

May 2020

The National NOTARY®

*The National Notary
Magazine Goes Digital.
Page 8.*

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REMOTE ONLINE NOTARIZATION: Nearing The Tipping Point

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**The National
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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.

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TABLE OF CONTENTS



COVER STORY

10

Remote Online Notarization: Nearing The Tipping Point

David Thun

From the coronavirus pandemic to unexpected benefits for the real estate industry, 2020 has been a year of swift and extraordinary changes for remote online notarization (RON). The sudden, nationwide need for safe social distancing has changed RON from a curiosity into a necessity as many states unveiled emergency rules to fast-track RON. And real estate industry figures say that's not the only unexpected benefit RON has brought to the table.

13 Sample State RON-Commissioned Notary Numbers

13 States With New RON Laws Scheduled To Take Effect In 2020

DEPARTMENTS

YOUR COMMUNITY	6
ASSOCIATION NEWS	8
YOUR WORLD	9
BEYOND THE BASICS	23
HOTLINE	24
NOTARY ESSENTIALS	26

FEATURES

14

2020 Notary Of The Year: Alan Warren

Kelly Rush

For his dedication and effort in diligently performing Notary duties for his fellow U.S. Air Force service personnel and their families, community service and other outstanding qualities, the NNA is proud to announce Louisiana Notary Alan Warren as the 2020 Notary of the Year.

16

2020 Notary Of The Year Special Honorees

Kelly Rush

This year, the NNA is also proud to honor two other exceptional Notaries as 2020 Notary of the Year Special Honorees: Joy Chavez of California, who showed dedication and selflessness by offering free notarizations for volunteer relief workers during the devastating Camp Fire; and Wanda Moore of Maryland, an experienced Signing Agent and Notary instructor who has contributed to Notary legislative reform in her state.

19

Making The Most Out Of Your Notary Hotline Call

John Jacobson

The Hotline is one of the most popular and frequently used resources available to NNA members. In this article, Hotline Counselor John Jacobson provides tips on how to get the most help from your Hotline calls, including an overview of the type of questions Hotline Counselors can answer, helpful information to have available when you call, what information will help Hotline Counselors answer your questions, and certain questions that the Hotline team cannot provide assistance with.



Notary Community Coming Together

NOTARIES NATIONWIDE gathered together on several of our social media channel to offer words of support and motivation during these challenging times. Do you have any messages of support you'd like to share with other Notaries during this crisis?

"If you focus so much on your physical health it can lead to the demise of your spiritual health! Strive for balance in all areas of YOU: spiritual, physical, emotional and mental. Take advantage of all opportunities to support your business since you have worked hard to develop it."

Jamie Smith Liggins

"Stay strong, better days to come."

Pat VanZandt Christianson

"Hello all! Just want to say... stay safe, use precaution guidelines if you have to do in-person notarizations, and know this will pass! We will get through this!"

Jan Fagan

"Stay safe, accept jobs that respect your needs as well as you respect your clients."

Wendy Gosnell



Working As A Notary Employee

MANY EMPLOYERS INCORRECTLY believe they should be able to control, or at least have access to, their Notary-employees' stamps and journals. We asked Notaries if their boss or co-workers had ever asked to use their stamp.

"I once had a boss who demanded that I notarize some documents that were unsigned, and he said he would date them for me whenever needed ... Thanks but NO thanks."

John Coates, Wichita, KS

"Yep, thankfully didn't push the issue when I said no."

Cory Kucera, Cameron, WI

"Yes, not only that, they suggested I give my Notary seal to another co-worker to use. I resigned from the company within days."

Karna Hazelhoff, San Francisco, CA

"No, but they have asked me to pre-notarize unsigned documents and forge signatures on documents and notarize the forgeries, as well as a number of other illegal acts. The answer was always no, and eventually I left that job!"

Anne Papina Smith, San Francisco, CA

"I haven't had that happen in 14 years and hope it never does!"

Yvonne Ruiz, Temecula, CA

National Small Business Week



THIS MONTH WE CELEBRATE Small Business Week! We like to give a shout-out to all Notaries running their own businesses. As a Notary entrepreneur, it takes a great deal of passion and commitment to take your business to the next level. We salute you.

Missing: Notary Seal Or Journal



A LOST OR STOLEN NOTARY STAMP OR journal can be used to create fraudulent documents. We asked our community if they've ever had their Notary supplies stolen and here were some of their answers.

"I had notarized a document for a friend, put my journal in my laptop bag and we

went off to dinner. A few months later I went to notarize something else and that page was ripped out. Her boyfriend thought if he ripped the page out it didn't happen."

Peggy Ann Punday, Vancleve, KY

"No, it's locked away. Under my control. ALWAYS."

Elvia Oropeza, Hemet, CA

"It is in my office at home (I live alone and do not have guests) or in my physical possession at a signing. I have read too many horror stories to not keep my stamp, seal, and journal safe."

Michael Harris, Browns Mills, NJ

"Yes. It was temporarily locked in my car, and someone broke in and took everything that wasn't attached. The police think it was high school kids as there had been several recent break-ins in the area."

Meigan First, Gilbert, AZ

"NO! Stays under lock and key."

David James Boyce Jr., Columbus, GA

Dealing With Challenging Signers

WHETHER IT'S AN UPSET BORROWER, unruly pets or other issues, Notary Signing Agents often encounter challenging situations during assignments. These Notaries shared stories of the most challenging signers they've ever faced.

"A mirror twin brother posing as his twin. They conspired to sell the house without the wife's knowledge when she was out of the country."

Mary Serra Zezima, Fort Myers, FL

"It wasn't the signer but the annoying, hovering son-in-law. I made sure she was of sound mind and made sure she wanted to sign. But he was just so pushy."

Jennifer Borchelt, TX

"A man who wanted me to notarize with the document covered up. I refused, had

my job threatened and as it turned out, he was trying to take all of his mother's property."

Donna Baxter Serrano, Dowling Park, FL

"A mother and daughter who I was told had already read the documents and were familiar with them. I am not exaggerating, they wanted me to go over every single page. What should've taken 45 minutes took me two-and-a-half hours, and the escrow officer was wondering why it was taking so long."

