, lest we continue to have iconic American symbols stolen, not to mention our own homes, bank accounts and lives.

Phillip W. Browne

We have not yet
learned our lessons
from the economic
meltdown ...

COVER STORY

21 • The 2009 Notary Of The Year: Elaine Wright

A chance encounter with a Notary during the 2002 refinance of her home led Elaine Wright to a new career as a Notary Signing Agent and reconnected her to an old one — teaching, as a Notary instructor. Today, Wright is a shining example to all Notaries, working tirelessly to elevate the Notary Public office through a commitment to professionalism and education.

24 • The 2009 Notary Of The Year Special Honorees

The Notary Of The Year Special Honorees show that being a good Notary means being a good citizen. All four give back to their communities and their fellow Notaries on a daily basis, acting as ambassadors and Notary exemplars who demonstrate to the public at large and their peers why it is crucial to follow high ethical and professional standards.



FEATURES



18 • The ID Revolution Has Just Begun

Identifying signers is the primary role of the Notary, but a series of technological changes — biometrics, smart

cards and identity banking among them — are transforming the very nature of identity and how they will be verified.

28 • Escaping The Paper Jam With Technology

For centuries paper has been an integral part of business and recordkeeping. The digital revolution changed all that, turning the “paper trail” electronic. Notaries have a plethora of ways to reduce and even eliminate paper documents from relying on eMail to adopting eNotarization techniques.

31 • Risk Management In The Office

Everyday, Notaries are asked to violate the law and shirk their public responsibilities from backdating documents



to notarizing for absent signers. A faulty notarization can land both the Notary and his or her employer in legal hot water. The good news is that it's easy to manage these risks by taking a few simple steps.

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ON THE WEB

From the Executive Director 2008 State Of The Association

Timothy S. Reiniger
NationalNotary.org/state2009





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OUR MISSION

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

OUR READERS' RIGHT

Senior IDs

In the January 2009 article titled "A Lack Of ID Can Leave You Out In The Cold" please be advised that the statement, "In the U.S., senior citizens, retired military personnel and ex-cons are among those without proper ID," is in error.

First of all, retired military have a photo ID that indicates all the info required for proper identification except their address and has an indefinite expiration date. Secondly, I am a senior citizen and we all have proper ID although some do not keep it current. To be put in the same category with ex-cons as expressed in your article is demeaning and should be corrected.

Bob Greenwald, Alexandria, Virginia

The phrasing of the sentence in question was unfortunate indeed. Please accept our apologies. We did not intend to pair different groups in the same category, but to illustrate examples of those who sometimes face challenges presenting legally acceptable identification to Notaries, as identity requirements differ from state-to-state. — The Editors

'War' With Attorneys

I believe that recent attempts to disqualify Signing Agents from working in the mortgage arena are coming from bar association members who seem bent on destroying our business.

I wouldn't put anything past them — including trying to make it look like Signing Agents are doing something illegal. We are at war!

Albert Birdwell, Pendleton, Indiana

Concerns About Jail Notarizations

I notarize documents at the George F. Bailey Detention Facility in San Diego for defendants in custody. Last year, I was told I could not meet with a defendant in a professional visit room to do a notarization, unless accompanied by a deputy.

The notarization had to be done with glass and a telephone between us. The deputy would walk around and have the defendant sign my journal and document. I explained to the warden at the jail that we were not allowed to surrender the journal.

How can we follow the law if the jails refuse to allow us to do our job?

Wendy Zamutt, San Diego, California

Letters To THE NATIONAL NOTARY

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

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



A Notary Commission Never Goes Out Of Style

The year 2009 got off to a rather slow start. Except for the inauguration of a new President, most of the domestic news was dominated by rising unemployment figures, job losses and

a weak national economy. Not the most reassuring news to be sure.

While, mortgage and real estate activity has virtually stopped, foreclosures and the prospect of an active refinancing market as interest rates drop can only promise limited notarial activity. With the economy on virtual life-support, we can foresee similar slowing in the execution of all kinds of other documents, from advanced medical directives to personal contracts.

Companies cutting back may now have only a handful of Notaries as opposed to the staffing levels of the past several years. Even so, the value of a Notary commission must never be discounted.

As the national numbers of Notaries decline, those of us who retain active commissions will begin to see new opportunities invigorated by additional protective regulations affecting real estate, banking and commercial activities that have suffered from lack of proper oversight.

In the end, our communities are not going to need less of our services. A sluggish economy cannot alter the fundamental societal need for trusted witnesses for important documentary transactions or in-person identification functions.

Even the most cursory review of this year's NNA Conference agenda reveals the scope of the new services that will be required of properly trained Notaries.

Though optimism is at a premium today, we can look to a future with confidence and anticipation.

Our new president's interest in electronic medical records and other

cost-saving protocols only underscores the pressing need for Notaries who understand electronic processes, digital signatures and eNotarization.

Business and government are working diligently to design, vet and implement fail-safe identity security procedures to prove one's identity in the digital environment as well as thwart the increasing dangers and growth of identity theft.

Again, Notaries and notarial principles are emerging as key elements in the numerous systems and programs that can manage and protect individual identity.

In each case, Notaries are gaining, not losing, relevance.

Unlike banks, auto makers and others who must retreat from long-held but now discredited operational processes and business principles in order to survive, Notaries can hold fast to the venerable practices and procedures of an office that can never be dishonored.

Notaries are ready and able to accept the responsibilities that entail adopting innovation and change while continuing to demonstrate the high degree of personal integrity and accountability that service as a public official requires.

At a time when the public's optimism is waning, Notaries are certainly among those in a position to help build a brighter future.

Deborah M. Thaw can be reached at dmbhaw@nationalnotary.org



Hackers Threaten Data Exposure

A St. Louis, Missouri-based prescription drug management company has become the victim of what may be the latest trend for data hackers: blackmail.

This new spin on data breaches represents a potent threat for Notaries because they collect sensitive and valuable personal and business information from their signers, and are expected to meet many new government mandates to protect that information.

In Express Scripts Inc.'s case, the company announced recently that it had received a letter threatening to release millions of files with patients' personal information unless the company paid up. While company officials did not say how much the hackers demanded, the blackmailers' letter included Social Security numbers, prescription details and other information from 75 patients.

The company immediately notified the FBI and followed up by offering a \$1 million reward after the blackmailers sent letters directly to several of its clients.

The federal government is expected to begin enforcing its new Red Flag Rules this summer, requiring businesses of all sizes to implement data security programs, and many states have enacted laws imposing stiff sanctions on businesses who fail to safeguard consumer information. Notaries whose records are breached could find themselves at the mercy of blackmailers and liable for the financial damage the breach caused as well as fines and other penalties.

Those economics likely are the reason for the emergence of the data-breach-driven blackmail. There is so much personal information on the black market that Social Security numbers are selling for just pennies. But data breaches cost companies an average of \$6.3 million to fix, according to a recent study by the Ponemon Institute.

To Fingerprint Or Not Is The Pressing Question

Conscientious Notaries have long understood the fraud-deterrent value of recording clients' thumbprints. Now banks have started embracing the concept by requiring some customers to leave impressions of their digits on the checks they want to cash.

Bank of America recently started the practice and reports that it has cut attempts to cash bogus checks by up to 80 percent. Bank officials said they implemented the program because thieves are getting more creative and skillful when

forging checks. Bank of America says that it doesn't input the thumbprints into a central database and that the original documents are destroyed once the check clears.

Officials at financial institutions that don't collect fingerprints concede that it'll become common practice throughout the banking industry as biometric technology becomes more sophisticated.



eDiscovery Services To Grow During Downturn

The real estate and mortgage meltdown have already spawned a truckload of lawsuits against lenders, mortgage brokers, investment firms, and others — and legal experts predict a lot more will be filed. eDiscovery is the process of obtaining documents and other records stored in digital form that may be used as evidence. With the explosion of computer databases, eMail and text messaging, eDiscovery is playing an ever greater role in our legal process, and good electronic recordkeeping is more important than ever.

