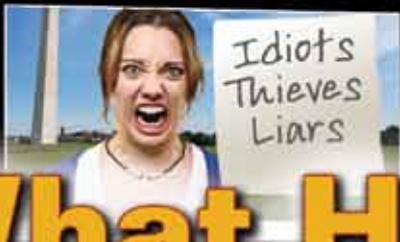


# The National NOTARY

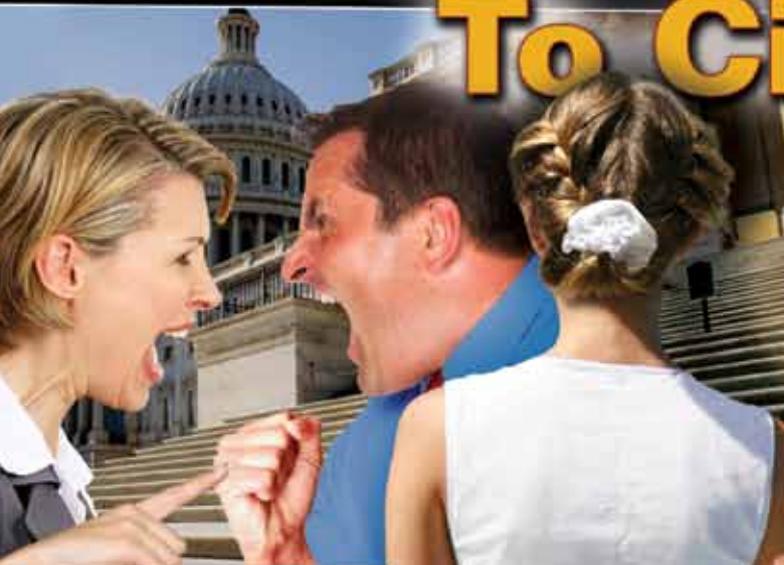
September 2010

THE MAGAZINE FOR PROFESSIONAL NOTARIES

**WHY COOLIDGE MATTERS**  
See page 12



## What Happened To Civility?





# Protection for Your Most Precious Asset... **You**

As a public official of your state, you add legitimacy to a notarized transaction. But if you are duped by signers with fake identification or malicious intent, who pays for your improper act?

You do.

With identity theft, frauds in real estate plus other businesses, and scams of any variety increasing at an alarming rate, you need to protect your personal assets.

And, even if you've obtained a bond in compliance with your state's regulations, remember that it will not protect you from an improper act. Your bond will protect the injured party, not you, and you will be compelled to reimburse the bonding company for your wrongdoing.

Protect yourself with Notary Errors & Omissions Insurance coverage today. Don't risk financial loss to a costly lawsuit when the protection you need is so affordable.

## Protect Your Personal Assets Today with Notary Errors & Omissions Insurance

### NNA Member Rates for 1-Year/\$25,000 Coverage by State:

State	Premium	State	Premium
AK, AL, AZ, CT, DC, DE, GA, IL, KS, KY, MD, ME, MS, NC, ND, NE, NH, NM, OH, OK, OR, SC, SD, TN, VA, VT, WI	\$26.00	ID, MT	\$19.50
AR, CO, MA, MO, NJ, PA, UT	\$21.00	IN	\$13.00
CA, LA	\$33.00	MI, WV, WY	\$20.00
FL	\$12.00	MN	\$23.75
HI	\$52.00	NV	\$23.50
IA	\$30.50	NY	\$35.00
		RI	\$45.50
		TX	\$12.75
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# Duty Is Not Collective, It Is Personal

It is not often that I can write a column about an American born in 1872 whose life and values have relevance today. Often, before my words reach print, new headlines, priorities

and concerns emerge to overshadow them. This time is different.

This year, we pay tribute to Calvin Coolidge. The National Notary Association has published a special volume of collected essays on his accomplishments as the Calvin Coolidge Memorial Foundation celebrates its 50th year with the dedication of a new Museum and Education Center in Plymouth Notch, Vermont, where his Vermont Notary father administered the official oath of office upon the sudden death of Warren Harding in 1923.

Coolidge has reemerged as a figure of national relevance, even as his values help Notaries and all other guardians of the public trust understand how to properly and impartially carry out their official duties in our democracy.

As public officials, we are dependent on the state for our commission or license and beholden to its rules and regulations. We are also responsible for evincing levels of competency and integrity that spring from our individual character.

We understand that the challenges we confront are similar to those faced by every official or public servant, elected or appointed. Whatever our occupation or position, we have a legal and moral obligation to do what we've been asked, to deliver the desired result, and to remember our commitment to the public we serve.

Coolidge was chided for his silence but few today remember he was the first president to make use of the media with frequent radio broadcasts. In point of fact,

he was one of the most eloquent and articulate of presidents — though there is no doubt he chose his words carefully.

Fewer still remember his insights into the nature of public office and individual responsibility.

“Duty,” he said, “is not collective, it is personal.”

A Notary cannot rely on a community to be honest or competent or impartial.

Notaries may only rely on themselves. This becomes crystal clear when a Notary takes the oath of office. Immediately, there is an understanding of individual responsibility: There is one name on the seal and one hand raised to swear or affirm to our official duties.

Often we are asked to become Notaries by employers who mistakenly may believe that our obligations are to them. They may advise us whether or not we can charge fees. They may want to determine the scope of notarial services. But Notaries assume their title and its associated responsibilities singularly.

The Notary office is not organized by committee and Notaries don't operate in “tag teams.” While we fully recognize our obligations to those who may employ us, it is alone, and independently, that we assume the responsibility to perform our duties reliably and with integrity. Like presidents, when the oath is administered we stand alone.

---

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

## COVER STORY

### 12 • Why Coolidge Matters

For all the outward trappings of progress, 21st century America has become more divided than at any time since the Civil War. The left vilifies the right, the right demonizes the left, and we have turned this breakdown of civility into “must see TV” — so much so that more than one political scientist has predicted a meltdown of the American republic. It begs the question: Is civility gone? On the surface, the daily rancor preoccupying our leaders, our commentators, and ourselves, makes it difficult to fathom an atmosphere in which we can cooperatively strengthen our nation. But important lessons left behind from a once forgotten 20th century leader can bring us all hope.



Cover and cover story designs by Michael Suorsa

## FEATURES



### 17 • Coolidge’s Legacy A National Treasure

Calvin Coolidge’s remarkable character, objectivity and integrity set him apart and offer an example that every public official in the nation, at every level, should emulate.

### 21 • Q&A: Why Notaries Are ‘Easy Targets’

In an age of lawsuits, liability is a major concern for Notaries. Expert surety attorney Richard Busch discusses the risks and how Notaries can better protect themselves.

### 24 • Celebrating ‘The New Standard of Care’ Chicago-Style



Conference 2010: NNA Executive Director Michael Robinson shares his personal observations, reflections and thoughts about the Notary Event of the Year.

## TRENDS & OPPORTUNITIES

The Latest Identity Theft Threat: Photocopiers.....	6
ePrescriptions Hint At New Opportunities.....	7
eNotarization Gaining Traction Across Globe .....	8
Attorneys Must Properly ID Their Clients.....	8

## ASSOCIATION NEWS

Section Memberships Being Upgraded .....	10
New Law Updates Available Online.....	10
NNA Webinars Available Online .....	11
Help Select The 2011 Notary Of The Year .....	11

## DEPARTMENTS

From Deborah M. Thaw .....	2
Our Readers’ Right.....	5
Nuts And Bolts.....	29
Hotline.....	31
Beyond The Basics .....	32

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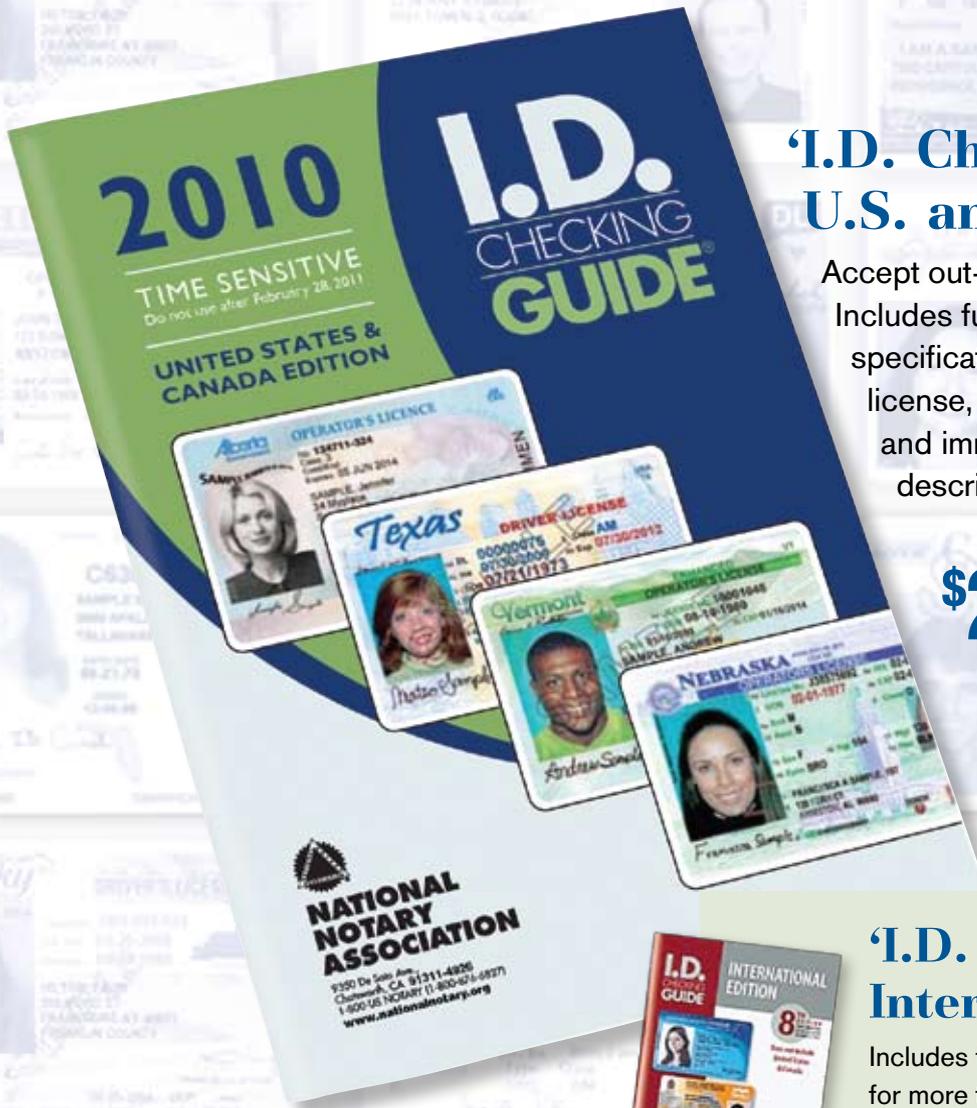
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**NATIONAL NOTARY ASSOCIATION**

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The 32nd Annual  
National Notary Association  
**Conference**  
CHICAGO 2010

Conference 2010 was the first NNA Conference I have attended. The resources, educational support, materials, delivery, facilitators and distinguished guests were great! The Conference defined "The New Standard of Care" in ways that new Notaries could easily understand. I will work to exemplify that standard and I sincerely look forward to the educational opportunities at the 2011 NNA Conference!

