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# The National NOTARY<sup>®</sup>

May 2012



THE MAGAZINE FOR AMERICA'S NOTARIES



**Catherine Cortez Masto**  
The 2012 March Fong Eu  
Achievement Award Honoree

**See Page 22**

# 4,380,351 NOTARIES IN AMERICA

## THE OFFICIAL 2012 NNA CENSUS

'Like' The NNA  
And Fight Breast  
Cancer Today  
See Page 10



# The 34<sup>th</sup> National Notary Association Conference

June 3 – 6

# San Diego



America's Most Important Event **for Notaries and Employers**  
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You can't afford to miss this important annual gathering of your colleagues to hear expert speakers and outstanding leaders explain why an increasingly lawsuit-driven and distrustful society has made your role more critical than ever.

Issues of personal identity, concerns regarding

liability exposure and the shifting relationship between Notary and employer are altering the Notary office. But, **YOU**, as a *state public official* are expected to understand and act lawfully to lessen and prevent risks — for your signers, for your employers and for your community. Are you prepared?

## A Must For Every Notary

- More than 50 workshops and activities covering compliance, liability and risk management issues as well as financial opportunities for today's Notary
- New NNA processes, systems and proper shortcuts to help you increase efficiencies in your office and for your employer
- A Special Keynote Panel of three prominent Secretaries of State on how and why Notaries have become more important than ever in the country
- A special "how-to" panel of state Notary Public Administrators that provide guidelines and instructions for avoiding problem notarizations
- Six "Signature Events" including the Welcome Reception and the Gala Banquet
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- Fun events and entertainment right at the hotel

## A Must For Every Notary Employer

Employers face risks — as well as opportunities — when offering Notary services to customers. We'll show you how to handle both, particularly compliance issues, in our workshops for Notary Employers:

- New Notary requirements of the National Mortgage Settlement
- Strengthen your company's Notary policies with tips from the NNA's subject matter experts
- Utilizing Notary services as a revenue source for retail locations
- New trends utilized to measuring the performance of Notary employees

Recent events, such as the National Mortgage Settlement, reinforce the need for sound policies, training and supervision to ensure that Notary-employees comply with state laws and follow standard practices.

# Awaits!



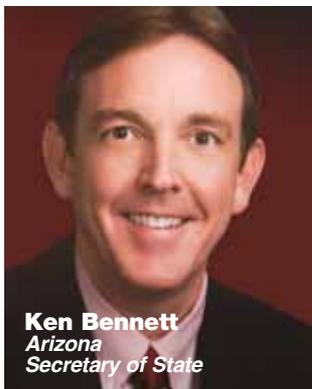
## The Honorable Catherine Cortez Masto, Nevada Attorney General

Ms. Masto will be honored for her work in establishing the Mortgage Strike Force in her state that brought to justice law violators related to the national mortgage lending and foreclosure crisis. She will receive the NNA's prestigious March Fong Eu Achievement Award at the Conference.

See page 22.

## "WHY YOU ARE MORE IMPORTANT THAN EVER"

Three outstanding Secretaries of State, each with specific messages why Notaries are more important than ever, will share their expertise at a special panel discussion. Secretary Bennett will bring perspective about the immigration challenges for Notaries in Arizona. Alabama Secretary Chapman will tell why she championed legislation for the highest Notary bond in the country. And Secretary Marshall will tell delegates why North Carolina is a leader in Notary technology and standards.



**Ken Bennett**  
Arizona  
Secretary of State



**Beth Chapman**  
Alabama  
Secretary of State



**Elaine Marshall**  
North Carolina  
Secretary of State

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



View the entire schedule and presenters at  
**NationalNotary.org/Conference/Agenda.html**

**Ask your employer today** to assist you in making plans to register for this must-attend Conference. The knowledge you gain will show you **how to avoid liability and shield your employer from costly risks.**

## Conference Highlights:

- Presentation of the prestigious March Fong Eu Achievement Award: **The Honorable Catherine Cortez Masto, Nevada Attorney General**
- Announcement of the 2012 Notary of the Year from five Honorees
- The annual "State of the Notary Public Office" address: **Deborah M. Thaw, NNA Executive Vice President**
- Introduction of the NNA's new President and Chief Executive Officer: **Thomas A. Heymann**
- The Gala Banquet's Featured Speaker tells how his state's immigration issues have impacted Notaries: **The Honorable Ken Bennett, Arizona Secretary of State**

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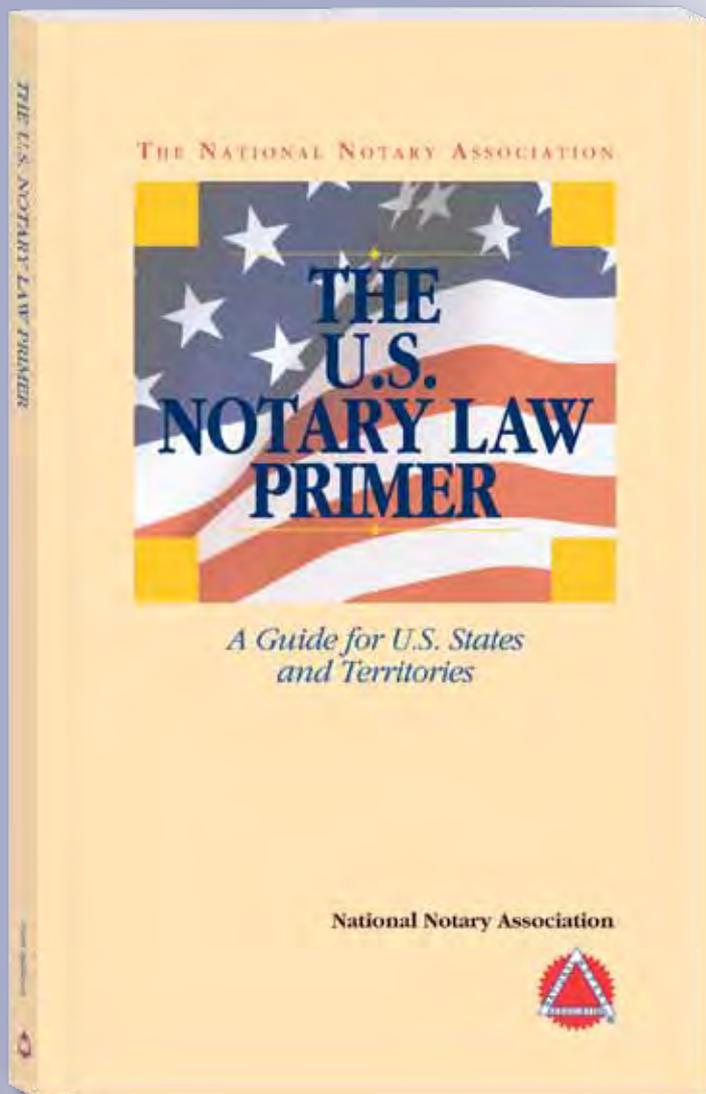


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## COVER STORY

### 14 • 4,380,351 Notaries In America: The Official 2012 NNA Census

For the first time in the 40 years that the National Notary Association has been conducting its five-year census, the steadily growing national population of Notaries took a downturn in the recently completed 2012 count — undoubtedly a result of the worst recession since the Great Depression. But the numbers still show how important these public officers are to the nation’s daily business, even when times are tough.

### 20 • The 2012 Notary Census Survey

**4,380,351**  
NOTARIES IN AMERICA

## FEATURES

### 12 • What The National Mortgage Settlement Means

The message from the \$25 billion settlement between banks and government is clear — employers and employees alike must reform improper notarization and document signing practices.



### 22 • 2012 March Fong Eu Achievement Award: Catherine Cortez Masto

A former Notary herself, Nevada Attorney General Catherine Cortez Masto has emerged as a national leader in tackling the misconduct of the “robo-signing” crisis and championing the integrity of notarizations.

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## 55 YEARS NNA ANNIVERSARY

I am happy to congratulate the National Notary Association on its anniversary and to thank its members for serving the country's 4.8 million Notaries for 55 years.

Over the years, the NNA has had a crucial role in promoting appropriate Notary practices which provide a vital role for bolstering consumer protection and combating fraud. It is heartening to see such a genuine and long standing commitment.

As a United States Senator from California, I am proud to commend the National Notary Association for its accomplishments and wish it continued success in the years ahead. Here's to another 55 years!

**Dianne Feinstein, United States Senator, California**

### Thanks From Overseas

I've been a soldier since 1991 and a Notary since 1999 and spend all my time traveling with the military. Currently I'm stationed in Afghanistan. Though I no longer receive print copies of some the NNA's publications since they went electronic, I have enjoyed them for all the updated news on Notary topics and save the electronic versions for when I have time to read them. I just wanted to say "thank you" to the NNA for your e-mails with Notary news and information.

**Christine Nordgren, U.S. Armed Forces**

### ID Requests From Signers

I have found that many people in my area who are signing documents now want to see identification from Notaries. While I do not think it is appropriate for us to show a driver's license to a signer due to safety concerns since a home address is listed on it, I do believe that these signers are making a valid request. While I offer my business card, many still do not feel this is enough to validate my identity when I am entering into their home to do this very important and private

transaction. It would be great if the NNA would offer a Notary ID card where we could send in a picture — like you do for passports or something to that effect that lists our credentials and provides an ID card for us to present to our signers upon request.

**Veronica Walvatne, Kirkland, Washington**

### Commitment To Ethics

I want to say thanks for the great information that I read in the March issue of your magazine. It was very helpful. I want to do my best in serving the public by being honest with everyone that I notarize for, and I am committed to abiding by the ethical standards recommended by the National Notary Association.

**Anna La Cross, Coweta, Oklahoma**

### Thanks For Support

Thank you for your magazine and online publications. I read all of your literature with interest and have also taken part in some NNA training. Though I went through training in the late 1990s prior to becoming a Notary Public in the state of Washington, I have found things much more complicated today in my notarial role and appreciate all the help I can get. Thanks for doing the footwork and keeping us informed. The NNA is a great resource we can call on in need.

**Effie Moody, Seattle, Washington**

## WE WANT TO HEAR FROM YOU!

In our continuing efforts to address the topics and issues facing Notaries today, THE NATIONAL NOTARY wants to hear from you! Whether it's your thoughts on business opportunities, challenges in your office or on signings, we want to know about your day-to-day experiences and observations, and what information and resources you may need to help guide you through them. You can send us comments via e-mail 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 NATIONAL NOTARY (ISSN 0894-7872), May 2012, Vol. LVI, No. 3, is published bimonthly by the NATIONAL NOTARY ASSOCIATION, 9350 De Soto Ave., Chatsworth, CA 91313-2402, a non-profit educational organization, to educate Notaries about the legal, ethical and technical facets of performing notarial acts and to instill in them a sense of self-respect and professional pride in their important role of public servant. • ALL RIGHTS RESERVED. Reproduction in whole or in part without the express written permission of the publisher is prohibited. • SUBSCRIPTION to all NNA members in the United States and its possessions comes out of their \$52 annual dues. International subscriptions are \$75 annually. Six dollars of membership dues are designated for a one-year subscription to the publications. • For address changes, send new and old addresses including ZIP code, suite or apartment number, and mailing label, if possible. PERIODICALS POSTAGE paid at Chatsworth, CA, and at additional mailing offices. • POSTMASTERS: Please send address changes to Customer Service, 9350 De Soto Ave., P.O. Box 2402, Chatsworth, CA 91313-2402.