The federal government's Rules of Civil Procedure require businesses to keep close tabs on all electronic records and communications, including personal messages.

Notaries trained in eNotarization or other technology specialties will have greater options for finding work in this burgeoning field. eNotarizations secure electronic documents, protect them against tampering and provide an audit trail for any changes — a key element of eDiscovery procedures.

Three Strikes And Homeowners Not Out

To stem the tide of foreclosures and ease the downward pressure on home values, Freddie Mac, Fannie Mae and other government agencies are targeting high-risk borrowers with a streamlined mortgage modification program to help keep them in their homes.

The program is directed at homeowners who've missed three mortgage payments or more, occupy the residence, and haven't filed for bankruptcy. Eligible homeowners would have their mortgages modified so that monthly payments — including any homeowners association dues — would not exceed 38 percent of their monthly gross income.

The modification program is a key strategy in the federal government's efforts to stabilize the real estate and mortgage markets and get the economy turned around.

Federal officials are encouraging private loan servicing companies — which control about 60 percent of delinquent mortgages — to participate in the program by offering an \$800 bonus for each modified loan.

The House That 'Fannie Mac' Built

Between them, Fannie Mae and Freddie Mac own or guarantee:

Source: U.S. Department of Housing and Urban Development



31 Million
Mortgages



58%
All Single
Family
Mortgages



20%
Seriously
Delinquent
Mortgages



By The Numbers

\$11.3 million The amount the real estate and mortgage industries contributed to the 2008 federal elections.

The value of federal government bailouts to the mortgage and real estate markets in 2008. **\$1.02 trillion**

29 The percentage of Personal Identity Verification cards issued to federal employees and contractors by the October 27 deadline.

The number of unique Internet links on the Web in 2000. **1 BILLION**

1 trillion The number of unique Internet links on the Web in 2008.

The median percentage of income tax self-employed professionals have to pay. **18**

10 YEARS The length of a Notary commission term in West Virginia.

\$700 The average amount expected to be saved by borrowers due to the new Real Estate Settlement Procedures Act (RESPA) rules.

Voters Share Balloting Experience On The Internet



Protecting people's confidentiality and privacy is one of the most important priorities in the 21st century. Notaries and others who collect personal identifying information have been under

increasing pressure to safeguard this data, whether it's in a paper-bound journal or an electronic database. But the millennial generation — fixated on sharing the most intimate details of their lives on the Web — has been at odds with the guardians of privacy. Case in point: the 2008 Presidential election. Many voters enthusiastically

sacrificed their privacy by posting video on the Internet of what transpired in that traditional bastion of secrecy — the voting booth.

Hordes of millennial voters — many of them first-timers — brought camera phones and other recording devices into the voting booth, and countless videos made their way onto YouTube and other popular public file-sharing sites.

Most states prohibit displaying marked ballots as a way to combat voter intimidation. Florida, Georgia, Kentucky, Nevada, North Carolina and Texas have made it illegal to take photographs in a polling place.

YouTube warned individuals about these legal issues, but left it to the voter to compromise the sanctity of the voting booth.

New Oregon Law Keeps Immigration Experts Hopping



Voters in Columbia County, Oregon, joined the growing number of communities that are punishing employers for hiring undocumented workers.

Notaries in many of these communities are being asked to play a key role in enforcing the laws by notarizing affidavits for errant employers attesting to the fact that they have terminated their illegal immigrant employees and will no longer hire them.

The new Oregon law, which was modeled on a controversial Arizona statute, requires the County Board of Commissioners to fine an employer who hires illegal immigrants \$10,000 for a first offense, and revoke the employer's business licenses and permits for a subsequent infraction. To get their licenses reinstated, these employers have to file the notarized affidavit, a common feature of these measures, with a county counsel.

The Arizona law and an ordinance enacted by Valley Park, Missouri, have survived several court challenges.

Employers are turning to the federal E-Verify system to check employees' right to work in the United States to avoid hiring undocumented workers. Though not a notarial act, Notaries can act as E-Verify third party agents, filling out I-9 forms and submitting them electronically and reporting the results.

Stay Flexible To Keep Your Job Recession-Proof



With the unemployment rate this year expected to approach levels not seen in more than a quarter century and most industries experiencing sharp cutbacks, Notaries across the country are struggling to make ends meet. But experts say the best way to weather uncertain times is to be open to new career paths.

The real estate and financial industries may be struggling, but many labor experts predict that the job market in healthcare and senior services will

remain robust. With the baby boomer generation hitting retirement age and healthcare reform a top priority for the new administration, both these fields will see plenty of jobs opening up along with a likely increase in demand for notarial services.

The Bureau of Labor forecasted a 22 percent increase in available positions for paralegals and legal assistants between 2006 and 2016. The current economic climate has fed this need as bankruptcy and foreclosures are prevalent.

The paralegal field is a natural career move or source of supplemental income for people with experience in office administration, notarization banking, mortgage lending, healthcare or IT, in addition to other industries.

Employment among government agencies also is expected to grow, according to *The Kiplinger Letter*.

Recorders Turn To Anti-Fraud Technology

Recording offices have started using high-tech methods to fight the ongoing problem of mortgage fraud.

Leading the technology charge, the electronic recording system used in Montgomery County, Pennsylvania, recently helped Recorder of Deeds Nancy J. Becker discover an ongoing fraud scam targeting several properties.

The automated eRecording system alerted Becker when the same person applied for multiple mortgages on the same day — often a sign of suspicious activity. She contacted the FBI. Though the suspected perpetrator fled, Becker was able to stop two of the fraudulent mortgages from going through thanks to the early warning.

Other jurisdictions are using the Internet and telephone systems to keep thieves from committing fraud. More than 30 counties across the country offer a voluntary alert system each time a property document is recorded with their name on it. Though the system does not make documents fraud-proof, it does warn about suspicious transactions. Consumers can go to propertyfraudalert.com for more information and to register.





Female Notaries Take Hold In Islamic World

When Amal Soliman, a 32-year-old mother of three, recently performed her first marriage ceremony, she fulfilled her trailblazing quest to become Egypt's — and the Islamic world's — first female *maazun* or religious Notary (See:

September Issue of *THE NATIONAL NOTARY*). But Soliman wasn't the only female *maazun* for long. Following right behind was Fatima Saeed Obeid Al Awani, the first female *maazun* of the United Arab Emirates.

Soliman and Al Awani's appointments cracked the male-dominated office of *maazun*. *Maazuns* preside over marriages and divorces, including notarizing official documents and registering marriages.

For Soliman, the road to becoming a Notary was filled with numerous obstacles, the most formidable coming from the Committee of Egyptian *Maazuns*. The group opposed Soliman's appointment on several grounds, including that she would be unable to fulfill her duties while menstruating.

Legal and religious authorities supported Soliman's request, noting that there was no basis from her barring her from the office. who holds a master's degree in Islamic law, sought and received support from both legal and religious authorities, who couldn't find any basis for prohibiting her from pursuing the office.

The Returns Are In And Early Voting Scores Victory

Nearly one in four voters who cast ballots in last year's election did so well before the polls opened on November 4. The popularity of early voting indicates that the trend is here to stay — and will increase demand for Notaries.

Out of 125 million ballots cast, more than 29 million people in 30 states voted early.

Some states require voters to provide a reason for mailing in their ballots early, and voters often must obtain a signature from either a Notary or a physician before the individual can be granted a ballot. Other states require the sealed



envelopes to be notarized, authenticating that the ballot comes from the registered voter.

The percentage of early voters has increased consistently since 2000, when the tally came to about 16 percent of the ballots cast. It

increased to 22 percent in 2004 and nearly 25 percent last year.

As of the 2008 election, 28 states now allow voters to cast absentee, mail-in ballots without providing a reason.

The popularity of early voting has grown because many can't spend hours waiting to vote on Election Day or are unavailable.