**Christine Ladd**, Mount Laurel, New Jersey

I enjoyed the workshop "How Do Bad Notaries Get Caught?" a lot. Ozie Stallworth was an excellent speaker and very knowledgeable about the subject. Lots of good stories and visual slides throughout the presentation.

**Monica Christman**, Costa Mesa, California

The presentation on liability at Conference was excellent and very informative. I learned more about how to protect myself and be conscious of signers who may try to steal my seal.

**Mary D. Bush**, San Diego, California

I was very happy to see a workshop on the healthcare industry was available this year, since I am very involved in notarizing a large variety of healthcare forms for patients.

**Barbara M. Duckett**, Bronx, New York

Michael Closen was an excellent speaker at your Conference. He had very valuable subject matter in "What Every Employer Needs To Know." It was very informative and interesting.

**Kay Knitter**, Kalamazoo, Michigan

## Working For Change In Ohio

I would like to say that the article "Taking A Stand For Standards" in the July 2010 magazine was inspiring, informative and very good.

I am an Ohio Notary and Signing Agent. The state of Ohio has many antiquated Notary laws that need to be updated and changed. I am now working with a grassroots group trying to better the position of Notaries in our state.

**Claudine C. Osborne**, Madison, Ohio

## Follow Oregon's Example

More states should follow Oregon's lead in allowing Notaries to charge higher fees. For approximately 23 years, Illinois Notaries have been legally bound to collect just \$1 per notarial act. This extremely small fee may be why we are not viewed as professionals.

Contrary to this misconception, we perform very important services. As Notaries, some of the documents we notarize allow our clients to apply for tax exemptions for their home. This is most helpful when clients can't leave their homes due to illness or disability. In addition, I have visited clients in hospitals to notarize documents granting power of attorney so a family member can take care of financial matters for them such as making mortgage payments and paying other bills. The very fact that the fee is only \$1 subconsciously and wrongly denotes that what we do is of little value.

**Jessie Hinton**, Chicago, Illinois

## WE WANT TO HEAR FROM YOU!

In our continuing efforts to address the topics and issues facing Notaries today, THE NATIONAL NOTARY wants to hear from you! Whether it's your thoughts on The New Standard of Care, business opportunities or challenges in your office or on signings, we want to know about your day-to-day experiences and observations, and what information and resources you may need to help guide you through them.

You can send us comments via eMail at [publications@nationalnotary.org](mailto:publications@nationalnotary.org). Or write us at: National Notary Association, Attention: Editorial Department-David Thun, 9350 De Soto Avenue, Chatsworth, CA 91311. Please be sure to include your city and state and if you are willing to have your letter published.

## The Latest Identity Theft Threat: Photocopiers

In recent years, we have been bombarded with advice on how to protect ourselves from identity theft — shred documents, guard your Social Security number, don't click on dubious Internet advertising. Now, we can add to that the advice to be vigilant about the information you photocopy.

From the workplace copier to the public machines at the office supply shop or library, many of the more advanced copiers in use today have a hard drive that stores a backup image of every page they have ever copied.

This information remains in the machine indefinitely and often is not removed after the copier is retired or re-sold, making it accessible to the next person who buys the machine. CBS News recently inspected the data left behind on several retired copiers. They found private medical information, financial account numbers and personal data such as Social Security numbers — a disturbing treasure trove of personal information.

If you are unsure whether a copier at your place of employment, stores images of documents, ask the person in charge of technology. If you're at a photocopy shop, check with the manager. Find out if there's a policy to routinely scrub the data, or whether it's encrypted. When in doubt, use a different machine. If you make many copies of sensitive documents, it might be a good idea to buy an all-in-one printer/scanner/copier for your home so that you keep better control of your private data.



## Beware — Phony 'Notario' Ranks On The Rise

The number of undocumented immigrants living in the United States dropped sharply in 2009. But with an estimated 10.75 million unauthorized foreign residents throughout the country, immigration issues remain a hot-button topic — both with state governments and for Notaries.

The undocumented immigrant population declined by 850,000 last year and by more than 1 million since it peaked in 2007, according to a recent report by the U.S. Department of Homeland Security (DHS). Still, a number of states have taken steps to crack down on persons residing in the U.S. illegally.

Changes to immigration laws tend to fuel a surge in activity by unscrupulous Notaries who prey on immigrants fearful of deportation by offering phony "legal assistance" in exchange for outrageous fees. These criminals often call themselves "Notarios" to fool clients into thinking they have legal training similar to the attorney-like Notaries of Latin American and other nations.

To avoid potentially severe penalties, Notaries should make sure they brush up on their state's *Notario* requirements. Many states either require Notaries to post disclaimers that they may not provide legal advice or prohibit them from using the Spanish-language title *Notario*. In general, Notaries always must avoid providing unauthorized advice or preparing documents on behalf of immigrants.

## The National NOTARY

Vol. LIII, No. 5, September 2010

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### NATIONAL NOTARY FOUNDATION

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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.

## Notaries Coming Under Law Enforcement Scrutiny

Law enforcement authorities across the country are cracking down on mortgage fraud, and in many cases, targeting dishonest Notaries — demonstrating yet again why adherence to ethics and high professional standards is crucial to successful work and avoiding entanglement in legal problems.



All told, the FBI estimates that \$14 billion in fraudulent loans were made last year. That is why it is more important than ever for Notaries to perform all their responsibilities with the highest standard of care and attention to detail. The simplest way to avoid costly and damaging legal problems for Notaries is to stay professional and refuse the temptation to break the rules in the first place.

A recent mortgage fraud report issued by the FBI indicates that identity fraud is becoming a common element in many illegal mortgage schemes. Those schemes only work if Notaries either fail to fulfill their basic duties or actively participate.

Notaries in California, New Jersey, New York and Texas have recently been arrested and charged with fraud and other crimes related to willful participation in falsified transactions.

## ePrescriptions Hint At New ID Vetting Opportunities

A new federal rule permitting doctors to issue prescriptions electronically — called ePrescribing — eventually could emerge as a new business opportunity for Notaries trained as Trusted Enrollment Agents™ (TEAs).

The rule, issued by the U.S. Drug Enforcement Agency, requires physicians to obtain digital identity credentials and signatures issued by authorized credentialing authorities such as the SAFE-BioPharma Association.



The rule, which went into effect on June 1, also requires physicians seeking digital credentials to have their identities verified by third parties not involved in the ePrescribing process. That provision ultimately could generate more assignments for identity-proofing professionals such as TEAs. The TEA program was created to prepare Notaries to move into the identity-vetting arena beyond what is required for notariations. And NNA will continue to monitor this emerging trend as more agencies and industries embrace the use of electronic identity credentials and signatures to conduct confidential business via the Internet.

► **More Than  
Training and  
Supplies**

## eNotarization Gains Traction Across America And Globe



Government agencies and private industry — both in the United States and abroad — continue one by one to embrace electronic notarization and authentication, evidence that the day is fast approaching when completely paperless transactions are as routine as signing your name. The NNA is keeping pace with the growth of this technology, providing resources and guidance to help you learn about these new tools for Notaries.

A strong indication of the trend came recently when the Minnesota Department of Public Safety decided to expand a groundbreaking pilot program that uses electronic notarization to process arrest warrants.

The program started in just three counties last summer but proved so successful in making the warrant process more efficient that officials have approved it for statewide use.

Mortgage lenders also continue to be bullish on electronic closings and paperless mortgage transactions. During the Mortgage Bankers Association's recent

Technology Conference and Expo, Wells Fargo Vice President Robin Hannah told delegates that 90 percent of the bank's mortgage borrowers in the past year chose to receive electronic disclosure forms — a strong sign that consumers increasingly are comfortable embracing electronic transactions.

Ireland became the latest nation to embrace eNotarization. Recently, Dublin-based solicitor and Notary Public David Walsh electronically notarized a digital business document. The document was then authenticated with an electronic *Apostille* — or *eApostille* — by the Irish Department of Foreign Affairs so it could be sent overseas.

Recognizing the importance of electronic notarization, the NNA recently published a White Paper (available online at [www.nationalnotary.org/eNotarizationWhitePaper](http://www.nationalnotary.org/eNotarizationWhitePaper)) outlining its position. The association also published a revised *Model Notary Act* ([www.nationalnotary.org/mna2010](http://www.nationalnotary.org/mna2010)) earlier this year to update and modernize provisions dealing with eNotarization.

## Attorneys Must Properly ID Their Clients

Notaries working for law firms are often directed to perform official acts without requiring personal appearance or satisfactory evidence of identity, causing friction in the workplace. But a legal case, now making its way through a U.S. District Court, could put new pressure on attorneys to properly verify the identities of their clients — potentially reducing clashes between Notaries and their bosses.

In the case *American Bar Association v. Federal Trade Commission*, a U.S. District Court judge in Washington, D.C., noted that attorneys cannot hide behind attorney-client privilege to commit fraud or support any other illegal activity, including those involving false identities.