Andrea Augustson, Los Angeles, CA

"There have been a few, but one stands out: The house was filthy — cobwebs across the kitchen sink, filthy dust piled on the table, etc. He cleared just enough room for my journal to almost fit."

Margaret Paddock, Cottonwood, AZ

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The National Notary Magazine Goes Digital!

IF YOU CAN SAY ANYTHING ABOUT 2020 SO FAR, IT HAS definitely been a year of dramatic and unexpected change. The COVID-19 crisis, social distancing protocols and the rapid rise of Remote Online Notarization (RON) have fundamentally altered the way we interact, communicate, do business and live our lives.

Amid our new reality, America's Notaries are duty-bound to change the way they serve the public and industries, either by state executive orders, industry rules, or personal choices. During all of this, Notaries' needs for information, training, analysis and in-depth industry perspective is at an all-time high as we rapidly adapt to our new way of life.

That's why the National Notary Association has chosen to quickly restructure its communications programs to better serve Notaries. The most notable change: *The National Notary* magazine is going digital this fall!

For nearly six decades *The National Notary* has been the heart of news and information for the NNA's Notary community. It will now be available to all of the nation's 4.4 million Notaries, state officials, mortgage industry representatives and other critical stakeholders; and its new online format will be more valuable and engaging than ever before.

"We have been planning a digital transition of *The National Notary* for quite some time — just like we did with the *Notary Bulletin* a decade ago — but current events prompted us to accelerate our plans to better serve Notaries everywhere," said Phillip Browne, the NNA's Vice President of Communications. "Notaries will now get our in-depth features, special reports and profiles instantly

instead of having to wait for the mail, and our new video and interactive features will bring your premium content to life in ways that were never possible in print."

You will soon see *The National Notary's* enhanced articles published alongside news articles in the *Notary Bulletin*, in the NNA Member Newsletter, the Hotline Newsletter, on our social media channels and in the "News and Information" section of **NationalNotary.org**. You'll also find magazine articles in subject-based search engine results like Google and Bing, and you'll be able to share content with employers, friends and colleagues via email, text, social media and more.

While the format of your magazine is changing, the content you enjoy and rely upon will not. You will continue to receive all of the guidance, analysis, training and celebration that you have expected from *The National Notary* for decades.

"So far this year, as of press time, more than 30 states have issued emergency executive orders authorizing RON and mandating changes to how traditional paper-based notarizations are per-

formed," Browne said. "As we make sense of it all, there are a lot of new opportunities emerging to improve your businesses and professionalism. Your new digital magazine, coupled with our other online news and information resources, has become more valuable than ever to help you navigate the changes in our industry and to grow as a professional Notary."

We look forward to you experiencing *The National Notary* online. Keep an eye on **NationalNotary.org** for more details as they emerge.

"We have been planning
a digital transition of
The National Notary for quite
some time ... but current
events prompted us to
accelerate our plans to better
serve Notaries everywhere"

— Phillip Browne,
Vice President of Communications

The Oldest Person Who Ever Lived? Her Notary Knows

JEANNE CALMENT WAS BORN IN FEBRUARY 1875 in Arles, France, and reportedly lived until the summer of 1997 — long enough to meet Vincent Van Gogh, see two world wars, the Great Depression, the rise and fall of the Soviet Union and a lot of life along the way. It also was long enough to go down in history as the oldest person to ever live — nearly 121 years.

But in recent years that accomplishment was challenged by a pair of Russian researchers who used photo comparisons and inconsistencies in the stories Calment told about her life to assert that her daughter, Yvonne, actually started to impersonate her, according to a recent article in *The New Yorker*.

The article debunks the Russians' claim in part because of Calment's long association with a Notary in the town. Both Calment and the Notary lived their entire lives in Arles and had frequent, documented encounters — both professionally and



Jeanne Calment

socially. Among other things, the Notary presided over the sale of her residence in 1931, long after the Russian's claimed her daughter began impersonating her. And there were encounters afterwards that also included the Notary's successor.

The magazine concludes that both Notaries knew Calment and her daughter too well to be fooled. So Calment's record stands.

Photo courtesy of Associated Press.

States Enact Emergency ID Measures

IN RESPONSE TO THE COVID-19 crisis, several states have put in place emergency measures involving expiring driver's licenses and state-issued ID cards.

To date, the states include Arizona, California, Georgia, Maryland, Minnesota and Texas. These measures deal with driver's licenses and IDs set to expire during their state's respective emergency declarations.

In Texas, for example, any ID with expiration dates of March 13, 2020, or later are still considered valid and current for 60 days after Texas' State of Disaster is lifted. Texas Notaries would be able to accept these IDs.

While Notaries in most of these states may accept these expired IDs, you should review the details of your state's emergency measure before accepting one for a notarization.

It's also advisable to make a note in your journal entry.

To learn more, visit bit.ly/ExpiredID.



Despite Coronavirus, Mortgage Activity Surging

IF THERE IS A BRIGHT SPOT IN THE CURRENT economy, the mortgage industry is experiencing a huge surge in home loan applications during the first week of March, particularly for refinance originations, according to the Mortgage Bankers Association. And the industry organization now forecasts a substantially higher level of activity for all of 2020.

"Market uncertainty around the coronavirus led to a considerable drop in U.S. Treasury rates, causing the 30-year fixed rate to fall and match its December 2012 survey low of 3.47 percent. Homeowners rushed in, with refinance applications jumping 79 percent — the largest weekly increase since November 2008," said Joel Kan, MBA's Associate Vice President of Economic and Industry Forecasting. "The

purchase market also had a solid week, with activity nearly 12 percent higher than a year ago. Prospective buyers continue to be encouraged by improving housing inventory levels in some markets and very low rates."

MBA now forecasts total mortgage originations to come in around \$2.61 trillion for 2020, a 20.3-percent gain from 2019's volume (\$2.17 trillion). Refinance originations for the year are expected to spike 36.7 percent over 2019 to around \$1.23 trillion. Purchase originations are expected to increase 8.3 percent to \$1.38 trillion.