# Numbers Are Important, But Don't Tell The Whole Story



Studies reveal that some of us are better with numbers; others feel more comfortable with words. The fact remains, however, we're destined to live with facts and figures — whatever our aptitude.

Whether it is the current price of gold or a barrel of oil, or the latest mortgage rate, numbers are so prevalent in our lives, we rarely think about them.

Consider that last year the world's population topped 7 billion, but we hardly noticed. It competed with all the other numerical news we heard.

We believe, though, that the numbers presented in this issue of *THE NATIONAL NOTARY* deserve special attention. Our census is the only numerical measure taken of Notaries Public in the United States and its territories.

And this census, taken every five years, has grown to represent more than quantity and vastness and magnitude. It's satisfying that Notaries have such a large U.S. presence among the population, but what it truly represents is even more gratifying.

Notaries exhibit characteristics that go beyond mere tallying. There are the qualities of honesty and integrity — the first and most significant attributes required of the Notary applicant.

There is an expectation of our knowledge and understanding of regulations and rules related to official notarial duties and responsibilities. Perhaps we're annoyed by having to study a booklet of laws or prove our expertise with a test, but regardless of such requirements, a commission is not issued without our acknowledging on our application that we understand what we are doing.

Likewise, each of us represents the achievement of a certain high level of competence. When you become a Notary

you do more than raise your hand to be counted. You take an oath much like any other public official. You also take on a responsibility to your state, local community and the signers you serve that you will uphold the laws and regulations of your state or jurisdiction and will conduct yourself honorably and skillfully.

Perhaps you have decided to take a training seminar or familiarize yourself with Notary regulations online. Some will undertake the additional training of a Notary Signing Agent or certification as a Trusted Enrollment Agent.

Today, Notaries may study to become Trusted Notaries so the public may recognize the individual's skills and proficiency on notarial matters and have greater assurance and confidence that their notarizations will be performed properly.

Too often we look at numbers as a measure of quantity rather than quality.

Being a member of such a large group, we may dismiss our contributions because they are shared with so many others but that shouldn't diminish the value.

Our large numbers distinguish us from other associations, groups and segments of society. And, it is a distinction that in an activity as defined as notarization, we uniquely demonstrate a prominence beyond that of the numbers alone.

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

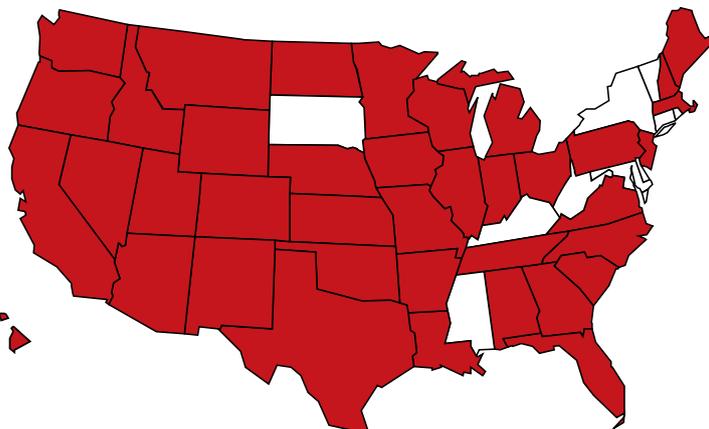
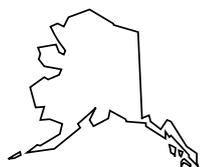
## More Counties Nationwide Using Electronic Recording To Mitigate Risk And Ensure Accuracy

The number of counties electronically recording documents continues to increase nationwide, recently surpassing the 700 mark — a figure that has more than tripled in the last five years. Electronic recordings, which help expedite the recording process and provide better accuracy, are a necessary and viable step towards the growth and adoption of electronic notarization.

Electronic recording, or eRecording, refers to the automated process of document examination, fee collection and data processing. The benefits of eRecording include an improvement in data quality, a reduction of turnaround time for processing documents, and a significant savings when compared to manual processes. It is particularly beneficial for companies that process high volumes of documentation, such as title companies, financial institutions, and law firms, and helps pave the way to a wider acceptance and availability for eNotarization.

### Counties in the Following States Have Adopted Electronic Recording:

AL	CO	KS	NC	PA
AR	DC	LA	ND	SC
AZ	FL	MA	NH	TN
CA	GA	ME	NJ	TX
	HI	MI	NM	UT
	IA	MN	NV	VA
	ID	MO	OH	WA
	IL	MT	OK	WI
	IN	NE	OR	WY



Source: Property Records Industry Association

## The National NOTARY

Vol. LVI, No. 3, May 2012

Published by the National Notary Association

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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 CORE VALUES OF MEMBERSHIP

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

Our Core Values of Membership:

COMPLIANCE

LIABILITY PROTECTION

RISK MANAGEMENT

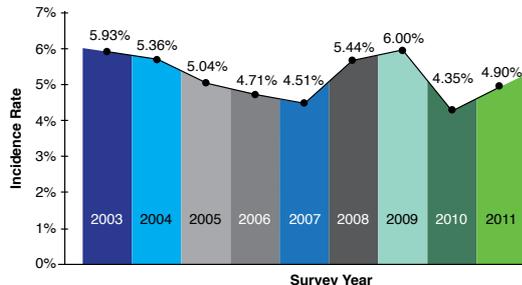
PROFESSIONALISM

OPPORTUNITIES



## Consumer Behaviors Cause Identity Theft Spike

A 2011 Javelin survey indicates that it may be consumers' habits that are placing them most at risk when it comes to being victims of fraud. Identity thieves are now targeting the technologies many professionals use to promote and manage their businesses, including social media platforms and smartphones. Notaries using these technologies can follow the advice of fraud protection experts to protect the safety of their client's private data.



- Avoid posting private information such as a birthdate, pet's name, or phone numbers in public forums, as this is the type of information that companies or credit cards often use to verify your identity.
- Update smartphone operating systems when they become available.
- Place a secure password on your phone's home screen; avoid ones that are easy to guess, such as a pet's name or maiden name.
- Avoid saving login information and passwords into your phone where thieves might access them.
- If you suspect fraud, report any possible problems immediately.

## Catering To Your Clientele In More Ways Than One

In these tough economic times, Notary entrepreneurs nationwide are discovering practical and innovative ways to offer more value to clients, while also generating new business and increasing customer loyalty. A new multi-purpose business facility in Kentucky that features both a restaurant and a wide array of business services — including notarization — does just that, and serves as a viable model on how to cater to local professionals.

Justice Place, the brainchild of a local Kentucky attorney and her husband, will feature fully equipped work spaces where customers can access copiers, fax machines, teleconference capabilities, email and Notary services, as well as a full-service restaurant that also caters and delivers to nearby businesses.

Do you have a creative idea or business model that has worked to improve your business? Share it with your Notary colleagues at [www.facebook.com/NationalNotary](http://www.facebook.com/NationalNotary).

## National Mortgage Settlement To Fuel Foreclosure Spike, Heightened Scrutiny

The recent \$25 billion National Mortgage Settlement is expected to result in a spike in foreclosures, predicts industry tracking firm RealtyTrac Inc. and Fitch Ratings. Legal and financial institutions tasked with processing the backlog of foreclosure documents will be subject to increased regulations and scrutiny, as will the Notaries called upon to authenticate critical transactions.

“Mortgage servicers, lenders, and all of their vendor partners are facing huge risks if their procedures aren't

in order,” says Chris Sturdivant, the National Notary Association's Business Outreach

Executive. “Notaries, their supervisors, and policy makers all need to be vigilant and thorough moving forward.”

The Settlement, along with the federal government's Consumer Financial Protection Bureau, marks a new era of lending practice regulations at all levels.



## 'Like' And 'Share' Us On Facebook And Help Us Raise \$100,000 To Fight Breast Cancer

**A**lmost every Notary knows someone who has been afflicted by breast cancer — which affects 1 in 8 women in their lifetime — and they have joined with the National Notary Foundation over the years to battle this deadly disease. This Mother's Day we're asking you to help us take that battle to a new level.

Between May 1 and Mother's Day (May 13), the NNF has pledged to donate \$1 to breast cancer research for every person that "likes" and "shares" the National Notary Association's Facebook page. With no monetary donation requested on your part, the NNF's fund will rise in tandem with the number of people who join our

Facebook community. All proceeds will be donated directly to the City of Hope, the nation's leading cancer research institute.

Fighting breast cancer has been a top priority for the NNF since it established the Linda Bazar Breast Cancer Fund in 2002, named in honor of our late and beloved Vice President and CFO. In 2012, the American Cancer Society predicts more than 226,000 women will be diagnosed with breast cancer, and nearly 40,000 will lose their lives.

Spread the word to fellow Notaries and help the NNF make its largest donation ever to fight this deadly disease. And in the meantime, join in the conversation with your colleagues at the nation's premiere social media community for Notaries.

## Conference 2012 Has Resources For Notaries And Employers

**W**hether you are a Notary or employ them at your business, if you want to learn how to reduce liability risk at your workplace, improve training for your Notaries, or how offering Notary services can strengthen your income, the NNA's 2012 Conference in San Diego, California, June 3-6 is the place to be.

Conference 2012 is offering a wide variety of workshops specifically tailored to Notaries of different experience levels

and programs for Notary employers covering the basics of notarization, specialty documents, risk management, workplace policies and training for employees, leveraging a commission for increased business and more. Expert speakers and NNA Member Advocates will also be on hand to discuss the latest issues.

There's still time to register for the Notary Event of the Year and take in the great workshops and beautiful oceanfront attractions of the Sheraton San Diego Hotel & Marina. For registration information, call (800) 876-6827 or visit [NNAConference.com](http://NNAConference.com).



## NNA Addresses 'Robo' Issues With MBA, PRIA

**T**he possibility of a national mortgage servicing standard including Notary training will force financial institutions across the nation to strengthen their internal policies and procedures, according to the NNA's Business Outreach Specialist Chris Sturdivant.

As a result, "the NNA firmly believes that a nationwide training standard would significantly improve the integrity of the real estate industry and the land recording process," Sturdivant said.

