

January 2020

The National NOTARY®

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**The National
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OUR MISSION

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

OUR CORE VALUES

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

Our Core Values of Membership promote:

- **Compliance** with state laws and regulations
- **Liability Protection** for Notaries, signers and employers
- **Risk Management** to reduce fraud and identity crimes
- **Professionalism** with reliability, competence and integrity
- **Opportunities** to increase earning potential

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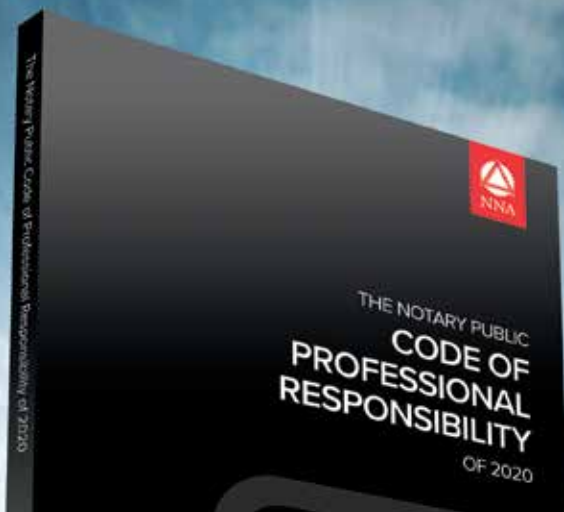
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Introducing *The Notary Public Code Of Professional Responsibility Of 2020*

David Thun

Two decades ago, the National Notary Association first published *The Notary Public Code Of Professional Responsibility* — the first comprehensive code of ethical and professional conduct for Notaries in the United States. But a great deal has changed since then. Today, Notaries face new and unfamiliar situations stemming from rapid changes in communications, signature and document technology affecting document transactions. Among the most significant changes is the emergence of remote online notarization. With the aid of a Drafting Commission composed of seasoned Notaries, state lawmakers and legal experts, the NNA is proud to announce a new, updated edition of the *Code* to help Notaries meet the demands of the 21st century using reasonable care and the highest ethical standards.

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Why Reverse Mortgages Are Good Business

Carol Ray

When it comes to building your mobile Notary business, reverse mortgages often are overlooked. However, they can be a good extra source of income. Apart from the business benefit, they also are personally rewarding. NSA educator Carol Ray explains the ins and outs of these types of signings so you can get the most out of them.

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Honoring Four Decades Of Selfless Notary Service

Kelly Rush

Carmen S. Woolf's Notary commission wasn't just a side job, it was an open door to a world of adventure, community service and experiences too bizarre to be fiction. Spending more than 40 years as an NSA, NNA Ambassador, Notary educator and community activist wasn't just a sideline, it was an "opportunity of a lifetime."

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Safe Spaces And Dangerous Spaces For Meeting Customers

Kelly Rush

Mobile Notaries face a certain degree of risk that comes with the job — meeting total strangers in all kinds of places. Finding locations where both the Notary and client feel comfortable and safe can be challenging. Veteran mobile Notaries share their tips, and safety experts offer advice on what to avoid and how to stay safe on the go.

A Notary's Greatest Challenge



VERIFYING THE IDENTITY OF SIGNERS can be challenging considering how many types of ID are in circulation — and how good many of the fakes are. Notaries shared stories of signers presenting false identification at signings. Some of these stories you won't believe!

"The front of the DL looked like a normal TX State ID, but when I flipped it over it was blank. I was told the back, including the magnet strip, peeled off."

Clyde Heppner, Kansas City, MO

"A re-fi at 11:30 p.m. with the owner of a restaurant, at the restaurant. Wife was the "non-borrowing spouse." When directed to a table to begin the closing, I told the

borrower I would need photo IDs for both. He reached into his pocket and took out two DLs; his and his wife's. I asked where his wife was and he said, "in the kitchen cleaning up." I asked him to call her to the table. Upon arrival, she looked nothing like her picture. I asked her what her DOB was: wrong answer; asked her current address: wrong answer. I packed up and left..."

Robert Colapietro, Westport, CT

"A mom tried to use her daughter's ID. I questioned her mercilessly about the picture, date of birth and date of issuance and she finally realized that I was highly suspect, and she left."

Kris Benavidez, Santa Clarita, CA

Location, Location, Location

MOBILE NOTARIES OFTEN post about the unusual places where signings are performed. From car trunks to the front porch of a signer's home, you never know where a Notary assignment may take place. Mobile Notaries shared suggestions on the best and safest places to perform a notarization.

"I prefer the public library. Typically, they have tables, low noise, no food or drink on tables, and are conveniently located throughout a city."

Clyde Heppner, Kansas City, MO

"A police station and library are two of my favorite places if they don't come to my office. I generally travel to wherever I need to go though."

Samantha Leitner, West Columbia, SC

"McDonald's, Wendy's, or Starbucks. If I'm going to someone's house, and it's in a sketchy area, I always text my husband the address before I go in."

Tiffany Kuhn, Harrisburg, PA



Notary Spotlight

MARY MEIBY ROQUE FROM WELASCO, Texas, founder of "Notary Babe" has created a networking community on social media to empower, inspire and lead female Notaries and Signing Agents. Her first page received such great support — with over 2,000 followers — that she has since created "Notary Guys" for male Notaries as well. Follow her pages on Instagram to be a part of these Notary communities.

The Case of the Cat Head Signature

THE NOTARY BULLETIN POST ABOUT A signer who presented an ID with cat heads as his signature generated quite a bit of comment and discussion. When we shared this real-life scenario with the Notary community, readers were divided on how they would handle this situation.

"If the signature on the ID is 3 cat heads, that is the way the borrower needs to sign. The signature must match the ID."

Doug Diebolt, Lafayette, IN

"From my understanding, the signature just needs to match the way it is written in the documents. I may add the cat heads in the AKA page of a loan package and have them sign next to it. The ID is just for the Notary records to know without a doubt that they are who they say they are, not how they sign their name."

Gwen Nelson, Clara City, MN

"We sort of run into this all the time. People hone their signature over time. It becomes truncated or shorter if they sign their name a lot during a work day. It ends up looking like a signature by mark rather than a true signature. It's never our job to tell someone that they need to change their signature to match what is typed on the documents. When it is a loan document package we can only advise them of the



expectation the lender has in respect to their signature and most times they will sign as they normally sign anyway. Where we run into problems is in identifying them. I would ask for another ID. If they don't have another ID, I would try using a credible witness."

Beth Hathoot, Phoenix, AZ

"The question here is whether they are giving you a legal ID accepted in your state. I would go back to whoever requested you to do this signing. Let them make the decision, you are not a lawyer. If you are told to go ahead, make all sorts of documentation in your journal — especially with the name of the person who told you to proceed."

Cathy Betts, Renton, WA

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Giving Back to the Community



WE'RE LOOKING FOR Notaries who are shining in their communities through philanthropic work. Send us a photo of yourself participating in community service events or volunteering your Notary services. Please email your photos to social@nationalnotary.org with the subject line "Serving My Community."