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NATIONAL NOTARY ASSOCIATION

The Nation's Professional Notary Organization

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You Bet It Pays To Plan Ahead

One of the best ways to make money, especially in Las Vegas, is to save money. You can do just that by taking advantage of early-bird registration for the National Notary Association Conference 2009 and 5th International Forum on eNotarization, eSecurity and eApostilles, being held at Bally's Las Vegas June 9–12.

Early-bird registration, which includes all regular Conference Workshops and materials, the Welcome Reception and Farewell Banquet, is only \$498 per person. After April 4, the registration fee will jump to \$650. You'll want to be close to the action, so it's prudent to book your room at Bally's now. The special NNA rate is only \$132.

Register and book rooms through the NNA's Web site's home page and just click on the Conference 2009 tab.



www.NationalNotary.org/conf2009

NNA Members Have New Online Tools

Members now have a new, more convenient way to manage online purchases, training and membership information through the new "My NNA Profile" feature online at NationalNotary.org.

"My NNA Profile" provides up-to-date information on a user's NNA supplies, insurance policies, products or publication subscriptions, all available at the click of a mouse. Visitors can use "My NNA Profile" to access educational courses they've completed, print out Certificates of Completion, or automatically renew memberships or insurance policies using a credit card.

Visitors can also use "My NNA Profile" to contact the NNA for customer assistance or technical support, or even post questions to an NNA Hotline counselor.

Creating a profile is simple ... to start, go to NationalNotary.org and click "My NNA Profile" in the menu bar.

NNA Hosts Chinese And Ukrainian Notary Officials



Chinese (above) and Ukrainian (right) Notary officials recently visited NNA headquarters to learn more about U.S. laws and eNotarization.



Delegations of senior Notary officials from China and the Ukraine recently visited the NNA seeking to benefit from the Association's global leadership in identity security and Notary-related technology.

On November 11 last year, NNA Executives demonstrated to a delegation from the China Notary Association the ENS[®] (Electronic Notary Signature) — an improved, tamper-proof notarization tool that meets international electronic security standards — and the NNA's Web-based Enjoa[®] Live electronic journal service. Two weeks later, Notary and municipal officials from the Ukraine also visited for a first-hand look at the NNA's cutting edge, electronic notarization system.



www.NationalNotary.org

Your Benefits: Wireless Discounts

With the world depending more and more on mobile technology, the National Notary Association has arranged for its members to take advantage of exclusive, special wireless solutions.

Members can select phone offers from any of the 20 carriers participating in our plan, including Verizon, Sprint, Nextel, T-Mobile and AT&T. Members also can take advantage of ongoing promotions.

If you're interested, call (800) 620-1273.



www.NNAwireless.com

Member Sections Go Monthly

With the NNA's five professional specialty sections now online, members will not only be receiving news and updates electronically, but at a faster rate.

eNOTARIZATION, LEGAL PROFESSIONALS, NSA TODAY, IMMIGRATION AND SMALL BUSINESS Section members now receive the latest news, career tips and industry trends via eMail and on the Section home pages at NationalNotary.org, and will have access to archives of back issues of Section newsletters as well.

Previous newsletters are being updated and will be available for

download in PDF format at each Section's Web page, allowing Section members to easily locate older articles when needed.

And don't forget that the electronic Section newsletters are now delivered monthly — meaning Notaries get more news per year while saving valuable physical storage space and cutting down on excess paper at the same time.

If you're not yet a Section member and want to learn more, visit NationalNotary.org/sections.



www.NationalNotary.org/sections

American Samoa Adopts 'Code'

American Samoa is the latest U.S. territory to update its Notary laws, and among those updates is a provision making *The Notary Public Code of Professional Responsibility* required reading in order to strengthen and improve notarial ethics and conduct.

The territory's new law, which took effect late last year, requires all Notary applicants to complete a training course and pass an exam in order to receive a commission. The course and exam include the *Code*, and the Secretary of American Samoa — the island's top Notary-regulating official — recommends that all Notaries keep the *Code* with them at all times.

Originally drafted by a commission of leading legal and notarial experts assembled by the NNA, the *Code* provides Notaries with a comprehensive guide to ethics and professional conduct in a variety of situations.

More information is available at AmericanSamoa.gov/Secretary/Secretary_home.htm.



National Notary Association

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THE ID REVOLUTION HAS JUST BEGUN

By Chris Wolski
cwolski@nationalnotary.org

BIOMETRICS, SMART CARDS, IDENTITY BANKING ARE
CHANGING THE WAY WE THINK ABOUT IDENTITY

Identifying signers is one of the primary roles of a Notary. In most states, these signers must present identity documents, which include certain elements such as a photograph, description and signature. The biggest challenge for Notaries is not only comparing this information to the person standing before them, but determining whether the ID is, in fact, genuine. This is a daunting task considering that there are about 500 different identity cards that a signer could present as a valid form of identification.

But this is changing. Thanks to a variety of technological improvements and government standards, the days of unique, paper-only IDs are numbered. They are being replaced by REAL ID-enabled driver's licenses, smart cards and a plethora of digital credentials that standardize identity documents, making them far more secure and easy to spot as valid. In fact, Notaries are in the frontlines of the ID revolution that is sweeping the country.

One of the biggest changes to identification documents has been smart card technology. A smart card is a portable, personal electronic digital credential — often embedded in a plastic card or USB-compatible token — containing information that only can be connected to the individual to whom it is issued. This technology is “dynamic,” allowing for the storage of a huge amount of personal information on the card, such as photos, fingerprints, iris scans and other biometric identifiers, said Randy Vanderhoof, executive director of the Smart Card Alliance.

Vanderhoof said these smart card credentials include anti-fraud technology that makes them nearly impossible to alter, making them more secure than traditional documents. He said this means they can be trusted by Notaries and others who need to rely on their validity. The result, said Vanderhoof: “The person vetting the ID now knows for certain that the individual is who they say they are.”

Smart card technology may be the most secure

identity document on the block, but it hasn't been an easy sell, mainly because of the realities of U.S. political tradition.

REAL ID CHALLENGE

The federal government's REAL ID program, which was designed to establish a common set of security elements and a technologically compatible way to access driver's licenses in other states, has been mired in a series of setbacks stemming from state lawmakers and officials who see the program as a violation of states' rights and individual privacy. Several states initially tried to opt out of the program, though currently all 50 have agreed to participate.

The Department of Homeland Security (DHS) has worked with states to strike a number of compromises and clarifications to allay fears. Individual states will still design the look of their licenses, but will be required to follow a standard format — making it easier for Notaries who are unfamiliar with the ID to check for the required personal data. While REAL ID documents won't incorporate smart card technology, they will feature a two-dimensional bar code that contains the same information that is printed on the card.

The states will have until 2011 to implement the REAL ID program.

But the federal government is determined that the ID revolution will be built around smart card technology. Toward that end, it is aggressively implementing its Personal Identity Verification (PIV) card program. All federal employees and contractors must now possess smart card-based IDs.

Despite disagreements between state and federal authorities, they have established a common set of criteria for identification documents. But there has to be a common way to access the barcodes and smart card information embedded in these advanced identity credentials. One of the likeliest methods: special readers that allow officials, such as Notaries, access to the data on the cards.

READING THE FUTURE

While it's unlikely that Notaries will need to do anything except look at an ID to verify a signer's identity, it may become necessary to access the bar codes, magnetic strips and smart card data on advanced identity documents. Special electronic card readers allow officials, such as Notaries, access to the data on the cards.

And even if the realities of identity management mean that Notaries will not need to regularly access the electronic data embedded on advanced IDs, they have access to advanced biometric data, particularly in their roles as Trusted Enrollment Agents™ (TEAs). And as technology

marches forward, the list of the biometric markers that TEAs will have to vet will continue to increase.

THE MEASURE OF THE INDIVIDUAL

Biometric identifiers are unique biological measurements — such as fingerprints and iris scans. The list of these measurements has increased dramatically over the last few years and research into human identity will continue to expand it.