REMOTE ONLINE NOTARIZATION: Nearing The Tipping Point

By David Thun



EARLIER THIS YEAR STATE EVALUATION AND ADOPTION OF REMOTE ONLINE notarization was on a gradual, multi-year growth trajectory that looked it would take much of the next decade to become a common service. Then came the COVID-19 crisis, shelter from home orders, and social distancing.

With the crisis now front and center on everyone's priority list, and uncertainty about what life and commerce will look like in the coming years, states have quickly placed adoption of remote online notarization (RON) at the top of their legislative agendas.

Consider that in the past decade, 24 states passed permanent laws authorizing some form of RON. That still left Notaries in more than half the states relying exclusively on traditional, in-person interaction when performing notarizations.

But in the last two weeks of March alone more than 30 states implemented emergency RON and "remote ink-signed notarization" (RIN) measures. Some states, such as Washington and Wisconsin, already had RON laws on the books but moved up their effective dates. Other states, such as Pennsylvania and Illinois, gave their Notaries temporary authority to perform them.

Without question, remote online notarization is now in the national spotlight. Legislators, industry leaders and Notaries alike are evaluating its value and benefits through new eyes as we approach an unclear, yet certain "new normal" way of life and business. The issue is so important that the U.S. Congress is now considering a national RON bill. Senators Mark Warner (D-VA) and Kevin Cramer (R-ND) have introduced the "Securing and Enabling Commerce Using Remote and Electronic Notarization Act of 2020" that would authorize remote online notarizations and establish minimum interstate standards nationwide.

RON Offers Workable, 'Stay At Home' Solution

The rationale for the emergency RON orders was simple need, as Washington Governor Jay Inslee made clear in his emergency proclamation: "Many professional services require the use of Notary services for a variety of purposes that impact our vulnerable populations, including the need for advanced healthcare directives, wills, deeds of trust, durable powers of attorney for health care ... and affidavits of identity for a variety of purposes."

To follow good social-distancing protocols, remote notarization offered a workable solution to many policy-makers, allowing Notaries and signers alike to stay at home. It also has permitted businesses and individual signers to continue to complete crucial transactions during the COVID-19 crisis.

Of course, when the coronavirus outbreak reached the United States this spring, many Notaries were understandably anxious about face-to-face contact with potentially contagious signers. The emergency orders help spark a surge in interest in RON among Notaries. In an April 2019 NNA survey, 79 percent of Notary respondents said they were interested in performing RONs during the COVID-19 emergency, and 26 percent said the pandemic had changed how they felt toward RON.

John Kenneth Cole of Virginia, one of the first Notaries in the nation to perform remote online notarizations after Virginia

enacted its pioneering RON law, was able to continue serving customers while avoiding physical contact.

"Remote notarizations are ideal for social distancing," said Cole. "You can't get sick from someone you interact with via video conference." Today, he says, there is more demand than ever for his RON services.

Cole wasn't the only one to see the need for a solution such as RON during the pandemic. With millions of people across the nation ordered by the government to stay home and avoid close contact, suddenly the ability to perform notarizations without requiring face-to-face contact that could spread the COVID-19 virus suddenly became an urgent priority for law-makers. Remote notarization service providers such as Notary-Cam and Notarize ramped up their efforts to recruit Notaries.

But what happens when the "stay at home" orders are lifted? Will businesses and industries that rely heavily on the integrity of notarized documents, such as real estate and mortgage banking, accept this innovative process?

Bill Anderson, NNA's Vice President of Government Affairs, says it is anyone's guess whether the temporary RON and RIN authorizations will become permanent. "Weeks ago, RIN didn't exist, but neither did front porch and drive-by signings, the latter following traditional notarization procedures but keeps the Notary and document signer apart as much as possible." Anderson also said, "Urgency and necessity are the mothers of invention."

Across many industries, businesses that may have been leery of remote online notarization before the coronavirus outbreak suddenly had a "stay at home"-friendly option to keep functioning while protecting their employees, Notaries and clients. Once they see how remote notarization can apply to their business models, they may not want to give it up. And that could fuel an

accelerated drive for more states to enact permanent remote notarization laws.

At the same time, Notaries must always follow their state's laws regarding RON. Notaries should never perform RONs unless their state has explicitly authorized it and the Notary has met all requirements to do so. Notaries should never attempt to improvise their own remote notarization procedures without state guidance. RONs should only be performed strictly according to laws and guidelines set by your state statutes and Notary officials.

"We definitely anticipate demand for remote notarization to grow in the next few years"

— Minnesota Secretary of State
Steve Simon

Where Is RON Allowed In 2020?

The number of states enacting remote online notarization laws has picked up tremendous speed over the past year.

RON In Real Estate Closings

Five years ago, few lenders were eager to add untested remote online notarization to loan document signings. But as more companies successfully tested

would have had to jump on a plane and come home to sign the documents. With RON, they are both able to participate in the closing in a way that was just not possible before.”

However, 2018 and 2019 saw a significant increase in electronic closings. More than half of all loan applications in the past two years included an online or mobile component, according to information published by FISERV. Mortgage Electronic Registrations Systems (MERS) reported that 127,178 eNotes (paperless records of electronic mortgages) were registered in 2019. MISMO®, the mortgage industry’s standards organization, recently announced a new RON certification program for RON providers and mortgage industry participants to increase adoption of RON-enabled mortgage closings.

“Sometimes only part of the process is performed electronically, or you may be signing all your documents electronically with a remote Notary,” Hill said. “In the past year and a half, we’ve migrated from a very small number of electronic closings to 15,000-16,000 eClosings each month, and RON is being used in many of those transactions.”

RON Reduces Errors And Paper Costs In Loan Closing Documents

Another reason RON is gaining popularity is because it reduces document errors during a loan document signing.

“RON means faster and generally less expensive transactions for signers.”