While the case — filed in an attempt to exempt attorneys from federal identity theft protection rules — remains in litigation, the court's initial message is clear: Lawyers should properly verify the identities of their clients.

Law firm Notaries should rely on statute and best practices when their bosses make improper requests. They also can remind their bosses that verifying clients' identities is not only the legal way to notarize, but as an article in the *Connecticut Law Tribune* notes, criminals are using the Internet to dupe law firms into helping carry out fraud schemes.



## Elderly Signers Most Often At Risk From Family

All too often, elderly persons are preyed upon by the people they least expect — relatives and immediate family members. But Notaries can play a key role in preventing these situations by properly screening elderly signers for willingness and awareness, and by keeping a watchful eye for other telltale warning signs.

The National Center on Elder Abuse recently reported that adult children are the most common perpetrators of financial abuse on elderly victims as they coerce their parents to sign over control of financial assets or property.

Notaries serve as an important deterrent against this exploitation, because many documents related to transfer of property or assets require notarization. If an elderly signer seems hesitant or nervous, or if family members are threatening, bullying or physically guiding the signer's hand to write their name, the notarization should be refused. Notaries should also be on guard against relatives who insist on proceeding with a notarization even if the signer appears confused or unable to communicate clearly.

Resources for reporting elder abuse cases are available at the National Center on Elder Abuse Web site: [www.ncea.aoa.gov](http://www.ncea.aoa.gov).



## ID Requirements Getting A Shot In The Arm

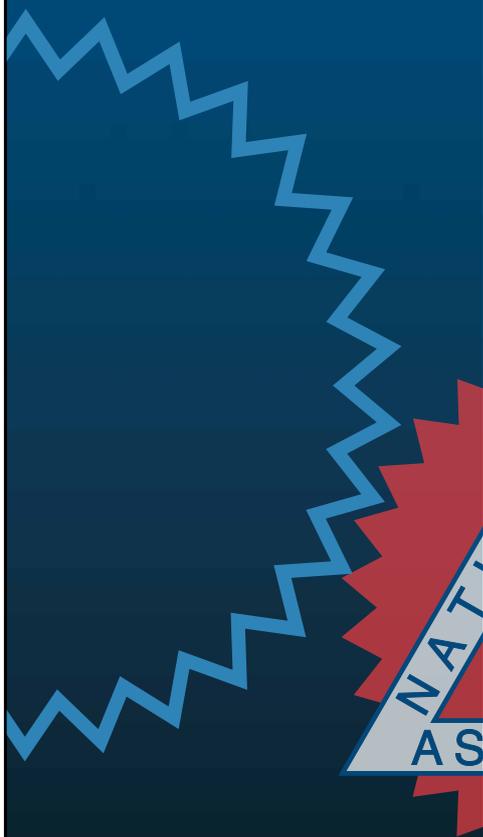
Arizona recently became the latest state to clarify its definition of what constitutes satisfactory evidence of identification, strengthening the ability of Notaries to combat fraud.

The new law is part of a growing national trend to clarify what types of identification Notaries may accept. Oregon previously enacted measures — via a new law and an administrative rule — that more clearly defined identification requirements for notarizations.

The Arizona law spells out what types of identification documents a Notary may accept. These include valid driver's licenses issued by a U.S. state or territory; a valid U.S. passport; or a valid identification card issued by a federal, state or tribal government that contains the individual's photo, signature and physical description. This type of detail was not included in the state's earlier statutes.

By giving this type of guidance, states are helping Notaries to carry out their essential functions of making our basic transactions trustworthy and combating fraud. The NNA, in support of educating Arizona Notaries, has introduced a series of seminars, Webinars and online training about the new Arizona law. For information, go to [NationalNotary.org/AZ/LawChanges](http://NationalNotary.org/AZ/LawChanges).

## ► More Than The Notary Hotline



## Revitalized Section Upgrades Include New Areas of Focus

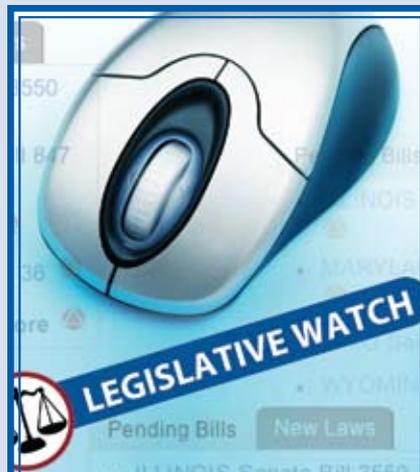


To better serve members working in specific industries or fields, the NNA is revitalizing and expanding its Section Membership Program to introduce additional areas of specialty, upgraded benefits and a seamless renewal process linked directly to your NNA membership.

Your Section Membership Upgrades will provide you with enhanced information, resources, tutorials, industry alerts and other benefits through five Sections: Notary Signing Agents and Small Business; Legal Professionals; Financial and Corporate Services; Healthcare; and Immigration and International.

Existing Sections memberships will be transferred to the new Section category that best fits the member's needs. All new and renewing Sections memberships will be integrated with regular Association membership to simplify renewals as well.

More information will be released through THE NATIONAL NOTARY and the NOTARY BULLETIN as these valuable programs are launched in the very near future.



## New State Law Updates Available Online

Notaries need to know the latest changes to state laws and regulations to do their jobs properly, and this information is easily available to NNA members with the click of a mouse at the NOTARY BULLETIN Web page.

Simply go to [NationalNotary.org/Bulletin](http://NationalNotary.org/Bulletin), log in using your NNA member number and password, and scroll down the page to "Legislative Watch" to review the most recent Notary laws passed in various states and get updates on pending bills still being considered by state lawmakers. A summary of important bill information is included, along with a summary of the NNA's analysis of whether the bill is helpful or harmful to Notaries.



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

## Your Benefits:



## E&O Insurance: Legal Protection And Peace Of Mind For Notaries

More and more notarizations are being challenged in court — a stressful and burdensome reality. But Notaries can easily protect themselves — and get quali-

fied legal representation when needed — by obtaining an Errors and Omissions (E&O) insurance policy that protects you and your assets.

Even when a Notary is not at fault, simply being named in a lawsuit can deplete your finances (See page 21). For just pennies a day, E&O policies provided by the NNA protect Notaries against the expense of hiring an attorney and other court costs. Additionally, in some states NNA members receive a discount on their premium. For more information on obtaining an E&O policy, call (800) US NOTARY (876-6827) or visit us online.



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

## NNA Training Available Online To Strengthen Your Best Practices

If you weren't able to make it to Conference 2010, or missed a recent NSA Webinar you really wanted to see — you can catch it online via the NNA's Webcasts On Demand.

Several past NSA Webinars — including "Avoiding Costly Signing Mistakes" and "Protecting Customer Information" — can be seen at any time as part of the NNA's commitment to maintain its best practices and standards for Notaries across the nation. More Webinars tackling key issues are scheduled throughout 2010 and will be made available as they are broadcast.

Also available are highlights of the NNA's 2010 Conference in Chicago. Key workshops and events can be seen online after completing a simple registration form, giving you an "annual pass" to participate in the Notary Event of the Year. The Webcasts include "The State of the Notary Public Office" report, the keynote address by Mortgage Bankers Association Chairman Robert Story, and the "What Every Employer Needs To Know" General Assembly.

NSA Webinars and Conference highlights can be viewed using any current browser on either PC or Mac-based computers.



 [www.nationalnotary.org/conf2010/webcast](http://www.nationalnotary.org/conf2010/webcast)

 [www.nationalnotary.org/webinars/archives](http://www.nationalnotary.org/webinars/archives)



## Help Select The 2011 Notary Of The Year

The National Notary Association is now seeking nominations for the most ethical, public-spirited and professional Notary Public in America to be recognized as the 2011 Notary of the Year!

Ideal candidates go above and beyond what is required when performing notarizations. They spend time educating their colleagues and the public about the important role Notaries play; are active in advancing the American Notary office through promoting legislation, ethics and best practices; and volunteer to serve in their communities helping others. In order to qualify, candidates must perform their duties ethically, professionally and in accordance with best practices recommended by the NNA.

The Notary of the Year will be profiled in an upcoming 2011 issue of THE NATIONAL NOTARY and will be recognized as the most honored Notary in the United States.

If you know a Notary who meets these standards, use our online nomination form.

 [www.nationalnotary.org/noty](http://www.nationalnotary.org/noty)

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# WHY COOLIDGE

## How Civility Can Serve To



# W

hen historians look back at the political landscape of the early 21st century, they may well see it as the most divisive, dysfunctional and partisan period since the Civil War.

With America facing enormous social, economic, environmental and military crises, too many of our leaders seem to be fixated on a toxic contest to see who can hurl the most eviscerating barb or the most outrageous accusation. Culling favor with uncompromising constituencies at either end of the political spectrum seems to take precedence over plotting a rational course toward the nation's future.

No one today seems to believe that a political rival can have honorable intentions. The accusation "You lie!" was shouted for the first time in 2009 as a President delivered a State of the Union address. With equal incivility, the other side countered that such accusers out of spite "want to see their country fail."

Thriving on the controversy, TV and radio talk show hosts of every political stripe demonize opponents as a matter of course, painting them as almost cartoonish villains. These aired opinions are repeated endlessly by private citizens.

Yet an increasing number of citizens are turning away from these political free-for-alls in disgust. Indeed, a recent survey by the global public relations firm Weber Shandwick found that 94 percent of Americans think incivility is a major problem in the United States and that it has become worse since the onset of the recession. According to the survey, nearly half of the American people (49 percent) are "tuning out" of government and politics, and almost two-thirds (63 percent) cite the general tone and level of incivility as a major factor in their decision.

Certainly, such political rancor as is currently seen is nothing new. Demonization and intense partisanship are as old as the Republic itself. What's different today is that we have a media "controversy industry" fanning the flames around the clock and never letting the slightest slur — however unintended — go unanswered.

