Oregon’s New Laws for Notaries

Susi Sivkov
NNA Certified Seminar Instructor
Topics We Will Address Today

• New Laws effective September 1, 2013 include changes to:
  • ID requirements
  • Use of credible witnesses
  • Journal
  • Signature by Third Party aka Signature by Proxy
ID Requirements

- Driver’s license or ID card
- U.S. passport, card or foreign passport
- U.S. military ID
- ID from federally recognized tribe
- Government ID with photo, signature and physical description
ID Requirements (cont.)

• May now accept expired ID if within three years of notarization
• May now accept:
  – Driver's instruction permit
  – Provisional or limited term driver's license
  – Non-expired temporary license or ID card
  – Any U.S. government-issued ID that includes a photo and signature only
Credible Witnesses

• Personally known
• Or presents acceptable identification document
Journals

- Paper, electronic or both
- Each must be in chronological order
- Electronic journal must be accessible to Secretary of State
- Full name and address of signer
- Entry must be completed at notarization
- Keep for 10 years
Notary Stamps

- Must be reproducible if copied
- Black or dark ink recommended
- May own more than one
- Notary responsible to keep stamps secure from unauthorized use
Notary Certificate

• “Instrument” replaces “record”
• Certify:
  – Authority
  – Signer not spouse
  – Complied with requirements
  – Signer personally appeared
  – Identified signer
Notary Certificate (cont.)

- You may correct errors and omissions on the certificate
- NNA recommendation for Notary to initial and date correction
Other Significant Changes

- May not notarize for spouse
- Unauthorized Practice of Law
  - May not draft legal documents
  - May not give advice
  - May not act as immigration consultant
- Right to refuse to perform act
Signature by Third Party

• Person directs third party
• Signer and third party present
• Notary witnesses
• “Signature affixed by (name of individual) at direction of (name of individual)”
• Notary completes certificate
Signature by Third Party (cont.)

- Third party also signs journal as they did on document
- Include third party’s information and signature in journal as if they were credible witness
Notary Application Changes

• Notary may reside anywhere if works in Oregon
• May not have had a commission revoked in 10 years
Electronic Notarization

• May now notarize electronically
• Must inform Secretary of State of tamper-evident technology used
• Send notice via e-mail using Electronic Notarization Form
• Familiarize yourself with guidelines on SOS website
Connect with the NNA and other Notaries through our social media channels!

Stay updated on the latest NNA events, news and best practices.

facebook.com/nationalnotary
twitter.com/nationalnotary
linkedin.com/company/national-notary-association
NNA Membership
Guides Your Success as a Notary

Benefits:

• Unlimited Toll-Free Hotline Support
• 24/7 Professional Training at www.NationalNotary.org
• Updates, News and How-To’s through NNA publications and new law alerts
• Notary Certificate Forms Online
• U.S. Notary Reference Manual Online
• Free Advertising at SigningAgent.com
• Partner Program Discounts
NNA Hotline

For further information, contact:

Hotline@nationalnotary.org

1-888-876-0827

Notary Experts are available to assist you
Monday-Friday 5:00 a.m.-7:00 p.m. and
Saturdays 5:00 a.m.-5:00 p.m. (PT)

Webinar Archives at:

www.NationalNotary.org/webinar-archives