Helping Ohio Banks Help Their Notaries

THE OHIO BANKERS LEAGUE (OBL) HAS named the NNA an Endorsed Business Partner. J. Michelle Crume, Senior Vice President and Executive Director OBL Bank Services, sent an announcement to OBL members encouraging them to consider us when evaluating the Notary licensing process for their employees.

“The NNA is committed to helping community banks in Ohio offer Notary services in their branches. Our low-cost, compliant solution centralizes the process

for branch employees to become commissioned Notaries. We also offer our banks an online tracking tool to manage their Notary employees across multiple locations,” said Chris Sturdivant, the NNA’s VP of Business Development.

We currently work with many OBL members streamlining their Notary training, supply fulfillment, insurance products and reporting through our online portal at TrustedNotary.com.

State Primers Get RON Update

FOLLOWING THE SURGE IN STATES enacting remote online notarization (RON) laws, we’ve started updating our state-specific *Notary Primers* with relevant information you need to know. The content included in the new section is based on the specific provisions of each state’s laws and about RON. Generally, the new editions cover:

- Statutory authority with background information.
- Key terms and concepts.
- How to register or apply as a RON.
- Changes related to personal appearance.
- Ways to identify a signer.
- Acts Notaries may perform.

- Journal and other recordkeeping requirements.
- Completing online Notary certificates.
- Adding your electronic seal and signature.
- Fees you may charge for providing RON services.

Notary Primers for Florida, Indiana, Michigan, Minnesota, Nevada, Ohio, Tennessee, Texas and Virginia are updated and available for you to use now.



California Immigration Consultant Conference

ON DECEMBER 11, THE NNA hosted a free, one-day event bringing Immigration Consultants together from across the state to network, learn, strategize and strengthen their growing voice in the community. The event included a catered networking lunch complete with a “Congrats on Defeating AB1753” victory cake.

AB1753 was a bill being considered by the California legislature last year that would have banned Immigration Consultants.

Takeaways from our legislative efforts over the last two years were addressed by Bill Anderson, NNA VP of Government Affairs and Erinn Ryberg, Legislative and Political Strategist for California Advocates. They also discussed how Immigration Consultants can help fight the illegal *Notario* issue.

The event concluded with Ben Graber, Immigration Consultant Training Specialist for the NNA, reviewing professional standards and practices to ensure Immigration Consultants are in compliance with the law.



Digital IDs Not Ready For Colorado Notaries

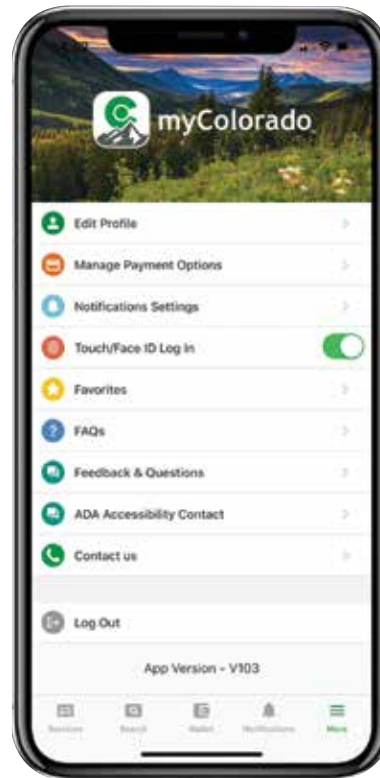
COLORADO HAS BECOME THE LATEST STATE TO authorize the use of digital driver's licenses and identity cards. However, Colorado Notaries may not be able to accept them. Whether they are acceptable in other states depends on their laws.

Governor Jared Polis issued an executive order in October 2019 authorizing and legalizing digital versions of the state's IDs accessed through the "myColorado" mobile application. Initially, digital IDs will not replace their paper counterparts, and the state's residents are being encouraged to keep their physical IDs as a backup at least until the end of this year.

The new digital IDs allow Colorado residents to use a digital driver's license or ID card on their mobile devices as legal proof of identity with all state agencies.

The Colorado Secretary of State's office said it is reviewing whether the digital IDs meet the requirements of the state's Notary laws. At this time, Colorado Notaries are being advised not to accept them.

At least two states — California and Ohio — say their Notaries may accept these digital IDs. Other states may not be so accommodating. So if you encounter a signer with a digital ID, make sure you can accept it.



City Creates Real Estate Notary Database To Fight Fraud

AS PART OF A CRACK-DOWN on housing fraud, the city of Philadelphia is creating a database of Notaries involved with local real estate transactions. Theft of property is a growing problem in the city, where criminals forge deeds in order to take possession of homes and then re-sell them, according to an article in the *Philadelphia Inquirer*.

Criminals often create counterfeit notarizations using forged or stolen Notary stamps or seek to convince Notaries to ignore proper procedures when notarizing to enable fraud.

Other anti-fraud measures include a new system that notifies people any time their names appear on real estate documents filed with the city and allowing possible victims of fraud to review suspicious property documents online at no charge, the *Inquirer* reported.