Throughout American history, civility and the assumption of an opponent's basic humanity and good intentions have been the essential "lubricant" that has allowed our democracy to operate through a system of compromise. This tradition of civility "across the aisle"

*continued on page 14*

# MATTERS

Bring A Nation Together



*continued from page 12*

is in part a valuable legacy of the courtesies extended to fellow members in the British House of Lords. It is a legacy not understood by the many Third World legislatures that we see on the news regularly breaking into fist fights and riots over controversial issues. And it is a legacy that we discard in the United States at our peril.

In the current climate where ruthless partisanship and overweening personal ambition threaten to supersede the important business of our nation — in venues from rural town meetings to the halls of the United States Congress — is it possible to restore civility to politics?

To answer that question, we need look no further than the exemplary personal and professional life of our 30th President — Calvin Coolidge.

The legacy of President Calvin Coolidge embodies the best traditions of integrity and public service — traditions that America's Notaries have long embraced as necessary qualities in their own work as public servants — and that our leaders and fellow citizens can learn from to improve both the workings of our democracy and our personal lives.

## SILENT CAL'S LEGACY

While Calvin Coolidge is the only President sworn in to office by a Notary Public, what makes him especially relevant today is the example he sets, even four generations after he left office.

The uninformed have tended to downplay his effectiveness, often portraying him as a quiet, "do nothing" President with poor leadership skills — hence the nickname "Silent Cal." But students of history know him as a chief executive of unsurpassed industry, powerful intellect and poignant eloquence. Throughout his life he was known as a man of deep and genuine integrity, and his dedication to serving the common good above all was unparalleled.

"This was a man who was guided first by what he thought was right for Americans. That was a reflection of his unquestioned integrity and morality," Michael Dukakis, 1988

Democratic presidential nominee and former governor of Massachusetts recently wrote. That integrity and morality were just what the country needed. As Coolidge came to the Presidency, he had to grapple with a series of scandals left to him upon the death of President Warren G. Harding. The most infamous was the "Teapot Dome Scandal" in which members of Harding's cabinet were accused of corruption in giving leases to government-owned oil reserves.



Coolidge decisively tackled the issue by appointing two special counsels — a Democrat and a Republican — to investigate the charges. By moving to uncover, rather than spin, the truth, historians agree that Coolidge did much to restore America's faith in its leadership and institutions.

Coolidge removed his ego from the problem-solving process, notes Vermont Governor James H. Douglas. And he also revered the rule of law. While serving as governor of Massachusetts in 1920, he vetoed a popular bill that would have permitted the sale of beer and wine because it went against the 18th Amendment, despite a growing backlash against Prohibition.

But perhaps the trait that most defined Coolidge was his willingness to abandon partisan politics. "He was a Republican, but throughout his career, he reached across the partisan divide to enlist the support of Democrats to address the needs of the people," wrote Ward Connerly, founder and chairman of the American Civil Rights Institute.

Even when he turned to fellow Republicans, he placed the needs of the people above politics. His one appointee to the Supreme Court — longtime friend Harlan F. Stone — proved such an excellent choice that Democratic President Franklin D. Roosevelt nominated him to be the Chief Justice.

These traits of integrity, impartiality and commitment to the public good have long been personal qualities aspired to and cultivated by America's Notaries. All too often, however, they are sorely lacking in our political leaders.

## COOLIDGE'S 21ST CENTURY RELEVANCE

Do the values and ideals of a 1920s President have a place in the 21st century?

In a world where policies, ideas and platforms seem too often to take a back seat to mudslinging, writes Connecticut Governor M. Jodi Rell, "we want our leaders to be

*continued on page 19*



## Celebrating A 50th Anniversary At The Calvin Coolidge Memorial Foundation

The Calvin Coolidge Memorial Foundation is a key archive of records and center of research and education regarding America's 30th president. Now celebrating its 50th anniversary, the Foundation remains the only membership organization devoted to President Coolidge, since there is no dedicated presidential library for him.

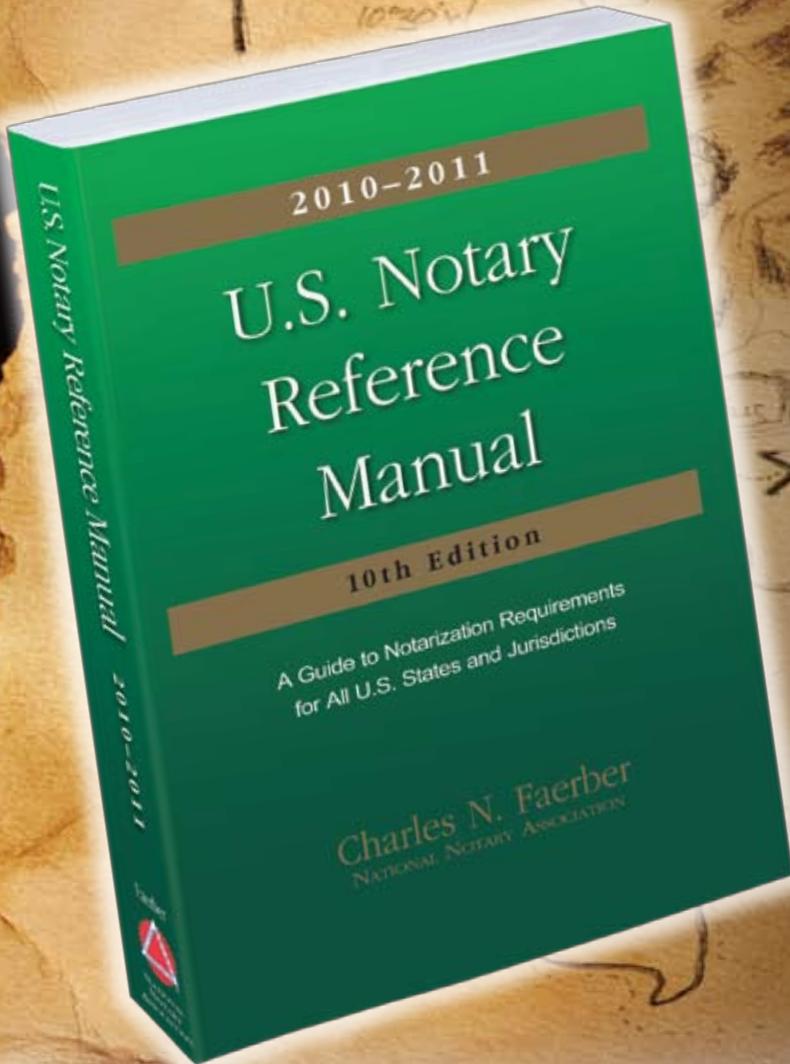
Its mission is to inspire the public to appreciate and study his legacy — his personal life, values, ideals and his public career — in order to better understand our nation's history and to forge a stronger democratic society.

The Foundation develops and publishes materials and programs about Coolidge and provides primary and interpretive information by request to the media, students, scholars, genealogists and the general public. Located in Plymouth Notch, Vermont, on the site of the Coolidge family homestead, the Foundation holds memberships in the Association of State and Local Historical Societies, the New England Museum Association and the Vermont Museum and Gallery Alliance.

For many years, the National Notary Association — now in its 53rd year of service to America's Notaries — has worked with the Calvin Coolidge Memorial Foundation to help promote Coolidge's legacy of impartiality, integrity and selfless public service. The NNA is grateful for the Foundation's partnership.

For information about the Calvin Coolidge Memorial Foundation, visit [www.calvin-coolidge.org](http://www.calvin-coolidge.org).

# Discover the Secrets to Handling Out-of-State Documents



If Notary laws were uniform across every state, you wouldn't need the *U.S. Notary Reference Manual*. Because each state sets its own rules, the certificates, seals and duties of Notaries differ tremendously. This definitive guide to notarization requirements for all U.S. states and jurisdictions includes:

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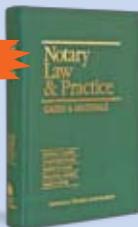
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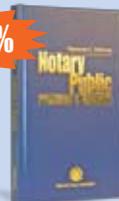


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## HIS LEGACY A NATIONAL TREASURE

First-time visitors to the National Notary Association's headquarters quickly understand our reverence for the 30th President of the United States.

Prominently hung throughout the building are the front pages of American newspapers printed in August of 1923, all announcing Vice President Calvin Coolidge's assumption of the office of Chief Executive upon the sudden death of President Warren Harding. Those unfamiliar with the NNA tend to attribute this curious attention to the fact that Coolidge was the only President ever sworn in by a Notary.

While it is an intriguing footnote, it is not the reason the NNA celebrates him. Instead, it's because of his remarkable character, objectivity and leadership. His ideals underscore the immense power and importance of the Notary as an impartial witness, and his legacy embodies the best traditions of integrity and public service — traditions every public official in the nation, at every level, should emulate.

It is the quality of impartiality that most connects and endears Calvin Coolidge to American Notaries. And it was his impartiality and his commitment to do right by all Americans — not just those who voted for him — that made him one of the White House's earliest and most outspoken proponents of women's and minority rights. It also led him to an ongoing dialogue with individuals of every political party, to freely adopt and give credit to their ideas, and even to appoint them to powerful positions.

Calvin Coolidge's approach and example can restore trust in selfless public service — the very foundation of our democracy. It is also the way for any person in authority to deal with subordinates, for citizens to deal with each other, and for all Americans to restore much-needed civility to our national political life.

It is significant that our 40th President, Ronald Reagan, thought so highly of Coolidge that he hung his portrait in the White House to inspire him to uphold the highest standards of leadership.

The National Notary Association regards Coolidge's legacy as a treasured component of our American heritage and that of Notaries. It was a defining moment in our history, and in Notary lore, as a singular public official administered an oath to the man bound to be President of the United States.

The inherent relationship between this President and the circumstances of his taking office will always be important to the NNA and its membership.

In acknowledging this relationship, the National Notary Foundation has established a special Coolidge Memorial Fund to identify the commitment of Notaries to the virtues Coolidge embodied. Proceeds donated to this special fund will support the President Calvin Coolidge Museum and Education Center in Plymouth Notch, Vermont. We encourage our members, and indeed every Notary, to help us in this endeavor by making contributions to the Coolidge Notary Memorial Fund through the National Notary Foundation, P.O. Box 541032, Los Angeles, CA 90054-1032, [www.nationalnotary.org/Foundation](http://www.nationalnotary.org/Foundation).