For instance, a researcher in England has found a way to use gait patterns to identify an individual. In this case, the data can be recorded visually and compared using a computer program when he or she is observed in a live situation.

Perhaps the most bizarre biometric development is the recent announcement by researchers that every human being has a unique "odorprint" that is as distinctive and individualized as a fingerprint, and cannot be covered or altered by either perfumes, food or other smells.

Thus far, neither gait patterns or the odorprint have been added to a smart card, but it does indicate that there may be a day when the data needed to identify an individual is so great, making an identity so distinct, that it'll be impossible to steal or fake it.

WHAT'S NEXT?

But the identity revolution probably won't end there, and the way it emerges in the United States is likely to be significantly different than in other nations that have centralized identification systems.

Because of states' rights and the inherent distrust of the federal government collecting centralized data, Vanderhoof doubts that there will ever be a national identity card or central identity database. That means individuals will eventually end up with credentials from a number of institutions and jurisdictions — from state and federal governments to employers and healthcare providers.

The challenge will be managing all of these documents. Vanderhoof suggests that this will open the door to trusted third-party vendors who will set up the equivalent of "identity banks" — repositories for all of an individual's credentials that can be accessed with a single card.

But the biggest change that may be wrought by the identity revolution is to the identity card itself. While, numerous science fiction-like scenarios could come into play — such as chips embedded under our skin or the elimination of the credential altogether — the answer may already be in our hands: cellular phones. Thanks to robust designs such as the iPhone, they enable people to manage every aspect of their lives.

So in the future, Notaries may find that proving identity is the easiest part of their job. **NNA**

Official Journal of Notarial Acts

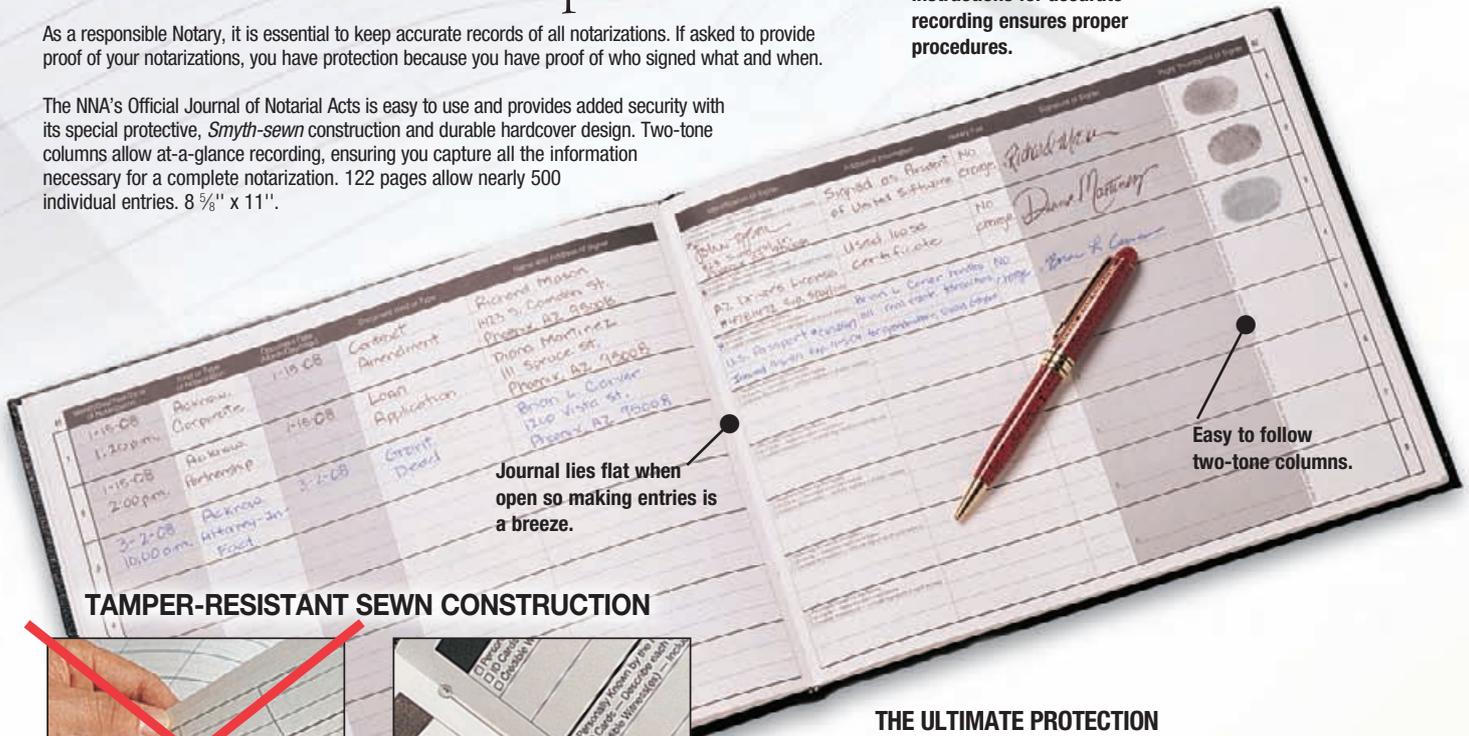
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2009 Notary of the Year

Elaine Wright

Leading Others Down The Wright Path

This Year's Top Honoree Has A
Commitment To Elevate The Office
Through Professionalism And Education

By Michael Mink
mmink@nationalnotary.org

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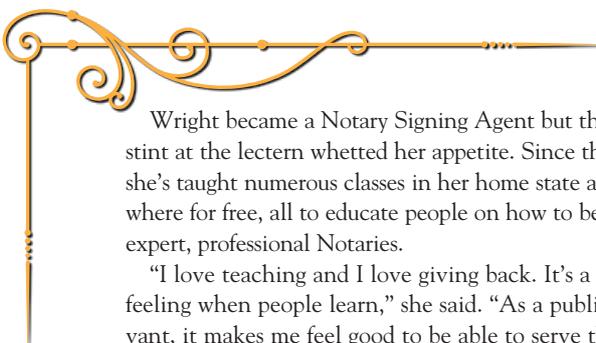
ittle did Elaine Wright realize,
but a routine refinancing of her
Mitchellville, Maryland, home in

June 2002 would lead her to a new, burning
passion — being a Notary Public. And in the process, she recon-
nected with an old one — teaching others.

It all began when Wright learned that — to her delight — she
could sign her refinance papers in the comfort of her own home.
When the appointment time came, she and the Notary Signing
Agent completed the necessary paperwork in about 45 minutes.

Intrigued by the convenience, Wright instantly recognized a
good business opportunity and decided to look into becoming a
Notary so she could conduct signings. She enrolled in a Notary
Public procedures class at Prince George's Community College
in Largo, Maryland.

After just one class, she got a call from Mary Jane
Shearer, Prince George's Continuing Education Coordinator,
informing her that her teacher had suddenly passed away.
Not one to be discouraged, Wright volunteered to teach
the class and her offer was accepted. Of course, it was a
natural transition. Teaching had always been a part of
Wright's life, dating back to her days as a sales direc-
tor for Mary Kay Cosmetics Inc., when she constantly
trained her subordinates.



Wright became a Notary Signing Agent but that first stint at the lectern whetted her appetite. Since then, she's taught numerous classes in her home state and elsewhere for free, all to educate people on how to become expert, professional Notaries.

"I love teaching and I love giving back. It's a great feeling when people learn," she said. "As a public servant, it makes me feel good to be able to serve the state and my community."



In that spirit, she has actively proposed legislation regarding Notary education and testing requirements to her local legislators and the Maryland Secretary of State. She also serves as an election judge and certified voter registrar for the Prince George's County Board of Elections.

All of Wright's activities exemplify the highest Notary ideals of professionalism, integrity, impartiality and public service. For her tireless efforts to promote exemplary Notary standards in the office's critical role as America's front line of defense against identity theft and document fraud, Wright has been named the National Notary Association's 2009 Notary of the Year.