North Carolina Disbars Attorney For Notary Fraud



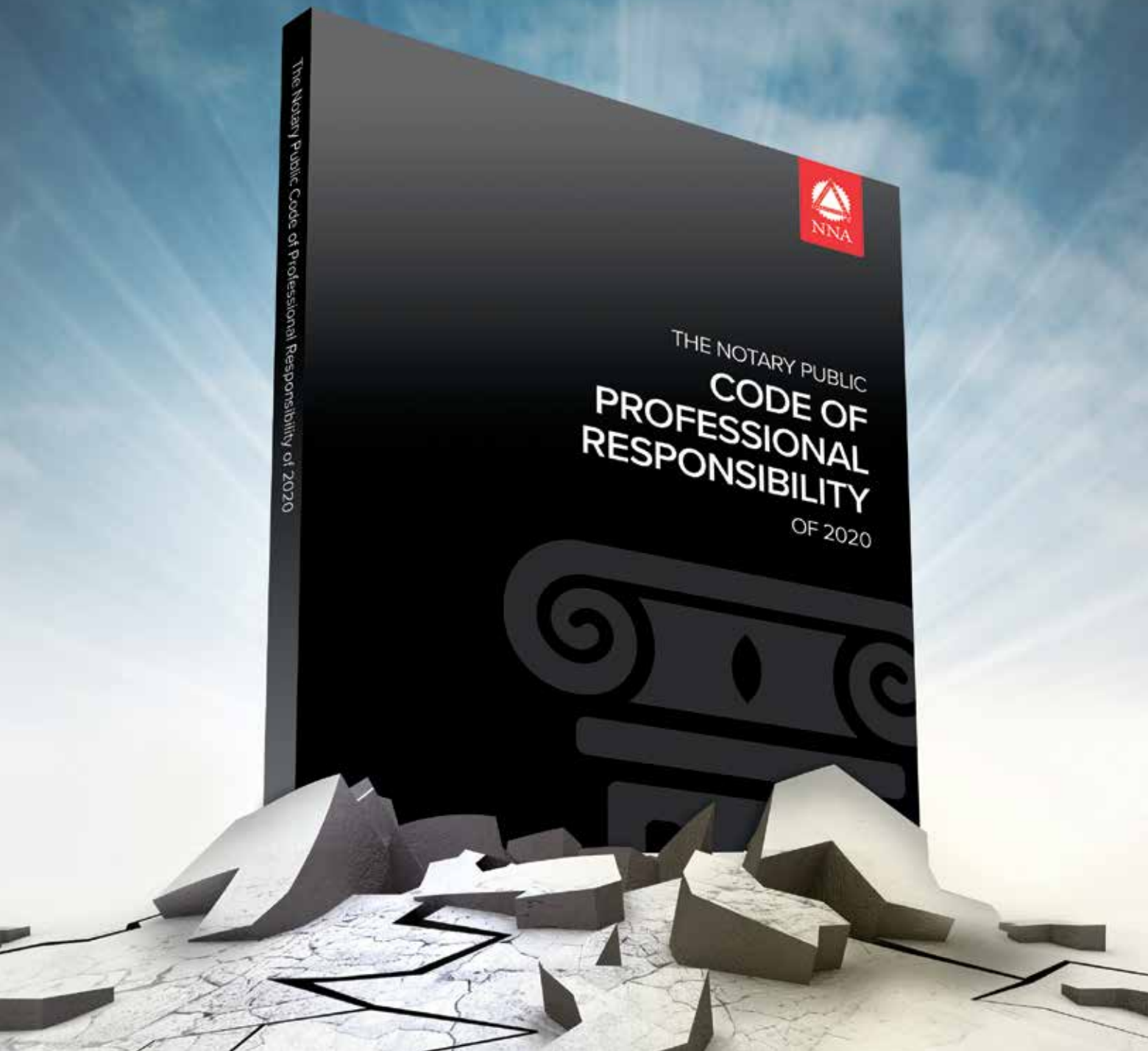
NORTH CAROLINA ATTORNEY Erica Erickson was disbarred after she was found to have improperly notarized legal documents without requiring personal appearance by signers, among other allegations.

According to the Order of Discipline issued by the North Carolina State Bar, Erickson improperly notarized clients' signatures on multiple legal documents when the signers were not

present. In one case, Erikson's client did not sign the documents. In another case, she notarized the signatures of a client and the client's spouse when they were not present.

The state bar's Hearing Commission concluded that Erikson's "acts of notary fraud demonstrate that she prioritized her own convenience and expediency over the integrity of the judicial process."





By David Thun

TWO DECADES AGO, THE NATIONAL NOTARY ASSOCIATION PUBLISHED THE first comprehensive code of conduct for Notaries Public — *The Notary Public Code of Professional Responsibility* — that has provided invaluable guidance for Notaries. But Notaries today face new and unprecedented challenges that no one could have foreseen nearly a generation ago.

The rapid growth of electronic signatures, documents and online communication have taken Notaries into uncharted territory — often without clear-cut rules from state laws.

In addition, many states have adopted new laws that changed the requirements and expectations for how the nation's 4.4 million Notaries carry out their duties. But many gray areas remain. Consequently, the NNA recognized the need to update the original *Code* to bring it in line with the current world.

To help Notaries face these evolving challenges, the NNA thoroughly revised the 1998 *Code* and empaneled a revision commission comprised of Notaries, commissioning officials, recorders, attorneys, technology providers and surety experts to review the changes. The result is the new, updated *The Notary Public Code of Professional Responsibility of 2020*.

What Is The Code?

Many occupations pose professional norms for their practitioners. Attorneys, engineers, physicians, accountants, journalists and many other professionals are governed by codes of conduct. It is only fitting that Notaries, who are one of the oldest professions, should have their own code. *The Notary Public Code of Professional Responsibility* promotes recognized standards of professional practice for Notaries of the United States to follow in performing notarial acts.

The *Code* is divided into 10 widely accepted “Guiding Principles” that address the key facets of a Notary’s duties and responsibilities and provide general rules for responsible conduct. Each Guiding Principle in turn is divided into Articles that identify broader practice areas applicable to each Principle. The 91 individual Standards of Professional Practice address specific issues related to the Guiding Principle. Each Standard is exemplified by an illustration that poses a typical situation a Notary might encounter in applying the Standard along with the recommended Resolution to the scenario. Finally, a legal Commentary written by co-reporters Michael Closen and Malcolm Morris discusses the drafters’ views on various matters related to each Standard.

The Code And Notary Laws

In many jurisdictions, a particular *Code* Standard may already be recognized in a statute or administrative rule. An example is the universal prohibition against nonattorney Notaries providing legal advice, preparing documents and selecting notarial acts and certificates for document signers.

But in some cases, state laws do not contain minimum standards of Notary practice and even the best and most progressive Notary laws do not contain all the widely accepted standards.

“Sometimes people erroneously think that Notary ethics codes are unnecessary, because a Notary’s responsibilities can be found in state laws,” said attorney Michael Closen, Professor Emeritus at the John Marshall Law School and a leading expert on Notary law and practice, who served as co-reporter for the 2020 *Code*. “However, no state’s Notary statutes are complete, and many are woefully incomplete.”

The *Code* makes clear that a Notary’s duty is to follow state law and notes that in rare cases a *Code* Standard may contradict a law. For example, a state might have different rules for the disposition of a Notary seal or journal upon termination of the Notary’s commission. However, in most instances no statute or rule will prevent a Notary from following every Standard of Professional Practice in the *Code*.

A Notary’s acts can affect a signer’s individual legal rights, finances, business transactions and property under both civil and criminal law. This is why the Standards in the

Code were developed with feedback from a wide variety of government officials, legal professionals, and representatives of fields that include large numbers of Notaries and whose transactions typically require notarization. Following the *Code* ensures that Notaries will perform their duties in a manner consistent with accepted standards of professional conduct, and greatly reduces the risk of making a negligent mistake that would result in lawsuits or penalties.

“Sometimes people erroneously think that Notary ethics codes are unnecessary.”

— Notary law expert Michael Closen

“Even though the *Code* is not mandatory, it is a very good tool for Notaries to refer to when they have ethical questions and are not sure which way they should go,” said William Fritzlen, supervisory attorney with the U.S. Department of State in Washington, D.C.

Why The Code Needed Updating

There were many reasons why the NNA decided to revise the *Code*. Over the past two decades many states thoroughly updated or even replaced their Notary statutes. New forms of identity theft and document fraud surfaced. And, during this time, the Notary profession benefited from numerous books and articles written on notarial procedure that significantly expanded the available literature on notarial issues. The *Code* needed to keep pace with these developments.

But perhaps the most significant development has been the adoption of electronic signatures, documents and notarizations. Twenty years ago, most Notaries were entirely focused on traditional notarizations where the signer appeared physically before the Notary with paper documents and signed with handwritten, pen-and-ink signatures. But the adoption and demand for electronic transactions is rapidly catching on, and Notaries must be prepared to perform notarizations involving electronic

documents and signatures now more than ever before.