All Americans may profit by studying the life and values of Calvin Coolidge. The lessons of his life apply to every one of us.

Please visit: [www.WhyCoolidgeMatters.com](http://www.WhyCoolidgeMatters.com)

# Think Outside the Rectangle



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C.



A. Desk Style, Matte-Black

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*continued from page 15*

trustworthy and open. We want them to guide our country forward, allowing the public to dream, experience and grow. Calvin Coolidge embodied all of these ideals.”

Where is that trustworthiness today? Where is that openness and leadership?

Many Americans feel it was absent in the wake of Hurricane Katrina and during the current ecological disaster in the Gulf of Mexico. What there is no absence of, it seems, is fingerpointing and harsh ad hominem accusations.

The public doesn't like what it's seeing. A recent Pew Research Center report concludes that there is “epic discontent” with our political leaders, and that three-fourths of voters believe elected officials “care only about their careers, are influenced by special interests, are unwilling to compromise, and are out of touch.” And voters see things getting worse, as a recent Rasmussen Reports survey found that 61 percent expect politics to become more divisive and partisan.

At this fractious time, Coolidge's legacy is more important than ever.

“Coolidge's belief in peace, accountability and integrity continues to be as important today as during his term. America needs a Calvin Coolidge today to restore our faith in politics,” notes Massachusetts Senator and 2004 Democratic presidential nominee John F. Kerry.

## IS CIVILITY IN POLITICS POSSIBLE?

During his Presidency, not everyone in the country agreed with the political philosophy and policies of Calvin Coolidge. However, by the end of his presidency, virtually no one could be found to disagree with his approach toward leadership. His approach was to let the common good prevail above all else and let the “lubricant” of civility and respect for all of the people's elected

representatives affect progress toward that common good.

Coolidge was not the first president to listen carefully to his opponents, act on their advice and appoint them to positions of authority. Abraham Lincoln, for example, helped maintain unity in the North by appointing the renowned “Team of Rivals” to the cabinet — his three Republican opponents for the party's nomination and a Democrat.

As did Coolidge, our political leaders must learn to put the interests of the nation as a whole ahead of all else — even the narrower concerns of the uncompromising constituencies that elected them.

But can we expect public officials to act with such courageous impartiality? Is it asking too much? Not really, because it's something society asks Notaries to do every day. As public servants, Notaries are expected to put the law and the common good it embodies over the improper requests or dictates of any colleague, client or employer.

As the prime educator of the nation's five million Notaries, the NNA has long praised President Calvin Coolidge as an example of how an individual of modesty, common sense and integrity can adhere to lofty standards of impartiality when the stakes are the highest.

Thus, a Notary or anyone else in service to the public cannot go wrong in abiding by the answer to this simple question: “What would Calvin Coolidge have done?” 



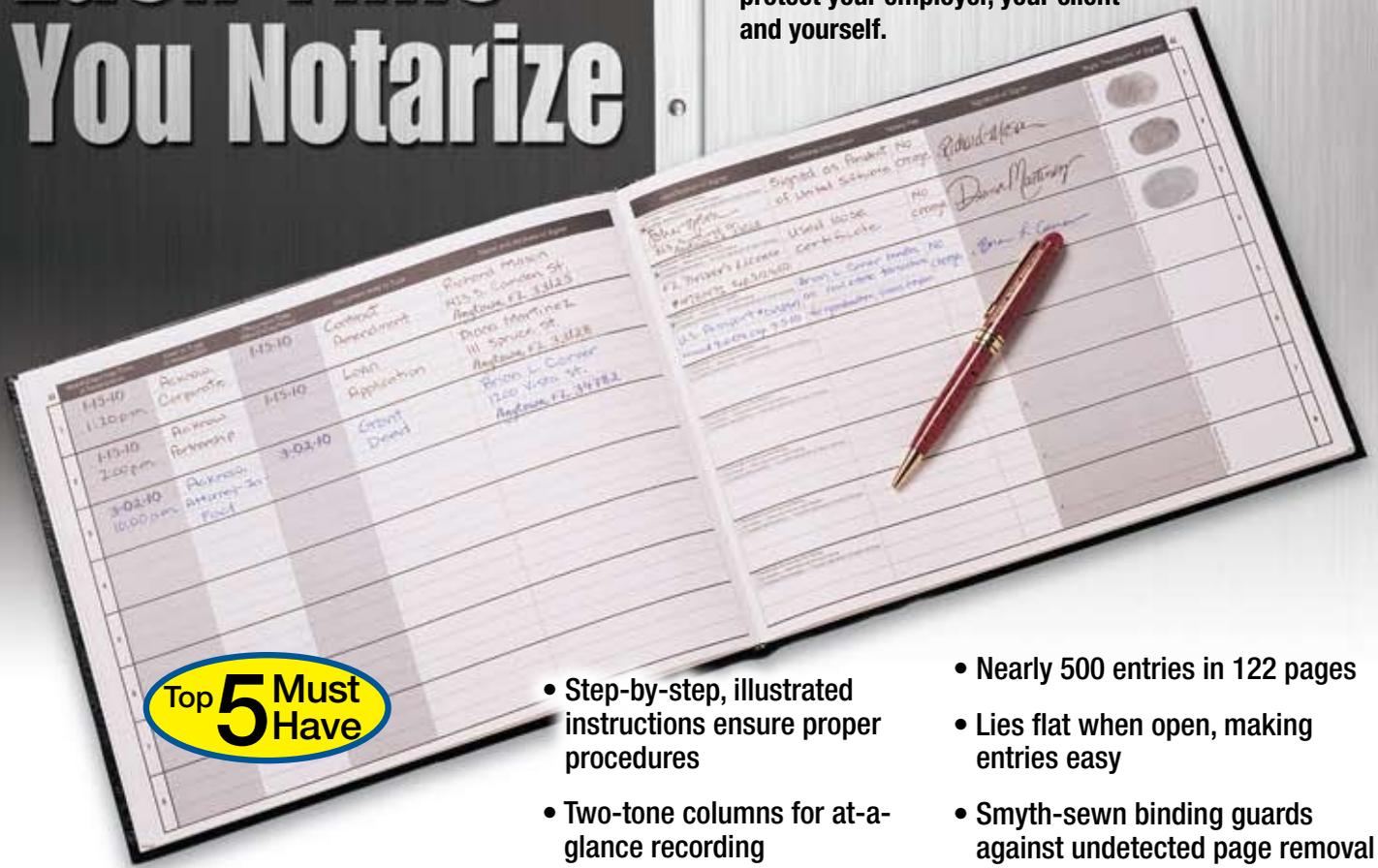
# Ironclad Protection Each Time You Notarize

## The Paper Trail that Protects You

With identity theft and fraud on the rise, the facts surrounding any notarial transaction can quickly come under fire.

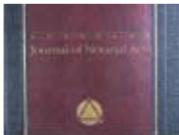
To help Notaries gear up, recent court rulings have looked to the NNA's *Model Notary Act* to set standards of conduct whenever state laws fall short, including maintaining a journal as part of best practice. That means the journal has become an essential tool for every Notary.

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# Q&A: WHY NOTARIES ARE 'EASY TARGETS' FOR LAWSUITS

By David S. Thun  
dthun@nationalnotary.org

SURETY ATTORNEY RICHARD BUSCH TELLS HOW SOME  
GET SUED EVEN WHEN THEY DO NOTHING WRONG

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The New Standard of Care is all about protection: protecting the public; protecting employers; and without question, protecting Notaries. We are conducting business in an era when liability is a major concern, and Notaries are taking every possible measure to manage their risk. Every detail, identification and signature is being scrutinized more closely than ever because the smallest mistake or oversight can place a Notary on the wrong side of a lawsuit. And increasingly today — because of their high-profile public role as a trusted, impartial witness — Notaries are finding themselves named in litigation even if they did everything right.

That's why a Notary's best protection has always been a solid Errors and Omissions (E&O) insurance policy.

THE NATIONAL NOTARY recently sat down with one of the nation's leading surety attorneys, Richard Busch, who represents one of the largest and most respected firms providing E&O coverage,

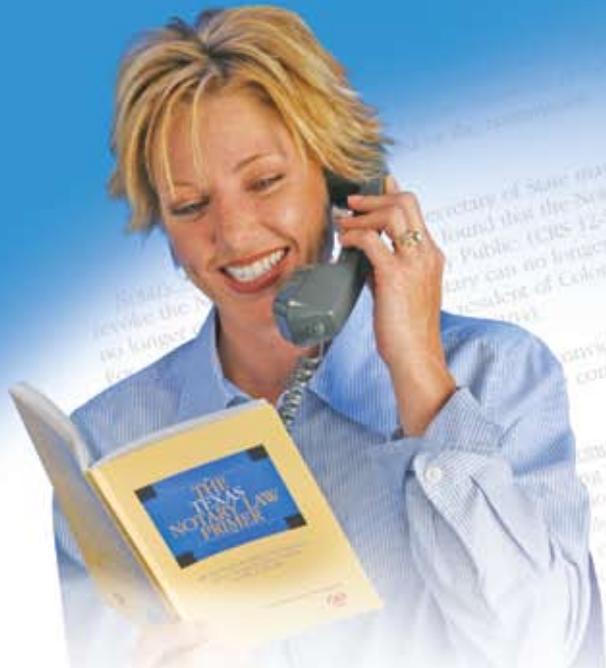
Merchants Bonding Company. Mr. Busch, who was also a featured speaker at the NNA's 2010 Conference in Chicago, has extensive experience representing Notaries and is an expert adviser about how they can reduce their risk of liability.

## WHY IS IT SO CRUCIAL TODAY FOR NOTARIES TO PROTECT THEMSELVES?

People get sued for a lot of reasons, and sometimes they are sued even when they haven't done anything wrong, especially in highly litigious states like California, Florida, New York and many others. Notaries play a crucial role in business, so they can become easy targets. They are vital for real property transactions and other important financial agreements — agreements which are ending up in court more and more — so one way or another Notaries today are more likely to get involved in lawsuits.

