Identifying a Signer in a Multicultural World

A special webinar presentation by the NATIONAL NOTARY ASSOCIATION
Common situations

- Signer has legally changed name as reflected on the document but has not yet changed ID card.
- Signer signed with old name many years ago and is acknowledging signature but can’t be identified under that old name.
- Signer is named on ID with hyphenated name but the document only contains part of that name.
- Signer is named on the ID as ‘Junior’ or ‘II’... but the document lacks that indication.
Questions we will address today

What happens when the name on a document does not match the ID?

What would be the alternative when the identification document is not acceptable?

What are the Notary’s responsibilities in these situations?
General Requirements

• In order to screen a signer and verify the signer’s identity, you must always require personal appearance.

• Check your state’s laws regarding the acceptable identification documents and processes for satisfactory evidence
  – Personal knowledge (not allowed in all states)
  – Identification documents
  – Credible witnesses, a human ID
ID Variations

- Marriage or divorce
- Citizenship name change
- Nicknames
- Multiple last names and hyphenations
ID Card

vs.

Name on Document

(Note: We will not address signatures. A legal signature is the option of the signer to be whatever represents his/her name.)
Notary’s Responsibility

1. **Compare ID with document name to determine if difference is acceptable**
2. **If necessary, seek identification alternatives allowed by law**
3. **When no other option is available, signer would check with receiving agency**
4. **Signer may be able to sign with AKA as prescribed by receiving agency**
5. **Notary’s responsibility is limited**
Comparing Rules

ID must be able to verify what is on the document with more or the same info.

<table>
<thead>
<tr>
<th>Document Name</th>
<th>ID Name</th>
<th>OK/Not OK</th>
</tr>
</thead>
<tbody>
<tr>
<td>T Randall Jones</td>
<td>Thomas Randall Jones</td>
<td>OK</td>
</tr>
<tr>
<td>Patti Carson</td>
<td>Patricia J. Carson</td>
<td>Possibly</td>
</tr>
<tr>
<td>Mi Sug Park</td>
<td>Misug Kim Park</td>
<td>Not OK</td>
</tr>
<tr>
<td>Mike Turner</td>
<td>John Michael Turner</td>
<td>Not OK</td>
</tr>
<tr>
<td>John Alan Smith</td>
<td>John A. Smith, Jr.</td>
<td>Not OK</td>
</tr>
<tr>
<td>Suzanne Kelly</td>
<td>Sue Kelly</td>
<td>Not OK</td>
</tr>
</tbody>
</table>
Alternative or Additional ID Options

Another form of acceptable ID that DOES match the document name

If no other acceptable ID is available, use a credible witness as described by your state laws
Signing with AKA/PKA/FKA

• Signer signs both names
• Links the two names with AKA (“also known as”)
• Notary notarizes only name that appears on ID and indicates that name on notarial certificate
• It is the SIGNER’s responsibility to check with receiving agency for acceptable options
• Typical signature format:
  – Mi Sug Park, also known as Misug Kim Park
  – John Alan Smith AKA John A. Smith, Jr.
  – Maria Garcia Lopez, who took title to property in the name of Maria Garcia
### Conclusion

- **Notary’s main role is to verify signer’s identity**
- This certifies that the signature can be TRUSTED
- Signer must always personally appear to be screened
- ID’s must verify name on the document with more or the same information
- The Notary may seek other lawful identification options
- AKA signatures are sometimes acceptable
- Signer’s responsibility to check with the receiving agency
- Documentation in journal will protect Notary from liability
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Q & A

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