Even the requirement for physical appearance by the signer before a Notary has changed. Thanks to the enactment of remote online notarization laws in more than 20 states, many Notaries now have the option to notarize while the signer is in a different state or even another country. This is unfamiliar territory for many Notaries, and the NNA deemed it critical to address these developments in the 2020 *Code*.

of the 2020 version has been edited to make its various Articles, Standards and Illustrations shorter and easier to read.

- In the original *Code* the outcome of the Illustration for each Standard was titled either as an “Ethical Imperative” or “Professional Choice.” Both these terms have been replaced with the simpler “Resolution” to emphasize that Notaries should follow all *Code* standards.
- New Standards have been added that weren’t included in the original

The *Code* provides a good example for states when they need to make their laws more robust.

— North Carolina Secretary of State Elaine Marshall

“The whole world’s changed,” said North Carolina Secretary of State Elaine Marshall, the state’s top Notary official. “The advancement of electronic notarization and remote online notarization has created new challenges and added a new level of care and discipline Notaries need to follow.”

What’s New In The 2020 *Code*?

Because there have been so many changes in the Notary world since the original *Code* was published, the time seemed right for a comprehensive review and update of its original Standards. Many of the updates were intended to make the *Code* easier to understand for the Notary on the street. Here are some important changes:

- The 2020 *Code* defines important terms commonly used by Notaries such as “acknowledgment,” “jurat,” “notarial certificate” and other words and phrases associated with notarizations. For example, because many states now authorize eNotarizations, the new *Code* now defines a “document” as either a paper or electronic writing.
- While the basic structure of the original *Code* was retained, much

Code. One new Standard (Standard II-A-3) provides that accepting gifts, gratuities or donations relating to the performance of notarizations is a conflict of interest.

- The *Code* clarifies that Notaries may be compensated for incidental expenses associated with the notarial fee such as travel, postage and even costs to operate an electronic notarization technology solution, if applicable.

The *Code* Benefits Legislators And Policymakers

While the *Code* is written primarily for the benefit of Notaries, Marshall said it also is a valuable tool to guide state lawmakers when drafting new Notary laws. And while not every state recognizes the Standards set out by the *Code*, several Standards in the original *Code* have been incorporated into many states’ Notary laws. For example, many jurisdictions — such as California, Colorado, Montana, Pennsylvania and North Carolina — require Notaries to keep records of their notarial acts. Properly kept records have been shown to protect the parties to the notarization and Notaries from accusations of negligence that can lead to costly lawsuits.



The Revision Commission For The 2020 *Code*

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Timeline Of NNA Model Law And Code Of Responsibility Publications

For more than six decades, the National Notary Association has supported the highest standards of ethical practices for Notaries through the publication of model legislation and professional codes of conduct to guide Notaries, state lawmakers and Notary regulating officials. Here is a timeline of resources published by the NNA.

Uniform Notary Act (1973) — *The Uniform Notary Act* (UNA) was the first comprehensive model legislation published by the NNA that drafted recommended rules for both notarial acts and state regulation of Notaries. It also introduced important guidelines for Notaries such as keeping a journal of the Notary's acts and refusing notarizations in which the Notary has a beneficial interest.

Model Notary Act (1984) — *The Model Notary Act* (MNA) of 1984 was a significant expansion of the original 1973 Uniform Notary Act. The MNA of 1984 defined new terms, prohibited Notaries from engaging in the unauthorized practice of law, and clearly set forth the Notary's and Notary's employer's liability.

The Notary Public Code Of Professional Responsibility (1998) — The NNA's original version of the Code was the first comprehensive code of professional conduct for Notaries in the United States. Drafted by a commission of 24 experts including state Notary officials, attorneys, recorders and Notaries Public, the Code presented 10 broad Guiding Principles and 84 Standards

of Professional Practice for Notaries to follow when they encountered issues or questions not directly addressed by state law.

Model Notary Act (2002 and 2010) — In 2002, the NNA significantly revised the Model Notary Act. Drawing on existing Notary laws and *The Notary Public Code of Professional Responsibility* standards of practice, the 2002 MNA added provisions for identifying signers and introduced rules for electronic notarization and a new notarial act called a verification of fact. The MNA of 2002 was updated in 2010 to expand Article III's eNotarization provisions.

Model Electronic Notarization Act (2017) — The rapid adoption of electronic documents and signatures created many new challenges for Notaries since the publication of the 2010 MNA. In response, the NNA published the *Model Electronic Notarization Act* (MENA) to address these new issues. Responding to recent enactment of remote online notarization, MENA proposed optional rules for using audio-visual communication to perform notarizations.

The Notary Public Code Of Professional Responsibility Of 2020 — A thorough revision of the 1998 Code that includes definitions of important terms, new practice standards for paper, electronic and remote online notarizations, and an expanded legal commentary. ■

plans to make the 2020 Code available to Montana Notaries on the Secretary of State's website.

"The new Code is a bridge between the theory and reality of notarizing, between the legal and practical," she said.

How The New Code Helps You

New Notaries often assume that once they receive their commissions, any questions they have can be answered in their state's Notary statutes. All too often, they find out they're mistaken. The Code provides standards you can follow in exercising your duties when your Notary statutes don't provide rules.

"I think the Code is important, particularly for Notaries like myself," said New York Notary David Helman, who served on the 2020 Code's Revision Committee. "New York Notary laws are scattered, not in one codified section, and there are many issues state law does not address."

For example, Helman said, New York Notary law does not address specific requirements for identifying signers, keeping a journal, or even using a Notary seal. So he follows the Standards in the Code for these practices.

"Having a professional Code to fall back on allows me to make sure I'm not only doing a good job ethically but serving the best interests of signers and protecting myself and my company from avoidable errors and liability," he said. "It's a great aid to have a guide to all forms of Notary conduct in one document." ■

"When we revised North Carolina's Notary laws in 2005, our lawmakers drew from the standards and practices in the Code," Marshall said. "The Code provides a good example for states when they need to make their laws more robust."