*continued on page 23*

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### WHY ARE NOTARIES INCREASINGLY BECOMING TARGETS OF LITIGATION?

The Notary's primary role is to screen identities and witness signatures. Any time there is a real property dispute relating to loans, more often than not there's an allegation that someone didn't actually sign the documents, or there is a wrong date on the loan, or terms were inserted which they claim weren't supposed to be there. In this type of litigation, the Notary will likely be named since they notarized the borrower's signature.

### HOW FREQUENTLY ARE NOTARIES BEING NAMED IN LAWSUITS?

It's difficult to put a number on it, but I can tell you it's much more often than you might think. Notaries are named as defendants in many lawsuits involving real property almost automatically, like they are part of a checklist. This is because Notaries are so easy to both identify and locate — their seals are found on every recorded document. A person filing a lawsuit might have a hard time tracking down a lender or mortgage broker they have a grievance with — especially with many large firms like Countrywide now out of business — but it is extremely easy to run a check with the Secretary of State's office to track down a Notary.

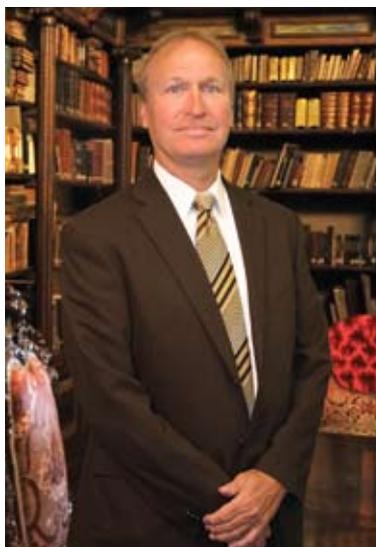
### IF A NOTARIZATION IS PERFORMED PROPERLY BY EMPLOYING BEST PRACTICES, SHOULDN'T THAT BE ENOUGH TO SHIELD A NOTARY FROM A LAWSUIT?

Unfortunately, not always. If there's a forged instrument involved, the Notary may be named in the suit even if they've met all their professional duties and obligations. For example, the Notary might have followed best practices, but may have been fooled by a dishonest signer using a very realistic fake ID. There are also cases where a Notary's seal image was stolen and used without the Notary's knowledge.

A Notary may have previously notarized a legitimate document that crooks obtain and use to electronically copy the seal image. In such cases, the Notary has done nothing wrong, but because of these issues they are ending up in court more and more.

### DOES FOLLOWING BEST PRACTICES TRULY HELP A NOTARY IN LITIGATION?

Absolutely. It might not keep them out of the courtroom, but when best practices and standards of care are used, it makes my job significantly easier to get the Notary



Surety Attorney Richard Busch

extricated from the claim. One of the most powerful tools in getting a Notary dismissed from a lawsuit is showing that the Notary keeps a journal, complies with state law and otherwise takes their job seriously. Suppose that crooks forge a Notary's seal on a fraudulent document and the Notary is named in a lawsuit. If I'm representing the Notary and the Notary has a well-maintained journal, it helps establish that the Notary was not involved since there is no entry in the journal for the fraudulent transaction.

### WHAT CAN NOTARIES DO TO PROTECT THEMSELVES?

E&O insurance is a crucial part of a Notary's basic job needs because it affords both legal and financial protection while doing his or her job. A good

E&O policy will cover the Notary's damages if held liable, helps cover legal costs and provides the Notary with an experienced attorney. Legal costs can be extremely expensive, even if the Notary hasn't done anything wrong. Those without policies will have to pay a minimum of around \$1,000 out of their own pockets just to get legal advice and assistance.

But really, one of the biggest benefits to a Notary is the peace of mind that if they are named in a lawsuit, there is someone qualified and ready to help.

### WHAT ARE SOME OF TODAY'S BIGGEST LIABILITY RISKS?

Safeguarding your seal and journal is one of the most important things you can do, and failing to do so creates huge liability risk. If either are lost or stolen, the damage that can be done through fraud is unbelievable.

In one of my recent cases a Notary's seal was forcibly taken from her, and then used to forge a quitclaim deed. I got her cleared in a resulting lawsuit because she reported the theft to police and the Secretary of State. But now she is being sued in a second case, because the thieves used her stolen seal image again.

### WHAT NEW LIABILITY CONCERNS DO YOU SEE NOTARIES FACING?

Advancements in technology mean there are more sophisticated fake IDs, and the problem will only get worse. During my presentation at the NNA's 2010 Conference, I suggested that every Notary should have a penlight ultraviolet light to see hidden marks on licenses and IDs. These will not only help spot fake IDs, but their use would also demonstrate in a lawsuit that the Notary was diligent in taking steps to prevent fraud. 

*The Notary Event Of The Year*

# Embracing 'The New Standard Of Care'

As the NNA's Executive Director, I would like to personally thank the hundreds of Notaries from more than 36 States and 10 Countries that gathered in Chicago June 14–17 to celebrate The Notary Event of the Year. The response to this year's Conference and its important theme, "The New Standard of Care," was overwhelmingly positive — so positive that I was compelled to keep a day-by-day journal recording the active participation of delegates from coast to coast. I hope that the event will live on in the lives of those who attended, those who participated via Webcast, and those who will be part of the National Notary Association over the coming weeks and months.

Best,



Michael Robinson, Executive Director  
National Notary Association

## Sunday, June 13

- Registration opens with people camping outside the Prairie Center waiting to pick up their Conference materials — that's what I call dedication!



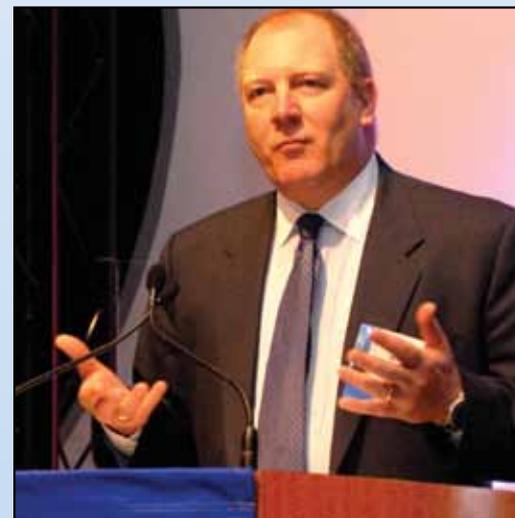
Workshops helped Notaries apply "The New Standard of Care" to real-world situations.



NNA Executive Director Michael Robinson greets attendees at the Opening General Session.



Mara S. Georges, the City of Chicago's top attorney, welcomes delegates to the Windy City.



Robert E. Story Jr., Chairman of the Mortgage Bankers Association, talks about ways to stimulate economic growth at the Opening General Session.

## Monday, June 14

- The atmosphere crackles with excitement. It's great to meet so many people from around the country. Everyone's revved to jump into the Conference events and immerse themselves in The New Standard of Care.
- Nearly 50 percent of all Conference delegates have invested in one of the pre-Conference programs, like "Trusted Notary™ Training" and the "Building Your Business in a Tough Market" workshops. I have an opportunity to lead the "Making the Most of Your NNA Membership" program — and have great give-and-take with members about the advantages of being an NNA member, from advocacy to affinity programs.
- I bumped into folks fresh from the "Accenting Chicago" excursion. They all loved the tour. The Willis Tower and Frank Lloyd Wright house were big hits. Coming to Chicago was definitely a good choice.
- The Welcome Reception officially kicks off the Conference with our high-energy video and an NNA spin on the popular game show, "Deal or No Deal."



The General Assemblies were heavily attended.



Playing the NNA "Deal or No Deal" Game.



This year's dinner cruise was proclaimed a hit by the attendees, who were treated to incomparable views of the famous Chicago skyline.

## Tuesday, June 15

- Down to business — Following an emotionally charged video, the Opening General Assembly marks the Roll Call of States (36 total plus 10 countries) and Robert Story's address on the state of the mortgage banking industry.
- Official presentation of the 2010 Notary of the Year Award to Daniel Lewis of Carmel, Indiana — he shares his inspirational story of what drives him to be a great Notary to a well-deserved standing ovation.



Attendees cut loose during the Welcome Reception with line dancing to some of their favorite tunes.



NNA President Milt Valera presents Daniel C. Lewis with his 2010 Notary of the Year award.

Scott Bowers, Chief of Staff and Deputy Secretary of State, Indiana (left) with 2010 Notary of the Year Daniel C. Lewis.

- Bill Anderson leads a great panel discussion with four prior Notary of the Year recipients, gives delegates good advice on best practices and generates terrific buzz on what it takes to be a top Notary Public.
- A couple of delegates from Illinois corral me at the Expo and gush about how much good information they will be able to take back to their jobs. Their big worry — how to get to all the workshops they want to attend.
- Workshops wrap up for the day and a number of delegates depart in the rain for the Lake Michigan Dinner Cruise — the storm breaks just in time and a rainbow marks the beginning of a picture-perfect evening.



The Notary of the Year Panel featured four recipients: (left to right) Daniel C. Lewis (2010), Liz Adams (2008), moderator William A. Anderson, Elaine Wright (2009) and Carol Salter (2005).

## Wednesday, June 16

- NNA President Milt Valera's "State of the Notary Public Office" address gets the day going in a big way, and has everyone discussing how the American Notary office is facing one of its most critical times in history, and how the "New Standard of Care" is driving significant changes. The announcement that we're publishing the Calvin Coolidge book "Why Coolidge Matters: How Civility in Politics Can Bring a Nation Together" draws tons of nods and applause. A number of delegates approach me to volunteer to get involved with the project.
  - I stop by the Interactive Learning Center. It's SRO. Delegates are getting every bit of practice they can. More than a few people mention that this is their favorite part of Conference.



Michael L. Closten presented valuable information during his General Assembly, "What Every Employer Needs to Know."



NNA President Milt Valera encouraged Notaries to maintain high standards in "The State of the Notary Public Office" address.



The Interactive Learning Center provided hands-on education on a variety of topics.