That was the message the NNA delivered to mortgage servicers and land recording officials in February at the Mortgage Bankers Association (MBA) National Mortgage Servicing Conference & Expo, and the Property Records Industry Association (PRIA) 2012 Winter Symposium.

A primary topic of discussion was the vital need for sound corporate policies and training for Notaries and their supervisors — corporate risk issues that were largely overlooked amid the foreclosure "robo-signing" crisis. "The recent National Mortgage Settlement has revealed to risk managers the essential need for Notary training programs within their organizations," Sturdivant said.



# National Notary Association Names Thomas A. Heymann President And CEO

At a time when Notaries are facing increased pressures to protect consumers and reduce risk across all business sectors, the National Notary Association has named veteran executive Thomas A. Heymann its new President and Chief Executive Officer to expand its leadership in Notary education and service.

Heymann, 54, brings to the Association an impressive record of success in finance, risk management and organizational development. He has more than 34 years of experience in executive management and corporate governance in challenging, service intensive environments spanning a variety of industries, including education, retail, technology and restaurants.

With his low-key, personable style, Heymann already has started reaching out to the Notary community via social media to learn as much as possible about notarization. He is committed to improving the Association's level of support, service and advocacy for NNA members and non-member customers alike.

While government, businesses and consumers deal with the National Mortgage Settlement, the foreclosure "robo-signing" crisis and proliferating real estate fraud, Heymann will focus on strengthening the NNA's training, support and outreach programs to Notaries nationwide and their employers. These efforts will help boost consumer confidence in the legal, financial, and real estate sectors, among many others.

"The nation's 4.4 million Notaries are critical to restoring trust and confidence in document transactions," said NNA Chairman Milt Valera, "and we are fortunate to have in Tom Heymann a consummate leader who has an intimate understanding of the NNA's challenges and the tremendous opportunities available for Notaries."

"Tom is a trusted friend, advisor, colleague and a very important and influential member of the NNA's Board of Directors," Valera said. "His distinguished track record of leadership in several diverse industries will allow the organization to provide Notaries with

the tools and training they need to fulfill their essential functions."

"Because trust, integrity and confidence are among the top concerns for today's consumers and businesses, I will focus our efforts on helping Notaries and their employers meet these needs," Heymann said. "For 55 years the NNA has supported and improved the Notary office. It's a privilege to build upon that legacy."

Heymann served as Chairman and Chief Executive Officer of Knowledge Learning Corporation, the nation's largest private provider of early education. He also served as President of Disney Stores, Inc., which included their global presence in retail, online and catalog enterprises. He currently serves as the Presiding Member of EveryPenny, LLC, and has served on the boards of several public technology companies, including MP3.com, Loudeye Technologies, Atari and Tickets.com. Additionally, he was the managing director and co-founder of venture capital firm Digital Coast Ventures. In the restaurant industry, he was co-founder and President of Levy Restaurants and, most recently, CEO of Mastro's Restaurants, LLC. He earned a Bachelor of Science degree in economics from Northwestern University.

As the NNA's longtime President, Valera is stepping down from day-to-day duties after more than 43 years but will continue to serve as Chairman of the Association and its service entities. He also will continue as President of the NNA's philanthropic arm, the National Notary Foundation, to devote more time to its important programs and activities.



*Thomas A. Heymann*





# WHAT THE NATIONAL MORTGAGE SETTLEMENT MEANS

THE MESSAGE IS CLEAR — COMPANIES MUST REFORM CARELESS AND IMPROPER DOCUMENT SIGNING PRACTICES

The recent \$25 billion National Mortgage Settlement is likely to have a significant impact on the entire mortgage industry as well as law firms, document processing companies and the Notaries they employ.

For Notaries and their supervisors, the Settlement terms focus on the need to comply with state Notary laws and obtain adequate training to carry out their duties. For companies, the terms also target the kinds of policies and practices that created “robo-signing” assembly lines.

The scrutiny placed on Notaries and their employers in the mortgage industry is not likely to stop there. The high-profile nature of the “robo-signing” crisis, which involved law firms, document-processing companies as well as lenders, will encourage government regulators and the public to take a closer look at any transaction involving a notarial act.

“The lesson of the ‘robo-signing’ crisis is that anyone who employs a Notary needs to understand the legal requirements of the office and make sure their employees comply with the law and state regulations

for every notarization,” said Chris Sturdivant, NNA Business Outreach Specialist. “The inadequate processes and oversight involving notarization in the ‘robo-signing’ crisis — the lack of personal appearance before a Notary, the forged signatures, the failure to administer oaths when required and the improper use of Notary seals — demonstrates extreme corporate risk of failing to follow proper notarial procedures.”

## ORIGINS OF THE SETTLEMENT

In October 2010, a coalition of state attorneys general and federal agencies launched an investigation of the financial industry following revelations that “robo-signed” affidavits were being used in foreclosure proceedings around the country.

Authorities discovered a pervasive pattern of unethical, improper and illegal practices. Among other things, bank employees and outside contractors routinely signed documents on behalf of others, which then were notarized outside the presence of the signers. Notary seals also were used by co-workers. In many cases, employees were pressured — directly

or indirectly — to cross the line. Consequently, thousands of families lost their homes.

In February, five major banks reached an agreement with state and federal officials not only to pay \$25 billion in relief to homeowners who were improperly foreclosed on but also to change the way they deal with mortgage documents.

“A major component of the settlement is the comprehensive reform of mortgage servicing practices,” states an executive summary published online at [NationalMortgageSettlement.com](http://NationalMortgageSettlement.com). “The new standards will prevent mortgage servicers from engaging in ‘robo-signing’ and other improper foreclosure practices.”

The terms of the Settlement require the banks to provide state-specific training for all employees who regularly prepare or execute foreclosure-related documents. The banks also are required to keep records of all foreclosure-related notarizations performed on their behalf.

## LEARNING THE LESSON

The National Mortgage Settlement carries with it significant enforcement teeth. Banks that violate the reform terms can face stiff penalties (up to \$5 million for repeat violations). Beyond that, companies can face legal action by state and federal regulators as well as consumers for improper or illegal actions.

Nevada Attorney General Catherine Cortez Masto has filed criminal cases against several Notaries and supervisors employed by a national loan servicing company (see related story on page 22). The Missouri Attorney General has indicted the founder and former president of a now-defunct document processing company for orchestrating a “robo-signing” operation.

Court cases in several states also are proceeding against companies. And HUD has already referred some Notary misconduct cases to state authorities and has indicated that it wants to levy sanctions against Notaries and attorneys who violated their state regulations and professional obligations.

Going forward, there are a number of steps businesses should take to prevent ‘robo-signing’ issues with notarized documents.

Notary employees and their supervisors need to be fully trained in state law and best practices. When Notaries fully understand required state notarization practices, there is far less risk of making a mistake or

complying with an improper notarization request due to ignorance. When supervisors understand notarial requirements, they will avoid implementing policies, such as quota systems, and other measures that prevent Notary employees from properly carrying out their official duties.

Policies should be put in place at the office clearly stating that proper procedures must be followed for every notarization. Managers and supervisors should take responsibility for making sure everyone in the office, including non-Notary employees, understands and follows the policies so that they do not inadvertently ask Notaries to perform acts prohibited by law.

Notary seals and journals must be kept in a locked, secure area when not in use, and must remain solely under the control of the Notary authorized to use them. No other person — including other Notaries — must be permitted access to a Notary’s seal and journal.

Even if not required by law or covered by the National Mortgage Settlement, Notaries working in financial institutions should keep a journal of their notarial acts. An accurate record of all notarizations is an essential risk management component because it can show that notarizations were properly executed. This in turn provides employers with evidence to refute accusations of negligence in the event of a Notary-related lawsuit.

When developing a workplace notarization policy, it is safer to go above and beyond the minimum legal requirements because state notarial laws vary significantly — some providing detailed guidance and others giving limited guidelines.

Erring on the side of caution reduces the risk of engaging in misconduct that could result in potential liability. The National Notary Association offers complimentary resources to help guide Notaries in situations where state law isn’t specific, such as the “10 Recommended Notary Practices” and *The Notary Public Code of Professional Responsibility*. Both of these resources provide ethical guidance for Notaries and are available online at [NationalNotary.org](http://NationalNotary.org).

In the final analysis, the fallout from the “robo” crisis means that it is no longer acceptable to ignore Notarial law or view it merely as an inconvenience to be discarded. Rules must be followed, signers must be properly identified, and all notarizations must comply with state laws, or more sanctions will be the result. 

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“A major component of the settlement is the comprehensive reform of mortgage servicing practices.”

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# 4,380,351 NOTARIES IN AMERICA

## THE OFFICIAL 2012 NNA CENSUS



**F**or the first time in the 40 years that the National Notary Association has been conducting its five-year, state-by-state census, the steadily ascending national population of Notaries took a downturn in the recently completed 2012 count — reflecting the country's current historic economic doldrums, widely labeled as the worst since the Great Depression.

Notary census totals are significant because, when correlated with federal 10-year census counts of U.S. residents, they offer a meaningful per capita measure of the public availability of Notaries that is closely monitored by state governments.

The dip in numbers discovered in the 2012 tallying is further evidence of a strong — but not invariable — connection between robust economic activity and burgeoning growth of the Notary population.

### A Contrast To Past Meteoric Jumps

Nationwide, between 2007 and 2012, the total number of Notaries declined by about



450,000 (9 percent) from 4,831,707 to 4,380,351 — that is roughly the same number of state-commissioned American Notaries as there were in the year 2000.

This drop is in stark contrast to past meteoric five-year jumps in the national totals, particularly the gain of over 750,000 from 1972 to 1977 and of nearly 700,000 from 1977 to 1982.

California and New Jersey had the steepest declines, accounting for 57 percent of the total drop-off since 2007. The ranks of California Notaries were thinned by more than 128,000, or 44 percent of its 2007 tally. New Jersey lost slightly fewer (nearly 122,000), but that accounted for almost half the state's former total.

## Numbers Climb In 20 States

Still, numbers ticked upward in 20 states, with Arizona (36 percent increase of 26,200 Notaries) and Massachusetts (22 percent increase of 25,500) enjoying the greatest gains. In Arizona, retiree population growth and recent simplification of commissioning procedures were likely factors contributing to the uptick. In Massachusetts, a relatively healthy high-tech industry and a helpful code of conduct for Notaries provided in 2004 by gubernatorial executive order helped boost the numbers there.