"It's a very rewarding honor because I just love being a Notary and helping other people," Wright said. "I never stop trying to improve my skills and those of other Notaries. I take pride in elevating the way we see are ourselves as Notaries Public."

Wright was an NNA Special Honoree in 2005 and has been an NNA Notary Ambassador™ since that year.

"Elaine has a great passion for the Notary profession. From the beginning of her Notary career, she set out to be more than the best that she could be," said Wanda Moore, a Notary and Wright's friend of almost 40 years.

Wright is a senior planning technician with the Maryland National Capital Park and Planning Commission. She also runs her own home-based business, Wright Consulting Group, LLC, which provides Notary and Web development services. But Wright only charges for loan signing assignments. Many of the 700 notarizations she performs each year are for co-workers and their families as well as members of the general public, and she never charges for those tasks.

As an Adjunct Instructor for Prince George's

"As Notaries, we're not just rubber stampers. We're people who actually have a profession. Once you put your seal on a document, you add legitimacy to it."

Continuing Education Department, she has expanded the number of courses she teaches from the basic class to 13 different Notary subjects — among them, Notary Public Procedures, Become an Acknowledgment and Jurat Expert, Marketing Your Notarial Services, The Notary Entrepreneur and eNotarization.

Wright has been so successful that enrollment in her classes grew from 125 Notary students in her first year of teaching to a peak of 900 a couple of years ago.



Elaine and her students at Prince George's Community College.



Notarizing and having a signer sign her journal.



Elaine's two biggest supporters: Wanda Moore and Frederick Harris, both fellow Notaries.

To her students, Wright stresses the importance of recordkeeping.

"The journal protects the Notary. If something should happen down the road, anyone could see that we followed steps properly in screening the signer," Wright said. Her personal, fraud-detering policy includes getting her clients' thumbprints — something not required by her state.

In Maryland, NSAs must be state-licensed title insurance producer independent contractors and meet rigorous bonding and education requirements. Her desire to help others is so ingrained that Wright teaches a class for Signing Agents out of her consulting office.

She holds frequent forums at the college, bringing together area Notaries with officials to learn and discuss the latest developments affecting the Notary office. She also uses the gatherings to provide updates on information received at the NNA's annual Conferences. She has attended every one since becoming a Notary and has become a fixture as a workshop speaker. She is slated to conduct several workshops at this year's Conference in Las Vegas, including "Your Role As An Identity Manager — Are You Ready?"

Despite such a full plate, she finds time to volunteer her time for local causes. Last year, she helped with her employer's "Christmas in April" program, which assists elderly and physically challenged local homeowners with repair services. On her own, she raised \$500 for a family she knew who were victims of Hurricane Katrina. She also coordinated a school supplies drive for Ridgecrest Elementary School in Adelphi, Maryland.

Wright feels blessed that most of her immediate family lives near her, including her two sisters; her son, Dwight; daughter-in-law, Marilyn; and grandchildren Derrell, 11, and Tianna, 10. Her significant other, Frederick B. Harris, is also a fulltime title insurance producer in Maryland. "He is one of my biggest supporters as well as a resource in the NSA field," she said. Frederick co-teaches two classes with her at

Prince George's.

"Family means everything to me," Wright said. In January 2008, Wright brought her 86-year-old aunt, who suffers from Alzheimer's disease, from Philadelphia, Pennsylvania, to live with her. Wright takes care of all her needs. "At the end of the day, it's all about family loving and caring for each other."

Wright has consistently embraced new Notary technology. She was an early adopter of the Enjoa® eNotarization platform that includes the electronic journal. Wright is excited about the prospects for eNotarization and ultimately wants to specialize in it.

"To evolve, you have to be able to see the big picture and visualize the future," Wright said. "Technology is here and it's going to get even more sophisticated. In this world of electronic documents and digital proofing, the time is now to learn about eNotarization and prepare for the transition."

While Wright made a good living during the heyday of the real estate market, she refuses to allow market conditions to idle her. "When things are down, I feel that's the time to study and learn," she said. After receiving a call from the NNA, Wright eagerly accepted the invitation to join the pilot Trusted Enrollment Agent™ (TEA) program. Working with the NNA she received the training needed to conduct identity-proofing sessions for defense subcontractors seeking digital credentials to access sensitive computer networks and databases. In fact, she was among the first TEAs to receive an identity-proofing assignment, verifying the identities of several employees of defense contractor Northrop Grumman. But true to her notarial standards, she turned one Grumman employee down for not having proper identification credentials.

She is always mindful of her responsibilities to the public trust. "As Notaries, we're not just rubber stampers. We're people who actually have a profession. Once you put your seal on a document, you add legitimacy to it. So what we do is very critical," she said. **NNA**



Elaine teaches a 13-course curriculum.



On the job at the Maryland National Capital Park and Planning Commission.



Explaining zoning information to customers.



Laura Biewer:

A Hard Worker Who Still Makes Time To Help Others

*L*aura Biewer is one of the hardest working Notaries you'll ever find. She is always dedicated to the task at hand, whether she's serving as executive director of the Congregation Beth Shalom synagogue in Modesto, California, or on assignments as a Notary Signing Agent. Still, she never fails to put time aside to help those in need, even if it means taking personal risks.

In 2001, she chose to leave her established career as vice president of membership services with MedicAlert Foundation to start and operate an assisted living facility for the elderly and became a Notary to assist them.

When she learned that local regulations prohibited her from doing notarizations for residents because of the potential conflict of interest, she arranged for a friend to perform Notary services for the assisted living facility's residents for free, while Biewer took on the same duties for the friend's elderly and sick clients. Though a back injury forced her to sell the facility in 2005, Biewer still notarizes for elderly and ill signers at care facilities throughout her county free of charge.

Biewer has always maintained the highest standards, especially when it comes to maintaining her journal entries. "I love my journal and see it as a friend," she says. Such was the case when police contacted her about a document with a signature that appeared distorted. Because Biewer had taken care to note the details of the transaction,

she was able to prove that the signer was recovering from a stroke at the time.

Biewer has also made great efforts to reach out to colleagues and her community. She has served as a Certified Notary Instructor in Central and Northern California since 2003. She also helps with the "No Homeowner Left Behind" group of the Central Valley — an all-volunteer organization that helps homeowners facing foreclosure. At the group's monthly meetings, she helps homeowners with mortgage problems contact their lenders or the Department of Housing and Urban Development, who then assist the homeowners in modifying their mortgages in order to meet payments. "I

feel that everybody needs to give back to the community," Biewer said. "I don't give back because I'm a Notary. I see being a Notary as a way to give back.

It's just one more avenue for me to help others." —
David S. Thun

"I don't give back because I'm a Notary. I see being a Notary as a way to give back."

From: Modesto, California

Occupation: Owner, At Your Service
Mobile Notary

Years She's Been A Notary: 6

Why She Became A Notary: To help residents of an assisted living facility

Carl Kaliszewski:

Using His Commission To Help The Less Fortunate

*I*f there's one word that best sums up Carl Kaliszewski's life, it's "service." A financial adviser and retirement planner by profession, Kaliszewski enjoys helping people plan for their future and considers it a genuine honor to be a commissioned Notary. "My mission is to help and support wherever I can," he said.

It's an honor that he takes seriously. Kaliszewski maintains a journal and records signers' identification information. To further preserve his clients' confidentiality, he only performs notarizations behind closed doors.

Kaliszewski does his utmost to preserve the integrity of the office. He will not hesitate to refuse a notarization if something doesn't seem on the up and up: "I'm there to protect the client." In addition, he adamantly refuses to give guidance or advice to clients about the documents that they are seeking to have notarized, and will refuse to perform a notarization if the signer does not have proper identification.

But helping signers is just one part of Kaliszewski's dedication to serving those in need — a calling that takes him around the world.