"I think the Code has been a good resource for Notary ethics over the years," said Lori Hamm, Notary Program Specialist with the Montana Secretary of State's office. "As a state

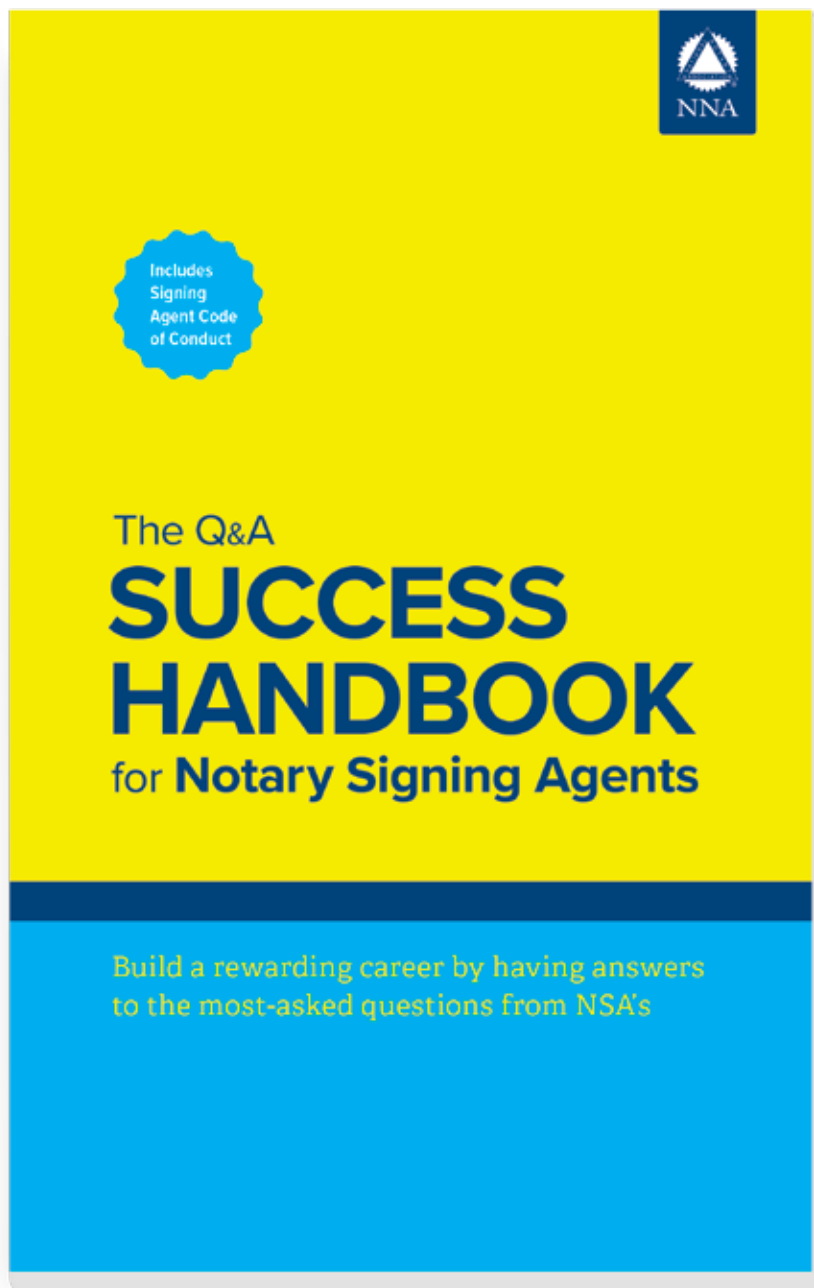
administrator, our focus is on ensuring the credibility and integrity of the notarial act for the public. It's not just important for Notaries to know how to do things, but why it's important to do them ethically."

Hamm said that the Code has been helpful for Montana Notary officials and lawmakers in crafting their own remote online notarization laws and ensuring they follow accepted ethical and professional standards. She also



Where To Find The 2020 Code?

The Notary Public Code of Professional Responsibility is available to the public at no cost from the National Notary Association. To download a PDF copy of the Code, visit [Bitly.com/notarypubliccode](https://bitly.com/notarypubliccode) and click on the link "View or download *The Notary Public Code of Professional Responsibility* [PDF]."



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NSA TIP: WHY REVERSE MORTGAGES ARE GOOD BUSINESS

By Carol Ray



WHEN IT COMES TO BUILDING YOUR MOBILE NOTARY BUSINESS,

Home Equity Conversion Mortgages (HECMs), also known as reverse mortgages, often are overlooked. It's understandable because reverse mortgages represent only a small slice of the total mortgage market.

Over the years, however, I have assisted with several hundred HECM signings and discovered that they can be a good extra source of income, particularly if you live in an area with a lot of retirees and/or high home values (see chart). Apart from the business benefit, they also are personally rewarding.

As you may know, these loans are for people over the age of 62. They convert equity in their property into cash. Instead of making payments on a conventional mortgage, homeowners can draw money out and generally defer repaying the loan until the home is sold.

My goal here is to provide you with information that you, as a Notary Signing Agent, need to know to make both your experience and that of the borrower much more pleasant and productive.

Reverse mortgages often have a life-changing effect for seniors.

Getting Reverse Mortgage Assignments

The best way to begin getting assignments is to reach out to the mortgage companies in your area. There are often smaller companies that specialize in reverse mortgages, and they usually are happy to hire local Notary Signing Agents.

For years I worked with mostly smaller local companies and got to know the loan officers well. They were at the signing table more times than not, and they were wonderful, caring people.

Also, let the companies that you work with on a regular basis know that you are interested in reverse mortgages.

Handling The Signings

One of the things that can make these assignments enjoyable for everyone involved is the way we present ourselves when arriving for the appointment. When entering their home, always have a smile on your face and always be yourself. Don't forget, elderly people often are very leery of people entering their homes and anything you can do to put them at ease will allow for a more comfortable signing.

Take some time looking around their home for family photographs, handcrafted items such as afghans, pottery

[Editor's Note: An important caution to Notaries doing reverse mortgages, as would be the case with any kind of specialized operation that requires notarization, is to be aware not to practice law by explaining or amplifying legal items, unless one is an attorney.]

or collections. Then spend some time admiring these items or asking questions about family photos. What you need to remember is that many seniors are alone in the world and may be very lonely.

Your visit is a highlight of their day or even a highlight of their month. I have been offered homemade cookies, pots of tea or coffee and even full meals at times. Perhaps offer a few words such as, "I would love to have a cookie and some tea with you after we finish." Ten to 15 minutes of sincere interest can mean more to them than you can imagine.

Reverse mortgage signings often go more smoothly than conventional mortgages because senior borrowers have fewer questions. Before the closing, seniors go through a lot of counseling and education, so they already are familiar with many of the documents when you arrive. When conducting a loan signing, keep it simple. As I mentioned, the loan officers often are at the signing, so they can handle any questions.

There are obvious drawbacks to doing reverse mortgages. Anytime you are dealing with people in their senior years, you could encounter people who may be hard of hearing, have difficulty signing their name, are forgetful or ill. These assignments can take a longer time to complete than what is customary. Sometimes their homes are in disarray or are unclean and/or uncomfortable. You just must keep the thought in your mind regarding the wonderful opportunity you are instrumental in bringing to this person or couple. Someday you will be able to look back and know in your heart that you changed someone's life.

Enjoying The Personal Benefits

One of the biggest reasons I love reverse mortgage assignments is the knowledge that I am genuinely helping people in need. Reverse mortgages often have a life-changing effect for seniors. These are people who have strived all their lives to be able live independently and responsibly but are no longer able to work and must depend solely on their Social Security income. Many live in terror that they will lose their homes because they cannot make their mortgage payments or afford to pay their taxes.


Many seniors have to struggle just to meet the basic financial requirements to keep them alive. Often, they are unable to afford even the most basic of needs such as food that is both nutritional and what they enjoy eating, and not just affordable; necessary repairs to their home; and quality health care and medication.