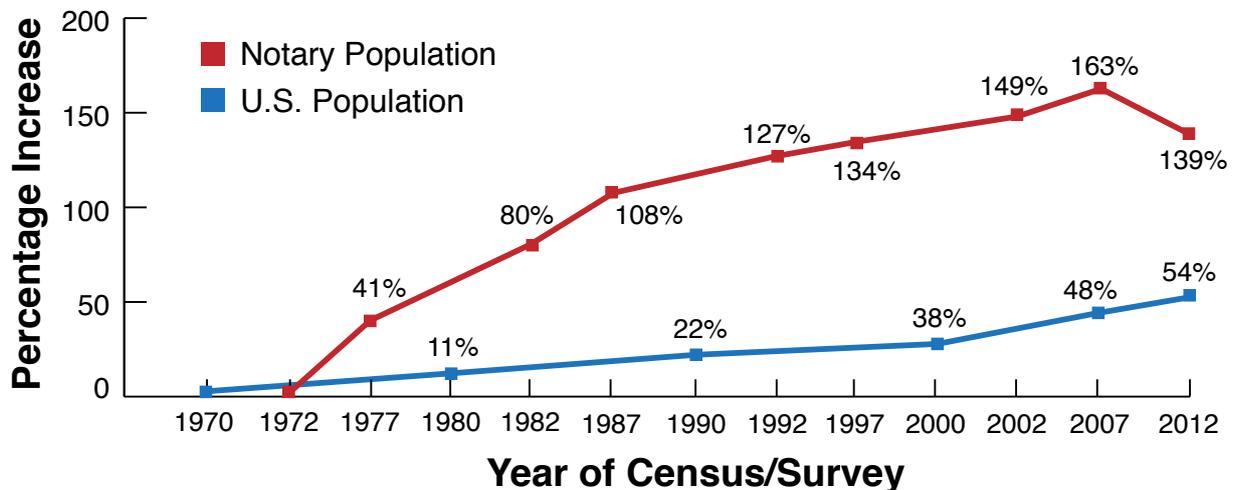
California's decline was due in large part to the collapse of the mortgage market, though a state education requirement imposed in the middle of the last decade may also have had an effect in winnowing out less dedicated and knowledgeable would-be Notaries.

California enjoyed one of the hottest real estate markets in the country during the boom years, as thousands of new

## How The 2012 Notary Census Was Conducted

Every five years, the National Notary Association conducts and compiles the only census of Notaries commissioned in the United States and all of its jurisdiction. For the 2012 census, NNA staff collected and assembled the data, often after numerous communications and follow up with Notary regulating officials in every state, the District of Columbia and all U.S. territories. With very few exceptions, officials were able to provide the NNA with precise numbers of Notaries currently commissioned in their respective jurisdictions. Due to issues dealing with technical problems, reduced staffing levels or time constraints because of budget reductions, eight were limited to providing estimates only. The NNA is appreciative of the efforts made by all participating officials.

### U.S. Population And Notary Populations



Source: U.S. Census Bureau & NNA Research

# OFFICIAL NNA

State	Notaries 2012	Notaries 2007	Change	2010 U.S. Population Census	2012 Notaries per 100,000
Alabama	63,065	67,593	(-4,528)	4,779,736	1314
Alaska	13,194	12,679	515	710,231	1885
Arizona	99,206	73,000	26,206	6,392,017	1550
Arkansas	54,198	52,956	1,242	2,915,918	1869
California	163,711	292,170	(-128,459)	37,253,956	440
Colorado	87,812	110,848	(-23,036)	5,029,916	1756
Connecticut*	50,000	54,089	(-4,089)	3,574,097	1389
Delaware	10,275	8,945	1,330	897,934	1142
Florida	398,053	436,655	(-38,602)	18,801,310	2117
Georgia	159,649	173,602	(-13,953)	9,687,653	1663
Hawaii*	12,000	10,000	2,000	1,360,301	923
Idaho	25,681	25,632	49	1,567,582	1712
Illinois	173,713	198,421	(-24,708)	12,830,632	1357
Indiana	86,555	122,950	(-36,395)	6,483,802	1352
Iowa	57,490	57,142	348	3,046,255	1916
Kansas	50,554	56,020	(-5,466)	2,853,118	1806
Kentucky	84,610	92,270	(-7,660)	4,339,367	1968
Louisiana	56,245	61,617	(-5,372)	4,553,372	1223
Maine	24,974	30,506	(-5,532)	1,328,361	1921
Maryland	70,915	86,180	(-15,265)	5,773,552	1223
Massachusetts*	140,000	114,531	25,469	6,547,629	2154
Michigan	121,974	118,181	3,793	9,883,640	1232
Minnesota	84,826	94,402	(-9,576)	5,303,925	1600
Mississippi*	38,000	35,126	2,874	2,967,297	1267
Missouri	76,501	74,864	1,637	5,988,927	1275
Montana*	20,000	21,000	(-1,000)	989,415	2000
Nebraska	28,629	33,497	(-4,868)	1,826,341	1591
Nevada	28,364	37,000	(-8,636)	2,700,551	1051
New Hampshire	22,940	38,818	(-15,878)	1,316,470	1765

# 2012 NOTARY CENSUS

State	Notaries 2012	Notaries 2007	Change	2010 U.S. Population Census	2012 Notaries per 100,000
<b>New Jersey</b>	124,607	246,510	(-121,903)	8,791,894	1432
<b>New Mexico</b>	34,624	32,049	2,575	2,059,179	1731
<b>New York</b>	279,674	273,669	6,005	19,378,102	1449
<b>North Carolina</b>	143,180	164,070	(-20,890)	9,535,483	1507
<b>North Dakota</b>	13,116	12,134	982	672,591	1874
<b>Ohio</b>	224,060	228,247	(-4,187)	11,536,504	1948
<b>Oklahoma</b>	83,959	83,015	944	3,751,351	2269
<b>Oregon</b>	40,795	48,260	(-7,465)	3,831,074	1074
<b>Pennsylvania</b>	74,008	78,098	(-4,090)	12,702,379	583
<b>Rhode Island</b>	20,449	21,000	(-551)	1,052,567	2045
<b>South Carolina*</b>	138,000	134,701	3,299	4,625,364	3000
<b>South Dakota</b>	17,667	18,159	(-492)	814,180	2208
<b>Tennessee</b>	97,996	94,968	3,028	6,346,105	1555
<b>Texas</b>	401,232	398,159	3,073	25,145,561	1599
<b>Utah*</b>	17,000	20,237	(-3,237)	2,763,885	630
<b>Vermont</b>	14,120	12,928	1,192	625,741	2353
<b>Virginia</b>	113,693	120,000	(-6,307)	8,001,024	1421
<b>Washington</b>	75,830	83,313	(-7,483)	6,724,540	1132
<b>West Virginia</b>	44,730	45,464	(-734)	1,852,994	2485
<b>Wisconsin</b>	86,920	96,009	(-9,089)	5,686,986	1552
<b>Wyoming</b>	11,505	11,178	327	536,626	2301
<b>Other US Jurisdictions</b>					
American Samoa	45	100	(-55)	68,061	66
District of Columbia*	9,500	9,500	0	601,723	1583
Guam	576	505	71	185,674	310
N. Mariana Islands	105	100	5	44,582	235
Puerto Rico	9,186	8,028	1,158	3,725,789	248
U.S. Virgin Islands	645	712	(-67)	109,574	645
<b>TOTAL</b>	<b>4,380,351</b>	<b>4,831,707</b>	<b>(-451,356)</b>		

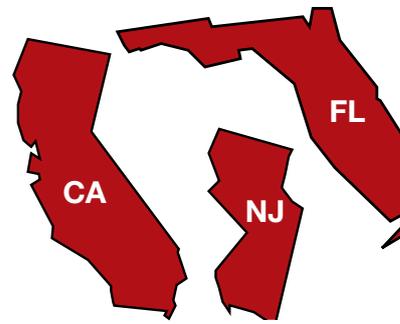
\*Due to issues dealing with technical problems, reduced staffing levels or time constraints because of budget reductions, eight jurisdictions were limited to providing estimates only.

*In which industry are you employed?*

## Legal... 20.9%



• Real estate lending & mortgage servicing...	16.6%
• Government...	16.4%
• Banking, finance...	11.9%
• Healthcare...	13%
• Manufacturing...	8.9%
• Insurance...	5.8%
• Technology, biotechnology...	5.5%
• Other...	1%



### The Big Three

California, New Jersey and Florida accounted for 65 percent of the decline in Notary population.

## PER CAPITA COMPARISONS

*Most Notaries Per Capita*

### West Virginia... 1 per every 41 residents



• Vermont...	1 per every 44 residents
• Oklahoma...	1 per every 45 residents
• South Dakota...	1 per every 46 residents
• Florida...	1 per every 47 residents

*Fewest Notaries Per Capita*

### California... 1 per every 228 residents

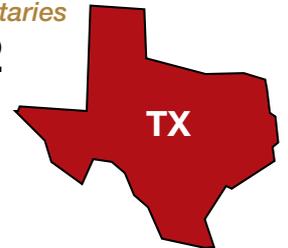


• Pennsylvania...	1 per every 172 residents
• Utah...	1 per every 163 residents
• Hawaii...	1 per every 113 residents
• Nevada...	1 per every 95 residents

*States With The Most Notaries*

### Texas...401,232

• Florida...	398,053
• New York...	279,674
• Ohio...	224,060
• Illinois...	173,713



*States With The Fewest Notaries*

### Delaware...10,275

• Wyoming...	11,505
• North Dakota...	13,116
• Alaska...	13,194
• Vermont...	14,120



*Largest Decrease (In Numbers)*

### California...(-128,459)

• New Jersey...	(-121,903)
• Florida...	(-38,602)
• Indiana...	(-36,395)
• Illinois...	(-24,708)



*Largest Increase (In Numbers)*

### Arizona...26,206

• Massachusetts...	25,469
• New York...	6,005
• Michigan...	3,793
• South Carolina...	3,299



## The Golden State Rollercoaster

California had 159,000 Notaries in 2002, 292,170 in 2007, and 163,711 today.

## Unknown Acts

37% of respondents said they have been asked to perform a notarial act they did not know how to execute.

Source: NNA Research

Notaries joined in the prosperity as Signing Agents. Several of the former corporate stalwarts of the mortgage industry were headquartered in Southern California, including Countrywide, the nation's largest mortgage lender, and Ameriquest, the largest subprime lender; both firms are now defunct.

The economy of nearby Nevada was also ravaged by the real estate bust and home foreclosure epidemic, losing over 23 percent of its Notaries in the five years leading up to the NNA's 2012 census.

Florida, too, suffered in the real estate collapse and foreclosure debacle, while New Jersey's economy was not helped by Wall Street job losses and state budget cutbacks.

## Economic Health Correlates With Upsurge

What exactly is the correlation between economic health and an upsurging population of Notaries? The connection is most evident in corporate workplaces where, in flush times, ample discretionary revenue is more often diverted to fund the commissioning of in-house Notaries. In times when discretionary revenue is low, companies cut staff and the remaining workers typically take on heavier notarial workloads.

Lean economic times may also inspire unemployed individuals to obtain a commission to earn revenue or to enhance a resume. But these relatively modest gains generally do not counterbalance the attrition among in-house employees, who by far account for the majority of the nation's Notaries.