— Pem Guerry, Executive Vice President, SIGNiX

Apart from the 23 states with permanent laws on the books, a number of others are considering bills in their current legislative sessions, including New York, Pennsylvania and Georgia. It’s possible that by the end of 2020, Notaries in more than half of all U.S. states will be permanently authorized to offer RON services.

The number of Notaries performing RON remains relatively small. Prior to the coronavirus crisis, for example, Minnesota had 616 Notaries qualified to perform RONs. (See chart on page 13 for other states.) But response to RON has been highly positive, said Minnesota Secretary of State Steve Simon.

“The most important benefits RON has brought us are more freedom and flexibility,” Simon said. “Looking at our increasingly digital world, we definitely anticipate demand for remote notarization to grow in the next few years. It’s received particularly good feedback from the real estate industry, and I think it will catch on in other sectors as more people realize the advantages.”

Simon said the RON implementation process has gone very smoothly, with no serious legal or technical problems. In fact, he said the only notable issue was that some Minnesota Notaries mistakenly believed that becoming a remote Notary was mandatory, not optional. “Since then, we’ve gotten the word out that it’s not required for our Notaries to perform RONs,” he said.

pilot programs for eClosings using RON, confidence in the process grew, and companies began to see the benefits RON brought to borrowers, eliminating the need for lengthy travel to an office for a loan signing and enabling signers unable to travel long distances to complete real estate transactions through remote technology.

“It’s very much a consumer-friendly thing,” said Rick Hill, Vice President of Industry Technology with the Mortgage Bankers Association. “If you’ve ever closed a loan, historically you have to go to someone’s office to sign all of your documents. With remote online notarization, you no longer have to do that. For example, let’s say that a husband and wife are trying to close on loan, but the wife is serving in the military in another state or country. Previously, the wife



Select State RON Statistics

State	Number of Remote Online Notaries
Florida	605
Minnesota	616
Nevada	73
Ohio	104
Texas	625

NOTE: These numbers were provided before the COVID-19 crisis.

A mistake or missed signature on paper loan documents can sometimes go unnoticed until after a signing. With remote online notarization, if required information is accidentally left blank or incorrectly entered, the system will not allow the notarization to be completed until the errors are corrected.

"Errors are a huge hidden cost, and resolution of those errors is also costly," Hill said. "There are companies with whole departments that solely deal with post-closing error issues. All those costs — from fixing errors and chasing down why information is incorrect — start to go away with RON."

The reduction of document errors using RON also helps Notaries, Hill said, because they do not have to go back to visit the signer to correct errors or obtain missing signatures on loan documents.

Also, because real estate and mortgage transactions require printing and distributing dozens or even hundreds of pages of paper documents at a time, use of RON provides a significant savings in printing and other paper-related costs, said Pem Guerry, Executive Vice President with RON technology provider SIGNiX.

"Even for smaller companies, copying and distributing multiple copies of hundreds of pages of paper is a huge cost," Guerry said. "RON means faster and generally less expensive transactions for signers."

Notaries benefit because of the additional security procedures used for RON, Guerry added. "Instead of being stored in a briefcase or file cabinet, the documents are encrypted and stored electronically. You can prove there has not been a single change to the document of any kind with RON," he said.

A Place For Traditional Notarization

Some worry that the growing popularity of remote notarizations will put Notaries who rely on traditional pen-and-paper notarizations for their livelihood out of business. Hill strongly disagrees, asserting that the MBA strongly supports traditional notarizations remaining an option for consumers.

"Absolutely, pen-and-paper notarization will remain part of the process. I can't see a time when that is not an option," he said. "A consumer who wants a notarization on paper should be allowed to have a notarization on paper."

But at the same time, Hill said Notaries should be aware that consumers are growing more interested in RON services and that demand is not likely to disappear. "The way I would encourage Notaries to look at it is to ask themselves how do you best serve consumers who want a choice? Paper's not going away, but RON has such potential for consumer-friendly service that you need to ask yourself if you can ignore it."

Having seen the growth of RON in Virginia, Cole sees RON as a way Notaries can provide additional services to customers along with more choices, and it provides Notaries with a valuable opportunity to expand their business offerings.

"People always like being able to sit face-to-face with a Notary and have an ink stamp and signature placed on a document before their eyes," he said. "That said, electronic notarization and RON is only going to become more popular. It allows me to provide a better experience all around for myself and my customers, and that's what has helped my business grow." ■

States With New RON Laws Taking Effect In 2020

Arizona	Effective July 1, 2020	Currently permitting RON early under special emergency rules
Iowa	July 1, 2020	Currently permitting RON early under special emergency rules
Nebraska	July 1, 2020	Currently permitting RON early under special emergency rules
Maryland	October 1, 2020	Currently permitting RON early under special emergency rules
Washington	October 1, 2020	Currently permitting RON early under special emergency rules

How To Become A RON

With Remote Online Notarization growing in popularity and demand, Notaries are increasingly contacting the NNA to find out how to become one.

Information about becoming and performing RONs is available online in the NNA's Knowledge Center: **Nationalnotary.org/RON** ■

A portrait of Alan Warren, a Black man with a beard, wearing a suit and tie, standing in front of a large American flag. The flag's stars and stripes are prominent on the left side of the image.

2020 NOTARY OF THE YEAR ALAN WARREN

By Kelly Rush

PEOPLE WOULD NOTICE IF LOUISIANA NOTARY ALAN WARREN DIDN'T SHOW up because he's one of the people holding everything together. But that's the thing about Warren — he always shows up.

The civil law Notary does his church's taxes and cooks for the congregation; he works to heal a blighted neighborhood in Shreveport and manages subsidized housing; and he notarizes a vast variety of documents every day as a legal assistant at a military base that keep the U.S. Air Force and its personnel up in the air.

On top of this, Warren has served as the president of the Professional Civil Law Notary Association, where he defined standards of practice and set learning objectives for the organization's notary education programs. Louisiana's Notaries operate under civil law, which permits

them to draft and record many legal documents — duties that can only be performed by attorneys in other states. Warren considers these duties a blessing that allow him to help even more people, particularly those who otherwise could not afford legal help.