Lifetime hobbies are no longer an option. Enjoying a social life with friends is often beyond their means.

For me, the borrower's immediate reaction to not having to make a mortgage payment is priceless. They almost always greet the news with a sigh of great relief, then a wave of sudden joy knowing that they will be able to enjoy the simplest things in life, such as going to the movies or spending a day at the zoo with grandchildren.

I remember one signing that left me feeling so happy. The borrower was so overcome with the realization that her financial circumstances had just dramatically improved that tears welled up in her eyes. She then laid her head on the table and sobbed and was unable to speak. She was one of many who had that same reaction. ■

Carol Ray is the owner of Notary2Pro, a training service for Notary Signing Agents that has been in operation since 2009.

 TOP STATES FOR REVERSE MORTGAGES	TOTAL FEDERALLY INSURED REVERSE MORTGAGES BY YEAR
1. CALIFORNIA	2018-48,359
2. FLORIDA	2017-55,332
3. TEXAS	2016-48,902
4. COLORADO	2015-58,043
5. ARIZONA	2014-51,642

Source: Reverse Market Insights, Inc.

Source: National Reverse Mortgage Lenders Assoc.



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HONORING FOUR DECADES OF SELFLESS NOTARY SERVICE

CARMEN S. WOOLF RETIRES AFTER 40 YEARS SERVING HER COMMUNITY

By Kelly Rush

CARMEN S. WOOLF'S NOTARY COMMISSION WASN'T JUST A SIDE JOB — it was an open door to a world of adventure, community service and opportunities too bizarre to be fiction — like the time she was invited and escorted to her own tent so she could notarize release forms at a giveaway for dune buggies.

Now, after more than 40 years as a Notary making the most of every chance that came her way, Woolf is retiring from her calling.

In that time, Carmen worked as a Certified Notary Signing Agent, a National Notary Association Ambassador, and a Notary Education Vendor under the California Secretary of State. If that wasn't enough, she did it all while working full time. Carmen took notarization assignments on nights and weekends if someone needed help urgently, and being bilingual allowed her to serve more people near her Imperial Valley home.

After being diagnosed with ALS (amyotrophic lateral sclerosis), also known as Lou Gehrig's disease, in 2018, Woolf knew it was time to let go of her beloved Notary work though she adores the "wonderful, dedicated Notary service that is much needed in the community," she said. She's now receiving treatment to slow the progression of the disease and has received support from the ALS Association's Greater San Diego Chapter, she said.

Her illness may have slowed her down, but she says she's proud of the work she accomplished, and the help she offered, throughout her four-decade tenure.

Starting Out As A Notary

Following college, Carmen worked as a legal secretary and later joined a local legal secretaries association, where she first learned about Notaries and what they do. She spoke with other association members who were Notaries and decided to become one herself. She later became the association's president and helped draft a Notary Law Syllabus for local Notaries.

"Helping the community, meeting people and getting familiar with numerous documents needing notarization was exciting," she said. "My Notary schedule was flexible, I expanded my resume and professional skills and earned extra money."

Being a Notary in the 1970s and 1980s was very different from today. There were no certifications or specialties available then. It may not have been a full-time position, but she used the work as a stepping stone to find new opportunities, which for Carmen came in two flavors: good and better.

Becoming a Signing Agent was her next step after starting as a Notary — she became an independent contractor with more than a dozen signing companies and traveled throughout three counties: Imperial, San Diego and Riverside.

She treated her work like it was an adventure, such as the time she traveled to Riverside County for a person who had flown in from Canada to direct an automobile commercial. These colorful encounters just made her work better, she says.

It's amusing to her that she performed her Notary work as a "side job" while working full time — she worked for Imperial County's Counsel as a legal office supervisor for 27 years; as Imperial County Superior Court's small claims advisor and a paralegal to judges for two years;

and at El Centro Regional Medical Center as executive secretary to the CEO and Board of Trustees for 16 years. Her life has been full and sweet, her time well spent.

Teaching Notaries And Fostering Children In Need

When California changed its law in 2004 to require new and renewing Notaries to complete a course of study and pass an exam, Carmen's interest was piqued and she decided to help Notaries prepare for and pass the exam. So she became a state-approved education vendor. In fact, she was the only person offering Notary classes and the exam in Imperial County at the time. She also

classes but the effort was worth it, she says.

Heading Into The Future

Her future is a bit uncertain, but she finds great pleasure in remembering the myriad ways she has helped others.

To Carmen, a hero is someone who goes beyond the normal, daily routine to help people get ahead and keep going, and she has always tried to live by that standard. Everything is better when it's shared, especially success, she says.

She's currently working on physical therapy to improve her range of motion, using her walker and other

Helping the community, meeting people... needing notarization was exciting.

offered a Live Scan service on-site, and as a bonus, she offered a scholarship to one student every year.

"Learning how to become a state education vendor and creating a business to offer the classes was a new and exciting opportunity and great experience," she says. "This entire process was the ... opportunity of my lifetime."

Carmen has always looked for ways to help, and she usually found what she was looking for. She's been active in her community in a variety of ways, including participating in 5K fundraising walks to raise money for cancer research and other charities. She also helped raise 10 grandchildren and was a foster parent to two other toddlers, including one with autism, for a year. During that year, she took care of the children while working a full-time job and as an NSA and offering her education

equipment to assist with her daily needs. She also keeps her sense of humor with her family and friends (she notes that a voice assist machine allows her to yell at her grandkids) and is determined to connect with resources to help her and her family manage living with ALS.

As Carmen reflects back over the last four decades, she says she's come to believe even more strongly in the need for community service and she says she sees more opportunities than ever for Notaries. There's also more education and training available (and required.)

She urges anyone considering becoming a Notary to serve your community, do your best and keep up to date on all Notary laws. "Stay dedicated, enjoy the satisfaction of helping the community and be your own hero!" ■



SAFE SPACES AND DANGEROUS SPACES FOR MEETING CUSTOMERS

By Kelly Rush

BRIAN KEITHLEY STANDS 6 FEET, 7 INCHES TALL BUT HE STILL DOESN'T take any chances with his safety. The former corrections officer and mobile Notary knows that size doesn't guarantee a Notary's wellbeing. Keithley was once asked to visit a hospital to notarize documents related to the sale of an elderly mother's home.

He suspected elder abuse when the mother appeared to have no idea what was happening. When he tried to leave the room, family members attempted to physically force him back. He had to call hospital security for help.

Mobile Notaries face a certain degree of risk that comes with the job — they must be available to respond to assignments at all hours of the day and night, and they must find a meeting place that's convenient for the client regardless of the hour. This can be difficult, especially for Notaries who live in rural places without a well-lit, 24-hour restaurant or coffee shop nearby.

Notaries and safety experts agree you must never take your personal and professional safety for granted, no matter what size you are, the physical shape you're in or even if you have military or police training. However, there are ways to balance the need to be accommodating — in an industry where prompt responses to clients and willingness to travel at any time win the day — with an awareness that meeting strangers in strange locations carries inherent risk.