The recent "robo-signing" settlement forged by the 49 state attorneys general is particularly timely in that it calls for sufficient Notaries in the mortgage industry to properly handle the unexpectedly stupendous volume of foreclosures that has recently resulted in countless violations of laws and ethics.

## States Closely Monitor Notary Availability

As mentioned above, many states do pay close attention to their counts vis-à-vis the federal decennial census of U.S. residents, because it offers a rough metric by which to assay Notary availability to the public.

Unfortunately, the NNA's 2012 census reveals that in 30 states that availability has worsened over the past five years, and in two states

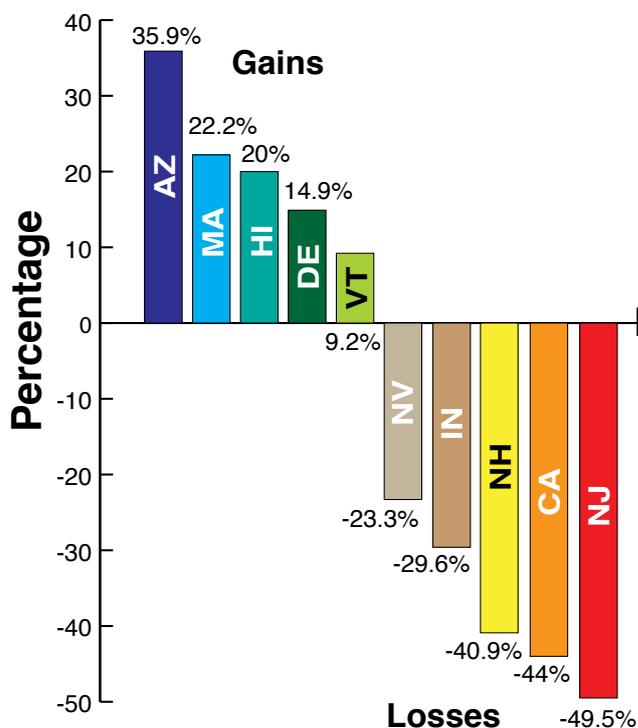
— California and New Jersey — it has been truncated almost by half. The loss of such valuable commerce facilitators in the majority of states has a magnified impact during an economic downturn such as we are currently experiencing: appreciable departures of Notaries has the cumulatively significant effect of obstructing key business and governmental functions and adding momentum, however slight, to any downward economic spiral.

Yet, with signs of a slow but steady financial recovery now proliferating around the nation, the overall future outlook for an American notariate of sufficient numbers to serve the world's largest economy is encouraging.

We should keep in mind that even in this harshest of recessions, 20 states did experience a surge in their Notary ranks, and the brunt of the decline was borne in widely separated pockets — i.e., California, New Jersey and Florida — that are all currently showing strong signs of rebounding from the economic malaise of the past several years.

Five years from now, it is more than likely that the chart for the NNA's Notary census of 2017 will show a growth line with a decided upward tilt. 

## 10 States with Largest Percentage Notary Gains And Losses



# The 2012 Notary Census Survey

Notaries Nationwide Contribute Demographic Information To  
NNA's Census For The First Time, Need For Education Highlighted

**F**or the 2012 census, the NNA expanded upon its traditional approach to gathering information by asking Notaries to participate in a nationwide, online survey. All told, 2,178 people took part, providing key demographic information and offering a fascinating glimpse at the Notary community.

Among other things, the survey pointed to the need for more education, especially given how many respondents are asked to violate the law.

More than one Notary in five has received no formal education regarding their official duties, relying instead on their own review of state laws and regulations, according to the online survey. Thirty-nine percent of the respondents said they have taken some type of formal training course on their own, and another 39 percent went through state mandated training.

Currently only 18 states and the District of Columbia require any type of education or testing for commission applicants. The issue of Notary education has come into the public spotlight in the wake of the National Mortgage Settlement, which came about as a result of the widespread improper notarizations and document signing practices at the heart of the "robo-signing" crisis (See story on page 12). The settlement emphasizes that

banks must make sure their employees are properly trained and supervised.

The need for training also is highlighted by other survey results. Thirty-seven percent of respondents said they have been asked to perform a notarial act that they did not know how to perform, and another 30 percent said they are occasionally or frequently asked to perform illegal or improper acts.

The NNA combined the survey results with other research to provide an interesting look at the American Notary community.

While Notary education often is lacking, the general education level is fairly high. More than half of Notaries possess a college degree — from the associate to post-graduate level — and nearly a quarter have bachelor's degrees.

Nearly three out of four Notaries are women who bring a degree of life experience and



## Head Count

In the U.S., there is one Notary for every 71 residents. In England and Wales, there is one Notary for every 54,100 residents.



## Notaries Across America

If every Notary joined hands to form a human chain, they could stretch from New York City to Seattle to Los Angeles.

maturity to the office. Only 16 percent are 30 or younger while nearly two thirds are over 40.

Despite their age, most Notaries are relatively new to their office, with 26 percent holding a commission for four years or less and another 26 percent for five to eight years. The overwhelming majority — 86 percent — perform fewer than 500 notarizations a year.

For Notaries who are self-employed, 85 percent work as Signing Agents. The rest own small businesses such as shipping and photocopy shops.

Those who are employed by others span a wide range of industries and professions. The most (20.9 percent) can be found in the legal profession. The mortgage industry is the second most notarial at 16.6 percent and government comes in third with 16.4 percent. But when the mortgage industry is combined with banking and finance, it accounts for 28.5 percent of Notaries who work for others.

Significant numbers of Notaries also can be found in the healthcare and manufacturing industries, as well as many others.

Ultimately, these results confirm how important Notaries are to so many parts of American life and business. 

### Is There A Notary In the House?

There are more Notaries in the U.S. than there are people in 24 states and 71 countries.



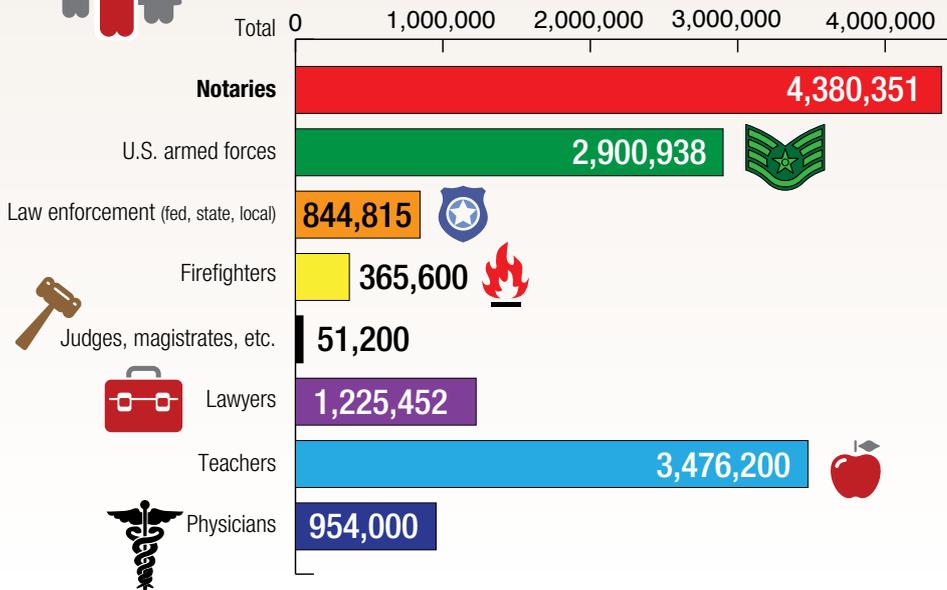
### Self-Employed Notaries

Signing Agents... **85.3%**

- Small business entrepreneurs... 14.7%



### NOTARY COMPARISONS



### Gender

Female... **72%**

- Male... 27%



### Age

41-50... **26%**

- 18-30... 16%
- 31-40... 21%
- 51-60... 23%
- 60+... 13%



**39%** each

### Notary Education

State-mandated education...

Professional education & certification programs...

- No formal education... 22%

### General Education

High school diploma... **39%**

- Associate's degree... 21%
- Bachelor's degree... 24%
- Post-graduate degree... 8%
- Other... 8%

### Improper Acts

30% percent of respondents said they are occasionally or frequently asked to perform an improper or illegal act.

### How long have you been a Notary?

1-4 years... 5-8 years... **26%** each

- 9-12 years... 17%
- 13-16 years... 10%
- 17+ years... 21%

2012 March Fong Eu Achievement Award

# Catherine Cortez Masto

*Nevada's Attorney General Insists That Notaries Be Held To Highest Standards*



With exposure of “robo-signing” abuses often in the nation’s headlines over the past year, a number of cogent observations might be made about the American Notary Public office.

The first is that the state and county government officers with the legal duty to commission and regulate Notaries — secretaries of state, lieutenant governors and judges — often do not have the requisite authority or resources to address the multi-layered lawbreaking seen in the “robo-signing” violations.

A second is that the office of state attorney general by law is probably the best positioned and equipped to investigate and penalize not only the Notaries but also the employers, law firms, loan servicers, title officers and others who may be involved in these complex criminal acts.

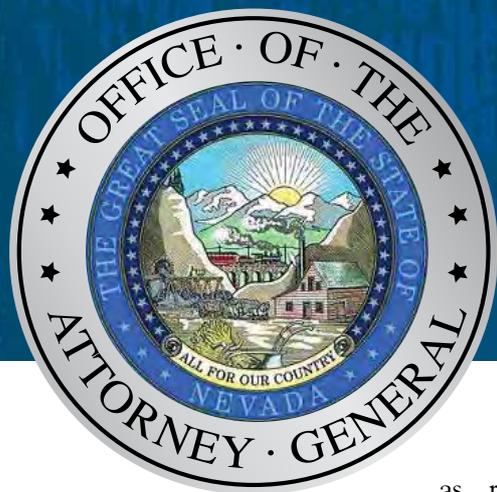
The National Notary Association offers a third

observation: that the Attorney General of Nevada, Catherine Cortez Masto — acting in defense of the homeowners and consumers of her

state — has particularly distinguished herself among her attorney general colleagues, and by example set a model of conduct for them, through her aggressive demand for accountability not only on the part of Notaries but also by all other participants in the mortgage and foreclosure processes.

This demand for accountability started long before the “robo-signing” headlines — in fact, it started in 2008, early in her first term as Attorney General, when she launched a highly successful Nevada Mortgage Fraud Strike Task Force to prosecute fraudulent foreclosure rescue and loan modification scams.

Appropriately, for her leadership and activism as Attorney General of Nevada, Catherine Cortez Masto



*“I am pleased to work in collaboration with the National Notary Association to uphold the standards and public trust of the Notary Public Office.”*

has been selected as recipient of the NNA’s March Fong Eu Achievement Award. This prestigious Award is given each year to the individual who has done the most to improve the standards, image and effectiveness of the office of Notary Public in the United States.