The 6th International Forum was open to all attendees this year and included insights from (left to right) Leo Mangan of Ireland; NNA Vice President William A. Anderson, Sabrina Chibbaro and Ugo Bechini of Italy.



An Illinois Notary asks a question during a General Assembly.

# Conference Highlights

- The Gala Banquet presents first-ever Lifetime Achievement Awards to Malcolm Morris and Michael Closen, hits high notes with local gospel singer Sue Conway, who inspired everyone to let “This Little Light of Mine” shine throughout the night, and tugs at everyone’s emotions when fellow Army Reservist Jake Snow presented the March Fong Eu Award to Colorado’s Mike Shea — an emotional roller coaster of an event that I heard several delegates claim was the “best ever.”



Lt. Jacob R. “Jake” Snow, Indiana National Guard, presented the 2010 March Fong Eu Achievement Award to fellow veteran Mike Shea with a moving speech.

## Thursday, June 17

- The event’s final day gets off to a great start with Mike Closen’s General Assembly on “What Every Employer Needs to Know,” prompting lots of questions and improving the understanding of employer liability in the wake of recent court rulings. I lost count of the number of people who mentioned how valuable the session was.
- I stop by the Expo and a number of workshops. See a lot of folks enjoying their boxed lunches, and several first-time delegates tell me how much they got out of Conference. A number of repeat attendees say this is their best Conference experience ever. They talk about all the new information and great workshops and events. The whole idea of “The New Standard of Care” has everyone energized.
- Deep dish pizza and beer — can’t get more Chicago than that — with a slide show of Conference highlights projected on the Prairie Center’s main wall, we say goodbye to Chicago amidst a final flurry of giveaways, hugs, business card exchanges and “see you next years.”



Local gospel singer Sue Conway (far right) had people on their feet and singing along with her during the Gala Banquet.



Three prestigious honorees: Lifetime Achievement Award honoree Michael L. Closen (left), 2010 Achievement Award recipient Mike Shea (center) and Lifetime Achievement Award honoree Malcolm L. Morris (right).



Celebrate Chicago! was a fun and casual farewell event that included plenty of pizza and beer and a great opportunity to spend time with new friends.



NNA President Milt Valera congratulates long-time associate, Michael L. Closen.



Northern Illinois University Professor Jeff Parness (background, left) and NNA President Milt Valera, right, presented Malcolm L. Morris with a Lifetime Achievement award.



Mike Shea, right, was commended in part for his advocacy promoting education for Colorado’s Notaries.

# 5 Reasons NNA Certification Earns Signing Agents More Work



1. Preferred by lenders and closing services, it's the industry's most respected NSA Certification program
2. Priority SigningAgent.com Listing
3. NSA Hotline and NNA Membership Privileges for 1 Year — a \$52 Value
4. Industry-Recognized Background Screening
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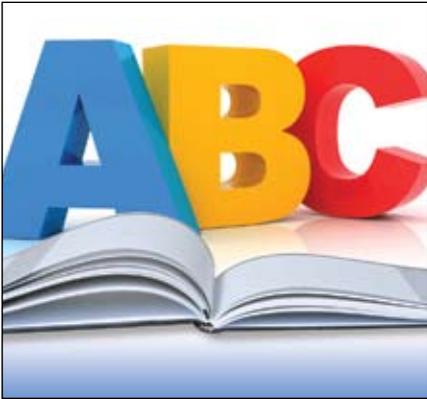


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## The ABCs Of Keeping Notarial Records

YOUR RECORDS ARE ONLY AS HELPFUL AS THE INFORMATION THEY CONTAIN, SO IT'S IMPORTANT TO COMPLETE ALL ESSENTIAL ENTRIES.

### STEP A: ALWAYS ADHERE TO STATE LAW

Not all states and territories have laws dictating what information must be included in a notarial record. But if yours does, it's vital to know the statute and record all required information. California, for example, requires taking a signer's thumbprint for real estate-related documents, while Nevada requires Notaries to indicate what type of notarial certificate was used to evidence the official act.

In contrast, some states prohibit certain information from being recorded. Texas law, for example, prohibits Notaries from recording an identification or serial number on an ID presented by a signer in the record book.

Many states specify recordkeeping requirements for Notaries. In states that do not, Notaries are encouraged to keep accurate records as prescribed by *The Notary Public Code of Professional Responsibility*.

### STEP B: BASICS ARE IMPORTANT

There are several basic elements that should be recorded in every sound journal entry, including:

- ✓ The signer's name
- ✓ The date and time the notarial act took place
- ✓ The type of notarial act (acknowledgment, jurat, etc.)
- ✓ The type and date of document involved
- ✓ How the signer was identified
- ✓ The signer's signature
- ✓ The fee charged, if any
- ✓ Any unusual details about the notarization

This information provides evidence that investigators may need if a legal issue arises, and it demonstrates that the Notary

was being conscientious and exercising reasonable care by properly recording key facts about the notarization.

While only required for certain notarial acts in two states (California and Illinois), the NNA strongly recommends signers leave a thumbprint in the record book. A thumbprint clearly identifies the person who appeared before the Notary, and is a useful tool for law enforcement in investigating fraud. What's more, dishonest signers are far less likely to commit fraud if they know they will be asked to provide a thumbprint.

### STEP C: COMPLETE THE ENTRY FIRST

It's all too easy to check a signer's ID, complete and seal a document ... and then let the signer walk off before completing your record. As a best practice, it's better to fill out the record book and have the signer sign the entry before completing the notarization. Once you have all the necessary records, you can complete the notarization. If for some reason the notarization is interrupted, cancelled or any other unusual circumstances arise, make a note of this in the "other information" section of the record entry.

### STEP D: DO SECURE YOUR RECORDS

A journal contains a great deal of sensitive information about signers and transactions. A Notary must be careful to record information properly in a record-book and ensure that it never leaves his or her control.

You should never leave your record-book unattended where a passer-by can view or take it.

# Welcome to The End of Certificate Slip-Ups

## NNA Notary Certificates



The convenient solution  
for common problems:

- ✓ No room for your seal
- ✓ Signers appearing at different times
- ✓ Incorrect wording
- ✓ Signers with multiple representative capacities
- ✓ No certificate at all

Select from the following certificates to meet the requirements of your state:

**All States:** except AR, CA, FL, HI, MA, MO, NV, NY, OH, TX & WA, see state lists; (8½" x 11", unless noted)

- Individual Acknowledgment — #15936
- Corporate Acknowledgment — #5937
- Partnership Acknowledgment — #5938
- Attorney in Fact Acknowledgment — #5939
- Credible Witness Acknowledgment — #5943
- Signature-by-Mark Acknowledgment — #5945
- Proof of Execution by Subscribing Witness — #5944\*
- Copy Certification by Document Custodian — #5946
- Copy Certification by Notary — #5922\*\*
- Jurat with Affiant Statement — #15924

**Arkansas:** (8½" x 11")

- Individual Acknowledgment — #5947
- Proof of Execution by Subscribing Witness — #5948
- Copy Certification by Notary — #5949
- Jurat with Affiant Statement — #5950

**California:** (8½" x 11")

**REVISED!** • All-Purpose Acknowledgment — #5907

• Proof of Execution by Subscribing Witness — #5908

**REVISED!** • Copy Certification by Document Custodian — #5911

- Copy Certification of Power of Attorney — #5242
- REVISED!** • Jurat with Affiant Statement — #5910

**Florida:** (8½" x 7")

- Individual Acknowledgment — #5181
- Corporate Acknowledgment — #5182
- Official/Trustee Acknowledgment — #5185
- Partnership Acknowledgment — #5183
- Attorney in Fact Acknowledgment — #5184
- Signature-by-Mark Acknowledgment — #5931
- Disabled Person's Acknowledgment — #5933
- Certification of Photocopy — #5187
- Jurat — #5186
- Signature-by-Mark Jurat — #5930
- Disabled Person's Jurat — #5932

**Hawaii:** (8½" x 7", unless noted)

**REVISED!** • All-Purpose Acknowledgment — #5921

**REVISED!** • Jurat with Affiant Statement (8½" x 11") — #5935

**Massachusetts:** (8½" x 11")

- All-Purpose Acknowledgment — #5951
- Signature Witnessing — #5953
- Jurat — #5952
- Copy Certification by Notary — #5922

**Missouri:** (8½" x 11")

- Acknowledgment by Individual — #15936
- Acknowledgment by Corporation — #5937
- Acknowledgment by Partner — #5938
- Acknowledgment by Attorney in Fact — #5939
- Acknowledgment by Individual Who Cannot Write Name — #5940
- Acknowledgment Through Affidavit of Executing Witness — #5941
- Certification of Facsimile — #5942
- Jurat with Affiant Statement — #5924

**Nevada:** (8½" x 7", unless noted)

- Individual Acknowledgment — #5915
- Attorney in Fact Acknowledgment — #5927
- Representative Acknowledgment — #5917
- Credible Witness Acknowledgment — #5918
- Proof of Execution by Subscribing Witness — #5919
- Copy Certification by Document Custodian — #5946
- Copy Certification by Notary — #5920
- Jurat with Affiant Statement (8½" x 11") — #15924

**New York:** (8½" x 7", unless noted)

- All-Purpose Acknowledgment — #5925
- Proof of Execution by Subscribing Witness — #5926
- Copy Certification by Document Custodian — #5946
- Jurat with Affiant Statement (8½" x 11") — #15924

**Ohio:** (8½" x 11")

**NEW!** • Jurat with Affiant Statement — #15924

**NEW!** • Individual Acknowledgment — #15936

**NEW!** • Corporate Acknowledgment — #15937

**NEW!** • Partnership Acknowledgment — #15938

**NEW!** • Attorney in Fact Acknowledgment — #15939

**NEW!** • Credible-Witness Acknowledgment — #15943

**Ohio (continued):** (8½" x 11")

**NEW!** • Proof of Execution by Subscribing Witness — #15944

**NEW!** • Signature-by-Mark Acknowledgment — #15945

**NEW!** • Copy Certification by Document Custodian — #15946

**Texas:** (8½" x 7", unless noted)

- Ordinary (Individual) Acknowledgment — #5243
- Credible Witness Acknowledgment — #5943
- Signature-by-Mark Acknowledgment — #5945
- Proof of Execution by Subscribing Witness — #5944
- Copy Certification by Document Custodian — #5946
- Copy Certification by Notary — #5922
- Jurat with Affiant Statement (8½" x 11") — #5924

**Washington:** (8½" x 11")

- Individual Short-Form Acknowledgment — #5906
- Representative Short-Form Acknowledgment — #5905
- Disabled Person's Acknowledgment — #5904
- Copy Certification by Document Custodian — #5923
- Copy Certification by Notary — #5922
- Jurat with Affiant Statement — #15924

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Per pad, mix or match. Complete illustrated instructions included.