Editor's note: Due to the cancellation of NNA 2020 Conference, the Notary of the Year and Notary of the Year Honorees will be honored at NNA 2021.

Because of his outstanding service to his community, his work ensuring mission readiness at the Barksdale Air Force Base and his commitment to educating Notaries, Warren has been selected as the 2020 Notary of the Year. The National Notary Association annually awards the honor to an outstanding Notary Public who demonstrates a level of professionalism and ethical conduct that sets a high standard for other Notaries to emulate.

In addition to excellence in performing notarial acts, recipients are distinguished by their achievements in several other areas, including community service, legislative advocacy, public speaking and more.

"I liked helping people and caring for people," Warren says. "As I grew older, I had a desire to help, to try and make a difference in people's lives."

Notary Advocacy

Seeing where he is needed and doing his part comes naturally to Warren, but becoming a Notary in the first place was a bit trickier than he imagined.

After retiring from the Air Force, where he spent most of his time in the Security Police, he landed his job as a legal assistant at Barksdale in 2007. The job included drafting and notarizing legal documents for 4,000+ service personnel and their families, so he was required to become a Notary.

In Louisiana, Notary applicants must pass a very demanding exam, which requires extensive study, and most people fail on their first try. He failed the test on his first try by one point. He had to wait six months to take the it again, and failed again. He remembers looking at his online personnel records, noticed that he had been terminated for failure to get commission as a Notary; but no one had told him.

"The system had terminated me, but they were going to give me another chance," he said. "I took the exam a third time and passed all sections with flying colors." The experience helped instill in him an abiding appreciation for Notary education.

As a result of ongoing study and his job, Warren has developed a breadth of knowledge of a vast array of documents that cross his desk every day, some of which other Notaries may never see.

"By the time I'd been here two years, I'd done more Notary work than others do in their whole careers," he said. He drafts all types of documents for service members heading overseas. Because of his diverse knowledge, he gets referrals and trains other Notaries to handle such cases.

Warren is passionate about the civil law system and preserving it in Louisiana because he says it was designed to ensure that ordinary people without financial means can afford legal services, which is a way of ensuring people are served justice.

Warren pursues his advocacy through his ongoing activism with the Professional Civil Law Notary Association (PCLNA). In fact, he served two terms as the organization's president, finishing the last term in May 2019.

Since joining the PCLNA in 2007, he has worked to develop a strong curriculum in notarial procedures, legal requirements and best practices. If you don't know how to do everything you're authorized to do by the law, you'll be of less help to the community.

Humanitarian Intervention

Helping others has become his mantra, exemplified by the outreach he does for his church, where he has served as a deacon for more than 20 years. Among other things, he visits and shops for two elderly shut-ins. He even handles the finances for one of them, a military widow, after he discovered that people were taking advantage of her.

He recalls a probate case in particular, which his office does not normally handle. The case was urgent, however. The widow of a deceased service member needed to transfer property into her name and her child's name — a process known as a succession — so she could sell the property and move home. In most states, only attorneys can take on such cases.

Warren offered to draft and file the necessary documents. "The property was transferred into her name in less than a week. She was able to move back home." Had he not stepped in, she would have had to pay a lawyer around \$3,500 or an a Notary on the outside around \$1,200.

Through his church he helps run a subsidized housing complex of 65 units that the church owns. He's vice president of the board, a volunteer position.

"We have the best subsidized housing units in the city," he said. "We keep one of the best apartment complexes in town. And we re-invest every dime earned back into the units."

He likes to joke that the best job with the church is cooking. He helps feed 150 people or more about twice quarterly at large events, helps order supplies and ensures food service certifications are completed.

His church work also led to a position on the board of directors for Shreveport Common, a non-profit organization that works to revitalize a blighted neighborhood.

"The object is to revitalize a deserted, raggedy part of the city, and we're slowly doing it," he said. "We've got millions invested into the area. We're encouraging property owners to bring their properties up to standards. Our intention is to have developers come in and build new homes with commercial and residential in the area; walkable neighborhoods with retail." As part of the group's efforts, it opened the city's first urban park in November 2019.

Warren has been so busy with all his activities, he's hardly had time to breathe, but as he turned 58 this year, his thoughts have shifted to the future. He's considering working for a few more years and then going to law school. He's already taken a sample LSAT and he "passed with flying colors."

If he becomes a lawyer, he plans to use his new position to do the usual — help those who wouldn't normally be able to afford his services. ■

INTRODUCING YOUR 2020 NOTARY OF THE YEAR SPECIAL HONOREES

By NNA Staff

EVERY YEAR THE NATIONAL NOTARY Association honors an outstanding group of Notaries who go above and beyond their duties as public officials. They demonstrate a profound commitment to serving their communities and exemplify the very best standards of professionalism in carrying out the duties of their office.



Joy Chavez

State: California

Occupation: Mobile Notary

Years as a Notary: 8

“I’m just giving back to the community.”

When California resident Joy Chavez heard that Notaries were needed to notarize the signatures of volunteers following a devastating wildfire in 2018, she packed a bag, and made the two-hour trip to Paradise.

The wildfire had leveled Paradise and the surrounding region and people were traveling from all over to do what they could in recovery efforts. Chavez spent several days notarizing through the Caring Choices charity, a home health agency. However, she felt like

she hadn’t done enough. Hence, she also volunteered sorting through the enormous piles of supplies that the community had dropped off at a former toy store.

Besides her volunteer spirit, Chavez is known as a Notary with an unparalleled commitment to getting the job done right, as an experienced mentor to new Notaries, and as a community servant who takes care of seniors through the Meals-on-Wheels program in her county.

“I’m just giving back to the community and doing what I should do,” she says.

Chavez didn’t plan on becoming a Notary (she has a degree in nutrition), but that changed when she and her husband refinanced their home in 2012. “We signed everything and a light bulb went off and I thought, ‘This is something I can do.’”

It didn’t take long for her to make the transition and become a full-time NSA. “When I make my mind up to do something, I do it. If you want it bad enough, you find a way.”