“It is an honor to receive the March Fong Eu Achievement Award on behalf of Nevada and the staff in my office,” said Masto, who will be accepting the Award at the NNA’s 34th Annual Conference in San Diego, California, June 3-6. “This recognition is possible because of the hard work of the attorneys, investigators and support staff of this office.”

The Award is named for its first recipient — former California Secretary of State March Fong Eu — whose accomplishments in service to Notaries set a high standard by which to measure all subsequent nominees for the honor. Since 1979, the NNA Achievement Award honorees have included secretaries of state, legislators, governors, state Notary program administrators, attorneys general, and judges.

As a former Notary herself, Attorney General Masto has a special insight into the notarial office and the unique conflicting pressures it can exert on individuals who often are at the same time both public officers and private employees.

Masto began her service as Nevada’s chief law enforcement officer in 2007 and won a second term in the 2010 election. Her prior positions as Chief of Staff for Nevada Governor Bob Miller, as a federal criminal prosecutor for the U.S. Attorney’s Office in Washington, D.C., and as Assistant County Manager for Clark County, Nevada, prepared her well for the high-profile role of Attorney General. She had previously served as a law clerk and then as a practicing general civil litigator in the early 1990s.

### **Masto’s Mortgage Fraud Strike Force**

Through her Mortgage Fraud Strike Force, Masto launched a far-ranging series of investigations and litigation into violations of the law — including Notary law — related to mortgage lending, servicing and foreclosure practices. The Fraud Strike Force has also taken action against predatory “mortgage rescue” companies and individuals falsely claiming to offer services to stop foreclosures.

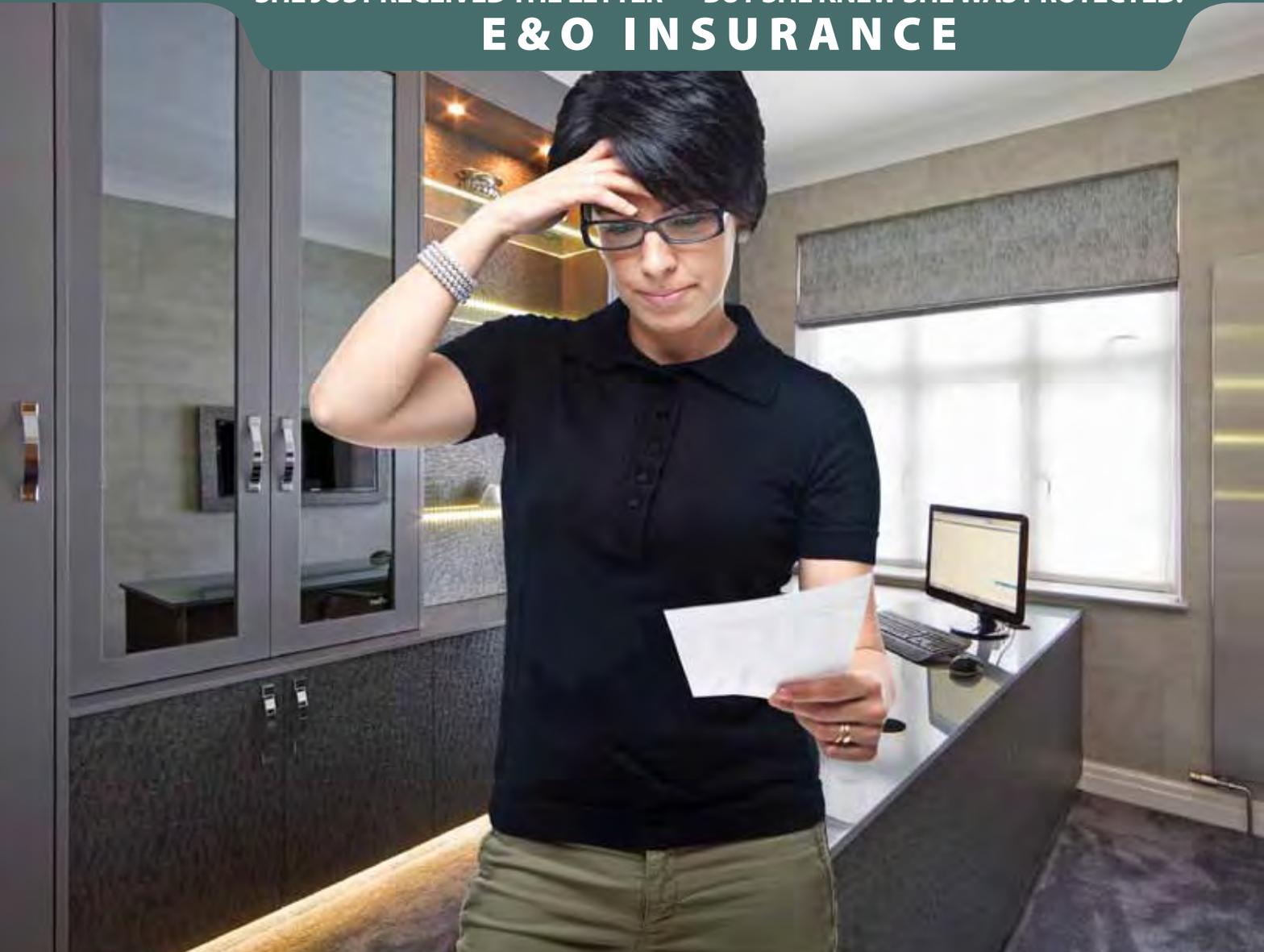
In November of 2011, for example, the Strike Force announced 606-count indictments against two title officers who had directed and supervised a “robo-signing” scheme that had resulted in the filing of tens of thousands of fraudulent documents with the Clark County Recorder’s Office. Both title officers were charged with multiple criminal acts of notarizing the signature of a person not in the presence of a Notary. The two are accused of directing employees under their supervision to forge signatures on foreclosure documents and then to notarize the very signatures they had just forged.

Besides prosecuting individual Notaries for violating their duties, Masto’s Strike Force took actions against miscreant home loan servicers — such as the firm Lender Processing Services, Inc. (LPS), last December — for engaging “in a pattern and practice of falsifying, forging and/or fraudulently executing foreclosure related documents, resulting in countless foreclosures that were predicated upon deficient documentation.”

Masto’s lawsuit against Lender Processing Services charges that the firm required employees to execute and/or notarize up to 4,000 foreclosure related documents every day. These violations were confirmed through numerous interviews and the review of more than one million pages of relevant documents. Former employees and industry players describe LPS as an assembly-line sweatshop, churning out documents and foreclosures as fast as new requests came in and punishing network attorneys who failed to keep pace.

All was going great. Dianne was beginning to realize the benefits of her hard work. She was establishing a base of customers. And then... she got the letter that changed her entire outlook. Dianne was getting sued.

**SHE JUST RECEIVED THE LETTER — BUT SHE KNEW SHE WAS PROTECTED.  
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*“I will continue to protect the integrity of the foreclosure process and homeowners in Nevada, and work to hold those accountable. I look forward to a continued partnership with the National Notary Association.”*

two main problems: chaos and speed,” said Mastro. “We will protect the integrity of the foreclosure process... holding the key players in the foreclosure fraud crisis accountable.”

Mastro also recognizes that “Notaries play an important role in maintaining the integrity of the real estate market.”

Nevada and California have been the states hardest hit by the nation’s foreclosure crisis. Nevada has had the nation’s highest foreclosure rate for more than five years, and California has consistently occupied the second spot.

Because both states have foreclosure systems in which a bank can foreclose on a borrower’s home without court oversight — called “non-judicial foreclosure” and creating rich opportunities for misconduct — it was logical that last December Mastro and California Attorney General Kamala Harris entered into a Mortgage Investigation Alliance to assist residents of their states who have been harmed by misconduct and fraud in the mortgage industry. The Alliance was designed to share resources, strategies and evidence between the two states in ongoing investigations.

### **Waging War Against Improper Foreclosures**

Waging war against mortgage predators on many fronts, Attorney General Mastro was instrumental in spearheading enactment of legislation last year (Nevada Assembly Bill 284) which strengthened the hand of home loan borrowers improperly targeted by foreclosures. One of the many borrower-friendly provisions in this new law is the requirement that foreclosure papers be filed in the county where the property is located.

“Our investigations discovered that the documentation

used to foreclose on many homes in Nevada was forged or materially altered.” Mastro said. “This led to the passage of AB 284 and the action by my office to stop illegal activity in order to protect the integrity of the real estate market and seek justice for the victims.”

Mastro has stood out among her fellow Attorneys General in part due to the fact that she is not a latecomer in addressing the issue of predation and fraud in the mortgage field. In her years as Nevada’s top law enforcement officer, she has applied the same dedication and energy to the protection of homeowners and borrowers as she has to the programs she has initiated for protecting women, children and seniors from abuse.

Attorney General Mastro is a native Nevadan. She attended the University of Nevada Reno, graduating with a bachelor of science degree in 1986 with a major in finance. She graduated *cum laude* from Gonzaga University School of Law, in Spokane, Washington, in 1990. She is married to Paul Mastro, a retired U.S. Secret Service Agent.

### **Helping To Remedy Hemorrhaging Of Trust**

“Attorney General Mastro has emerged as a beacon of strength and national leadership by holding Notaries and all others in the process of authenticating documents to the highest standards,” said NNA President and Chief Executive Officer Thomas A. Heymann. “Her initiative and unwavering dedication has done much to help remedy the recent nationwide hemorrhaging of trust in the Notary Public office.”

“I appreciate the NNA’s work, including their valuable educational programs, which provide a thorough understanding of Notary practices and procedures,” Mastro said. “It is critical that we continue to work together to maintain the highest standards, image, quality, and effectiveness of the office of Notary Public.” 



## Partner Programs

We've expanded your member benefits by partnering with leading providers who offer exclusive savings and discounts to our members. For a full list of your premium privileges, visit [NationalNotary.org/PartnerPrograms](http://NationalNotary.org/PartnerPrograms) or call 1-800-896-6827.

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\*At the end of the 30-day trial period your card will be billed automatically (\$9.00 monthly or \$99.00 annually for LifeLock identity theft protection membership) unless you cancel within the 30-day trial period. You can cancel anytime without penalty by calling 1-800-LifeLock. Offer is for new LifeLock members only. LifeLock Command Center™ is not eligible for this trial; however you will receive 10% off.