He is active in Rotary International, serving as vice president of the Sturbridge Rotary Park and as Centennial District Governor. He has raised more than \$180,000 for projects around the world and recently traveled to Panama City, Panama, to help renovate an orphanage for at-risk children. Kaliszewski has traveled to Mexico three

times with Habitat for Humanity. He is on the board of directors for The Gift of Life, an organization that works with Rotary International to bring children in Third World countries with heart problems to the United States for life-saving surgery.

Closer to home, Kaliszewski donates his time and efforts to the Cancer Society's Walk of Life and a local food share program.

Kaliszewski also works on behalf of Notaries. He is in ongoing communication with state representatives and legislators in support of bills promoting the Notary office. Being a Notary is a symbol of Kaliszewski's personal mission to make the

world a better place, and

he expects to retain his commission for the rest of his life.

"I'm always looking to help people every day, and being a Notary is one of the best ways I can do that," he said.

—Chris Wolski

"I'm always looking to help people every day, and being a Notary is one of the best ways I can do that."

From: Webster, Massachusetts
Occupation: Owner, Navigator Financial
Years He's Been A Notary: 21
Why He Became A Notary: To help clients and the public at large.

Samantha Klaburner:

A Crusading Fighter For The Highest Ethical Standards

*S*amantha Klaburner is a fighter. When this Notary Signing Agent sees something that isn't right, she stands up.

Klaburner, from Chattanooga, Tennessee, recalls the time she was asked to notarize documents for a property sale and noticed the driver's license photos didn't match the people appearing before her. When she refused to continue the notarization, the signers surrounded her and tried to force her to continue. Keeping her cool, as soon as she could safely leave, Klaburner notified the police and turned the suspicious signers in to the authorities.

For Klaburner, being a Notary isn't simply a career; she takes her role in document fraud prevention very seriously. She demonstrates this in her day-to-day notarial practices. She recently refused to notarize a document provided by a title company that included a machine-generated signature. She keeps a journal and takes thumbprints for her entries, even though journals aren't required in her state, and has campaigned for methods to report unethical Notaries in Tennessee.

"I like being a watchdog, a guardian of the people," she says. "People sometimes look at being a Notary as a moneymaking machine, but it's important to know ethics and do your job correctly."

Klaburner's professional life is an extension of her larger commitment to serving her community. She co-founded the National Association for the Safety of Teenage Drivers, a non-profit group dedicated to

keeping young drivers safe on the roads. She also has done outreach and support for families with loved ones affected by brain cancer, helping them find information about the condition and look for treatment options. It's a very personal cause for Klaburner because her husband passed away from a brain tumor last year. Klaburner also makes herself available to help Notary Signing Agents in her area who have questions about professional issues, and she teaches correct notarial procedures to employees at senior centers and title companies. To her, Notary ethics aren't something you take or leave as you wish — they are essential. "Doing the right thing drives me," she said. "To me, there are no gray areas — just right and wrong."

— David S. Thum

*"Doing the right thing drives me.
To me, there are no gray areas —
just right and wrong."*

From: Chattanooga, Tennessee
Occupation: Notary Signing Agent
Years She's Been A Notary: 17
Why She Became A Notary: To further her real estate career

Carolyn Puckett:

Serving Others By Following The Letter Of The Law

Doing what's right and what's legal is standard operating procedure for Carolyn Puckett. "There is no gray area in being a Notary, only black or white," she said.

Since becoming a Notary in 1985, the Eagle, Idaho-based paralegal has sought to provide her clients with the best possible service while following the letter of the law. She has refused requests by her attorney-bosses to notarize for signers who weren't present and, in her capacity as a Notary Signing Agent, has refused to backdate documents. Puckett even goes beyond the letter of the law, keeping a journal — even though it is not required in Idaho.

Originally becoming a Notary to fulfill the requirements of a job, she views her nearly quarter-century of service as an important contribution to her community. She offers notarial services for local long-term nursing facilities and hospitals, making herself available 24-hours-a-day, seven-days-a-week. She routinely asks signers' nurses about the effects of their medications to determine if the medicines could impair their judgment, which she notes in her journal to ensure that the standards of "willingness" and competence" have been satisfied. Puckett never offers legal advice to clients. She tells clients that she cannot advise them on legal matters. Instead, she recommends that they not sign a document until they understand it or have consulted an attorney.

She also provides volunteer Notary services for housebound clients in a 20-mile radius.

She only collects travel fees for her hospital work.

But it isn't only the community at large that Puckett serves. As the president of the Idaho state chapter of the National Association of Legal Secretaries (NALS), she promotes Notary best practices among Notary-paralegals by conducting "Do's and Don'ts" seminars. She also provides the latest state Notary handbook to all NALS members. She teaches paralegal certification test prep classes, covering Notary rules and regulations.

"I think that it's important for Notaries to give back. It's an example of professionalism and caring. If we can show that we care a little, that's a lot. Clients like to see that we're compassionate people, too," she said.

— Chris Wolski

"If we can show that we care a little, that's a lot. Clients like to see that we're compassionate people, too."

From: Eagle, Idaho

Occupation: Paralegal; Notary Signing Agent

Years She's Been A Notary: 24

Why She Became A Notary: *Because it's an important part of our society and a service to the community*



ESCAPING THE PAPER JAM WITH TECHNOLOGY

By David S. Thun
dihun@nationalnotary.org

IT MAY BE HARD TO GIVE UP PHYSICAL RECORDS, BUT
GOING ELECTRONIC CAN SAVE TIME, SPACE AND MONEY

For centuries, paper was such an important part of commerce that it became part of the language — we talk about “paper trails” and “drawing up papers” when referring to day-to-day business activities. But that’s no longer true in the rapidly expanding world of eBusiness.

Today’s entrepreneurs now manage their offices and keep important records electronically. And in doing so, they are eliminating the need for copious storage space, cutting their office supply costs, and making their offices eco-friendly and more efficient. And it doesn’t require a degree in computer science ... a few simple changes, and basic knowledge of computers can have a business well on its way to reducing the burden of excess paper.

HOW GOING PAPERLESS HELPS YOUR BUSINESS

Whether your business is home- or office-based, reducing your paper use cuts supply costs and storage requirements at the same time. Electronic

documents can be delivered via eMail to save on postage costs associated with physical documents. Less paper makes it easier to organize work areas, and electronic information is often easier to search, retrieve and store. What’s more, going paperless is good for the environment. Production of paper requires massive amounts of oil, water, landfill space and electrical power. Reducing paper usage helps preserve these valuable resources, as well as cutting down on pollution generated by paper mills and reducing the consumption of trees cut down each year.

DID YOU GET THE MEMO? CHECK YOUR EMAIL

One of the simplest ways to start going paperless is to switch to eMail for interoffice communication. eMail is faster than a paper memo, can be delivered instantly to necessary recipients, and doesn’t require circulation of a physical document. eMail can also be used to communicate with outside clients and contacts

as well ... in fact, many Notaries already use eMail to set up assignments or arrange notarizations with signers.

OPTING OUT OF JUNK MAIL

With identity theft rampant these days, junk mail has become a massive nuisance. Not only does it clutter up homes, offices and mailboxes, but it also contains names, addresses and other sensitive information that can be picked up by ID thieves if junk mail isn't shredded before being thrown away. The result? People have to divert time from their other activities to shred solicitations and ads they didn't want in the first place.

One way you can cut down on the junk mail you receive is by registering with the Direct Marketing Association's Mail Preference Service. When registered, a person's name and address is placed on a "do not mail" list which is updated regularly. Registration is free online at DMAchoice.org or by regular mail by sending a letter plus a \$1 check or money order to:

Mail Preference Service
Direct Marketing Association
P.O. Box 643
Carmel, NY 10512

Companies that don't use the DMA's mailing list may need to be contacted independently in writing. When asking to be removed from a mailing list, you should also ask that your name and address not be sold to or shared with other companies.