The National Notary recently asked Notaries on Facebook to share what they consider to be safe meeting places and what they consider to be dangerous signing locations. Dozens of Notaries shared their insights into their safety practices and the limits they place on where and when they'll travel.

“You Have To Be Smart”

For many mobile Notaries, keeping in touch with someone you trust while on assignment is crucial to staying safe. Keithley has a safety plan in place where he'll send a text to his wife with the location of the signing and the approximate time he'll be gone, and if she doesn't hear from him within 45 minutes of that time, she'll call him. He has certain distress words he can use to alert her if he's in danger.

“I'm 6 foot 7 inches, an Army veteran, and trained in law enforcement, and I know I can still get in trouble,” Keithley said. “If someone wants to get stupid, they're not going to care (about my size). People don't understand that just because you're a guy, big doesn't always defend you. You have to be smart.”

He once took a call at 1 a.m., but still insisted on finding a safe, well-lit location to conduct the notarization. He ended up meeting his client at the entrance to a Walmart, so there were people still coming in and out of the building, and security cameras were also in place.

Other safe places that Notaries on Facebook mentioned using include restaurants, such as Subway and Panera Bread, or coffee shops such as Starbucks which have multiple locations in most towns. Other safe meeting places suggested were police stations, churches, post offices, banks and a friend's office.

Another Notary mentioned using a shopping mall atrium, though she noted this location also comes with a lack of privacy. Others echoed the difficulty of finding safe places that are also private. Keithley said he likes meeting at

a local library if privacy is needed. He can reserve a room with glass windows and a door and it's free.

Most of the Notaries responding to the Facebook survey mentioned signer's homes as the most potentially dangerous places they visited, but they also listed dark spaces such as a park at night, or even the side of the road. One Notary performed a signing on the hood of a car at night with a flashlight — a risky situation,

considering the chances of getting hit by a passing vehicle. Keithley won't go to parks in the evening and has a habit of checking out a neighborhood prior to the signing to get a feel for things.

When going to an unfamiliar signer's home, Notaries described different strategies for mitigating risk. One Notary said she won't go inside a home if she feels unsafe, so she'll conduct the notarization in the doorway. Others recommended taking note of people drinking alcohol and whether the signer appears rushed or irritable, mention they are expecting someone else to arrive, or are in the middle of other activities that make you feel uncomfortable or unsafe.

“You Have To Have Heightened Awareness”

David Fowler, who founded a personal safety training company and who specializes in teaching safety to workers who travel to client's homes, emphasized cultivating awareness as a Notary's best defense.

Never take
your personal
and professional
safety
for granted.

"Everything goes to awareness," he said. "In an environment you're not aware of, you have to have heightened awareness and be vigilant."

Fowler's training class, called AVADE (Awareness, Vigilance, Avoidance, Defense and Escape) teaches participants to use their powers of perception to spot risk and then take appropriate steps to handle the situation.

The safety process begins ahead of time, he said. When you park at the client's home, park facing the same direction you came from. The route you used on the way there will be familiar, so if you need to make a hasty escape, you won't get lost going a different way or have to back-track to the signer's home to get your bearings.

He also recommends telling the client right off the bat that you're expecting a phone call — for example, you can tell the signer a relative may need to speak with you urgently — and if you get it, you'll have to step outside and take it. That way, you have a built-in, plausible reason to leave if you need it. He also said to position yourself

close to an exit in the home and take note of any objects, or people, who may block a hasty exit.

He said Notaries should look at a clients' body language to help them determine threat risk: "When people have intentions, they more than likely will express them nonverbally. According to the science of communication, (people) communicate nonverbally more than any other way," he said. "If a person is getting too close, or positioning, like cutting off a potential escape route ... those are all red-flag intentions that something isn't right."

Fowler said the number one thing people get wrong about personal safety is denial. "We deny the fact that people can have bad intentions towards us, which costs us time," he said. "We really want to give people the benefit of the doubt; our hearts are good — it's hard to imagine, 'why would someone hurt me?' You have to take a step back and say, overall, people are good, but there are some bad apples in the barrel, and if we deny that, we miss the triggers, the signs and symptoms. It costs us time and distance, and time and distance always equal safety." ■

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How To Record Multiple Notary Journal Entries For A Single Assignment



During a single assignment, you may be asked to notarize more than one signature or even signatures on multiple documents. When you record these notarizations in your journal, how many entries do you need to make? Also, can Notaries use ditto marks or other shortcuts when information is repeated in their journal entries?

Here's what you need to know.

Can I Use Ditto Marks In My Notary Journal?

Ditto marks can seem like an obvious shortcut when recording the same information for multiple notarizations performed at the same time. But using them depends on your state's requirements.

The tips in this article apply specifically to journals that are designed for the information in a single entry to span two facing pages. The NNA's journal is a good example of this.

California journal requirements are very strict — the Secretary of State requires Notaries to complete a

full journal entry for each notarization performed. California Notaries may not use ditto marks for journal entries. The reason for this is California Notaries are required by law to provide copies of information in their journals to the public upon a written request, and any line item provided must include complete information.

Hawaii law states journal entries must be created "at length." This would also preclude Hawaii Notaries from using ditto marks or other shortcuts in their journals.

While Texas does not specify whether or not Notaries may use ditto marks or other shortcuts for journals, the state does require Notaries to provide certified copies of journal entries upon request. Because of this, the recommended professional practice for Texas Notaries would be to complete information required for each journal entry without using shortcuts. This will ensure that journal entries contain all necessary details.

If you are commissioned in a state that does not provide guidance about journal shortcuts or does not require keeping a journal such as Florida, it's up to you whether to use ditto marks. At a minimum, the NNA recommends always filling out the first entry on each page completely, and only using ditto or hash marks for duplicate information for subsequent entries on the same page.

Can I Record Multiple Documents In One Journal Entry?

When notarizing multiple documents for a single signer, many Notaries ask if they can combine information from all the documents into a single Notary journal entry. Again, this

depends on state law.

Arizona and Nevada permit Notaries to group information about multiple notarizations performed into a single journal entry if the notarizations were performed for the same signer or on similar documents at the same time. Other states, such as Hawaii and California, require a separate, complete entry for each individual notarization.

In states that do not say one way or the other, the NNA recommends making a separate entry for each notarial act, but using ditto marks as described above. This helps keep the information in your journal easy to read while cutting down on the work required to create multiple entries.

#	Date and Time of Notarization	Kind/Type of Notarization/Commission	Address Where Notarization Performed	Document Description	Signer's Name
1	March 2, 2019 3:00 p.m.	Acknowledgment	610 Sinclair Drive South Bend, IN 46601	Grant Deed	John R. Allen 610 Sinclair South Bend
2	March 14, 2019 10:45 a.m.	Jurat	123 Main Street South Bend, IN 46601	Affidavit of Forgery	Samuel C. Allen 605 Park # New York,



Pre-Dated Documents, Incapacitated Signers, Consular IDs, Expired IDs

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

Q Can I notarize a document that is dated over one month ago?