Joy’s dental hygienist, who also was working as an NSA, became her mentor and guided her through her first initial signings. She remembered how important his help was and has tried to pay it forward by mentoring others.

Chavez is well-known for her attention to detail. At one signing, a real estate agent who had been in business for 35 years said it was the first time she’d seen the oath performed. “Just doing the job right can really impress people.”

When she looks back at her time as a Notary and a volunteer, she’s reminded of how important it is to see the needs of the community and make time to show we care.

“I think people in general are quick to judge and criticize,” she said. “We need to be more loving and open to hearing people ... I think it needs to be about taking care of each other more than just yourself.”



Wanda Moore

State: Maryland

Occupation: Mobile Notary

Years as a Notary: 16

Dedicated to Notary education

When the Category 5 Hurricane Dorian hit the Bahamas in 2019 with top wind speeds of 185 miles per hour, Wanda Moore knew the island was going to need help, and for a long time. She was prepared to donate to relief efforts, but wanted to go a step further, so she set up a fundraising page and invited Notaries and friends to donate. She raised \$600.

Moore has an eye for maximizing opportunities to offer long-term assistance, whether she's raising money for hurricane victims, serving the local community or training Notaries in their basic responsibilities.

The Maryland native is heavily involved in educating Notaries, including as an adjunct instructor at her local community college and through an annual Notary Public Day event. She also works as an NSA doing loan signings and offers free notarizations to the residents of her senior housing community; and she serves as a county

election judge and worked in her church's bookstore for 20 years.

Moore became a Notary after retiring from a government job as a computer specialist. Long-time friend and 2009 Notary of the Year Elaine Wright encouraged her to become a Notary.

As she familiarized herself with her new duties, she decided to attend her first NNA Conference in Philadelphia; she has attended every Conference since. When she comes back to Maryland, she reports on what she learned with other Notaries in her area at the annual Notary Public Day programs, which feature talks by top industry professionals and education workshops. Moore is a workshop presenter at Maryland Notary Public Day and serves as the coordinator for "Giving Back to the Community." Her projects include conducting food and school supply drives and providing financial support for performing arts and multicultural activities.

Moore isn't scared to comb through massive pieces of legislation to make sure Notaries understand their responsibilities, like she did with a new law authorizing remote notarizations. She's also willing to fight to protect NSAs, such as when she testified to legislators in support of a law that would allow NSAs to work without the supervision of attorneys in Maryland.

"The Notaries here had to testify at hearings so we could explain what exactly it is we do when we go to homes," she said. "It's not that we're drawing up documents, we're there to witness signatures. We were able to get that message through."

Sometimes, it's her reassuring, calm presence borne of her many years of experience that's needed most in the lives of the people she helps. The daughter of one of the residents in her senior housing community had put together some directives regarding her mother's health, and she needed someone to notarize them. She had gone on to the AARP website and downloaded what she thought she needed.

"I spent a couple hours with them," Moore recalls. "In addition to notarizing, they were figuring out which documents to use. I couldn't give them legal advice, but I stayed and waited while they made decisions about what they needed and did not charge for the time."

Moore is going to be there, for however long it takes, offering her reassuring presence, expertise and care. ■



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HOW TO GET THE MOST OUT OF YOUR NOTARY HOTLINE CALL

By John Jacobson

A MAJOR BENEFIT OF NNA MEMBERSHIP IS ACCESS TO OUR NOTARY HOTLINE. This one-of-a-kind service helps Notaries when you need it most — when questions or issues come up during a notarization. Our trained Notary Counselors can help you with information about correct Notary procedures and help ensure that you follow your state laws and standards of proper professional conduct.

There are certain steps you can take that will help you get the best help during your Hotline call. Following these steps will help our counselors ensure that you get the right information and help you need for any notarizations you have questions about.

How The Hotline Can Help You

While rules and regulations differ from state-to-state, we can assist you with any questions involving Notary issues in the United States. We can also review documents with you that you have been asked to notarize during your call.

Hotline Counselors can answer questions about completing Notary certificate wording, including filling in blanks in the certificate and whether specific certificate wording is acceptable in your state. We can also help you by describing authorized Notary acts in your state so that the signer can choose what type of notarization they want.

Hotline Counselors also can provide help with identification rules and guidelines for accepting an ID in your state. This includes advising you of the types of identification you can accept from signers in your state and information about

whether you can accept an expired ID or an unfamiliar identification document. We can also assist with credible identifying witness requirements for your state if a signer lacks ID and wishes to be identified by one or more credible witnesses.

Mistakes can happen to the best of us. If you need help correcting an error during a notarization, we can provide you with the statutory requirements for correcting Notary acts in your state, and answer questions about corrections to certificate wording, seal placement and journal entries.

Different states have different regulations regarding witnesses. We can assist if you need to know more about witness requirements or when witnesses must have their signatures notarized in addition to the principal signer of the document.

We can also help if you receive any unusual Notary requests and you aren't sure how to proceed. Examples of these types of requests include such things as copy certification, signers acting with power of attorney for another person, foreign language documents and subscribing witnesses. We can provide details about the nature of these unusual requests, and tell you if you may perform these services in your state.

What the Hotline Cannot Do For You

Before you call, it's important to know that our Hotline Counselors are not authorized to answer certain types of questions or provide legal advice. Hotline Counselors cannot assist you with selecting or preparing documents for a customer or completing information in the main body of a customer's document. These are legal questions that can only be answered by an authorized legal professional such as an attorney.

Some companies that have Notaries on staff have internal policies and procedures with regards to notarizations. Hotline Counselors cannot assist you with questions regarding your employer's internal office policies.

While we are happy to assist you with a notarization in progress, Hotline Counselors cannot speak directly with your customers. The Hotline is a benefit of membership in the NNA, and, as such, we can only answer questions and speak directly with NNA members.

We cannot provide test questions for any state exam, and Hotline Counselors cannot provide answers to questions for the Notary Signing Agent Exam.