ELECTRONIC RECORD STORAGE

Ever wish you could get rid of those unsightly metal file cabinets and the stacks of paper records inside them? Many of today's small businesses are doing exactly that with the help of eDocument technology. A computer with a scanner and electronic document reader such as Adobe Acrobat can scan and save images of paper documents for online storage. By saving these documents in a file format such as PDF, these documents can be printed as hardcopies without the need for copious physical storage space. However, it's important to password-protect or otherwise restrict access to electronic records, especially with sensitive documents. Important files should be backed up on a regular basis and stored off-site to prevent key data being lost due to a natural disaster, fire or other catastrophe. One example of an electronic recordkeeping tool for Notaries is the National Notary Association's Enjoa® Live system. This allows Notaries to record and store journal entries that are protected against unauthorized access, encrypted and stored remotely as a safeguard against theft and

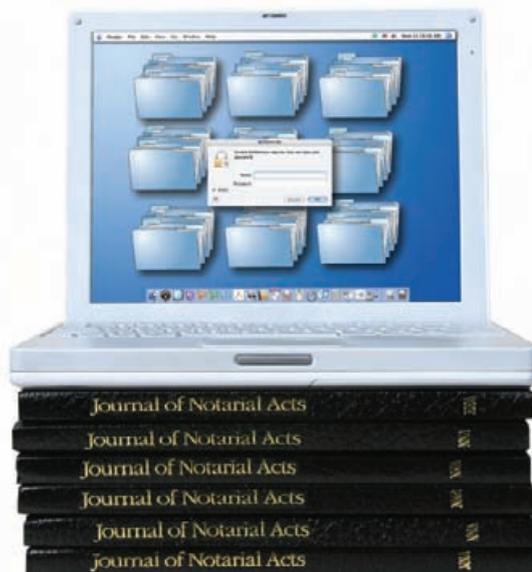
disaster, and can be accessed and used from any computer with an Internet connection.

PAYING BILLS ONLINE

Hate seeing those envelopes stuffed with bills piling up in the mailbox each month? Consider switching to online payment. By having bills, credit cards or other expenses transferred directly from a bank account to the receiver, Notaries can save on postage, envelopes and other costs. The biggest advantage of paying bills online is that the process can be customized to meet an individual user's needs and comfort level. Banks offer a wide variety of options for paying online, including online payment for single or multiple periodic expenses, separate accounts dedicated to bill payments, and a variety of security options to protect accounts from fraud or overpayment. That said, if you set up automatic payments, you will need to monitor your budget carefully from month to month to ensure your budget stays balanced. If online bill payment doesn't appeal, simply opting for an online statement from your bank each month instead of receiving a printed statement in the mail can reduce excess paper. Notaries can consult with their bank or credit union to find out if paying bills or receiving statements online is suitable to their business or personal needs.

ONE STEP AT A TIME

The best thing about going paperless is that you don't have to try everything at once. There are so many options out there that you can try one or two that appeal to you, and then add more if it proves helpful to your business. **NNA**





Good Recordkeeping 'Cures' Tax Headaches

APRIL 15 DOESN'T HAVE TO BE A DAY OF DESPAIR. THE FOLLOWING TIPS AND A TRIP TO A QUALIFIED TAX PREPARER CAN HELP NOTARIES AVOID ANY LAST-MINUTE SURPRISES.

FILING STATUS

Notaries either work for someone or are independent contractors. Regardless of your employment status, treat your notarial fees the same way — as part of your gross income.

Gross income is the amount of money received before any taxes are deducted. Keep in mind that any fees received as a Notary Public are not subject to self-employment tax, according to U.S. Internal Revenue Service (IRS) Publication 17. The gross income figure should be listed on Form 1040 Schedule C or Schedule C-EZ. These forms can be downloaded from the IRS' Web site at www.irs.gov.

INCOME SPREADSHEET

Because Notaries can earn income from both Notary and non-Notary work, it's imperative that they keep a meticulous, itemized record of fees expenses. This way they can take advantage of the self-employment tax exemption for notarial fees.

A log book or Blackberry and a computer spreadsheet will come in handy for this purpose. You can use the log book or Blackberry to record your daily expenses — such as mileage and other travel expenses — and then transfer the day's records to a central computer spreadsheet.

Itemizing everything allows you to separate Notary and non-Notary income for tax-reporting purposes. When tax season rolls around, meticulously kept records will yield gold in tax savings.

HANDLING ADDITIONAL FEES

Because some Notaries and, particularly Notary Signing Agents (NSAs), may receive fees for services separate from their notarial work, their tax situations can be a little more

complex. NSAs, for instance, are paid for such services as traveling to remote locations and for delivering loan packages. Because these services are not specifically Notary-related, any earnings for those are subject to self-employment tax.

If you are collecting fees for services apart from notarizations, the net profit from your notarial fees — the gross income minus applicable expenses — must be determined by using a Form 1040 Schedule C or C-EZ, the same forms used by Notaries who don't charge extra fees. Net earnings of \$400 or more from non-Notary services, such as acting as a courier, must be declared on IRS Form 1040 Schedule SE for self-employment tax purposes.

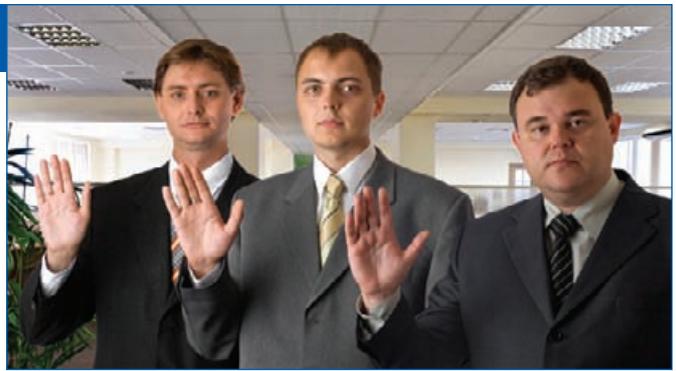
This may seem complex, but it ensures that at least part of your income will always be exempt from self-employment tax.

THE 1099

Notaries who are employed by a firm can expect to receive a W-2 form that itemizes wages and withholdings for the year. However, many Notaries are independent contractors who accept jobs from a variety of clients. In this case, the Notary will receive a 1099-MISC ("Miscellaneous") form.

A 1099-MISC form is required when a Notary receives at least \$600 from a company during the fiscal year. For instance, Trusted Enrollment Agents™ (TEAs) who make over \$600 a year from credential enrollments, will receive a 1099 from the National Notary Association — the business entity that contracted and paid them. However, if a TEA earned less than \$600, the Association would not be obligated to send a 1099 form, though it may still do so as a matter of consistency. In either case, the TEA must declare the income.

Risk Management In The Office



EVERY SINGLE DAY, NOTARIES ACROSS AMERICA are asked to violate their public duty to protect against fraud by improperly notarizing documents. The requests cover a host of sins: backdating documents, foregoing proper identification and even notarizing for absent signers. And these improper requests don't always come from clients.

Employers often see Notary services as an extra benefit to offer their customers, and they want to make that benefit as convenient as possible, even if it means cutting corners and putting a Notary employee in an awkward situation.

But a faulty notarization, intentional or not, can result in major financial and legal consequences. Conscientious Notaries can save themselves, their employers and their employers' clients a lot of grief by engaging in a bit of risk management.

THE STAFF 'EXPERT'

A good way to head off improper requests is to recommend that your employer appoint a staff Notary expert to supervise in-house notarial duties and services. You can even volunteer to take on the job. The expert would advise upper management and other staff Notaries about notarial procedures and laws, and help establish notarial policies.

With a formal policy in place, staff Notaries would be better positioned to refuse improper requests.

BEST PRACTICES

The foundation of any good Notary policy is built on best practices. It all starts with personal appearance. No matter how good a client is, no matter how much your boss may want to give a client special treatment, that cannot include foregoing personal appearance. Why? Because it's illegal.