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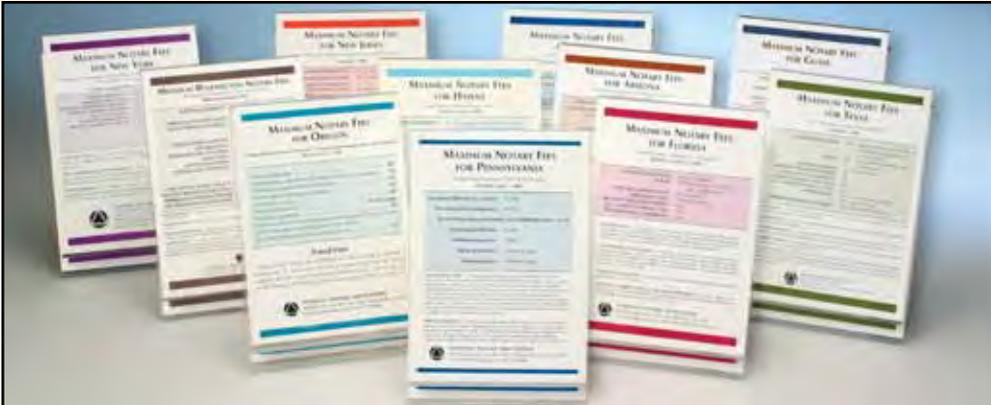
NNA members receive a 5% group rate discount on VPI Pet Insurance and up to a 15% discount for multiple pets.\* VPI is the #1 vet-recommended pet insurance company, offering nose-to-tail coverage for everything from minor ear infections to major illnesses. Pet owners know how quickly animals become part of the family, and VPI Pet Insurance makes it easy and affordable to ensure the health of your furry (or feathery) friends. To learn more and receive your group discount, visit the VPI Pet Insurance website at [petinsurance.com/afi/N/nna](http://petinsurance.com/afi/N/nna).

\*Rate discounts apply to the base medical plan only and are calculated as follows: Pet owners will receive an additional 5% multiple-pet discounts by insuring two to three pets or a 10% discount on each policy for four or more pets.



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## NOTARY FEE SCHEDULES

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Post the fees you may legally charge. A prominently displayed fee schedule, in an attractive acrylic desk frame, demonstrates your professionalism and helps you avoid unnecessary haggling.

### Features:

- Acrylic desk frame 5" W x 7" H (Nevada 10" W x 8" H)
- Laws pertaining to fees printed on reverse

### NOTARY FEE SCHEDULES

NNA Members List Price  
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### MAGNETIC BUSINESS CARDS #7389



NNA Members  
#7385 | \$49.95 | 1000 Cards  
#7387 | \$59.95 | 1000 Cards  
#7389 | \$69.95 | 250 Cards  
(plus A or C)

### TRADITIONAL BUSINESS CARDS #7385



**A.** Notary Signing Agent — Certified and Background Screened\*

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### DELUXE BUSINESS CARDS #7387



Includes "Notary Musts" inside.

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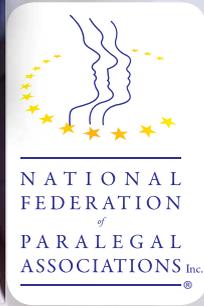
Flexible yet durable, our softcover journals are the industry's best! Provides a manageable way of keeping track of your notarizations. 122 pages for over 400 entries, 8 3/8" x 10 7/8".

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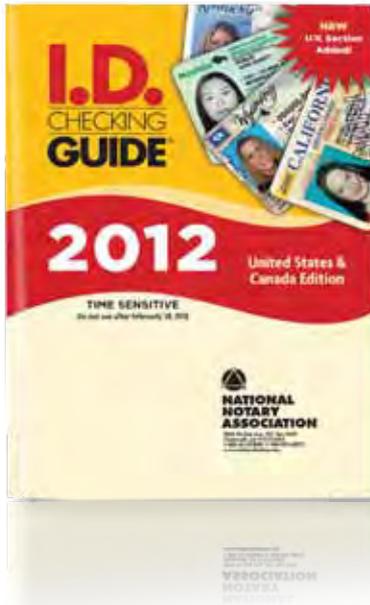
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In Illinois: Item #7322



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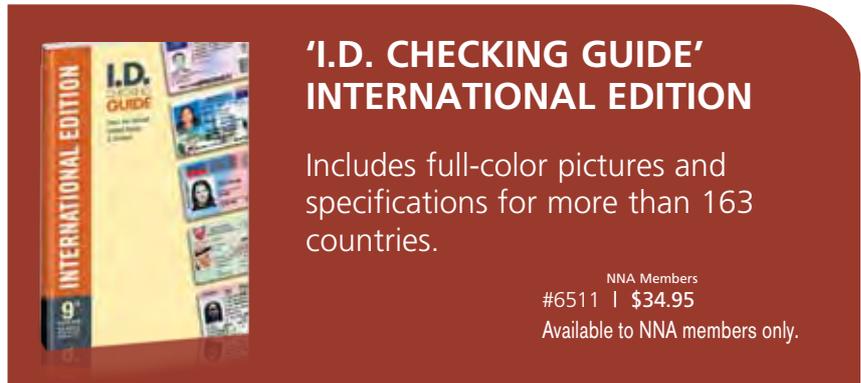
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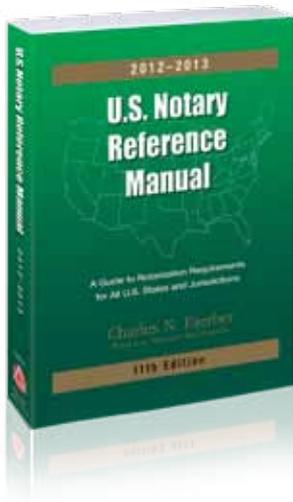
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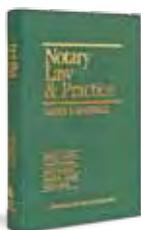
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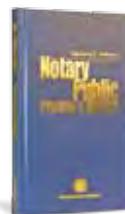
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## Follow Your State's Requirements with Notary Certificates

Illustrated instructions on the back

A large space makes it easy to affix any size or shape Notary seal

Important optional data helps protect you and your signers from fraudulent misuse:

- Type of document
- Document date and number of pages
- Other signers
- Space for signer's thumbprint

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 — #25936
- Corporate Acknowledgment — #15937
- 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 — #25924

**Arizona:** (8½" x 11")

- Translator's Affidavit with Jurat — #5955
- Jurat with Affiant Statement — #25924
- Individual Acknowledgment — #25936

**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")

- All-Purpose Acknowledgment — #5907
- Proof of Execution by Subscribing Witness — #5908
- Copy Certification by Document Custodian — #5911
- Copy Certification of Power of Attorney — #5242
- 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)

- All-Purpose Acknowledgment — #5921
- 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 — #25936
- Acknowledgment by Corporation — #15937
- 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 — #25924

**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") — #25924

**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") — #25924

**North Dakota:** (8½" x 11")

- Witnessing or Attesting a Signature — #5956

**Ohio:** (8½" x 11")

- Jurat with Affiant Statement — #25924

**Ohio (continued):** (8½" x 11")

- Individual Acknowledgment — #25936
- Corporate Acknowledgment — #15937
- Partnership Acknowledgment — #15938
- Attorney in Fact Acknowledgment — #15939
- Credible-Witness Acknowledgment — #15943
- Proof of Execution by Subscribing Witness — #15944
- Signature-by-Mark Acknowledgment — #15945
- Copy Certification by Document Custodian — #15946

**Texas:** (8½" x 7", unless noted)

- Ordinary (Individual) Acknowledgment — #5243
- Credible Witness Acknowledgment — #5943
- Signature-by-Mark Acknowledgment — #15943
- 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") — #25924

**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 — #25924

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### A. Desk Notary Seal Embosser

Easiest to use. Beautiful, styled in brass or matte black.

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#5308 Brass-Plated | **\$39.95** | \$47.95  
#5310 Matte-Black

### B. Hand-Held Notary Seal Embosser

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#5295 Black and Chrome | **\$17.95** | \$21.55  
#5300 Chrome

### C. Portable/Desk Notary Seal Embosser

Easier to use than hand-held embossers. Handle folds for convenient storage.

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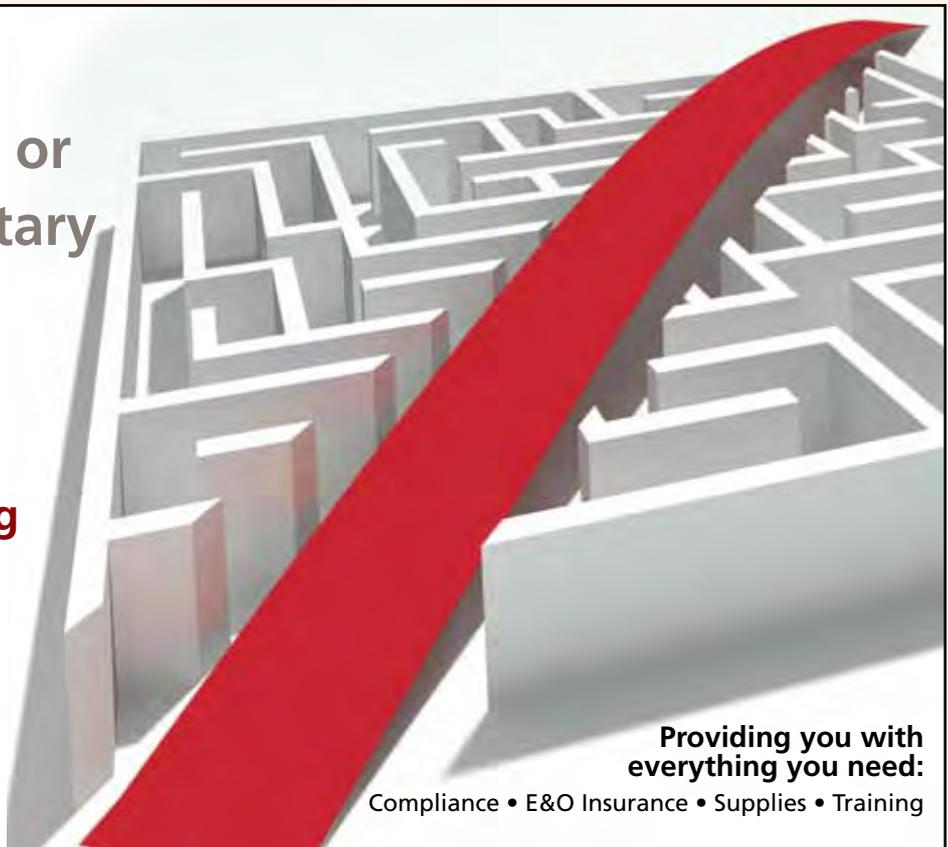


\*Except AZ, DE, FL, GA, LA, MD, MN, MS, NH, NM, OK, OR, RI, UT, VT, WI, WY

\*\*Except AK, CT, D.C., IL, IN, KY, MI, MS, NC, NE, NJ, NY, OH, SC, SD, TN

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## NNA Member Prices

Not a member? To save 20% on this and future orders, add one of the membership options below to your order and write "new" in the NNA Member Number space.