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Mail or Fax: Complete the order form on inside back cover

Source Code  
**A39891**

# Keeping Your Official Tools Safe And Secure

By Remy Matzen  
NNA Hotline Counselor  
rmatzen@nationalnotary.org



One of the more troubling challenges many Notaries face is juggling the expectations and demands of their employers with proper notarial ethics, duties and practices. Many employers

believe that a staff Notary's vital tools — the seal and journal — belong to them and not the Notary, or they impose rules that run counter to state law. **D.H. of Eureka, California**, recently ran into a workplace situation where she felt her tools of the trade were in jeopardy:

**My employer is now requiring me to keep my journal and stamp in a locked file cabinet which must be accessible to others in my office. What can I do?**

You must inform your employer of the law, urge them to find another solution, and keep your journal and seal in your control at all times. In California, Notaries are responsible for keeping their seal and journal secured under their direct control. It is illegal for anyone other than the Notary to possess these items. (Government Code, Section 8206)

Let your boss know that Notaries who fail to keep their journal and seal secure could have their commissions suspended or revoked, and could be fined up to \$750. (Government Code, Sections 8207, 8214.1, 8214.15 and 8228.1)

**Can a Virginia Notary notarize a document that will be recorded in another state, such as North Carolina?**

**L.U., Woodbridge, Virginia**

Yes, a Virginia Notary may notarize documents to be recorded in any state. It doesn't matter where the documents will be filed as long as the notarization is performed within

your state borders and you follow the laws of the state where you are commissioned.

**I have a couple here seeking to notarize a lien. They both have *Matricula Consular* cards and the wife has a Mexican Postal Employee ID that has her eye color, hair color, issue date, photograph, signature and expiration date. Can I use these?**

**M.E., Porterville, California**

Neither the *Matricula Consular* nor the Mexican Postal Employee ID cards are acceptable forms of identification under California law. If your signers do not have a valid ID issued by a U.S. state or government agency, you can accept a Mexican passport, as long as it is stamped by the U.S. Citizenship and Immigration Service, or a Mexican driver's license. The California *Notary Public Handbook* (page 8) has complete information regarding acceptable identification documents (available on the Secretary of State's Web site at [www.sos.ca.gov](http://www.sos.ca.gov)).

**Can I notarize my wife's signature? She is a CPA and I am an accountant in her office.**

**M.W., Auburn, New York**

Yes and no. Although state law does not prohibit notarizing for family members, state officials strongly discourage Notaries from notarizing for persons related by blood or marriage. Notaries who do so may violate the statutes prohibiting a direct beneficial interest.

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

**1-888-876-0827**

5 a.m. to 5 p.m.

Pacific Time

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



# Untangling Confusion About Apostilles

If you've ever been confused by a signer or another party asking for an "*apostille*," you're not alone. An *apostille* (pronounced "uh-pos-TEE") is among the

most misunderstood authenticating documents related to a notarization for both the general public and for Notaries.

An *apostille* fulfills a simple function: It assures a document receiver in another country — also referred to as a "relying party" — that the Notary who performed the notarization holds a valid commission, and performed a legal notarial act that the document receiver is relying upon.

*Apostilles* cause considerable confusion. Who is responsible for obtaining them? Where they are obtained? How they are used and what do they authenticate?

## The Basics Of 'Apostilles'

*Apostilles* are never issued or used by Notaries. They are issued by government agencies, typically the same state office that regulates Notaries. An *apostille* sometimes must be attached to a notarized document being sent to another country if the relying party requires verification of the Notary's credentials.

Before an *apostille* can be issued, the document must first be notarized. The signer then submits the document to the appropriate agency — in most cases the secretary of state's office — and requests an *apostille* be attached before being sent to the receiving party. A processing fee and a self-addressed, stamped envelope are typically required. The state agency will then verify the Notary's commission, attach the *apostille* to the document, and return it to the signer.

Another important clarification: Notaries are not responsible for obtaining *apostilles*. It is the responsibility of the signer to contact

the appropriate agency, submit the request for the *apostille*, send in the notarized document and pay any fees.

Depending upon processing time, it may take days or even weeks to receive an *apostille*, though sometimes the process can be expedited if the signer requests it or pays an additional fee for faster turn-around time.

## What 'Apostilles' Don't Do

*Apostilles* convey no special status or authority other than verifying the commission of a Notary.

Some Notaries have been contacted by persons requesting an *apostille* under the mistaken belief that it will make a statement or declaration on a document legally binding in a court of law, or grant a document some other form of special status. This is incorrect. For example, a handwritten statement by a signer declaring himself exempt from paying federal income taxes will not excuse any money owed to the Internal Revenue Service, even if it is notarized and an *apostille* attached.

If an *apostille* is needed on a time-sensitive document, it is the signer's responsibility to get the document into the issuing agency's hands with all necessary information and fees paid, and to allow sufficient time for the document to be processed and returned.

When signers ask a Notary questions or make requests relating to an *apostille*, generally the best course of action is to refer them to the appropriate state agency or, in the case of legal questions, to a qualified attorney.

# Top 5 Notary Must Haves



As an officer of the state, you have the tools to protect the public.

## Do you have the tools to protect yourself too?

Think of these five items as a safety net in a society where identity theft, fraud, and con games have become commonplace.

- 1) National Notary Association Membership
- 2) Journal of Notarial Acts
- 3) Errors & Omissions Insurance
- 4) Notary Seal
- 5) Notary Education

**Want more information? Look for the "Top 5 Notary Must Haves" insignia throughout the magazine or call us at 1-800-US NOTARY (1-800-876-6827).**



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### 4 Easy Ways to Order

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1-800-876-6827
- Online:**  
NationalNotary.org/supplies
- Mail:**  
NNA Notary Supplies Division  
P.O. Box 541032  
Los Angeles, CA 90054-1032
- Fax:**  
1-800-833-1211 (24 Hours)

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Not a member? To save up to 40% on this and future orders, add one of the membership options below to your order and write "new" in the NNA Member Number space.

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Item #1500-012
- Two-year NNA Membership.....**\$89**  
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- Three-year NNA Membership ..... **\$126**  
Item #1500-036
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Item #1500-048
- Five-year NNA Membership..... **\$200**  
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Address <sup>Business</sup> \_\_\_\_\_ Card Number \_\_\_\_\_  
<sub>Home</sub> \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Name on Card \_\_\_\_\_ Card Expires \_\_\_\_\_

Daytime Phone \_\_\_\_\_ Billing Address \_\_\_\_\_

Home Phone \_\_\_\_\_ Fax \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

eMail \_\_\_\_\_ Signature \_\_\_\_\_  
NNA Member Number \_\_\_\_\_ (required for member prices) Sorry, but we cannot accept purchase orders to bill on account.

Item #	Quantity	Description	Price	TOTAL

**NON-REFUNDABLE STATEMENT**  
YOUR PAYMENT FOR ANY UNDELIVERED ITEMS IS REFUNDABLE FOR ONE YEAR (365 DAYS) AFTER YOU PLACE YOUR ORDER. AFTER THAT DATE YOUR PAYMENT IS NON-REFUNDABLE. PLEASE FORWARD TO US THE REQUIRED COMMISSION DOCUMENTATION WITHIN ONE YEAR (365 DAYS) AFTER YOU PLACE YOUR ORDER. IF WE CANNOT COMPLETE THIS ORDER WITHIN THAT TIME BECAUSE YOU HAVE NOT FORWARDED TO US THE REQUIRED COMMISSION DOCUMENTATION, WE WILL THEN NO LONGER BE OBLIGATED TO COMPLETE YOUR ORDER.

**Sub-total of Supply Items**  
**Shipping Charges** (see rates at left)  
 Ground  2-Day Air  Next-Day Air  
**Add State/Local Taxes**  
(delivery to AZ, CA, FL\*, HI\*, IL, KS\*, MA, MI\*, MO\*, NC\*, NE\*, NJ\*, NV\*, NY\*, PA\*, TX\*, VA & WA\*)

Item Total	Ground	2-Day Air†	Next-Day Air†
\$0 - \$15.00	\$6.95	\$11.95	\$20.95
\$15.01 - \$40.00	\$7.95	\$12.95	\$23.95
\$40.01 - \$65.00	\$8.95	\$13.95	\$26.95
\$65.01 - \$95.00	\$11.95	\$15.95	\$29.95
\$95.01 - \$120.00	\$13.95	\$17.95	\$33.95
\$120.01 - \$150.00	\$15.95	\$19.95	\$38.95
\$150.01 - \$250.00	\$17.95	\$22.95	\$44.95

\*For these states, include tax on shipping rates.  
\*\*Rates subject to change.  
†For U.S. states and Washington, D.C.  
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An illegible or improperly placed seal may result in rejection of a document.

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Easy to use, the transparent stamp chamber allows you to see exactly where your official stamp will be positioned on the document — allowing for perfect seal placement. And stamping within the lines is amazingly effortless: with a simple press of the handle, you create crisp, clear impressions on every document.

The Style Stamp comes crystal clear, or you can add some zest with exciting fashion colors.

\*Not available for HI, MS, OH, PR, SC, TN and WA.



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- 6 Neon Pink #5404NP
- 7 Jet Black #5404JB

### Translucent Colors

- 8 Crystal Clear #5404C
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3 1/4" W x 1 5/8" D x 2 1/2" H; Impression size: 2 1/4" W x 7/8" H.



Tangerine Style Stamp



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