Personal appearance is required of every signer in all states for every notarization. Waiving this requirement is a court case waiting to happen because it leaves a transaction open to easy fraud.

Along with the personal appearance, always properly

A faulty notarization, intentional or not, can result in major financial and legal consequences.

NOTARIES CAN PREVENT MANY PROBLEMS AT WORK THROUGH BEST PRACTICES AND PRECAUTIONS

identify your signer. Some employers may see asking clients for ID as a burden. But it, too, is required by law because it helps prevent fraud. For states that permit personal knowledge as a way of identifying a signer, that means your knowledge, not your boss'.

Not every state requires Notaries to maintain a journal of notarial acts. But all companies should. A journal can be a company's — and a Notary's — best defense if a notarization is challenged. Among other things, a journal entry can establish that the company took reasonable care to avoid negligence.

Both your journal and seal should be kept under lock and key. That will prevent it from being stolen. Harried co-workers often think nothing of "borrowing" a seal just to complete a task. In general, a Notary's seal is a powerful tool for fraud because it lends the appearance of authenticity to their faked documents. Your journal contains sensitive information about signers such as their mailing address or driver's license number.

INSURANCE, INSURANCE, INSURANCE

Like all humans, Notaries make mistakes. A surety bond — in those states that even require them — protects victims only. A Notary has to repay any money paid out from the bond.

The only real protection Notaries and their employers have is Errors & Omissions (E&O) Insurance, which is optional. It protects the Notary from damages due to unintentional errors (intentional actions are not covered), and the Notary does not have to repay this money.

Ultimately, risk management is all about preparation. Be familiar with the law, follow best practices and have sufficient insurance coverage. This will go a long way toward eliminating problems with notarizations and minimizing your and your employer's exposure. [NNA](#)

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Shown: Notary Public version

1000 Cards: \$59.95
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Includes these "Notarization Musts" inside:

- The document signer must personally appear...
- The Notary must identify the signer...
- The Notary must be impartial and disinterested...
- The Notary must make a record...
- The Notary must hold and scan the document...
- The Notary must not certify a copy of a birth certificate or other vital record...

Complete this form and mail with your payment to: National Notary Association, P.O. Box 541032, Los Angeles, CA 90054-1032
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- C. Notary Public***

| | |
|---|-----------------|
| Subtotal (check style and quantity from list at left) | \$ _____ |
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| <small>AZ, CA, FL*, HI*, KS*, MA, MI*, MO*, NE*, NV*, NJ*, NY*, NC*, PA*, TX*, VA & WA*</small> | |
| Total | \$ _____ |

*For these states, include tax on shipping.

MEMBER & PAYMENT INFO

Name: _____

Organization: _____

Address: Business Home _____

City: _____ State: _____ Zip: _____

Daytime Phone: _____ Home Phone: _____

eMail: _____

NNA Member Number (required): _____

Check/Money Order (payable to NNA) Visa MasterCard American Express Discover

Card No.: _____ Expires: _____

Name on Card: _____

Billing Address: _____

City: _____ State: _____ Zip: _____

Signature: _____

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The Fundamentals Of Receiving An Overseas Military Commission

By Betty Pringle
NNA Hotline Counselor
bpringle@nationalnotary.org



Every call to the NNA Hotline is unique, which is why my colleagues and I must be aware of every nuance of the Notary office. Some questions are technical, dealing

with filling out a notarial certificate or handling an unusual circumstance, such as notarizing for the blind. But many are fundamental questions, like the one recently submitted by **D.B.**, an overseas Marine Corps corporal in **Iwakuni, Japan**, whose basic question revealed a more complex answer than he expected: **If I became a Notary in my home state, would I be able to notarize documents even though I am stationed overseas?**

A Notary commission is only valid within the border of the state that issues it. However, some military base Notaries can notarize worldwide. Some states, such as California, allow the Secretary of State to appoint Notaries for U.S. Army, Navy, Coast Guard, Air Force and Marine Corps bases in the state. However, in California, military base Notaries can notarize only on the base where they were appointed (CA Government Code, Section 8203).

Certain U.S. military officers may notarize for military personnel and their dependents anywhere in the world. Under certain circumstances enlisted personnel and others may serve as Notaries:

- Civilian attorneys employed as legal assistance attorneys and licensed to practice law in the United States
- Enlisted paralegals, personnel rank E-4 or higher, on active duty or training on inactive duty
- Active duty personnel who are commissioned officers or senior non-commissioned officers (rank E-7 or

higher) who are stationed at a geographically separated unit (GSU) or location where no authorized Notary official is available, and who are appointed in writing by the unit's servicing general court-martial convening authority (U.S. Code, Title 10, Sections 936, 1044a).

Are there any restrictions or laws about not doing loan signings on the weekends or in the evening hours?
M.V., De Pere, Wisconsin

According to the Notary Public Information Brochure on the Wisconsin state Web site, Notaries may perform notarial acts on weekends and holidays. There are no special restrictions on notarizations during these times.

I work for Human Resources for the Pennsylvania House of Representatives. We recently terminated an employee who was a Notary, and have his stamp and journal of notarial acts. What should we do?

A.H., Harrisburg, Pennsylvania

If possible, the stamp and journal should be returned to the Notary. If, for some reason, you cannot return them to the Notary, you must turn in the journal to the Recorder of Deeds of the county where the ex-employee is registered within 30 days. The stamp would need to be sent to the Department of State.

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

1-888-876-0827

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

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



Beware Identity Thieves Disguised As Uncle Sam

Let's face it, when Uncle Sam calls or sends a friendly little missive, we respond. He's the one relative we can't put off. And our compliance is precisely what identity thieves

count on. With tax season in full swing, a few favorite identity theft scams are in vogue with the goal of making unauthorized deductions from your bank accounts.

A particular favorite is the "IRS" eMail and telephone scams. Here thieves bandy the IRS name as a calling card. A common tactic is to send phishing eMails under a facsimile IRS logo claiming that you are eligible for a tax refund, rebate or advance payment. The eMails come with a convenient link to click so you can give the thieves your pertinent financial information.

These types of scams are hardly new. The economic stimulus checks most of us received last year spawned variations of the phishing scam. Bogus IRS eMails sought to lure taxpayers into giving up their bank account information ostensibly to receive a direct deposit.

Some people received phone calls about their stimulus payments. Callers claiming to be IRS employees would ask taxpayers for the Social Security and bank account numbers. They insisted it was needed to complete the processing of their stimulus payments. Instead of sending money, the thieves use the information to drain taxpayers' accounts and misappropriate their names and credit.

Another scam involves an eMail that claims there have been changes to the tax laws. The eMail instructs the recipient to download information on the tax law changes via the accompanying link. The link, however, is loaded with malware, which infects

your computer and gives ID thieves remote access to your computer. Then they have easy access to any sensitive information, such as passwords and account numbers. The bogus URLs aren't legitimate. All IRS.gov Web page addresses begin with <http://www.irs.gov/>.

To protect yourself from disguised IRS scams, the first thing to remember is that the IRS does not send or request communications

through unsolicited eMail. Nor does the tax agency gather information by phone. IRS employees will never ask for your account PIN numbers and passwords. They already have all the information they need from your tax return to process any rebate, refund, or stimulus payment. If you want

direct deposit, which is completely optional, there's a section on the tax return to provide account information.

If you receive an eMail from someone claiming to be the IRS or directing you to an IRS site, do not reply. Do not open any attachments as they may have a malicious code embedded in them that will infect your computer. Also, do not click on any links. If you already have, the IRS directs you to visit its Identity Theft page. Forward any suspicious eMails or Web site URLs to the IRS at phishing@irs.gov.

Remember, if the IRS wants you, they'll send a letter. The correspondence, of course, will provide a phone number for you to call that is verifiable online or by calling "information."

— Michael Mink

If you receive an eMail from someone claiming to be the IRS ... do not reply.



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Electronic notarization processes, procedures and systems are not yet established in every state.

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