- One-year NNA Membership ..... **\$52**  
Item #1500-012
  - Two-year NNA Membership ..... **\$89**  
Item #1500-036
  - Three-year NNA Membership ..... **\$126**  
Item #1500-024
  - Four-year NNA Membership ..... **\$163**  
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- Additional years available at only \$37 per year.

## NNA Supplies Order Form

Source Code  
**A46775**

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

(required for member prices)

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

Item #	Quantity	Description	Price	TOTAL

Check Enclosed/Money Order (payable to: National Notary Association)  
 Visa    MasterCard    Amex    Discover  
 Card Number \_\_\_\_\_  
 Name on Card \_\_\_\_\_ Card Expires \_\_\_\_\_  
 Billing Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Signature \_\_\_\_\_

### Sub-total of Supply Items

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

**Add State/Local Taxes**  
 (delivery to AZ, CA, FL\*, HI\*, KS\*, MA, MI\*, MO\*, NC\*, NE\*, NJ\*, NV\*, NY\*, PA\*, TX\*, VA & WA\*)

**TOTAL**

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

IF THIS ORDER CANNOT BE COMPLETED WITHIN ONE YEAR (365 DAYS) AFTER THE NNA HAS RECEIVED IT DUE TO YOUR FAILURE TO NOTIFY US OF YOUR COMMISSION COMMENCEMENT DATE, YOUR PAYMENT WILL BE NON-REFUNDABLE.

\*For these states, include tax on shipping rates.  
 \*\*Rates subject to change.  
 †For U.S. states and Washington, D.C.  
 For shipments to other destinations, call for rates.

## Fixing Errors The Right Way

CORRECTING A NOTARIZATION PROPERLY CAN MEAN THE DIFFERENCE BETWEEN A DOCUMENT'S ACCEPTANCE OR REJECTION

Whether it's an overlooked blank space or a botched stamp impression, human errors happen. When a mistake is made on a notarized document, sometimes the wrong "cure" only compounds the problem. Here are common errors that a Notary may and may not correct.

### 1) INCORRECT VENUE

**May:** At the top of the certificate, if the venue is filled out with the wrong state or county, you may line through and correct it. You should write your initials and the date of the correction next to the change to clearly indicate who made it and when.

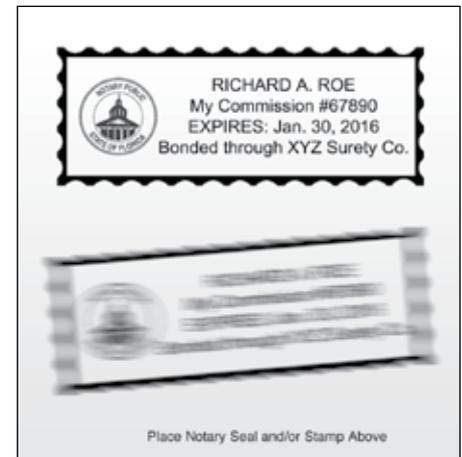


### 4) A FAULTY SEAL IMPRESSION

**May:** If the initial affixed seal impression is blurry or illegible, the Notary may affix a second, clear seal impression near the original. The original imperfect impression itself will indicate why a second impression was necessary. It's a good idea to make a note in your Notary journal explaining that a second seal impression was necessary.

### 2) PRE-PRINTED INCORRECT NOTARIAL WORDING

**May:** The wrong type of pre-printed certificate wording may be remedied by attaching and completing a loose certificate with the correct information. If a person is signing as a corporate officer, for example, then acknowledgment wording for a person signing as an individual would be inappropriate.

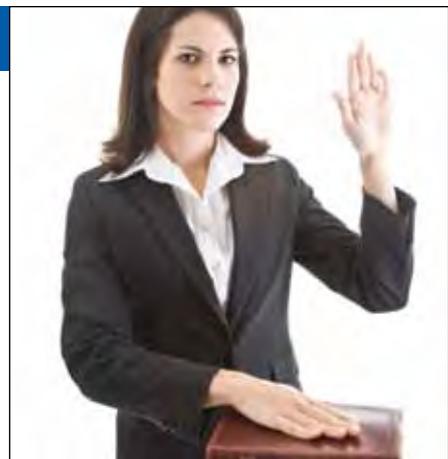


### 3) BLANK SPACE IN THE MAIN TEXT OF A DOCUMENT

**May Not:** The Notary is not authorized to complete blanks or omissions in the main body of a document. If there are incomplete areas in the non-notarial text of the document, they should be completed or labeled as inapplicable before proceeding — otherwise unauthorized information may be inserted after notarization. Only the signer may complete any space in the text of a document. If the spaces are inapplicable and intended to be left blank, the signer should be asked to line through each space in ink or write "Not Applicable" or "N/A" in the blank space.

FOR VALUE RECEIVED, I, John Doe, (Borrower) promise to pay ABC Bank (Lender) the sum of One Hundred Thousand Dollars (\$100,000), and interest at the yearly rate of       % on the unpaid balance as specified below.

# Administering Oaths, Proper Notarial Wording, and Holiday Notarizations



Notaries from across the country rely on the NNA's Notary Hotline to answer their most challenging notarial questions. The questions below were among the thousands our Information Services team receives each month.

**A signer brought in a form to be notarized that is missing proper notarial wording. If the requester tells me exactly what wording to include, am I allowed to fill it in at their specific direction?**

**L.M., Chicago, Illinois**

If there is no notarial wording on the document, your signer must find out and tell you exactly which notarial act to perform. You may not offer advice. You may then attach a certificate with the needed notarial wording, or you may write the wording on the document if there is room.

**As a Pennsylvania Notary, am I authorized to perform notarizations on Sundays and/or holidays?**

**M.K., Philadelphia, Pennsylvania**

Yes, you may perform notarial acts on Sundays and holidays.

**Is a Notary required to administer an oath when notarizing a jurat? Is there a consequence if the Notary does not administer the oath?**

**C.J., Englewood, Colorado**

Part of the procedure when performing a jurat is to administer either an oath or an affirmation to the principal signer. If the Notary fails to administer an oath or affirmation to the signer, then he or she would have failed to complete the notarial act correctly. Such a failure may potentially invalidate the notarization and document.

**I speak only English, and my supervisor has asked me to notarize documents for Spanish-speaking homeowners, using a translator to explain the documents being notarized. Is this acceptable? If not, how can I explain it to my supervisor?**

**V.A., Palm Springs, California**

To notarize a document, the Notary and the principal signer(s) must be able to communicate directly without a translator. If the Notary and the principal signer cannot communicate directly in the same language, then the Notary may not perform the notarization. You can show your supervisor the *California Notary Public Handbook*, which states, "If a Notary Public is unable to communicate with a customer, the customer should be referred to a Notary Public who speaks the customer's language."

**Is it acceptable, when preparing an acknowledgment on company documents, to designate the specific gender of the involved parties? In other words, may I delete the "his/her/their" space on the document and replace it with, for example, "her"?**

**T.H., Austin, Texas**

Yes. In fact, as a Notary you are expected to tailor each notarial certificate to the particular signer or signers. There is no need to include "his/her/their" when "her" applies by itself.

*You can reach all our experienced Notary Hotline counselors at*

**1-888-876-0827**

*5 a.m. to 7 p.m.*

*Monday to Friday and  
5 a.m. to 5 p.m.*

*Saturday, Pacific Time*

*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*



# Proofs Of Execution By Subscribing Witness

CLEARING UP COMMON MISCONCEPTIONS ABOUT A COMPLEX NOTARIAL ACT

Proofs of execution are complex notarial acts that signers and Notaries alike often misunderstand. Many signers mistakenly believe that a proof of execution allows an original signer to be excused from personal appearance before a Notary on any document. This isn't true.

In this article, we'll look at how a proof of execution works, and clarify some of the misconceptions about this complex notarial act.

## WHAT IS A PROOF OF EXECUTION?

A proof of execution is a notarial act intended for rare situations when a document urgently requires notarization, but the principal signer of the document is unable to appear in person before the Notary due to extreme reasons such as being incapacitated due to a medical emergency. To execute a proof of execution, a third-party witness who saw the document originally signed (the "subscribing witness") must appear before the Notary instead of the original signer. The subscribing witness must be positively identified — and in some states, personally know by — the Notary and then the witness swears or affirms that the absent principal signed the document so it can be notarized. The witness must also sign the document before it can be notarized.

## WHEN IS A PROOF OF EXECUTION USED?

Not only is a proof of execution intended to be used only in rare situations, but some state laws strictly limit the types of documents that can be notarized using a proof. For example, California prohibits the use of

proofs of execution by subscribing witness on mortgages, deeds of trust, security agreements, quitclaim deeds and grant deeds.

## WHO MAY SERVE AS A SUBSCRIBING WITNESS?

It's critical a person meets all statutory requirements to serve as a subscribing witness before performing a proof of execution. First, the witness must have been physically present and seen the original signature being made or acknowledged by the principal signer. Next, the witness has to meet state law requirements to be identified and serve as a witness. For example, Texas requires a subscribing witness to be either personally known to the Notary or identified by a second witness who is personally known to the Notary. Because a proof of execution is highly vulnerable to potential fraud, as a best practice Notaries should never accept a subscribing witness who benefits from the resulting document.

## 'SUBSCRIBING' VERSUS 'CREDIBLE WITNESS'

Many people confuse the terms "subscribing witness" and "credible witness" but these are two completely different roles related to a notarization. A "credible witness" is a witness who attests to the identity of a signer who physically appears before the Notary but lacks identification documents. A "subscribing witness" must have been physically present at a document's signing and seen the document signed. When asking for a proof of execution, only a subscribing witness who meets all requirements of state law can appear before a Notary so that a proof of execution can be performed.



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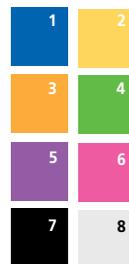
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# 'Like' And 'Share' Us On Facebook And Help Us Raise \$100,000 To Fight Breast Cancer

Since 1997 the nationwide community of Notaries has joined with the National Notary Foundation to fight the ongoing battle against breast cancer. This Mother's Day we're taking that battle to a new level.

Between May 1 and Mother's Day (May 13), **the NNF will donate \$1 to breast cancer research for every person that "likes" and "shares" the National Notary Association's Facebook page.** The NNF's donation will rise in tandem with the number of people who join our Facebook community. All proceeds will be delivered on your behalf directly to the City of Hope, the nation's leading cancer research institute.

What will it be? \$20,000? \$50,000? \$100,000? Spread the word to your fellow Notaries and help the NNF make its largest donation ever to fight this deadly disease. And in the meantime, join in the conversation with your colleagues at the nation's premiere social media community for Notaries.



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Learn more about the National Notary Foundation.  
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