



The Importance of Personal Appearance

A special webinar presentation by the
NATIONAL NOTARY ASSOCIATION



Objectives

What is personal appearance?

Why is it so important?



The Pastor and the Mayor

- Mayor/Notary notarized two signatures
- One of the signers not present
- Pastor forged other signature
- Church and it's property sold



A Notary's Purpose

To deter fraud

- Identify the signer
- Certify signature is authentic



A Notary's Purpose

“My friend is really sick.”

“My mom is disabled, and it is too difficult for her to come here.”

“I’ve been a client for many years, can’t you help me out?”

“You know my signature, just notarize the papers I left.”



What is personal appearance?



- **Appears in person**
- **Face to face**
- **In the same room**



Certificate obligates Notary

“The foregoing instrument was acknowledged *before me...*”

“On this day...*before me...personally appeared _____*”

“Sworn to and subscribed *before me...*”



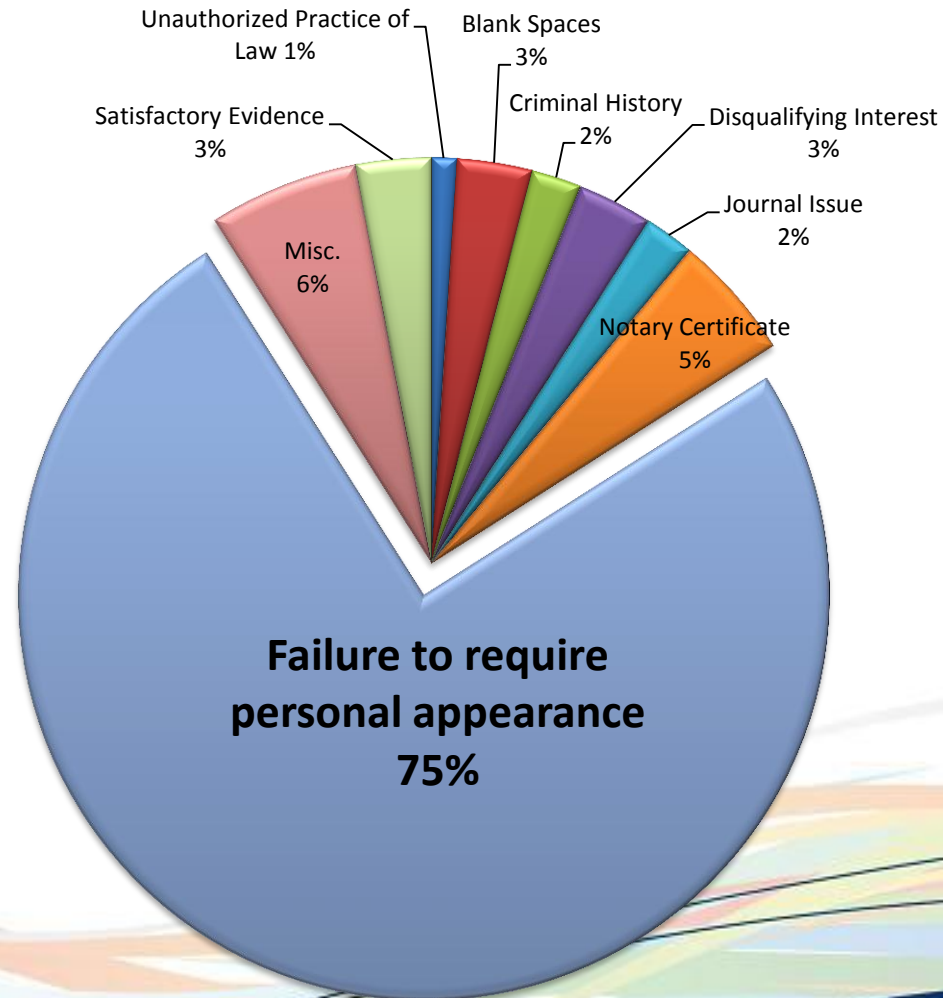
Notary Misconduct



- **Florida Attorney**
- **Pennsylvania Notaries**
- **Massachusetts Notary**



2011 Colorado Notary Complaints





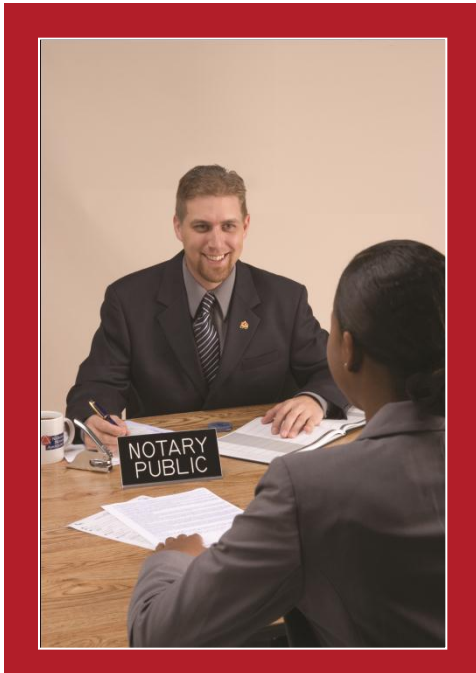
The Standard is Set

“A Notary can no more perform by telephone those notarial acts which require a personal appearance than a dentist can pull a tooth by telephone.”

Texas appellate judge in 1955



Conclusion



57 years later...

You still must require the signer to appear before you to have a document notarized.



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Thank you for joining us

National Notary Association

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