Since the NNA is not an oversight agency, we cannot investigate complaints or reports of misconduct against Notaries Public. This would need to be reported and handled by the appropriate regulating agency in your state.

Tips Before You Call The Hotline

You can reach the Hotline at 888-876-0827. Alternatively, you can send a question to us at: **Nationalnotary.org/membership/hotline/contact**

When calling, please make sure to have your NNA member ID number ready; this way we can quickly find your profile information.

If you have a question about the notarization of a specific document, please have that document and any Notary certificate wording ready. This is so you can reference the document and certificate wording during your Hotline call.

Did you know that you can email or fax a document in question to us before calling? All you have to do is scan the document and email it to HotlineServices@NationalNotary.org. Alternatively, you can fax it to (818) 332-4947. Any Hotline Counselor that answers your call will be able to access the documents you send.

Be prepared to take notes. Please remember to have a pen and paper so that you can write down any important information the Hotline Counselor may provide. This will allow for easy reference as you complete the notarization.



Tips During Your Hotline Call

After providing your NNA member number to the Hotline Counselor, let us know if you emailed or faxed a document prior to the call. If you're calling regarding the acceptability of a form of identification, please have the ID ready, if possible.

Describe in detail the issue that your calling about. Some examples of questions we receive are:

- My customer has provided an expired ID card. Can I still accept it?
- The notarial wording on the document looks different. Can I review it with you?
- Am I allowed to certify a copy of a document?

Of course, the issues that are handled on the Hotline are not limited to those

listed above. Just be sure to describe your issue clearly so that we can provide the best service to you.

Don't be afraid to ask for clarification. After we provide an answer to your questions, feel free to ask additional questions regarding any information we provide.

As part of answering your questions, we might send a follow-up email to you. These follow-up emails might include specific laws related your questions. Other follow-up emails may include step-by-step instructions for a particularly challenging notarial request, or other information that may assist you.

After Your Hotline Call

Review any notes you took during your call. If we sent you a follow-up email, be on the lookout for it.

As an NNA member, you have unlimited access to the Notary Hotline, so,

you can always call us back you have any other questions.

Other Hotline Considerations

Remember: the NNA's Notary Hotline is not a government oversight agency, nor can we provide legal advice. Also, we cannot advise you about the contents of a document. As Notaries Public, we cannot provide advice on a document's legal validity or advise you how a document should be completed or used. These questions should be directed to a qualified attorney.

NNA Members can also access more information on Notary rules and procedures at the Knowledge Center on our website at **Nationalnotary.org/knowledge-center**. ■

John Jacobson is a Notary Consultant with the Information Services team at the National Notary Association and regularly answers questions from Notaries on the NNA Hotline.



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Should Notaries Accept Tips And Gratuities?



In most states, the maximum fees Notaries can charge are set by law. But what if a signer pays you the fee for the notarization, and then offers you a few extra dollars as a tip for good service or offers you drinks or a meal? Many Notaries who have been offered tips or other gratuities have contacted the NNA because they were unsure if they could accept them or not. Here are some guidelines to help you.

1. The safest course is to avoid accepting tips.

State Notary laws generally do not directly address whether Notaries can or cannot accept tips in addition to the maximum notarization fees. While your state statute may be silent, it's important to remember the Notary's central role in providing impartial services.

Accepting compensation above and beyond the maximum fees for the notarial act, travel or other ancillary services allowed by law could be seen as improper influence, even

if it seems at the time like the signer has no ulterior motives. For example, suppose a customer regularly provides you with tips, and then later asks you to ignore a problem with his identification during a notarization. When you refuse he could say, "But I've always tipped you in the past; can't you just overlook the small discrepancy with my ID?"

To avoid any appearance of impropriety, the safest course is to politely refuse any extra compensation offered to you, other than the maximum fee allowed by law for the notarial act and any ancillary fees such as for travel. Article II-A-3 of *The Notary Public Code of Professional Responsibility of 2020* recommends, "The Notary shall not accept any gift, gratuity, or donation relating to the performance of a notarial act from, or on behalf of, any past, present, or potential future customers."

2. Never accept more than the maximum Notary fee allowed by your state.

If you are in a state that sets a fee schedule such as California, Florida or Texas, remember that the fee you receive for your services may not exceed what you're allowed to charge for a notarization. In these states, you must turn down a tip if the total amount you would receive is more than state law permits. Nevada is very clear on this matter. Its fee statute prefaces the maximum fees for notarizations and travel by saying, "... a notary public may charge the following fees and no more" (NRS 240.100[1]).

Accepting tips is less clear-cut in Arkansas, Iowa, Kansas and Kentucky where Notary fees are not set by state law. While technically there is not a maximum fee for notarizations, Notaries in these states should exercise restraint by not accepting gratuities for their services. Maine does not set a maximum statutory fee, but the state's Notary Public Handbook recommends that Notaries establish their own fee schedule "... so that persons

seeking their services will have some predictability or assurance on the fee."

Even if your state allows you to charge any amount you choose, the best ethical choice would be to stick to a reasonable fee for your Notary services and decline any additional money offered more than this fee.

3. Don't accept non-monetary gifts or gratuities from customers.

What about gifts such as free movie passes or sports tickets in appreciation? Can you accept those?

Some Notaries might think these types of gifts are different from accepting money. But they are still financial perks that have the potential of compromising your impartiality, especially if the gift-giver wants special treatment during a notarization at some point.

Just like money tips, the recommended ethical practice for other types of gifts and gratuities is not to accept them.



Invalidation Request, Certificate Wording, Notarizing Deer Hunting Tags

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 A customer had a document notarized regarding their marriage about three years ago. They want me to invalidate the notarization. How do I do that?

J.A., Virginia

A Notaries Public do not have the authority to invalidate a notarization. If a notarized document injures someone, it would be up to a court to determine the validity of the notarization. Your customer will have to contact an attorney to see how to proceed.

Q If a document is being notarized in Texas, but will be filed in California, can the Texas Notary use their own state's acknowledgment wording, or do they need to use the California acknowledgment wording?