J.D., Nebraska

A Yes, you can, provided the date is not the date of signing appearing near the signature made over a month ago and the notarial act being requested is not a jurat or verification on oath or affirmation that requires the signature to be made in front of you.

Q Can a consular ID card from Mexico be used as proof of identification for Notary services?

A.B., Texas

A No, a consular ID card cannot be used to identify a signer in Texas. Texas statute requires the ID presented for a notarization to be current and issued by the federal or any state government. The ID must contain the photograph and signature of the signer. A current passport issued by a foreign

country is acceptable if the document to be notarized involves a residential real estate transaction.

Q A signer is incapacitated and cannot sign his regular signature. If he signs with an "X" instead, can I notarize the document?

J.Z., Michigan

A Yes, a Notary in Michigan may notarize the signature of a person who signs with a mark. Although not required by law, the signer should make their mark — such as an "X" — in the presence of two witnesses.

Q Can a Notary in Tennessee accept an expired driver's license as proof of identity?

N.E., Tennessee

A Yes, a Notary in Tennessee can accept an expired driver's license as long as it was issued within the past 5 years (TCA 66-22-106[c][2]).

Q A customer has requested that I notarize a document which requires an apostille. As a Notary, is there anything special that I need to do?

M.K., California

A No, there are no special procedures that the Notary needs to follow when a

document requires an apostille. The document must be notarized by following California law.

An apostille is issued by the Secretary of State for a document that is destined for a country that is party to the Hague Apostille convention after the notarization has been completed. The purpose of the apostille is to validate the Notary's commission with the state so that it may be received in the country of destination.

Q When completing a notarization, how should I sign my name?

T.M., Texas

A A Texas Notary must sign their name exactly as shown on their commission as issued by the Secretary of State (Gov't Code 406.016[b]).

Q If the ID presented by a signer does not have a picture, should I keep a copy of the documents being notarized?

M.H., New York

A No. A Notary should never keep copies of a signer's document. That's what a Notary journal is for. While New York does not require a photograph

to be on an identification presented, it is always a best practice to request an ID that has a photo and signature.

Q I am currently a Notary Public in Alabama and will be relocating to Georgia. Will I still be able to notarize documents in Georgia?

S.G., Alabama

A No, you cannot notarize documents in Georgia with a Notary commission from Alabama. When you move to Georgia, you must resign your commission in Alabama and apply for a new Notary commission in Georgia.

Q How do you get qualified to become an international Notary Public?

J.D., Florida

A To be commissioned as a Florida International (or Civil Law) Notary, you must be an attorney in good standing with the Florida Bar who has practiced law for at least 5 years (FS 118.10[3]). There are additional requirements for applying to become an International Notary in the Florida Administrative Code Chapter 1N-6, including taking a course and passing an

examination. An individual does not qualify to become an International Notary by virtue of holding a Florida Notary Public commission. A Florida International Notary Public performs duties that Notaries in most foreign countries may perform, and these duties are markedly different than the duties of a Florida Notary Public.

Q When completing an acknowledgment, should just the certificate of acknowledgment be notarized or could the seal be stamped on the document as well?

E. B., California

A The seal must be placed only on the notarial certificate, close to your signature.

Q Am I permitted to notarize my husband's car purchase?

D.W., Pennsylvania

A No. Notaries may not notarize the signature of their spouse on any document in which the Notary or spouse has a direct or pecuniary interest (see 57 Pa.C.S.A. 304).

Q I have two signers on one document and they both have to sign it and take an oath. Can I put both names in the jurat

certificate or do I have to attach another certificate form?

B.T., Nevada

A If both signers appear before you at the same time and there is enough room, you may include both names in the one jurat certificate.

Q Should my Notary journal entry contain the driver's license number or should I just record the type of ID used to identify the person?

S.T., South Carolina

A The *South Carolina Notary Public Reference Manual* provides direction

for entering this information: "The manner in which the signer was identified." Simply entering a description such as: "Personally known to me" or "SC Driver's License", "Mexico Passport" or "oath of credible witness" may be sufficient.

Q I'm often asked to notarize a copy of a passport. Some requests come from U.S. citizens, many do not. Can I do this?

J.S., New York

A When someone asks you to "notarize a copy of a passport" they are usually asking you to certify a copy of that passport. New York Notaries are not authorized to certify copies of any documents.

Q I recently became a Notary. I only notarize contracts for our company. Am I supposed to record the notarizations in my Notary journal?

D.B., Illinois

A Illinois does not require Notaries to keep a journal. You may keep a journal for your own record keeping. The NNA recommends you keep a journal.





Using Credible Identifying Witnesses

Identifying signers is the Notary's number one duty. If a Notary can't identify a signer, the notarization can't take place. So what do you do if the signer lacks a driver's license or other forms of satisfactory ID? One option permitted in some states is to have one or more credible witnesses who can vouch for the signer's identity.

Notaries often have questions about using credible identifying witnesses. Here are tips for dealing with questions and gray areas regarding credible witnesses:

What Is A Credible Identifying Witness?

A credible identifying witness is an individual who knows and can verify the identity of a signer.

The witness appears at the time of the notarization and takes an oath or affirmation before the Notary that the signer is who they claim to be but lacks other forms of ID.

Typically, an identifying witness must personally know the signer and the

Notary. Texas, for example, permits the use of a single credible witness who is personally known to the Notary. However, some states, such as California and Florida, permit the use of two credible identifying witnesses who aren't known by the Notary personally but do know the signer and present proof of their own ID (such as a driver's license).

What If The Witness Is A Family Member?

Being related to the signer doesn't automatically disqualify a witness, but several states (Mississippi and New Mexico) have laws stating that an identifying witness must be "impartial" or be unaffected by the transaction (Hawaii, Massachusetts, Nebraska and North Carolina). Witnesses in California and Florida must swear as part of their oath that they do not have a financial interest in, nor are parties to, the underlying transaction. Depending upon the nature of the transaction, a close family member may not qualify to be a credible identifying witness.

For example, if a person asks you to notarize a document transferring ownership of a vehicle from the signer to his father, the father would not be "credible" as a witness because he stands to benefit from the transaction. However, if the father isn't named in the document, he could serve as a witness.

How Well Should The Witness Know The Signer?

Technically, this isn't the Notary's call. If you personally know a credible identifying witness you may also know that the witness also knows the signer. However, your only duty is to properly administer the oath or affirmation compelling the witness to swear or affirm that he or she knows the signer. (Of course, if the witness lies in swearing to know the signer, the

witness will be subject to the penalty of perjury.)

What Kind Of ID Can I Accept From A Witness?

Many states that allow only one credible witness require the witness to be personally known by the Notary. In these states, witnesses are not required to present ID. However, in some states — such as Arizona, Iowa, North Dakota, Oregon and West Virginia — one witness may present an identity document.

In these states as well as the states that allow for two identifying witnesses, a witness's ID must come from the same statutory list of acceptable IDs that applies to the signer.

In states that don't specify a particular form of ID, you may accept the same type of ID that you would ask of any signer.

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

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