S.A., California

A The Notary can use either the California or the Texas acknowledgment certificate. Any document that is acknowledged

in another state can be accepted in the State of California if it is notarized according to the laws of the state where the notarization is performed (CA Civil Code 1189[4][c]). You may want to consider using the Texas certificate instead if you are at all concerned with placing yourself under penalty of perjury under the laws of the state of California.

Q Am I able to notarize a deer hunting tag? If so, how do I perform this kind of notarization?

S.F., California

A Yes. California Fish and Game Code section 4341 allows a Notary Public to countersign a deer tag, and section 4755 a bear tag. If asked to countersign a deer or bear tag, just sign the tag and identify yourself on the tag as a Notary Public. No notarial wording is necessary. Do not affix your Notary seal on the tag and do not collect a fee. Additionally, you must record the act in your journal.

Q When confirming an appointment with a borrower regarding loan refinance documents, the borrower asked if he should write me a cashier's check.

Even though the assignment came from a signing company, am I allowed to charge the borrower?

M.J., Pennsylvania

A The borrower should not write you a check. The Signing Agent fee is paid by your contracting company. Your contractor's agreement with the signing company likely will say that the services you perform are compensated by the company.

Q I am a Florida Notary. What would I need to do to be able to perform a wedding in Georgia?

E.C., Florida

A A Florida Notary may perform marriage ceremonies for couples only within the boundaries of the state of Florida.

Q I was asked to notarize a "University of California State Oath of Allegiance, Patent Policy, and Patent Acknowledgement" form. The signer was instructed to only sign the oath in presence of the Notary. Do they need to read the oath, or do I need to recite it?

T.K., Illinois

A Either will work. The important requirement is that there must always be verbal communication



when administering an oath. If you recite it, make sure the signer responds verbally with a clear “yes” or “I do.” Because the signer’s answer puts them under penalty of perjury, it’s important that the signer’s response be clearly heard by the Notary.

Q I am commissioned by the state of Maryland. Am I allowed to notarize a document for a resident in the District of Columbia?
S.C., Maryland

A No. Any notarization you perform must take place within the borders of Maryland (ACM St. Gov.

18-109). If the District resident was present in Maryland with you, you could notarize their document.

Q In the State of Oregon, can a Notary Public also act as a witness on the document?
J.L., Oregon

A The State of Oregon does not have a law that addresses whether or not a Notary Public may also act as a witness when notarizing a document. As such, you can act as a Notary and a witness in Oregon if you wish.

Q Are we permitted to notarize loan documents

from financial institutions or mortgage companies?
J.S., Pennsylvania

A Yes, you may notarize loan documents in Pennsylvania. There are no laws prohibiting you from notarizing documents from financial institutions or mortgage companies.

Q Is it permitted to notarize my daughter’s and her new husband’s marriage certificate in the State of Michigan, since I have no beneficial interest?
K.B., Michigan

A No, you may not notarize a marriage certificate for a relative in Michigan.

MCL 55.291(8) states “A notary public shall not perform a notarial act for a spouse, lineal ancestor, lineal descendant, or sibling including in-laws, steps, or half-relatives.”

Q I want to find out if I can notarize signatures on divorce papers.
L.S., Idaho

A Yes, a Notary can notarize a signature on a document related to a divorce.

Q When notarizing a durable power of attorney for financial management, is it okay if the Notary acknowledgment includes the degree “M.D.” is after the signer’s name?
J.A., California

A No, you may not include the degree “M.D.” after the signer’s name, since you may only identify a signer as an individual, and not as a professional. A California acknowledgment states the signer “acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies)...” Thus, if the signer executed the document as a doctor, the wording says as much without the title appearing after their name.





3 Misconceptions About Notary Journals

The entries in a Notary journal are an important protection against lawsuits and accusations of negligence — but only if they are properly entered and maintained. When keeping a journal, make sure you avoid these 3 common misconceptions:

Misconception 1. **You Can Skip Making A Notary Journal Entry For A Repeat Signer**

Some Notaries mistakenly assume that if they are notarizing for a signer who is a repeat customer, there's no need to make a new journal entry. This is an easy way for the Notary to get into trouble. In most states requiring a journal, such as California and Texas, the law clearly requires Notaries to record a journal entry for each official act they perform. Failing to do so is a violation of the law.

There are a few exceptions. In Arizona, if a Notary performs more than one notarization for an individual within a 6-month period, the

individual must provide satisfactory evidence of identity and sign the journal only the first time. So while a Notary must complete a journal entry for these repeat notarizations, certain elements may be skipped.

In Nevada, a Notary who performs more than one notarial act for a signer at the same time may make one entry in the journal for multiple acts on one document or on similar documents.

Even if you are commissioned in a state where keeping a journal is optional (such as Florida), skipping a journal entry for a notarization can still cause you serious legal problems if you are named in a lawsuit at a later date.

Misconception 2. **You Can Keep Photocopied Documents Or IDs**

Some Notaries ask for or make photocopies of signers' documents or identification to supplement their journal entries, mistakenly thinking that this provides better protection. Notaries

should not do this — the Notary is only required to ask for information required by state law for the journal entry. Requesting or making photocopies is a potential breach of privacy because documents and IDs contain sensitive personal information.

Misconception 3. **Your Notary Journal Belongs to Your Employer**

Your Notary journal is always your property, even if your employer paid for it. If you leave your job, your Notary journal goes with you — your employer may not require you to leave it.

There are exceptions to this rule. Arizona allows Notaries to keep a separate journal for nonpublic records — such as documents under attorney-

client privilege — and the nonpublic journal may be kept by the employer if the Notary leaves.

Oregon Notaries may sign an agreement that permits an employer to keep a journal if the employee leaves, but the Notary must keep a copy of the agreement.

Tennessee Notaries working for certain financial institutions subject to the Financial Records Privacy Act must provide access to their journals under the Financial Records Privacy Act or Right to Privacy Act.

And, while California law clearly affirms that the journal belongs to the Notary alone, an employer may request copies of journal entries that relate to the business purposes of the employer while the Notary is employed or when the Notary leaves their position.

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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